

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-5176 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: NEVADA H.A.N.D., INC., ET AL - Request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: R-5 (APARTMENT) on 0.80 acres adjacent to the southwest corner of Stewart Avenue and 13th Street (APN 139-35-211-087, 088, 089, 090 and 091), Ward 5 (Weekly).

C.C.: 11/17/04

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:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with EVANS not voting

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 56 [ZON-5176] and Item 58 [SDR-5177].

FLINN FAGG, Planning and Development Department, explained the proposed rezoning would change the site to R-5 (Apartment) and staff finds that compatible with the adjacent C-2 Zoning to the west and a transition from the R-3 (Medium Density Residential) zoning to the east. Regarding the companion Site Development Plan Review application, the proposal has been revised since the original submittal and is now an age restricted, senior, apartment complex. Also, the number of units has been reduced from 60 units to 57. These two alterations result in a parking requirement change from 85 required spaces to 43 required spaces. There was a Variance for parking which is no longer necessary and that item has been withdrawn without prejudice. Staff requested the deletion of Condition 2 on Item 58 [SDR-5177] as it relates to the requirement of the variance that is no longer necessary.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 56 – ZON-5176

MINUTES – Continued:

BOB FEIBLEMAN, Nevada H.A.N.D., 295 East Warm Springs Road, appeared on behalf of the applicant and thanked staff for working with them on the difficult site. Since the hour was so late, he offered to answer any questions the Commissioners had. COMMISSIONER McSWAIN commented that the applicant does a nice service to the community. The projects are always put together well.

ROBERT GENZER, Director, Planning and Development Department, indicated the conditions should be amended on Item 58 [SDR-5177] to reflect the reduction to 57 units and that the development must conform to the definition of Senior Citizen Apartments per Title 19. MR. FAGG confirmed the current conditions do not address those issues. The applicant agreed to all the condition changes and additions.

In an unrelated discussion, COMMISSIONER DAVENPORT asked MR. FEIBLEMAN when Nevada H.A.N.D. would break ground on their Bonanza Road project. MR. FEIBLEMAN informed him the financing was being closed and they were still in the plan check process. He hoped they would begin the project in November. COMMISSIONER DAVENPORT was happy to hear that.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 56 [ZON-5176] and Item 58 [SDR-5177].

(12:21-12:39)

5-210

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-5177) and Variance (VAR-5178) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

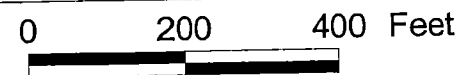
3. Dedicate a 15-foot radius on the southwest corner of Stewart Avenue and Thirteenth Street prior to the issuance of any permits.
4. Construct all incomplete half-street improvements on 13th Street, Stewart Avenue, and the full width of the alley adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 56 – ZON-5176

CONDITIONS – Continued:

5. Landscape and maintain all unimproved rights-of-way on Stewart Avenue and 13th Street adjacent to this site.
6. Submit an Encroachment Agreement for all landscaping and private improvements located in the Stewart Avenue and 13th Street public rights-of-way adjacent to this site prior to occupancy of this site.
7. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.





PROPOSED ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-5176 - APPLICANT/OWNER: NEVADA H.A.N.D., INC.,
ET AL**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-5177) and Variance (VAR-5178) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate a 15-foot radius on the southwest corner of Stewart Avenue and Thirteenth Street prior to the issuance of any permits.
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**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-3 (Medium-Density Residential) to R-5 (Apartment) on 0.80 acres adjacent to the southwest corner of Stewart Avenue and 13th Street.

B) Applicant's Justification

The applicant states that high-density residential development is allowable and appropriate to the area.

BACKGROUND INFORMATION

A) Previous Actions

No previous action has been taken relative to the subject parcels. The following actions are scheduled:

10/21/04 The Planning Commission will consider a related Variance (VAR-5176) and Site Development Plan Review (SDR-5177). Staff recommends approval of the requests.

B) Pre-Application Meeting

08/27/04 At the pre-application conference, it was noted that the proposed rezoning would be in compliance with the General Plan.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.80

ZON-5176 - Staff Report Page Two
October 21, 2004 - Planning Commission Meeting

B) Existing Land Use

Subject Property: Vacant
 Single-Family Residential Use
 Multifamily Residential Use
 North: Retail Use
 South: Multifamily Residential Use
 East: Multifamily Residential Use
 West: Retail Use
 Multifamily Residential Use

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-3 [(Medium-Density Residential); to be rezoned to R-5 (Apartment)]
 North: C-2 (General Commercial)
 South: R-3 (Medium-Density Residential)
 East: R-3 (Medium-Density Residential)
 West: C-2 (General Commercial)

E) General Plan Compliance

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

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

ZON-5176 - Staff Report Page Three
October 21, 2004 - Planning Commission Meeting

Redevelopment Plan Area

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

FINDINGS

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

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

The Las Vegas Redevelopment Plan designates the parcel as MXU (Mixed-Use), which allows both residential and commercial zoning. The proposed R-5 (Apartment) zoning is allowed under the MXU (Mixed-Use designation).

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

The R-5 (Apartment) zoning district allows multifamily residential uses, which is compatible with the properties to the south and to the east, and will serve as a transition to the more intense commercial districts to the west.

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

With the significant increase in housing prices over the last year, there is an even greater need for affordable housing. The proposed rezoning will result in an increase in the number of affordable units in the Las Vegas region.

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

The proposed development will not impact the capacity of the adjacent streets or significantly effect existing traffic patterns.

NOTICES MAILED 113 [Mailed with SDR-5177 & VAR-5178]

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-5176** APN: 139-35-211-088

Name of Property Owner: Curry Colverhus

Name of Applicant: Nevada H.A.N.D., Inc.

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

Yes

✓ No

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

City Official: _____

Partner(s): _____

APN: _____

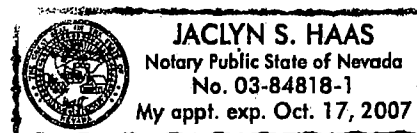
Signature of Property Owner/Authorized Agent: _____

Print Name:

Subscribed and sworn before me

This 31st day of August, 2004

By S. Ma
Notary Public in and for said County and State



**PLANNING & DEVELOPMENT DEPARTMENT**

Re-Zoning (R-3 to R-5)
STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-5176**

APN: 139-35-211-91, 90, 89 and 87

Name of Property Owner: Nevada H.A.N.D., Inc.

Name of Applicant: Nevada H.A.N.D., Inc.

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

Yes

No

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

City Official: _____

Partner(s): _____

APN: _____

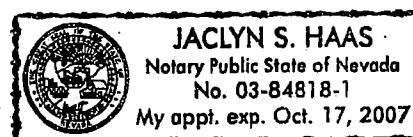
Signature of Property Owner/Authorized Agent:

Print Name: Michael Mullin, President

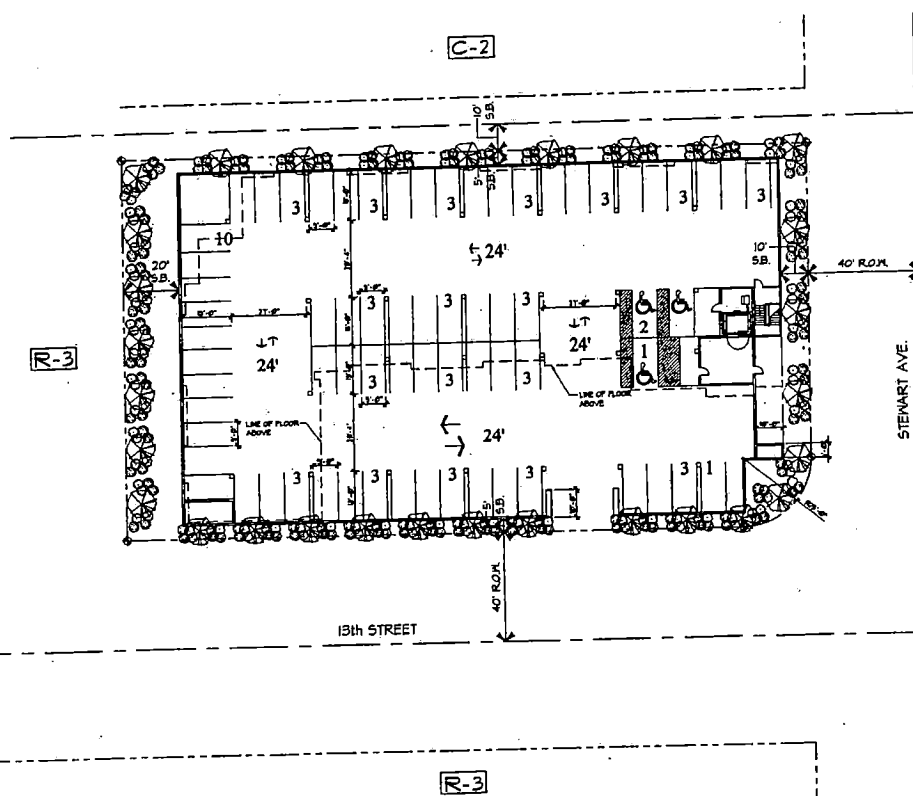
Subscribed and sworn before me

This 30th day of August, 2004

S. H. A.
Notary Public in and for said County and State



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SITE INFORMATION

ZONING - City of Las Vegas
 Current Zoning - R3
 Proposed Zoning - R5
 (APN: 139-35-211-087), 088, 089, 090, 091)

AREA (Approximate, to be Verified)
 Gross Area: = 240 x 140 = 35,000 Sq. Ft.

SETBACKS

Front	10' ft
Side	5' ft
Side Corner	5' ft
Rear	20' ft

BUILDING AREA

1st Floor	15,910 Sq. Ft.
2nd Floor	15,726 Sq. Ft.
3rd Floor	14,127 Sq. Ft.
4th Floor	12,474 Sq. Ft.
Total	58,237 Sq. Ft.

HEIGHT

Maximum Allowed:	5 stories / 50 ft
Provided:	(whichever is less) 4 stories / 53 ft

PARKING REQUIREMENTS

Parking Required:		
(60) 1 Bedroom Units	1.25x60 =	75
Guest	60/6 =	10
Total Parking Required:		85
Total Parking Provided:		66
		(Applied for Variance)

H.C. Parking Required	2
H.C. Parking Provided:	3

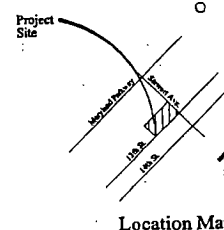
LANDSCAPING REQUIREMENTS

Residential: (1) 24" Box Tree, (4) 5 Gallon
 & (4) 1 Gallon @ 20' O.C.

Commercial: (1) 24" Box Tree, (4) 5 Gallon
 & (4) 1 Gallon @ 30' O.C.

LANDSCAPING LEGEND

- 24" Box Tree
- 5 Gallon
- 1 Gallon



OGDEN PINES II APARTMENTS

Las Vegas, Nevada

Developed By: Nevada H.A.N.D.

Building Site Plan

Date: September 3, 2004
 Project Number: 104371

Scale: 1" = 20'

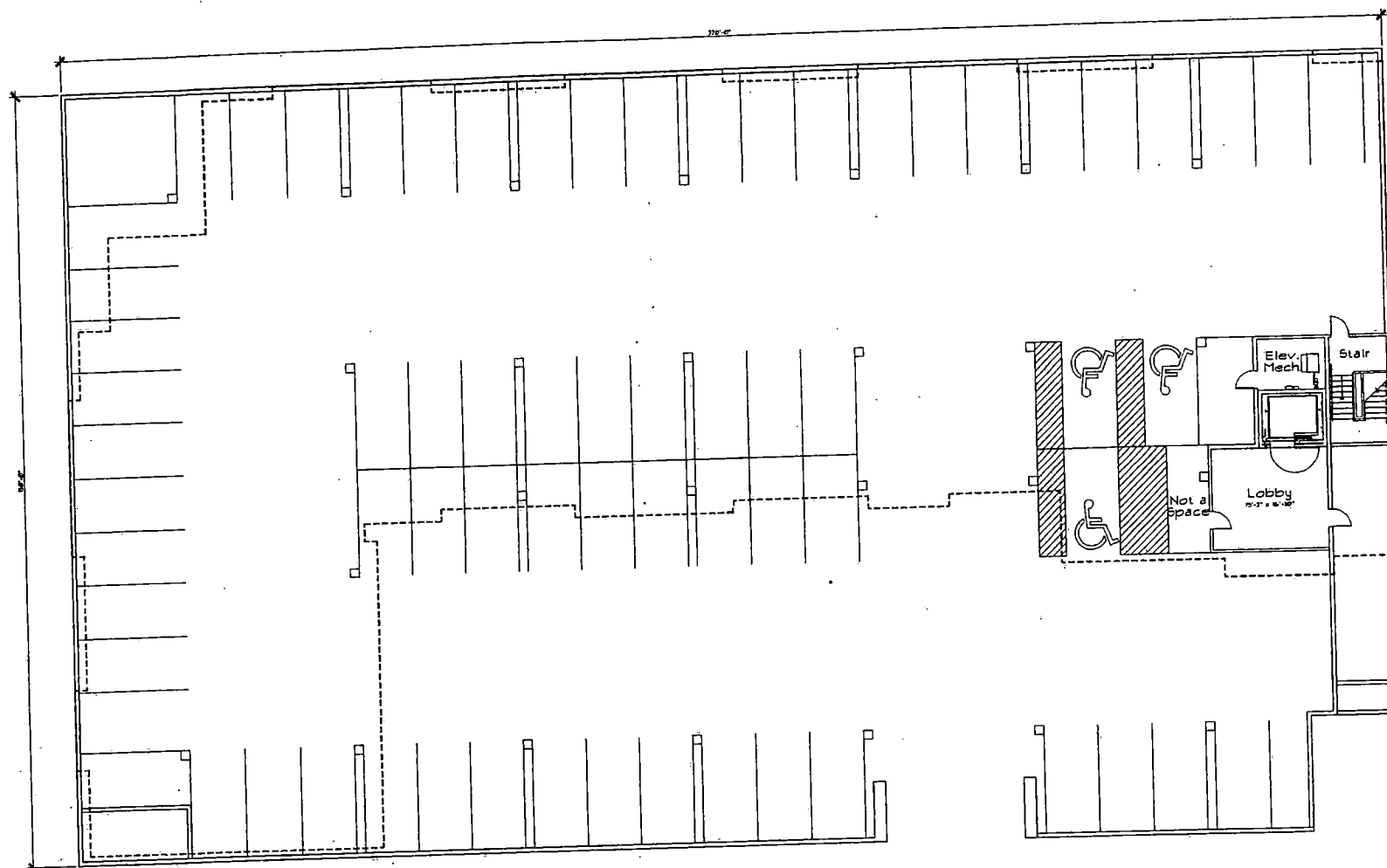


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 ARCHITECTS
 PERLMAN ARCHITECTS, INC.
 2230 CORPORATE CIRCLE, SUITE 200
 HENDERSON, NEVADA. 89074
 702.990.9900 702.932.3222 fax

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ZON-5176
10/21/04 PC

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Garage Floor Level

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

OGDEN PINES II APARTMENTS

Las Vegas, Nevada

Developed By: Nevada H.A.N.D.

Garage Floor Level

Date: September 3, 2004
Project Number: 104371

Scale: 1/8" = 1'

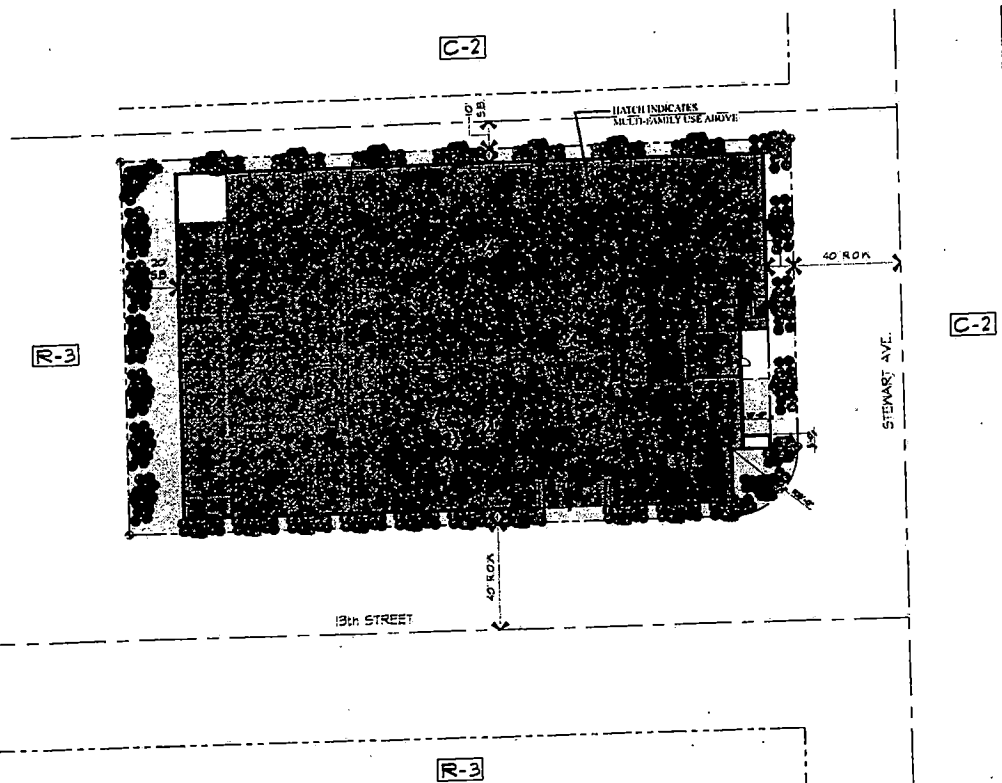


Perlman
ARCHITECTS

PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89074
702.990.9900 702.932.3222 fax

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ZON-5176
10/21/04 PC



SITE INFORMATION

ZONING - City of Las Vegas
 Current Zoning - R3
 Proposed Zoning - R3
 (APN: 139-35-211-087, 088, 089, 090, 091)

AREA (Approximate, to be Verified)
 Gross Area = 240 x 140 = 35,000 Sq. Ft.

SETBACKS

Front	10' ft
Side	5' ft
Side Corner	5' ft
Rear	20' ft

BUILDING AREA

1st Floor	15,910 Sq. Ft.
2nd Floor	15,726 Sq. Ft.
3rd Floor	14,127 Sq. Ft.
4th Floor	12,474 Sq. Ft.
Total	58,237 Sq. Ft.

HEIGHT

Maximum Allowed:	5 stories / 50 ft
Provided:	(whichever is less) 4 stories / 55 ft

PARKING REQUIREMENTS

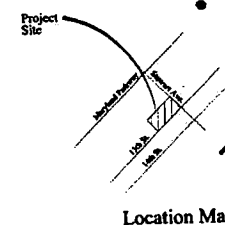
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H.C. Parking Provided:		3

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Commercial:	(1) 24" Box Tree, (4) 5 Gallon & (4) 1 Gallon @ 30' O.C.

LANDSCAPING LEGEND

- 24" Box Tree
- 5 Gallon
- 1 Gallon



OGDEN PINES II APARTMENTS

Las Vegas, Nevada

Developed By: Nevada H.A.N.D.

Building Site Plan

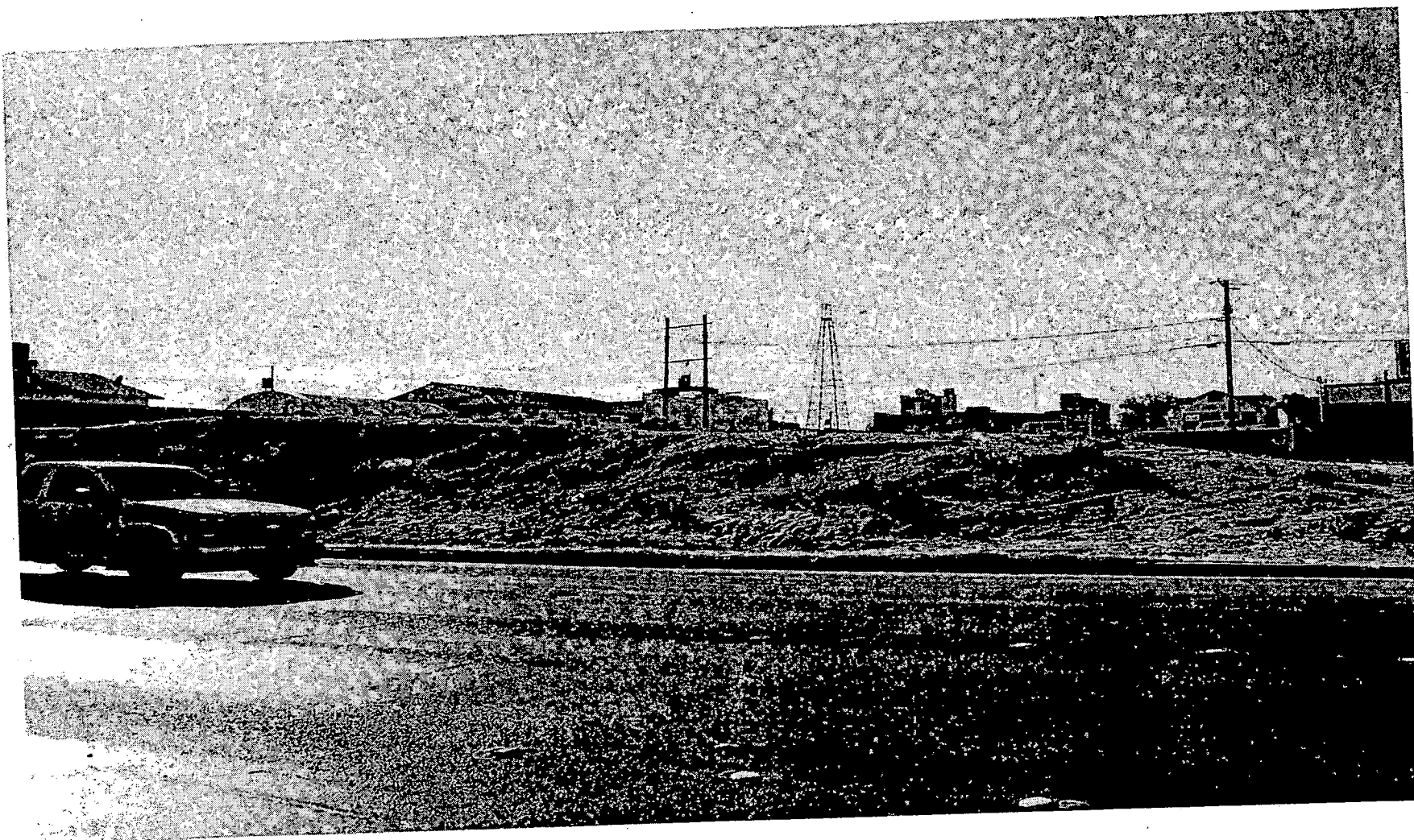
Date: September 3, 2004
 Project Number: 104371

Scale: 1" = 20'
 0 20' 40'

Perlman
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 2230 CORPORATE CIRCLE, SUITE 200
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ZON-5176
10/21/04 PC



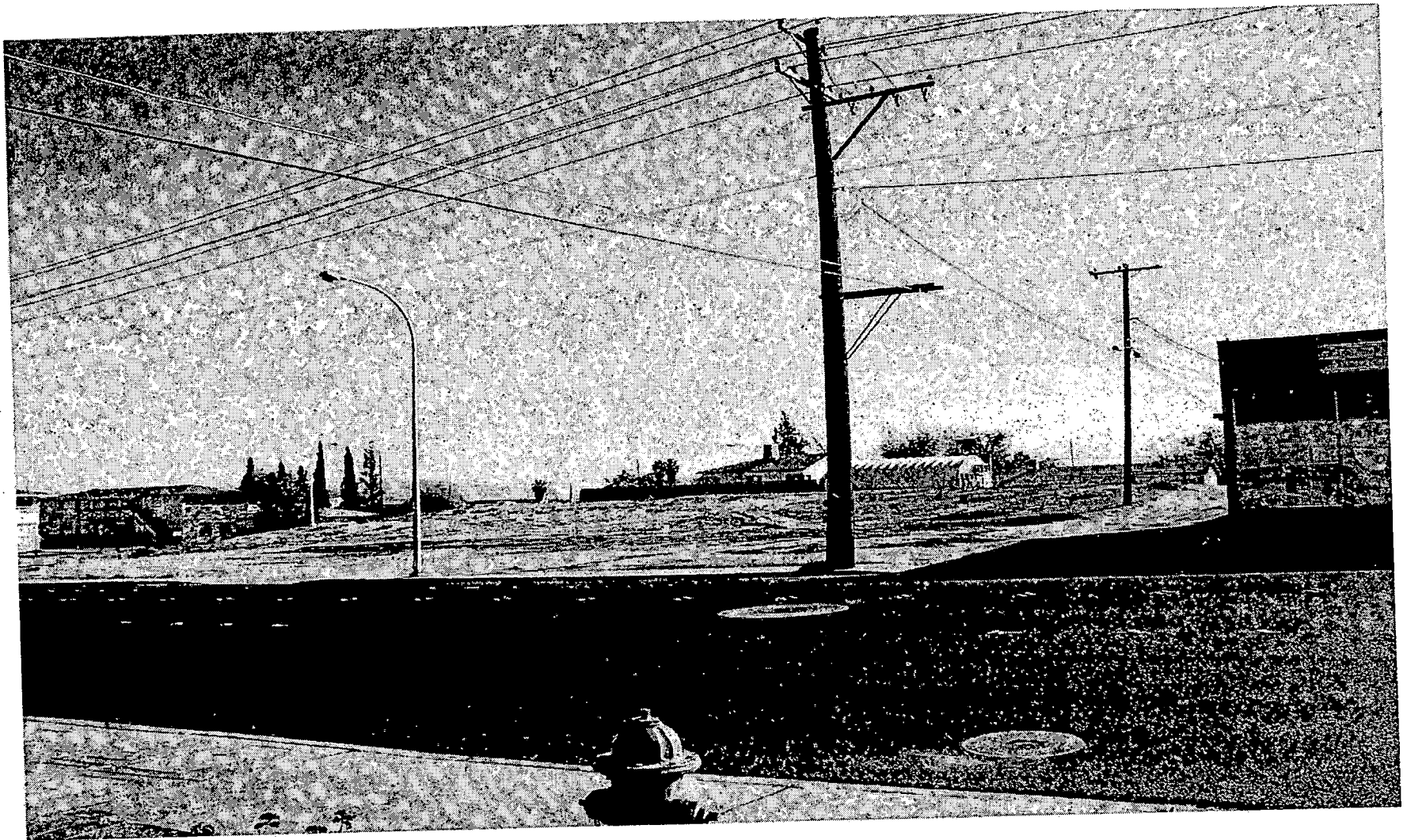
ZON-5176 - APPLICANT/OWNER: NEVADA H.A.N.D., INC., ET AL
SOUTHWEST CORNER OF STEWART AVENUE AND 13TH STREET
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



ZON-5176 - APPLICANT/OWNER: NEVADA H.A.N.D., INC., ET AL
SOUTHWEST CORNER OF STEWART AVENUE AND 13TH STREET
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



ZON-5176 - APPLICANT/OWNER: NEVADA H.A.N.D., INC., ET AL
SOUTHWEST CORNER OF STEWART AVENUE AND 13TH STREET
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

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

VAR-5178 - VARIANCE RELATED TO ZON-5176 AND SDR-5177 - PUBLIC HEARING
- APPLICANT/OWNER: NEVADA H.A.N.D., INC., ET AL - Request for a Variance to ALLOW 66 PARKING SPACES FOR A PROPOSED 5 STORY, 60 UNIT, MULTI-FAMILY DEVELOPMENT WHERE 85 SPACES ARE REQUIRED on 0.80 acres adjacent to the southwest corner of Stewart Avenue and 13th Street (APN 139-35-211-087, 088, 089, 090 and 091), R-3 (Medium Density Residential) Zone [PROPOSED: R-5 (Apartment)], Ward 5. (Weekly).

C.C.: 11/17/04**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be WITHDRAWN WITHOUT PREJUDICE.

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 3 [TMP-5188], Item 29 [GPA-5266], Item 43 [GPA-5195], Item 50 [MOD-5212], Item 51 [VAR-5214], Item 52 [SDR-5213] and Item 75 [SDR-5179] to 11/18/2004 Planning Commission meeting; Item 25 [VAC-5030] to 12/16/2004 Planning Commission meeting; WITHDRAW WITHOUT PREJUDICE Item 44 [GPA-5200] and Item 57 [VAR-5178]; and TABLE Item 47 [GPA-5207], Item 48 [SUP-5210] and Item 49 [SSR-5209] – UNANIMOUS

NOTE: Chairman Truesdell made a disclosure relating to Item 29 [GPA-5266], as he has an interest in the adjacent property. He would be voting on the abeyance but would abstain once the item comes forward. In addition, on Item 44 [GPA-5200], he would be voting on the abeyance but is uncertain if he would vote on the item once it comes forward, as he has been involved with the group that purchased the property and have abstained on this item in the past.

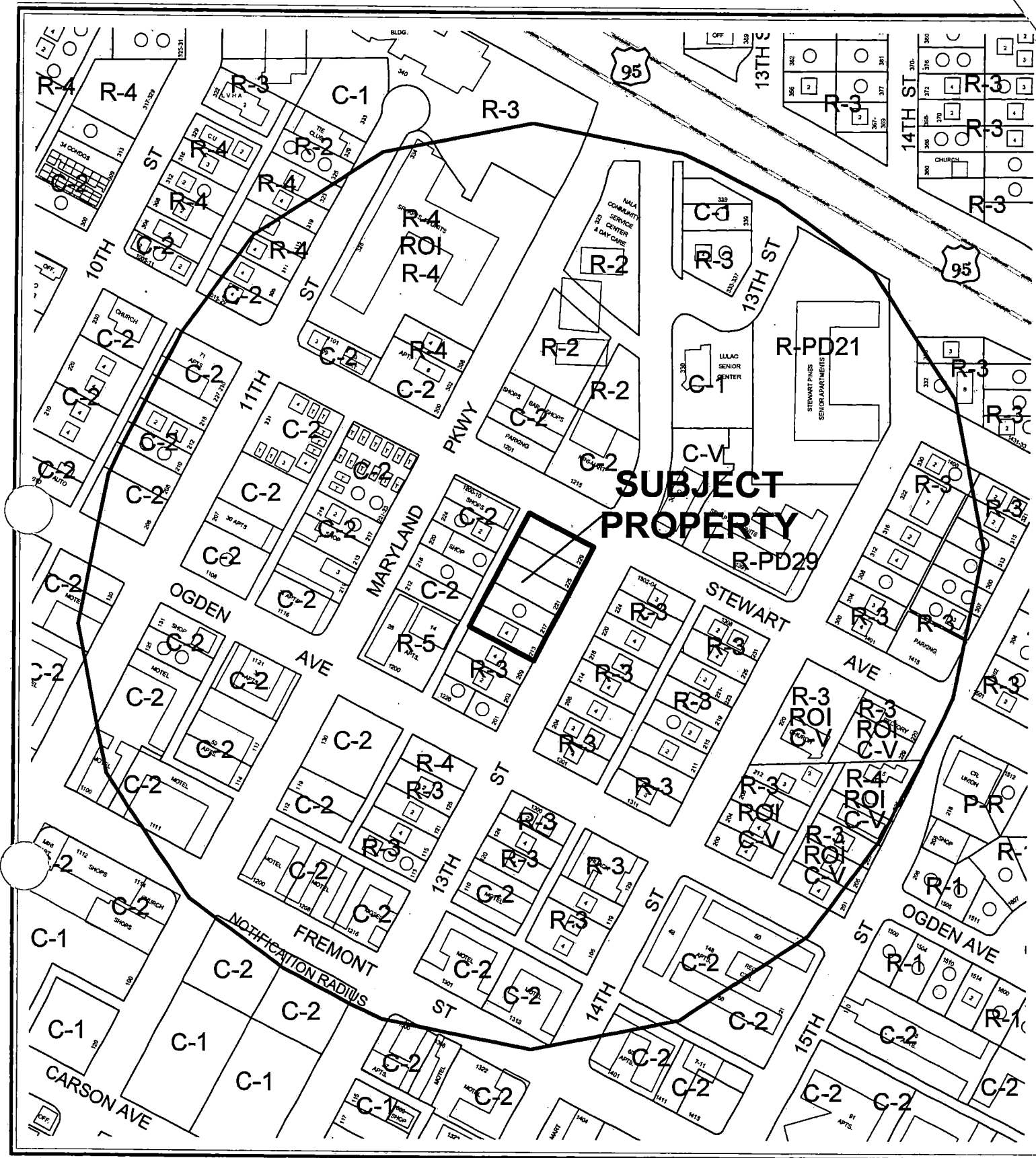
PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 57 – VAR-5178

MINUTES:

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

(6:05-6:20)

1-90



CASE: VAR-5178

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5178 - APPLICANT/OWNER: NEVADA H.A.N.D., INC.,
ET AL

***ON OCTOBER 14, 2004 THE
APPLICANT REQUESTED THIS
ITEM BE WITHDRAWN WITHOUT
PREJUDICE.***



"Nevada's Helping Hands"

HAND CONSTRUCTION COMPANY

295 E. Warm Springs Road, Suite 101

Las Vegas, NV 89119

Telephone: (702) 739-3345; Fax: (702) 739-3305

October 14, 2004

Flinn Fagg, AICP
City of Las Vegas
Planning & Development Department
731 S. Fourth Street
Las Vegas, NV 89101

RE: Stewart Pines III- VAR-5178

Dear Flinn:

Please be advised that changes have been made in regards to our proposed development, Stewart Pines III, located on the southwest corner of Stewart Avenue and 13th Street, APN #'s- 139-35-211-091, 090, 089, 088, 087.

After further review, we are proposing to develop 57 units (51) 1-bedroom and (6) 2-bedrooms in place of the 60 1-bedroom units that previously submitted with our original pre-application meeting on August 27, 2004.

We are requesting Stewart Pines III be defined as Senior Apartments in accordance with federal guidelines.

Per Title 19 of the Las Vegas Zoning Code, we would like to withdrawal our parking variance application, as it is no longer necessary because of the different parking requirements for senior developments.

If you need any further assistance, please contact me at 739-3345 ext. 229. Thank you.

Sincerely,

Robert D. Feibleman
Executive Vice President

CC Mike Mullin
Rick Salyer

RECEIVED
OCT 14 AM 10:17
CITY OF LAS VEGAS

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-5178** APN: 139-35-211-088

Name of Property Owner: Curry Columbus

Name of Applicant: Nevada H.A.N.D., Inc.

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

Yes

✓ No

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

City Official: _____

Partner(s): _____

APN: _____

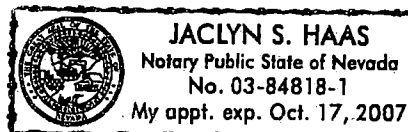
Signature of Property Owner/Authorized Agent: [Signature] (1)

Print Name: NORMAN Centry

Subscribed and sworn before me

This 31 day of August, 204

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





VAR-5178

Name of Applicant: Nevada H.A.N.D., Inc.

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

Yes ☐ No ☒

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

City Official: _____

Partner(s): _____

APN: _____

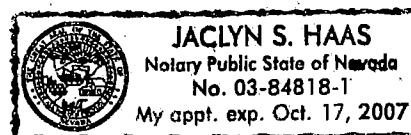
Signature of Property Owner/Authorized Agent: 

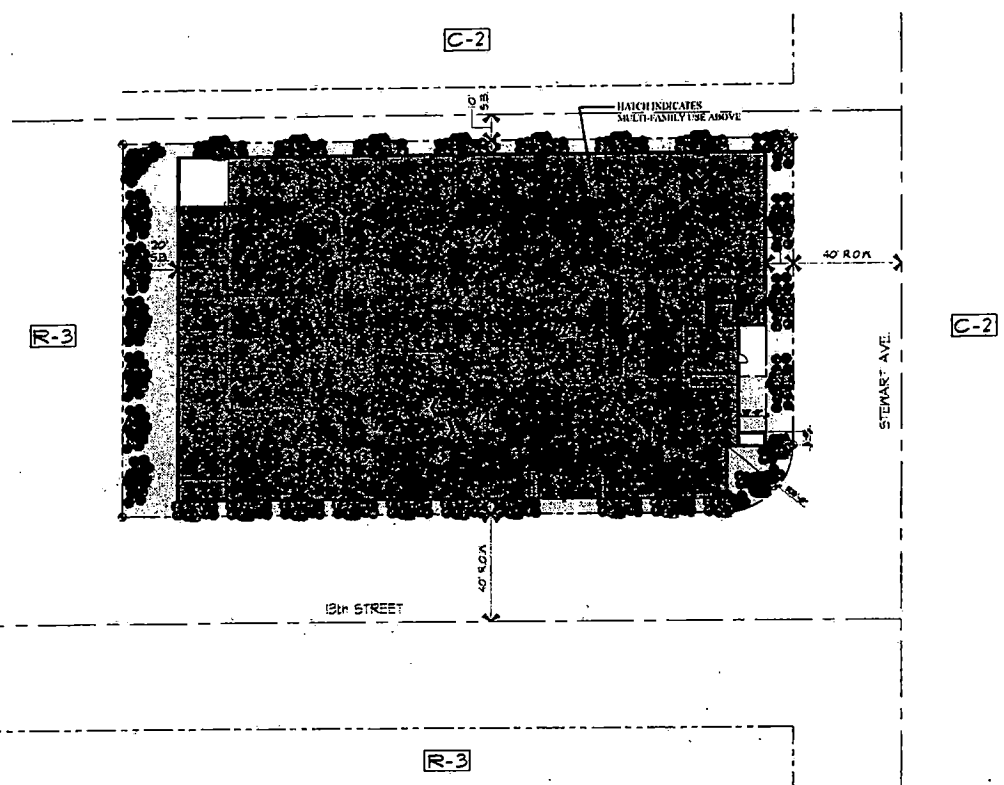
Print Name: Michael Mullen, President

Subscribed and sworn before me

This 30th day of August, 2004

by S. H. Co
Notary Public in and for said County and State





SITE INFORMATION

ZONING - City of Las Vegas
 Current Zoning - R3
 Proposed Zoning - R5
 (APN: 139-35-211-087, 088, 089, 090, 091)

AREA (Approximate, to be Verified)
 Gross Area: = 240 x 140 = 33,600 Sq. Ft.

SETBACKS

Front	10' ft
Side	5' ft
Side Corner	5' ft
Rear	20' ft

BUILDING AREA

1st Floor	15,910 Sq. Ft.
2nd Floor	15,726 Sq. Ft.
3rd Floor	14,127 Sq. Ft.
4th Floor	12,474 Sq. Ft.
Total	58,237 Sq. Ft.

HEIGHT

Maximum Allowed:	5 stories / 50 ft
Provided:	(whichever is less) 4 stories / 55 ft

PARKING REQUIREMENTS

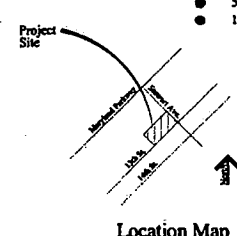
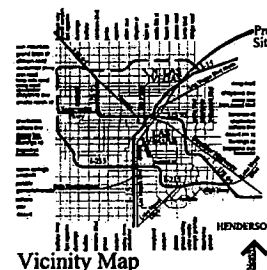
Parking Required:		
(60) 1 Bedroom Units	1.25x60 =	75
Guest	60/6 =	10
Total Parking Required:		85
Total Parking Provided:		66
		(Applied for Variance)
H.C. Parking Required		2
H.C. Parking Provided:		3

LANDSCAPING REQUIREMENTS

Residential:	(1) 24" Box Tree, (4) 5 Gallon & (4) 1 Gallon @ 20' O.C.
Commercial:	(1) 24" Box Tree, (4) 5 Gallon & (4) 1 Gallon @ 30' O.C.

LANDSCAPING LEGEND

- 24" Box Tree
- 5 Gallon
- 1 Gallon



OGDEN PINES II APARTMENTS

Las Vegas, Nevada

Developed By: Nevada H.A.N.D.

Building Site Plan

Date: September 3, 2004
 Project Number: 104371

Scale: 1" = 20'



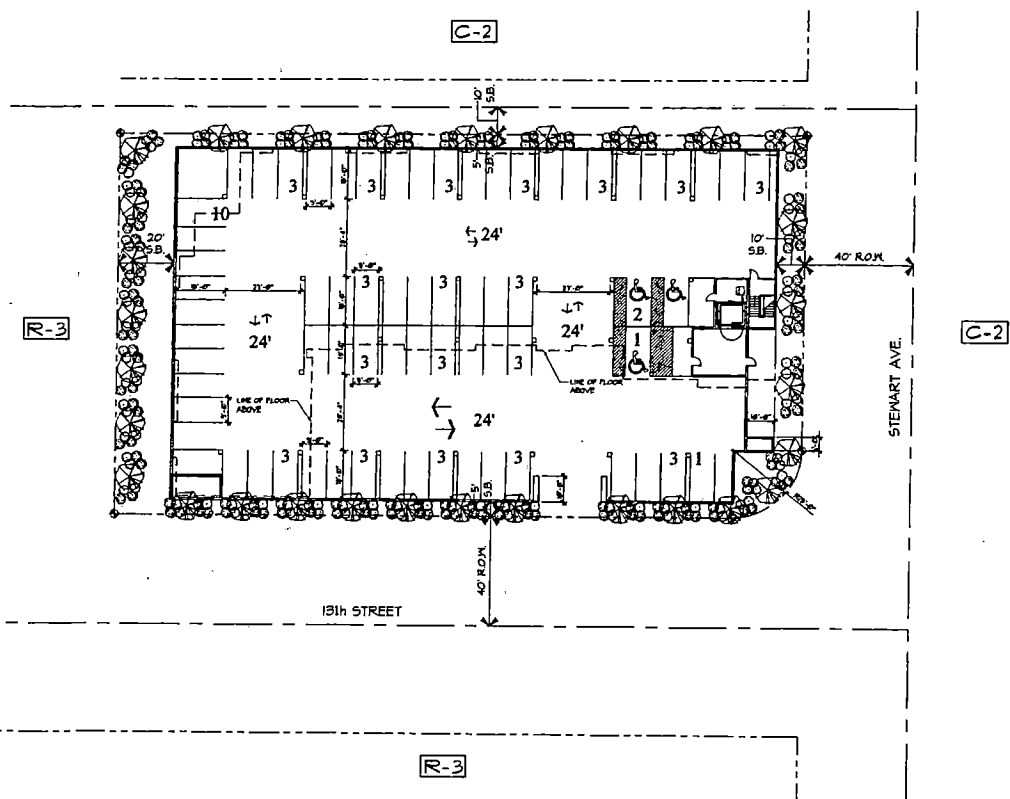
Perlman
 ARCHITECTS

PERLMAN ARCHITECTS, INC.
 2230 CORPORATE CIRCLE, SUITE 200
 HENDERSON, NEVADA 89074
 702.990.9900 702.932.3222 fax

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VAR-5178
10/21/04 PC

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SITE INFORMATION

ZONING - City of Las Vegas
Current Zoning - R3
Proposed Zoning - R5
(APN: 139-35-211-087, 088, 089, 090, 091)

AREA (Approximate, to be Verified)
Gross Area: = 240 x 140 = 35,000 Sq. Ft.

SETBACKS
Front 10' ft
Side 5' ft
Side Corner 5' ft
Rear 20' ft

BUILDING AREA
1st Floor 15,910 Sq. Ft.
2nd Floor 15,726 Sq. Ft.
3rd Floor 14,127 Sq. Ft.
4th Floor 12,474 Sq. Ft.
Total 58,237 Sq. Ft.

HEIGHT
Maximum Allowed: 5 stories / 50 ft
Provided: (whichever is less)
4 stories / 55 ft

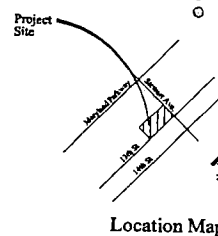
PARKING REQUIREMENTS
Parking Required:
(60) 1 Bedroom Units 1.25x60 = 75
Guest 60% = 10
Total Parking Required: 85
Total Parking Provided: 66
(Applied for Variance)

H.C. Parking Required 2
H.C. Parking Provided: 3

LANDSCAPING REQUIREMENTS
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LANDSCAPING LEGEND

24" Box Tree
5 Gallon
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OGDEN PINES II APARTMENTS

Las Vegas, Nevada

Developed By: Nevada H.A.N.D.

Building Site Plan

Date: September 3, 2004
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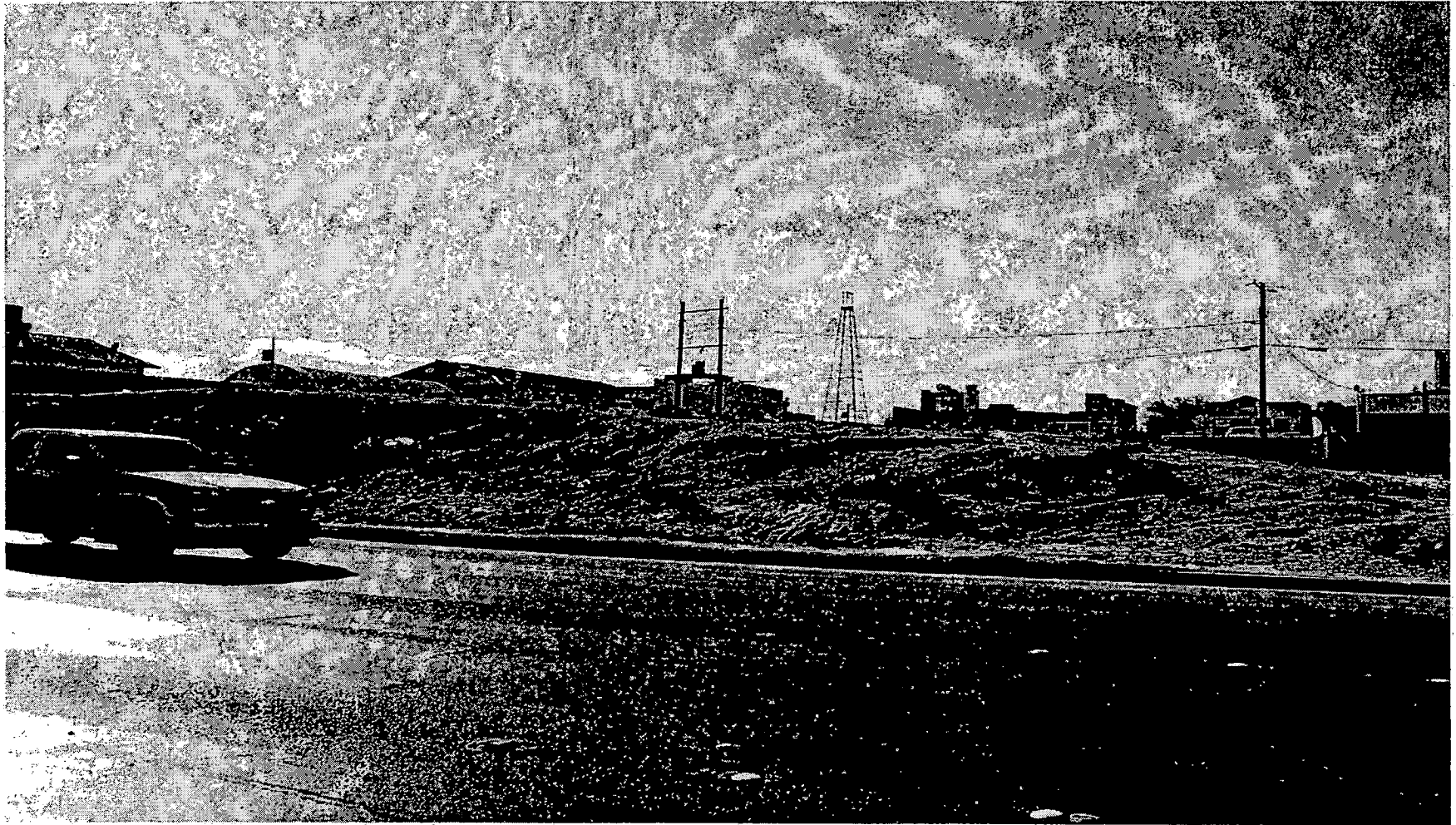
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Perlman
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702.890.9800 702.832.3222 fax

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VAR-5178
10/21/04 PC



VAR-5178 - APPLICANT/OWNER: NEVADA H.A.N.D., INC., ET AL
SOUTHWEST CORNER OF STEWART AVENUE AND 13TH STREET
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



VAR-5178 - APPLICANT/OWNER: NEVADA H.A.N.D., INC., ET AL
SOUTHWEST CORNER OF STEWART AVENUE AND 13TH STREET
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



VAR-5178 - APPLICANT/OWNER: NEVADA H.A.N.D., INC., ET AL
SOUTHWEST CORNER OF STEWART AVENUE AND 13TH STREET
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5177 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5176 AND VAR-5178 - PUBLIC HEARING - APPLICANT/OWNER: NEVADA H.A.N.D., INC., ET AL - Request for a Site Development Plan Review FOR A PROPOSED 5 STORY, 60 UNIT, MULTI-FAMILY DEVELOPMENT on 0.80 acres adjacent to the southwest corner of Stewart Avenue and 13th Street (APN 135-35-211-087, 088, 089, 090 and 091), R-3 (Medium Density Residential) Zone [PROPOSED: R-5 (Apartment)], Ward 5 (Weekly).

C.C.: 11/17/04

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:

McSWAIN – APPROVED subject to conditions, deleting Condition 2 and adding the following conditions:

- *The development shall be limited to 57 units.*
- *The development shall conform to the definition of Senior Citizen Apartment as listed in Title 19.20.*

– UNANIMOUS with EVANS not voting

To be heard by the City Council on 11/17/2004

MINUTES:

See Item 56 [ZON-5176] for all related discussion on Item 56 [ZON-5176] and Item 58 [SDR-5177].

(12:21-12:39)

5-210

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 58 – SDR-5177

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-5176) to a R-5 Zoning District approved by the City Council.
2. A Variance (VAR-5178) approved by City Council in order to permit 66 parking spaces where 75 parking spaces are required.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, date stamped October 18, 2004, except as amended by conditions herein.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
6. Turf shall be limited to 15% of the total landscape area. No turf shall be permitted in the non-recreational common areas.
7. A property line wall shall be constructed along the south property line in accordance with the requirements of Title 19.12. The property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall height shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
10. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

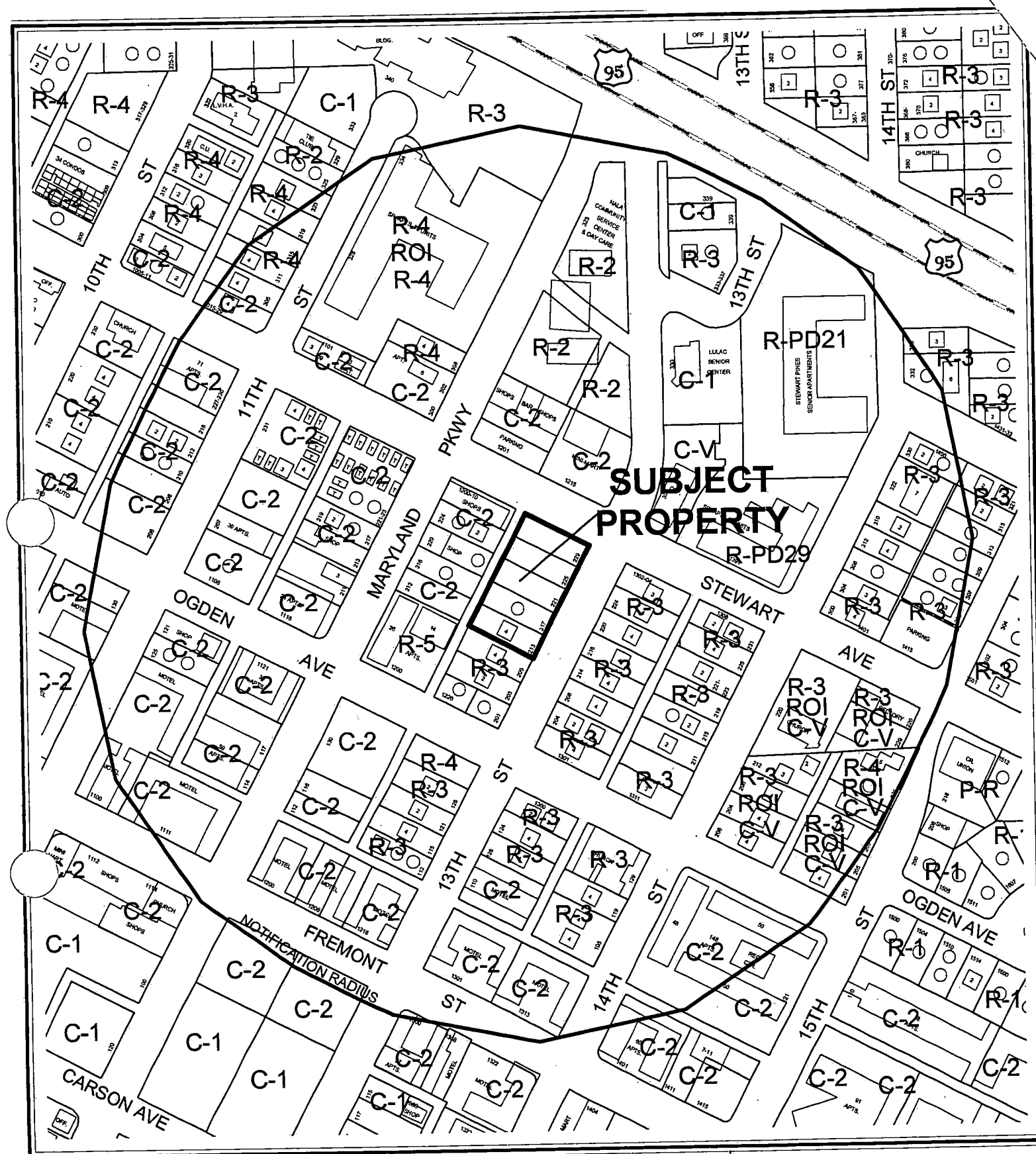
PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 58 – SDR-5177

CONDITIONS – Continued:

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

Public Works

12. Coordinate with the City Surveyor to determine whether a Merger and Re-subdivision Map or other map is necessary. Comply with the recommendations of the City Surveyor.
13. Driveways shall be designed, located and meet the intent of Standard Drawing #222A.
14. Site development to comply with all applicable conditions of approval for ZON-5176 and all other subsequent site-related actions.



CASE: **SDR-5177**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-5177 - APPLICANT/OWNER: NEVADA H.A.N.D., INC.,
ET AL**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Rezoning (ZON-5176) to a R-5 Zoning District approved by the City Council.
2. A Variance (VAR-5178) approved by City Council in order to permit 66 parking spaces where 75 parking spaces are required.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
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5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
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8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

SDR-5177 - Conditions Page Two
October 21, 2004 - Planning Commission Meeting

10. 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.
11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

- 
12. Coordinate with the City Surveyor to determine whether a Merger and Re-subdivision Map or other map is necessary. Comply with the recommendations of the City Surveyor.
 13. Driveways shall be designed, located and meet the intent of Standard Drawing #222A.
 14. Site development to comply with all applicable conditions of approval for ZON-5176 and all other subsequent site-related actions.
- 

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review for a proposed five-story multifamily development with 60 units on 0.80 acres adjacent to the southwest corner of Stewart Avenue and 13th Street.

B) Applicant's Justification

The applicant states that they have developed a reputation for building quality, affordable housing, and that this project will be a welcome addition to the downtown area.

BACKGROUND INFORMATION

A) Previous Actions

No previous action has been taken relative to the subject parcels. The following actions are scheduled:

10/21/04 The Planning Commission will consider a related Rezoning (ZON-5176) and Variance (VAR-5178). Staff recommends approval of the requests.

B) Pre-Application Meeting

08/27/04 At the pre-application conference, issues were discussed relative to the proposed setbacks, parking requirements, perimeter buffers, and conformance with height requirements. Public Works discussed the need to provide a corner radius dedication and the requirements for re-mapping the property.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.80

SDR-5177 - Staff Report Page Two
October 21, 2004 - Planning Commission Meeting

B) Existing Land Use

Subject Property: Vacant
 Single-Family Residential Use
 Multifamily Residential Use
 North: Retail Use
 South: Multifamily Residential Use
 East: Multifamily Residential Use
 West: Retail Use
 Multifamily Residential Use

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-3 [(Medium-Density Residential); to be rezoned to R-5
 (Apartment)]
 North: C-2 (General Commercial)
 South: R-3 (Medium-Density Residential)
 East: R-3 (Medium-Density Residential)
 West: C-2 (General Commercial)

E) General Plan Compliance

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

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Redevelopment Plan Area	X	
Special 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 Mixed-Use land use designation. The proposed use is in conformance with the Redevelopment Plan.

PROJECT DESCRIPTION

The project involves the demolition of the existing single- and multifamily residences on the southern portion of the property, and the construction of a new five-story residential development with 60 units. Parking for the residents will be located on the ground floor of the building, and will be partially underground due to the change in grade of the property; the residential units will be located on the upper four floors of the building. A building lobby will be located on the ground floor facing Stewart Avenue, and will include an elevator to the upper levels of the building. The residential floors are arranged with an interior hallway providing access to all of the units; all of the units will be one-bedroom units. An activity room and exercise room will be provided for the residents, and an on-site leasing office will be maintained.

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	7,000 SF	35,000 SF	Y
Units/Acre	Unlimited	75 units/acre	Y
Min. Lot Width	N/A Feet	140 Feet	N/A
Min. Setbacks			
• Front (Stewart Ave.)	10 Feet	10 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner (13 th St.)	5 Feet	5 Feet	Y
• Rear	20 Feet	20 Feet	Y
Max. Lot Coverage	N/A	72%	N/A
Max. Building Height	5 Stories/55 Feet	5 stories/55 Feet	Y
Trash Enclosure	Walled/roofed	Walled/roofed	Y
Mech. Equipment	Screened	Not indicated	Not indicated

SDR-5177 - Staff Report Page Four
October 21, 2004 - Planning Commission Meeting

The proposed structure will comply with all development standards of the R-5 (Apartment) zoning district. The submitted elevations designate the overall height of the structure as 62 feet; based on the definition in Title 19.20, the height of the building as measured from average finished grade to the midpoint of the roof is actually 55 feet. No information has been provided relative to the screening of the mechanical equipment; all equipment will need to be screened in accordance with Code requirements.

A2) Residential Adjacency Standards

Title 19.08.060 exempts properties within the Las Vegas Redevelopment Area from the application of Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Multifamily • 1 bedroom	60 units	1.25 spaces/unit + 1 guest space/6 units	85	N/A	66	3

The development will not provide adequate parking based on Code requirements. The applicant has submitted a Variance (VAR-5178) application to address this issue.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Buffer:			
• Min. Trees	1 Tree/30 Linear Feet	26 Trees	30 Trees
• Min. Zone Width	6 Feet		5-20 Feet
• Wall height	6 Feet		Not indicated

SDR-5177 - Staff Report Page Five
October 21, 2004 - Planning Commission Meeting

The landscape plan indicates that trees will be provided in the buffer areas in accordance with Code requirements. The perimeter landscape buffers have been provided in accordance with the required setbacks of the R-5 zoning district. No information has been provided relative to a perimeter wall; a wall would be required along the south property line in accordance with Title 19.12.

A5) Sign Standards

No information has been provided relative to the proposed signage for the property. All signage shall be subject to the requirements of Title 19.14.

B) General Analysis and Discussion

- **Zoning**

The applicant has submitted an application to Rezone (ZON-5176) the property to R-5 (Apartment). The proposed use is allowed in the R-5 district, and the proposed structure will comply with the development standards of the R-5 (Apartment) district.

- **Site Plan**

The site plan depicts the residential lobby located at grade with access from Stewart Avenue, with the vehicular entrance located on 13th Street. Perimeter buffers are provided on all sides of the property in accordance with Code requirements. A trash enclosure, with walls and a roof, will be located directly off the alley on the west side of the property.

- **Waivers**

No Waivers have been requested as part of this application.

- **Landscape Plan**

As noted above, the landscape plan indicates that adequate trees and plant materials will provide in all buffer areas. The width of the perimeter buffers is based on the required setbacks of the R-5 zoning district, which vary from five feet to 20 feet in depth. As the parking area is located beneath the building, no landscaping is required.

SDR-5177 - Staff Report Page Six
October 21, 2004 - Planning Commission Meeting

- **Elevation**

The building will feature stucco on the exterior walls of the structure and a concrete tile roof. The building has been designed so that the principal mass is towards the interior of the site, with elements cascading down towards the street so as to reduce the apparent massing of the structure. Additional elements that assist in reducing the scale of the building include varied rooflines and projecting gables, cantilevered balconies, and variations in the wall plane of the façade.

- **Floor Plan**

The ground floor plan features a residential elevator lobby and covered parking area for the residents. Egress from the building will be via the stairs located at the northwest and southeast corners of the building. The upper floors of the building each have 15 one-bedroom residential units along an L-shaped corridor; each of the units will have a balcony. Other amenities include an activity room, exercise room, media room, common kitchen, and outdoor terraces.

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 other multifamily development in the area, and residents of the development will be within walking distance of shops and services.

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, the Redevelopment Plan, and the development standards contained in Title 19. The number of parking spaces provided does not meet Code requirements; a Variance application (VAR-5178) has been filed to address this situation. Landscape materials will be provided in required buffer areas in accordance with the provisions of the Code.

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

SDR-5177 - Staff Report Page Six
October 21, 2004 - Planning Commission Meeting

The development will have a single driveway on 13th Street, and will not negatively impact the flow of traffic on adjacent roadways.

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

Building and landscape materials are appropriate for the residential use and compatible with adjacent properties.

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;"**

Great care has been exercised in the design of the structure to reduce the apparent massing of the building, and the level of detail provided in the elevations exceeds what is typically expected for affordable housing. The development will be harmonious and compatible with development in the area.

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

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

NOTICES MAILED 113 [Mailed with ZON-5176 & VAR-5178]

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT**

Site Development Review

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5177** APN: 139-35-211-088

Name of Property Owner: Curry Columbus

Name of Applicant: Nevada H.A.N.D., Inc.

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

Yes

✓ No

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

City Official: _____

Partner(s): _____

APN: _____

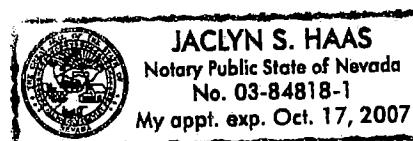
Signature of Property Owner/Authorized Agent: Donna Curry

Print Name: NORMAN CURRY

Subscribed and sworn before me

This 31st day of August, 2024

by J. Has
Notary Public in and for said County and State



**PLANNING & DEVELOPMENT DEPARTMENT**

Site Development Review
STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5177** APN: 139-35-211-91, 90, 89, and 87

Name of Property Owner: Nevada H.A.N.D., Inc.

Name of Applicant: Nevada H.A.N.D., Inc.

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

Yes

✓ No

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

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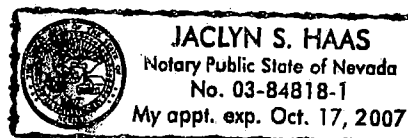
Signature of Property Owner/Authorized Agent:

Print Name: Michael Mullin, President

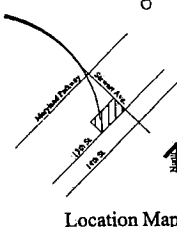
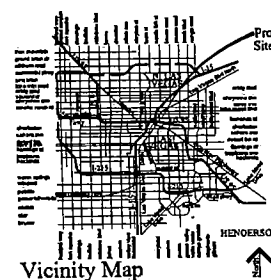
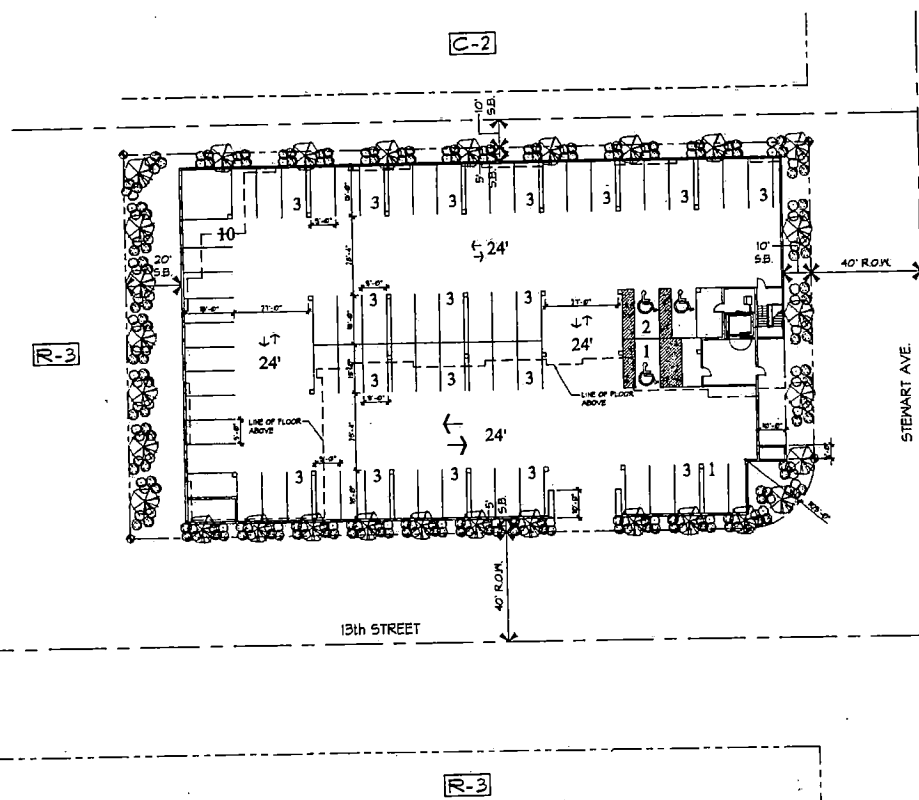
Subscribed and sworn before me

This 30th day of August, 2004

S. Has
Notary Public in and for said County and State



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SITE INFORMATION

ZONING - City of Las Vegas
 Current Zoning - R3
 Proposed Zoning - R5
 (APN: 139-35-211-087, 088, 089, 090, 091)

AREA (Approximate, to be Verified)
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SETBACKS
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Developed By: Nevada H.A.N.D.

Las Vegas, Nevada

Building Site Plan

Date: September 3, 2004
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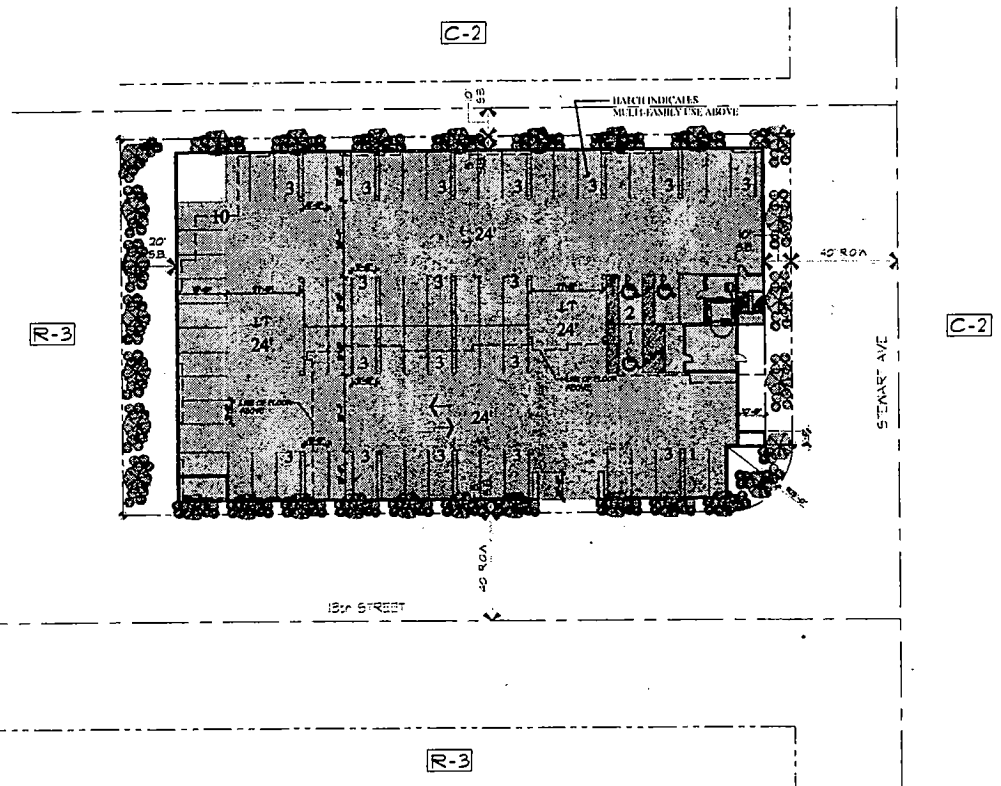
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 2230 CORPORATE CIRCLE, SUITE 200
 HENDERSON, NEVADA 89074
 702.990.9900 702.932.3222 fax

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SDR-5177
10/21/04 PC



SITE INFORMATION

ZONING - City of Las Vegas

Current Zoning - R3
Proposed Zoning - R5
(APN: 139-35-211-087), 088, 089, 090, 091)

AREA (Approximate, to be Verified)

Gross Area: = 240 x 140 = 35,000 Sq. Ft.

SETBACKS

Front	10' ft
Side	5' ft
Side Corner	5' ft
Rear	20' ft

BUILDING AREA

1st Floor	15,910 Sq. Ft.
2nd Floor	15,726 Sq. Ft.
3rd Floor	14,127 Sq. Ft.
4th Floor	12,474 Sq. Ft.
Total	58,237 Sq. Ft.

HEIGHT

Maximum Allowed:	5 stories / 50 ft
Provided:	(whichever is less) 4 stories / 55 ft

PARKING REQUIREMENTS

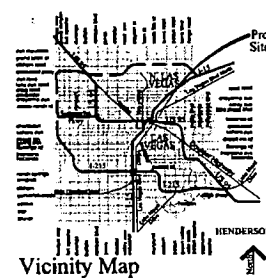
Parking Required:		
(60) 1 Bedroom Units	1.25x60 =	75
Guest	60/6 =	10
Total Parking Required:		85
Total Parking Provided:		66
		(Applied for Variance)
H.C. Parking Required		2
H.C. Parking Provided:		3

LANDSCAPING REQUIREMENTS

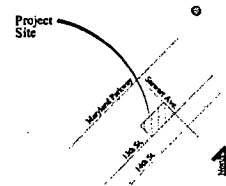
Residential: (1) 24" Box Tree, (4) 5 Gallon & (4) 1 Gallon @ 20' O.C.
Commercial: (1) 24" Box Tree, (4) 5 Gallon & (4) 1 Gallon @ 30' O.C.

LANDSCAPING LEGEND

24" Box Tree
● 5 Gallon
○ 1 Gallon



Vicinity Map



Location Map

OGDEN PINES II APARTMENTS

Las Vegas, Nevada

Developed By: Nevada H.A.N.D.

Building Site Plan

Date: September 3, 2004
Project Number: 104371

Scale: 1" = 20'
0 20' 40'

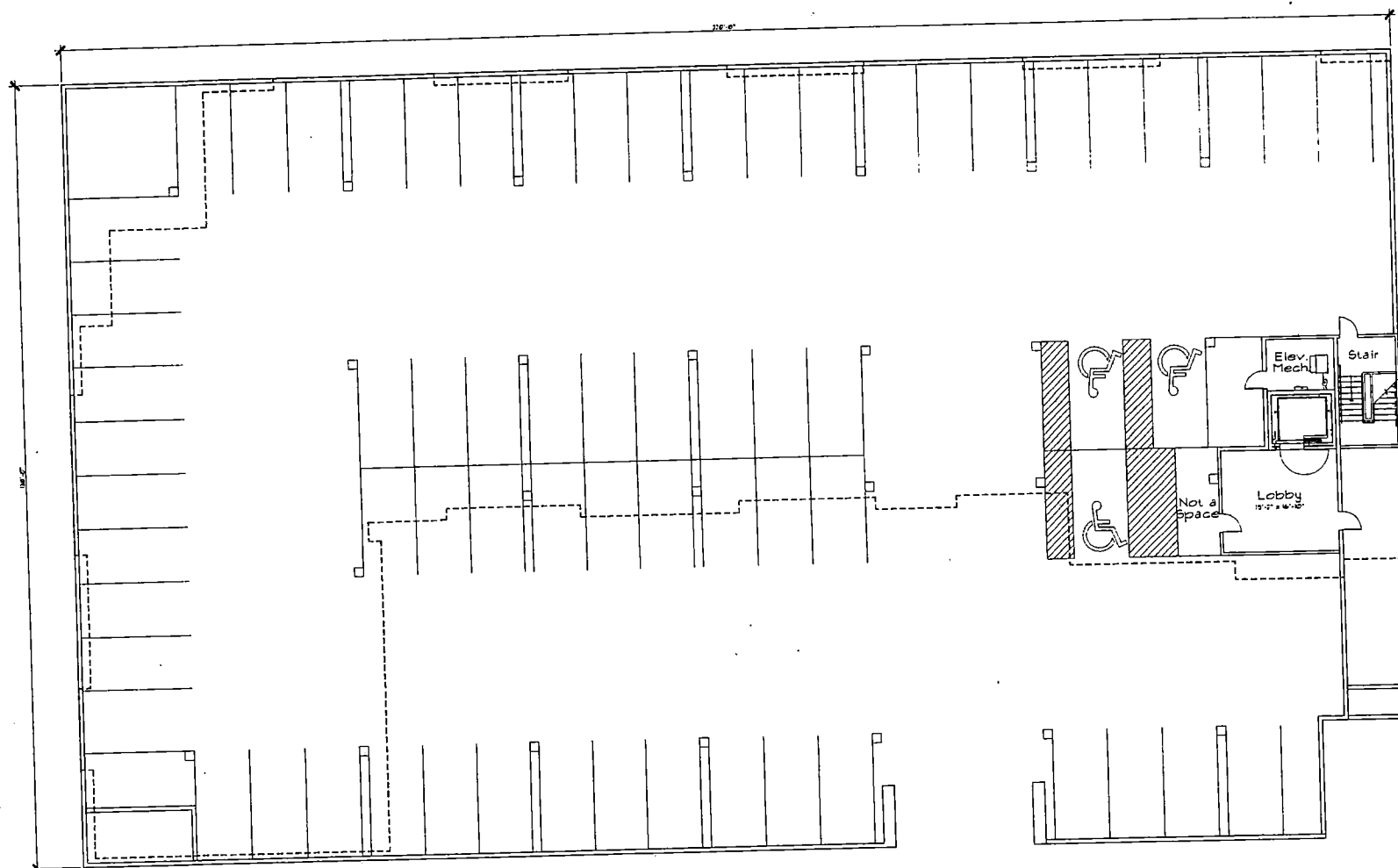
Perlman
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R:\2004 Resident\Projects\104371\Drawings\Design Development\104371-A-2.0.dwg, 9/2/2004 1:51:12 PM, Tomm, COPY RIGHT PERLMAN ARCHITECTS 2002



Garage Floor Level

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

OGDEN PINES II APARTMENTS

Las Vegas, Nevada

Developed By: Nevada H.A.N.D.

Garage Floor Level

Date: September 3, 2004
Project Number: 104371

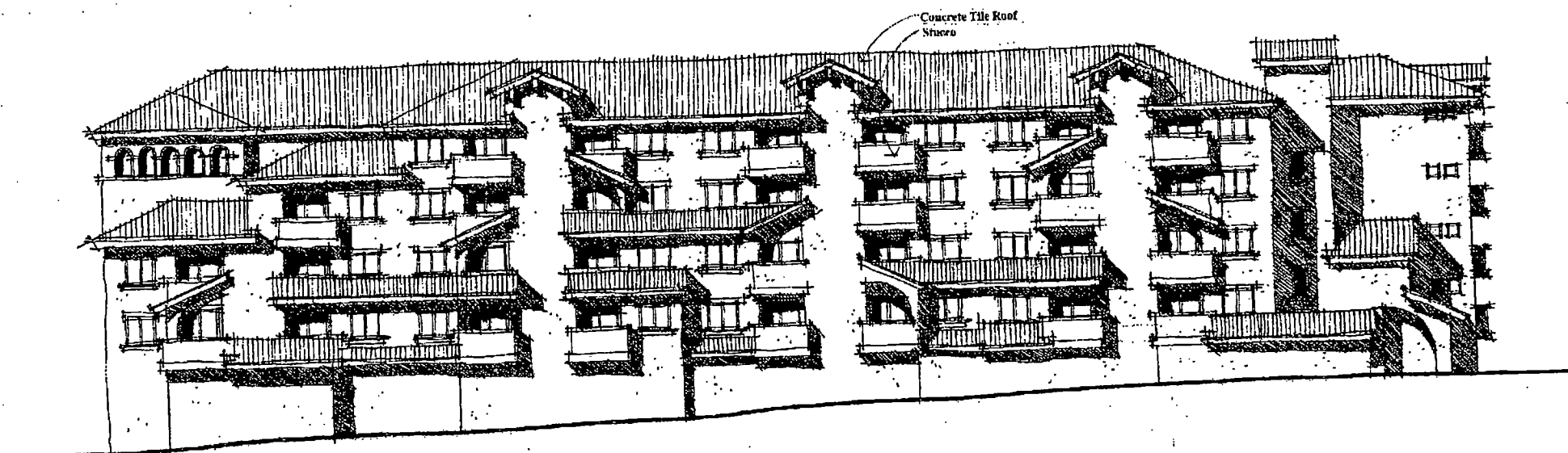
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Alley Exterior Elevation

OGDEN PINES II APARTMENTS

Las Vegas, Nevada

Developed By: Nevada H.A.N.D.

Elevations

Date: September 3, 2004
Project Number: 104171

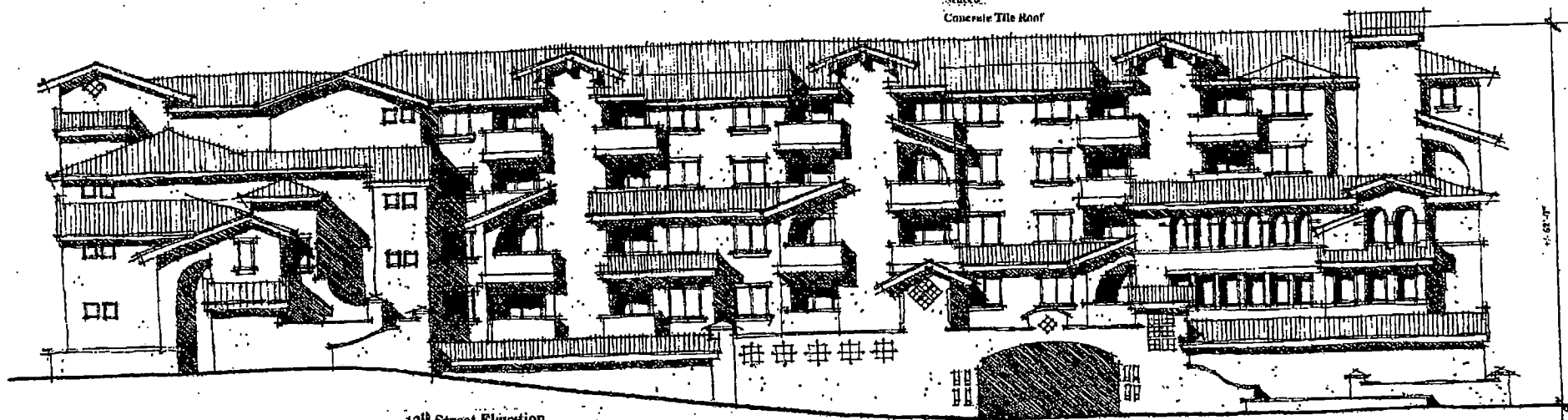
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Perlman
ARCHITECTS

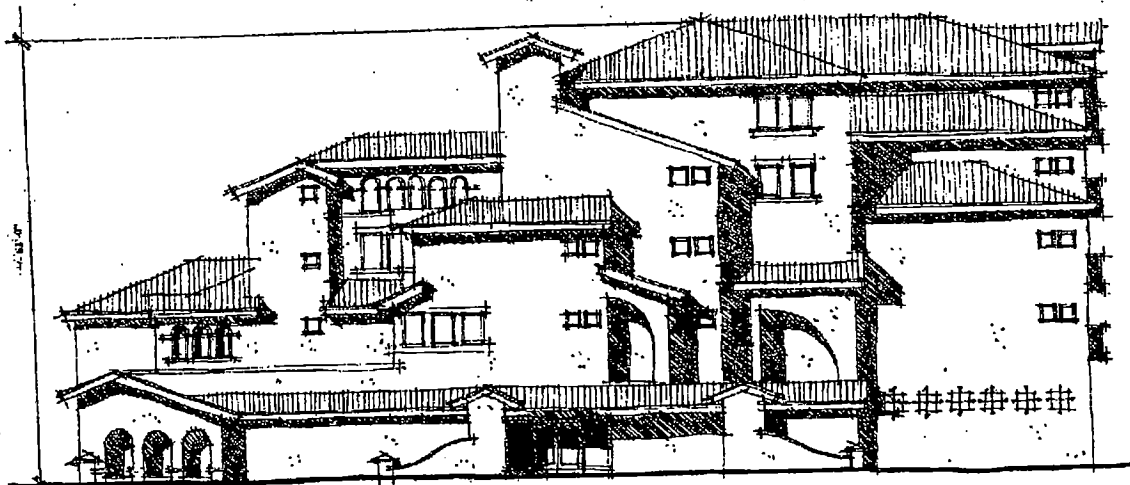
PERLMAN ARCHITECTS, INC.
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HENDERSON, NEVADA 89074
702.990.9600 702.932.3222 fax

SDR-5177
10/21/04 PC

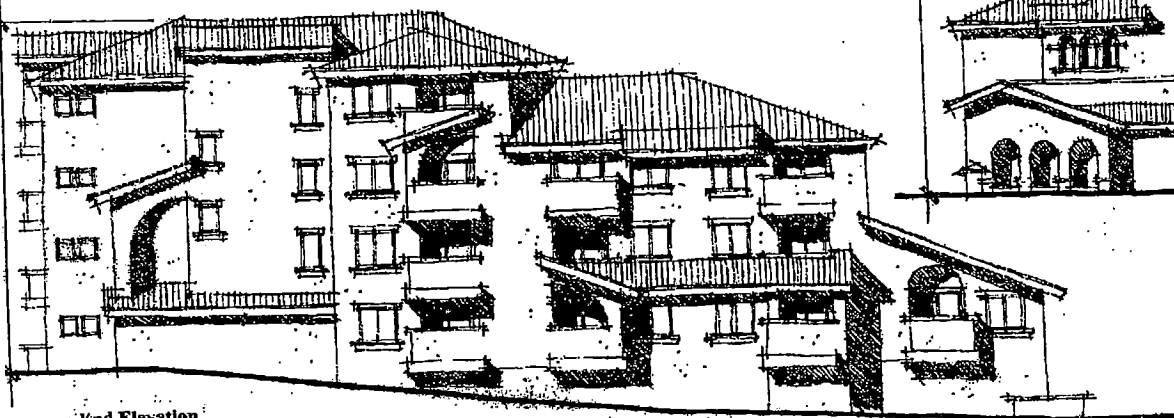
Stucco
Concrete Tile Roof



13th Street Elevation



Stewart Avenue Elevation



End Elevation

OGDEN PINES APARTMENTS

Las Vegas, Nevada

Conceptual Exterior Elevations

Date: August 16, 2004
Project Number: 000000

SDR-5177
10/21/04 PC

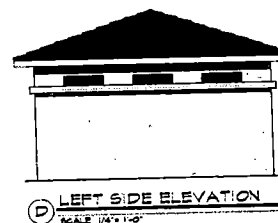
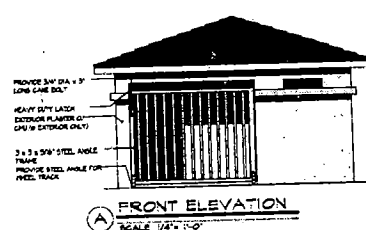
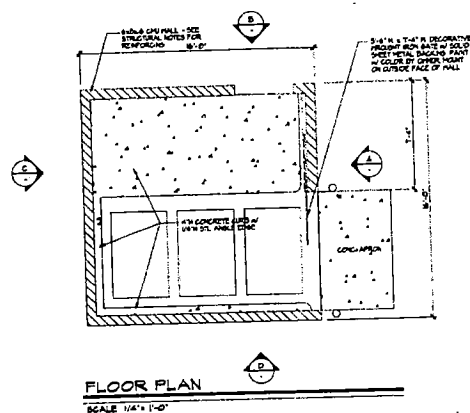
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OGDEN PINES II APARTMENTS

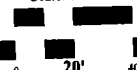
Las Vegas, Nevada

Developed By: Nevada H.A.N.D.

Building Floor Plan

Date: September 3, 2004
Project Number: 104371

Scale: 1" = 20'

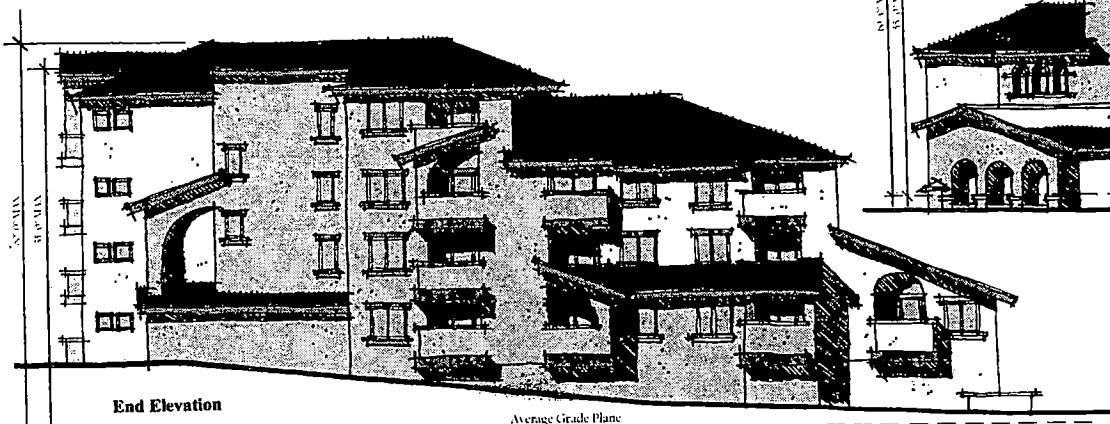
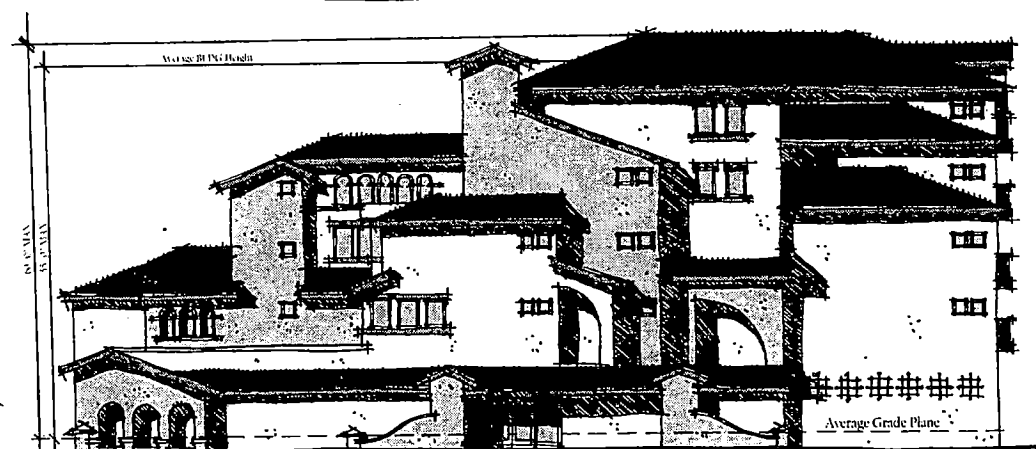
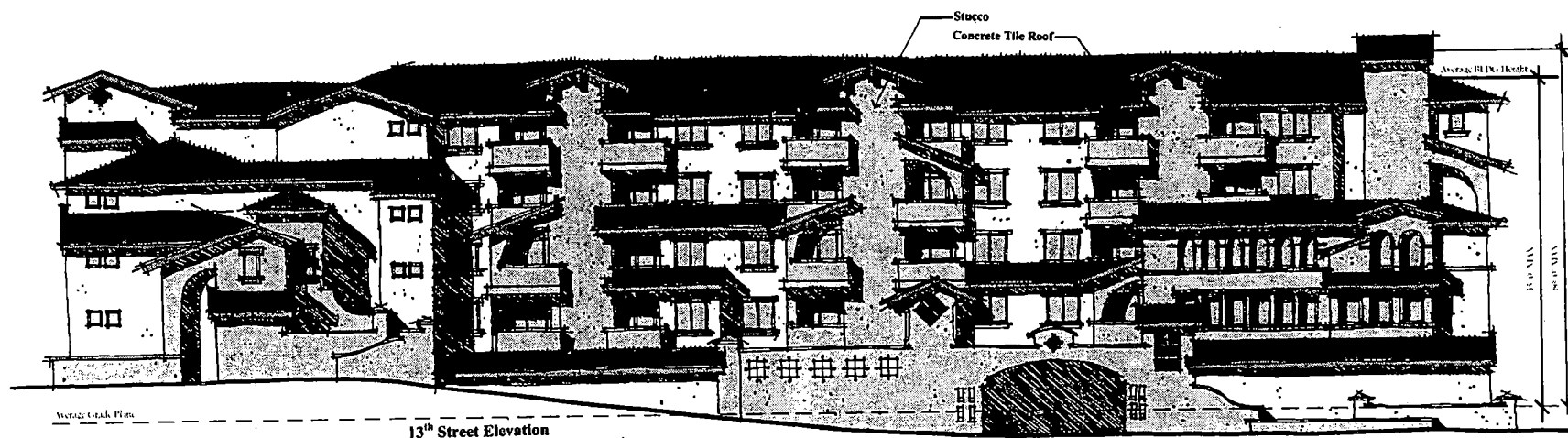


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SDR-5177
10/21/04 PC



OGDEN PINES APARTMENTS

Las Vegas, Nevada

Conceptual Exterior Elevations

Date: August 16, 2004
Project Number: 000000

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

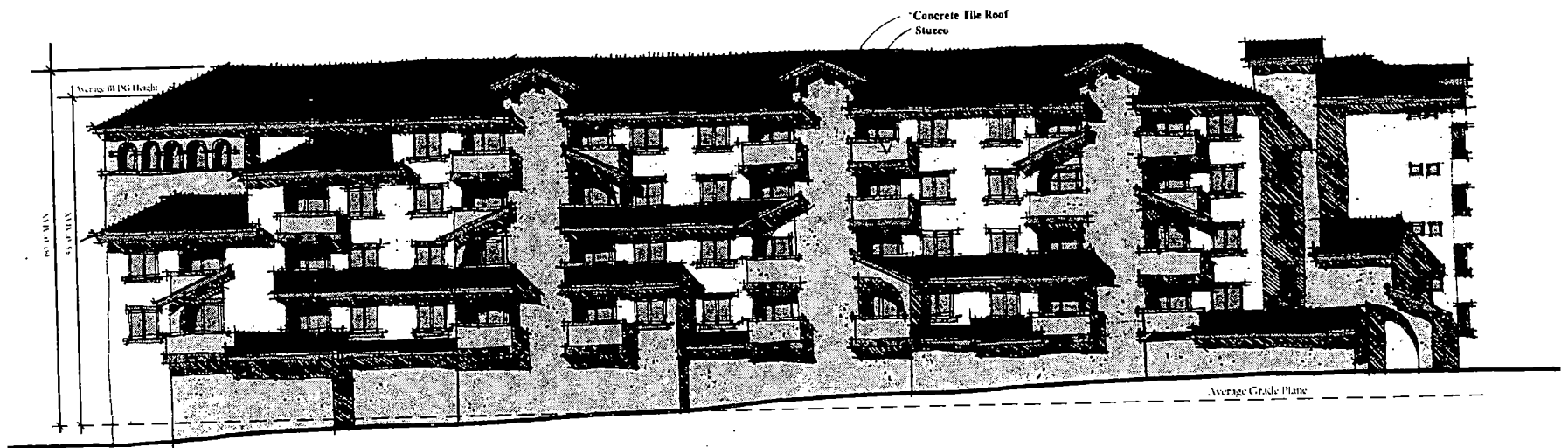


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SDR-5177
10/21/04 PC



Alley Exterior Elevation

OGDEN PINES II APARTMENTS

Las Vegas, Nevada

Developed By: Nevada H.A.N.D.

Elevations

Date: September 3, 2004
Project Number: 104371

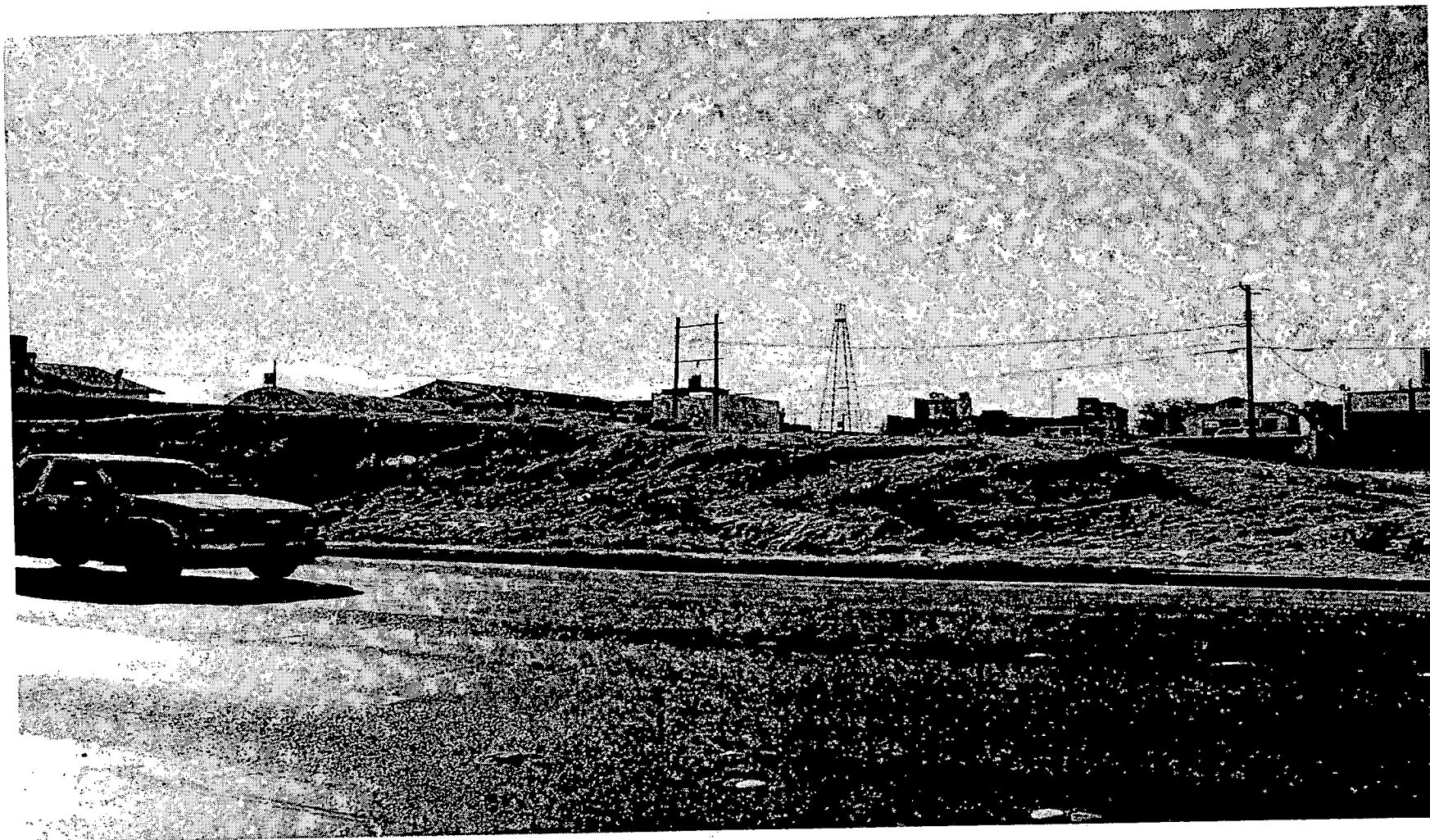
Scale: 1/8" = 1'
0 8' 16'

Perlman
ARCHITECTS, INC.

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2230 CORPORATE CIRCLE, SUITE 200
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702.990.9900 702.932.3222 fax

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SDR-5177
10/21/04 PC



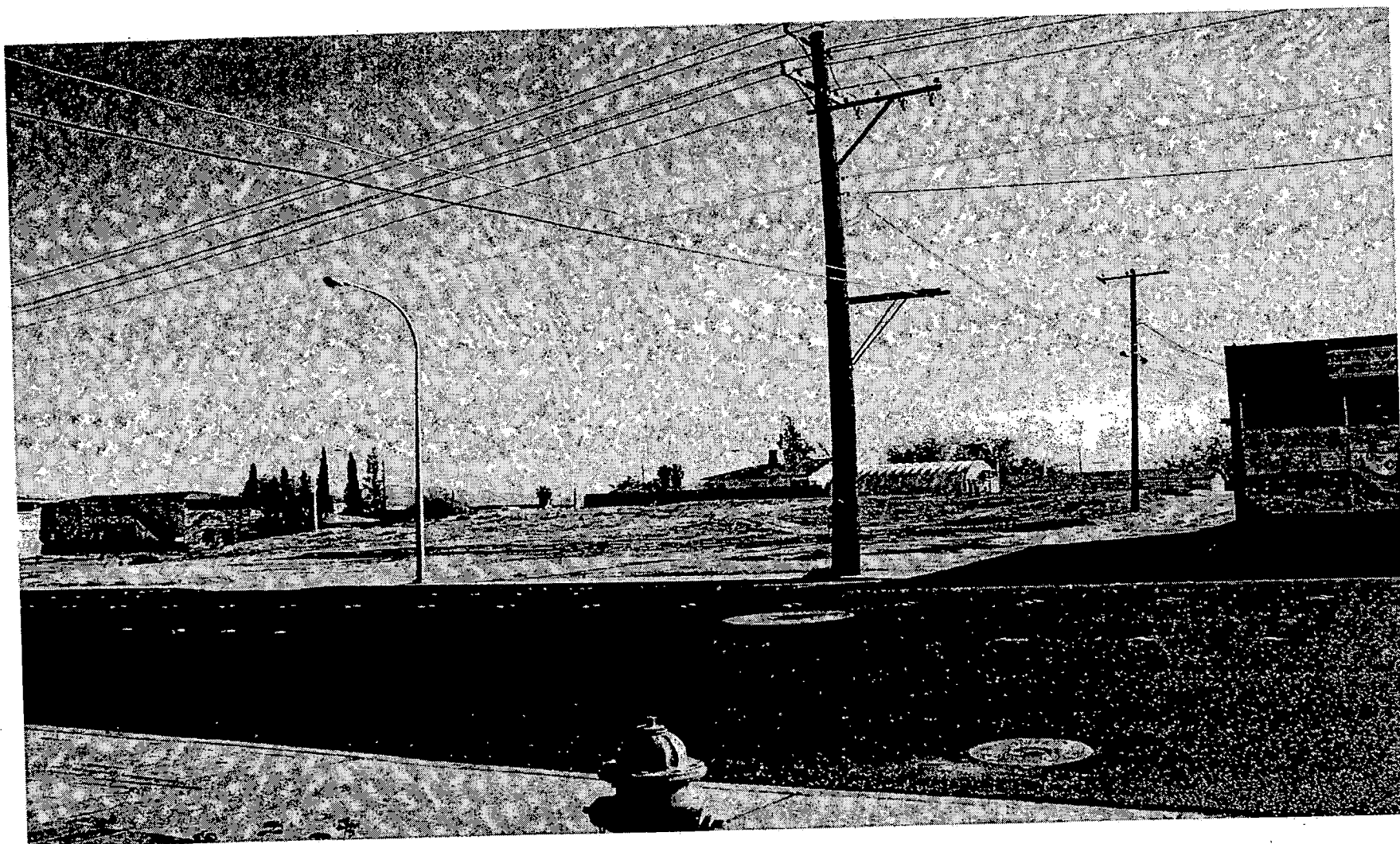
SDR-5177 - APPLICANT/OWNER: NEVADA H.A.N.D., INC., ET AL
SOUTHWEST CORNER OF STEWART AVENUE AND 13TH STREET
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



SDR-5177 - APPLICANT/OWNER: NEVADA H.A.N.D., INC., ET AL
SOUTHWEST CORNER OF STEWART AVENUE AND 13TH STREET
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



SDR-5177 - APPLICANT/OWNER: NEVADA H.A.N.D., INC., ET AL
SOUTHWEST CORNER OF STEWART AVENUE AND 13TH STREET
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5142 - VARIANCE - PUBLIC HEARING - APPLICANT: PULTE HOMES - OWNER: PN II, INC. - Request for a Variance TO ALLOW A PROPOSED SINGLE FAMILY DETACHED DWELLING 4 FEET FROM THE SIDE PROPERTY LINE WHERE 5 FEET IS THE MINIMUM SIDE YARD SETBACK REQUIRED at 8908 Regatta Bay Place (APN 125-10-115-044), R-PD3 (Residential Planned Development - 3 Units Per Acre) Zone, 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 DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining because her company is in litigation with a sister company of Pulte Homes

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated the homes are single-family attached town homes, which are clustered in sets of three. The applicant is asking for a four-inch deviation for approximately five feet of the building's length along the side yard. The request would accommodate architectural detailing. Staff considered doing an administrative deviation to avoid the necessity of a variance; however, that action is limited to structures not exceeding 15 feet or one story in height and this request is for two story structures.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 59 – VAR-5142

MINUTES – Continued:

Regardless of the fact that it is a minor variance, it does not meet the NRS test for being a self imposed hardship and therefore, the recommendation must be for denial.

TERI LIVENGOD, Stantec Consulting, 7251 West Charleston Boulevard, appeared on behalf of the applicant and concurred with all conditions. She informed MR. LEOBOLD that the section of the building they were asking for the variance on is single story. The two end sections of the development are single story and it is the middle section that is two story.

No one appeared in opposition.

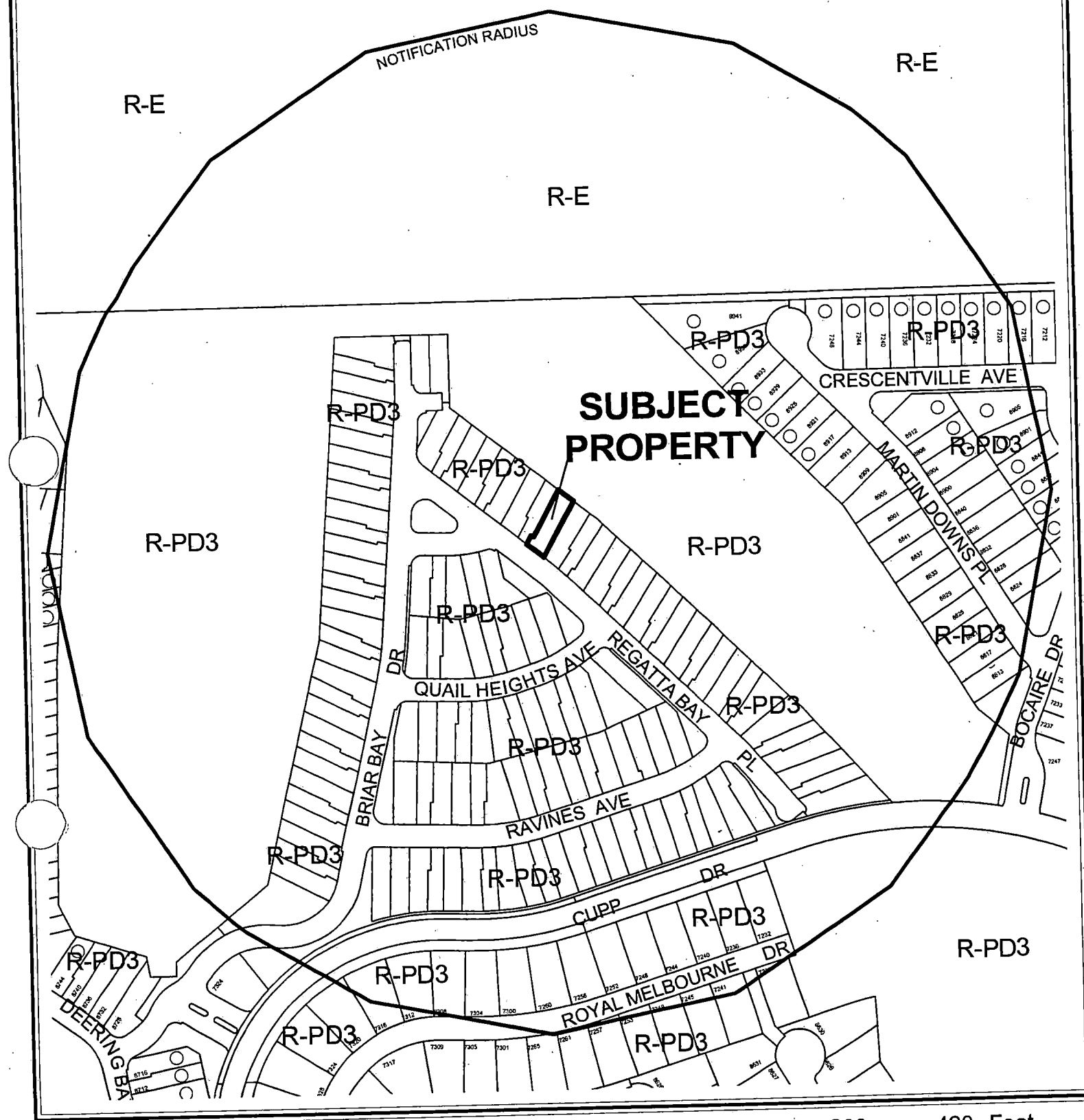
CHAIRMAN TRUESDELL declared the Public Hearing closed.

(12:44-12:46)
5-911

CONDITIONS:

Planning and Development

1. Conformance to all applicable Conditions of Approval for the Site Development Plan Review Z-0075-91(13).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

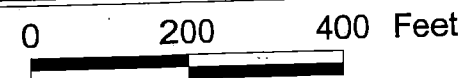


CASE: **VAR-5142**

RADIUS: 900 FT

ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5142 - APPLICANT: PULTE HOMES - OWNER: PN II, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to all applicable Conditions of Approval for the Site Development Plan Review Z-0075-91(13).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Variance to allow a proposed single-family detached dwelling four feet from the side property line where five feet is the minimum side yard setback required at 8908 Regatta Bay Place.

B) Applicant's Justification

The applicant's justification letter indicates that this request is necessary because of architectural detailing that resulted in encroachment into the side yard for this one lot in the town home portion of the Silverstone Ranch Golf Course Community. The actual intrusion is four inches for approximately five feet of the total 50-foot length of the side elevation.

BACKGROUND INFORMATION

A) Previous Actions

- 10/02/91 The City Council approved a Rezoning (Z-0075-91) to R-PD3 (Residential Planned Development - 3 Units per Acre) on this site as part of a larger request. The Planning Commission recommended approval on September 12, 1991.
- 09/04/02 The City Council approved a Site Development Plan Review [Z-0075-91(13)] for a Revised Master Development Plan for the overall Silverstone Ranch development. The Planning Commission and staff recommended approval on August 8, 2002.
- 02/13/03 The Planning Commission approved a Tentative Map (TMP-1585) for Silverstone Ranch - Parcel 13 and 14 for this site. The Planning and Development Department recommendation was for approval on this date.
- 04/06/04 The Planning and Development Department administratively approved a Final Map (FMP-4031) for Silverstone Ranch - Parcel 13, which was subsequently recorded to create the subject lot.

VAR-5142 - Staff Report Page Two
October 21, 2004 - Planning Commission Meeting

B) Pre-Application Meeting

A pre-application meeting was not held for this item, as it was originally submitted for an Administrative Deviation and subsequently changed to a Variance (see discussion below).

C) Neighborhood Meetings

A neighborhood meeting is not required for this request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 0.10

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Golf Course
West: Undeveloped

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-PD3 (Residential Planned Development – 3 Units Per Acre)
North: R-PD3 (Residential Planned Development – 3 Units Per Acre)
South: R-PD3 (Residential Planned Development – 3 Units Per Acre)
East: R-PD3 (Residential Planned Development – 3 Units Per Acre)
West: R-PD3 (Residential Planned Development – 3 Units Per Acre)

E) General Plan Compliance

The site is designated PCD (Planned Community Development) on the Centennial Hills Sector Plan Map of the General Plan. The existing R-PD3 (Residential Planned Development – 3 Units per Acre) zoning designation is in conformance with this General Plan designation.

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

No special plan areas or districts have an affect this site.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	N/A	N/A	N/A
Min. Setbacks			
• Front	18 Feet	18 Feet	Y
• Side	5 Feet	4.66 Feet	N
• Corner	10 Feet	N/A	N/A
• Rear	15 Feet	15 Feet	Y
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	N/A	N/A	N/A

The proposed dwelling meets the setback requirements established by the approved Site Development Plan Review except for the side setback where a five-foot setback is required. The site plan shows the proposed dwelling to be 4.66 feet from the side property line. The applicant has submitted this Variance to allow this modified setback.

B) General Analysis and Discussion

The site plan depicts a single-family attached (townhouse) dwelling located 4.66 feet from the side property line, with a zero setback on the opposite side where it is attached to the adjacent dwelling. The applicant explains that a four-inch deviation for approximately five feet of the buildings length along the side yard is needed to accommodate architectural detailing.

“Administrative deviations” may be granted in such cases without requesting a Variance where the structure that encroaches within the side yard is not greater than either 15 feet or one story in height. In this instance, the unit is more than one story in height. The request for a modification in the side yard was originally submitted for an administrative deviation before it was realized that the side of the building abutting the applicable side yard is two stories in height.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by placing the structure on the site where it does not meet the required side yard setback. Alternative layout of the dwelling would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of a Variance.

NOTICES MAILED 34

APPROVALS 0

PROTESTS 0

DS/MP



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: PULTE HOMES

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

Yes ☐ 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: Henry Smith

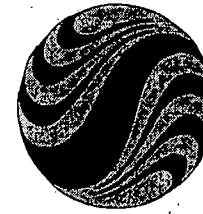
Print Name: JEREMY FRITZ ATTORNEY-IN-FACT

Subscribed and sworn before me

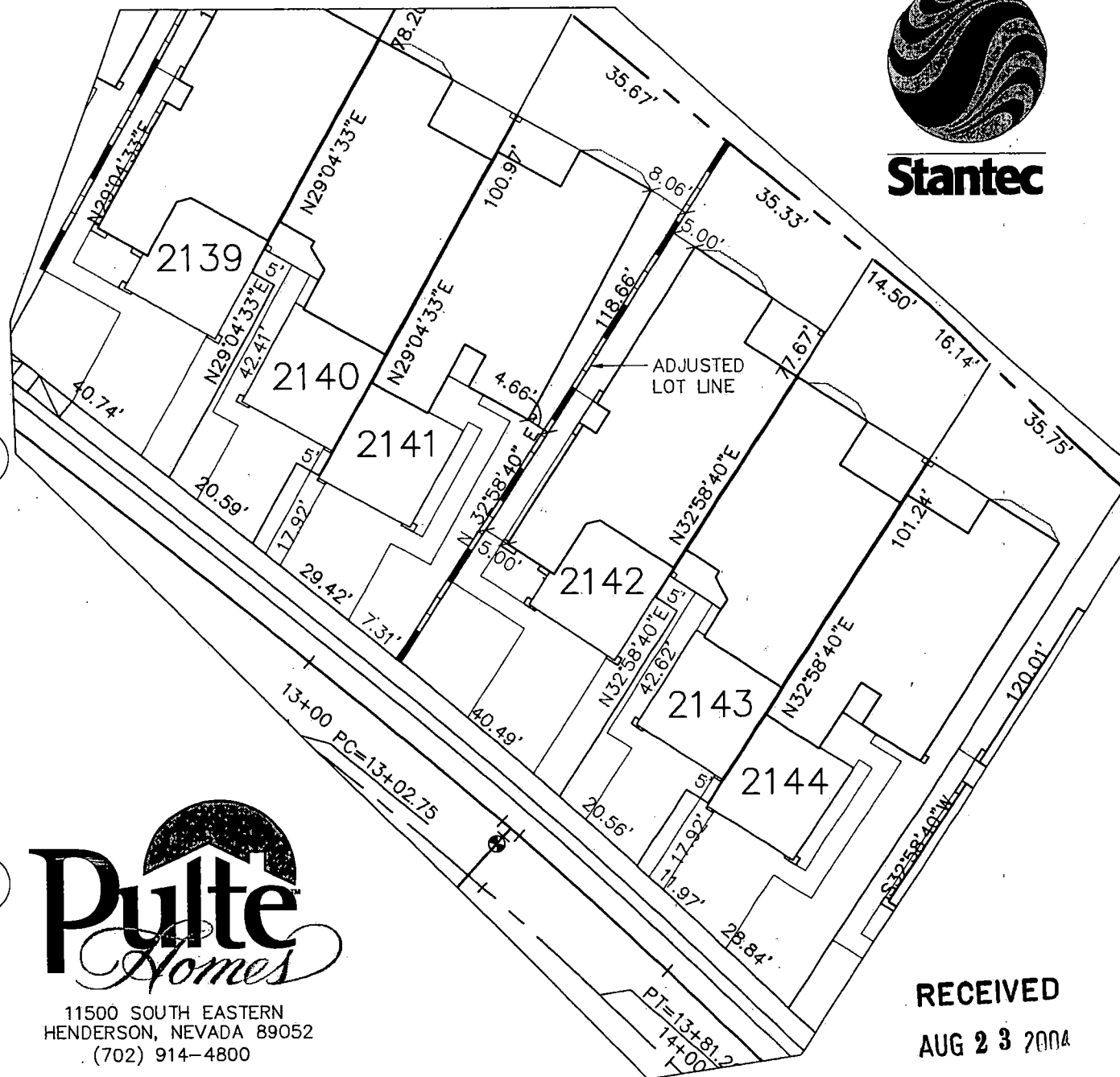
This 27th day of August, 2004

Notary Public in and for said County and State





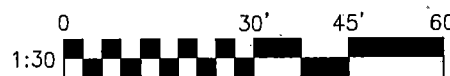
Stantec



11500 SOUTH EASTERN
HENDERSON, NEVADA 89052
(702) 914-4800

RECEIVED

AUG 23 2004



DATE: 08/10/04

88147072



Stantec

Stantec Consulting Inc.

7251 W. Charleston Blvd.
Las Vegas NV U.S.A.
89117-1580

Tel. 702.258.0115

Fax. 702.258.4956

www.stantec.com

Client/Project

PULTE HOMES

SILVERSTONE RANCH

PARCEL 13

Figure No.

1 OF 1

VAR-5142
10/21/04 PC

LOTS 2141-2142
LOT LINE ADJUSTMENT



VAR-5142 - APPLICANT: PULTE HOMES - OWNER: PN II, INC.
8908 REGATTA BAY PLACE
OCTOBER 21, 2004 PLANNING COMMISSION

10/01/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5160 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: RON RITTER AND PATRICIA M. RITTER - Request for a Variance TO ALLOW A 6 FOOT HIGH BLOCK WALL IN THE FRONT YARD SETBACK WHERE 4 FEET (WITH THE TOP 2 FEET 50% OPEN) IS THE MAXIMUM HEIGHT ALLOWED on 0.18 acres at 8305 Iron Anvil Court (APN 138-09-223-025), R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 4 (Brown).

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:

McSWAIN – APPROVED subject to conditions and amending the following condition:

3. The block wall shall be placed a minimum of *four* feet from the sidewalk and otherwise constructed according to the site plan dated September 2, 2004 that was submitted with the application.

UNANIMOUS

NOTE: Commissioner Davenport disclosed that he knows Mr. Ritter because Mr. Ritter used to work for a wholesaler the Commissioner's firm worked with. Commission Davenport did not think his firm was working with Mr. Ritter's company any longer and as they have not spoken about the item and there was not a conflict, he would be comfortable voting on this item.

This is Final Action

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 60 – VAR-5160

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that the purpose of the restriction on the height of the front yard walls is to avoid problems with sight visibility, to prevent side views from adjoining residences being impaired and to avoid a tunnel affect. The subject property on this application is located at the end of a cul-de-sac, the driveway has adequate room being 18 feet from the wall, the radius allows for the adjacent neighbors to have a clear view of the street and there is no possibility of a tunnel affect because the property is at the end of the cul-de-sac. Additionally, the applicant has agreed to move the wall back four feet and to provide exterior landscaping. Staff is recommending approval but is asking that the wall be moved five feet because large plant species may not work within a four-foot space.

RONATO RITTER, 8305 Iron Anvil Court, appeared and asked that the wall remain at a four-foot setback since the building permit was issued with that measurement. He noted that within the community, all the walls are built on the sidewalks.

JOHNNY KINDER, Secretary of the Cimmaron Valley Community Association, appeared on behalf of the community and stated that after review with the Architectural Review Committee, MR. RITTER'S proposal was approved.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

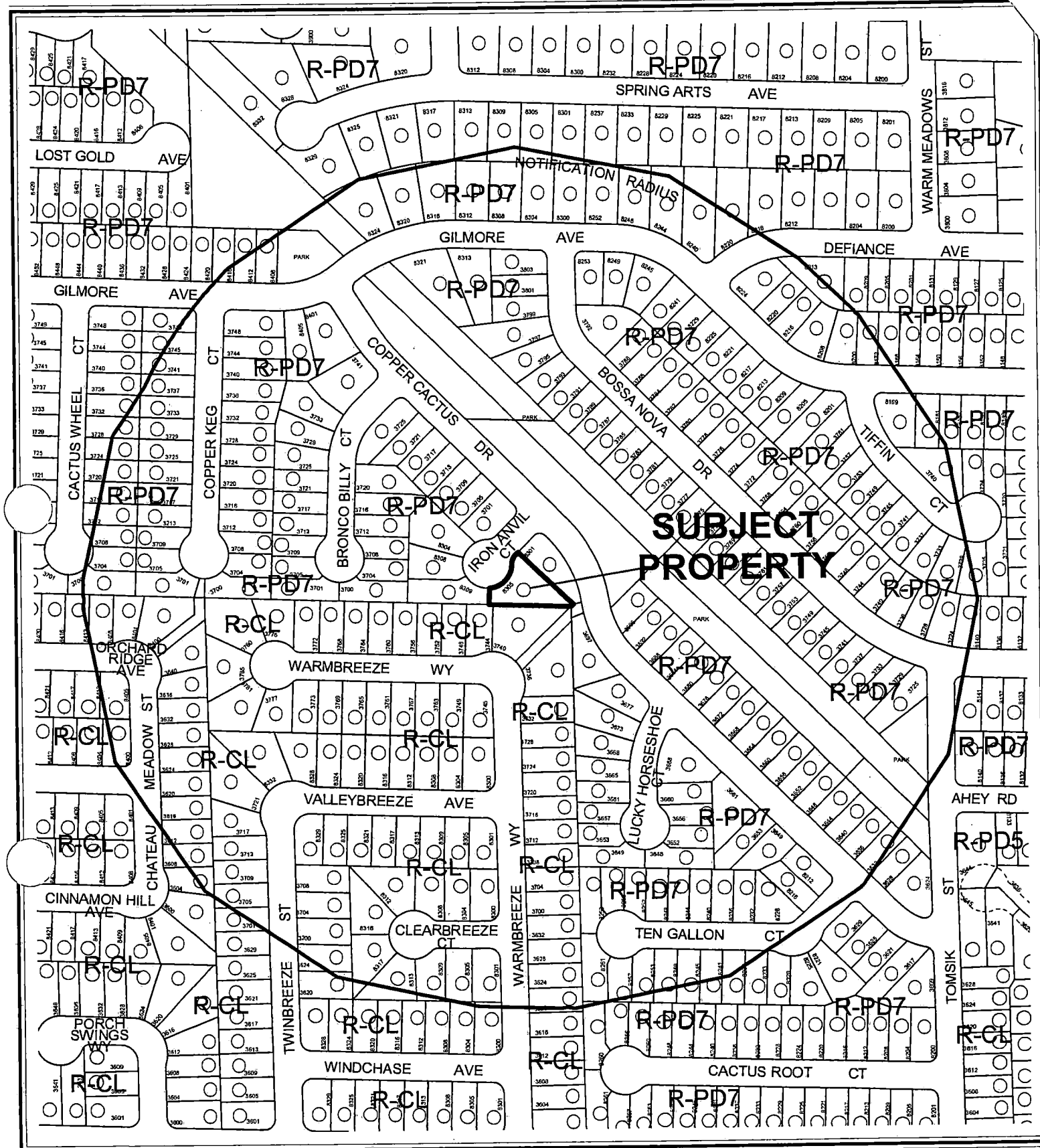
(12:44-12:46)

5-911

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of approval.
2. Acquire all necessary permits from the Department of Building and Safety.
3. The block wall shall be placed a minimum of five feet from the sidewalk and otherwise constructed according to the site plan dated September 2, 2004 that was submitted with the application.



CASE: VAR-5160

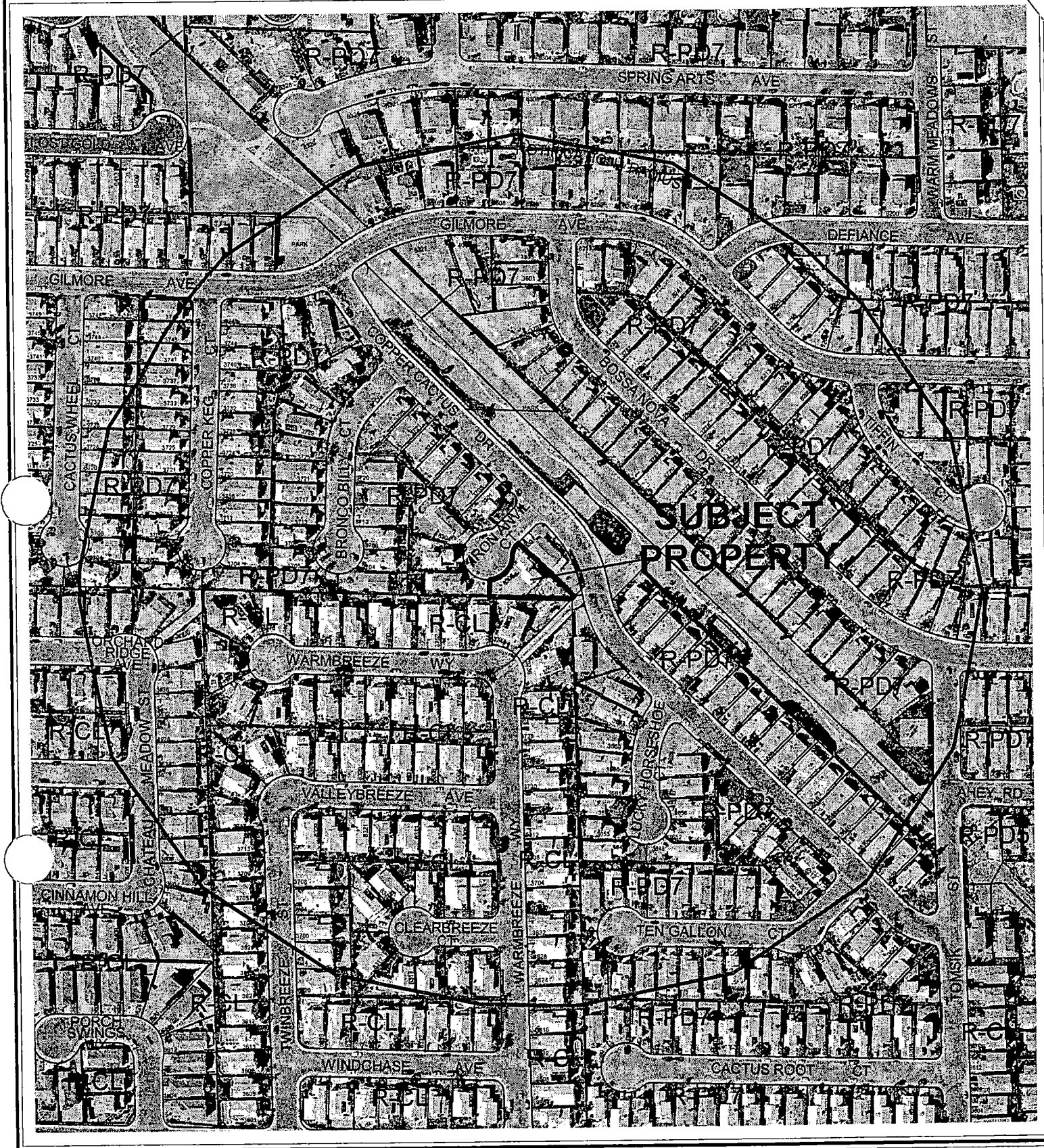
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

0 200 400 Feet





CASE: **VAR-5160**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-5160 - APPLICANT/OWNER: RON RITTER AND
PATRICIA M. RITTER**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Variance shall expire two years from the date of approval.
2. Acquire all necessary permits from the Department of Building and Safety.
3. The block wall shall be placed a minimum of five feet from the sidewalk and otherwise constructed according to the site plan dated September 2, 2004 that was submitted with the application.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Variance to construct a proposed six-foot high solid wall within the front yard setback where four feet (with the top two feet 50 percent open) is the maximum allowed on 0.18 acres located at 8305 Iron Anvil Court.

B) Applicant's Justification

The applicants indicate in a letter attached to the application that they wish to construct a solid wall six feet high to provide a safe play space for their children. They indicate that adjoining residents already have high solid walls within their front yards that were constructed by the developer.

BACKGROUND INFORMATION

A) Previous Actions

02/03/93 The City Council approved a request to Rezone (Z-0088-92) a large area, which included the subject property, to an R-PD7 (Residential Planned Development – 7 Units Per Acre) Zone. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

08/26/04 The staff met with the prospective applicants to discuss their request for a Variance to establish a six-foot high solid wall in the front yard. The requirements for submittal of a Variance were reviewed with the applicants.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 0.18

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October 21, 2004 - Planning Commission Meeting

B) Existing Land Use

Subject Property: Single Family Residential
North: Single Family Residential
South: Single Family Residential
East: Single Family Residential
West: Single Family Residential

C) Planned Land Use

Subject Property: ML (Medium Low Density Residential)
North: ML (Medium Low Density Residential)
South: ML (Medium Low Density Residential)
East: ML (Medium Low Density Residential)
West: ML (Medium Low Density Residential)

D) Existing Zoning

Subject Property: R-PD7 (Residential Planned Development – 7 Units Per Acre)
North: R-PD7 (Residential Planned Development – 7 Units Per Acre)
South: R-CL (Single Family Compact Lot)
East: R-PD7 (Residential Planned Development – 7 Units Per Acre)
West: R-PD7 (Residential Planned Development – 7 Units Per Acre)

E) General Plan Compliance

The site is located on the Centennial Hills Interlocal Land Use Map of the Centennial Hills Sector of the General Plan. The land use designation for the subject property is ML (Medium Low Density Residential), which permits up to eight dwelling Units Per Acre. The property is zoned R-PD7 (Residential Planned Development – 7 Units Per Acre) which permits a density of development permitted under the ML land use classification.

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

The requested Variance is not related to any specific General Plan policies.

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A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	6,500 square feet		Y
Min. Lot Width	65 feet		Y
Min. Setbacks			
• Front	20 feet		Y
• Side	5 feet		Y
• Corner	15		NA
• Rear	15		Y
Max. Lot Coverage	50%		Y
Max. Building Height	2 Stories / 35 Feet		Y
Maximum front wall height	4 feet w/ the top 2 feet 50% open	6 feet	N

The existing dwelling is in compliance with the Zoning Code. The front wall height would not be in compliance, which is the purpose for this Variance request.

B) General Analysis and Discussion

This Variance is to permit a solid wall six feet high within the front yard. Title 19 requires that a wall in the front yard be no higher than four feet with the top two feet less than 50% solid.

The solid wall would be constructed from the edge of the house southwesterly, eight feet and parallel to the front of the house; then northwesterly, 18 feet from and parallel to the garage; and then westerly, four feet from and parallel to the turn-around of the short cul-de-sac street (see attached site plan).

The purpose for restricting the height of walls in the front yard is essentially threefold: to avoid a problem of sight visibility when vehicles back out of a driveway; to prevent side views from adjoining residences being impaired; and to avoid a "tunnel effect" along street rights-of-way.

As to the first concern, the driveway will be 18 feet from the wall, giving a driver backing out of the driveway ample sight distance to see pedestrians on the sidewalk and other drivers on the turn-around. Because of the configuration of the lots around the turn-around, the adjoining residences are essentially in front of the subject property. Consequently, the residents have a clear view of street from their property. The final reason for Title 19's restriction in front wall

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height is to do with the tunnel effect along a street and the harsh streetscape appearance where hard surfaces meet. The applicants voiced their objection to the views they now experience with neighboring property owners whose walls abut the sidewalk along the turn-around. To ameliorate this concern, the applicants are advocating placing the solid wall four feet back from the sidewalk to allow for exterior landscaping along the wall. If the Variance is approved, it is recommended that the wall be placed a minimum of five feet from the sidewalk to allow for large plant species that will not protrude into the space above the sidewalk.

FINDINGS

The subject property is unique in the way it is oriented along the turn-around of a short cul-de-sac street. As discussed above, the usual problems and concerns with high solid walls within the front yard along street rights-of-way are not present. For this reason it is recommended that this application for a Variance be granted, subject to the conditions of approval.

NOTICES MAILED 327

APPROVALS 0

PROTESTS 0



Case Number: **VAR-5160** APN: 138-09-223-025
Name of Property Owner: RON RENATO AND PATRICIA MARIE RITTER
Name of Applicant: RENATO RITTER

Yes No ✓

City Official: _____

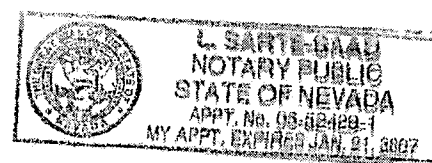
Partner(s): _____

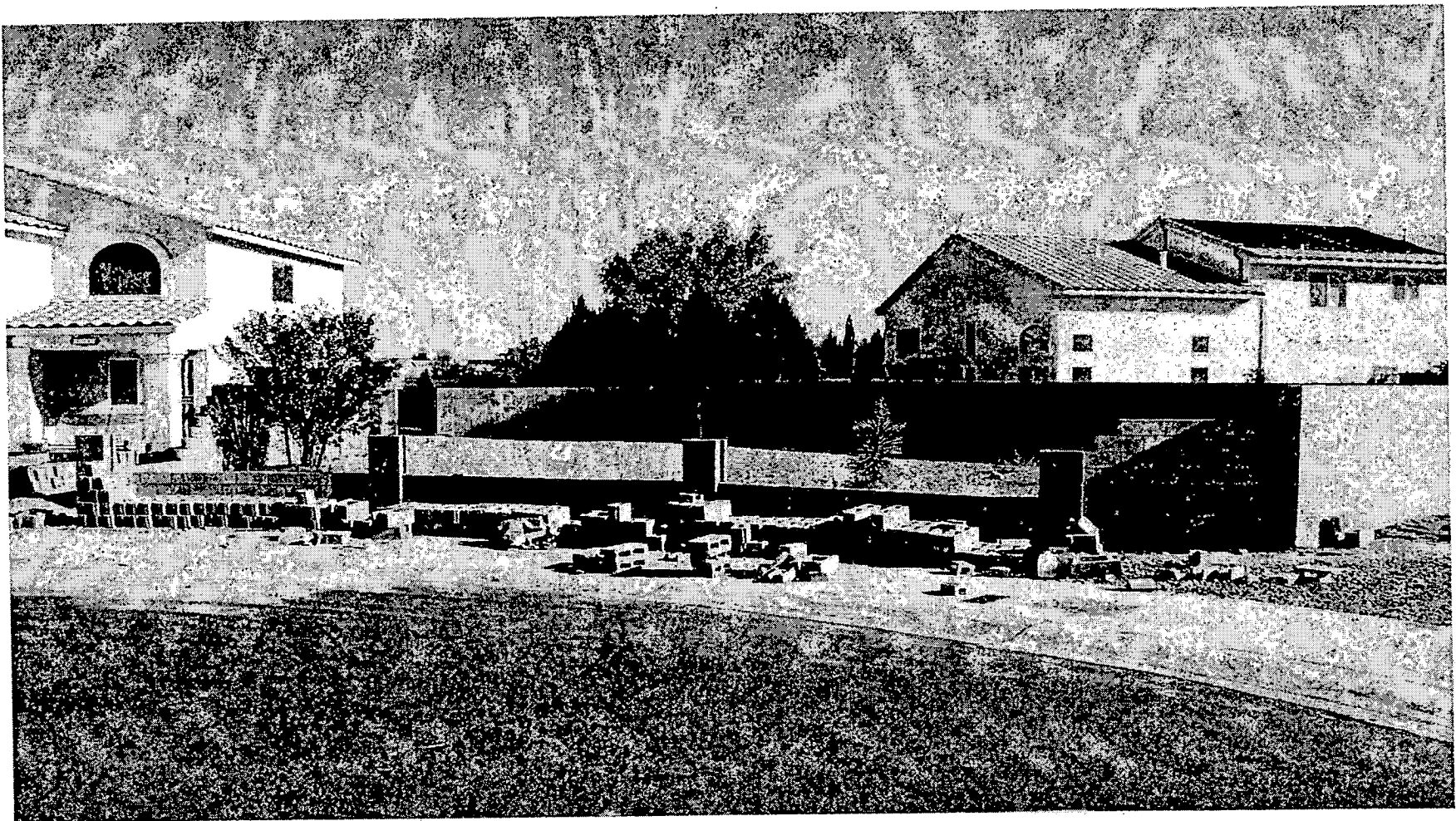
APN: _____

Signature of Property Owner/Authorized Agent:

Subscribed and sworn before me

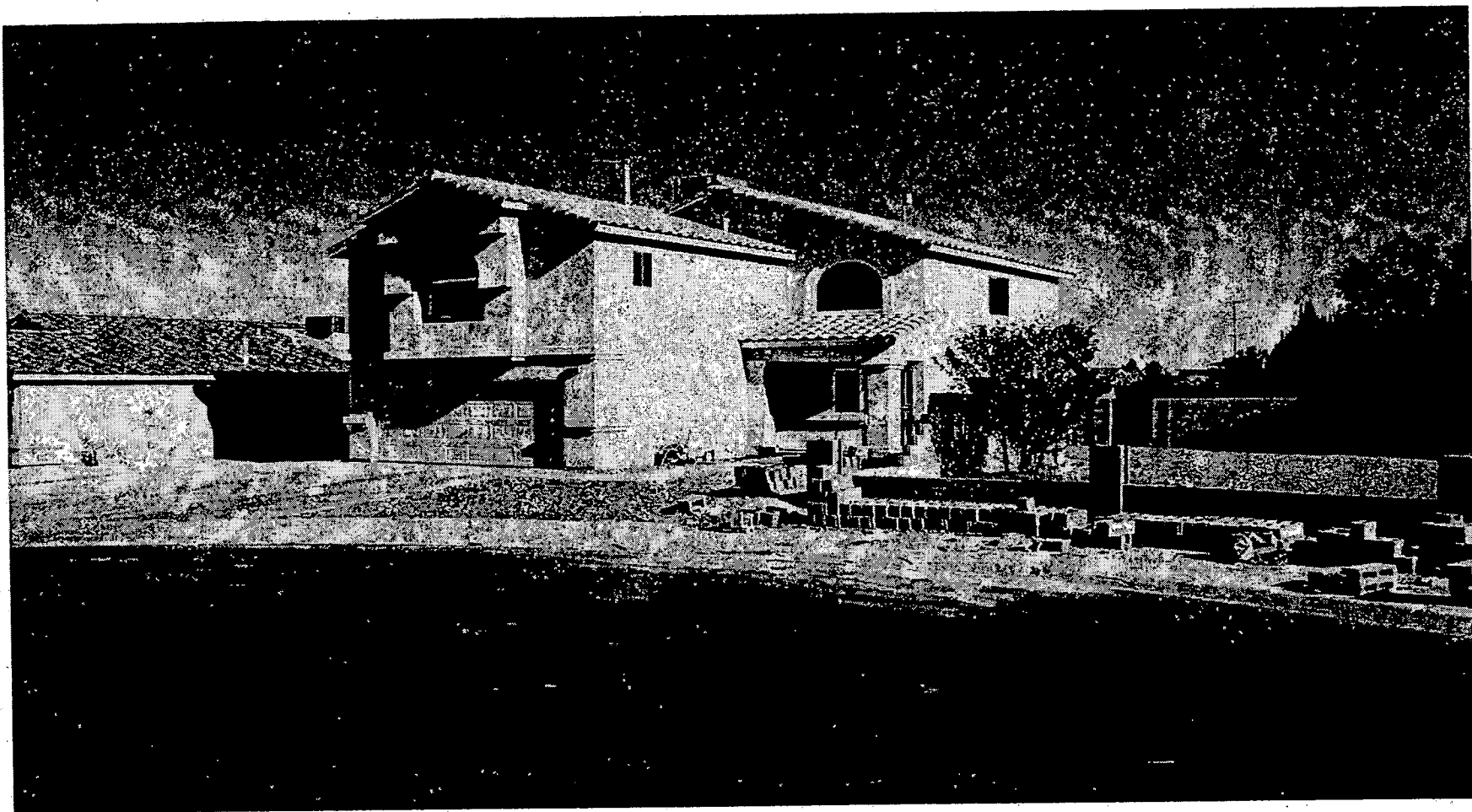
This 1st day of September, 2004
[Signature]
 Notary Public in and for said County and State





VAR-5160 - APPLICANT/OWNER: RON RITTER AND PATRICIA M. RITTER
8305 IRON ANVIL COURT
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



VAR-5160 - APPLICANT/OWNER: RON RITTER AND PATRICIA M. RITTER
8305 IRON ANVIL COURT
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5199 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: EDGAR MARTINEZ AND KARINA MARTINEZ - Request for a Variance TO ALLOW A THREE FOOT SIDE YARD SETBACK WHERE FIVE FEET IS REQUIRED, A 2.33 FOOT MINIMUM DISTANCE SEPARATION BETWEEN A DETACHED ACCESSORY STRUCTURE AND REAR AND SIDE PROPERTY LINES WHERE THREE FEET IS REQUIRED, AND A ONE FOOT SEPARATION BETWEEN AN EXISTING DETACHED ACCESSORY STRUCTURE AND MAIN DWELLING WHERE SIX FEET IS REQUIRED on 0.13 acres at 5517 Flower Circle (APN 138-36-313-019), R-1 (Single Family Residential) Zone, Ward 1 (Moncrief).

C.C.: 11/17/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Meeting – Eight Letters of Support Submitted by Joe Gaudio

MOTION:

GOYNES – ABEYANCE TO 11/18/2004 – UNANIMOUS

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, informed the Commission that in July, a site inspection revealed signs of construction activity at a vacant house and a rear yard building that was visible from the front of the home. The rear yard building was fitted with plumbing and at one time, had been used as a very small apartment.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 61 – VAR-5199

MINUTES – Continued:

Scattered construction debris was visible from the street and Code Enforcement issued a permit request and correction notice. The property owner was sent a Notice and Order to Abate a Dangerous Building and the notice was posted at the property. The existing backyard accessory structure had been built to within three feet of the rear and side property lines and within one foot of the main structure where six feet is required. A Variance for the structure is unjustifiable because of the setback violations, as well as, building proximity standards and fire safety standards.

MR. LEOBOLD also pointed out that an addition was constructed to create a kitchen and that extension is within three feet of the side property line. A Variance for that structure cannot be justified because the addition violates the side yard setback standards and fire safety standards. There is no evidence of unique or extraordinary circumstances and the hardship is self-imposed by the applicant purchasing a home with multiple setback violations.

JOE GAUDIO, 901 Staffordshire Circle, #A, appeared on behalf of the applicant, MR. MARTINEZ, who does not speak English. MR. GAUDILLO explained that MR. MARTINEZ had a dream of buying a home. He went to see a real estate agent who convinced the couple to buy a HUD home. MR. MARTINEZ did not know what that meant. The realtor convinced him to invest \$50,000 on a bid to purchase a home that was worth \$111,000. When MR. GAUDILLO confronted her about this procedure, she told him to get a lawyer. MR. GAUDILLO spoke with several lawyers who said there are individuals in town who basically cheat people who do not understand English or real estate. With all of the problems that he has encountered, MR. MARTINEZ is still accepting the situation and wants to fix it. MR. MARTINEZ invested an additional \$12,000 over the price of the house for the realtor and she took advantage of his trust.

After the inspection, MR. MARTINEZ was instructed as to what corrections must be made but he is unable to pay for the work. All of his money was invested in the home. He asked the Commission to change laws to help foreigners who come to Las Vegas.

COMMISSIONER McSWAIN confirmed with MR. GAUDIO that MR. MARTINEZ is the owner of the property. She asked for clarification of how the purchase of the property led to the problems being discussed currently. MR. GAUDIO explained that nine years ago, there was a different property owner and he was the person who made the additions, which existed when MR. MARTINEZ purchased the home. She asked if the house was purchased with financing or on a cash only basis. MR. GAUDIO said he financed the home and paid \$12,000 over the price. The home was \$111,000 and he bid \$50,000 over that plus the \$12,000 for the realtor. COMMISSIONER McSWAIN indicated that to finance the home, there should have been an appraisal by the lender. Part of that process is verifying that the home is built to Code and is worth the value. MR. GAUDIO stated there was no inspection or nothing similar had been done.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
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MINUTES – Continued:

MR. GAUDIO informed her that after speaking with five attorneys, he was told this happens often.

COMMISSIONER McSWAIN said that was unfortunate but not something the Commission could address. CHAIRMAN TRUESDELL interjected that the Board must deal with the land use issue.

COMMISSIONER McSWAIN confirmed with MR. LEOBOLD that the structure does not meet Building Code because they do not meet a one-hour fire rating and they are only stucco and frame additions. It would take concrete and block to meet that rating.

MR. GAUDIO explained that MR. MARTINEZ accepts the mistake he made in buying the home and he will invest additional monies to bring the home up to Code; however, he would need at least 120 days to take care of everything. CHAIRMAN TRUESDELL confirmed they are living in the home at this time. COMMISSIONER DAVENPORT clarified with the applicant that he is not asking to waive any repairs necessary and is just asking for 120 days to do the work.

COMMISSIONER GOYNES asked what time frame the applicant would be given if the item were approved. ROBERT GENZER, Director, Planning and Development Department, pointed out that Condition 1 would allow up to one year for completion. COMMISSIONER GOYNES told MR. GAUDIO that MR. MARTINEZ would have one year to complete the work. MR. GAUDIO said that in complying with Code, MR. MARTINEZ would lose more than half the kitchen.

COMMISSIONER EVANS asked if the additional structures increased the homeowners insurance for the surrounding neighbors. CHAIRMAN TRUESDELL was not able to answer. VICE CHAIRMAN NIGRO indicated that if the walls are made to meet the one-hour fire rating, it more than likely would not change the insurance of any surrounding neighbors. MR. GAUDIO offered five letters from surrounding neighbors stating they accepted MR. MARTINEZ into the neighborhood and the home as is.

MR. GAUDIO stated that everything could be corrected except the work proposed for the kitchen because it is half the house.

VICE CHAIRMAN NIGRO asked what scope of work was required in order to bring the house up to Code. MR. LEOBOLD said he was not aware of the full floor plan of the house, but MR. MARTINEZ would most likely lose his kitchen because that was the pop out addition. In addition, the apartment in the rear yard would have to be removed.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
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MINUTES – Continued:

Because of the Building Code, MR. LEOBOLD was unsure that the Planning Commission could approve a non one-hour fire rated assembly within three feet of the property line. COMMISSIONER GOYNES asked what options would remain for the MARTINEZ family if the item were denied. VICE CHAIRMAN NIGRO indicated that would result in the same options of removal of the back house and most of the kitchen.

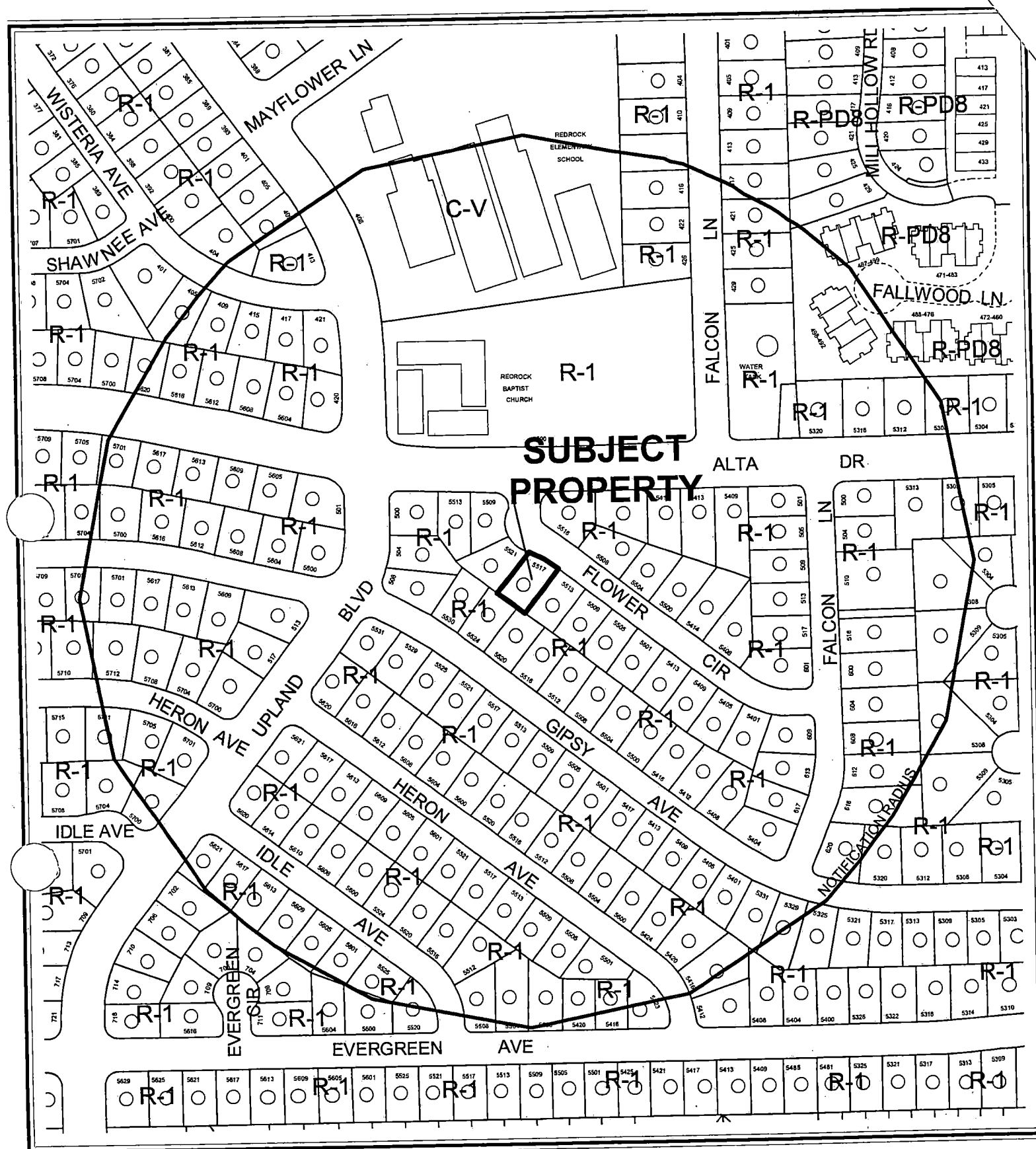
DEPUTY CITY ATTORNEY BRYAN SCOTT noted that there is no condition regarding a Building and Safety inspection. He wondered if that should happen in order to find out specifically what is required to meet Code. MR. LEOBOLD stated that in the past, that is what has been done. DEPUTY CITY ATTORNEY SCOTT suggested abeying the item to allow time to meet with the Building Department to find out what the work entailed. Then the applicant would know what was required and if he could comply.

MR. LEOBOLD indicated a 30-day abeyance would be adequate for the purpose described.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(12:50-1:03)

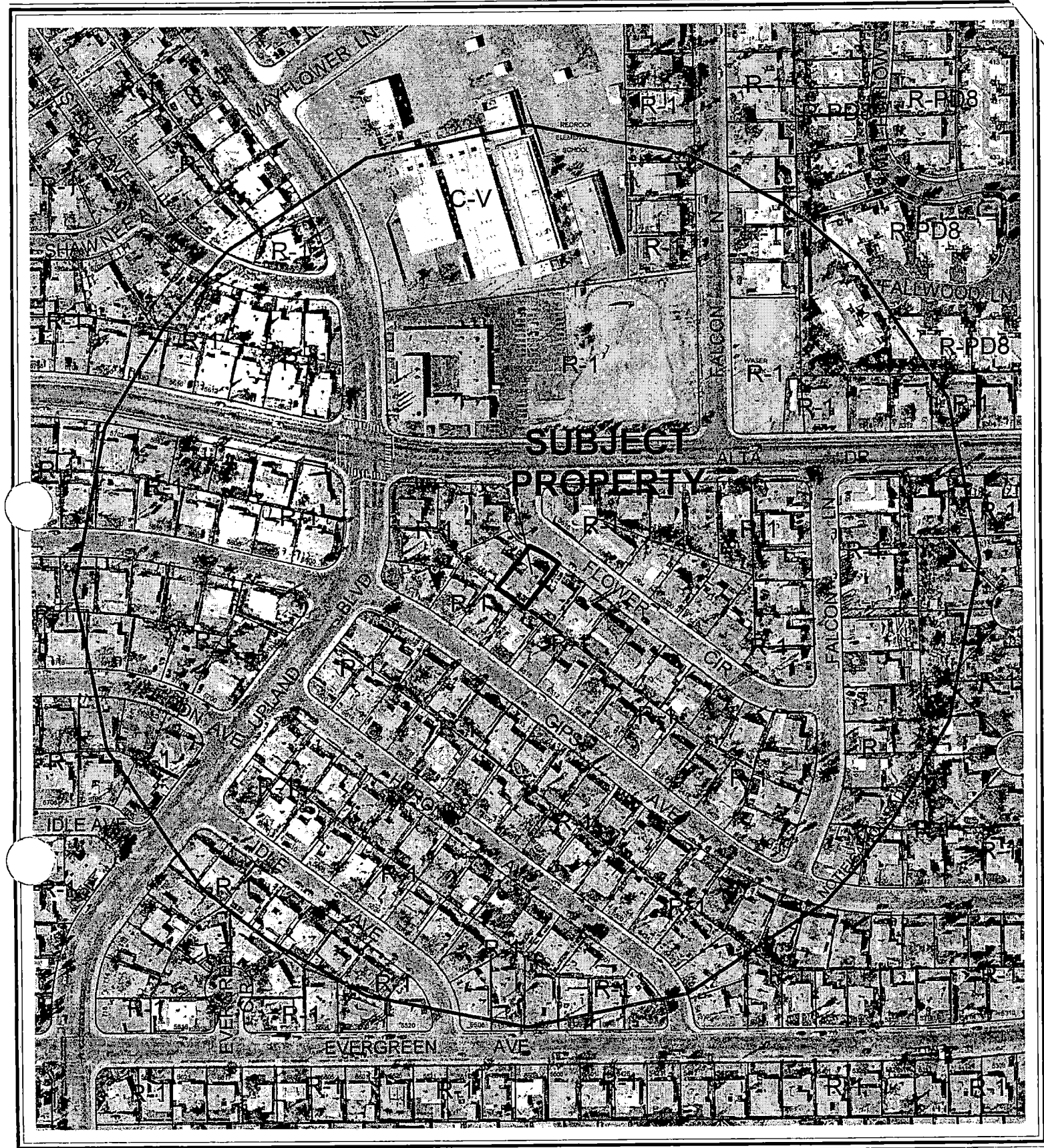
5-1140



CASE: **VAR-5199**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE-FAMILY RESIDENTIAL)



CASE: **VAR-5199**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE-FAMILY RESIDENTIAL)

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-5199 - APPLICANT/OWNER: EDGAR MARTINEZ AND
KARINA MARTINEZ**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

Request for a Variance on 0.13 acres at 5517 Flower Circle, to allow:

- 1) a three foot side yard setback where five feet is required;
- 2) a 2.33 foot minimum distance separation between a detached accessory structure and rear and side property lines where three feet is required; and
- 3) a one foot separation between a detached accessory structure and main dwelling where six feet is required.

B) Applicant's Justification

When we went to live at this home, we found out that it was a completely different home from what we knew from the start, many things had to be changed, and had to pass many inspections. I went to my neighbors around my home to ask them to sign a paper. If they had any problems about the construction made and they told me there was no problem, but they told me that this home was reconstructed nine years ago and the City and inspectors never knew nothing about it; and I believe that those changes should have been known long ago.

BACKGROUND INFORMATION

A) Previous Actions

There are no other past actions of the Planning Commission and City Council pertaining to the site. However, the City's Neighborhood Services Department have recorded the following actions (recorded in Code Enforcement case #17953):

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October 21, 2004 - Planning Commission Meeting

- 07/15/04 A site inspection revealed signs of construction activity at a vacant house and rear yard building which was accessible to passersby. The rear yard building had been fitted with plumbing and had at one time been used as a very small apartment. Scattered construction debris was visible from the Right of Way. Inspector issued a Permit Request and Correction Notice for the construction debris.
- 07/26/04 Code Enforcement sent property owners a Notice & Order to Abate a Dangerous Building, and posted the order at the property.
- 09/27/04 Code Enforcement noted that owner has applied for a Variance, scheduled to be heard by the Planning Commission on October 21, 2004. On October 22, a Code Enforcement Officer will call Planning and Development to check the status of the Variance, to determine what a course of action.

B) Pre-Application Meeting

- 08/23/04 Procedural aspects of a Variance application were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required of this type of application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.13 acres

B) Existing Land Use

Subject Property: Residence
North: Church, Elementary School
South: Residences
East: Residences
West: Residences

C) Planned Land Use

Subject Property: L (Low Density Residential)
North: PF (Public Facilities)
South: L (Low Density Residential)
East: L (Low Density Residential)
West: L (Low Density Residential)

VAR-5199 - Staff Report Page Three
October 21, 2004 - Planning Commission Meeting

D) Existing Zoning

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

E) General Plan Compliance

This lot and neighborhood are designated L (Low Density Residential) on the Southwest Sector of the General Plan. The R-1 (Single Family Residential) zoning of the site is consistent with this General Plan designation.

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

This parcel is not part of a special area plan, overlay district, rural neighborhood, DINA, or PRS.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Existing (Based on aerial photo)	Compliance
Min. Lot Size	6,500 Square Feet	6,008 Square Feet	Y
Min. Lot Width	65 Feet	61 Feet	Y

SRS

VAR-5199 - Staff Report Page Four
October 21, 2004 - Planning Commission Meeting

Min. Setbacks			
• Front	20 Feet	29 Feet	Y
• Side	5 Feet	2 Feet, 8 inches & 3 Feet, 0 inches	N N
• Rear	15 Feet	2 Feet, 4 inches	
between a detached accessory structure and main dwelling where is required	6 feet separation	1 foot separation	N
Max. Lot Coverage	50 %	Not Ascertainable	Not Ascertainable
Max. Building Height	2 Stories / 35 Feet	1 Story	Y

Applicant's request proposes variances from the above requirements. The subject deviations are:

- 1) a three-foot side yard setback where five feet is required (**kitchen addition**)
- 2) a 2.33-foot minimum distance separation between a detached accessory structure and rear and side property lines where three feet is required (**backyard building**)
- 3) a one-foot separation between a detached accessory structure and main dwelling where six feet is required (**backyard building**)

B) General Analysis and Discussion

This existing back yard accessory structure has been built within three feet of the rear and side property lines and within one foot of the main dwelling unit. A Variance for this structure is unjustifiable, in that the structure violates rear yard and side yard setback standards, building proximity standards, and fire safety standards.

This property's existing kitchen addition has been built to within three feet of the side property line. A Variance for this addition is unjustifiable, in that the structure violates the side yard setback standard and fire safety standards.

City of Las Vegas Department of Buildings and Safety structures less than three feet to the property line to be One-Hour Fire Rated. If there is less than six feet between the house and detached structure, One-Hour Construction is required."

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October 21, 2004 - Planning Commission Meeting

FINDINGS

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

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

In this case, no evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by purchasing a residence with multiple setback violations.

The Alternative of removing the violating accessory structure and room addition would allow conformance to the Title 19 requirements.

In view of the absence of any hardships imposed by the site's physical characteristics, staff concludes that the applicant's hardship is preferential in nature, and is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 223

APPROVALS 3

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-5199** APN: _____
Name of Property Owner: Edgar J. Martinez
Name of Applicant: Edgar J. Martinez

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

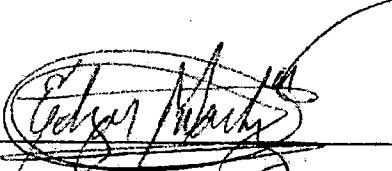
☒ No

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: 

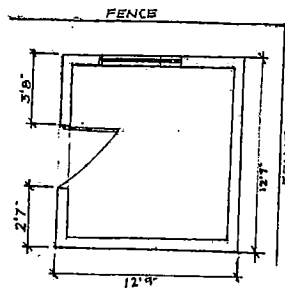
Print Name: Edgar J. Martinez

Subscribed and sworn before me

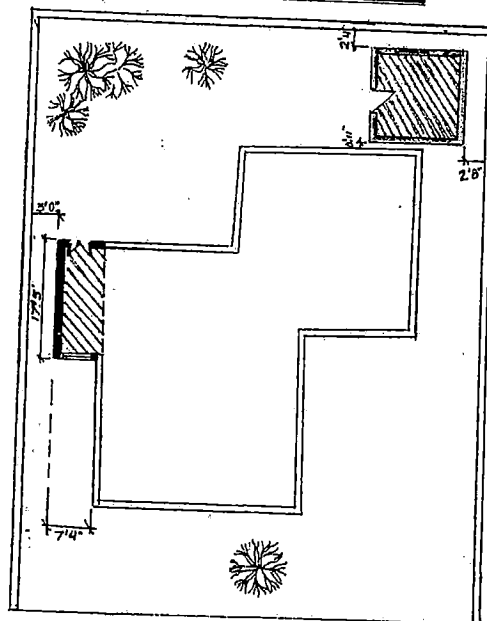
This 7 day of September, 2004

Notary Public in and for said County and State

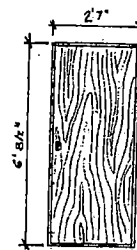




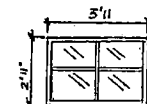
LITTLE STORAGE IN THE BACK YARD



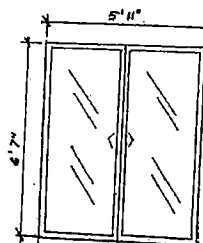
5517 FLAWER CIRCLE 89107 ESC. 3/8



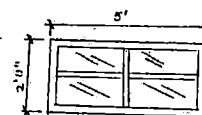
STORAGE DOOR ESC. CH



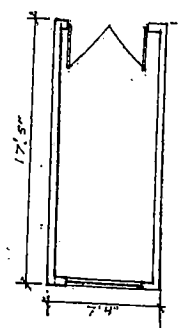
STORAGE WINDOW ESC. CH



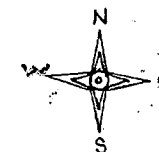
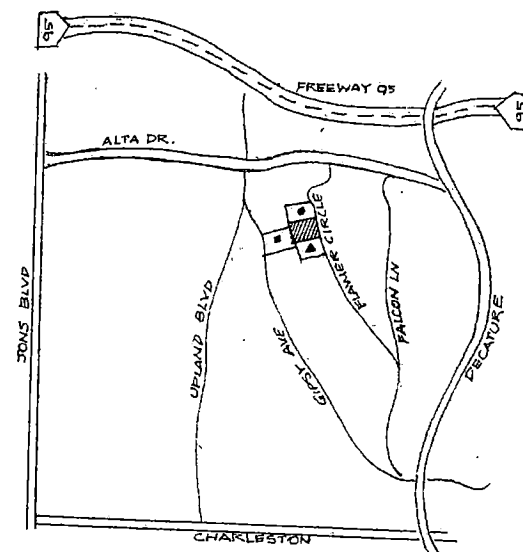
ADDITION K. DOOR ESC. CH



ADDITION K. WINDOW ESC. CH



ADDITION TO KITCHEN ESC. 3/4



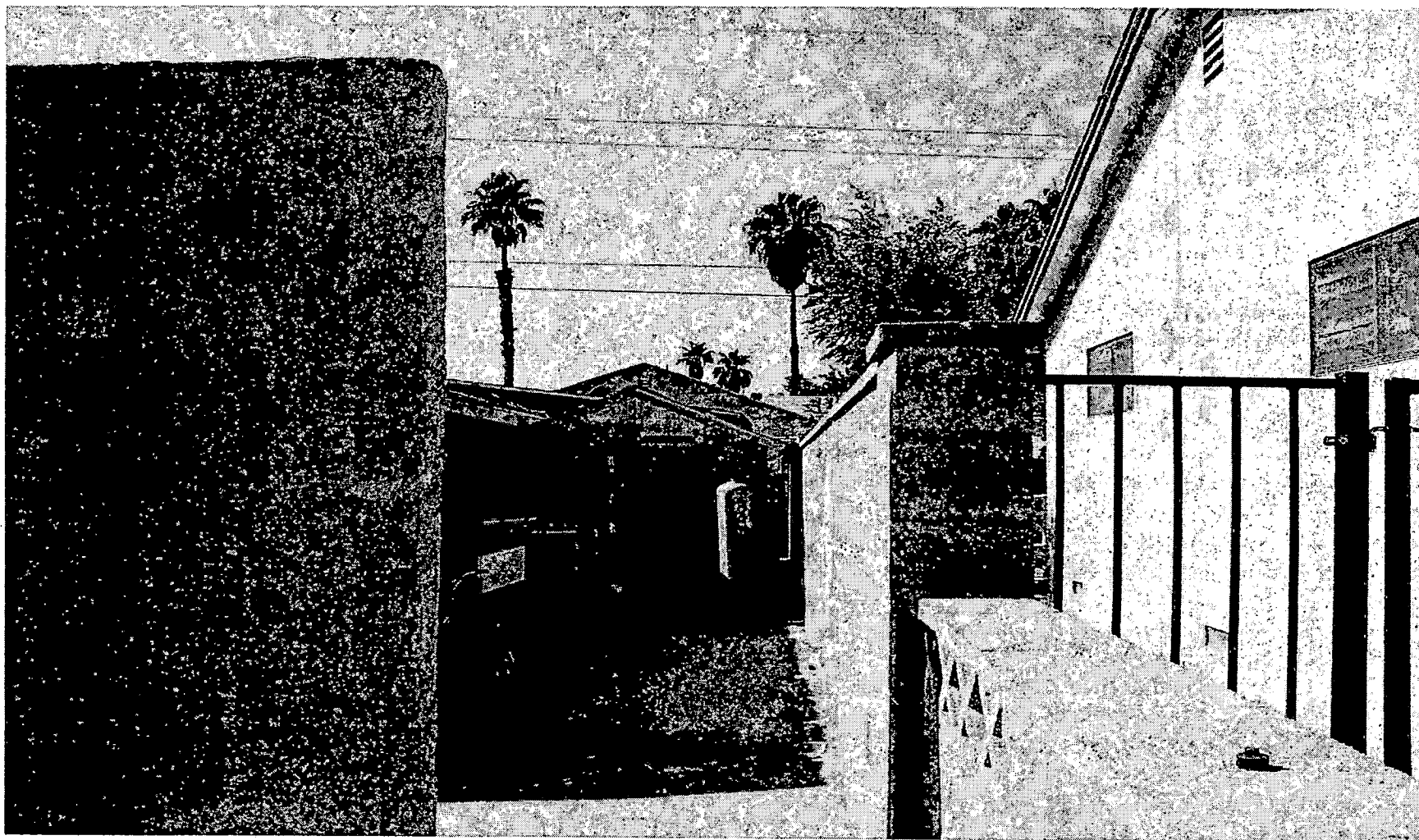
- ▲ 5513 FLAWER CIRCLE
- 5517 FLAWER CIRCLE
- 5520 GIPSY AVE.
- 5521 FLAWER CIRCLE

RECEIVED

SEP 07 2004

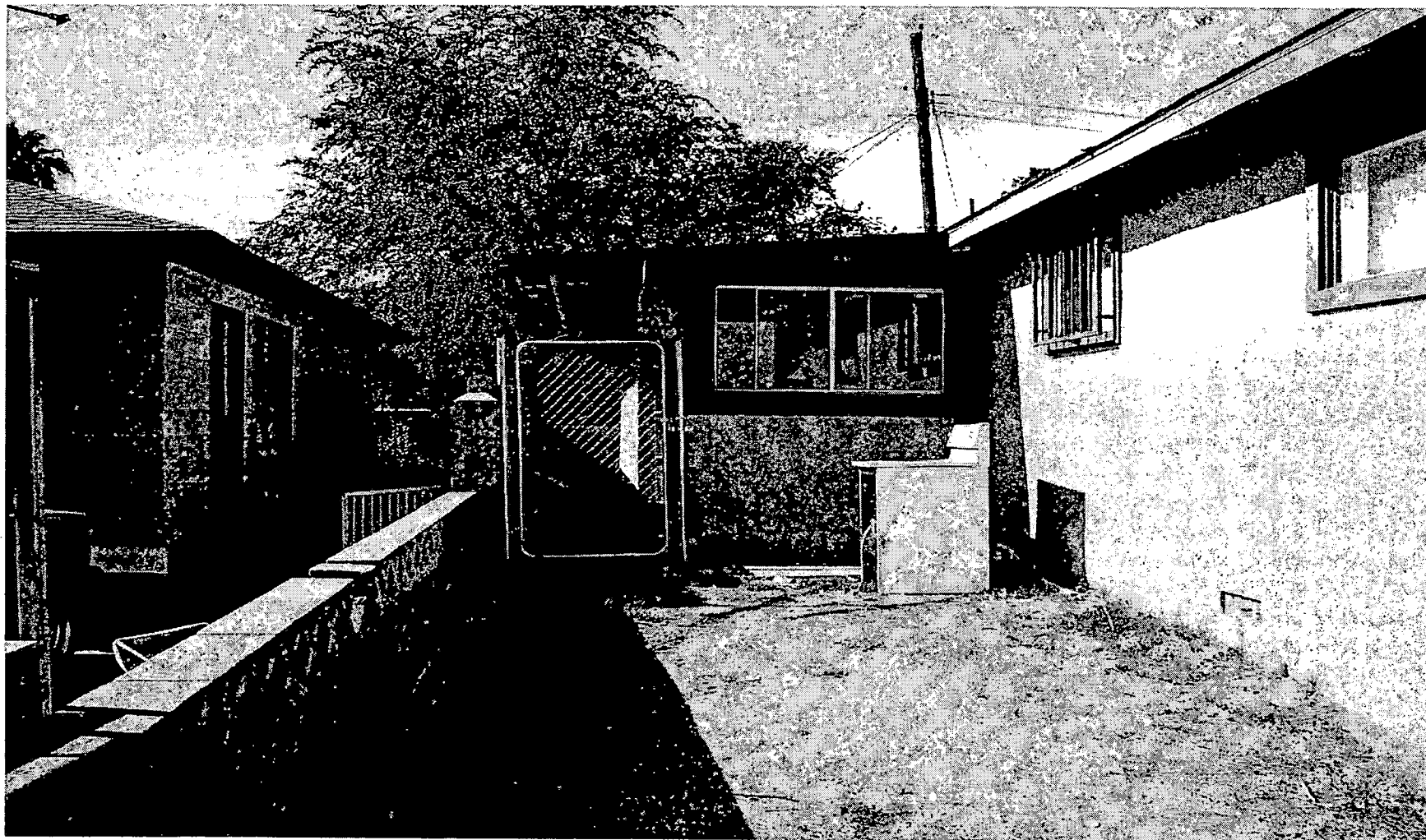
EDGAR MARTINEZ
5517 FLAWER CIRCLE
LAS VEGAS NV. 89107 TEL. 3851430

VAR-5199
10/21/04 PC



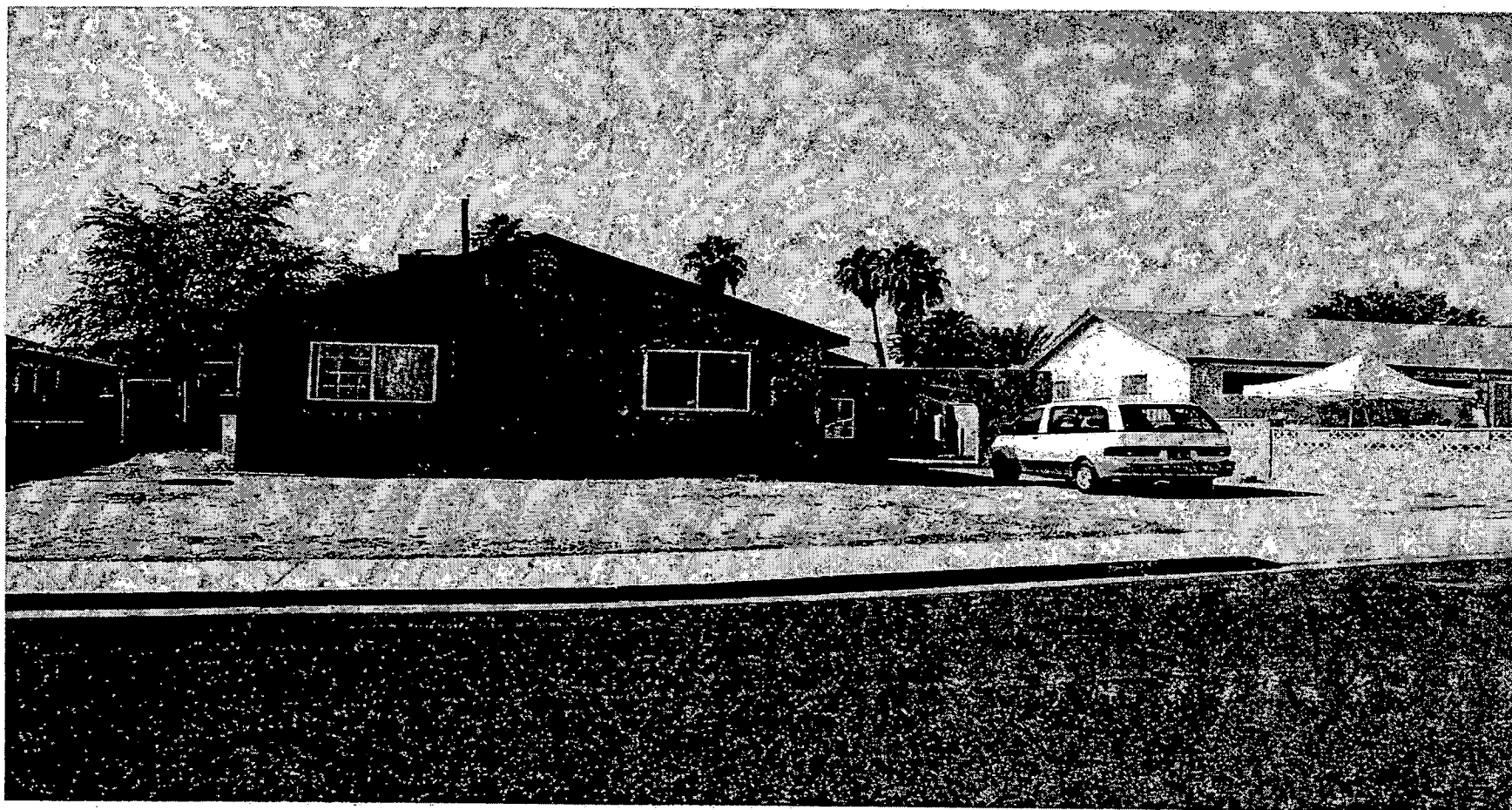
VAR-5199 - APPLICANT/OWNER: EDGAR MARTINEZ AND KARINA MARTINEZ
5517 FLOWER CIRCLE
OCTOBER 21, 2004 PLANNING COMMISSION

10/01/04



VAR-5199 - APPLICANT/OWNER: EDGAR MARTINEZ AND KARINA MARTINEZ
5517 FLOWER CIRCLE
OCTOBER 21, 2004 PLANNING COMMISSION

10/01/04



VAR-5199 - APPLICANT/OWNER: EDGAR MARTINEZ AND KARINA MARTINEZ
5517 FLOWER CIRCLE
OCTOBER 21, 2004 PLANNING COMMISSION

10/01/04

Las Vegas NV.
09/04/04

By this letter I like to let you know that Mr. Edgar Martinez, is the new owner
On this property in 5517 Flower circle Las Vegas NV. 89107, and we are interested to
know if this property and buildings are of disagreement or cause any problems towards
your property,

I like to thank you for your cooperation and appreciate to have us as your
Neighbor.

Thank you.

Full name: Rogelio Baez C.

Sign: [Signature]

Address: 5513 Flower Cir Las Vegas NV 89107

Las Vegas NV.
09/04/04

By this letter I like to let you know that Mr. Edgar Martinez, is the new owner
On this property in 5517 Flower circle Las Vegas NV. 89107, and we are interested to
know if this property and buildings are of disagreement or cause any problems towards
your property,

I like to thank you for your cooperation and appreciate to have us as your
Neighbor.

Thank you.

Full name: MANIA ROSC MARTINEZ
Sign: Mania Rosc Martinez
Address: 5520 Gipsy Av. LV. NV

Las Vegas NV.
09/04/04

By this letter I like to let you know that Mr. Edgar Martinez, is the new owner
On this property in 5517 Flower circle Las Vegas NV. 89107, and we are interested to
know if this property and buildings are of disagreement or cause any problems towards
your property,

I like to thank you for your cooperation and appreciate to have us as your
Neighbor.

Thank you.

Full name: Rodger & Sherry Cambern

Sign: Sherry Cambern

Address: 5521 Flower Circle
LV NV 89107

Las Vegas NV.
10/18/04

By this letter I like to let you know, that Mr. Edgar Martinez
Is the new owner on this property in 5517 Flower circle Las Vegas NV.
89107, and we are interested to know is this property and buildings are
Or disagreement or cause any problems toward your property, I like to
Thank you for your cooperation, and appreciate to have us as your
Neighbor.

Thank you.

Full name: Bustamante Vicente, Norma

Sign: Norma Bustamante

Address: 5524 GIPSY AVE Las Vegas NV 89102

Submitted at Planning Commission

Date 10-21-04 Item 61

@

Las Vegas NV.
10/18/04

By this letter I like to let you know, that Mr. Edgar Martinez
Is the new owner on this property in 5517 Flower circle Las Vegas NV.
89107, and we are interested to know is this property and buildings are
Or disagreement or cause any problems toward your property, I like to
Thank you for your cooperation, and appreciate to have us as your
Neighbor.

Thank you.

Full name: Shalina Mari Faulkner

Sign: Shalina Mari Faulkner

Address: 5530 Gipsy Ave

Las Vegas NV.
10/18/04

By this letter I like to let you know, that Mr. Edgar Martinez
Is the new owner on this property in 5517 Flower circle Las Vegas NV.
89107, and we are interested to know is this property and buildings are
Or disagreement or cause any problems toward your property, I like to
Thank you for your cooperation, and appreciate to have us as your
Neighbor.

Thank you.

Full name: Troy & Dana Patter

Sign: Dana Patter

Address: 5500 Gipsy ave.

Las Vegas NV.
10/18/04

By this letter I like to let you know, that Mr. Edgar Martinez
Is the new owner on this property in 5517 Flower circle Las Vegas NV.
89107, and we are interested to know is this property and buildings are
Or disagreement or cause any problems toward your property, I like to
Thank you for your cooperation, and appreciate to have us as your
Neighbor.

Thank you.

Full name: WILMAR R. RODAS

Sign: Wilmar Rene Rodas

Address: 5501 Flower Cir LAS VEGAS NV 89107

Las Vegas NV.
10/18/04

By this letter I like to let you know, that Mr. Edgar Martinez
Is the new owner on this property in 5517 Flower circle Las Vegas NV.
89107, and we are interested to know is this property and buildings are
Or disagreement or cause any problems toward your property, I like to
Thank you for your cooperation, and appreciate to have us as your
Neighbor.

Thank you.

Full name: JANIS WOOLWORTH 10/21/2004

Sign: Janis Woolworth

Address: 5405 Flower Circle

Las Vegas NV.
10/18/04

By this letter I like to let you know, that Mr. Edgar Martinez
Is the new owner on this property in 5517 Flower circle Las Vegas NV.
89107, and we are interested to know is this property and buildings are
Or disagreement or cause any problems toward your property, I like to
Thank you for your cooperation, and appreciate to have us as your
Neighbor.

Thank you.

Full name: Tammy & Thomas DeHay

Sign: Tammy DeHay & Thomas DeHay

Address: 5500 Flower Circle

Las Vegas NV.
10/18/04

By this letter I like to let you know, that Mr. Edgar Martinez
Is the new owner on this property in 5517 Flower circle Las Vegas NV.
89107, and we are interested to know is this property and buildings are
Or disagreement or cause any problems toward your property, I like to
Thank you for your cooperation, and appreciate to have us as your
Neighbor.

Thank you.

Full name:

Oscar Fuentes

Sign:

[Signature]

Address: 5409 Flower Cr. Las Vegas NV. 89107

Las Vegas NV.
10/18/04

By this letter I like to let you know, that Mr. Edgar Martinez
Is the new owner on this property in 5517 Flower circle Las Vegas NV.
89107, and we are interested to know is this property and buildings are
Or disagreement or cause any problems toward your property, I like to
Thank you for your cooperation, and appreciate to have us as your
Neighbor.

Thank you.

Full name: Maria Acosta

Sign: Maria Acosta

Address: 5505 Flower Cir.
Las Vegas N.V 89107.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5208 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: WILLIAM BECHTOL AND EILEEN BECHTOL - Request for a Variance TO ALLOW A 22 FOOT FRONT SETBACK WHERE A 30 FOOT SETBACK IS REQUIRED FOR A PROPOSED SINGLE FAMILY DWELLING on 0.46 acres at 2010 Strada Mia Court (APN 163-04-713-004), R-E (Residence Estates) Zone, Ward 1 (Moncrief).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED – UNANIMOUS with TRUESDELL abstaining because he has a business relationship with the title company and he believed MS. BECHTOL is their top escrow consultant

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, indicated the request is to allow a 22-foot front setback where a 30-foot setback is required. This will push the house forward on the lot to accommodate a pool in the rear yard. Because an alternative design of the pool or home would allow conformance, the hardship is considered self imposed.

EVAN VAUSE, Architect, 1325 Cadence, Henderson, appeared on behalf of the applicant and explained the owner of the property is trying to move the garage back and away from the street.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 62 – VAR-5208

MINUTES – Continued:

This is common within the neighborhood. Approval would affect more than just the pool, the front of the home is setback so that the entire house is not at the 22-foot setback mark. A considerable portion is behind the setback requirement. He concluded by saying several homes on the block have received similar variances.

C COMMISSIONER STEINMAN asked if the City had evidence of other homes in the neighborhood violating setback requirements or receiving variances to do work such as that proposed. The Commissioner was unable to get into this private community, so he could not see if any of the homes violated the setbacks. MR. VAUSE stated that the homes varied on the backside. COMMISSIONER STEINMAN felt the hardship was self-imposed and primarily due to the pool. He asked if the neighbors were aware of the applicant's proposal because no proof has been offered to that affect. MR. VAUSE stated he believed the neighbors are aware of the request. He also suggested the Commissioner could ask the Planning Department about which homes were granted variances. MR. LEOBOLD did not have any information regarding variances on the other homes within the neighborhood and he was not familiar with the block.

C COMMISSIONER STEINMAN felt that perhaps one home could have requested a variance. He feared that allowing this applicant to push their house back because they want a pool could result in other neighbors becoming upset. MR. VAUSE clarified that the adjacent neighbor's variances are for situations such as accessory structures and homes that are closer to the backside of the properties.

C COMMISSIONER EVANS suggested the applicant could get letters of approval from the surrounding neighbors. He stated this is minor in the grand scheme of things; however, there are reasons for ordinances and perhaps it would be better if the applicant were to work within the stated parameters. COMMISSIONER EVANS questioned if the pool could be made narrower because the hardship is entirely self-imposed. MR. VAUSE stated the issue is not solely with the pool but with the design of the home. His hope was to have the variance approved so he would be able to move the garage back from the street and away from view from the street. The pool and backyard landscaping are a part of the whole scenario but there is more to it than just the pool. COMMISSIONER EVANS confirmed with MR. VAUSE that the home is designed to keep the garage away from view.

COMMISSIONER DAVENPORT asked if the project had been before the architectural committee of the subdivision. MR. VAUSE stated that there were comments given regarding a minimum square footage but the applicant was not asked to present the project at a meeting. MR. VAUSE indicated the architectural committee is very relaxed. He offered to obtain the

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 62 – VAR-5208

MINUTES – Continued:

consent letters from the neighbors prior to the item being heard before City Council and VICE CHAIRMAN NIGRO reminded him the item was Final Action. MR. VAUSE stated the property had served as a park for the community for sometime. Eventually, it was sold and the owner decided to put a home on the lot. The neighbors are happy there is something actually being built on the site.

After hearing COMMISSIONER GOYNES motion for approval, COMMISSIONER EVANS asked if he would be interested in adding a requirement that the applicant receive the support of the community. DEPUTY CITY ATTORNEY BRYAN SCOTT informed the Commission that because the item is Final Action, there is no way to enforce that requirement. COMMISSIONER EVANS confirmed with MR. LEOBOLD that there was a 750-foot notification radius so the immediate neighbors were notified of this application. The Commissioner suggested that should MR. VAUSE have similar applications in the future, he obtain approval letters from the surrounding landowners prior to bringing the item before the Planning Commission.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

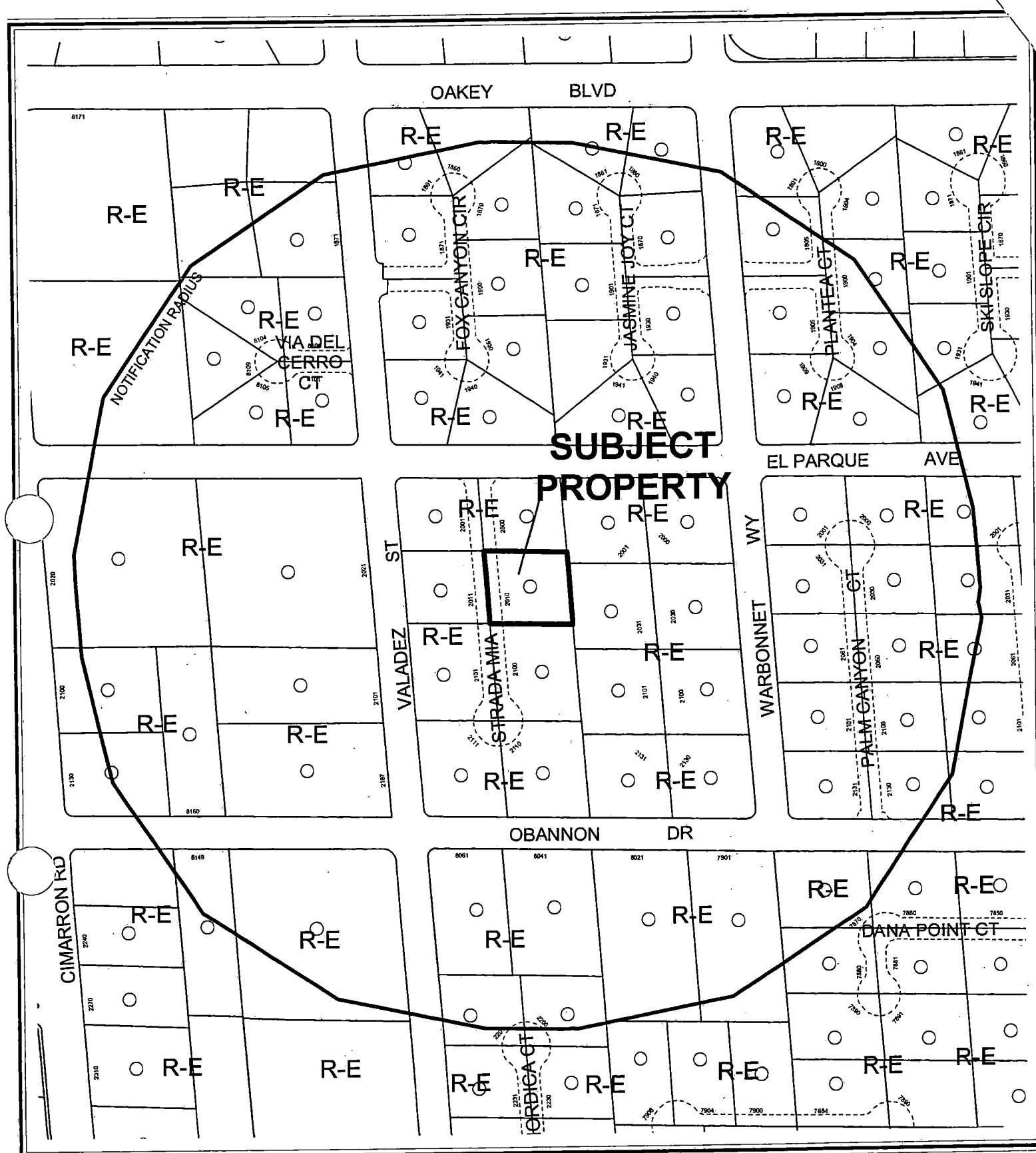
(1:03-1:13)

5-1639

CONDITIONS:

Planning and Development

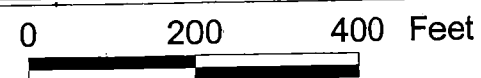
1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5183) and Site Development Plan Review (SDR-5184).



CASE: **VAR-5208**

RADIUS: 750 FT

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





CASE: **VAR-5208**

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-5208 - APPLICANT/OWNER: WILLIAM BECHTOL AND
EILEEN BECHTOL**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5183) and Site Development Plan Review (SDR-5184).

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a 22-foot front setback where a 30-foot setback is required on 0.46 acres at 2010 Strada Mia Court.

B) Applicant's Justification

According to the applicant's justification letter, a variance is requested for a 22-foot front setback, which would allow enough room for a swimming pool in the rear yard.

BACKGROUND INFORMATION

A) Previous Actions

04/28/94 The Planning Commission approved a request for a Tentative Map (TM-39-94) on property located on the northeast corner of Valdez Street and O'Bannon Drive. Staff recommended approval of the Tentative Map.

11/23/98 The City Council approved a request for a General Plan Amendment (GPA-27-98) to amend a portion of the Southwest Sector of the General Plan on properties bounded by Holmby Channel, Via Olivero Avenue, Rainbow Boulevard, and Durango Drive, From: R (Rural Density Residential) to: DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval on October 22, 1998.

B) Pre-Application Meeting

06/29/04 Elements of a Variance application were discussed at the meeting.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.46 acres

B) Existing Land Use

Subject Property: Single Family Residential
North: Single Family Residential
South: Single Family Residential
East: Single Family Residential
West: Single Family Residential

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates)
East: R-E (Residence Estates)
West: R-E (Residence Estates)

E) General Plan Compliance

The site is designated DR (Desert Rural Density Residential) on the Southwest Sector Future Land Use Plan Map of the General Plan. The existing R-E (Residence Estates) Zoning designation 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
Development Impact Notification Assessment		X
Project of Regional Significance		X

VAR-5208 - Staff Report Page Three
October 21, 2004 - Planning Commission Meeting

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	20,000 Square Feet	20,277 SF	Y
Min. Lot Width	100 Feet	151.9 Feet	Y
Min. Setbacks			
• Front	30 Feet	22 Feet	N
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	35 Feet	41.9 Feet	Y
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	2 Stories / 35 Feet	2 Stories / 33 Feet 4 inches	Y

The subject deviation is for a 22-foot front setback where a 30-foot front setback is required.

A) General Analysis and Discussion

A survey of the immediate area surrounding the subject site revealed five variances concerning setbacks located on the following streets: Strada Mia Court, Marina Bay Court, Fox Canyon Circle, and Jasmine Joy Court. However, the Planning and Development Department's recommendation is based upon the merits of each application. Previous variances can be considered in determining the appropriateness of a variance, but is not determinative. The burden of proof for approval of a Variance requires the presence of a hardship that is not solely personal, self-created or financial in nature. The lack of such hardship, as the site has no inherent topographical constrictions or extraordinary situations, on this site does not warrant a recommendation of approval.

FINDINGS

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

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

BTS

VAR-5208 - Staff Report Page Four
October 21, 2004 - Planning Commission Meeting

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing that the home allow a 22' front setback where 30' is required to accommodate a pool. Alternative design of the home or pool area to meet required setbacks would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 86

APPROVALS 0

PROTESTS 0

BTS



Case Number: **VAR-5208** APN: **163-04-713-004**
Name of Property Owner: **WILLIAM F. BECHTOL**
Name of Applicant: **WILLIAM F. BECHTOL**

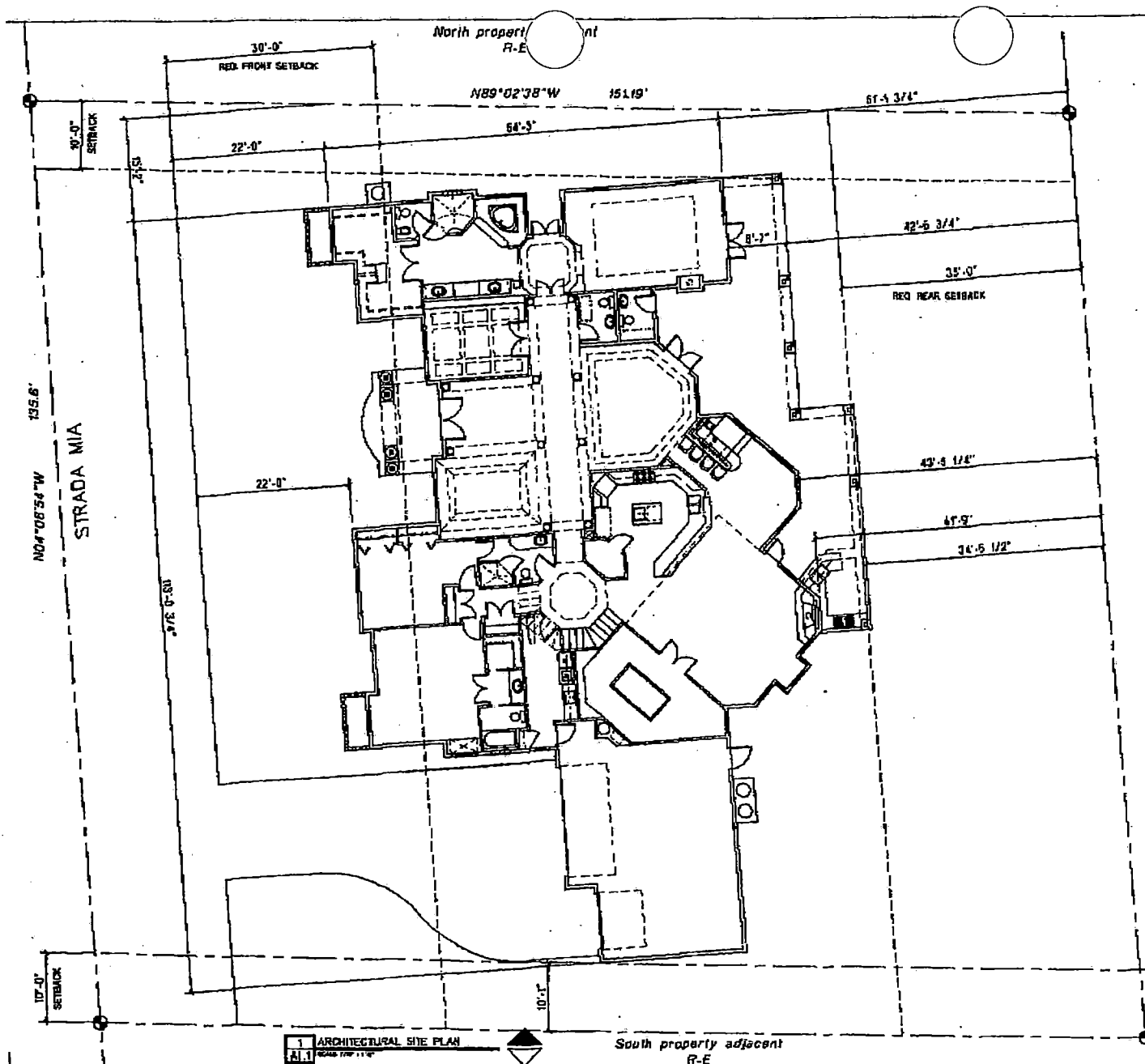
Yes _____ No ✓

APN: _____

Print Name:

Notary Public in and for said County and State





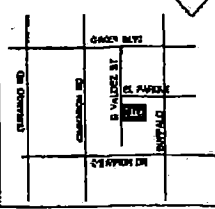
SITE DATA

ADDRESS: 1000 S. 1000 E. SALT LAKE CITY, UT 84143
 AGENCY: 1000 S. 1000 E. SALT LAKE CITY, UT 84143
 PROJECT: 1000 S. 1000 E. SALT LAKE CITY, UT 84143
 DATE: 10/21/04
 SCALE: 1" = 10'-0"

GENERAL NOTES

1. SEE EXISTING RECORDS FOR OVERALL GRADIENT
 2. SEE EXISTING RECORDS FOR OVERALL GRADIENT
 3. SEE EXISTING RECORDS FOR OVERALL GRADIENT

VICINITY MAP



Woolly Bechler Custom Residence Clark County Las Vegas, Nevada	
SITE PLAN	
Project No. 1000 S. 1000 E. SALT LAKE CITY, UT 84143	Date 10/21/04
Project No. 1000 S. 1000 E. SALT LAKE CITY, UT 84143	Date 10/21/04
A11	

RECEIVED
 SEP 23 2004

REVISED
 9.23.04

VAR-5208
 10/21/04 PC



EXTERIOR ELEVATIONS

Project No.	
Site number	128-642
Drawn By	EV
Checked By	EV
Date	07/26/74
Sheet No.	A4.2

VAR-5208
10/21/04 PC

RECEIVED
SEP 07 2004

A4.2



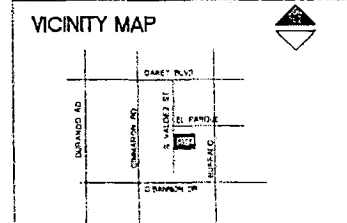
SITE DATA

[illegible]

GENERAL NOTES:

1. REFER TO CIV. DRAWINGS FOR GRADING, CONCRETE
SLOPE, RETAINMENT.
2. FOR FLOOR PLAN, REFER TO ARCHITECTURAL
DRAWINGS, ALL.

RECEIVED
SEP 07 2004



HUMAN VALUE
TECHNOLOGY

FOI b7 - D
FOI b7 - C
FOI b7 - D

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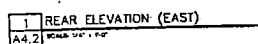
Time	Grade	Activity

Woody Bedtrot
Custom Residence

SITE PLAN

Project No.	
File Number	
Drawn By	
Checked By	MT/JS
Date	1/1
Sheet No.	00/00/00

A1.1



VAR-5208
10/21/04 PC

RECEIVED
SEP 07 2004



EVAN YALOB
 architect

1100 2nd Street
 Philadelphia, PA 19106
 215-977-8888

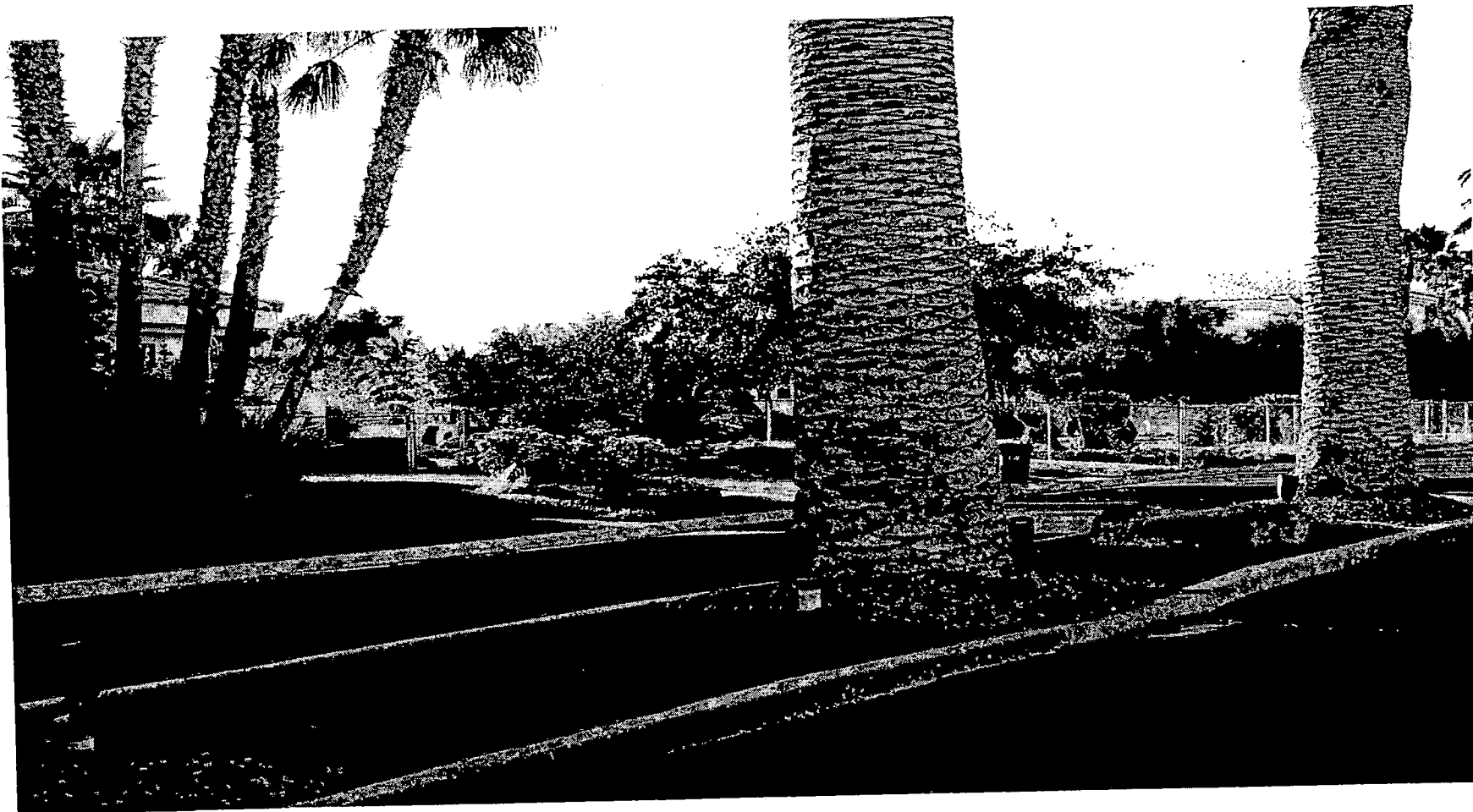
1000 2nd Street
 Philadelphia, PA 19106
 215-977-8888

This drawing is the property of Evan Yalob Architect. It is to be used only for the project and location specified. It is not to be reproduced, copied, or used for any other project without the written consent of Evan Yalob Architect.

Project Name: **Woody Redford Custom Residence**
 Location: **Clark County, Pennsylvania**

Drawing No: **A4.2**
 Date: **01/20/20**
 Sheet No: **1**

EXTERIOR ELEVATION



VAR-5208 - APPLICANT/OWNER: WILLIAM BECHTOL AND EILEEN BECHTOL
2010 STRADA MIA COURT
OCTOBER 21, 2004 PLANNING COMMISSION

10/12/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-4930 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: YOUR CREDIT, INC. D/B/A LAS VEGAS FINANCE - OWNER: SAHARA PAVILION NORTH U.S., INC. - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED AND FOR WAIVERS OF THE 1,000-FOOT DISTANCE SEPARATION REQUIREMENT BETWEEN SIMILAR USES AND THE 200-FOOT DISTANCE SEPARATION REQUIREMENT FROM RESIDENTIAL USES at 2121 South Decatur Boulevard, Suite #2 (APN 162-06-402-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 11/17/04

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

MINUTES:

NIGRO – Motion to HOLD IN ABEYANCE – APPROVED – UNANIMOUS

To be held in abeyance until 11/18/2004 Planning Commission Meeting

MOTION:

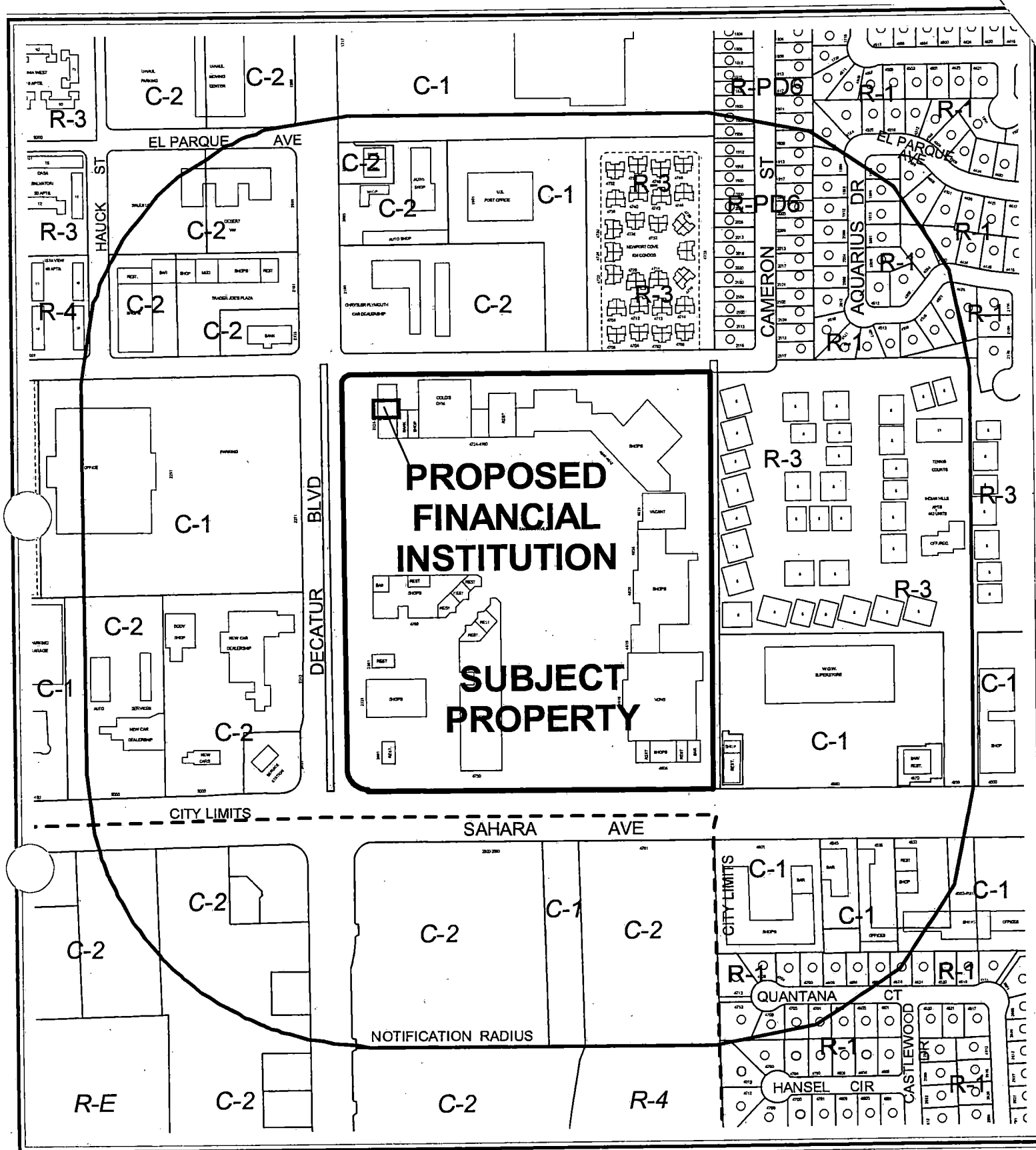
CHAIRMAN TRUESDELL declared the Public Hearing open.

BILL CURRAN, Curran and Perry, 300 South 4th Street, appeared on behalf of the applicant and requested the item be held in abeyance. He stated he was not aware of any citizens present to speak on the item.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:48-9:51)

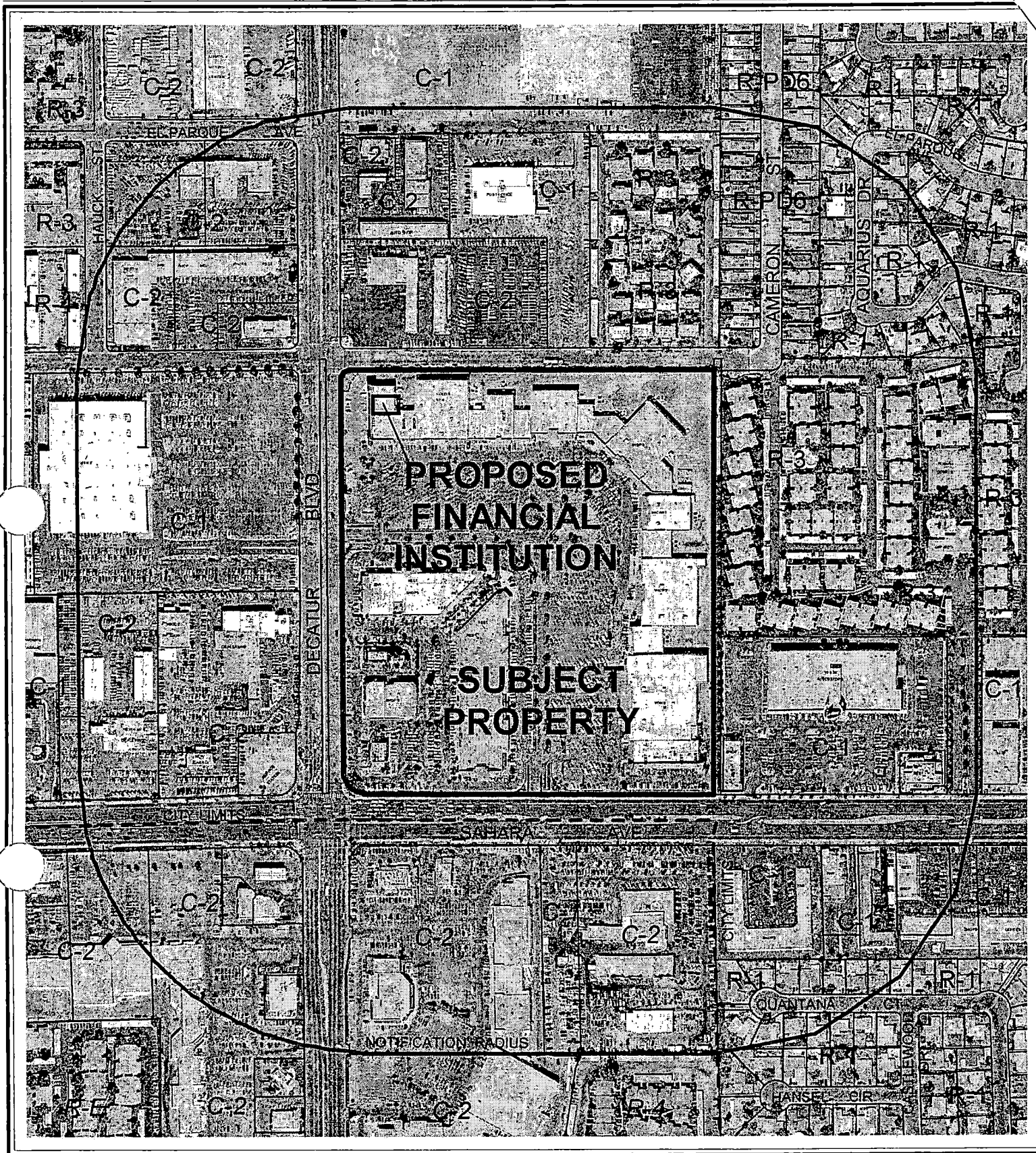
3-986



CASE: SUP-4930

RADIUS: 750 FT

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



CASE: SUP-4930

RADIUS: 750 FT

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

0 300 600 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-4930 - APPLICANT: YOUR CREDIT, INC. D/B/A LAS
VEGAS FINANCE - OWNER: SAHARA PAVILION NORTH U.S., INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for the Financial Institution, Specified use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a Financial Institution, Specified and Waivers of the required 1,000-foot distance separation between similar uses and the 200-foot distance separation requirement from residential uses at 2121 South Decatur Boulevard, Suite #2.

B) Applicant's Justification

The applicant states that local management of the 4347 West Charleston Las Vegas Finance location recently determined that it was appropriate to relocate in order to better serve the needs of its patrons. Because the Sahara Pavilion Center is located on such a large parcel, the distance from the proposed financial institution to residential uses is much greater than 200 feet, and could not possibly have a negative impact on those residents. According to the applicant, this location is also over 2,000 feet from the nearest similar use. Therefore, the Waiver requests are justified.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|---|
| 08/05/87 | The City Council approved a Rezoning (Z-0057-87) to C-1 (Limited Commercial) on 38.5 acres, including this property, as part of a larger request. The Planning Commission and staff recommended approval. |
| 05/12/88 | The Planning Commission approved a Plot Plan Review [Z-0057-87(1)] for a proposed shopping center on this site. |
| 10/01/03 | The City Council denied a request for a Special Use Permit (SUP-2655) for a proposed Financial Institution, Specified (Cashback Payday Loans) at this location (2121 South Decatur Boulevard, Suite 2). The Planning Commission and staff recommended approval. |
| 04/21/04 | The City Council adopted an ordinance (proposed as Bill No. 2003-78) establishing locational restrictions and additional development standards for the uses "Auto Pawn," "Auto Title Loan," and "Specified Financial Institution." |

SUP-4930 - Staff Report Page Two
October 21, 2004 - Planning Commission Meeting

B) Pre-Application Meeting

06/22/04 A pre-application meeting was held and the submittal requirements and application timetable for a Special Use Permit application were discussed. A number of waivers from distance separation requirements for Financial Institutions, Specified would be required in connection with this application. In addition, it was noted that this project would be deemed a "Project of Regional Significance."

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 29.40 (overall commercial subdivision)

B) Existing Land Use

Subject Property: Financial Institution, Specified
North: Commercial Shopping Center
South: Commercial Shopping Center
East: Commercial Shopping Center
West: Commercial Shopping Center

C) Planned Land Use

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

D) Existing Zoning

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

E) *General Plan Compliance*

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

○ **Clark County Notification** – The notification radius for this request includes properties under Clark County jurisdiction. The owners of these properties were notified of a public hearing for this item.

Project of Regional Significance – The parcel location of the proposed financial institution is within 500 feet of the City's boundary with Clark County, and therefore this Special Use Permit request is deemed to be a Project of Regional Significance. In accordance with City Ordinance No. 5477, an environmental impact assessment questionnaire was submitted with other materials for this application, and a summary of the comments received from various agencies is detailed below.

INTERAGENCY ISSUES

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

- Any Special Use Permit within 500' of the City's border with Clark County or North Las Vegas.

The Special Use Permit concerns property that is located within 75 feet of the City of Las Vegas 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 City of Las Vegas Department of Public Works (Sanitary Sewers Division) indicated that the proposed development would have minimal impact on the existing sewer system.
- 2) The City of Las Vegas Department of Public Works (Flood Control Division) will not require a drainage study for this project.

SUP-4930 - Staff Report Page Four
October 21, 2004 - Planning Commission Meeting

3) The Las Vegas Metropolitan Police Department did not find a significant law enforcement impact on the surrounding area.

The Planning Commission shall consider the Environmental Impact Assessment and the proposed mitigation measures prior to making 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, Specified	1,640 SF.	1/200 GFA	8	1	1,340	Not Shown

Parking facilities within the existing shopping center meet the requirements of the Zoning Code and are adequate to accommodate the proposed specified financial institution use. No new parking spaces are required or proposed as a result of this project.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Financial Institution, Specified	1,000 feet from any other Specified Financial Institution, Auto Title Loan or Auto Pawn use	Two other similar uses within the 1,000 foot distance separation radius
	200 feet from any parcel used or zoned for residential use	The parcel line abuts the residential use to the east and is 60 feet from residential uses to the north

BTS/SS

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October 21, 2004 - Planning Commission Meeting

The proposed Financial Institution, Specified use does not meet the minimum distance separation requirements from three residential developments and two similar uses.

A3) Financial Institution, Specified Building Size

Standards	Code Requirement	Provided
Financial Institution, Specified	The building or portion thereof that is dedicated to the use shall have a minimum size of 1,500 square feet.	1,640 square feet

At 1,640 square feet, the proposed Financial Institution, Specified meets the minimum 1,500 square foot space size requirement.

B) General Analysis and Discussion

- **Zoning**

The Financial Institution, Specified use is permitted in a C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit, subject to meeting certain requirements listed below.

- **Use**

The proposed Financial Institution, Specified offers consumer cash loans to its customers. The business will be located within a 1,640 square-foot tenant space within an existing, approved building; therefore, no exterior work will be performed other than replacement of wall signage, ensuring compatibility with the shopping center and surrounding development. There are two Financial Institution, Specified uses within 1,000 feet of the subject parcel and two multi-family developments adjacent to the subject parcel. This particular use and waivers are recommended for denial for the following reasons:

- 1) The distance separation standards were adopted in April of 2004. Requests for waivers to these standards are premature, as not enough time has elapsed to evaluate their effects on neighborhoods.
- 2) A major reason for these standards were preventing over- saturation, but to ensure that the building elevations are harmonious and compatible with the surrounding area. Allowing a third such use within a 1,000 foot radius of this site clearly constitutes over-saturation.

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October 21, 2004 - Planning Commission Meeting

- **Conditions**

Title 19.04.050 lists the following conditions for a Financial Institution, Specified use, adopted by the City Council on 04/21/04:

1. The use shall comply with all applicable requirements of Las Vegas Municipal Code Title 6. (Non-waivable)
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. (Non-waivable)
3. No temporary signs (as described in Las Vegas Municipal Code 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 (20%) 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 8:00 a.m. to 11:00 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 have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
7. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or pawn 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 lines of fee interest parcels and not leasehold parcels.

The proposed check-cashing center fails to comply with Condition Number 7 of Title 19.04. The subject site is adjacent to condominium and apartment developments and lies within the 1,000-foot minimum distance separation from two 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 parcels to the north and east are designated M (Medium Density Residential). The residential parcel east of the subject site shares a common property line. The Zoning Code requires a 200-foot buffer between Specified Financial Institutions and residential uses. Additionally, the use is proposed to be located within 1,000 feet of two similar uses, 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. This is exemplified through the number of waivers requested by the applicant in order to gain approval.

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

The subject shopping center site can easily accommodate the proposed Financial Institution use, as there is adequate parking available and easy access to the storefront.

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

Access to the site is from Decatur Boulevard, classified as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. Alternative access is available on Sahara Avenue, a 150-foot Primary Arterial. These roadways are adequate in capacity to accommodate the demand of 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 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 Financial Institution, Specified would be subject to inspections for a Certificate of Occupancy.

NOTICES MAILED 196

APPROVALS 0

PROTESTS 0



Case Number: SUP-4930 APN: 162-06-402-001
Name of Property Owner: Map Pacific Retail Properties
Name of Applicant: Your Credit Inc. dba Las Vegas Finance

 Yes X No

City Official: _____
Partner(s): _____
APN: _____

Print Names:

~~Chief Executive Officer~~

**Executive Vice President
Chief Operating Officer**

This 26th day of July, 2004

Notary Public in and for said County and State

State of California / County of San Diego



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-4930** APN: _____

Name of Property Owner: Sahara Pavillion North U.S., Inc.

Name of Applicant: Your Credit Inc. dba Las Vegas Finance

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: Stuart A. Tanz Jeffrey S. Stauffer
President and Executive Vice President
Chief Executive Officer Chief Operating Officer

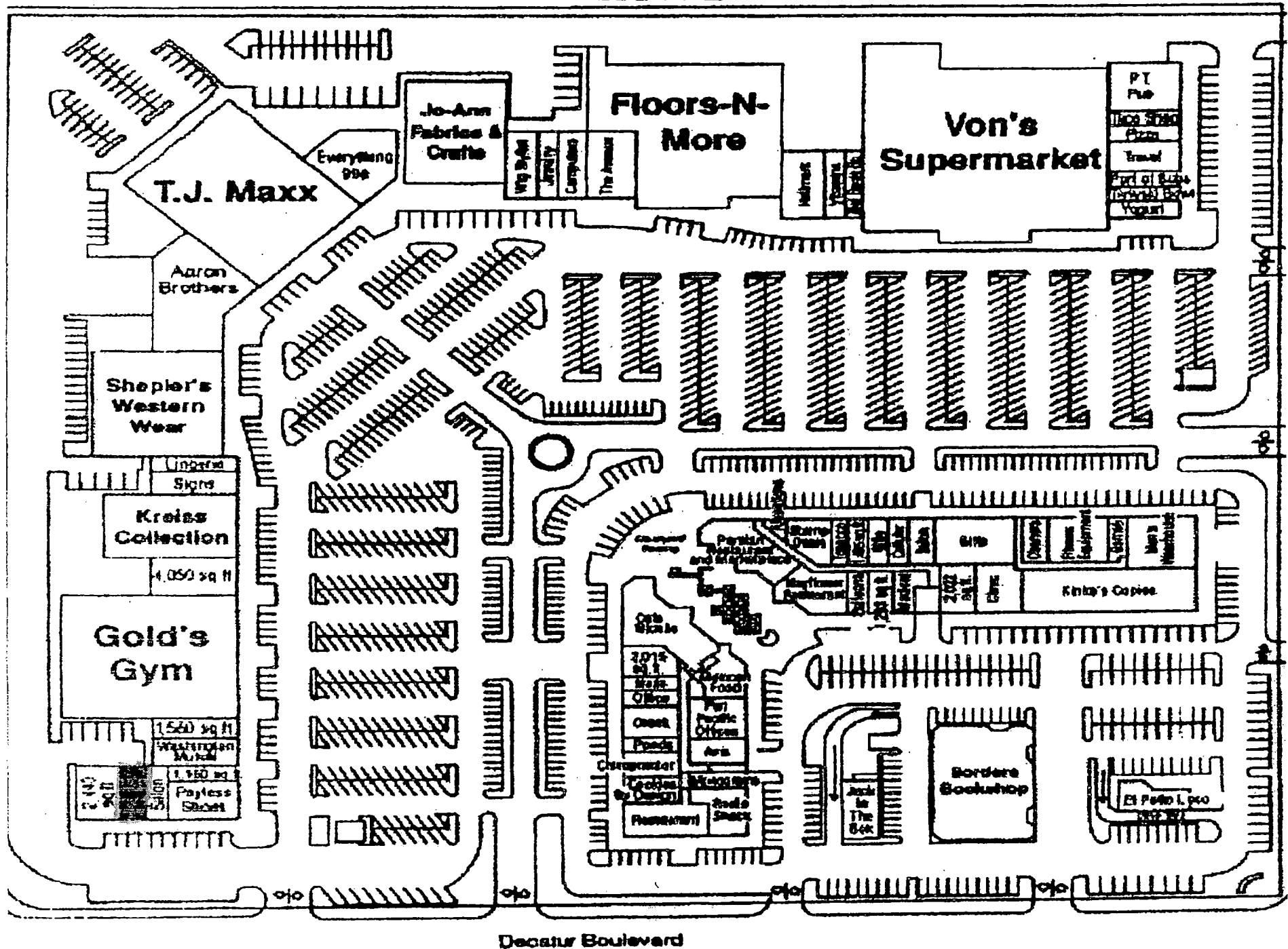
Print Name: _____

Subscribed and sworn before me

This 29th day of July, 2004

Michael W. Murray State of Calif / County of San Diego
Notary Public in and for said County and State

SITE PLAN



Sahara Avenue

SUP-4930
10/21/04 PC

FRONT

26

SCALE 1/8" to 1'

Address:

2121 South DECATUR

Suit 2

LAS VEGAS NV 89102

PROPOSED COUNTER

63

BATH ROOM

→ NORTH

BACK

SUP-4930

10/21/04 PC



SUP-4930 - APPLICANT: YOUR CREDIT, INC. D/B/A LAS VEGAS FINANCE - OWNER: SAHARA
PAVILION NORTH U.S., INC.
2121 SOUTH DECATUR BOULEVARD, SUITE #2
OCTOBER 21, 2004 PLANNING COMMISSION

10/12/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5136 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LLANTERA NEVADA, LLC - OWNER: LINDA L. BASCOS - Request for a Special Use Permit FOR AN AUTO REPAIR GARAGE, MINOR at 4350 East Bonanza Road (APN 140-30-803-010), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 11/17/04

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:

McSWAIN – APPROVED subject to conditions and deleting Condition 4 – UNANIMOUS

To be heard by the City Council on 11/17/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 64 [SUP-5136] and Item 65 [SUP-5137].

GARY LEOBOLD, Planning and Development Department, explained that the City Council approved a request for Special Use Permit U-33-98 for a mini-lube and car wash in June of 1998 at this location. That operation went out of business in January of 2002. This applicant wishes to re-establish the previous business on the site.

FRANCISCO IRIAS, 808 Pyramid Drive, appeared on behalf of the applicant, LUIS HERRERA, as his translator and agreed to all conditions. MR. HERRERA is requesting the Special Use Permit so that he could operate a minor auto repair garage and a full service car wash.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 64 – SUP-5136

MINUTES – Continued:

The applicant believes the addition of these services will bring more business to the area. COMMISSIONER McSWAIN commented that the building already exists and is situated so that the service bays face the right-of-way. Condition 4 of Item 64 [SUP-5136] states the service bays shall not face the public right-of-way. She questioned the contradiction. MR. LEOBOLD explained that it is a standard condition in the Code, so waiving the condition for the existing building is appropriate.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 64 [SUP-5136] and Item 65 [SUP-5137].

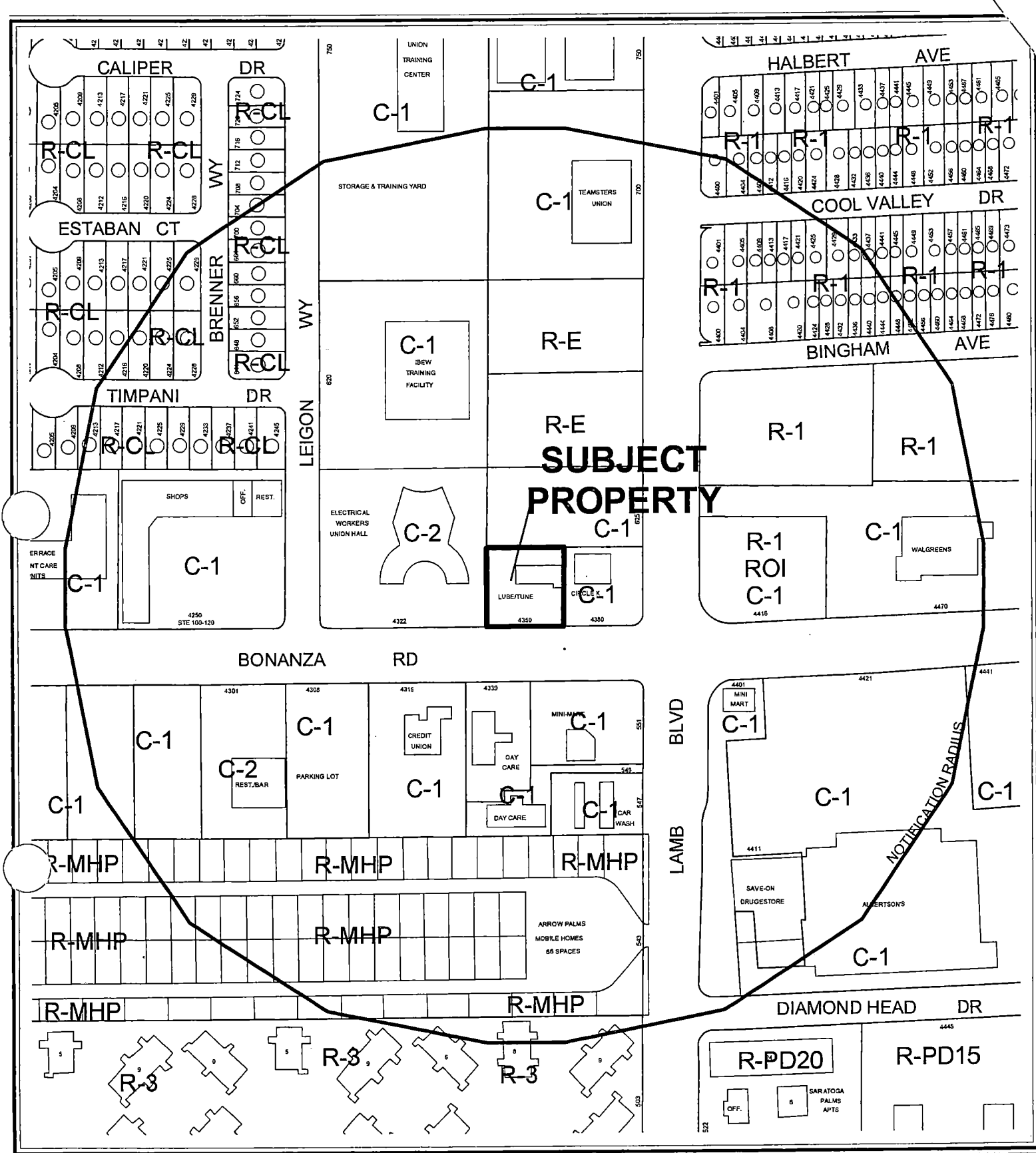
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5-1639

CONDITIONS:

Planning and Development

1. 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.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. All repair and service work shall be performed within a completely enclosed building.
4. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
5. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
6. No outside storage of stock, equipment or residual used equipment shall be located in any open area outside of an enclosed building.
7. All disabled vehicles shall be stored in an area, which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.



CASE: SUP-5136

RADIUS: 750 FT

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

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5136 - APPLICANT: LLANTERA NEVADA, LLC. -

OWNER: LINDA L. BASCOS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. 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.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. All repair and service work shall be performed within a completely enclosed building.
4. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
5. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
6. No outside storage of stock, equipment or residual used equipment shall be located in any open area outside of an enclosed building.
7. All disabled vehicles shall be stored in an area, which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for an Auto Repair Garage, Minor at 4350 East Bonanza Road.

B) Applicant's Justification

This project will bring more business to the area. There are no other car wash or auto repair facilities in the vicinity, and nearby residents need these services nearby. This is an existing building and is already landscaped. Six years ago, this property had an approved Special Use Permit for the same uses.

BACKGROUND INFORMATION

A) Previous Actions

- 02/23/98 City Council approved a Rezoning (Z-0138-97) of this and the adjacent 0.92 acre parcel to the north from R-E (Residence Estates) to C-1 (Limited Commercial). Planning Commission recommended approval on January 22, 1998.
- 06/08/98 City Council approved a request for a Special Use Permit (U-0033-98) for a Mini Lube and Car Wash. Planning Commission recommended approval on May 14, 1998.

B) Pre-Application Meeting

- 06/24/04 A pre-application conference was held resulting in the following comments:
1. The property is currently an auto parts business.
 2. The site was previously Joes' Mini Lube, which went out of business 01/02/02.
 3. Staff requested photos of the building.
 4. Staff made applicant aware of parking requirements.

SUP-5136 - Staff Report Page Two
October 21, 2004 - Planning Commission Meeting

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.46

B) Existing Land Use

Subject Property: Auto Parts Business
North: Undeveloped Land
South: Day Care, Mini-Mart
East: Convenience Store
West: Electrical Workers Union Hall

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

This site is located on the Southeast Sector Plan Map of the General Plan. The Southeast Sector Plan designates this site as SC (Service Commercial). The site is currently within a C-1 (Limited Commercial) zoning district, which is in conformity with the SC (Service Commercial) General Plan designation.

SUP-5136 - Staff Report Page Three
October 21, 2004 - Planning Commission Meeting

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

This proposal is not associated with any special plans, districts, zones, trails, etc.

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
Auto Lube		1 Space / employee 1 Space / Bay plus 2 spaces in stacking lanes for each bay	12	1	12	1

The subject site previously had been approved for a Mini Lube and Car Wash. The applicant proposes to reinstate the previously approved use. The subject site meets the requirements set forth by Title 19.10 for an Auto Lube facility. In addition to the parking provided each bay has stacking for two automobiles.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Auto Repair Garage, Minor use; and there are no similar approved uses within the 750' notification distance.

SUP-5136 - Staff Report Page Four
October 21, 2004 - Planning Commission Meeting

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

Standards	Code Requirement	Provided
Trash Enclosure	Yes	Yes

A trash enclosure is depicted on the supplied site plan as being located at the northeast corner of the subject parcel. The trash enclosure has been called out to consist of six-foot CMU screen walls, with a chain link gate with vision slats.

B) General Analysis and Discussion

- Zoning

An Auto Repair Garage, Minor is a permitted use within a C-1 (Limited Commercial) zoning district by means of an approved Special Use Permit.

- Use

No base conditions are listed in Title 19 for this type of use in a C-1 (Limited Commercial) zone, but within the General Commercial and Industrial zones this use requires several base conditions to be met in order to permit a minor automotive repair garage as a conditional use. These conditions restrict the use of the property to minimize the impact and add to the overall aesthetics of automotive related businesses. The conditions listed below from Title 19.04.040 for C-2 (General Commercial), C-M (Commercial/ Industrial) and M (Industrial) zoned properties will be included as conditions of approval for this project, as these conditions will assure compatibility with surrounding land uses, both present and future.

- Conditions

1. All repair and service work shall be performed within a completely enclosed building.
2. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
3. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
4. No outside storage of stock, equipment or residual used equipment shall be located in any open area outside of an enclosed building.
5. All disabled vehicles shall be stored in an area, which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.

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 subject site is located along Bonanza Road. It is compatible with adjacent land uses, as most of these properties are zoned C-1 (Limited Commercial). C-1 (Limited Commercial) allows for commercial uses that primarily serve local area patrons. Adjacent to the site to the west is C-2 (General Commercial) zoned property and has uses that serve a regional area.

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

With the length of the parcel and the depth the site is physically suitable for this type of 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 site is located along Bonanza Road, a Primary Arterial (100-Foot) on the Master Plan of Streets and Highways. With access to Bonanza Road the proposed use and associated vehicle trips will be adequately served by the current street facilities.

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

This development will be required to obtain all of the necessary development permits, including Building and Safety Department requirements for a Certificate of Occupancy, which will insure the protection of the public health, safety and general welfare. Further, the overall objectives of the General Plan are in compliance with the proposed use.

NOTICES MAILED 163 [Mailed with SUP-5137]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5136** APN: _____

Name of Property Owner: LINDA L BASCOS

Name of Applicant: LLANTERA BONANZA

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: _____

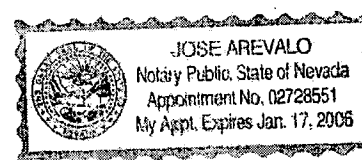
Signature of Property Owner/Authorized Agent: Linda L. Bascos

Print Name: LINDA L. BASCOS

Subscribed and sworn before me

This 20th day of May, 2004

Jose Arevalo
Notary Public in and for said County and State





SUP-5136 - APPLICANT: LLANTERA NEVADA, LLC - OWNER: LINDA L. BASCOS
4350 EAST BONANZA ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



SUP-5136 - APPLICANT: LLANTERA NEVADA, LLC - OWNER: LINDA L. BASCOS
4350 EAST BONANZA ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



SUP-5136 - APPLICANT: LLANTERA NEVADA, LLC - OWNER: LINDA L. BASCOS
4350 EAST BONANZA ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5137 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LLANTERA NEVADA, LLC - OWNER: LINDA L. BASCOS - Request for a Special Use Permit FOR A CAR WASH (FULL SERVICE) at 4350 East Bonanza Road (APN 140-30-803-010), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 11/17/04

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:

McSWAIN – APPROVED subject to conditions and deleting Condition 4 – UNANIMOUS

To be heard by the City Council on 11/17/2004

MINUTES:

See Item 64 [SUP-5136] for all related discussion on Item 64 [SUP-5136] and Item 65 [SUP-5137].

(1:13-1:16)

5-1639

CONDITIONS:

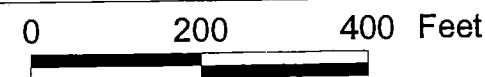
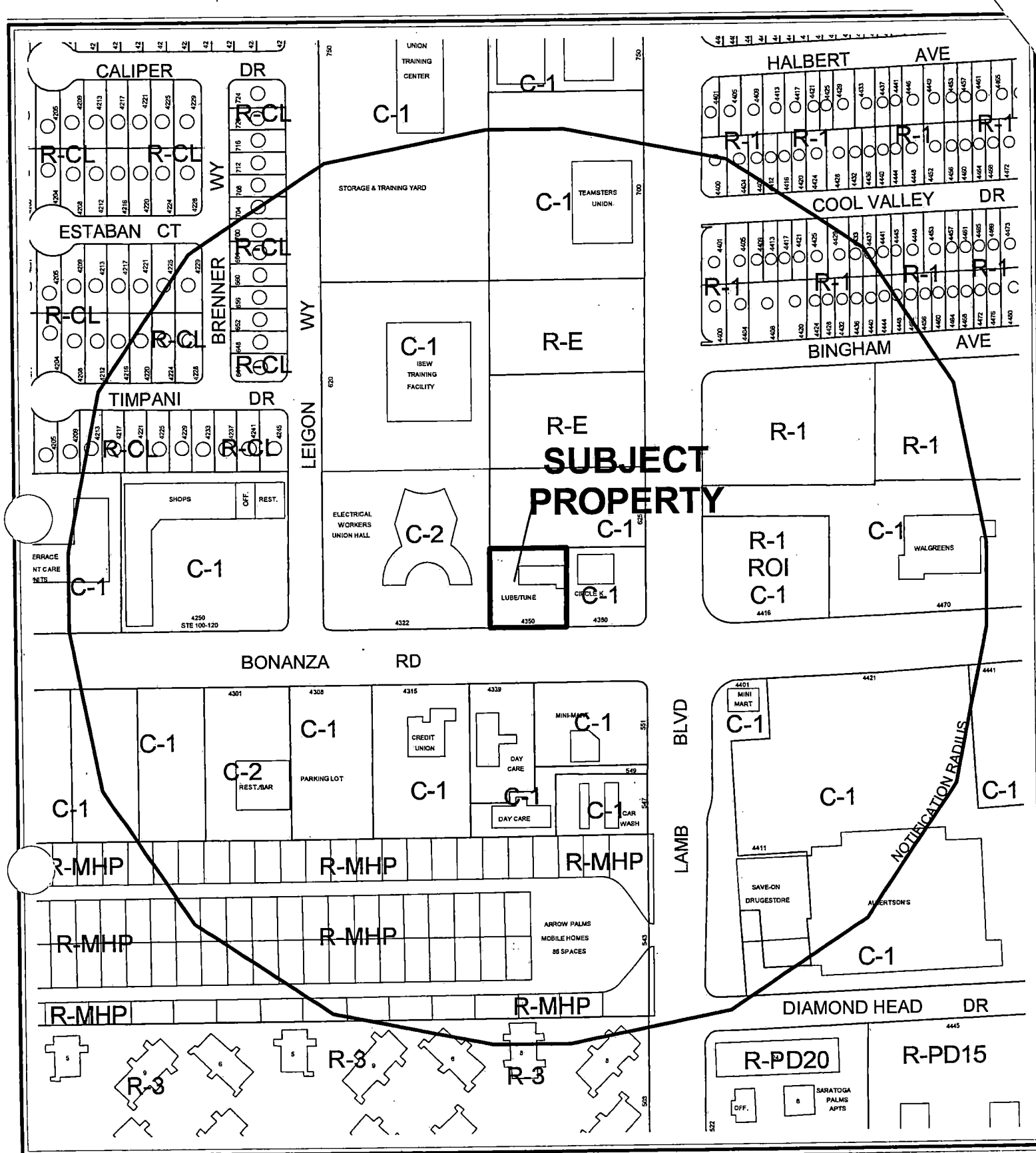
Planning and Development

1. 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. New Construction
2. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 65 – SUP-5137

CONDITIONS – Continued:

3. The hours of operation shall be limited to the period between 7:00 A.M. and 10:00 P.M.
4. Openings to the wash bays shall not face public right-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
5. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel.
6. No retail sale of vehicles is allowed.
7. The use must not be located within 200 feet of a residential property unless the use is separated from the residential property by a street with a minimum right-of-way width of 80 feet.
8. The applicant must demonstrate that the use can be made inoperable and inaccessible to the public after business hours.
9. Vacuum bays are permitted as part of this use if their operation is in compliance with the other base standards for this use.
10. The use must be operated in conjunction with another motor vehicle related use, such as gasoline sales, smog inspection, minor automotive repair, or recreational vehicle and boat storage.
11. An attendant must be on the premises during all times the equipment is operational.



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5137 - APPLICANT: LLANTERA NEVADA, LLC -

OWNER: LINDA L. BASCOS

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. 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. New Construction
2. All City Code requirements and design standards of all City departments must be satisfied.
3. The hours of operation shall be limited to the period between 7:00 A.M. and 10:00 P.M.
4. Openings to the wash bays shall not face public right-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
5. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel.
6. No retail sale of vehicles is allowed.
7. The use must not be located within 200 feet of a residential property unless the use is separated from the residential property by a street with a minimum right-of-way width of 80 feet.
8. The applicant must demonstrate that the use can be made inoperable and inaccessible to the public after business hours.
9. Vacuum bays are permitted as part of this use if their operation is in compliance with the other base standards for this use.
10. The use must be operated in conjunction with another motor vehicle related use, such as gasoline sales, smog inspection, minor automotive repair, or recreational vehicle and boat storage.
11. An attendant must be on the premises during all times the equipment is operational.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a Car Wash (Full Service) at 4350 East Bonanza Road.

B) Applicant's Justification

This project will bring more business to the area. There are no other car washes and auto repair facilities in the vicinity, and nearby residents need these services nearby. This is an existing building and is already landscaped. Six years ago, this property had an approved Special Use Permit for the same uses.

BACKGROUND INFORMATION

A) Previous Actions

02/23/98 City Council approved a Rezoning (Z-0138-97) of this and the adjacent 0.92-acre parcel to the north from R-E (Residence Estates) to C-1 (Limited Commercial). Planning Commission recommended approval on January 22, 1998.

06/08/98 City Council approved a request for a Special Use Permit (U-0033-98) for a Mini Lube and Car Wash. Planning Commission recommended approval on May 14, 1998.

B) Pre-Application Meeting

06/24/04 A pre-application conference was held resulting in the following comments:

1. The property is currently an auto parts business.
2. The site was previously Joes' Mini Lube, which went out of business 01/02/02.
3. Staff requested photos of the building.
4. Staff made applicant aware of parking requirements.

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.46

B) Existing Land Use

Subject Property: Auto Parts Business
North: Undeveloped Land
South: Day Care, Mini-Mart
East: Convenience Store
West: Electrical Workers Union Hall

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

This site is located on the Southeast Sector Plan Map of the General Plan. The Southeast Sector Plan designates this site as SC (Service Commercial). The site is currently within a C-1 (Limited Commercial) zoning district, which is in conformity with the SC (Service Commercial) General Plan designation.

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

This proposal is not associated with any special plans, districts, zones, trails, etc.

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
Car Wash (Full Service)	720 SF.	1 / 150 GFA	4	1	12	1

The subject site previously had been approved for a Mini Lube and Car Wash. The applicant proposes to reinstate the previously approved use. The subject site meets the requirements set forth by Title 19.10 for a Car Wash (Full Service) facility. In addition to the parking provided each bay has stacking for two automobiles.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Car Wash (Full Service) use; there are no similar approved uses within the 750 feet notification distance.

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

Standards	Code Requirement	Provided
Trash Enclosure	Yes	Yes

A trash enclosure is depicted on the supplied site plan as being located at the northeast corner of the subject parcel. The trash enclosure has been called out to consist of six-foot CMU screen walls, with a chain link gate with vision slats.

B) General Analysis and Discussion

- Zoning

A Car Wash (Full Service) is a permitted use within a C-1 (Limited Commercial) zoning district by means of an approved Special Use Permit.

SUP-5137 - Staff Report Page Four
October 21, 2004 - Planning Commission Meeting

- Use

No base conditions are listed in Title 19 for this type of use in a C-1 (Limited Commercial) zone. A Car Wash (Self-Service) however has several conditions applied to it within a C-1 (Limited Commercial) zoning district. These conditions restrict the use of the property to minimize the impact and add to the overall aesthetics of automotive related businesses. The conditions listed below from Title 19.04.040 for C-1 (Limited Commercial) zoned properties will be included as conditions of approval for this project, as these conditions will assure compatibility with surrounding land uses, both present and future.

- Conditions

○ Per Title 19.04.050 the following conditions are to be considered in regards to a Car Wash (Self-Service) Special Use Permit:

1. The hours of operation shall be limited to the period between 7:00 A.M. and 10:00 P.M.
2. Openings to the wash bays shall not face public right-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
3. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel.
4. No retail sale of vehicles is allowed.
5. No repair or servicing of vehicles is allowed.
- 6. The use must not be located within 200 feet of a residential property unless the use is separated from the residential property by a street with a minimum right-of-way width of 80 feet.
7. The applicant must demonstrate that the use can be made inoperable and inaccessible to the public after business hours.
8. Vacuum bays are permitted as part of this use if their operation is in compliance with the other base standards for this use.
9. The use must be operated in conjunction with another motor vehicle related use, such as gasoline sales, smog inspection, minor automotive repair, or recreational vehicle and boat storage.
10. An attendant must be on the premises during all times the equipment is operational.

The proposed use appears to be in conformance with the above-mentioned conditions.

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 subject site is located along Bonanza Road. It is compatible with adjacent land uses, as most of these properties are zoned C-1 (Limited Commercial). C-1 allows for commercial uses that primarily serve local area patrons. Adjacent to the site to the west is C-2 (General Commercial) zoned property and has uses that serve a regional area.

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

With the length of the parcel and the depth the site is physically suitable for this type of 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 site is located along Bonanza Road, a Primary Arterial (100-Foot) on the Master Plan of Streets and Highways. With access to Bonanza Road the proposed use and associated vehicle trips will be adequately served by the current street facilities.

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

This development will be required to obtain all of the necessary development permits, including Building and Safety Department requirements for a Certificate of Occupancy, which will insure the protection of the public health, safety and general welfare. Further, the overall objectives of the General Plan are in compliance with the proposed use.

NOTICES MAILED 163 [Mailed with SUP-5136]

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5137** APN: _____

Name of Property Owner: LINDA L BASCOS

Name of Applicant: LLANTERA BONANZA

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: _____

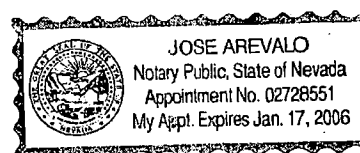
Signature of Property Owner/Authorized Agent: Linda L. Bascos

Print Name: LINDA L. BASCOS

Subscribed and sworn before me

This 20th day of MAY, 2004

Jose Arevalo
Notary Public in and for said County and State





SUP-5137 - APPLICANT: LLANTERA NEVADA, LLC - OWNER: LINDA L. BASCOS
4350 EAST BONANZA ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



SUP-5137 - APPLICANT: LLANTERA NEVADA, LLC - OWNER: LINDA L. BASCOS
4350 EAST BONANZA ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



SUP-5137 - APPLICANT: LLANtera NEVADA, LLC - OWNER: LINDA L. BASCOS
4350 EAST BONANZA ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5148 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: ROBERTA J. GOOD AND RICHARD C. GOOD - Request for a Special Use Permit FOR A PROPOSED GUEST HOUSE/CASITA TO EXCEED THE HEIGHT OF THE MAIN DWELLING BY ONE FOOT TWO INCHES AND HAVE THREE OCCUPANT ROOMS WHERE ONE OCCUPANT ROOM IS ALLOWED at 6600 Buckskin Avenue (APN 138-11-312-018), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation], Ward 6 (Mack).

IF APPROVED: C.C.: 11/17/04

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with STEINMAN voting NO

To be heard by the City Council on 11/17/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated the proposed attached guesthouse is 1,380 square feet. The building is taller than the main dwelling it is situated behind. By Code, one occupant room with bathroom and walk-in closet has been exceeded as the proposed guesthouse has three rooms. All other conditions for a guesthouse/casita have been met. The applicant could redesign the project to meet all of the Code standards so the hardship is

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 66 – SUP-5148

MINUTES – Continued:

self-imposed. The intent of the Code for guesthouse/casita would allow small residential structures for occasional use, not continual habitation by more than one or two persons. Staff feels the request is unnecessary and excessive.

RICHARD GOOD, 6600 Buckskin Avenue, appeared and explained this project originally began as an addition to the house but due to the zoning in the area, the project was eight feet off of the setback requirement. MR. GOOD'S architect brought that fact to his attention and suggested the home be built as a detached structure so no variance would be required. They decided to build as suggested but two months ago, one of the contractors on the job commented that there should not be more than one room unless a variance was granted.

He referenced a diagram of the home and indicated only one of the rooms is 14 inches above the existing main dwelling and the remainder of the building is two inches above the home. Because the addition is setback 13 feet from the home, the difference in height would not really be visually detectible. MR. GOOD stated one of the three rooms would be used by his wife as a sewing and craft room. There will be an entertainment room with a TV and a pool table and also an office for the applicant to work and study in.

CHAIRMAN TRUESDELL confirmed with MR. GOOD that he is in concurrence with all conditions. COMMISSIONER McSWAIN clarified with MR. LEOBOLD that the application is necessary due to the height of the building and the additional wall.

COMMISSIONER STEINMAN felt the addition is really a second home on the property. He asked MR. GOOD why the home was not attached to the new structure. MR. GOOD stated that the original intent was to add on to the home but the architect indicated a variance would be required to build eight feet past the required setback. Now, six months later, MR. GOOD is standing before the Planning Commission anyway. The Commissioner felt if the structure as shown on the diagram was placed up against the main dwelling, there would not be a setback issue. MR. GOOD stated the building would exceed the setback by eight feet unless the rooms were reduced and the measurement now is only 11 feet by 10 feet each.

COMMISSIONER STEINMAN asked if the setback requirements were met with the detached structure. MR. LEOBOLD clarified that if the structure were attached, the setbacks would change.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(1:16-1:127)

5-2185

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 66 – SUP-5148

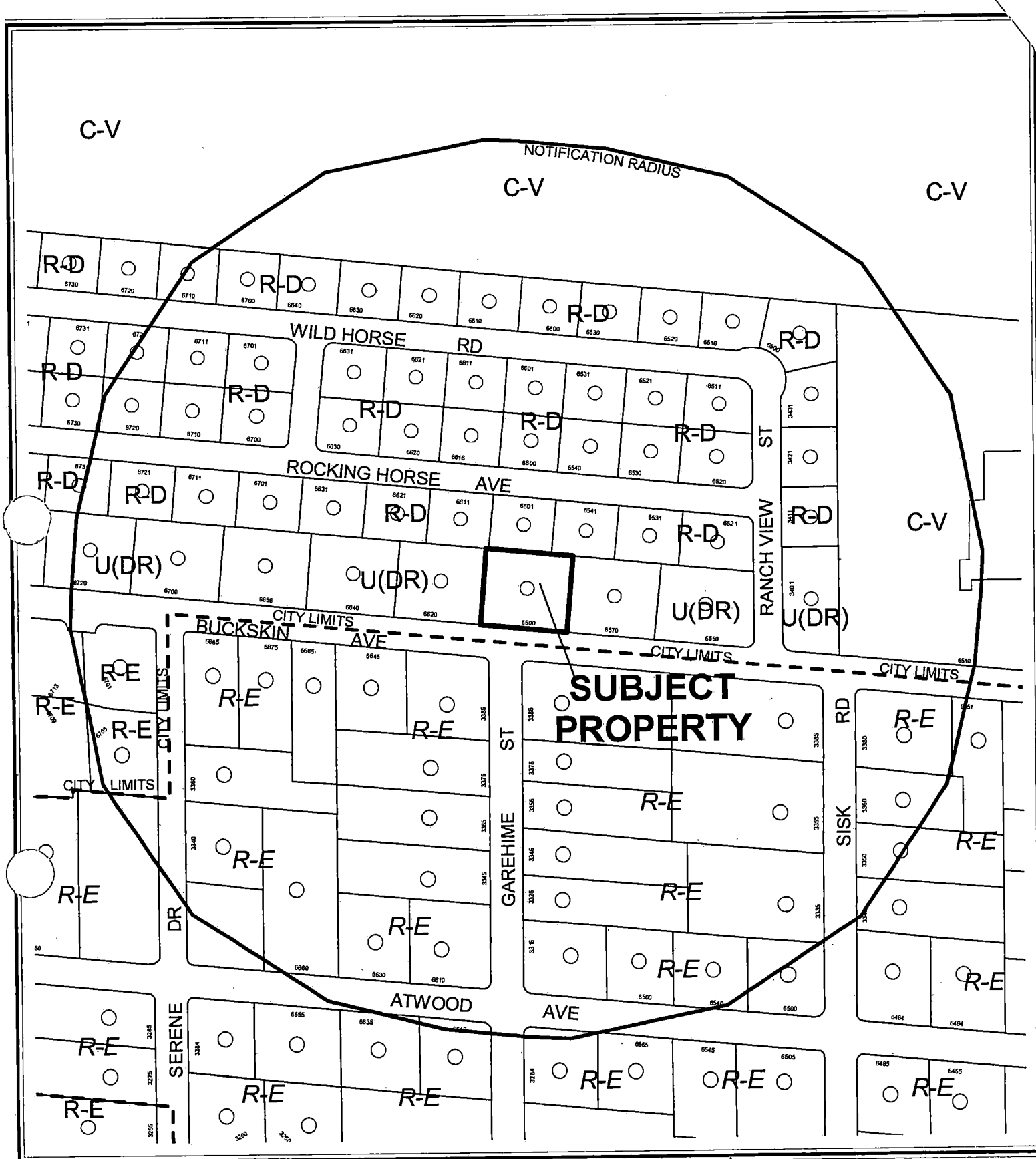
CONDITIONS:

Planning and Development

1. Conformance to the remaining requirements of Title 19.04.040 for a Guest House/Casita use.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

C
Public Works

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



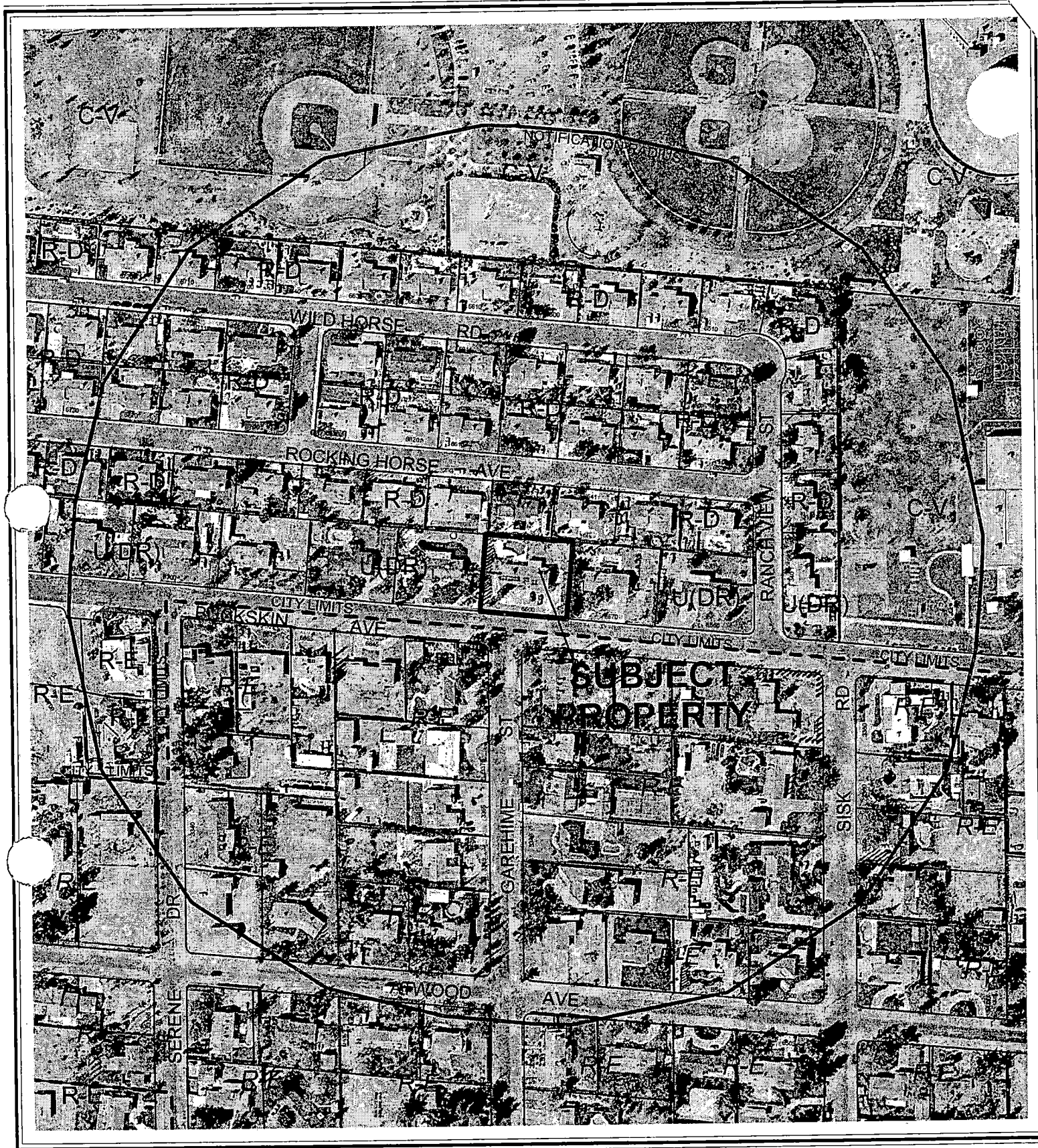
CASE: SUP-5148

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY) GENERAL PLAN DESIGNATION]





0 200 400 Feet

CASE: SUP-5148

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY) GENERAL PLAN DESIGNATION]



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5148 - APPLICANT/OWNER: ROBERTA J. GOOD AND RICHARD C. GOOD

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the remaining requirements of Title 19.04.040 for a Guest House/Casita use.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Guest House/Casita to exceed the height of the principal dwelling by one foot, two inches and to have three occupant rooms where one occupant room is allowed at 6600 Buckskin Avenue.

B) Applicant's Justification

The applicant justifies the application by stating that the proposed Guest House/Casita meets all other conditions for the use. The structure will contain a great room, a hobby room, and a den with a walk-in closet. The rooms are intended to be used for family activities. Additionally, the applicant states that the proposed development will match the existing architecture of the principal dwelling.

BACKGROUND INFORMATION

A) Previous Actions

There is no previous case history attached to the subject site.

B) Pre-Application Meeting

- 08/20/04 A pre-application conference was held, resulting in the following comments:
1. The applicant requires a waiver to allow a casita to consist of more than one occupant room, bathroom and a walk-in closet.
 2. The applicant requires a waiver to allow the proposed casita to exceed the height of the principal dwelling.
 3. The application is within 500 feet of Clark County's jurisdiction; therefore, the application will be considered a Project of Regional Significance.
 4. The submittal requirements for a Special Use Permit application were discussed.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.51

SUP-5148 - Staff Report Page Two
October 21, 2004 - Planning Commission Meeting

B) Existing Land Use

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

C) Planned Land Use

Subject Property: DR (Desert Rural Density Residential)
North: DR (Desert Rural Density Residential)
South: Clark County [RE (Rural Estates)]
East: DR (Desert Rural Density Residential)
West: DR (Desert Rural Density Residential)

D) Existing Zoning

Subject Property: U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation]
North: R-D (Single-Family Residential-Restricted)
South: Clark County [(R-E) Rural Estates Residential - 2 Units Per Acre]
East: U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation]
West: U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation]

E) General Plan Compliance

The subject site is designated DR (Desert Rural Density Residential) within the Centennial Sector Land Use Map of the General Plan. The site is currently under a U (Undeveloped) zone classification that allows for a density range of 2.1 to 2.49 dwelling Units Per Acre, which is in conformance with the DR (Desert Rural Density Residential) General Plan designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District	X	
Airport Overlay District	X	
Trails		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 proposed structure stands well below the 140-foot height restriction imposed by the Airport Overlay District map.

INTERAGENCY ISSUES

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

- 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) The Regional Transportation Commission of Southern Nevada determined that the proposed project would not create any potentially negative regional impacts.
- (3) The Flood Control Section of the City of Las Vegas Department of Public Works requires the project engineer to meet with a representative from the Flood Control Section to determine the minimum finish floor elevation of the guest house prior to the submittal of construction drawings.

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

SUP-5148 - Staff Report Page Four
October 21, 2004 - Planning Commission Meeting

ANALYSIS

A) Zoning Code Compliance

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

Standards	Code Requirement	Provided
Guest House/Casita	Must be located in the U, R-A, R-E, R-D, R-1 or equivalent zoning districts May not be located on a lot or parcel whose width is less than 80 feet May not exceed the height of the principal dwelling May not consist of more than one occupant room, a bathroom and a walk-in closet. Kitchens are not permitted. May be located in a side or rear yard if it meets the required setbacks of the zoning district and, if separated from the main dwelling, shall have at least 10 feet of separation; must be set back at least five feet from side and rear property lines	Located in a "U" district 160 feet Casita – 16.18 feet House – 15 feet Consists of three rooms, one closet, and a bathroom. No kitchen. Located in rear yard; 13-foot separation from house; set back 10 feet from rear property line and 19.5 feet from side property line
Max no. Dwelling Units per Lot ("U")	1	1

The proposed Guest House is located on a residential lot that is 160 feet wide. It contains two more rooms than allowed by Code and exceeds the height of the principal dwelling by 1.18 feet. Other requirements for development in a U (Undeveloped) district are met.

B) General Analysis and Discussion

- Zoning

The subject property is zoned U (Undeveloped) with a General Plan Designation of DR (Desert Rural Density). A Guest House/Casita is permitted in this zoning classification as a conditional use subject to the conditions found in Title 19.04.040; however, because several of these conditions are not met, a Special Use Permit is required.

- Use

According to Title 19, a Guest House or Casita is a structure which is located on the same residential parcel as a principal dwelling and which, as an ancillary use, provides living quarters for the occupants of the principal dwelling, their temporary guest or domestic employees. The term does not include a structure that is made available on a rental basis. The proposed detached guest house contains 1,380 square feet and is situated behind the main dwelling in the northeast corner of the property. Conditions of the use not met include the height limitation and the requirement for only one occupant room, bathroom, and walk-in closet. Other conditions for approval of a Guest House/Casita use have been met.

Denial is recommended for this project because the applicant is able to redesign the project to meet all Zoning Code standards. The intent of the Code is to allow small residential structures for occasional use and not to be used for continual habitation or by more than one or two persons. Additional rooms with higher ceilings are unnecessary and excessive.

- Conditions

If this request is approved, the applicant must meet the remaining conditions for approval of a Guest House/Casita use that are contained in Title 19.04.040.

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."

SUP-5148 - Staff Report Page Six
October 21, 2004 - Planning Commission Meeting

The proposed Guest House is taller than the principal dwelling on the site and would be used more intensely than the Zoning Code allows, and is therefore deemed not to be harmonious and compatible with other single-family uses in the surrounding area.

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

The site can physically accommodate the proposed structure; however, because it is overbuilt, the use is more intense than the Zoning Code allows for an area consisting entirely of low density single-family dwellings.

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 guest house will not generate any significant additional traffic to the subject site and will not require provisions for additional access.

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 guest house will be subject to inspections for compliance to the International Building Code (IBC); therefore, the use will not compromise the public health, safety, and welfare.

NOTICES MAILED 95

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5148** APN: 138-11-312-018

Name of Property Owner: Richard & Roberta Good

Name of Applicant: same as above

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: _____

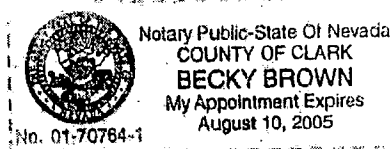
Signature of Property Owner/Authorized Agent: Robert M. Good Richard Good

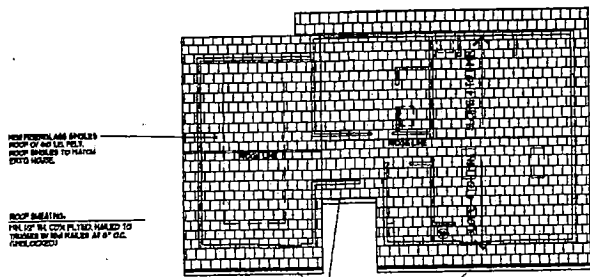
Print Name: Richard & Roberta Good

State of Nevada
County of Clark
Subscribed and sworn before me

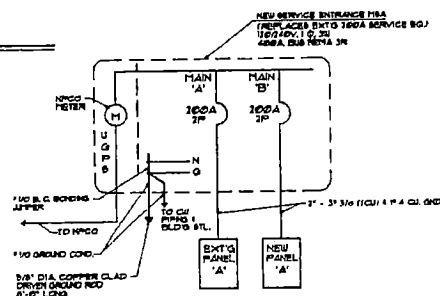
This 20th day of August, 2004

Becky Brown
Notary Public in and for said County and State





B ROOF PLAN
SCALE: 1/8" = 1'-0"



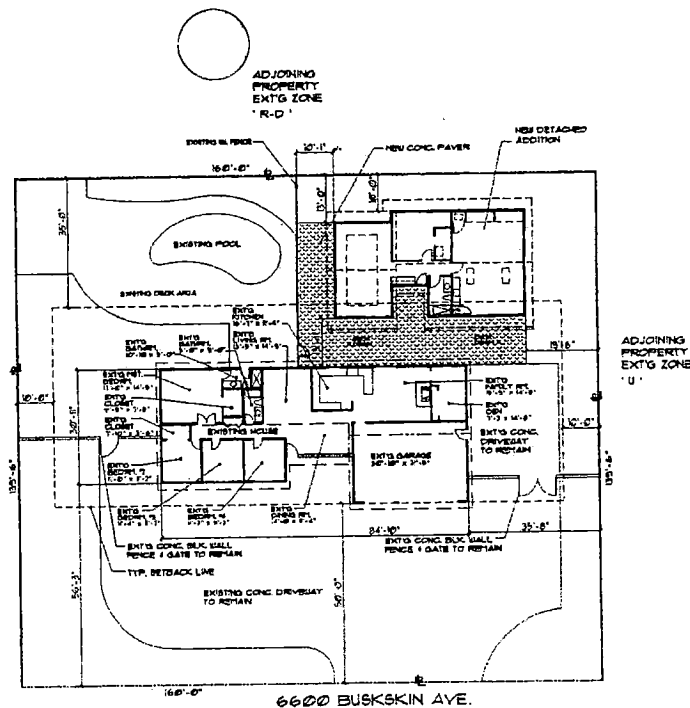
C SINGLE LINE DIAGRAM
NTS

**RESIDENTIAL SERVICE CALCULATION
NEW UNATTACHED STRUCTURE 1380 SQ. FT.**

1. GENERAL LIGHTING: NEC 210-2 (b) OUTSIDE SQUARE FEET = 1380 X 3 VA	4140 VA
2. SMALL APPLIANCES: NEC 210-16 (b) (1) KITCHEN: 2 X 1500 VA OR MORE: 1 X 1500 VA LAUNDRY: 1 X 1500 VA TOTAL BASIC LOAD	4500 VA
3. COOKING APPLIANCES: NEC 210-15 RANGE / OVEN (6000) = 6 VA	6 VA
4. FIXED APPLIANCES: NEC 210-1 (c) DISHWASHER: 6 VA REFRIG.: 3000 VA AT 100% NEXT: 3000 VA AT 35% WATER HEATER: 4500 VA OTHER: 0 VA TOTAL (IF FOUR OR MORE X 1500)	4500 VA
5. LAUNDRY EQUIPMENT: CLOTHES DRYER (6000) = 0 VA	0 VA
6. HEATING AND AIR-CONDITIONING EQUIP. A.C. UNIT(S): NEC 440 (10A) HEAT	1540 VA
7. MOTORS: INCL. PUMPS AND PUMPS: NEC 430-31, 34	1000 VA
8. SPARE 10 AMP CIRCUIT	1000 VA
9. 25% OF LARGEST MOTOR: NEC 430-34	1031 VA
TOTAL DIVERSIFIED LOAD AT 120/240V 1PH.	30759 VA 128.2 AMP

**RESIDENTIAL SERVICE CALCULATION
EXISTING RESIDENTIAL PLUS NEW UNATTACHED STRUCTURE
2011 SQ. EXISTING, 1380 SQ. NEW**

1. GENERAL LIGHTING: NEC 210-2 (b) OUTSIDE SQUARE FEET = 3391 X 3 VA	10173 VA
2. SMALL APPLIANCES: NEC 210-16 (b) (1) KITCHEN: 4 X 1500 VA OR MORE: 1 X 1500 VA LAUNDRY: 1 X 1500 VA TOTAL BASIC LOAD	6000 VA
3. COOKING APPLIANCES: NEC 210-15 RANGE / OVEN (6000) = 6 VA	6 VA
4. FIXED APPLIANCES: NEC 210-1 (c) DISHWASHER: 6 VA REFRIG.: 3000 VA AT 100% NEXT: 3000 VA AT 35% WATER HEATER (ELECT. IN NEW BLDG.): 0 VA OTHER: 0 VA TOTAL (IF FOUR OR MORE X 1500)	6000 VA
5. LAUNDRY EQUIPMENT: CLOTHES DRYER (6000) = 0 VA	0 VA
6. HEATING AND AIR-CONDITIONING EQUIP. A.C. UNIT(S): NEC 440 (10A) HEAT	11819 VA
7. ELECTRIC HEAT IN NEW BLDG.	9000 VA
8. MOTORS: INCL. PUMPS AND PUMPS: NEC 430-31, 34	1000 VA
9. SPARE 10 AMP CIRCUIT	1000 VA
10. 25% OF LARGEST MOTOR: NEC 430-34	1049 VA
TOTAL DIVERSIFIED LOAD AT 120/240V 1PH.	50910 VA 217 AMP



A SITE PLAN
SCALE: NTS

APN: 13011312010

SOIL REPORT:
PREPARED BY: BGC ENGINEERS
DATE PREPARED: FEB. 3, 2004
JOB NUMBER: 0100

ZONING INFORMATION:

EXISTING ZONE: U
PROPOSED ZONE: U

AREA ANALYSIS

LOT AREA	33370 SQ. FT.
EXISTING HOUSE AREA EXCLUDING GARAGE	1271 SQ. FT.
EXISTING GARAGE AREA	643 SQ. FT.
EXISTING AREA OF EXISTING HOUSE INCLUDING GARAGE	1914 SQ. FT.
PROPOSED DETACHED HOUSE AREA	1380 SQ. FT.
TOTAL BUILT-UP AREA	3294 SQ. FT.
TOTAL OPEN AREA	30076 SQ. FT.
TOTAL OPEN AREA RATIO INCLUDING NEW ADDITION	81.1% OPEN LOT AREA
FLOOR AREA RATIO INCLUDING NEW ADDITION EXCLUDING GARAGE	9.7% LOT COVERAGE
FLOOR AREA RATIO INCLUDING NEW ADDITION INCLUDING GARAGE	9.7% LOT COVERAGE

B VICINITY MAP
SCALE: NTS

SKED TITLE
SITE PLAN, ROOF PLAN, ELECTRICAL LOAD CALC.
SINGLE LINE DIAGRAM
PROJECT NAME: APN: 13011312010
DETACHED ACCESSORY STRUCTURE
LAS VEGAS, NV 89108
OWNER: MR. & MRS. RICHARD & ROBERTA GOOD

REVISIONS:	DATE	TITLE	BY
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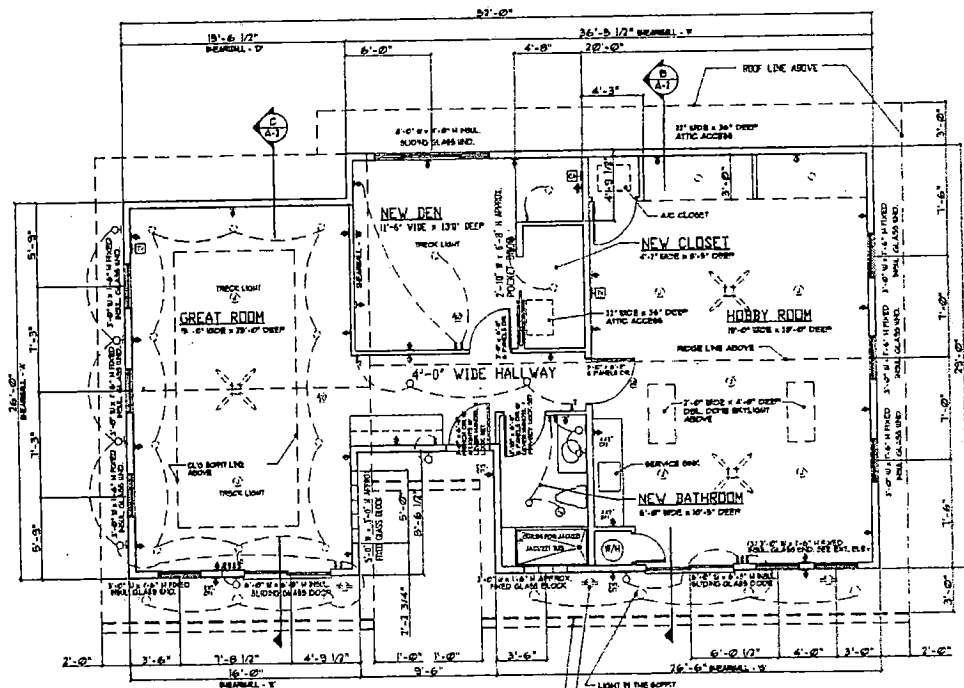
PROJECT NUMBER: HSE3002 - PG
DRAWN BY: -
CHECKED BY: -
CADD FILE: HSE3002-AT
DATE: 08/24/2004
SCALE: AS NOTED
SHEET NUMBER:

A-1

SUP-5148
10/21/04 PC

STRUCTURAL NOTES:

1. ROOF TRUSS CONNECTION:
USE TOP-ROOF OR BOLTED MANUFACTURE TRUS AT 24" O.C.
FULL BLOCKING BETWEEN TRUSSES AT SUPPORT.
2. ROOF TRUSS CONNECTION:
USE TOP-ROOF OR BOLTED MANUFACTURE TRUS AT 24" O.C.
FULL BLOCKING BETWEEN TRUSSES AT SUPPORT.
3. SHEAR WALLS - 12" WIDE:
USE 3/4" DIA. COMPLYED OR ENCL. BEAM PANELS NAIL TO WALLS AT 2" O.C.
WELD DOORS
WELD 1/2" DIA. OR 2" DIA. STRAP
REINFORCE
LAYAS STRAP & BLOCKING AT HEADERS & BELL PLATE
ELEVATIONS AT ALL CORNERS IN SHEAR WALLS.
4. SHEAR WALLS - 12" WIDE:
USE 3/4" DIA. COMPLYED OR ENCL. BEAM PANELS NAIL TO WALLS AT 2" O.C.
WELD DOORS
WELD 1/2" DIA. OR 2" DIA. STRAP
REINFORCE
LAYAS STRAP & BLOCKING AT HEADERS & BELL PLATE
ELEVATIONS AT ALL CORNERS IN SHEAR WALLS.
5. CRACKS:
1/4" FOR 1/2" STRAP AT EACH END PLACED AT TOP
OF WALL ELEVATION.
6. WALL ANCHORAGE:
PROVIDE 1/2" DIA. B.S. AT 12" O.C. WITH 1" EXTENSION, USE
FORWARD 1/2" PLATE BEARING FLOORING HERE. PROVIDE 1/4" DIA.
FOR WALL BEARING BEARING ON SLAB EXCEPT AT INTERIOR
PARTIAL WALLS THAT BEARING ON SLAB.
7. HEADERS:
FOR 2" O.C. USE 1/2" DIA. 12" HEADERS
FOR 4" O.C. USE 1/2" DIA. 12" HEADERS.



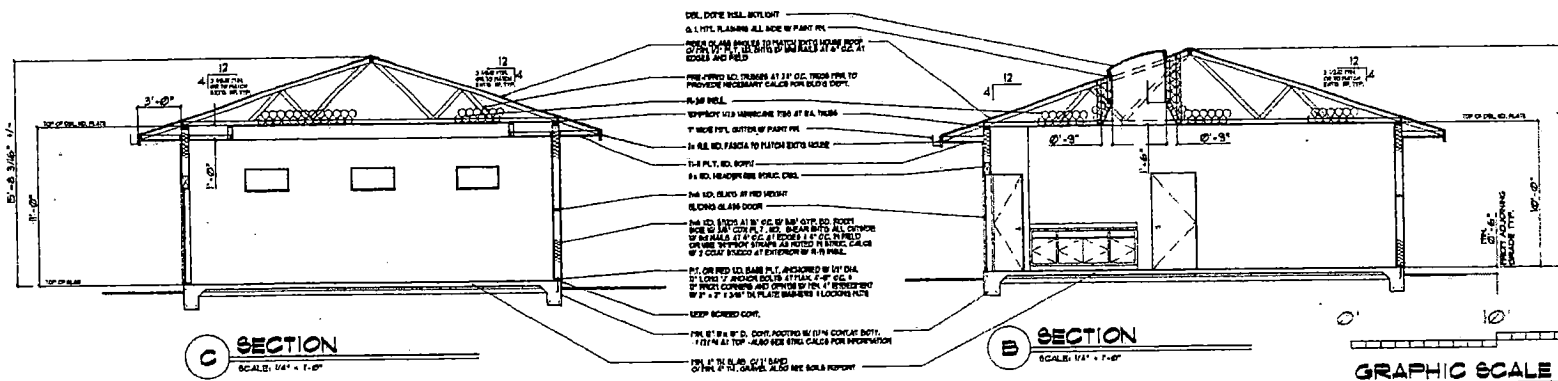
AREA 1380 SQ. FT.

A FLOOR PLAN
SCALE: 1/4" = 1'-0"

DETACHED STRUCTURE ADDITION

NOTE:

1. FLOOR FINISHES AS SELECTED BY OWNER.
2. LIGHT FIXTURES PROVIDED BY OWNER & INSTALLED BY CONTRACTOR.
3. CONTRACTOR TO COORDINATE ALL ARCHITECTURAL PLANS WITH STRUCTURAL DRAWINGS AND CALC.



C SECTION
SCALE: 1/4" = 1'-0"

B SECTION
SCALE: 1/4" = 1'-0"

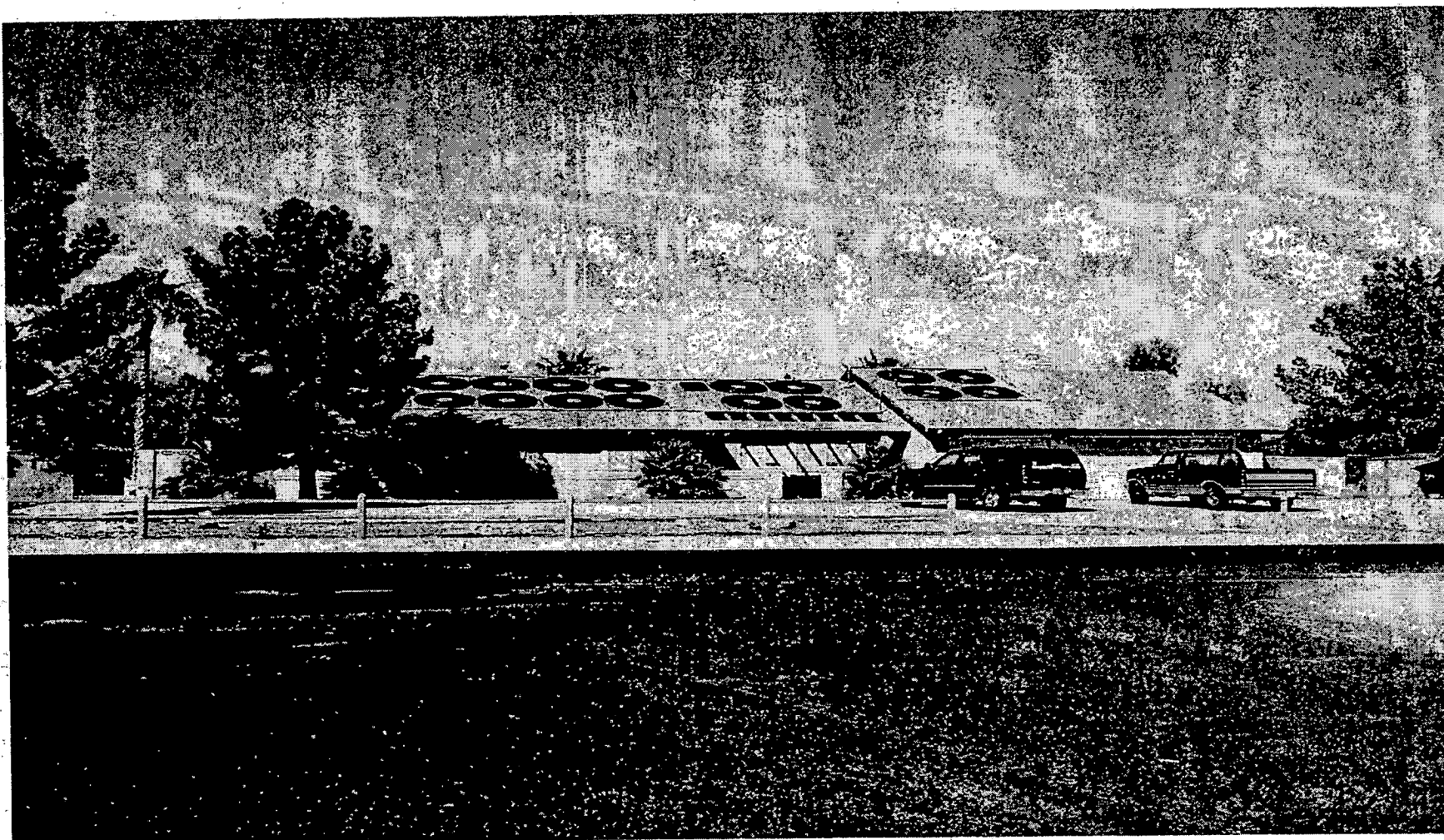
GRAPHIC SCALE

REVISIONS:			
DATE	TITLE	BY	

PROJECT NUMBER: H0030002 - PG
DRAWN BY: -
CHECKED BY: -
CAD FILE: H0030002-ADD.PLT
DATE: 8/18/2004
SCALE: AS SHOWN
SHEET NUMBER:

A-2

SUP-5148
10/21/04 PC



SUP-5148 - APPLICANT/OWNER: ROBERTA J. GOOD AND RICHARD C. GOOD
6600 BUCKSKIN AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/04/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5181 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/ OWNER:
STREAMLINE TOWER, LLC - Request for a Special Use Permit FOR A 22 STORY,
24,000 SQUARE FOOT, MIXED USE DEVELOPMENT adjacent to the southeast corner of
Las Vegas Boulevard and Ogden Avenue (APN 139-34-611-001, 011 and 012), C-2 (General
Commercial) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 11/17/04

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:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 11/17/2004

NOTE: CHAIRMAN TRUESDELL disclosed that he manages property in the downtown area just outside the notification area and he owns property in the downtown area. He has no conflict and is comfortable voting on these two items.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 67 [SUP-5181] and Item 68 [SDR-5180].

FLINN FAGG, Planning and Development Department, stated the Special Use Permit is a request to allow a mixed-use development in a C-2 zoning district that will include residential units. The project does comply with the minimum standards of the Use Permit and staff recommended approval. The Site Development Plan Review would allow for 251 residential

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 67 – SUP-5181

MINUTES – Continued:

units and up to 24,000 square feet of commercial space. The project would require a waiver of the Centennial Plan setback requirement at the 4th, 11th and 18th stories of the building. A waiver would also have to be granted regarding the Downtown Centennial Plan streetscape requirements to allow a reduced sidewalk. The Entertainment District Design Review Committee reviewed the project and recommended approval with the conditions as attached.

RICK VANDIEPEN, 3411 Rochelle Court, appeared on behalf of the applicant and explained the owner is a visionary and the project is very exciting. This could bring residential mixed use to an appropriate neighborhood. The applicant has worked with staff to make sure the design elements of the Centennial Plan were incorporated into the project while complying with staff's regulations. The project will be 21 stories tall and have seven stories of parking. The parking area has been obscured with architectural decorative screening. There will be a pool and an outdoor terrace on the top floor. The applicant agreed to all conditions and requested approval.

DOUG LEIN, City of Las Vegas, Office of Business Development, stated the project is very exciting for the downtown area. It meets all the goals of the Redevelopment Agency and the developer has MR. LEIN'S full support.

COMMISSIONER EVANS asked what the vision was for the lower level retail. DUSTY ALLEN, 913 Estrella Vista Street, explained the space is usable for tenants such as the postal service, a coffee shop or an off-site dry cleaner. The portion on the Las Vegas Boulevard side would be part of the Entertainment District, so perhaps a jazz club or restaurant may be appropriate. COMMISSIONER EVANS thought this was an exciting project.

COMMISSIONER STEINMAN asked if a traffic analysis had been completed yet. DAVID GUERRA, Public Works Department, informed the Commissioner that a requirement of a traffic analysis is in place but it has not been completed at this time. COMMISSIONER STEINMAN liked the project and was not going to hold up the vote due to the lack of the finalized traffic study but he reiterated the impact on traffic staging this project could have. He felt that staging should be made a part of the traffic analysis.

MR. ALLEN stated the preliminary reports are positive in terms of impacting the existing roadway. The applicant will provide for the future widening of Las Vegas Boulevard by dedicating an additional five feet of right-of-way. This five-foot dedication is also occurring at Ogden Avenue and 6th Street. Also, the main entrance of the project has been moved so that it is not on Las Vegas Boulevard, which should help with the traffic caused by front door activity.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 67 – SUP-5181

MINUTES – Continued:

COMMISSIONER STEINMAN asked the applicant if they intended to stage at night. MR. ALLEN replied that after speaking with City Traffic Engineers, a system has been conceived where half of the street will be allowed to have full time construction staging during working hours and then at night, the entire street along Ogden Avenue will be dedicated. There are also negotiations occurring right now that will hopefully result in being able to use adjacent properties for material staging.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 45 [GPA-5205] and Item 46 [ZON-5206].

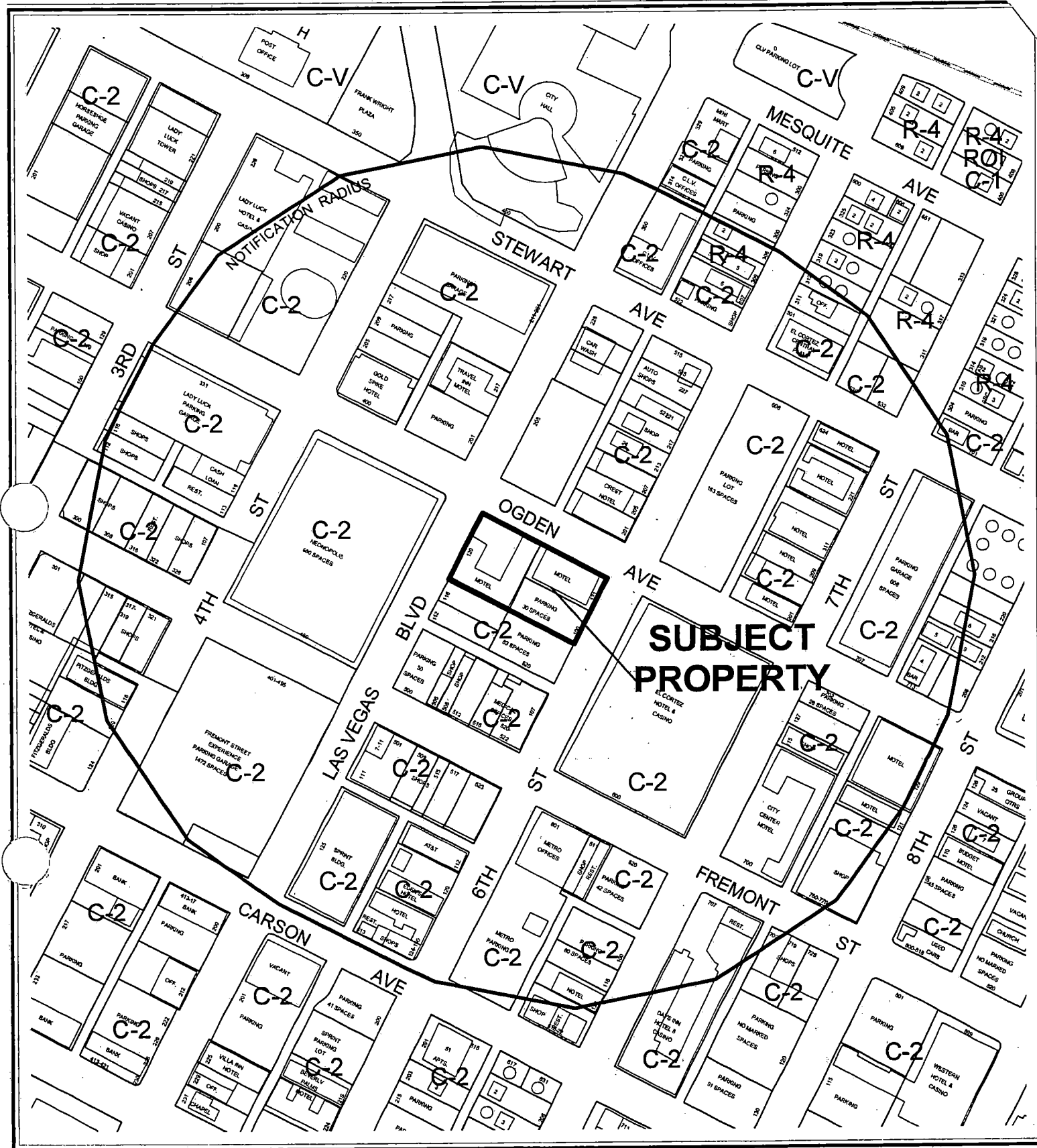
(1:27-1:36)

5-2692

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 all Conditions of Approval for Site Development Plan Review (SDR-5180).
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.
4. All City Code requirements and design standards of all City Departments must be satisfied.



CASE: SUP-5181

RADIUS: 750 FT

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



CASE: **SUP-5181**

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5181 - APPLICANT/ OWNER: STREAMLINE TOWER, 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 all Conditions of Approval for Site Development Plan Review (SDR-5180).
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.
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 267-foot tall mixed-use building with 251 residential units and 16,157 square feet of commercial space on 1.03 acres adjacent to the southeast corner of Las Vegas Boulevard and Ogden Avenue.

B) Applicant's Justification

The applicant states that the project will be a great benefit to the ongoing revival of downtown Las Vegas, and that the building complies with the requirements of the Centennial Plan and Entertainment District Overlay.

BACKGROUND INFORMATION

A) Previous Actions

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

10/21/04 The Planning Commission will hear the related Site Development Plan Review (SDR-5180) as a part of this agenda.

B) Pre-Application Meeting

08/27/04 At the pre-application conference, it was noted that the streetscape would need to conform to the requirements listed in the Downtown Centennial Plan, and that the signage would be subject to the Downtown Casino Overlay standards and the Scenic Byway Overlay requirements. In addition, it was also noted that the building would require a waiver from the Centennial Plan stepback requirements.

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.03

B) Existing Land Use

Subject Property: Motels
Parking
North: Undeveloped
Motel
South: Parking, Shops
Medical Offices
East: El Cortez Hotel
Parking
West: Neonpolis

C) Planned Land Use

Subject Property: C (Downtown Commercial)
GC (Commercial) [Downtown Redevelopment Plan Designation]
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: 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 C (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.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Redevelopment Plan Area	X	
Downtown Centennial Plan	X	
Special Overlay District		
Downtown Entertainment Overlay District	X	
Las Vegas Boulevard Scenic Byway Overlay District	X	
Trails		X

Special Area Plans

Redevelopment Plan Area

The parcel is within the boundaries of the Las Vegas Redevelopment Area, with a C (Commercial) land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Downtown Centennial Plan Area

The parcel is within the 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 residents to support area businesses and entertainment.

Special Overlay Districts

Downtown Entertainment Overlay District

The subject property is located within the Downtown Entertainment Overlay District, which sets forth sign requirements and allows waivers from the liquor establishment separation distance requirements.

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.

ANALYSIS

A) *Zoning Code Compliance*

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.

A1) Minimum Distance Separation Requirements

Projects within the downtown Centennial Plan are exempt from the automatic application of these standards.

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. The applicant has filed a Special Use Permit application (SUP-5181) concurrently with this Site Development Plan Review application, which will be heard by the Planning Commission on October 21, 2004. The structure generally conforms to the development standards of the Downtown Centennial Plan; a Waiver has been requested from the Centennial Plan building setback requirement.

- Use

The site plan depicts the residential lobby entrance on the north side of the building with access from Ogden Avenue, and commercial space fronting Las Vegas Boulevard, Ogden Avenue, and Sixth Street. Access to the parking levels will be from Sixth Street; separate driveways are provided for loading and drop-off areas on the ground floor, and for the commercial and residential parking on the upper floors. A ten-foot setback is provided along the south property line in order to allow wall openings on that side of the building, and to provide a screened area at grade for a generator and other mechanical equipment. The applicant will be dedicating five feet along Las Vegas Boulevard for additional right-of-way, and radius dedications at the northwest and northeast corners of the property.

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:

SUP-5181 - Staff Report Page Five
October 21, 2004 - Planning Commission Meeting

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 proposal advances the goals, objectives and policies of the Redevelopment Plan Area, The Downtown Centennial Plan, and the Downtown Entertainment and Scenic Byway Overlay Districts. The mixed-use project depicted in the site development plan review is consistent with anticipated land uses and is harmonious and compatible with the area.

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

The property can accommodate the project.

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 project, when completed, should not hinder or have substantial negative impacts to the adjacent roadways or traffic circulation pattern.

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 project should not have adverse impacts to the overall health, safety and public welfare of the community and advances the overall objectives of the General Plan.

NOTICES MAILED 64 [Mailed with SDR-5180]

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Property Owner: Streamline Tower, LLC

Name of Applicant: Streamline Tower, 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: _____

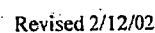
Signature of Property Owner/Authorized Agent: _____

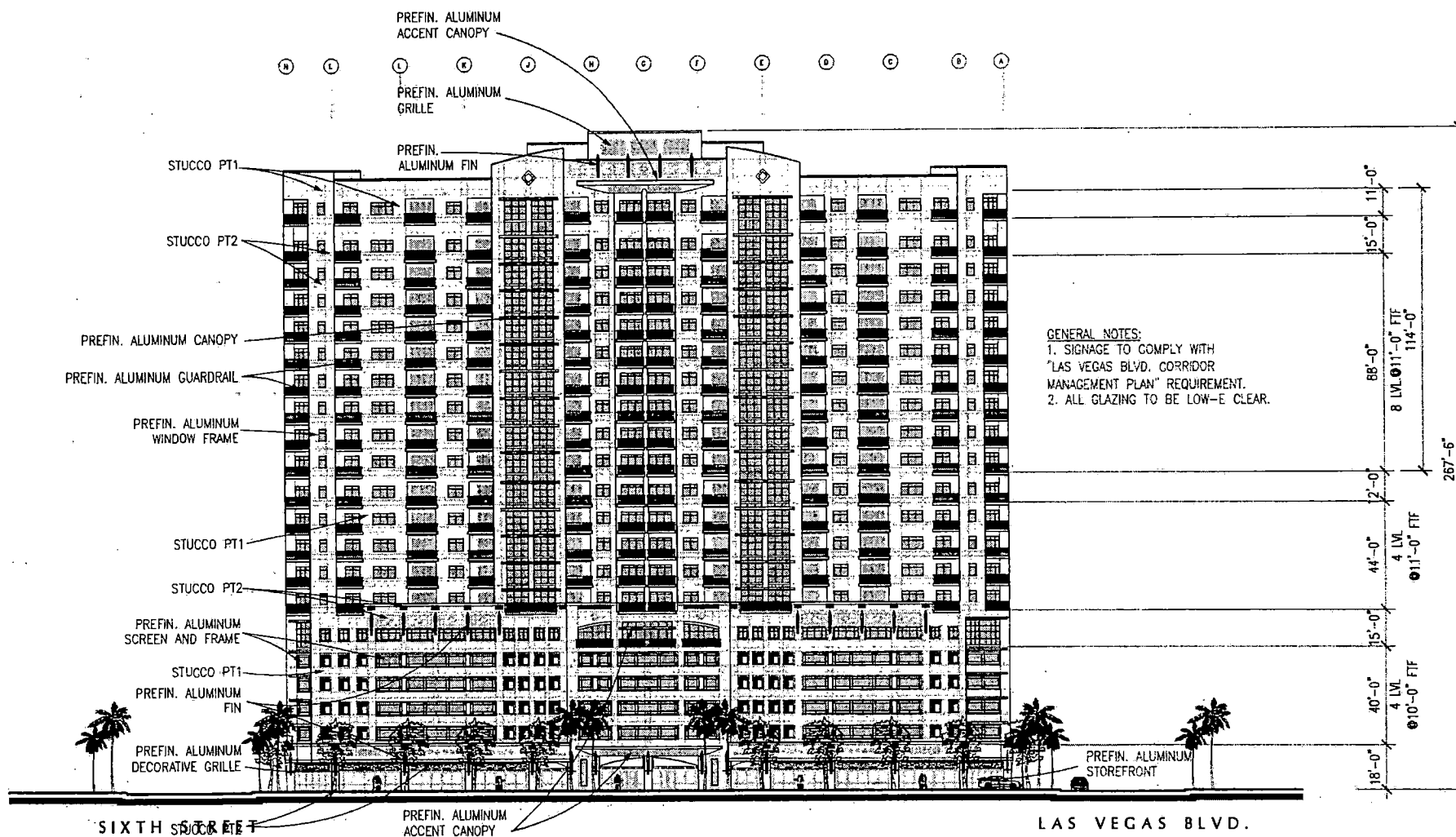
Print Name: Dustin Allen

Subscribed and sworn before me

This 2ND day of SEPTEMBER, 2004

Notary Public in and for said County and State





SEPTEMBER 2, 2004

STREAMLINE ACCEPTANCE GROUP, LLC.

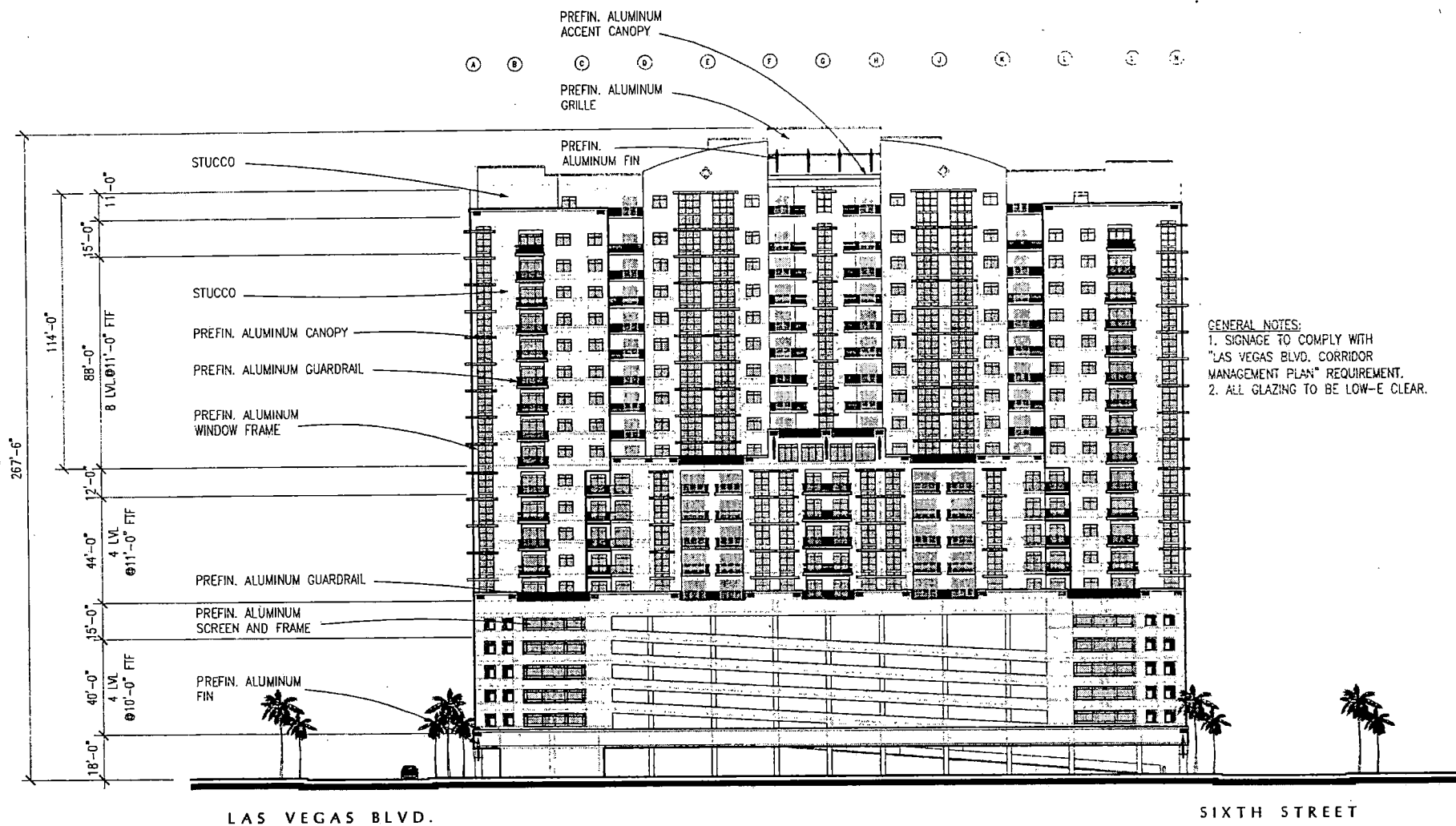
OGDEN STREET ELEVATION

SCALE 1" = 40'-0"

PROPOSED CONDOMINIUM TOWER
LAS VEGAS BLVD. & OGDEN AVENUE
LAS VEGAS, NEVADA

PGAL

SDR-5180
SUP-5181
10/21/04 PC



SEPTEMBER 2, 2004

STREAMLINE ACCEPTANCE GROUP, LLC.

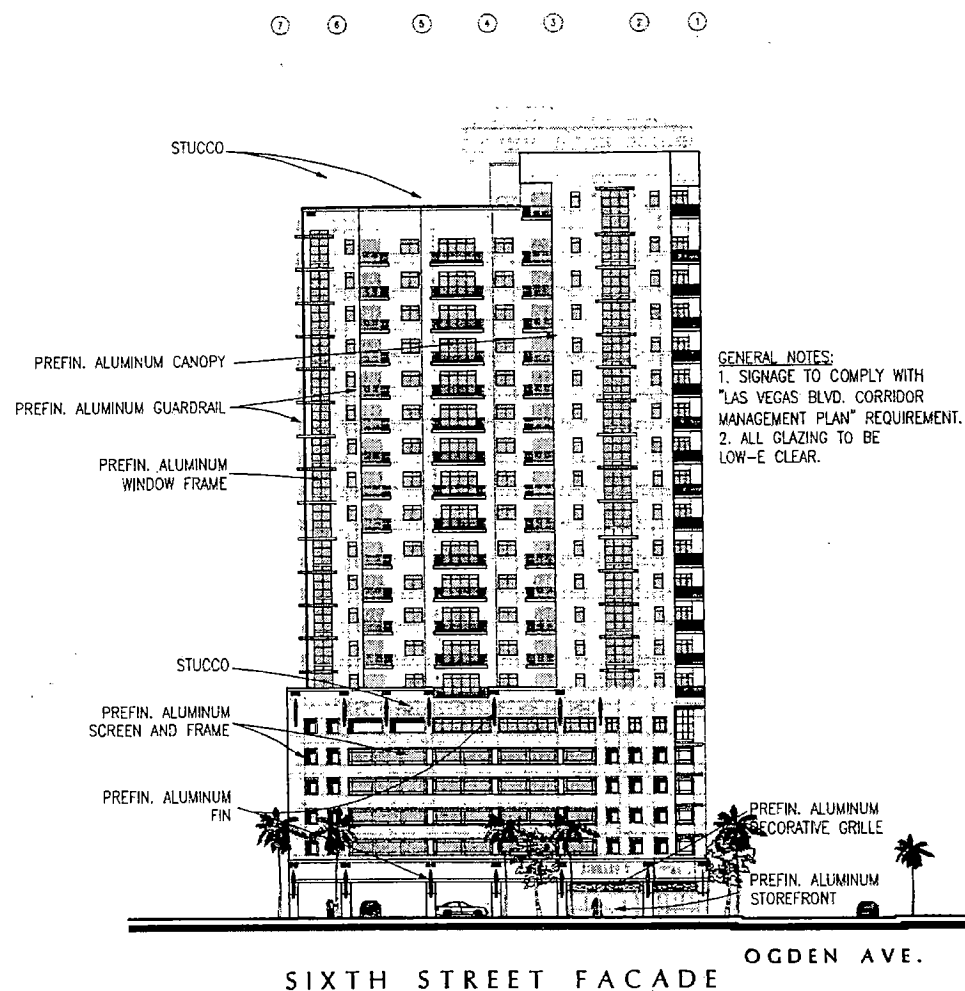
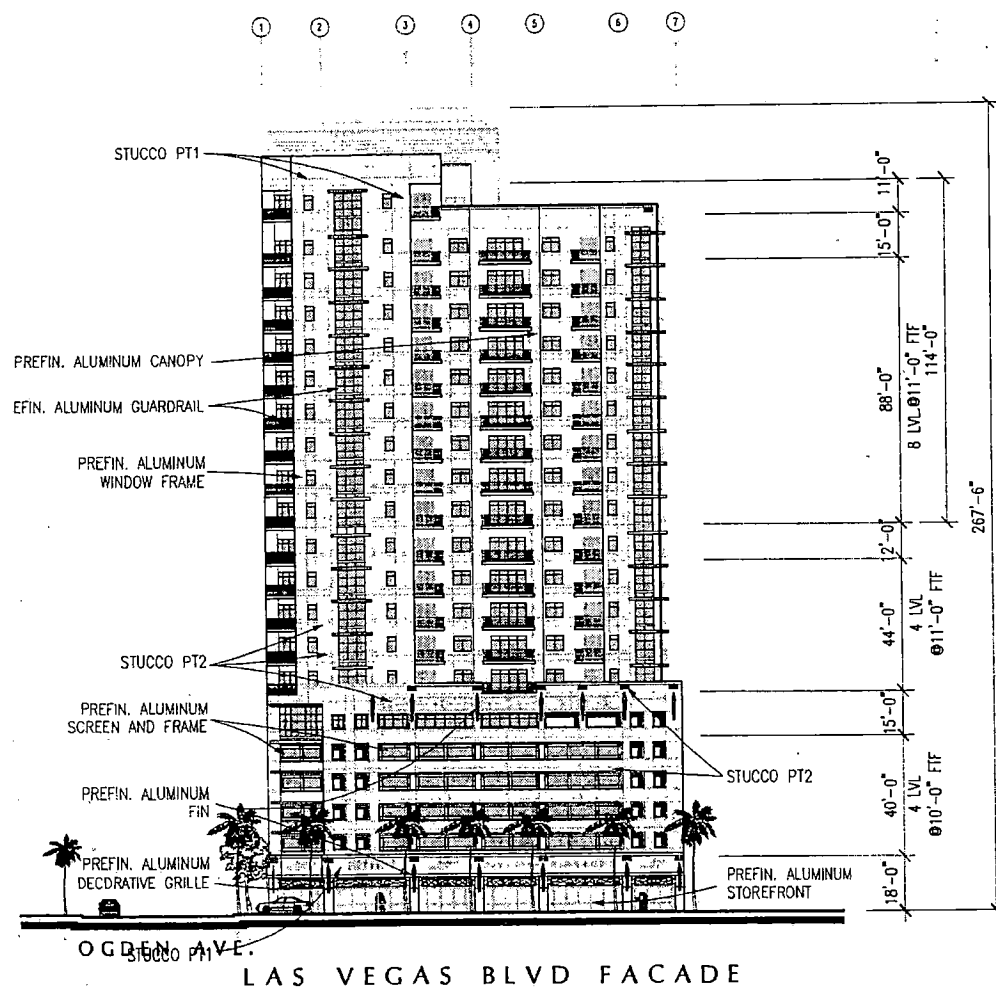
REAR ELEVATION

SCALE: 1" = 40'-0"

PROPOSED CONDOMINIUM TOWER
LAS VEGAS BLVD. & OGDEN AVENUE
LAS VEGAS, NEVADA

PGAL

SDR-5180
SUP-5181
10/21/04 PC



GENERAL NOTES:
1. SIGNAGE TO COMPLY WITH
"LAS VEGAS BLVD. CORRIDOR
MANAGEMENT PLAN" REQUIREMENT.
2. ALL GLAZING TO BE
LOW-E CLEAR.

SEPTEMBER 2, 2004

STREAMLINE ACCEPTANCE GROUP, LLC.

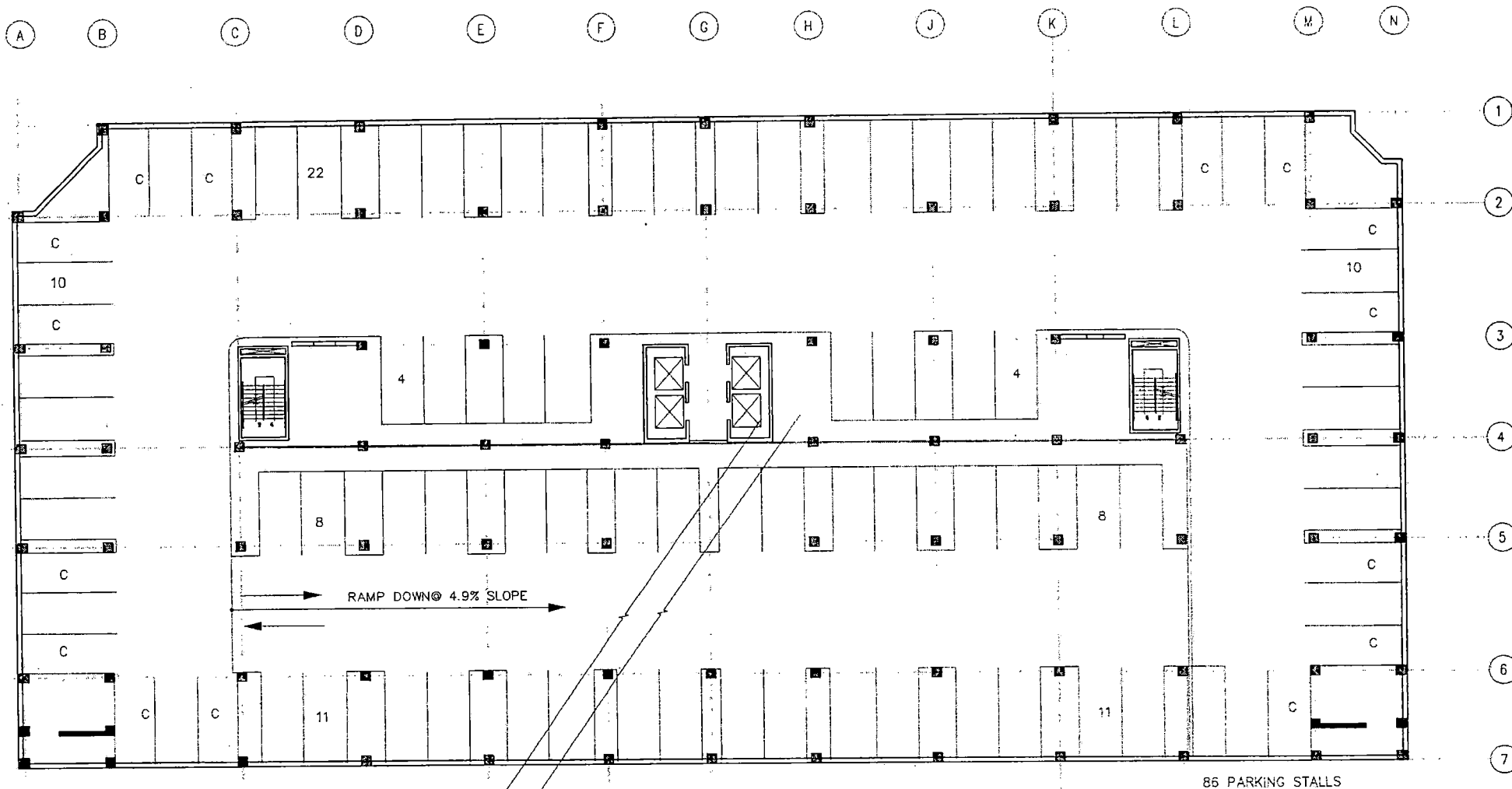
SIDE ELEVATIONS

PROPOSED CONDOMINIUM TOWER
LAS VEGAS BLVD. & OGDEN AVENUE
LAS VEGAS, NEVADA

SCALE 1" = 40'-0"

PGAL
Copyright

SDR-5180
SUP-5181
10/21/04 PC



SEPTEMBER 1, 2004

STREAMLINE ACCEPTANCE GROUP, LLC.

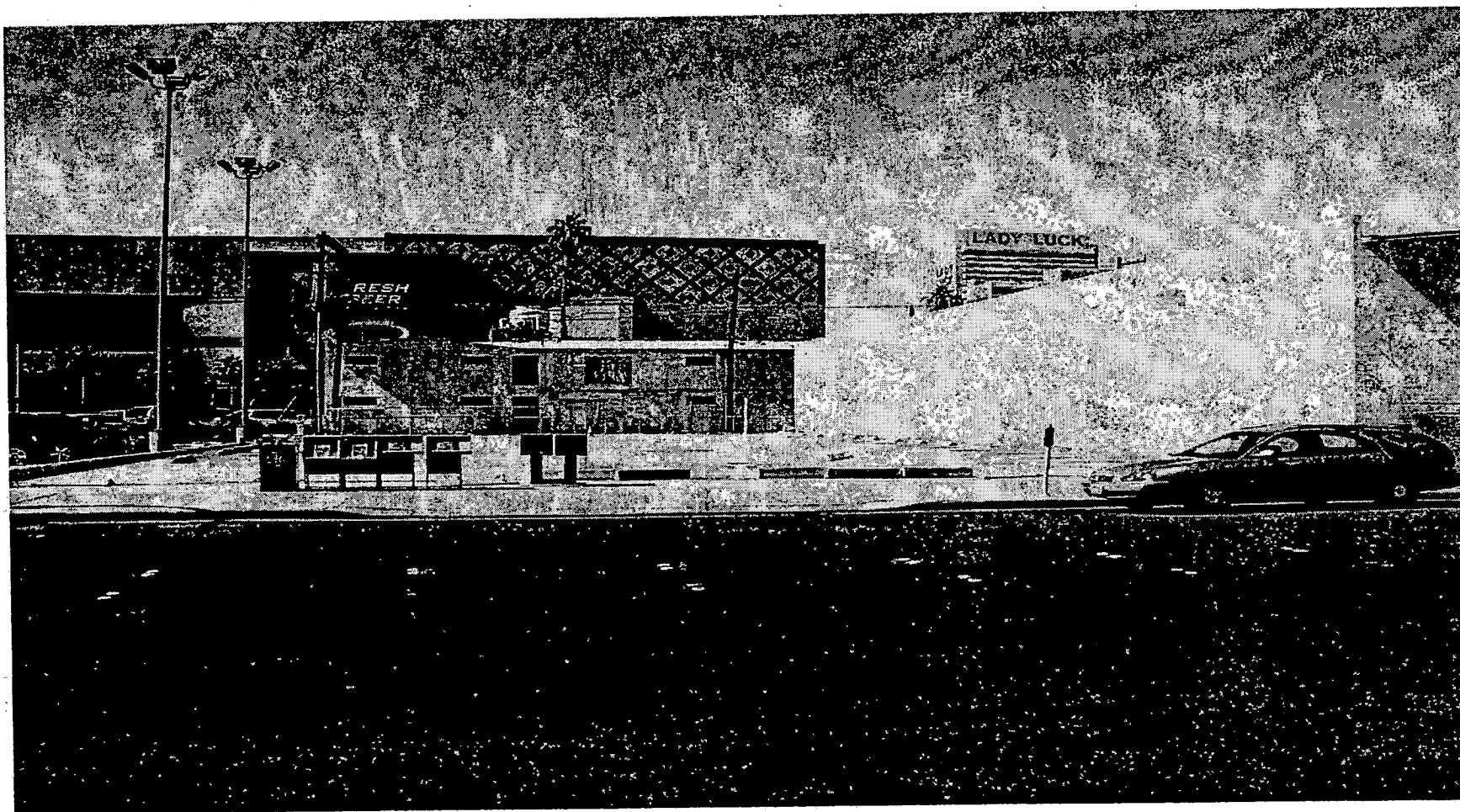
PARKING GARAGE- 6TH. LEVEL

STREAMLINE CONDOMINIUM TOWER
LAS VEGAS BLVD. & OGDEN AVENUE
LAS VEGAS, NEVADA

SDR-5180
SUP-5181
10/21/04 PC

SCALE: 1" = 20'-0"

PGAL
Copyright



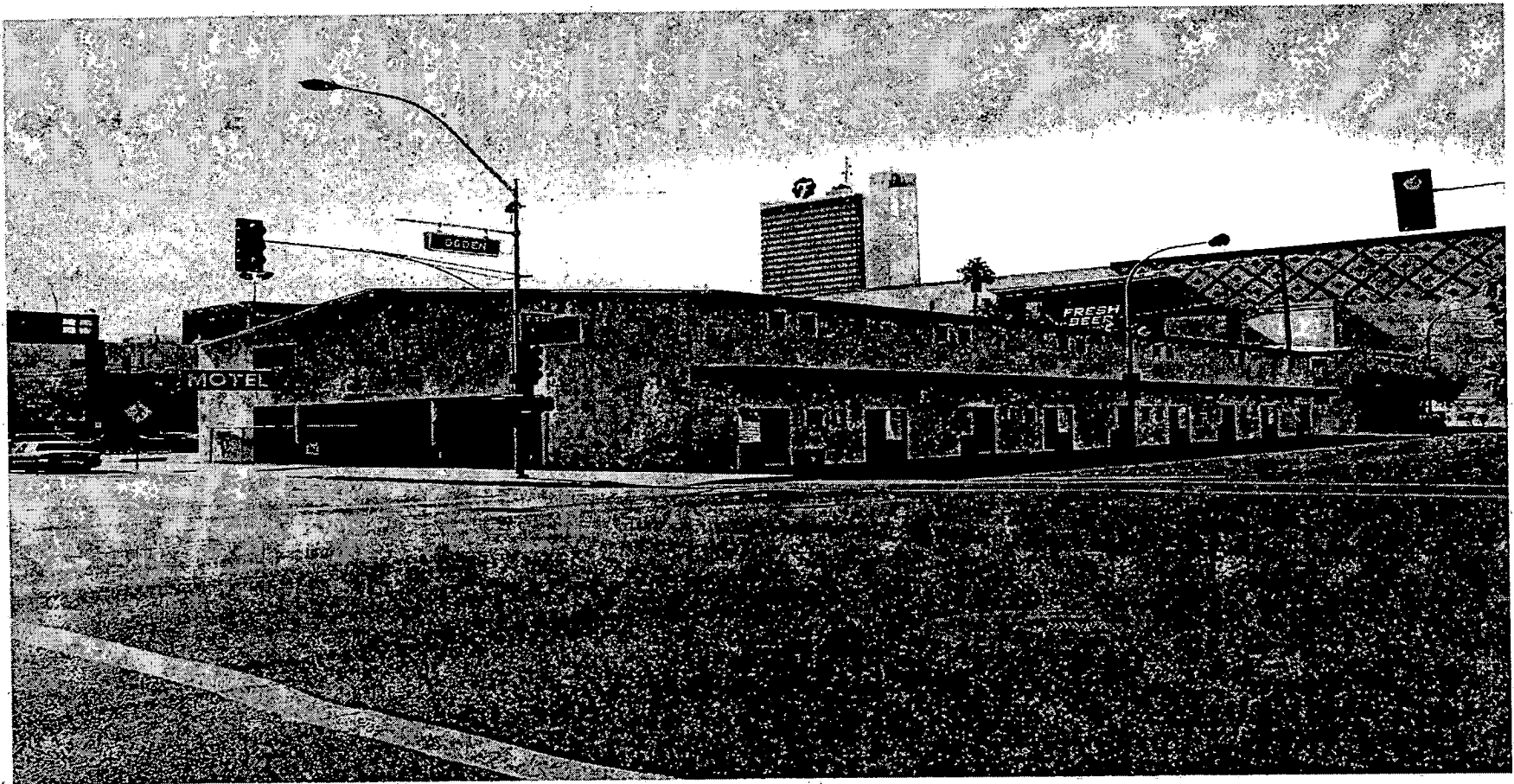
SUP-5181 - APPLICANT/ OWNER: STREAMLINE TOWER, LLC
SOUTHEAST CORNER OF LAS VEGAS BOULEVARD AND OGDEN AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/06/04



SUP-5181 - APPLICANT/ OWNER: STREAMLINE TOWER, LLC
SOUTHEAST CORNER OF LAS VEGAS BOULEVARD AND OGDEN AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/06/04



SUP-5181 - APPLICANT/ OWNER: STREAMLINE TOWER, LLC
SOUTHEAST CORNER OF LAS VEGAS BOULEVARD AND OGDEN AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/06/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SDR-5180 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5181 - PUBLIC HEARING - APPLICANT/OWNER: STREAMLINE TOWER, LLC - Request for a Site Development Plan Review FOR A 267 FOOT TALL, 251 UNITS AND 24,000 SQUARE FEET OF COMMERCIAL IN A MIXED USE DEVELOPMENT WITH WAIVERS FROM THE DOWNTOWN CENTENNIAL PLAN on 1.03 acres adjacent to the southeast corner of Las Vegas Boulevard and Ogden Avenue (APN 139-34-611-001, 011 and 012), C-2 (General Commercial) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 11/17/04

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 11/17/2004

NOTE: CHAIRMAN TRUESDELL disclosed that he manages property in the downtown area just outside the notification area and he owns property in the downtown area. He has no conflict and is comfortable voting on these two items.

MINUTES:

See Item 67 [SUP-5181] for all discussion on Item 67 [SUP-5181] and Item 68 [SDR-5180].

(1:27-1:36)

5-2692

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 68 – SDR-5180

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-5181) to allow Mixed-Use development approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, date stamped 09/03/04, except as amended by conditions herein.
4. The Waiver from the Downtown Centennial Plan building stepback requirement is hereby approved, based on the proposed façade articulation and level of detail of the elevations.
5. The Waiver from the Centennial Plan streetscape requirements is hereby approved, in order to allow ten foot wide sidewalks where 11 are required, due to the existing curb alignment.
6. The applicant shall be required to provide and install standard Fourth Street style fixtures in place of existing fixtures. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
7. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
8. All mechanical equipment shall be fully screened from street level and surrounding building views.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the downtown Centennial Plan.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 68 – SDR-5180

CONDITIONS – Continued:

11. Utilities and power service lines in alleys shall be located underground; the property owner shall be required to provide for their proportionate share of the utility relocation and alleyway treatment pursuant to a schedule as adopted by City Council. In addition, the surfacing of the alley shall conform to the Alleyway Treatment, as depicted in Graphic 4 of the Downtown Centennial Plan.

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

Public Works

13. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Las Vegas Boulevard. Dedicate a 25 foot radius on the southeast corner of Las Vegas Boulevard and Ogden Avenue and a 10 foot radius at the southwest corner of Ogden Avenue and 6th Street prior to the issuance of any permits.

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

15. Grant a Traffic Signal Chord Easement at the southeast corner of Las Vegas Boulevard and Ogden Avenue.

16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards concurrent with development of this site. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

17. An application to vacate the existing public sewer main and easement through this site must be approved and the Order of Vacation recorded prior to the issuance of any building or grading permits. A sanitary sewer plan addressing continuous service for upstream customers, relocation of alternate mains and abandonment of existing mains must be submitted to and approved by the City Engineer as part of the Order of Vacation process.

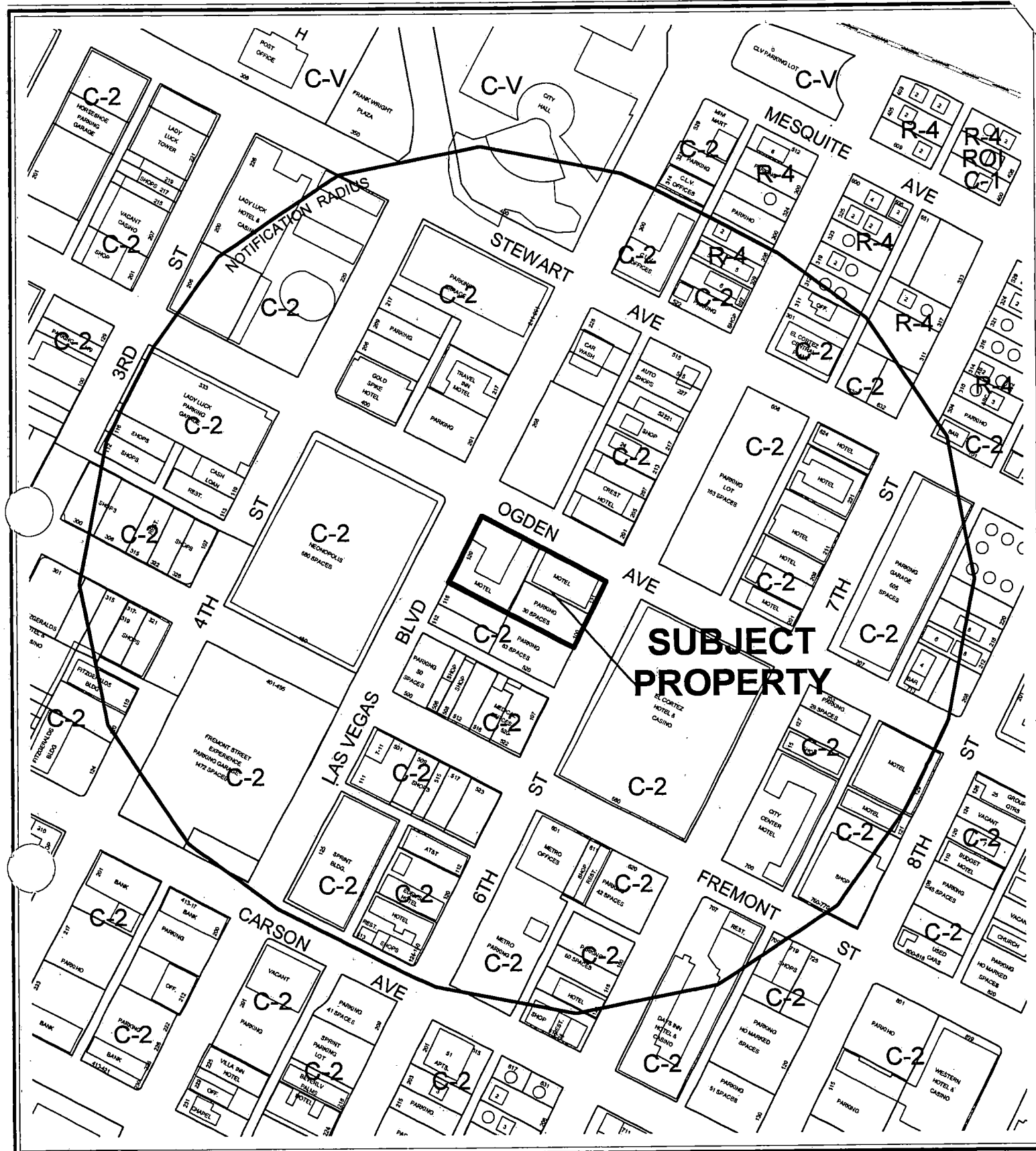
18. This site shall connect to the 24" sanitary sewer main in Ogden Avenue. The alternate sewer main passing through this site does not have the capacity to service this project.

19. Landscape and maintain all unimproved rights-of-way adjacent to this site.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 68 – SDR-5180

CONDITIONS – Continued:

20. Submit an Encroachment Agreement for all landscaping and private improvements, located within or over the public rights-of-way adjacent to this site prior to occupancy of this site.
21. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
22. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
23. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.



CASE: SDR-5180

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5180 - APPLICANT/OWNER: STREAMLINE TOWER, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Special Use Permit (SUP-5181) to allow Mixed-Use development approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, date stamped 09/03/04, 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 from the Centennial Plan streetscape requirements is hereby approved, in order to allow ten foot wide sidewalks where 11 are required, due to the existing curb alignment.
6. The applicant shall be required to provide and install standard Fourth Street style fixtures in place of existing fixtures. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
7. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
8. All mechanical equipment shall be fully screened from street level and surrounding building views.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

SDR-5180 - Conditions Page Two
October 21, 2004 - Planning Commission Meeting

10. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the downtown Centennial Plan.
11. Utilities and power service lines in alleys shall be located underground; the property owner shall be required to provide for their proportionate share of the utility relocation and alleyway treatment pursuant to a schedule as adopted by City Council. In addition, the surfacing of the alley shall conform to the Alleyway Treatment, as depicted in Graphic 4 of the Downtown Centennial Plan.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Las Vegas Boulevard. Dedicate a 25 foot radius on the southeast corner of Las Vegas Boulevard and Ogden Avenue and a 10 foot radius at the southwest corner of Ogden Avenue and 6th Street prior to the issuance of any permits.
14. Coordinate with the City Surveyor to determine whether a Reversionary Map or other Map is necessary; if such a Map is required, it should record prior to the issuance of any permits for this site.
15. Grant a Traffic Signal Chord Easement at the southeast corner of Las Vegas Boulevard and Ogden Avenue.
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18. This site shall connect to the 24" sanitary sewer main in Ogden Avenue. The alternate sewer main passing through this site does not have the capacity to service this project.

SDR-5180 - Conditions Page Three
October 21, 2004 - Planning Commission Meeting

19. Landscape and maintain all unimproved rights-of-way adjacent to this site.
20. Submit an Encroachment Agreement for all landscaping and private improvements, located within or over the public rights-of-way adjacent to this site prior to occupancy of this site.
21. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
22. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
23. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for approval of a Site Development Plan Review for a 267-foot tall mixed-use building with 251 residential units and 16,157 square feet of commercial space on 1.03 acres adjacent to the southeast corner of Las Vegas Boulevard and Ogden Avenue.

B) Applicant's Justification

The applicant states that the project will be a great benefit to the ongoing revival of downtown Las Vegas, and that the building complies with the requirements of the Centennial Plan and Entertainment District Overlay.

BACKGROUND INFORMATION

A) Previous Actions

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

B) Pre-Application Meeting

08/27/04 At the pre-application conference, it was noted that the streetscape would need to conform to the requirements listed in the Downtown Centennial Plan, and that the signage would be subject to the Downtown Casino Overlay standards and the Scenic Byway Overlay requirements. In addition, it was also noted that the building would require a waiver from the Centennial Plan setback requirements.

10/21/04 The Planning Commission will hear the related Special Use Permit application (SUP-5181) as part of this agenda.

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.03

B) Existing Land Use

Subject Property: Motels
Parking
North: Undeveloped
Motel
South: Parking
Shops
Medical Offices
East: El Cortez Hotel
Parking
West: Neonpolis

C) Planned Land Use

Subject Property: C (Downtown Commercial)
GC (Commercial) [Downtown Redevelopment Plan Designation]
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: 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 C (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.

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October 21, 2004 - Planning Commission Meeting

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Redevelopment Plan Area	X	
Downtown Centennial Plan	X	
Special Overlay District		
Downtown Entertainment Overlay District	X	
Las Vegas Boulevard Scenic Byway Overlay District	X	
Trails		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Redevelopment Plan Area

The parcel is within the boundaries of the Las Vegas Redevelopment Area, with a C (Commercial) land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Downtown Centennial Plan Area

The parcel is within the 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 residents to support area businesses and entertainment.

Downtown Entertainment Overlay District

The subject property is located within the Downtown Entertainment Overlay District, which sets forth sign requirements and allows waivers from the liquor establishment separation distance requirements.

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.

PROJECT DESCRIPTION

The project involves the demolition of the existing motel buildings on the site and the construction of a new 21-story tower with 251 residential units and 16,157 square feet of

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October 21, 2004 - Planning Commission Meeting

commercial space. The ground floor of the building will include retail and restaurant uses, with the residential lobby facing Ogden Avenue. Six levels of parking will be incorporated into the building above the ground-floor commercial space, with access to the parking levels from Sixth Street. Levels seven through 21 of the building will contain the residential units, which vary from one to three bedrooms in size. Resident amenities such as a swimming pool and terrace will be located on the 21st floor of the building, and a gymnasium will be located on the twelfth floor.

ANALYSIS

A) Zoning Code Compliance

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 Centennial Plan addresses certain site development standards, which are detailed below:

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/At	1.03 Acres	NA
Min. Lot Width	NA		NA
Min. Setbacks			
• Front	0 Feet		Y
• Corner Side	0 Feet		Y
• Rear	NA	10 Feet	NA
Max. Lot Coverage	Up to 100%	94%	Y
Max. Building Height	NA	267 Feet	NA
Trash Enclosure	Walled/Roofed	Interior	Y
Loading Zone	NA	0	NA
Mech. Equipment	Screened	Screened	Y

The project complies with all of the development standards of the Centennial Plan, with the exception of the step-back requirements.

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

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Projects within the Downtown Centennial Plan are exempt from the automatic application of these standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Provided Parking	
		Regular	Handicap
Multifamily Residential	251 Units		
Commercial	16,157 SF		
Total:		427	8

The project will provide parking in excess of the general standard in the Centennial Plan area of one parking space per residential unit and three parking spaces per 1,000 gross square feet of retail space.

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	
Streetscape Treatment East/West Street Ogden Avenue	1 Shade Tree @ 30 o.c. max. (min. 24 " box).	10	12
North/South Street- Las Boulevard	1 Palm Tree @35' o.c. max. (min.25'height)	5	6
North/South Street- 6 th street	1 Palm Tree @35' o.c. max. (min.25'height)	4	4
Sidewalk	11 Feet		10 Feet

The trees to be provided in the public right-of-way conform with the type and spacing requirements specified in the Centennial Plan and the paving treatment is generally in conformance with the Standards. The sidewalk with along Ogden Avenue does not meet the minimum width requirement.

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A5) Sign Standards

Properties in the downtown Entertainment Overlay District are subject to the same design standards as the Downtown Casino Overlay District. The following standards apply:

Standards	Allowed	Provided
Maximum Number	NA	NA
Maximum Area	50% wall sign area	1%
Maximum Height	NA	NA
Minimum Setback	NA	NA
Height above sidewalk	10 Feet	15 Feet

The proposed wall signage conforms with the requirements of the area and location requirements of the Overlay District. In addition to the Casino Overlay standards, the property is also subject to the Las Vegas Boulevard Scenic Byway Overlay District, which requires that 75% of the total sign surface area must be illuminated neon or animated signage.

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. The applicant has filed a Special Use Permit application (SUP-5181) concurrently with this Site Development Plan Review application, which will be heard by the Planning Commission on October 21, 2004. The structure generally conforms with the development standards of the Downtown Centennial Plan; a Waiver has been requested from the Centennial Plan building setback requirement.

- **Site Plan**

The site plan depicts the residential lobby entrance on the north side of the building with access from Ogden Avenue, and commercial space fronting Las Vegas Boulevard, Ogden Avenue, and Sixth Street. Access to the parking levels will be from Sixth Street; separate driveways are provided for loading and drop-off areas on the ground floor, and for the commercial and residential parking on the upper floors. A ten-foot setback is provided along the south property line in order to allow wall openings on that side of the building, and to provide a screened area at grade for a generator and other mechanical equipment. The applicant will be dedicating five feet along Las Vegas Boulevard for additional right-of-way, and radius dedications at the northwest and northeast corners of the property.

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October 21, 2004 - Planning Commission Meeting

- **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 would recommend approval of the Waiver request for the following reasons:

- The use of horizontal banding and changes in façade openings and sizes distinguishes the three different elements of the building (commercial, parking, residential); and
- Projecting balconies and variations to the plane of the façade on the residential levels of the building provide the articulation sought by the Centennial Plan.

The project will also require a Waiver from the minimum sidewalk depth requirement, as the proposed sidewalk area along Ogden Avenue and Sixth Street do not meet the minimum 11-foot depth requirement. Staff would allow the substandard sidewalk width, provided the curbing aligns with abutting properties or blocks, and additional sidewalk depth is not available.

- **Landscape Plan**

The landscape plan depicts the use of shade trees in the public right-of-way along Ogden Avenue, and palm trees along the Las Vegas Boulevard and Sixth Street frontages in accordance with the Centennial Plan streetscape requirements. The specifications indicate that the trees will comply with the size and spacing requirements. Sidewalk accent paving will be provided at the intersections as required.

- **Elevation**

The elevations clearly define each building function through changes in the fenestration and horizontal banding; these distinctions assist in giving the building scale and character. Vertical elements flank both sides of the residential lobby entrance, and extended parapet elements and a decorative aluminum feature assist in emphasizing the central portion of the building. The openings on the parking levels continue the proportions of other openings on the building, and decorative aluminum screens will be used at the openings.

- **Floor Plan**

The first floor of the building is laid out with commercial space fronting on the streets, and the residential lobby oriented to Ogden Avenue. Egress stairways are provided on the east and west sides of the central core area, and exit through the open service area. The service area provides a drop-off area as well as loading facilities, and trash and other service rooms are located immediately off of the area.

The residential floors of the building contain between 12 and 19 units per floor, with unit size ranging from 983 to 2,100 square feet. Amenities for the residents will include a gym on the 12th floor of the building, and a swimming pool and outdoor terrace on the 21st floor.

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 project is harmonious and compatible with the surrounding and is the type of project encouraged in this area of the City.

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 project advances the goals, objectives and policies of the Downtown Centennial Plan, the downtown Entertainment Overlay District, the Las Vegas Boulevard scenic Byway Overlay District and the Redevelopment Plan area.

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

The project, when completed, should not hinder or have substantial negative impacts of the adjacent roadways or traffic circulation pattern. It is to be expected that temporary disruption may occur as construction is taking place.

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

The elevations clearly define each building and provide a building scale and character that is appropriate for this area of the City. The use of shade trees in the public right of way along Ogden and palm trees along Ogden and Sixth Street further the streetscape requirements of the Centennial Plan. All of the required accent paving at the intersections will be provided.

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October 21, 2004 - Planning Commission Meeting

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 and design characteristics of this structure will create a pleasing environment for this area of the City.

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

This is not applicable to this particular project.

NOTICES MAILED 64 [Mailed with SUP-5181]

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Streamline Tower, 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: _____

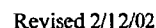
Signature of Property Owner/Authorized Agent: _____

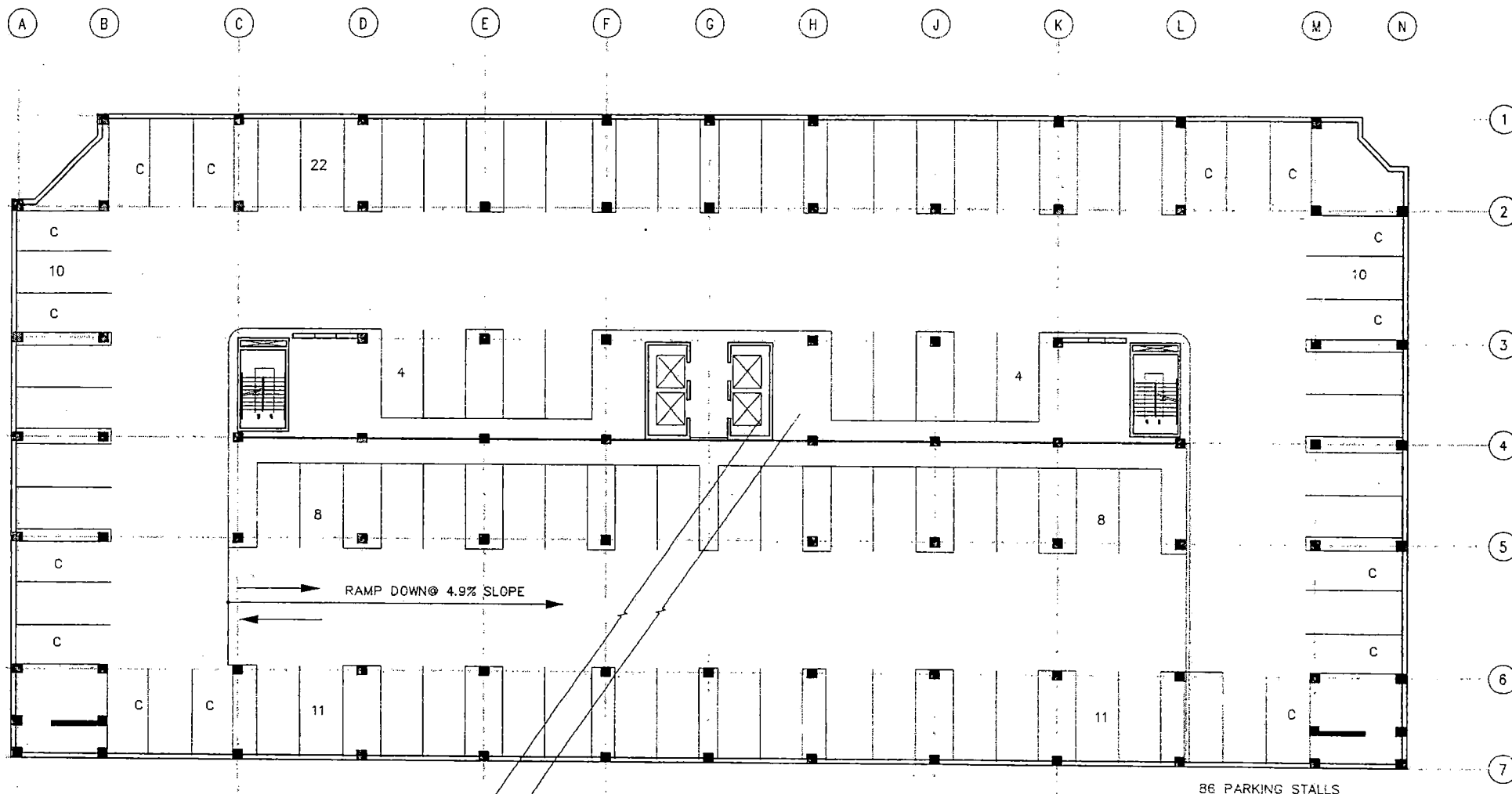
Print Name: Dustin Allen

Subscribed and sworn before me

This 2nd day of SEPTEMBER, 2004

Notary Public in and for said County and State





SEPTEMBER 1, 2004

STREAMLINE ACCEPTANCE GROUP, LLC.

PARKING GARAGE- 6TH. LEVEL

STREAMLINE CONDOMINIUM TOWER
LAS VEGAS BLVD. & OGDEN AVENUE
LAS VEGAS, NEVADA

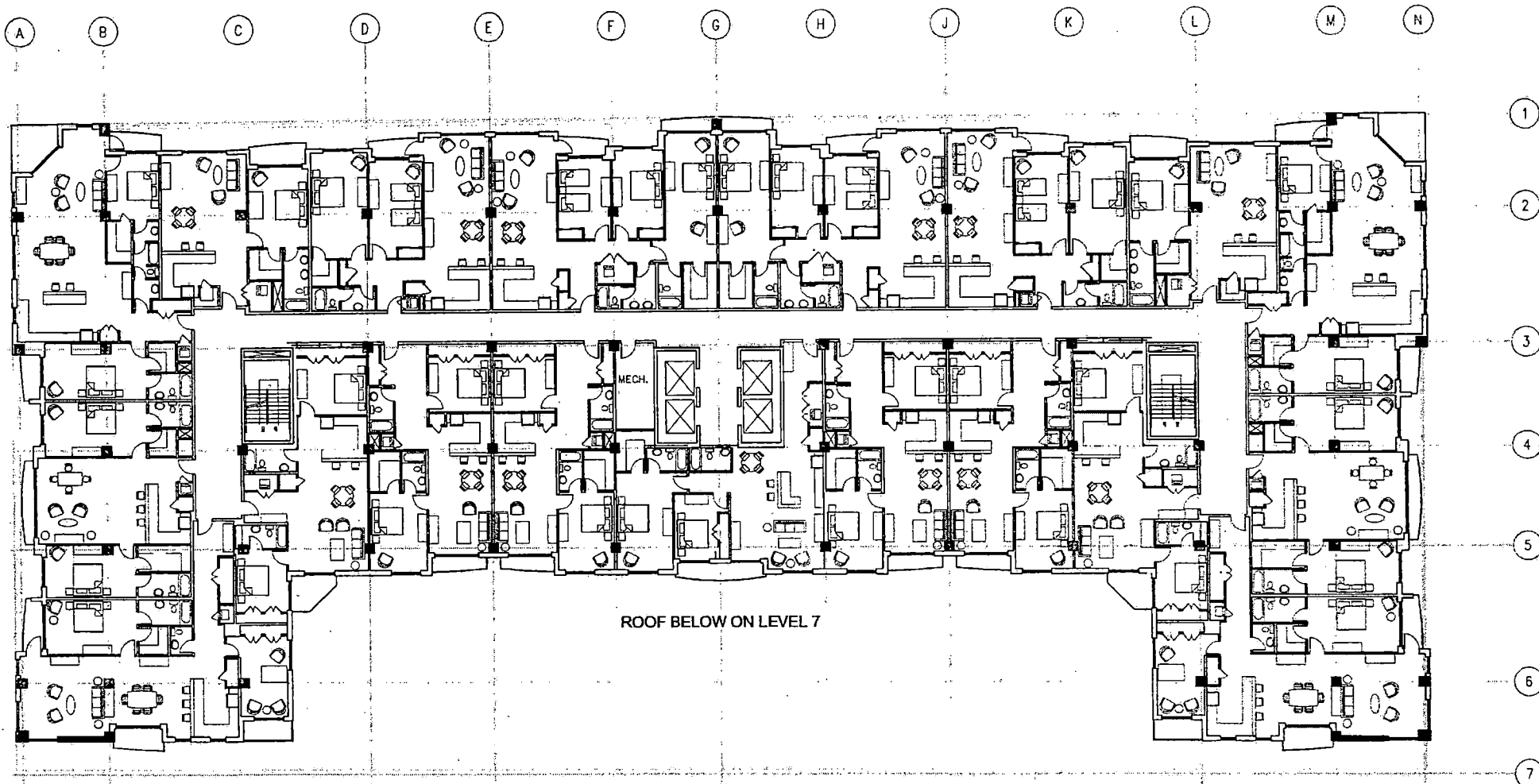
SDR-5180

SUP-5181

10/21/04 PC

SCALE: 1" = 20'-0"

PGAL
Copyright



SEPTEMBER 1, 2004

TYPICAL CONDOMINIUM FLOOR PLAN-(7TH THRU 11TH LEVEL)

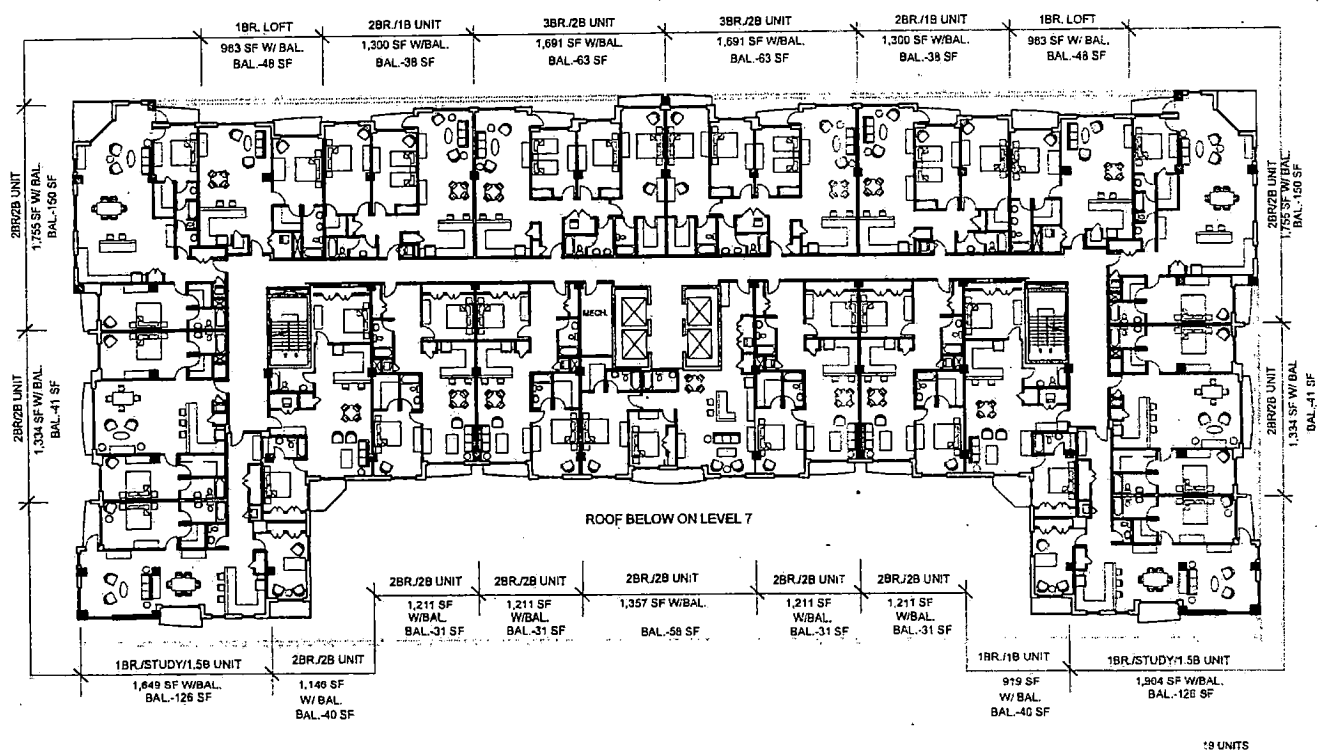
SCALE: 1" = 20'-0"

STREAMLINE ACCEPTANCE GROUP, LLC.

PROPOSED CONDOMINIUM TOWER
LAS VEGAS BLVD. & OGDEN AVENUE
LAS VEGAS, NEVADA

PGAL
ARCHITECTS

SDR-5180
SUP-5181
10/21/04 PC



SUMMARY OF UNITS

7th - 11th (Per Level)

1BR LOFT (983 SF)	-10
1BR/STUDY/1.5B (1,700 SF)	-10
2BR/1B (1,100-1,300 SF)	-10
2BR/2B (1,140-1,690 SF)	-55
3BR/2B (1,700 SF)	-10
3BR/STUDY/2B (2,100 SF)	-0

12th - 20th (Per Level)

1BR LOFT (983 SF)	-18
2BR/1B (1,100-1,300 SF)	-54
2BR/2B (1,140-1,690 SF)	-36
3BR/2B (1,700 SF)	-18
3BR/STUDY/2B (2,100 SF)	-18

21st

1BR LOFT (983 SF)	-02
2BR/1B (1,100-1,300 SF)	-06
2BR/2B (1,140-1,690 SF)	-02
3BR/2B (1,700 SF)	-02

TOTAL UNITS

1BR LOFT (983 SF)	-30
1BR/STUDY/1.5B (1,700 SF)	-10
2BR/1B (1,100-1,300 SF)	-70
2BR/2B (1,140-1,690 SF)	-93
3BR/2B (1,700 SF)	-30
3BR/STUDY/2B (2,100 SF)	-18

TOTAL OF UNITS - 251

UNIT AREA CALCULATIONS - (7TH THRU 11TH LEVEL)

T = 30'-0"

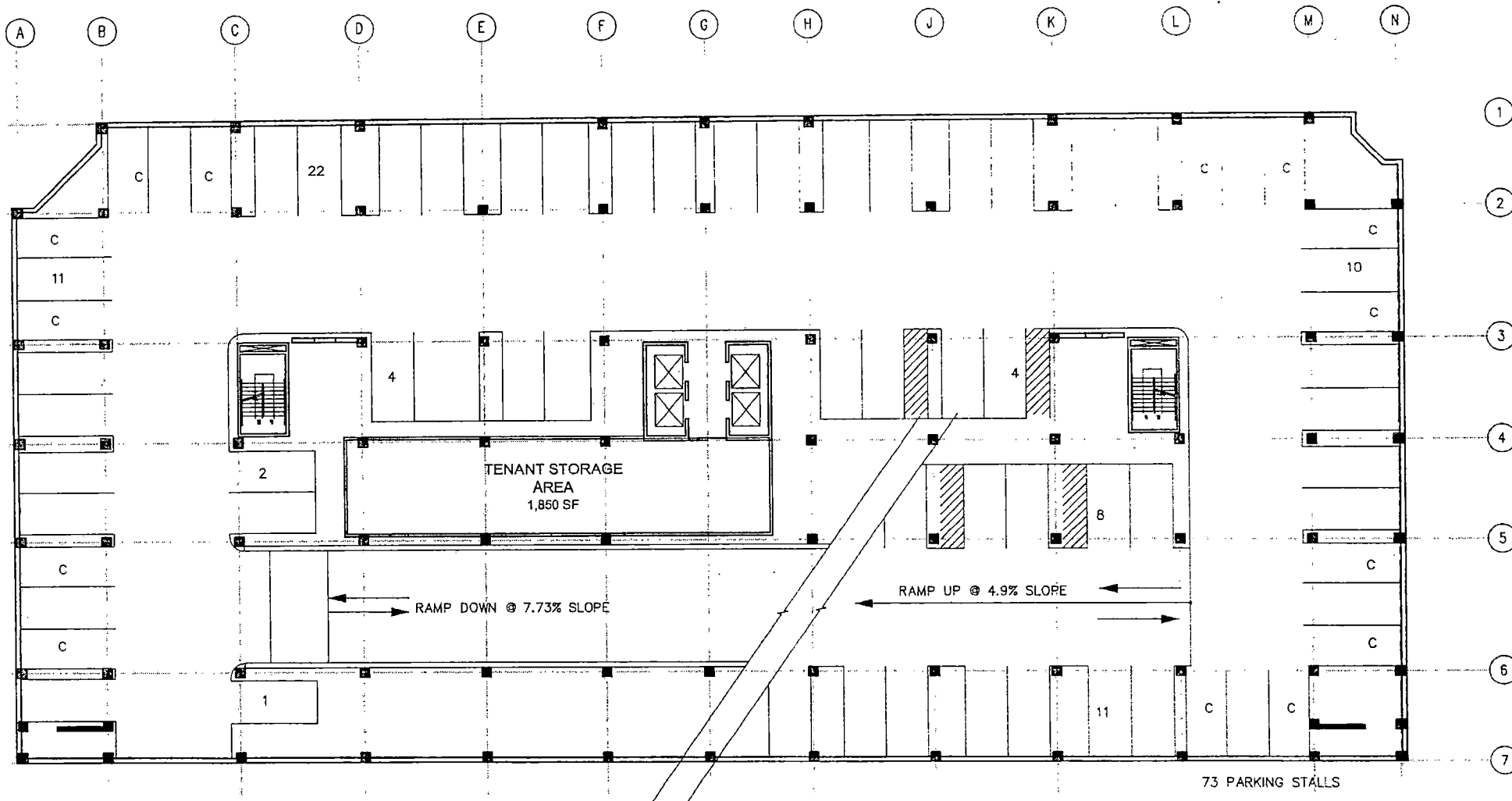
SEPTEMBER 1, 2004

STREAMLINE ACCEPTANCE GROUP, LLC.

PROPOSED CONDOMINIUM TOWER
LAS VEGAS BLVD. & OGDEN AVENUE
LAS VEGAS, NEVADA

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SUP-5181
10/21/04 PC



SEPTEMBER 1, 2004

2ND. LEVEL PARKING GARAGE

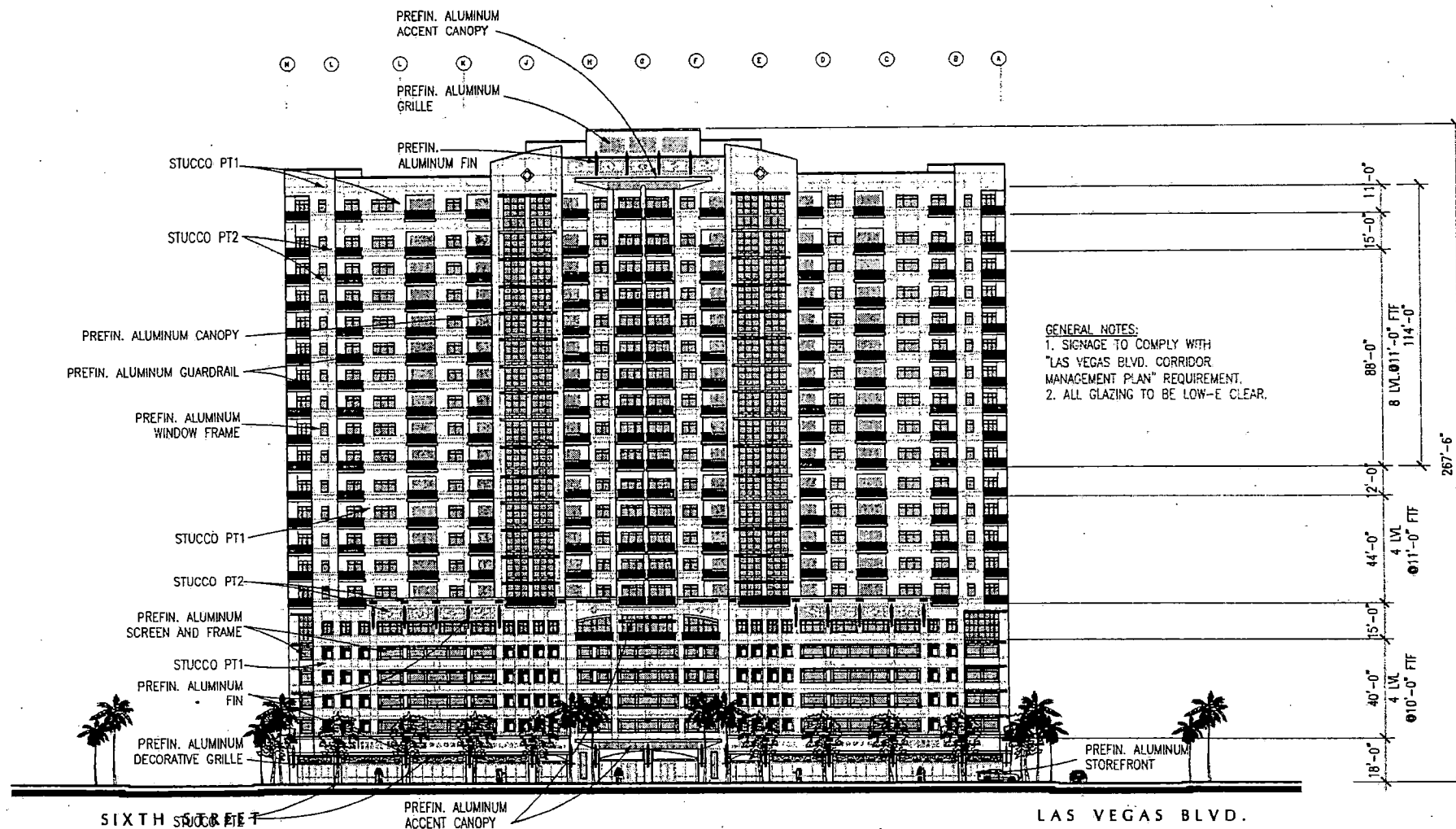
SCALE: 1" = 20'-0"

STREAMLINE ACCEPTANCE GROUP, LLC.

STREAMLINE CONDOMINIUM TOWER
LAS VEGAS BLVD. & OGDEN AVENUE
LAS VEGAS, NEVADA

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SDR-5180
SUP-5181
10/21/04 PC



SEPTEMBER 2, 2004

STREAMLINE ACCEPTANCE GROUP, LLC.

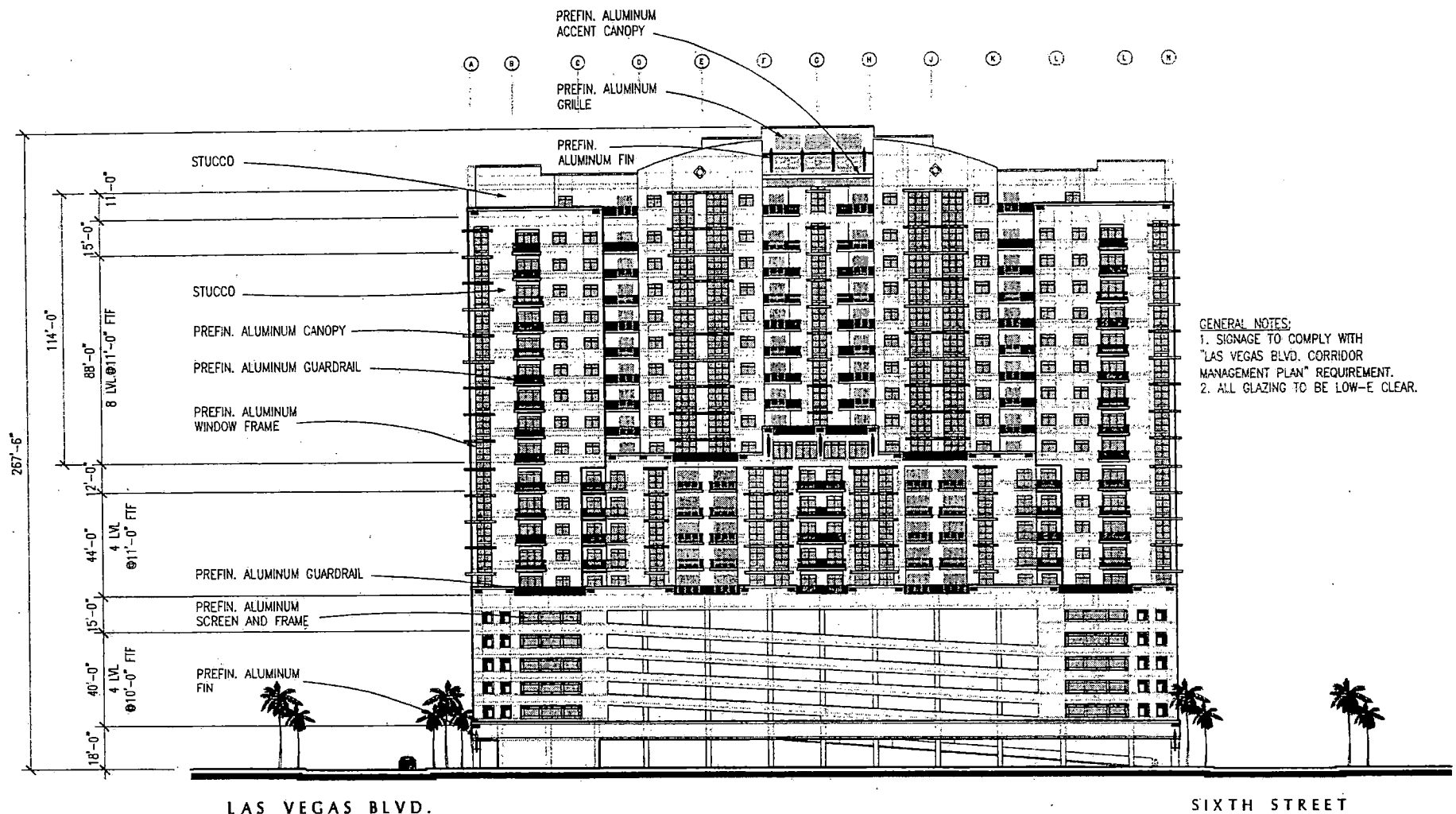
OGDEN STREET ELEVATION

SCALE 1" = 40'-0"

PROPOSED CONDOMINIUM TOWER
 LAS VEGAS BLVD. & OGDEN AVENUE
 LAS VEGAS, NEVADA

PGAL

SDR-5180
 SUP-5181
 10/21/04 PC



GENERAL NOTES:
 1. SIGNAGE TO COMPLY WITH
 "LAS VEGAS BLVD. CORRIDOR
 MANAGEMENT PLAN" REQUIREMENT.
 2. ALL GLAZING TO BE LOW-E CLEAR.

REAR ELEVATION

SCALE 1" = 40'-0"

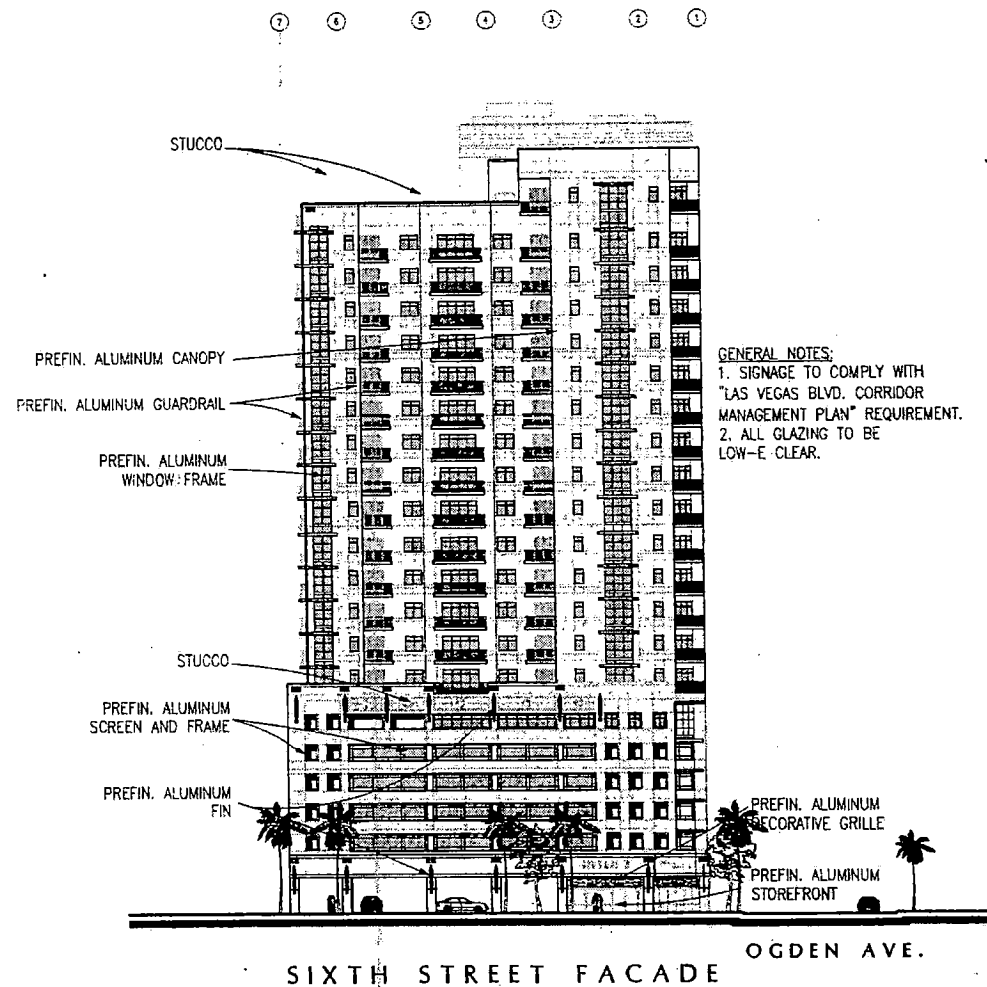
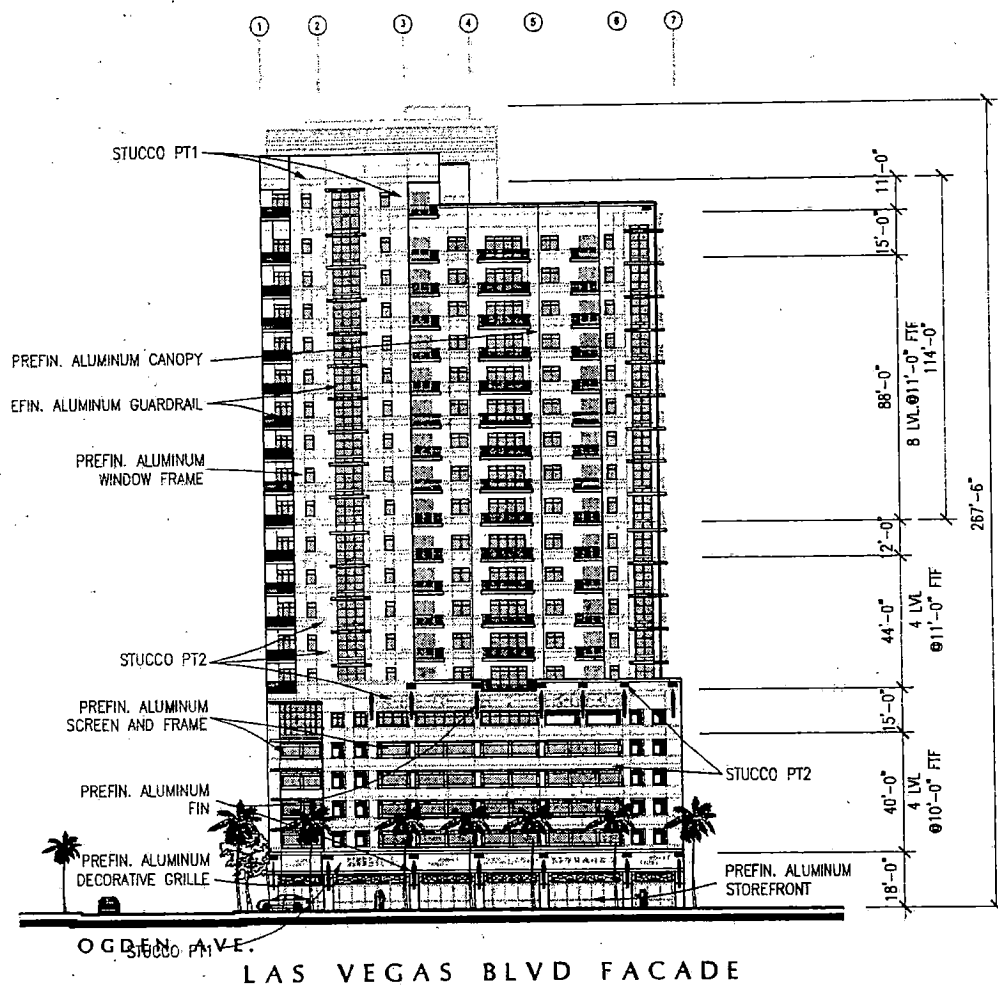
SEPTEMBER 2, 2004

STREAMLINE ACCEPTANCE GROUP, LLC.

PROPOSED CONDOMINIUM TOWER
 LAS VEGAS BLVD. & OGDEN AVENUE
 LAS VEGAS, NEVADA

PGAL

SDR-5180
 SUP-5181
 10/21/04 PC



GENERAL NOTES:
1. SIGNAGE TO COMPLY WITH
"LAS VEGAS BLVD. CORRIDOR
MANAGEMENT PLAN" REQUIREMENT.
2. ALL GLAZING TO BE
LOW-E CLEAR.

SEPTEMBER 2, 2004

STREAMLINE ACCEPTANCE GROUP, LLC.

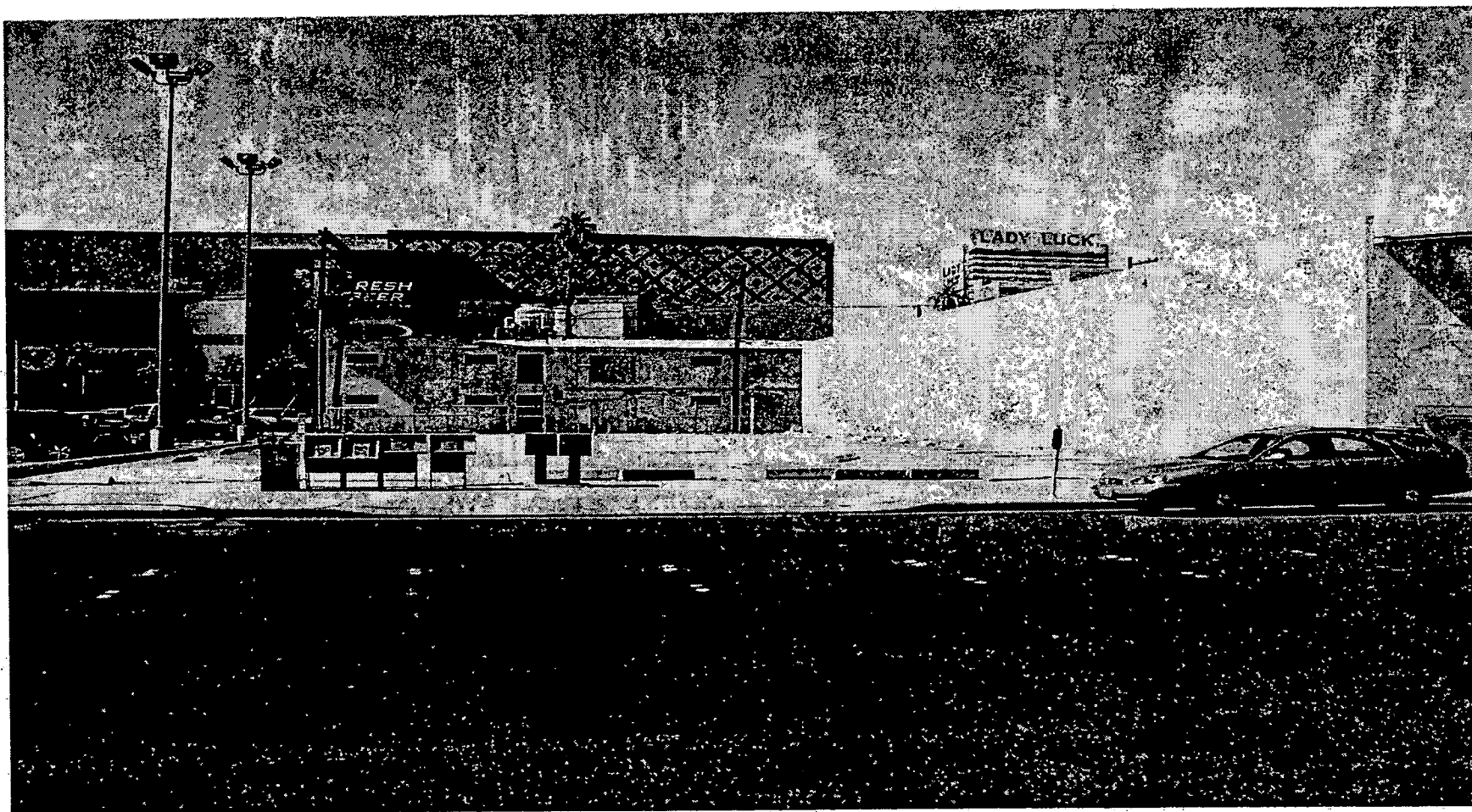
SIDE ELEVATIONS

SCALE: 1" = 40'-0"

PROPOSED CONDOMINIUM TOWER
LAS VEGAS BLVD. & OGDEN AVENUE
LAS VEGAS, NEVADA

PGAL
Copyright

SDR-5180
SUP-5181
10/21/04 PC



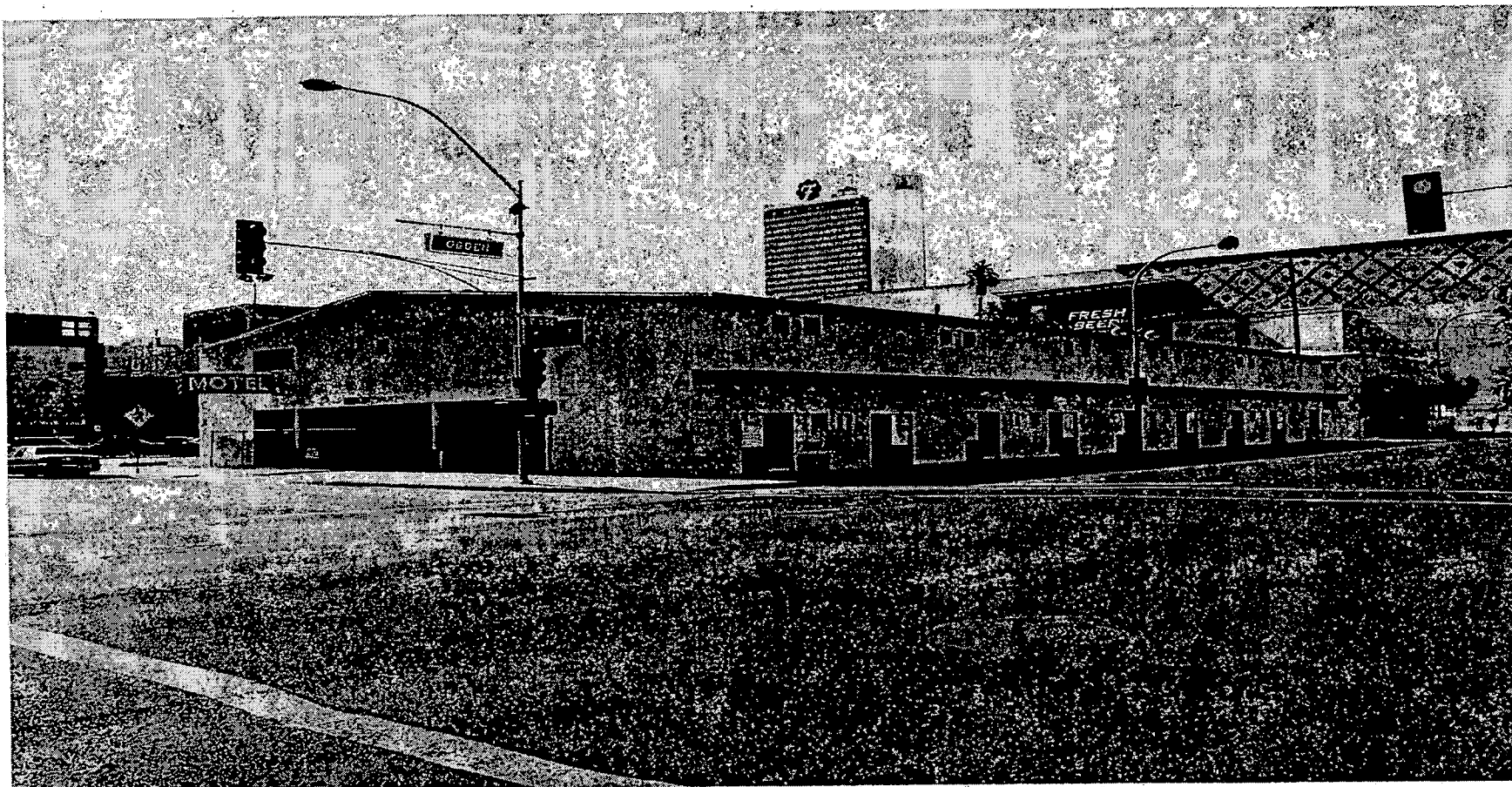
SDR-5180 - APPLICANT/ OWNER: STREAMLINE TOWER, LLC
SOUTHEAST CORNER OF LAS VEGAS BOULEVARD AND OGDEN AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/06/04



SDR-5180 - APPLICANT/ OWNER: STREAMLINE TOWER, LLC
SOUTHEAST CORNER OF LAS VEGAS BOULEVARD AND OGDEN AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/06/04



SDR-5180 - APPLICANT/ OWNER: STREAMLINE TOWER, LLC
SOUTHEAST CORNER OF LAS VEGAS BOULEVARD AND OGDEN AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/06/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5189 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JEFF & KELLI WOLF - OWNER: RANCHO PINES, LP - Request for a Special Use Permit FOR A THERAPEUTIC MASSAGE ESTABLISHMENT AND A WAIVER FROM THE 400 FOOT DISTANCE SEPARATION REQUIREMENT FROM A CHILD CARE FACILITY at 4588 North Rancho Drive, Suite #12 (APN 138-02-214-002), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 11/17/04

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 11/17/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, stated that the subject property is zoned C-1 (Limited Commercial). The massage establishment use is permitted in this zoning district with the approval of a Special Use Permit. The proposed massage establishment will occupy a suite within the Rancho Pines Shopping Center, a one-story retail/office complex. The type of massage that will be practiced will be strictly therapeutic. The business would function similar to a typical medical office. According to the floor plan, three rooms will be designed for therapy, with a table in each room.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 69 – SUP-5189

MINUTES – Continued:

The applicant has also requested a waiver for the 400-foot distance separation requirement from a childcare facility and residential parcels. The waiver is acceptable, since this massage practice is medical in nature and will have no impact whatsoever on surrounding parcels. In addition, the Rancho Pines property is screened from the residential properties by existing block walls and landscaping.

JEFF and KELLY WOLF, 4588 N. Rancho Drive, agreed with staff's conditions.

COMMISSIONER McSWAIN stated that in the past, previous applications have been approved with similar circumstances, and she would support this application as well.

MRS. WOLF thanked staff and the Commission for moving their item up on the agenda for discussion, due to their family emergency.

No one appeared in opposition.

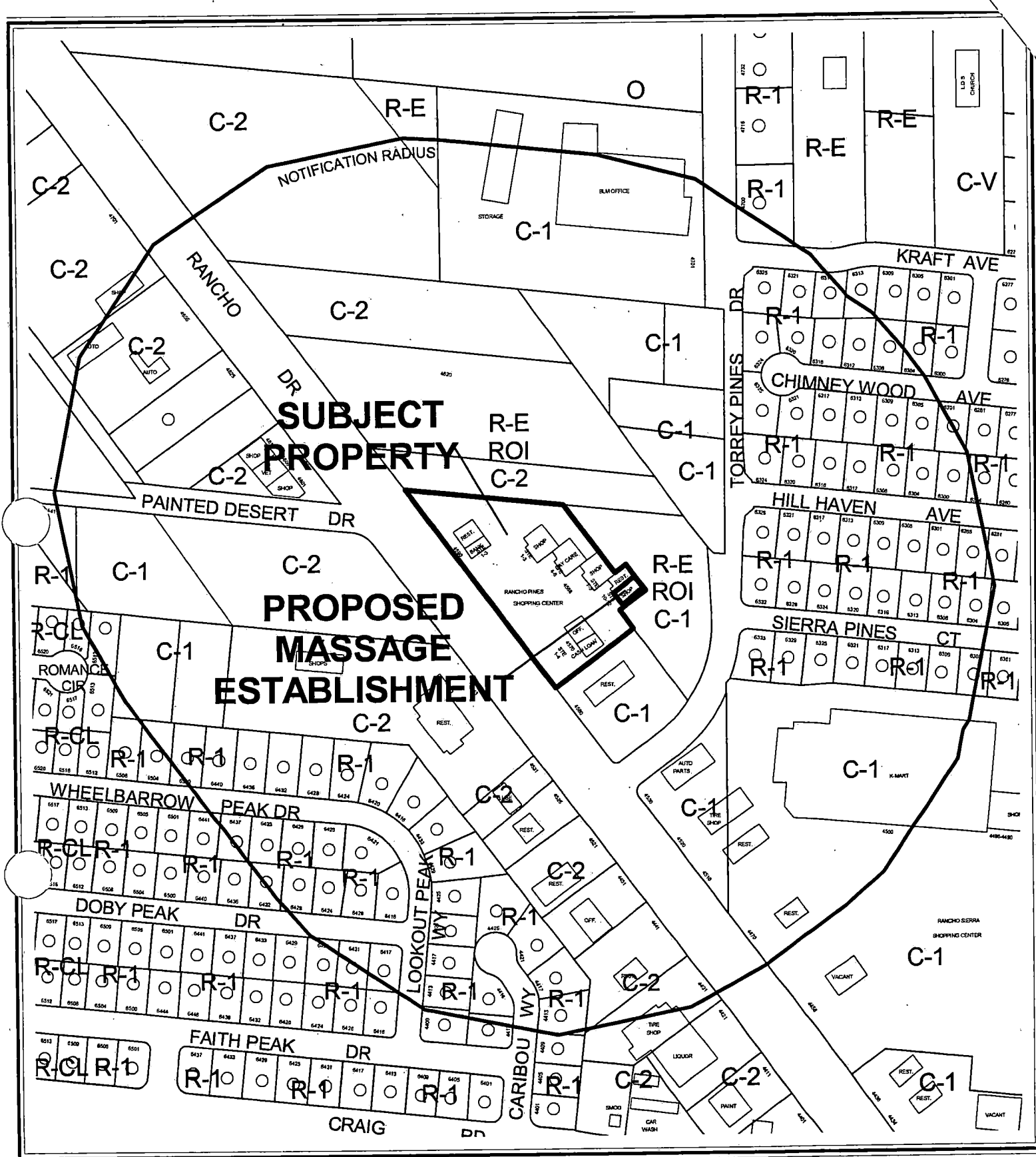
CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:57-6:59)
1-1899

CONDITIONS:

Planning and Development

1. 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.
2. Base conditions for the approval of a Special Use Permit for a Massage Establishment (City of Las Vegas Title 19.04 .050.B) shall be satisfied, except for minimum distance separation requirements, which are hereby waived.
3. Staff of the Massage Establishment shall maintain all City and/or State required Massage Therapy Licenses, without lapse.

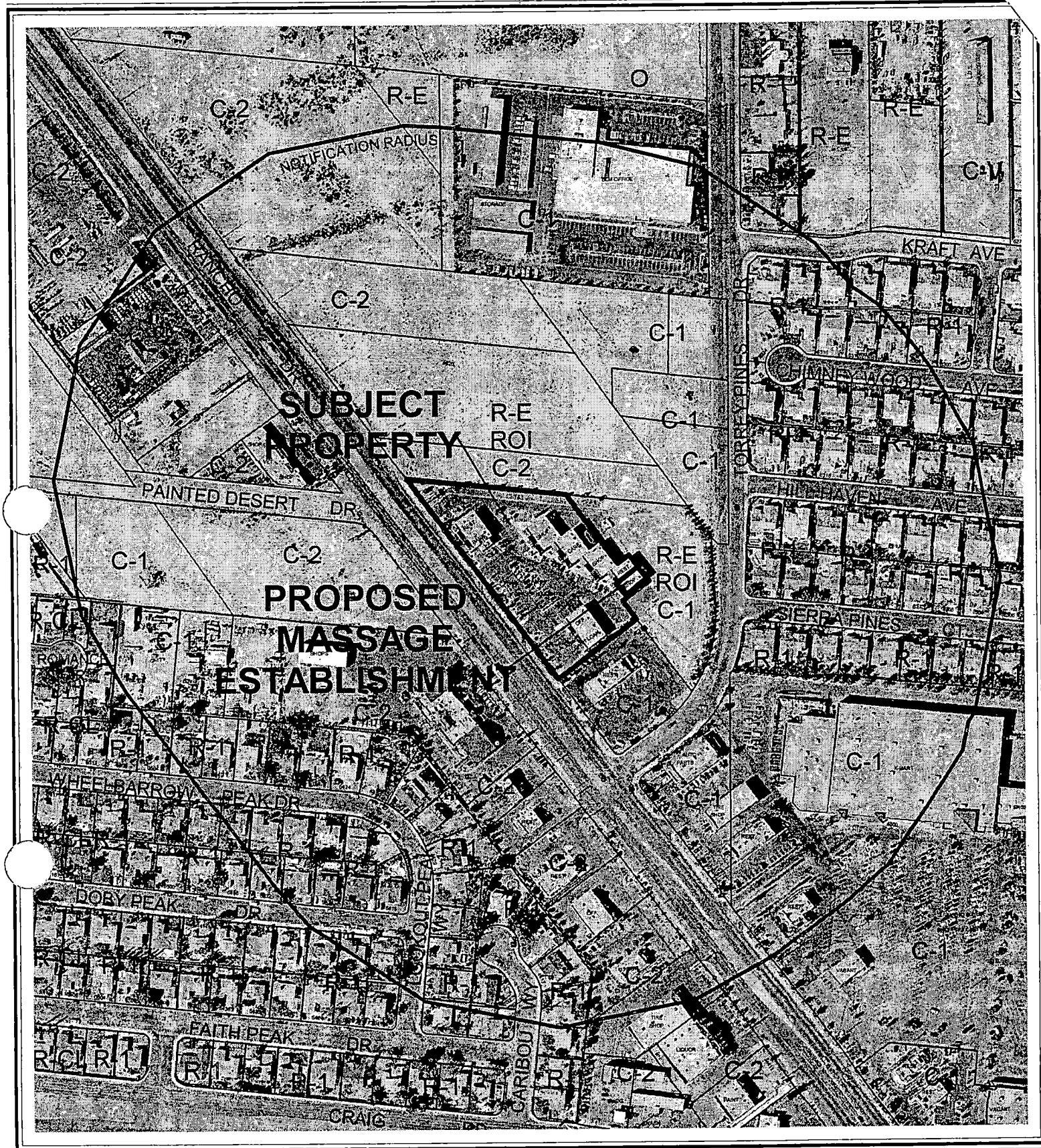


CASE: SUP-5189

RADIUS: 750 FT

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





CASE: SUP-5189

RADIUS: 750 FT

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

0 200 400 Feet





SUP-5189

Protected Landuses

-  Parks
-  Religious
-  Schools

Business Licenses

-  Massage Establishment
-  Child Care/
Children Facility

 Subject Property

 Buffers

0 315 630 1,260 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5189 - APPLICANT: JEFF & KELLI WOLF - OWNER:
RANCHO PINES, LP

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. 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.
2. Base conditions for the approval of a Special Use Permit for a Massage Establishment (City of Las Vegas Title 19.04 .050.B) shall be satisfied, except for minimum distance separation requirements, which are hereby waived.
3. Staff of the Massage Establishment shall maintain all City and/or State required Massage Therapy Licenses, without lapse.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

Request for a Special Use Permit for a Massage Establishment and a Waiver from the 400 foot distance separation requirement from a childcare facility and residential parcels at 4588 North Rancho Drive, Suite #12.

B) Applicant's Justification

This business's foundation is therapeutic intervention through massage. The requested Waiver is supported by the daycare business, which operates in the same retail development.

BACKGROUND INFORMATION

A) Previous Actions

- 02/16/00 City Council approved a request for a Special Use Permit (U-0145-99) at this location for a proposed 3,000 square foot wedding chapel and existing 19,500 square foot retail center (Rancho Pines Shopping Center).
- 10/31/02 The Planning and Development Department approved a request for an Administrative Site Development Plan Review (SDR-1078) for a proposed 650 square foot addition to an existing retail building.
- 04/24/03 The Planning Commission approved a request by the City's Planning and Development Department for a Text Amendment (TXT-1506) to amend Title 19.04 to allow massage establishments with approval of a Special Use Permit in the C-1 (Limited Commercial), C-2 (General Commercial), C-PB (Planned Business Park), C-M (Commercial Manufacturing) and M (Manufacturing) zoning districts.

B) Pre-Application Meeting

- 08/23/04 Elements of a Special Use Permit were discussed. The applicant was informed that a waiver for the distance separation requirement from a child care business would have to be requested for approval by the Planning Commission and City Council.

SRS

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.41

B) Existing Land Use

Subject Property: Shops and Restaurants
North: Undeveloped
South: Shops
East: Undeveloped
West: Undeveloped

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

This property is located in the Centennial Hills Sector of the General Plan. Its designation is SC (Service Commercial). The existing C-1 (Limited Commercial) zoning is compatible with this land use designation.

SUP-5189 - Staff Report Page Three
October 21, 2004 - Planning Commission Meeting

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

A multi-use transportation trail runs along the east side of Rancho Drive, along the west property line of subject parcel.

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		Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Massage Establishment	3 Massage tables	Two spaces per massage room, table or chair, with a minimum of six spaces	6	1	22	4

There is sufficient parking to accommodate the use.

SRS

SUP-5189 - Staff Report Page Four
October 21, 2004 - Planning Commission Meeting

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Massage Establishment	May not be located within 400 feet of any church, synagogue, school, city park, child care facility, or any parcel zoned for residential use	NO. A child care facility is located 110 feet away NO. 16 residences are located within 400 feet.
	May not be located within 1,000 feet of any other massage establishment	No other massage establishments within 1,000 feet

The proposed Massage Establishment does not meet the 400-foot distance separation requirement from a childcare facility and parcels zoned for residential use. The applicant has requested a waiver from this base condition of the Special Use Permit.

B) General Analysis and Discussion

- **Zoning**

The subject property is zoned C-1 (Limited Commercial). The Massage Establishment use is permitted in this zoning district with approval of a Special Use Permit.

- **Use**

The proposed Massage Establishment will occupy a suite within the Rancho Pines Shopping Center, a one-story retail/office complex. The type of massage that will be practiced will be strictly therapeutic. The business would function similar to a typical medical office. According to the floor plan, 3 rooms will be designed for therapy, with a table in each room.

A waiver from the 400-foot distance separation requirement from a childcare facility and residential parcels is requested by the applicant in conjunction with the Special Use Permit. This waiver is acceptable, since this message practice is medical in nature, and will have no impact whatsoever on surrounding parcels. In addition, the Rancho Pines property is screened from the residential properties by existing block walls and landscaping.

SRS

SUP-5189 - Staff Report Page Five
October 21, 2004 - Planning Commission Meeting

- **Conditions**

Title 19.04.050 lists the following specific base conditions for the approval of a Special Use Permit request for a Massage Establishment:

- (1) The use shall comply with all applicable requirements of LVMC Title 6.
- (2) The use must be located on a secondary thoroughfare or larger.
- (3) The use may not be located within four hundred feet of any church, synagogue, school, City park, childcare facility, or any parcel zoned for residential use.
- (4) The use may not be located within one thousand feet of any other massage establishment.
- (5) The hours of operation shall be limited to the period between eight a.m. and nine p.m., unless further limited by the City Council on a case-by-case basis.

The request needs all the conditions with the exception of number 3.

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 Massage Establishment will be offering a medical service typical of other offices. The use is permitted within the C-1 (Limited Commercial) zoning district with approval of this Special Use Permit. The fact that the proposed Massage Establishment will be located on property that is less than 400 feet from residentially-zoned parcels is mitigated by screening provided by walls on the east property lines.

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

The subject site can easily accommodate the impacts of the proposed Massage Establishment, which are expected to be minimal.

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

The subject site is accessed via the Rancho Drive, an 100-foot wide Primary Arterial as designated on the Master Plan of Streets and Highways. These roadways will be adequate in capacity to meet the expected needs of the proposed Massage Establishment use.

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

The proposed Massage Establishment will be subject to inspections for business licensing and for a Certificate of Occupancy, and will not compromise the public health, safety or welfare.

NOTICES MAILED 126

APPROVALS 0

PROTESTS 0

09/01/2004 23:51 #543 P.014

From:



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5189** APN: 138-02-214-002

Name of Property Owner: RANCHO PINES L.P.

Name of Applicant: Jeff and Kelli Wolf

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: Arzica Lask

ELI SHAANMOON

Subscribed and sworn before me

This 3 day of September, 2004 Personally appeared Eliya Shahmoon,

Notary Public in and for said County and State

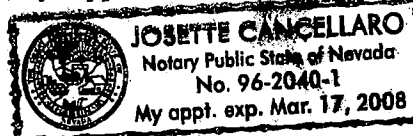
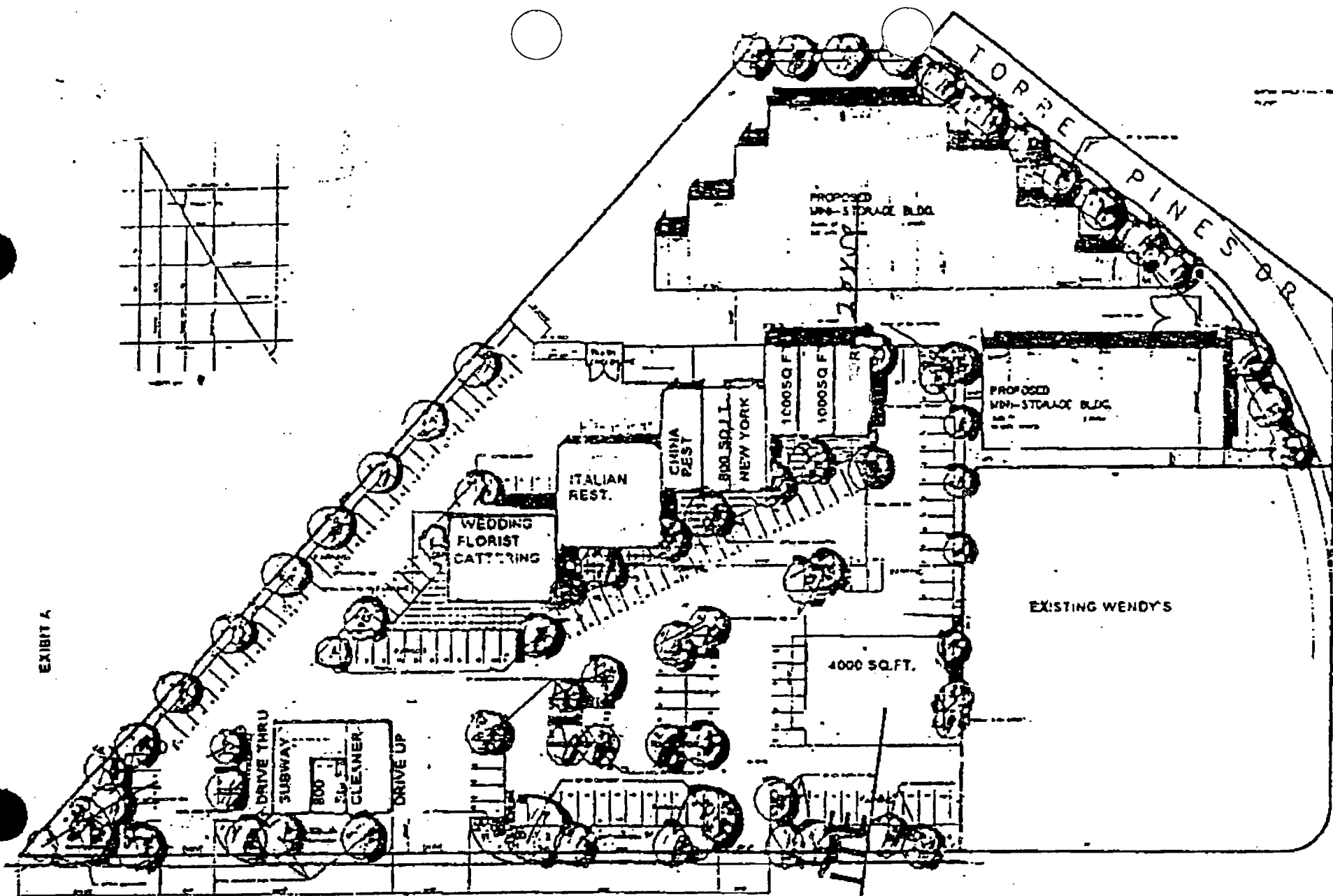


EXHIBIT A



RANCHO DRIVE

PRELIMINARY
LANDSCAPE PLAN 15

DATE	10/21/04
BY	PC
FOR	PC
SCALE	1" = 10'
PROJECT	SUP-5189
OWNER	PC
DESIGNER	PC
DATE	10/21/04
BY	PC
FOR	PC
SCALE	1" = 10'
PROJECT	SUP-5189
OWNER	PC
DESIGNER	PC

SUP-5189
10/21/04 PC

RECEIVED
SEP 07 2004



SUP-5189 - APPLICANT: JEFF & KELLI WOLF - OWNER: RANCHO PINES, LP
4588 NORTH RANCHO DRIVE, SUITE #12
OCTOBER 21, 2004 PLANNING COMMISSION

10/04/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5191 - SPECIAL USE PERMIT RELATED TO SDR-5192 - PUBLIC HEARING -
APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC. - Request for a Special Use Permit FOR A CHILD CARE CENTER TO ACCOMMODATE A MAXIMUM OF 186 CHILDREN adjacent to the southwest corner of Tule Springs Road and Farm Road (a portion of APN 125-16-301-001 and 002), R-E (Residence Estates) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 11/17/04

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:

EVANS – APPROVED subject to conditions– UNANIMOUS

To be heard by the City Council on 11/17/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 70 [SUP-5191] and Item 71 [SDR-5192].

GARY LEOBOLD, Planning and Development Department, reminded the Commissioners that this site had been before the Commission previously as a residential subdivision. The request is now for a childcare center that could accommodate a maximum of 186 children within an 11,000 square foot building. There would be playground areas to the east, south and west. The proposed site plan does meet the maximum lot coverage requirement and the site has been designed for the loading and unloading of children on the site. The parking and landscaping requirements have been met or exceeded.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 70 – SUP-5191

MINUTES – Continued:

GEORGE ROGERS, Architect, 4625 South Polaris Avenue, stated the same operator, Creative Kids, had a similar project four years ago in Summerlin. The site is square shaped and adjacent to residential on the east, north and south sides. It would provide a great buffer across Tule Springs Road. He agreed to all conditions and requested approval.

PATRICK BERGSRUD, 8311 Farm Road, explained he is the adjacent property owner and that he welcomed the project as something needed in the area. Because he spoke against the previous application, he felt it was only right to speak in support of this item that he favored.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 70 [SUP-5191] and Item 71 [SDR-5192].

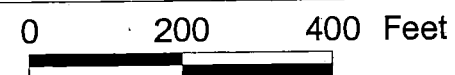
(1:36-1:39)

5-3126

CONDITIONS:

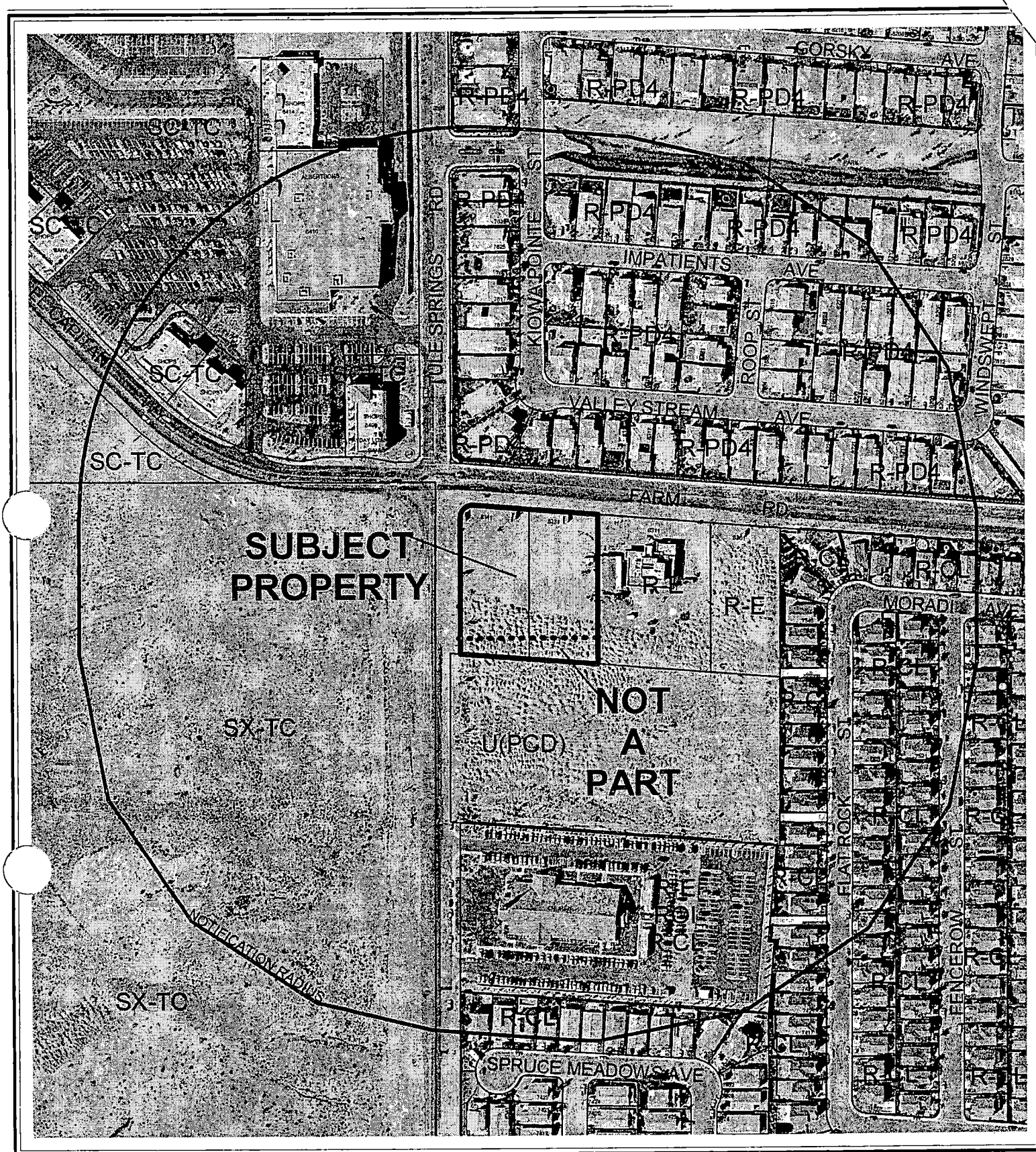
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.040 for Child Care Center (More Than 12 Children) use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5192).
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.



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





CASE: SUP-5191

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5191 - APPLICANT/OWNER: SANDCASTLE
ENTERPRISES, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.040 for Child Care Center (More Than 12 Children) use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5192).
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

The applicant is requesting approval of a Special Use Permit for a Child Care Center to accommodate a maximum of 186 children adjacent to the southeast corner of Tule Springs Road and Farm Road.

B) Applicant's Justification

The applicant justifies this application by stating; "The building should recognize a scale and character that will provide a sensitive transition for the residential property to the south and east as well as a pleasing addition to the residential character of this portion of Tule Springs Road and Farm Road."

BACKGROUND INFORMATION

A) Previous Actions

- 10/07/04 The Planning Commission will consider a Rezoning (ZON-5087) application for the reclassification of property from R-E (Residence Estates) and U (Undeveloped) zone [PCD (Planned Community Development) General Plan designation] to R-PD8 (Residential Planned Development - 8 Units Per Acre) on 6.3 acres adjacent to the southeast corner of Farm Road and Tule Springs Road. This application will impact a portion the subject parcels. Staff recommends approval.
- 10/07/04 The Planning Commission will consider a Site Development Plan Review (SDR-5088) application for a proposed 51-lot single-family development on 6.3 acres adjacent to the southeast corner of Farm Road and Tule Springs Road. This application will impact a portion the subject parcels. Staff recommends approval.
- 10/21/04 The Planning Commission will consider a Sited Development Plan Review for a proposed 11,000 square foot Child Daycare Center located adjacent to the southeast corner of Tule Springs Road and Farm Road. Staff is recommending approval.

SUP-5191 - Staff Report Page Two
October 21, 2004 - Planning Commission Meeting

B) Pre-Application Meeting

08/17/04 A pre-application conference was held resulting in the following comments:

1. The parking requirements shall be one space per staff member plus one space per every ten children.
2. The proposed trash enclosure is to be relocated away from the south property line.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.53 acres

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Residential
South: Undeveloped (Proposed Single Family Residential Subdivision)
East: Single Family Residential
West: Undeveloped

C) Planned Land Use

Subject Property: PCD (Planned Community Development)
North: L (Low Density Residential)
South: PCD (Planned Community Development)
East: PCD (Planned Community Development)
West: TC (Town Center)

D) Existing Zoning

Subject Property: R-E (Residential Estates)
North: R-PD4 (Residential Planned Development - 4 Units Per Acre)
South: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
East: R-E (Residence Estates)
West: T-C (Town Center)

SUP-5191 - Staff Report Page Three
October 21, 2004 - Planning Commission Meeting

E) General Plan Compliance

The subject site is designated PCD (Planned Community Development) within the Centennial Hills Sector of the General Plan. The Planned Community Development category allows for a mix of residential uses (single-family detached, single-family attached, condominiums, apartments, townhouses, etc.) provided the overall density does not exceed eight dwelling units per gross acre. Compatibility with adjacent development is also a factor in determining appropriate density. In addition, limited commercial, public facility and office uses may be incorporated as part of an overall master plan. The subject site is currently within a R-E (Residence Estates) zoning district. The current zoning is in conformance with the PCD (Planned Community Development) General Plan designation. The proposed commercial use is permitted within an R-E (Residence Estates) zoning district by means of an approved Special Use Permit.

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

There are no special plans or overlays that affect the subject site.

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
Child Care Center (More Than 12 Children)	11,000 SF.	1 Space / Staff Member plus 1 space / 10 students	34	2	43	2

The proposed development exceeds the required amount of parking set forth by Title 19.10.

PL

SUP-5191 - Staff Report Page Four
October 21, 2004 - Planning Commission Meeting

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Child Care Center (More Than 12 Children) use.

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

Standards	Code Requirement	Provided
Trash Enclosure	No	Yes

The proposed development includes a trash enclosure. The subject trash enclosure meets the required distance separation from residential uses to the north, east and south.

B) General Analysis and Discussion

• Zoning

The subject parcels are zoned R-E (Residence Estates). A Child Care Center is a permitted use within the R-E (Residence Estates) zoning classification with the approval of a Special Use Permit, as is the case for all residential zones where this use is permitted.

• Use

A Child Care Center is any commercial facility in which day or overnight care is provided for more than 12 children. The applicant's justification letter indicates that the proposed Child Care Center will serve a maximum of 186 children. The applicant has not indicated the hours of operation.

The Child Care Center is to be located within a proposed 11,000 square foot building in the southeast portion of the site. Playground areas are proposed to the east, south and west of the proposed building. The site meets current parking code standards.

• Conditions

Pursuant to Title 19.04 the following base conditions shall apply:

- (1) Access to the child care center shall be by means of a collector street or larger.
- (2) The maximum lot coverage shall not exceed thirty percent.
- (3) The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site. The layout of driveways, circulation patterns and parking shall be approved by the City Traffic Engineer prior to the issuance of any building permits.

SUP-5191 - Staff Report Page Five
October 21, 2004 - Planning Commission Meeting

- (4) Where structures or play areas have residential adjacency:
- (a) An eight-foot high block wall shall be installed along the common property line, with an additional buffer of evergreen trees along the play area. The trees shall be a minimum of twenty-four inch box and shall be installed at a minimum of twenty feet on center and shall be a variety that will grow together to form a visual screen.
 - (b) The building entrance and access shall be oriented away from residential uses on local streets.
 - (c) Outdoor play shall be limited to daylight hours.
 - (d) Outdoor lighting shall be designed so as to not shine directly onto any abutting residential property.
- (5) The use is subject to the childcare regulations and standards of the Department of Finance and Business Services.

The proposed Child Care Center appears to be in conformance with the before mentioned conditions.

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 Child Care center will be an appropriate use adjacent to other community uses and nearby to single-family and multi-family residential uses, with sufficient landscaping and visual buffering incorporated in the design. Additionally, the use can be conducted in a harmonious and compatible manor with the surrounding community.

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

The proposed site is designed to facilitate the demands of a Child Care Center use. The play areas are significantly screened from adjacent properties.

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

The overall site is bounded by Tule Springs Road, designated as Frontage (80-foot) Street on the Master Plan of Streets and Highways, to the west and by Farm Road, designated Secondary (80-foot) Collector on the Master Plan of Streets and Highway, to the north. Primary access to the site will be from both Tule Springs Road and Farm Road. These streets will be adequate to provide access to the subject site for the intensity of development that will be allowed on this site.

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

The proposed Child Care Center will be subject to inspections for building and licensing, which will ensure that the public health, safety and general welfare will be safeguarded.

NOTICES MAILED 146 [Mailed with SDR-5192]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5191** APN: 125-16-301 (001 & 002)

Name of Property Owner: Sandcastle Enterprises, Inc.

Name of Applicant: Carol Levins

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: _____

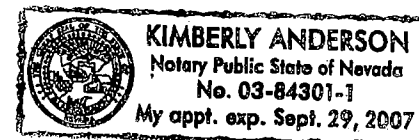
Signature of Property Owner/Authorized Agent: Carol Levins

Print Name: CAROL LEVINS

Subscribed and sworn before me

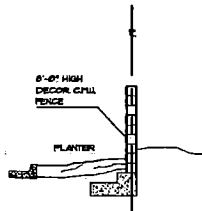
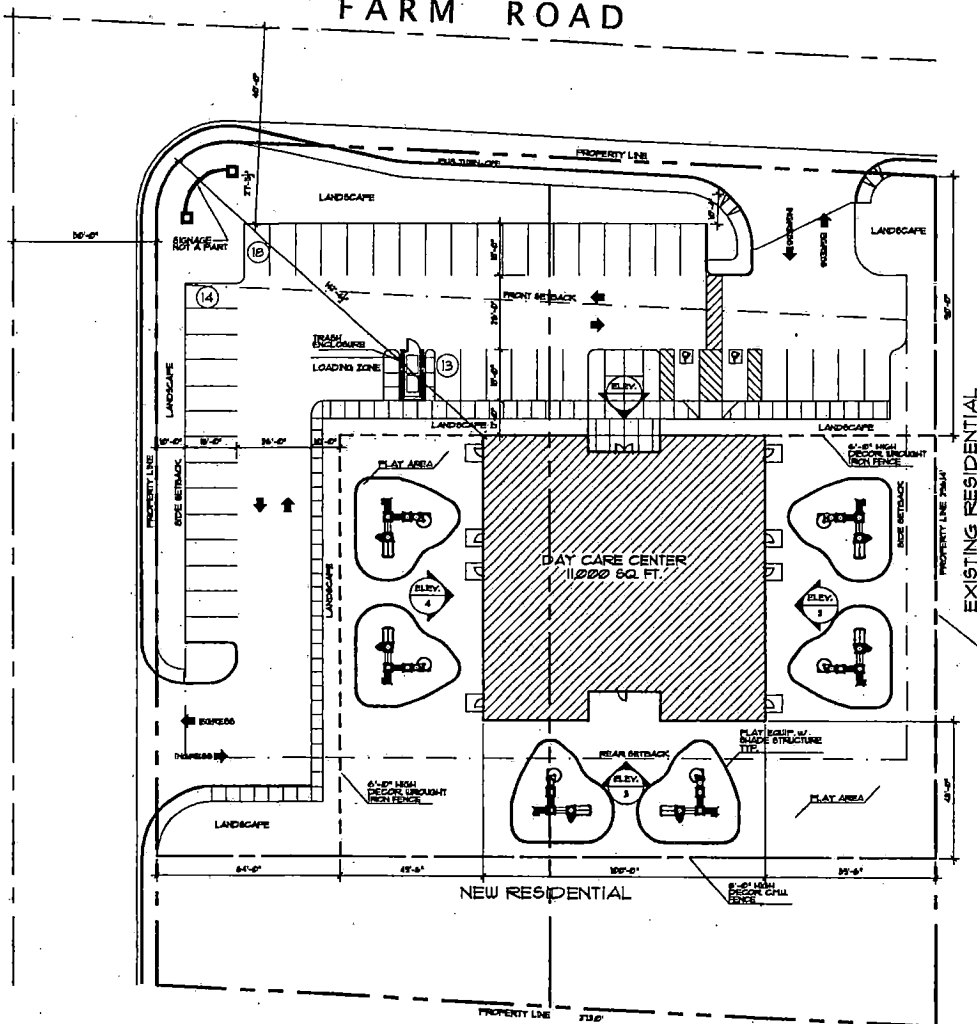
This 2nd day of September, 2004

Kimberly Anderson Clark, NV
Notary Public in and for said County and State

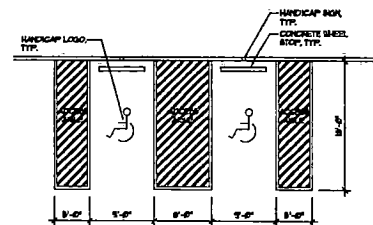


TULE SPRINGS ROAD

FARM ROAD

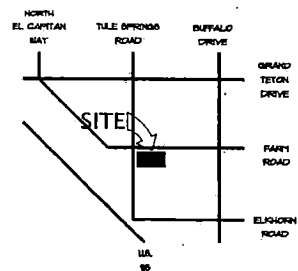


WALL DETAIL
SCALE: 1/4" = 1'-0"



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

PROJECT DATA (CITY OF LAS VEGAS)		
PROPERTY ADDRESS:	850 TULE SPRINGS & FARM LAS VEGAS, NV 89101	
JURISDICTIONAL AGENCY:	LAS VEGAS (TITLE 15)	
CURRENT ZONING:	R-E (RURAL ESTATES)	
DESIRED ZONING:	R-E (RURAL ESTATES)	
BLDG. SETBACKS	FRONT	MIN. DIST. REQ'D.
	SIDE	PROVIDED
	STREET CORNER	PROVIDED
	REAR	PROVIDED
ADJACENT PARCEL NO.:	15-16-301-001, 002	
LEGAL DESCRIPTION:	0.0000	
NET SITE AREA:	66,645 SF (1.53 ACRES)	
BUILDING HEIGHT:	ALLOWABLE	PROVIDED
	2 STORIES/ 30'-0"	30'-0"
AREA SUMMARY		
NEW BLDG.:	DAY CARE CENTER (1,000 SF)	
TOTAL USED SF (GFA):		
ON SITE PARKING		
PARKING REQUIRED:	30	CH. 100 TABLE 1
150 STUDENTS & 10 STAFF	150 STUDENTS & 10 STAFF	
HANDICAP PARKING:	2	CH. 100 TABLE 2
PARKING PROVIDED:	2	
TOTAL PARKING PROVIDED:	40	
REGULAR SPACE	9'-0" x 30'-0"	
ACCESSIBLE SPACE (VAN)	12'-0" x 30'-0" (11'-0" x 30'-0")	



VICINITY MAP
SCALE: N.T.S.

GMRIA
George M. Rogers, Architect
Architecture & Interiors
4625 S. Polaris Avenue
Suite 216
Las Vegas, Nevada 89103
(702) 894-5027
Fax (702) 894-5028
www.gmrarchitect.com

DATE: 07 SEPTEMBER 2004
JOB NO.: 04-323

SITE PLAN
SCALE: 1"=20"

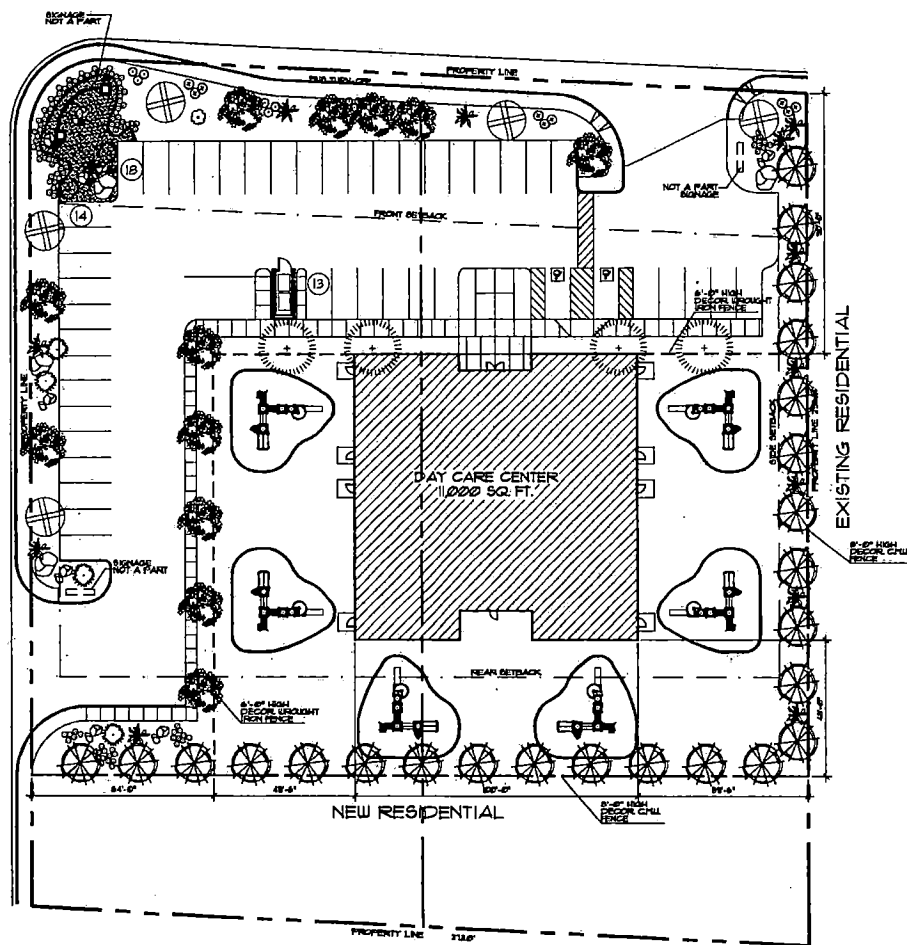


**TULE SPRINGS & FARM ROAD
LAS VEGAS, NEVADA**

RECEIVED **SUP-5191**
SEP 07 2004 **10/21/04 PC**

TULE SPRINGS ROAD

FARM ROAD

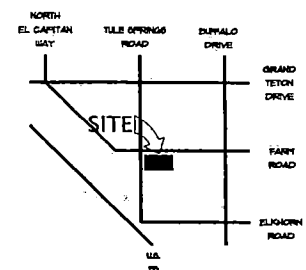


LANDSCAPE PLAN

SCALE: 1"=20'

TULE SPRINGS & FARM ROAD
LAS VEGAS, NEVADA

PLANT MATERIALS SCHEDULE			
TREES/PALMS			
COMMON NAME	BOTANICAL NAME	SIZE	QUANTITY
BLUE PALO VERDE	GERANIUM FLORIDUM	24" BOX	23
THORNTLESS GLEDITSIA	PROSOPIS JULIFLORA	24" BOX	21
MEDITERRANEAN FAN PALM	CHAMPAEROPS HUMILIS	6" BTH	6
MEXICAN FAN PALM	WASHINGTONIA ROBERTA	10" BTH	10
MODEL PINE	PNUS ELDERICA	24" BOX	34
SUGGESTIVE SHRUBS/GROUNDCOVERS			
COMMON NAME	BOTANICAL NAME	SIZE	QUANTITY
FEATHERED CAMELLIA	EDNA ANTERIORIDES	1 GAL	AS SHOWN
MEXICAN BIRD OF PARADISE	CAESALPINA PULCHERRIMA	5 GAL	AS SHOWN
RED YUCCA	HEMIPALMIS PARVIFOLIA	1 GAL	AS SHOWN
COCOTELLO	FOUQUIERA SPLENDENS	10 GAL	AS SHOWN
GREEN CLOUD TEXAS RANGER	LEUCOPHYLLUM F.	5 GAL	AS SHOWN
TRAILING LANTANA	LANTANA MONTEVIDENSIS	5 GAL	AS SHOWN
MISC.			
LARGE ROCK/BORDER	MOUNTAIN GOLD 2' X 4' MIN. (600-100 PLY)		
GRAVEL MULCH	MOUNTAIN GOLD 3/4" MIN. NO FINES		



VICINITY MAP

SCALE: N.T.S.

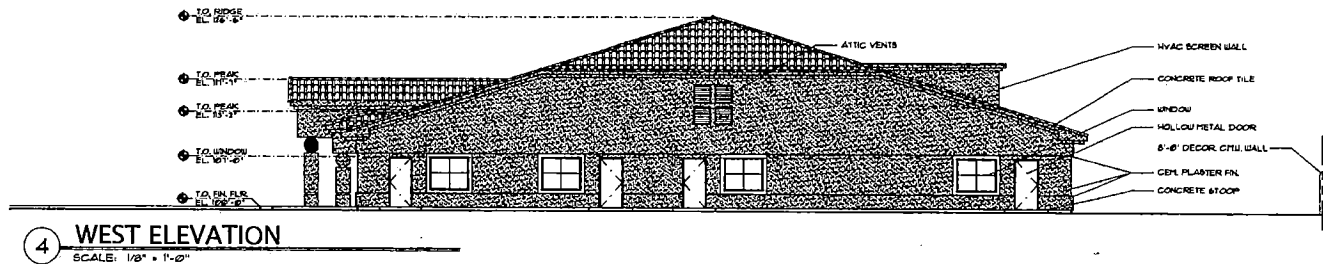
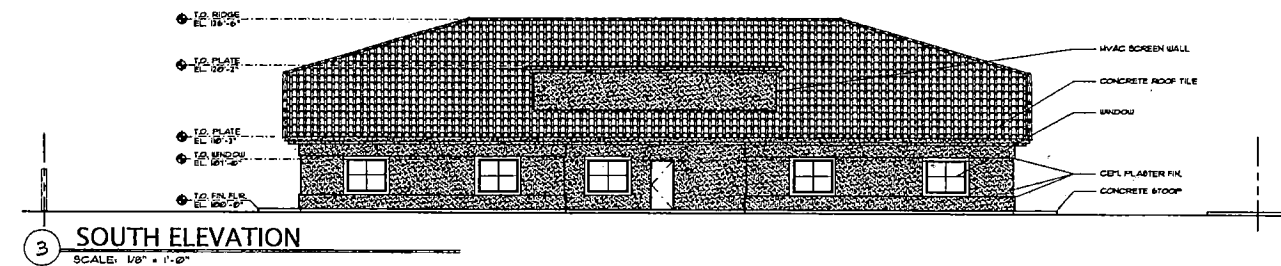
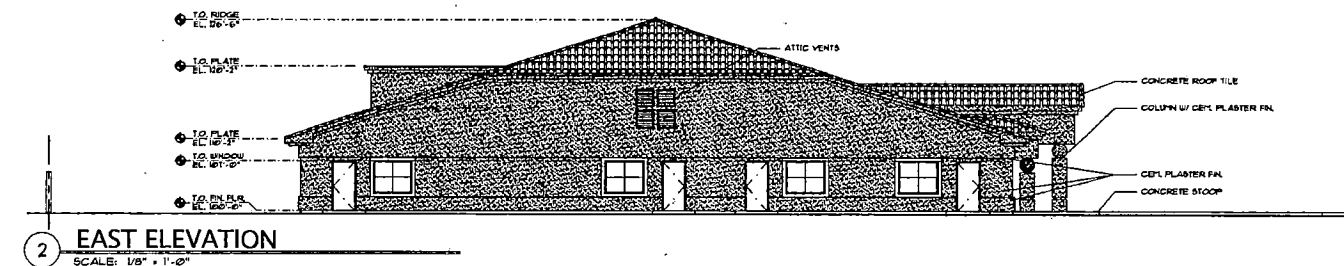
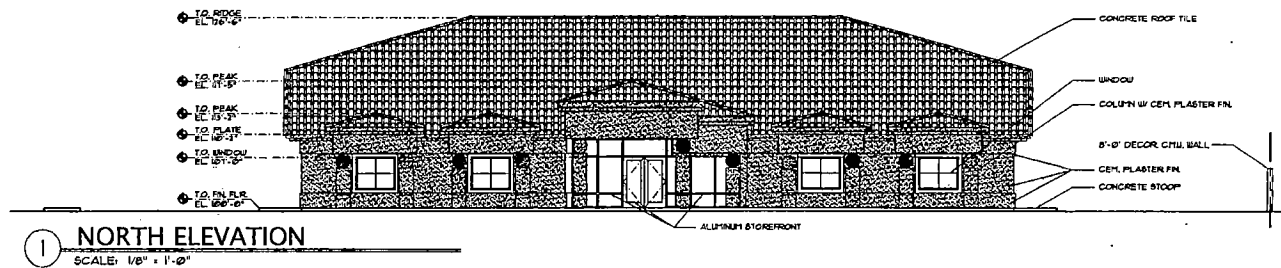
SUP-5191
10/21/04 PC

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TULE SPRINGS & FARM ROAD
LAS VEGAS, NEVADA

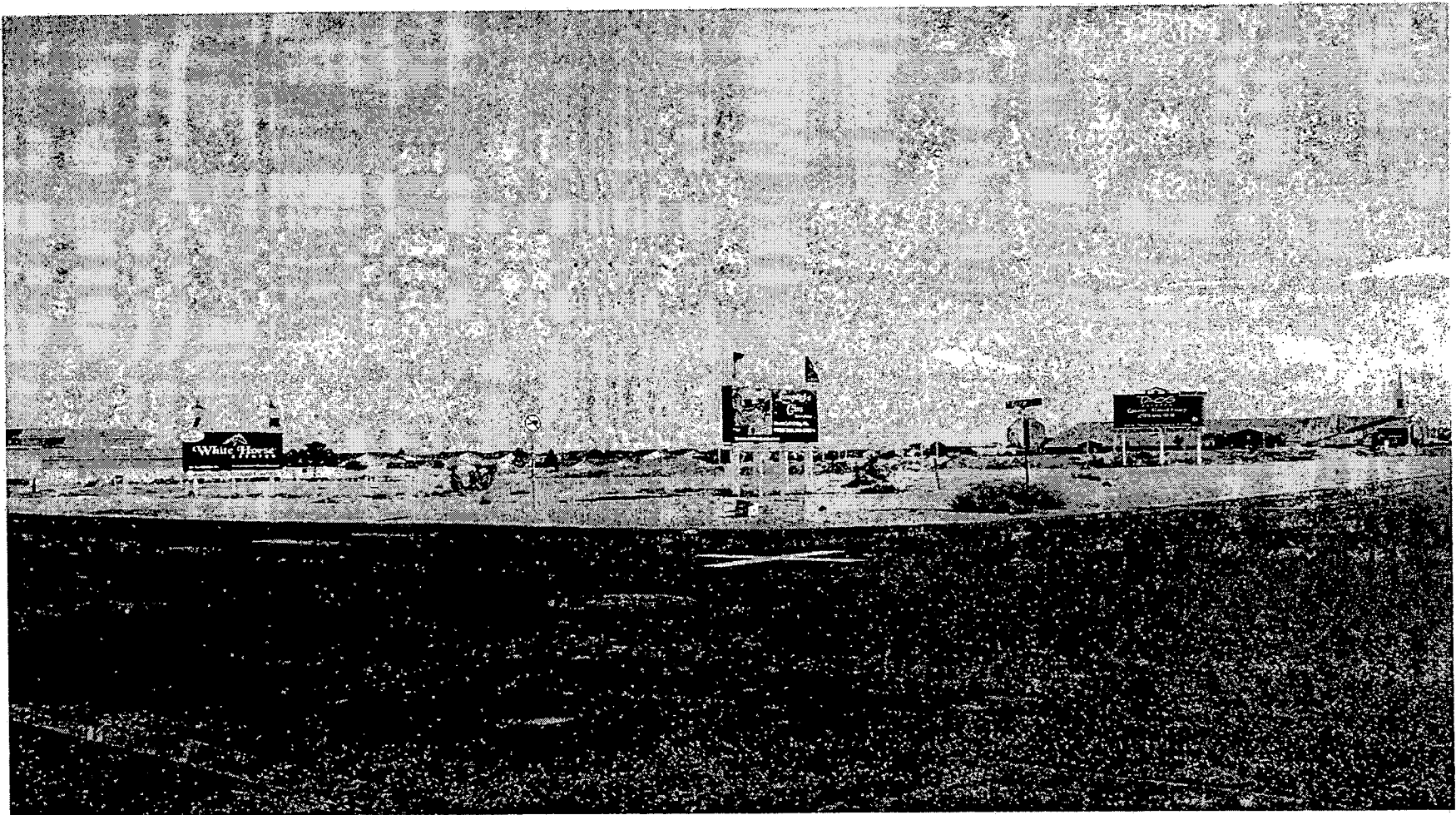
SUP-5191
10/21/04 PC

RECEIVED
SEP 07 2004



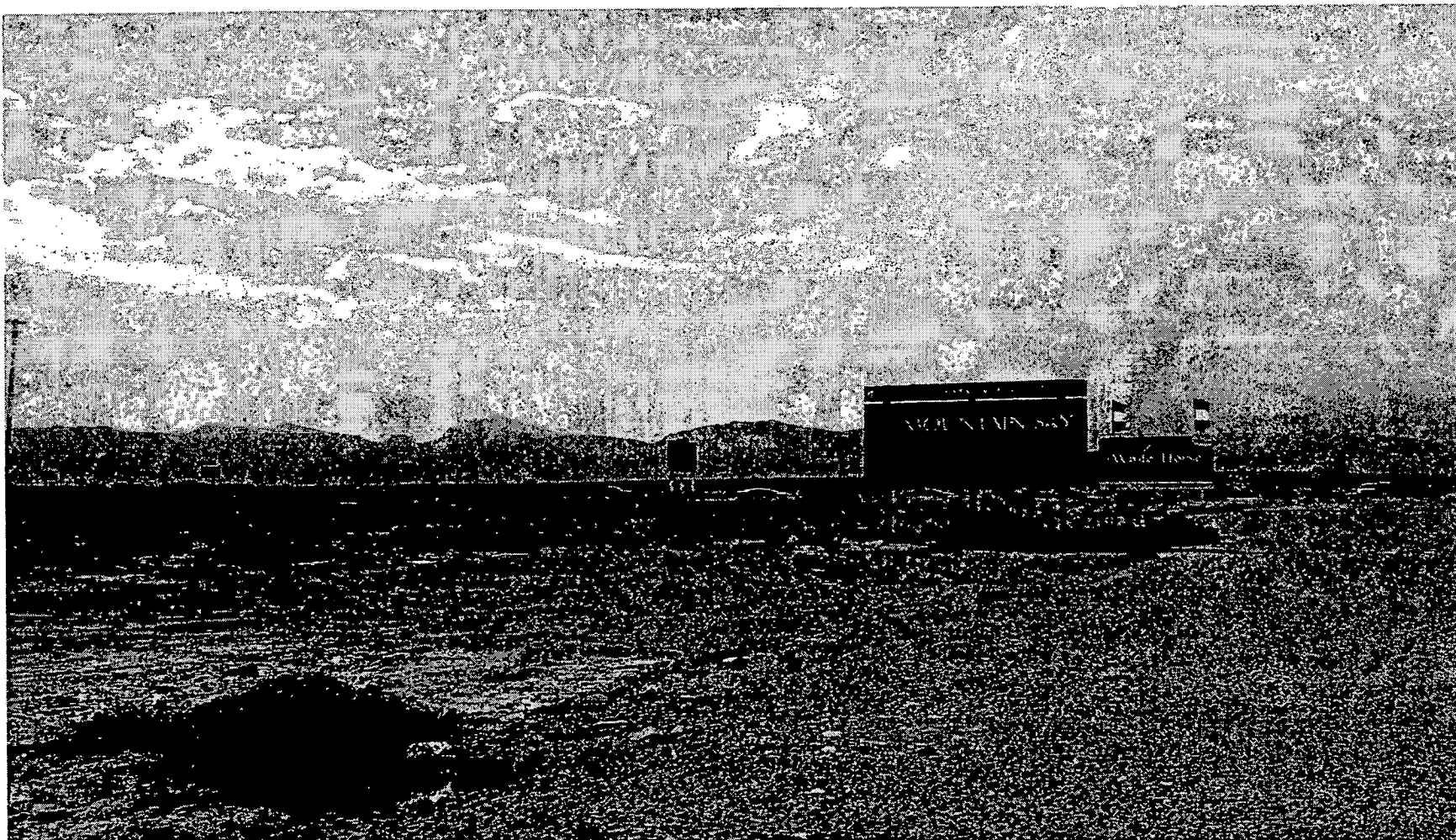
SUP-5191 - APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC.
SOUTHWEST CORNER OF TULE SPRINGS ROAD AND FARM ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/01/04



SUP-5191 - APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC.
SOUTHWEST CORNER OF TULE SPRINGS ROAD AND FARM ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/01/04



SUP-5191 - APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC.
SOUTHWEST CORNER OF TULE SPRINGS ROAD AND FARM ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/01/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-5192 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5191 - PUBLIC HEARING - APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC. - Request for a Site Development Plan Review FOR A CHILD CARE CENTER on 1.53 acres adjacent to the southwest corner of Tule Springs Road and Farm Road (a portion of APN 125-16-301-001 and 002), R-E (Residence Estates) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 11/17/04

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:

EVANS – APPROVED subject to conditions– UNANIMOUS

To be heard by the City Council on 11/17/2004

MINUTES:

See Item 70 [SUP-5191] for related discussion on Item 70 [SUP-5191] and Item 71 [SDR-5192].
(1:36-1:39)

5-3126

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 September 7, 2004, except as amended by conditions herein.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 71 – SDR-5192

CONDITIONS – Continued:

3. A Reversionary Parcel Map must be submitted and approved prior to the issuance of any building permits.
4. 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.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 71 – SDR-5192

CONDITIONS – Continued:

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

Public Works

14. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the southeast corner of Tule Springs Road and Farm Road prior to the issuance of any permits.

15. Coordinate with the City Surveyor to determine whether a Merger and Re-subdivision Map or other map is necessary. Comply with the recommendations of the City Surveyor.

16. Construct half-street improvements including appropriate overpaving on Tule Springs Road and Farm Road 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.

17. Landscape and maintain all unimproved rights-of-way on Tule Springs Road and Farm Road adjacent to this site.

18. Submit an Encroachment Agreement for all landscaping and private improvements located in the Tule Springs Road and Farm Road public rights-of-way adjacent to this site prior to occupancy of this site.

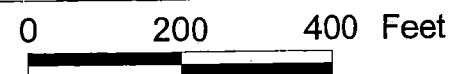
19. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The 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

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 71 – SDR-5192

CONDITIONS – Continued:

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.

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



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



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5192 - APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC.

**** 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 September 7, 2004, except as amended by conditions herein.
3. A Reversionary Parcel Map must be submitted and approved prior to the issuance of any building permits.
4. 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.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

SDR-5192 - Conditions Page Two
October 21, 2004 - Planning Commission Meeting

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the southeast corner of Tule Springs Road and Farm Road prior to the issuance of any permits.
15. Coordinate with the City Surveyor to determine whether a Merger and Re-subdivision Map or other map is necessary. Comply with the recommendations of the City Surveyor.
16. Construct half-street improvements including appropriate overpaving on Tule Springs Road and Farm Road 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.
17. Landscape and maintain all unimproved rights-of-way on Tule Springs Road and Farm Road adjacent to this site.
18. Submit an Encroachment Agreement for all landscaping and private improvements located in the Tule Springs Road and Farm Road public rights-of-way adjacent to this site prior to occupancy of this site.
19. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. 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

SDR-5192 - Conditions Page Three
October 21, 2004 - Planning Commission Meeting

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.

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Site Development Plan Review for a proposed 11,000 square foot Child Daycare Center located adjacent to the southeast corner of Tule Springs Road and Farm Road.

B) Applicant's Justification

The applicant justifies this application by stating; "The building should recognize a scale and character that will provide a sensitive transition for the residential property to the south and east as well as a pleasing addition to the residential character of this portion of Tule Springs Road and Farm Road."

BACKGROUND INFORMATION

A) Previous Actions

- 10/07/04 The Planning Commission will consider a Rezoning (ZON-5087) application for the reclassification of property from R-E (Residence Estates) and U (Undeveloped) zone [PCD (Planned Community Development) General Plan designation] to R-PD8 (Residential Planned Development - 8 Units Per Acre) on 6.3 acres adjacent to the southeast corner of Farm Road and Tule Springs Road. This application will impact a portion the subject parcels. Staff recommends approval.
- 10/07/04 The Planning Commission will consider a Site Development Plan Review (SDR-5088) application for a proposed 51-lot single-family development on 6.3 acres adjacent to the southeast corner of Farm Road and Tule Springs Road. This application will impact a portion the subject parcels. Staff recommends approval.
- 10/21/04 The Planning Commission will consider a Special Use Permit for a Child Care Center to accommodate a maximum of 186 children adjacent to the southeast corner of Tule Springs Road and Farm Road. Staff is recommending approval.

SDR-5192 - Staff Report Page Two
October 21, 2004 - Planning Commission Meeting

B) Pre-Application Meeting

08/17/04 A pre-application conference was held resulting in the following comments:

1. The parking requirements shall be one space per staff member plus one space per every ten children.
2. The proposed trash enclosure is to be relocated away from the south property line.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.53 acres

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Residential Subdivision
South: Undeveloped (Proposed Single Family Residential Subdivision)
East: Single Family Residence
West: Undeveloped

C) Planned Land Use

Subject Property: PCD (Planned Community Development)
North: L (Low Density Residential)
South: PCD (Planned Community Development)
East: PCD (Planned Community Development)
West: TC (Town Center)

D) Existing Zoning

Subject Property: R-E (Residential Estates)
North: R-PD4 (Residential Planned Development - 4 Units Per Acre)
South: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
East: R-E (Residential Estates)
West: T-C (Town Center)

E) General Plan Compliance

The subject site is designated PCD (Planned Community Development) within the Centennial Hills Sector of the General Plan. The Planned Community Development category allows for a mix of residential uses (single family detached, single-family attached, condominiums, apartments, townhouses, etc.) provided the overall density does not exceed eight dwelling units per gross acre. Compatibility with adjacent development is also a factor in determining appropriate density. In addition, limited commercial, public facility and office uses may be incorporated as part of an overall master plan. The subject site is currently within a R-E (Residence Estates) zoning district. The current zoning is in conformance with the PCD (Planned Community Development) General Plan designation. The proposed commercial use is permitted within an R-E (Residence Estates) zoning district by means of an approved Special Use Permit.

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

There are no special plans or overlays that affect the subject site.

PROJECT DESCRIPTION

The proposed development consists of an 11,000 square foot, one-story structure that will facilitate a Child Care Center for the area. The building is situated towards the innermost portion of the site, to allow for parking to be located in the front of the building. The floor plan depicts eight classrooms, a central lobby and reception area, as well as kitchen and other ancillary facilities. The structure is slightly over 26 feet in height, and is constructed of reinforced concrete masonry with concrete roof tile. Columns with cement plaster finish adorn the building elevations facing the right-of-way. Six play areas skirt the west, south, and east sides of the proposed building. A parking area to north and West of the building consists of 43 regular parking spaces, including two van accessible handicap parking spaces and a drop-off area. The parking area is accessed by a two-way drive from Tule Springs Road to the west and Farm Road to the north.

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	20,000 Feet	1.53 Acres	Yes
Min. Lot Width	100 Feet	238 Feet	Yes
Min. Setbacks			
• Front	50 Feet	96 Feet	Yes
• Side	10 Feet	60 Feet	Yes
• Corner			
• Rear	15 Feet	113 Feet	Yes
	35 Feet	48 Feet	Yes
Max. Lot Coverage	30%*	17%	Yes
Max. Building Height	2 Stories / 35 Feet	26 ½ Feet	Yes
Trash Enclosure	Yes	Yes	Yes
Loading Zone	Yes*	Yes	Yes

*Pursuant to Title 19.04 a Child Care Center for more than 12 children must not exceed a maximum lot coverage of 30%. Additionally, the site shall be designed so that all discharging or loading of children from a vehicle is accomplished on the site.

The proposed site conforms to the development standards set forth by Title 19.08.

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Child Care Center (More Than 12 Children)	11,000 SF.	1 Space / Staff Member plus 1 space / 10 students	34	2	43	2

The proposed development exceeds the required amount of parking set forth by Title 19.10.

SDR-5192 - Staff Report Page Five
October 21, 2004 - Planning Commission Meeting

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/ 6 Space	6 Trees	20 Trees
Buffer:	1 Tree/20 Linear Feet	26 Trees	45 Trees
• Min. Trees			
• Min. Zone Width			
• Front	15 Feet		15 Feet
• Side	8 Feet		8 Feet
• Wall height	8 Feet		8 Feet

The site consists of 24 Mondel Pines along the south and east property lines, which buffer the designated play areas from adjacent properties. An additional 21 trees line the building as well as the west and north property lines. A 15-foot landscape buffer exists along the Tule Springs Road frontage. An 8-foot perimeter wall is proposed along the south and east common property lines.

A5) Sign Standards

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

Institutional Sign: [Freestanding]

Standards	Allowed	Provided
Maximum Number	1 / Street frontage 2 total	2 / Street frontage 3 total
Maximum Area	50 SF /sign	Not Available
Maximum Height	8 Feet	NA
Minimum Setback	5 Feet	NA
Illumination	Direct/Internal	NA

The site plan calls out that the depicted signage is not a part of this site plan. However, what has been indicated is the presence of three distinct locations of signage. Title 19.14 allows one institutional (detached) sign per street frontage. The site plan illustrates one facing Tule Springs Road, one towards Farm Road, and a large planter with signage located on the corner of Tule Springs Road and Farm Road. Approval of this Site Development Plan Review does not grant approval of any indicated signage; due to all signage being reviewed the Planning Department when sign permits are applied for.

B) General Analysis and Discussion

- Zoning

A childcare center is a permitted use in the R-E (Residence Estates) zone upon approval of a Special Use Permit. Five standard conditions apply to the proposed business operation.

- Site Plan

The site plan depicts an orderly arrangement of the project, including the proposed building, recreation areas, parking, loading areas, vehicle driveways and access points.

- Waivers

There are no waiver requests associated with this application.

- Landscape Plan

The proposed landscaping, which includes 45 trees and associated shrubs and groundcover planted around the building, the parking area, the play area and along Tule Springs Road and Farm Road, appears to be appropriate for the site.

- Elevation

The submitted building elevations provide interest and variety as well as a sense of continuity.

- Floor Plan

The submitted building floor plan illustrates a continual flow from the central lobby and reception area to the rest 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 Child Care center will be an appropriate use adjacent to other community uses and nearby to single-family and multi-family residential uses, with sufficient landscaping and visual buffering incorporated in the design.

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 project will be consistent with Title 19 and applicable City plans, policies and standards with implementation of the conditions as contained in this report.

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

The overall site is bounded by Tule Springs Road, designated as Frontage (80-foot) Street on the Master Plan of Streets and Highways, to the west and by Farm Road, designated Secondary (80-foot) Collector on the Master Plan of Streets and Highway, to the north. Primary access to the site will be from both Tule Springs Road and Farm Road. These streets will be adequate to provide access to the subject site for the intensity of development that will be allowed on this site.

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

The proposed development will be appropriate for the City, in terms of the facility layout, buildings, and vehicular and pedestrian circulation. The proposed site layout demonstrates an effective arrangement of amenities that will create a harmonious facility.

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 provide interest and variety as well as a sense of continuity.

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

The proposed Child Care Center development will be subject to inspections for Certificate of Occupancy, and therefore the development will not compromise the public health, safety or welfare.

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October 21, 2004 - Planning Commission Meeting

NOTICES MAILED 146 [Mailed with SUP-5191]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5192** APN: 125-16-301 (001 & 002)

Name of Property Owner: Sandcastle Enterprises, Inc.

Name of Applicant: Carol Levins

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: _____

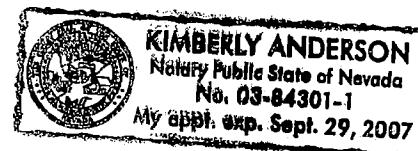
Signature of Property Owner/Authorized Agent: Carol Levins

Print Name: CAROL LEVINS

Subscribed and sworn before me

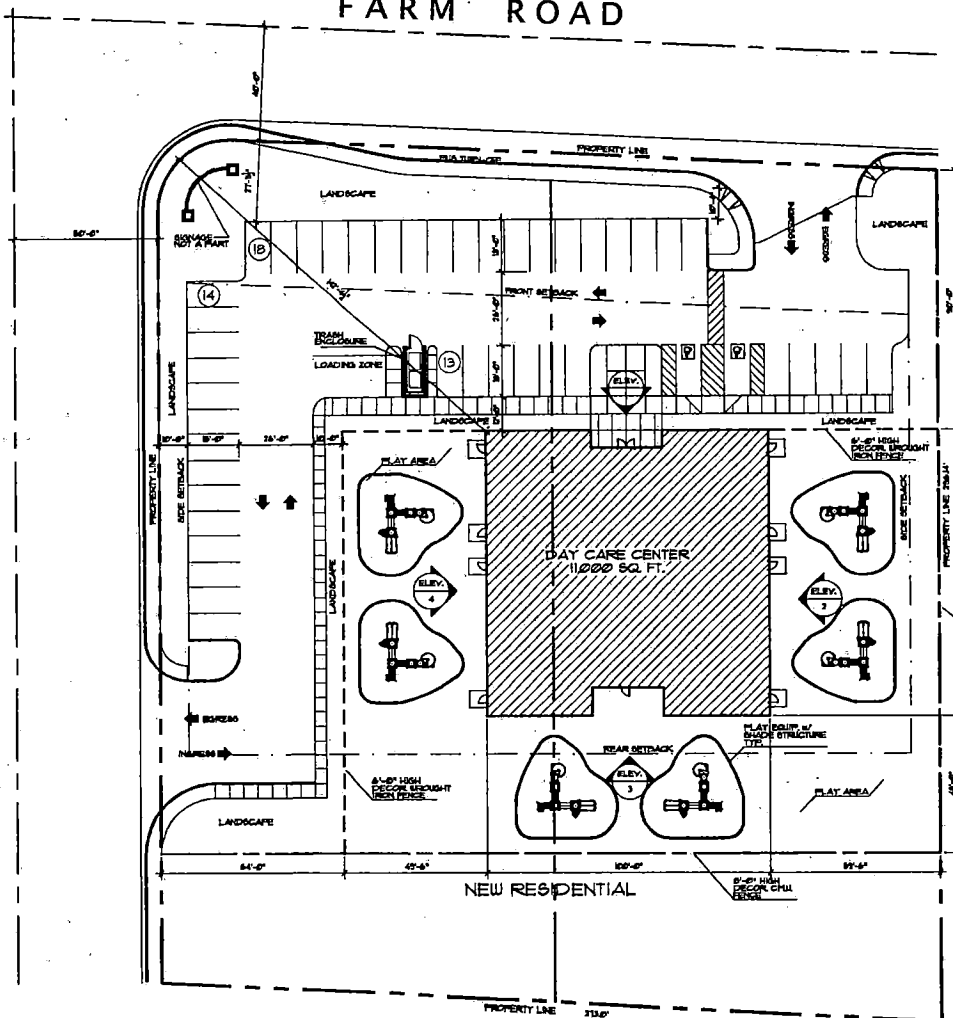
This 2nd day of September, 2004

Kimberly Anderson Clark, NV
Notary Public in and for said County and State



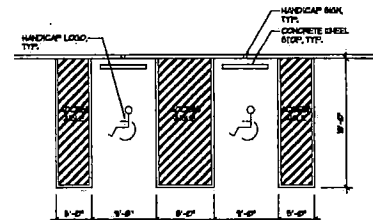
TULE SPRINGS ROAD

FARM ROAD



WALL DETAIL

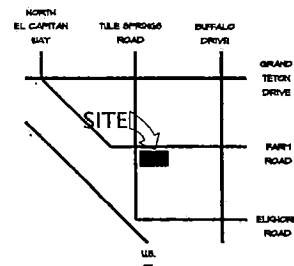
SCALE: 1/4" = 1'-0"



PARKING DETAIL

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

PROJECT DATA (CITY OF LAS VEGAS)			
PROPERTY ADDRESS:	800 TULE SPRINGS 1 PART LAS VEGAS, NV 89103		
JURISDICTIONAL AGENCY:	LAS VEGAS (TITLE 7)		
CURRENT ZONING:	R-E (RURAL ESTATES)		
DESIRED ZONING:	R-E (RURAL ESTATES)		
BLDG. SETBACKS	FRONT	MIN. DIST. REQ'D.	PROVIDED
	30'-0"	30'-0"	(1)
	SIDE	30'-0"	(2)
	REAR	30'-0"	(3)
ANNEAUX'S PARCEL NO.: 03-16-301 (EOL 067)			
LEGAL DESCRIPTION: 0000			
NET SITE AREA: 66,666 SF (1.53 ACRES)			
BUILDING HEIGHT: ALLOWABLE 2 STOREY/30'-0"			
AREA SUMMARY			
NEW BLDG. DAY CARE CENTER 11,000 SF.			
TOTAL TUBES IN (GPA)			
ON SITE PARKING			
PARKING REQUIRED: 36 CH. 180 TABLE 1			
VSP STUDENTS + STAFF 100 STUDENTS + STAFF			
HANDICAP PARKING			
PARKING REQUIRED: 2 CH. 180 TABLE 2			
PARKING PROVIDED: 3			
TOTAL PARKING PROVIDED: 48			
REGULAR SPACE 11'-0" x 18'-0"			
ACCESSIBLE SPACE (VAN) 13'-0" x 18'-0" (11'-0" x 18'-0")			



VICINITY MAP

SCALE: N.T.S.



DATE: 07 SEPTEMBER 2004
JOB NO.: 04-323

4635 S. Polaris Avenue
Suite 216
Las Vegas, Nevada 89103
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Fax (702) 894-5026
www.gmrarchitect.com

SITE PLAN

SCALE: 1" = 20'

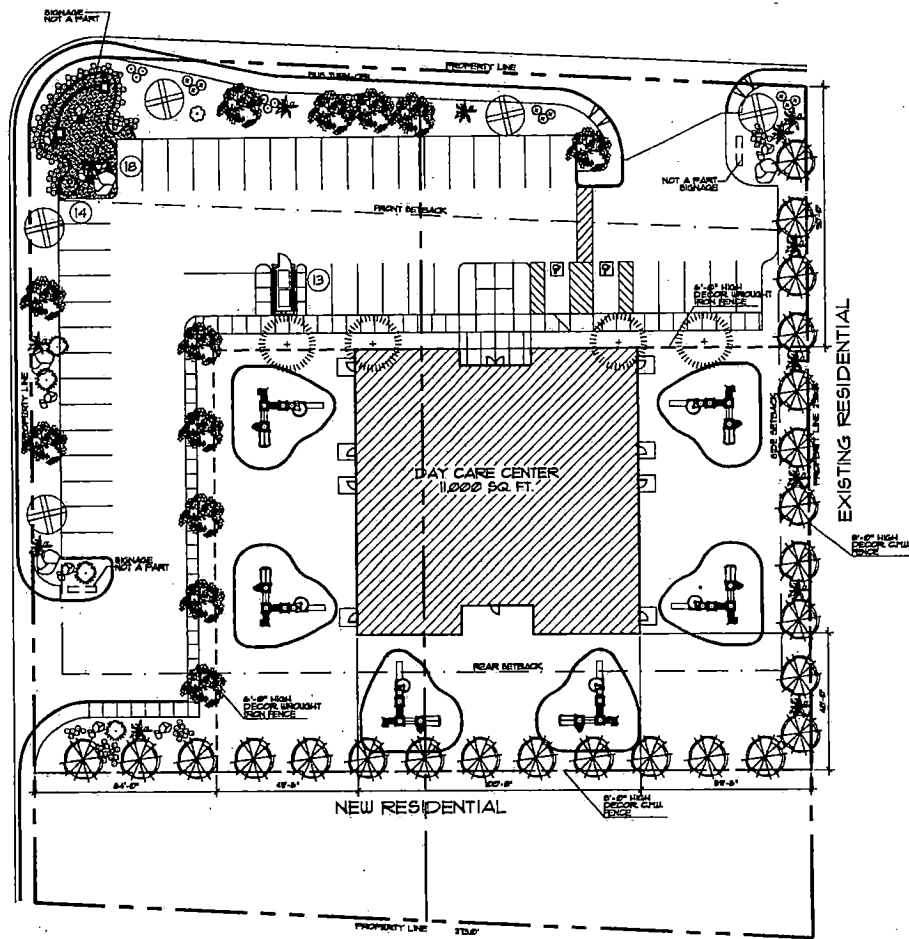


TULE SPRINGS & FARM ROAD
LAS VEGAS, NEVADA

RECEIVED **SDR-5192**
SEP 07 2004 **10/21/04 PC**

TULE SPRINGS ROAD

FARM ROAD



LANDSCAPE PLAN

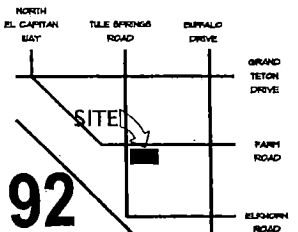
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TULE SPRINGS & FARM ROAD
LAS VEGAS, NEVADA



SDR-5192
10/21/04 PC

VICINITY MAP
SCALE: N.T.S.



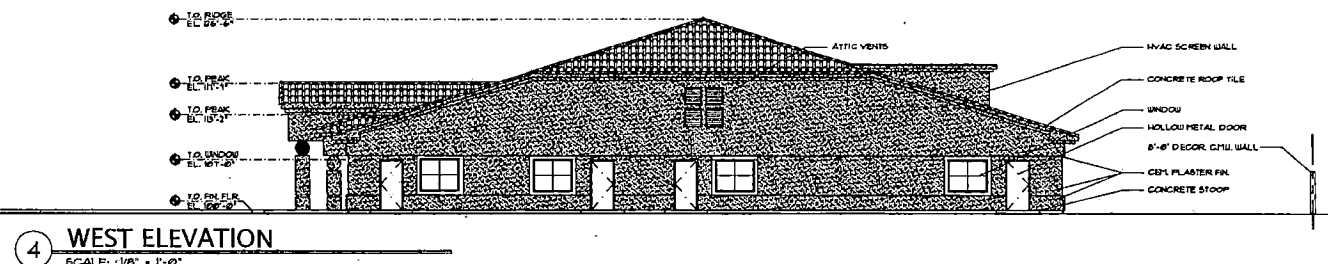
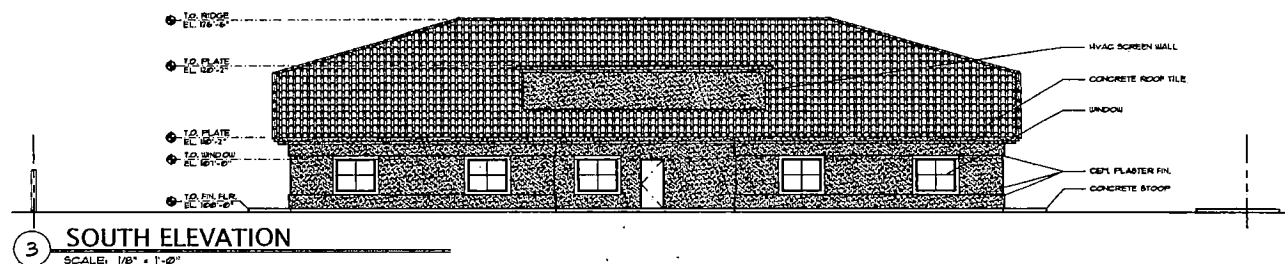
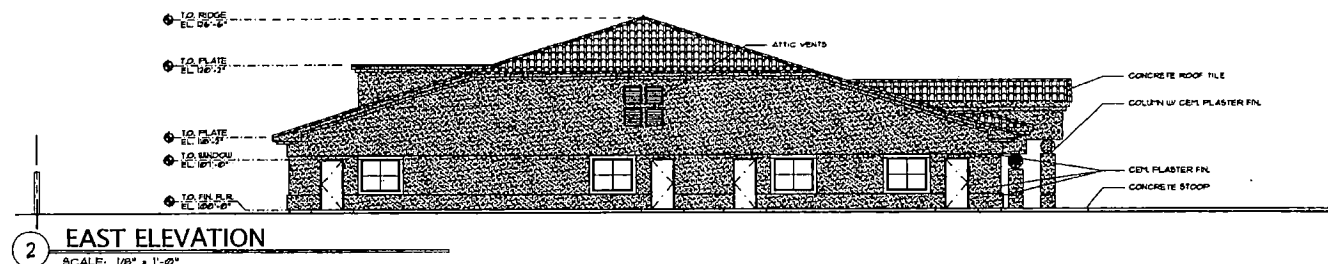
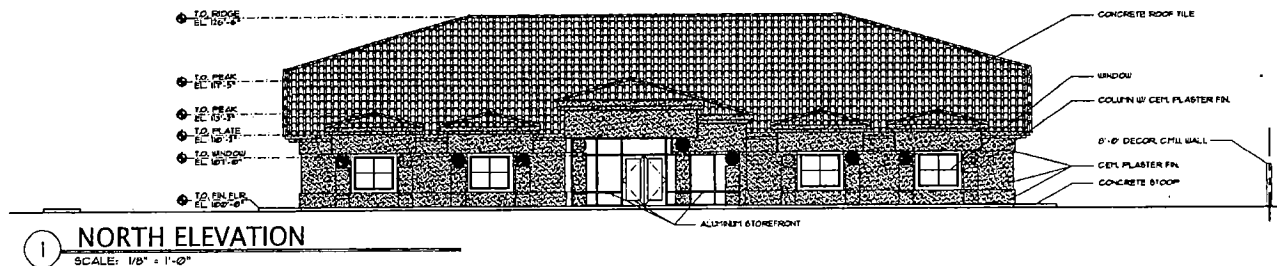
PLANT MATERIALS SCHEDULE			
TREES/PALMS			
COMMON NAME	BOTANICAL NAME	SIZE	QUANTITY
 BLUE PALM VERDE	CERODAM FLORIDUM	24" BOX	23
 THORNLESS CALENDULA	PHACELIA CALLENSIS	24" BOX	21
 MEDITERRANEAN FAN PALM	CHAMPAEROPS HUMILIS	8" BTH	6
 MEXICAN FAN PALM	WASHINGTONIA ROBUSTA	8" BTH	10
 MONDEL PINE	PNUS ELDARCA	24" BOX	24
SUGGESTIVE SHRUBS/GROUNDCOVERS			
COMMON NAME	BOTANICAL NAME	SIZE	QUANTITY
 PEACHY CAROLIA	ORINA ARTEMISIOIDES	1 GAL.	AS SHOWN
 MEXICAN BIRD OF PARADISE	CAESALPINA PULCHERRIMA	5 GAL.	AS SHOWN
 RED YUCCA	HESTERALCE PARVIFLORA	1 GAL.	AS SHOWN
 OCOTILLO	FOUGHERIA IMPLERENS	10 GAL.	AS SHOWN
 GREEN CLOUD TEXAS PRANSER	LEUCOPHYLLUM F.	5 GAL.	AS SHOWN
 TRAILING LANTANA	LANTANA MONTEVIDEOSA	5 GAL.	AS SHOWN
MISC.			
 LARGE ROCK/BOULDERS	HOUAVE GOLD 2' X 4' MIN. (2000 100 TONS)		
 GRAVEL MULCH	HOUAVE GOLD 3/4" MIN. NO FIBER		

GMIRA
George M. Rogers, Architect
Architects & Interiors

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JOB NO.: 04-323

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SEP 07 2004

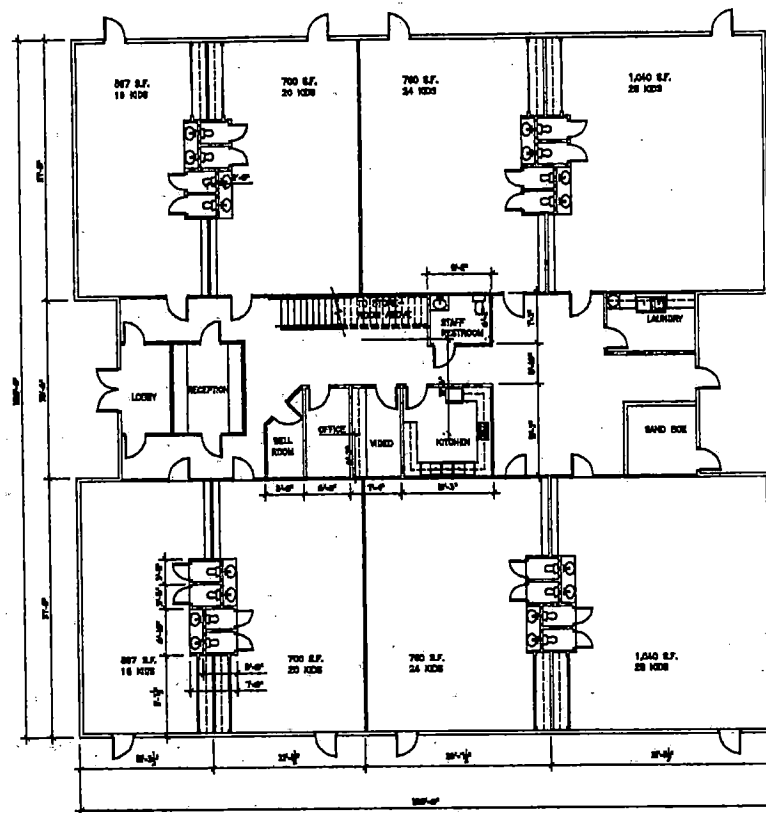


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TULE SPRINGS & FARM ROAD
LAS VEGAS, NEVADA

SDR-5192 RECEIVED
10/21/04 PC SEP 07 2004



① FLOOR PLAN
SCALE: 1/8" = 1'-0"



DATE: 07 SEPTEMBER 2004
JOB NO.: 04-323

TULE SPRINGS & FARM ROAD
LAS VEGAS, NEVADA

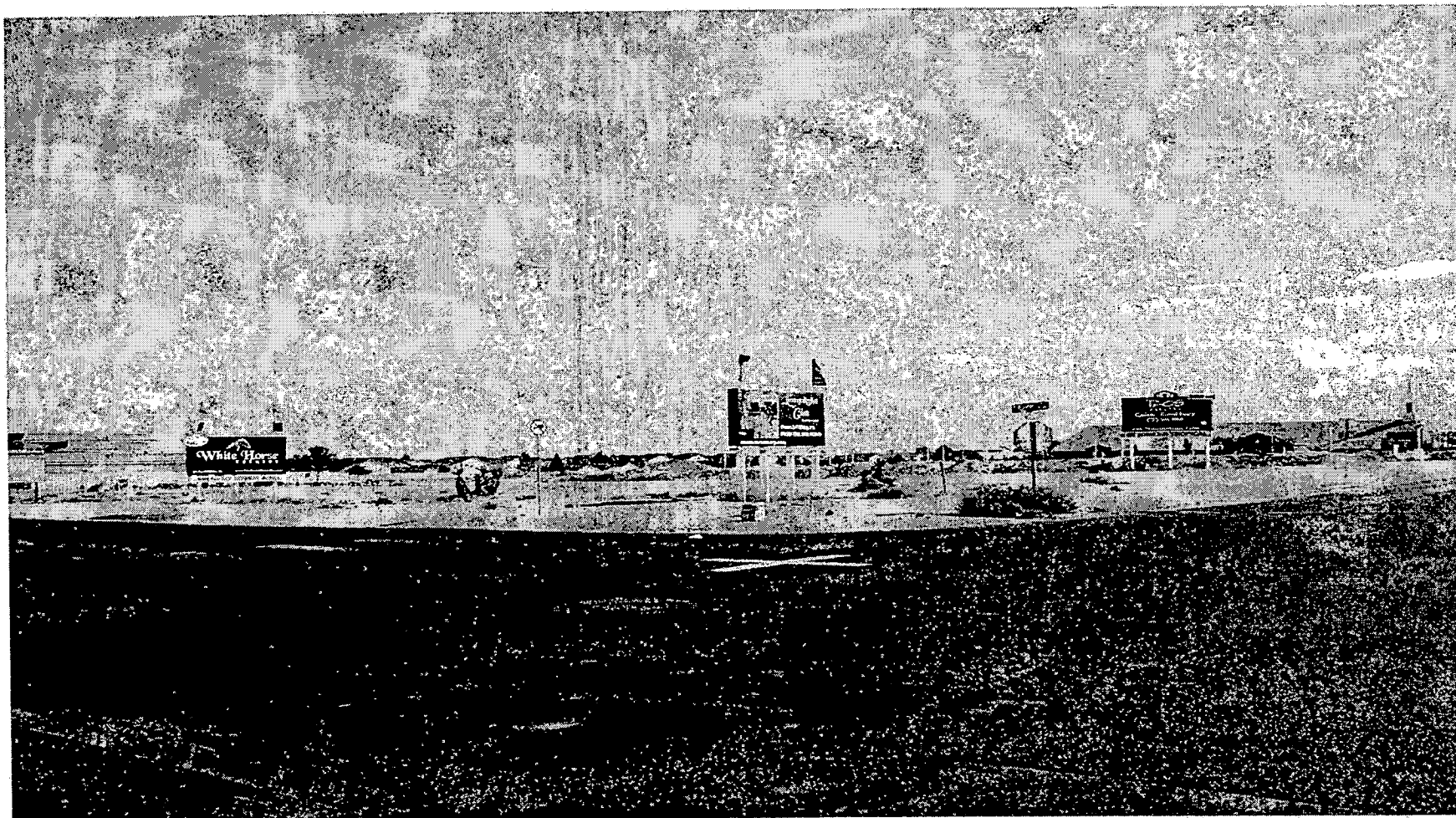
RECEIVED

SDR-5192 SEP 07 2004
10/21/04 PC



SDR-5192 - APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC.
SOUTHWEST CORNER OF TULE SPRINGS ROAD AND FARM ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/01/04



SDR-5192 - APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC.
SOUTHWEST CORNER OF TULE SPRINGS ROAD AND FARM ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/01/04



SDR-5192 - APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC.
SOUTHWEST CORNER OF TULE SPRINGS ROAD AND FARM ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/01/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5196 - SPECIAL USE PERMIT RELATED TO SDR-5197 - PUBLIC HEARING -

APPLICANT: GARY R. BRENNAN - OWNER: JAE SUM KIM AND MIMI KIM -

Request for a Special Use Permit FOR A 445 UNIT RESIDENCE HOTEL adjacent to the southeast corner of Rainbow Boulevard and Rancho Drive (APN 125-35-401-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 11/17/04

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Meeting – Seven letters of opposition from Glenda Simper, Petition (opposition) with signatures

MOTION:

GOYNES – DENIED – UNANIMOUS

To be heard by the City Council on 11/17/2004 (Not before 4 p.m.)

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 72 [SUP-5196] and Item 73 [SDR-5197].

FLINN FAGG, Planning and Development Department, indicated that in regards to the Special Use Permit, the proposed development meets the definition for residence hotel and is compatible to the adjacent commercial uses on Rancho Drive. Regarding the Site Development Plan Review, the proposal is to construct 10 buildings on the site with 445 units. The buildings would be setback and screened in accordance with City requirements. It would comply with residential adjacency standards and the City's buffering requirements. Staff required the applicant to revise

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 72 – SUP-5196

MINUTES – Continued:

floor plans to remove the exterior walkways and make them interior to the building. Also, the castle like appearance of the office building needed to be toned down to make it more compatible with the adjacent commercial properties.

ROBERT QUALEY, 20 Bonneville, appeared on behalf of the applicant and stated concurrence with all conditions except the requirement of the interior walkways. The applicant felt the exterior corridors provide a better facility for management and tenants. This property is the third to be built by this developer and each one is an improvement over the last. He indicated the applicant has a property on Las Vegas Boulevard, which will be built with larger rooms and better security.

MARK JIMENEZ, 6332 Echo Canyon Circle, stated he recently moved into the area after looking for a new home for sometime. He has three small children and wanted to be sure to move into a good area of town. MR. JIMENEZ indicated there is a Budget Suites nearby at Lake Mead Boulevard and Rancho Drive and it is the same type of building as what is proposed. He said crime has increased since that establishment opened and it is killing the neighborhood. MR. JIMENEZ stated his friend lives near that Budget Suites and recently had his home broken into while he was in the house. His friend was able to hide in the bathroom and call 911 and the police were able to arrest the burglar. The burglar was living at the Budget Suites. As a teacher, MR. JIMENEZ is familiar with the negative repercussions of locating a transient population near a good school. Students circling in and out are very damaging to schools. He stated the neighbors did not want this item approved, as it would kill the neighborhood.

CHARLES WEBER, 6601 Welcome Lane, explained his property is three-quarters of an acre and is adjacent to the proposed site. He voiced concern over the crime the proposed project could bring into the neighborhood. The homes in the area are situated on larger lots and he feared the residents of the proposed hotel would think they are wealthy and be tempted to break into their homes. MR. WEBER has two small children and he challenged the investors of this project to place their investment value above the value of his children's lives or the safety of the neighborhood. He stated that the Budget Suites located near the Texas Hotel has had three methamphetamine labs raided and exposed this year alone. MR. WEBER acknowledged that the City has closed down the weekly rental properties in the downtown area and stated they should not be allowed in a residential neighborhood. He told the applicant that he understands the investment opportunity of the property but asked them to look into another project that could go on this site.

LARRY PANZER, 6417 Quantam Lane, stated he was a taxi cab driver for six years in Las Vegas and has seen the type of people who stay at residence hotels. He felt placing an establishment of this type near an adult bookstore would be an explosive combination.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 72 – SUP-5196

MINUTES – Continued:

There is also an elementary school and a daycare facility nearby. He urged the Commission to deny this application.

BOB LUNDQUIST, 4924 Vega Lane, voiced his concerns relating to this project, which included increased traffic, the burden on the elementary school and public safety. The intersection of Rancho Drive and Rainbow Boulevard was recently worked on and he felt they were unaware of this proposed project and therefore, did not plan around it. Regarding schools, he has four children at the nearby elementary school and they are already on year round schedule to accommodate the population. His final concern regarding public safety stems from his 14 years of experience within law enforcement. He is currently a supervisor and he has seen the type of activity that occurs at residential hotels. MR. LUNDQUIST pointed out that the applicant also owns property on Boulder Highway called the Royal Manor. That property has experienced 669 police generated calls for service from July 1st through September 30th of this year. In that area, there were 11 stolen vehicles in addition to rapes, robberies and burglaries. At the Rancho Budget Suites, there were 447 calls for service. MR. LUNDQUIST does not want this proposed development in his neighborhood. COMMISSIONER McSWAIN clarified with MR. LUNDQUIST that the numbers he quoted were for the properties only, not the area surrounding the properties.

MIKE DUFFY, 6337 Yankee Meadows Circle, explained he moved into this area eight months ago and he moved there from Rancho Drive and Lake Mead Boulevard. He attested to what MR. LUNDQUIST stated regarding activity at the Budget Suites. When MR. DUFFY lived across the street from that establishment, he saw the police there on a daily basis. There were shootings and meth labs and MR. DUFFY does not want this type of activity in his neighborhood. He also feared the affects the transient community would have on the school.

DAWN DUFFY, 6337 Yankee Meadows Circle, said that she works for a development that rents on a monthly basis and she could not verbalize the distaste she felt when dealing with the individuals that rented there as part of her job. She was happy it is not where she lives and she stated she did not want it to be near her. She moved to this location after a Budget Suites drove her out of her previous neighborhood. This is the first home she and her husband have had where they can allow their children to play outside. This could destroy that freedom and force her to confine her children to play indoors only. She speculated that the Commissioners would not want to live next door to a residential hotel either. She asked for the board to deny the application.

RAY SPORE, 6600 Welcome Lane, stated he lives about a half a block away from the proposed site. He agreed with comments made by all of the speakers before him and said he vehemently opposed this project.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 72 – SUP-5196

MINUTES – Continued:

DR. BRIAN LOVERIDGE, 5525 Flora Spray Street, stated the applicant would like everyone to believe that drug dealers do not sell drugs to kids, prostitutes cannot afford rooms at their establishment and gangs and criminals are standing in line for food stamps. Everyday DR. LOVERIDGE sees what happens in these types of hotels. He sees kids that come into his Emergency Room beaten so badly that their mothers cannot recognize them. He sees transvestites with in stage HIV and open wounds who prostitute at these types of places. A drunk driver killed DR. LOVERIDGE'S best friend and the man who was driving the other car was brought into his Emergency Room. He had to decide what to do and he did the right thing and treated the man. He asked that the Commission do the right thing and keep this proposed development out of their neighborhood.

CYBLE HALL, 5061 Diamond Ranch Avenue, an employee of Ernest May Elementary, appeared with DARLENE BRAGG, 6120 Azurite Drive, an employee and the PTSO Vice President for May Elementary. MS. BRAGG spoke on behalf of the entire PTSO and stated the school is heavily overpopulated and a year-round school. There are 40 special education students in the school now and the school cannot take the added families this proposed development would bring. Transient families bring high-risk children into the schools and the school is not funded well enough to support that type of population. Also, MS. BRAGG did research on this item and found out that there are 21 registered sex offenders in the area, which includes the Budget Suites. Adding this development would only increase the number of sex offenders the school must be concerned with. The surrounding zip code area of 89131 that borders the north and west of this neighborhood and the number of registered sex offenders in that area is only seven. They do not have an establishment such as what is proposed with this application.

SERGE MILLER, 6441 Rancho Santa Fe Drive, concurred with statements of the previous speakers and voiced his concerns about increased traffic and crime. He stated the neighborhood was very pleasant and then the hotel went in. Once it changed hands, there was a parking structure looming over the area. Then the hotel wanted to place a 2,500 seat outdoor theatre on the property, which would have increased traffic tremendously. The neighbors do not want this transient hotel in the area. He urged the Commission to deny the application.

JANICE HUNSAKER, 4917 Vega Lane, stated her property backs up against the subject property. She fears people may jump the fence into her back yard to rob her home because it is so close. MS. HUNSAKER questioned the building materials that will be used to protect their property and showed a photo of her home's location in relation to the proposed site and another residence. The photo showed vacant property that was severely flooded. She asked about drainage mitigation efforts that have been discussed. The area gets flooded badly because there are only two outlets, one on Quantum and the other on Vega Lane.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 72 – SUP-5196

MINUTES – Continued:

If a block wall is placed on the property without mitigation efforts, the water will be detoured directly into MS. HUNSAKER'S back yard. She was also concerned about auto repairs being done in the parking lot and about children from the hotel jumping walls to cross the fields. She was wholeheartedly opposed to the project.

JERRY BAILEY, 4901 Vega Lane, stated the subject property is adjacent to his backyard, which is 130 feet deep. He felt the property would become a junkyard filled with syringes and drug paraphernalia that get thrown over the block wall. His home is also adjacent to wash that drains the field. He referenced the numbers of crimes mentioned earlier and offered the numbers his research indicated. Within any given 60-day period, establishments such as the one proposed average approximately 300 calls. MR. BAILEY fears for the safety of his family.

GLENDIA SEMPER, 6281 Fisher Avenue, submitted to the City Clerk seven letters of opposition to the project. She voiced concerns about safety and indicated she lives across the street from the school and also works there. She pointed out that directly across the street from the subject property there is a movie theatre. Many of the residents feel safe letting their children go to the movies there but with this proposed development, the kids would lose that freedom. She strongly urged the Commission to deny the application.

STACIE HOWLETT, 6621 Welcome Lane, said that she was concerned with the applicant's representation of what this proposed establishment would be. She pointed out this would be located next to an adult book store/theatre and a mechanic shop with junk cars in the back. She could not imagine any high-class person coming to stay at the hotel. She also mentioned that if the hotel did not succeed, once the zoning was changed, a lower budget facility could replace it. MS. HOWLETT felt a 445-unit residence is massive and comparable to high-rise towers also before the Commission. She urged the Commissioners to drive by the Budget Suites across from the Texas Stations to see there are other facilities in the area. Rooms at the Santa Fe cost about \$38 a night. She said the neighbors do not want to drive that establishment out of town but they do not want one in their backyard either. She urged the Commission to deny the application.

DOUGLAS HOWLETT, 6621 Welcome Lane, stated he was opposed to the project. His home is the first home on Rainbow Boulevard from Rancho Drive. They have lived there for several years. He stated there was a meeting several years ago regarding the Santa Fe Hotel being constructed. He was told at that time that the hotel would be very low key and would not have neon signs or blaring lights. Now, when the HOWLETT'S turn off their bedroom light at night, the room is still illuminated by the blinking lights from the Santa Fe. It was changed after the casino went in. MR. HOWLETT did not want the zoning to change. He asked the Commissioners to deny it.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 72 – SUP-5196

MINUTES – Continued:

DEBRA DEBELLA, 6508 Cosmo Lane, was concerned about the hotel being called a residence hotel. As MS. HOWLETT mentioned, the Santa Fe is nearby as well as other facilities. MS. DEBELLA felt this would cause a transient situation with people living paycheck to paycheck because they cannot afford the high rent deposits necessary to get into an apartment. She felt bad for those individuals. MS. DEBELLA said that between 5:30 a.m. to 9:00 a.m. there is consistently, several children in the area on Torrey Pines Drive because the elementary school is there.

AMANDA CLARK, 6505 Cosmo Lane, stated she moved to this neighborhood when she was three years old and she has grown up with the neighbors and look upon them as family. She did not want to see anything bad happen to her neighbors. MISS CLARK walks to school with several other teens in the neighborhood and knows that other students walk to bus stops or ride their bikes. This commute takes place between 5:30 a.m. and 7:30 a.m. in the morning. She felt that the hotel would bring transients into the community and she would be afraid to make the walk to school not knowing who was around. MISS CLARK felt the police department would not be able to supply an adequate amount of officers to cover the residential hotel. She feared murders, theft, vandalism, rape and kidnapping could occur in her neighborhood if this application is approved. She urged the Commission to deny the application.

KAREN CLARK, 6505 Cosmo Lane, explained she was AMANDA CLARK'S mother and she was at the meeting to voice support for her daughter and all the other children in the neighborhood. The area has always been a safe place for kids to play and she did not want to see that changed. MS. CLARK felt that the neighborhood belongs to the hard working neighbors and their children, so she urged the Commission to deny the items and save the neighborhood.

JARRED NISHIMOTO, 6924 White Lakes Avenue, gave the Commissioners some statistics regarding other properties similar to the one being proposed. In the last 60 days, the owner's property on Boulder Highway had 435 police calls. The neighborhood's current crime rate is 168, which means, if this is built, the crime rate in the neighborhood would triple. MR. NISHIMOTO also indicated that he works for the Clark County School District and that he sees the affects residential hotels can have on neighborhoods and the school system. He said that approval of this item would directly affect Cheyenne High School in a negative manner. He concluded by saying there is no purpose for this hotel. There is no transient work available in the northwest corridor.

KIM BUSH, Liason to Clark County Commissioner Chip Maxfield, wanted to share with the Commission that their office has had 14 people emailing and calling in opposition to this project. COMMISSIONER MAXFIELD wanted that information to be placed on the record for consideration.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 72 – SUP-5196

MINUTES – Continued:

JENNIFER BLANCHARD, 5408 Flowering Bush Circle, and APRIL CHAPARIAN, 6913 Fruit Flower Avenue, appeared together to speak in opposition to this proposal. MS. BLANCHARD found out about the proposal just a few days prior to the hearing and within a period of less than 24 hours, was able to obtain 42 opposition signatures. She submitted the documents to the City Clerk including signatures of everyone in attendance that spoke. Her children play with the HOWLETT'S children and they are great friends. If this development is built in their neighborhood, people could move. But that would only leave the problem for the children of the families that move in after they leave. She thanked the Commission for listening to everyone at such a late hour and asked them to deny the applications.

JENETTE LANIER, 5033 Maverick Street, said she recently found out about this project and that no meetings were held to discuss the proposal with neighbors. Word of mouth was how many neighbors were informed. MS. LANIER has lived in this area for many years and has seen many changes occur. The traffic is worse even after the widening of Rancho Drive. She helped one of her friends move into a Budget Suite apartment at one time and although the accommodations are nice, she feared for her friend's life. MS. LANIER'S children are grown and getting married but she does have grandchildren and is concerned about how this hotel could affect the area. Currently, the neighbors' children can play and ride bikes and she would like to see it kept that way. She asked the Commission to not allow the applications to pass.

EVELYN FRIG, 5324 White Coyote Place, stated she was a real estate agent in the neighborhood and knew a large number of individuals in all of the communities that were represented by speakers. She estimated the speakers encompass almost a half mile in all directions from the subject site. The residents are a unified group and that is an indication of the flavor of the neighborhood. The proposed project would be a negative in the community and she hoped the Commission would deny it.

CASTLE NISHIMOTO, 6924 White Lakes Avenue, explained he was transferred to Las Vegas as a Special Agent of the FBI and during that period of time, from 1997 to 2001, he worked with the Metropolitan Police Department on Criminal Task Forces. In those years, over half of the arrests MR. NISHIMOTO made were at hotels such as that proposed. With that in mind, when he bought his home, he made sure there were no such establishments nearby. He believed in the statistics quoted earlier because he was there, those were his arrests.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
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MINUTES – Continued:

MR. QUALEY stated the property is zoned C-1, which allows this type of structure. He empathized with the neighborhood and indicated the applicant would like to put a project in at this site that the neighborhood could be proud of. An establishment that would put the land to the best use possible without creating a danger to the residents. To do that, the requirements of setbacks and landscape buffers have been exceeded. MR. QUALEY introduced SID WOO to address the security issues brought up by the neighbors. MR. WOO currently manages other properties and would manage this location,

SID WOO, 8170 South Eastern Avenue, said he understood and could appreciate the concerns raised by the neighbors. He felt the concerns were valid and should be taken very seriously. MR. WOO was happy to hear there were no concerns regarding the Manor Suites property. He emphasized that this would not be a Budget Suites. MR. WOO is aware of the applicant's Royal Manor property because he is involved in the management of that property. He is aware of the problems encountered on a daily basis there and felt progress is being made to mitigate those issues. He reminded everyone that the application being considered was not to approve a Sportsman Royal Manor or a Budget Suites. The Manor Suite property was put in with different steps and procedures in an attempt to avoid the issues experienced at the Royal Manor and it has been effective.

The applicant's properties participate in the Metro Police IDL program, which is a program started by Sheriff Jerry Keller. The program allows the hotel to give identification information to Metro so that person can be run through the systems. At the Manor Suite property, individuals are required to have a major credit card. That helps to separate out some of the undesirable tenants. The property uses a state of the art key system, which involves the gates surrounding the property. To enter the property from any entrance on the site, the person would have to hold a valid key that can open their unit. If the key expires because the tenant did not pay rent, that person cannot access the property. By taking these steps, there has been a significant improvement in the Manor Suite property versus the Royal Manor property.

Management feels the problems associated with the Royal Manor property could be attributed to some of the hardships that area has encountered. MR. WOO indicated the majority of property owners on Boulder Highway are doing what is possible to make the area a better place to live. Addressing issues relating to the new, proposed development, MR. WOO wanted everyone to understand that the applicant cares about the residents and the neighborhood. This property involves a significant investment and there will be no compromises in security.

COMMISSIONER McSWAIN complemented the presentation of AMANDA CLARK by saying she was a very poised and well-spoken young lady. She reminded MR. WOO that she had suggested a neighborhood meeting and he confirmed he did not hold such a meeting. COMMISSIONER McSWAIN stated that at first look, she thought there was nothing wrong

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
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MINUTES – Continued:

with this application. She voiced concern over the statistics regarding number of calls even after MR. WOO said improvements have been made. In her opinion, the Special Use Permit should deal with compatibility and the responsibility to demonstrate that compatibility is incumbent upon the applicant. COMMISSIONER McSWAIN would not support the item because the effects on the neighborhood cannot be anticipated.

MR. QUALEY stated the appropriate comparison would not be the Boulder Highway property but the Las Vegas Boulevard property. The new changes were implemented at the Las Vegas Boulevard property and that site does not have the same level of problems as the Royal Manor on Boulder Highway. MR. WOO concurred. COMMISSIONER McSWAIN asked what the results of a METRO call record log for the Las Vegas Boulevard location would show. MR. WOO could not quote statistics but indicated it would be significantly lower. COMMISSIONER McSWAIN stated that even at 50 percent less, the number would be over 300 calls and that is still a large number. MR. WOO stated some calls could be routine calls, METRO patrols or stops that occur on the property that are not associated with actual tenants. He also pointed out that concerned tenants keep an eye out for questionable activities and will act as a policing force and call METRO. MR. WOO informed the Commissioners that the office is situated in a particular way to allow the management to oversee half the facility directly from the office.

COMMISSIONER GOYNES explained that he had met with the applicant earlier in the week and they had a good conversation about the project. The Commissioner was happy to hear a major credit card was required and that the hotel participates in the METRO identification program; however, he felt METRO was not adequately staffed to check every person who enters the facility. Concerning the key access gate, COMMISSIONER GOYNES felt the system could easily be compromised. Regardless of the number of key access gates, determined people can get into the complex. He confirmed with MR. WOO that the units could be rented by the day, week or month. He questioned the rate structure. MR. WOO explained the Las Vegas Boulevard property charges between \$69 and \$89 per night during the weekdays. The proposed project would most likely charge slightly less than that per night because there is a hotel across the street. The weekly rate is in the low to mid \$200 range without any services. Linen and maid service would run approximately \$290 per week. There is no monthly discount. These prices would be for a one-bedroom unit. The two-bedroom units would cost approximately \$300 per week without service and \$400 with service. They have one bed per unit and account for under 20 percent of the inventory. Because of this, the probability of issues relating to large numbers of children is very low. The one bedroom and studio units would not accommodate children.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
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MINUTES – Continued:

COMMISSIONER GOYNES felt the prices would require more than one family per unit in order for it to be economical. When meeting with the applicant's representatives, he was informed the anticipated tenants would primarily be construction workers on temporary assignment and he disagreed with that. He was supportive of this item originally but after hearing the passionate presentations of the residents in this area, he would not be able to support the item.

COMMISSIONER STEINMAN stated he had met with MR. WOO earlier in the week at the Las Vegas Boulevard location. He was impressed with the property and with MR. WOO. During this meeting, there was discussion regarding the property on Boulder Highway; however, COMMISSIONER STEINMAN felt he had not received an accurate representation of the problems associated with that property. MR. BRENNAN would own three properties if this application is approved. The Commissioner could not believe how badly MR. BRENNAN had let the Boulder property go and was asking for approval for another site to be built. It was obvious that the residents spoke with passion and truly love their neighborhood. He stated he would not support this application but reminded the residents that something would go onto this site eventually.

VICE CHAIRMAN NIGRO explained he had also met with the applicant and he was also impressed with the processes implemented on Las Vegas Boulevard. He was thinking this would be an appropriate location for an extended stay motel because of the tremendous amount of commercial activity on Rancho Drive. After the public hearing, he felt his initial thought may have been an oversight because he was now aware that this property abuts a very delicate residential neighborhood. VICE CHAIRMAN NIGRO did not feel it was fair to compare every extended stay property should be compared to a Budget Suite. That would be similar to comparing every convenience store, restaurant or tavern to the worst one visited. The quality of the operator is a major factor in how the facilities are ran. The concept of extended stay facilities is not a new one. He did not doubt that this proposed development would be as a higher quality hotel because of the expense associated with the investment.

VICE CHAIRMAN NIGRO indicated that after he had received calls in his office, he then contacted COUNCILMAN MACK'S office to find out what volume of calls they had received. Those calls were in excess of the people who spoke at the meeting. The purpose of the Planning Commission is to act as a zoning and land use body; however, the social impact on the neighborhood cannot be overlooked, as it will impose a serious concern to the development moving forward.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
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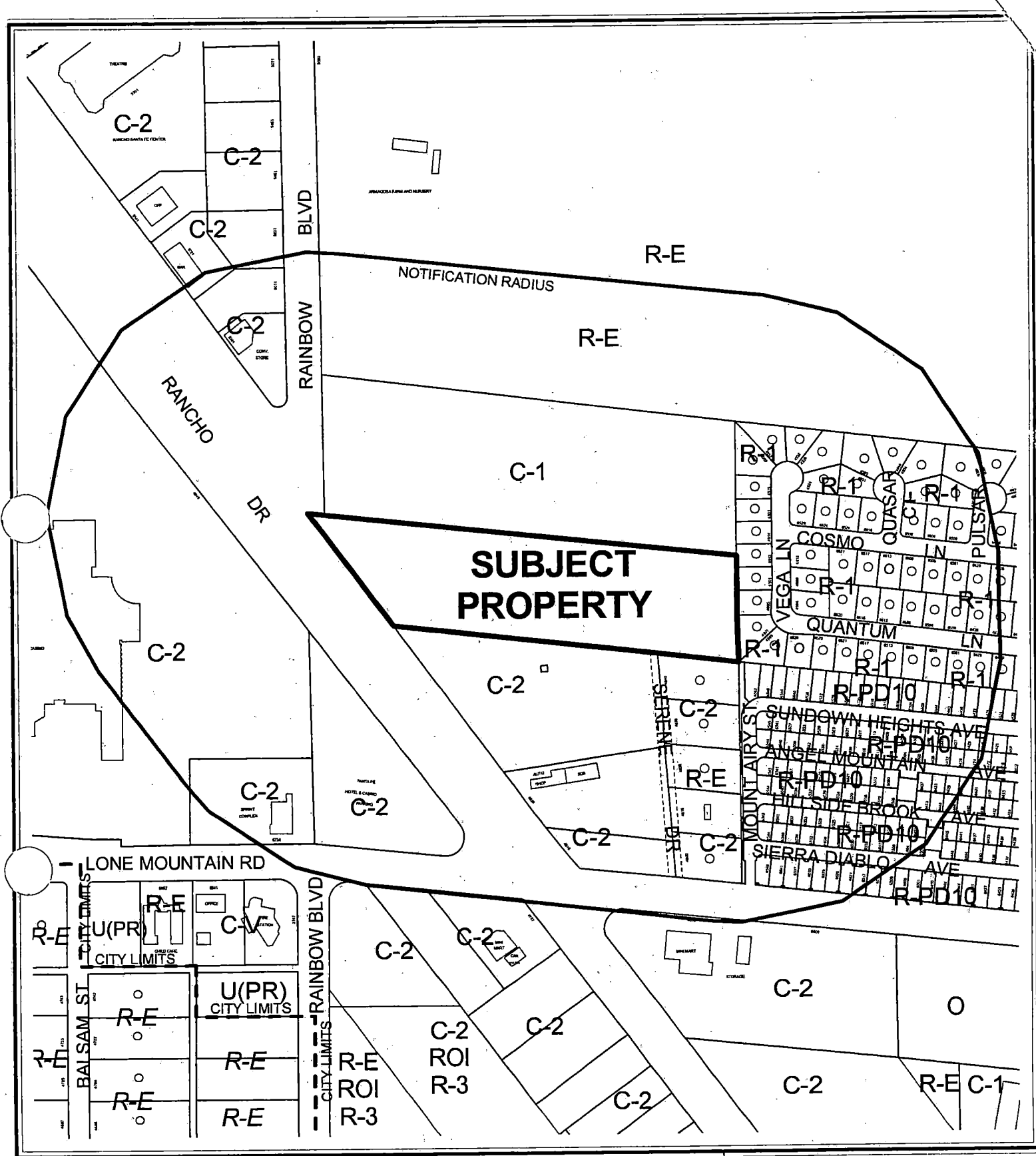
MINUTES – Continued:

COMMISSIONER GOYNES opposed the project stating that the development is non-compatible and non-harmonious with the neighborhood. Subsequent to the votes on both items, CHAIRMAN TRUESDELL indicated both items would go onto City Council on November 17th.

ROBERT GENZER, Director, Planning and Development Department, announced that due to the number of people concerned with these items, the items would be placed on the agenda so that they would not be heard prior to 4 p.m. He explained the afternoon agenda begins at 1 p.m. and the residents wishing to speak on the item would not have to sit through the other unrelated item for their opportunity to speak. DEPUTY CITY ATTORNEY BRYAN SCOTT confirmed with the DEPUTY CITY CLERK that both items would go before City Council together even though one item was due to have an appeal on denial by the applicant before going forward. MR. GENZER verified that was how the items should be handled.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 72 [SUP-5196] and Item 73 [SDR-5197].

(11:27-12:21)
4-1316



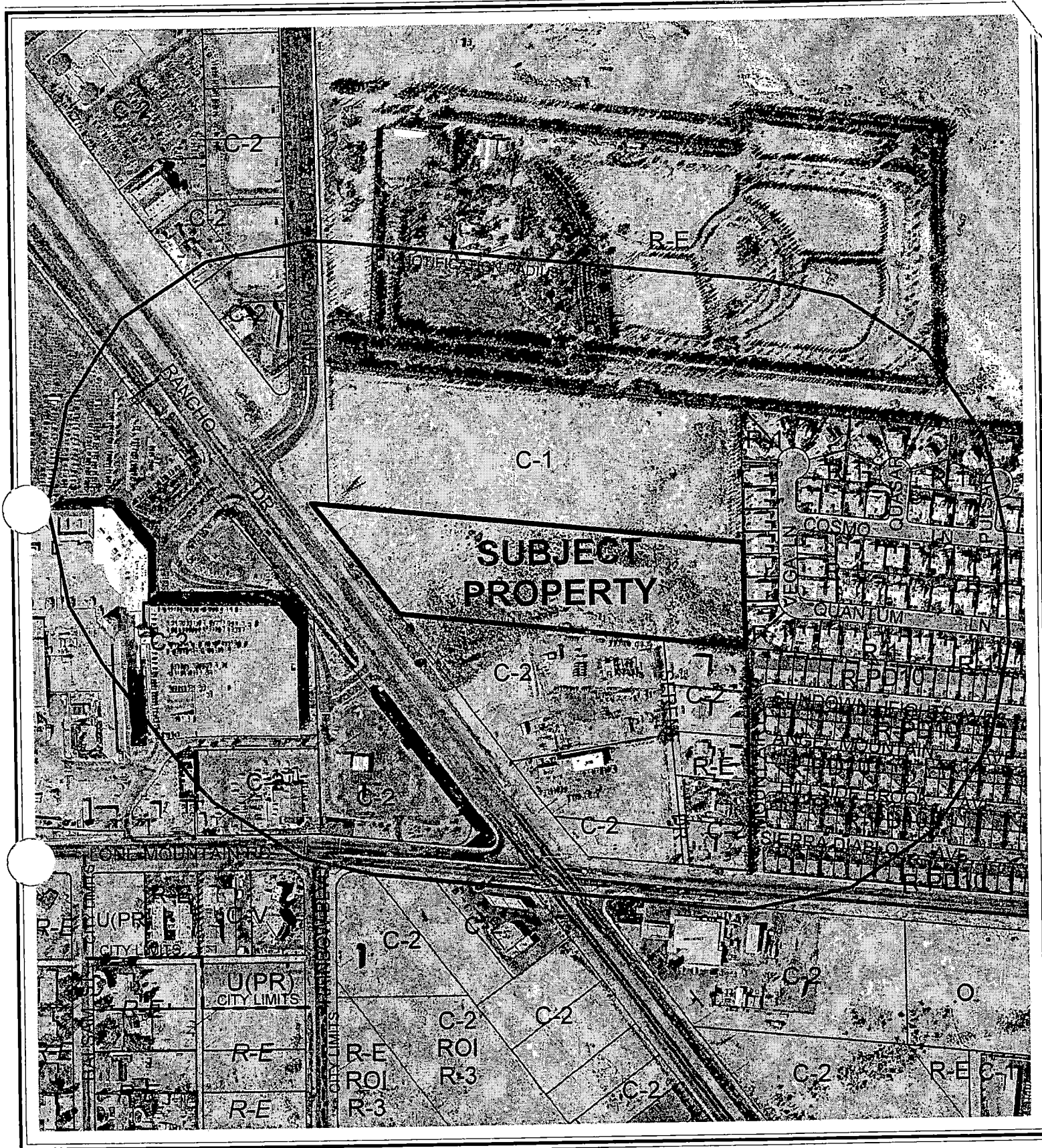
CASE: SUP-5196

RADIUS: 750 FT

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

0 300 600 Feet

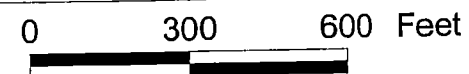




CASE: SUP-5196

RADIUS: 750 FT

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



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-5196 - APPLICANT: GARY R. BRENNAN - OWNER: JAE
SUM KIM AND MIMI KIM**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5197).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Residence Hotel use adjacent to the southeast corner of Rainbow Boulevard and Rancho Drive.

B) Applicant's Justification

According to the applicant's justification letter, the proposal will improve the appearance of the area. The project complies with City parking, landscaping, setback, residential adjacency, lot coverage and design standards. The proposed location offers convenient access and maximum security. All units are fenced with decorative wrought iron and feature electronic key locks.

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The subject property was Annexed into the City of Las Vegas as part of a larger request (A-0003-64).
- 06/06/01 The City Council denied a request for a Site Development Plan Review (SD-0076-00) for a proposed 25,932 square-foot auto dealership (Rancho Nissan) on the subject site. The Planning Commission and staff recommended approval.
- 04/02/03 The subject property was Rezoned to C-1 (Limited Commercial) as part of a larger request (ZON-1364) related to the Rancho Corridor study. The Planning Commission and staff recommended approval.
- 10/21/04 The Planning Commission will consider a companion request for a Site Development Plan Review (SDR-5197) for a proposed 445-unit Residence Hotel on the subject site.

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October 21, 2004 - Planning Commission Meeting

B) Pre-Application Meeting

08/25/04 The site plan was surveyed for compliance with applicable standards, including parking, landscaping, residential adjacency, setbacks, lot coverage, and building design. NDOT should be contacted for driveway improvements on Rancho Drive. A screen wall must be provided between the subject property and the adjacent residential development to the east. A waiver of the front yard build-to-line should be considered, unless the site is redesigned. The office building elevations should be revised to be more compatible with the area.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 7.58

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Outside Storage
East: Single-Family Residential
West: Rancho Drive
Santa Fe Casino

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: C-2 (General Commercial)
East: R-1 (Single-Family Residential)
West: C-2 (General Commercial)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Centennial Hills Interlocal Land Use Plan in the Centennial Hills Sector Plan of the General Plan. This category allows low to medium intensity retail, offices, and other commercial uses not having more intense general commercial characteristics. A Residence Hotel is an appropriate land use within the SC (Service Commercial) designation.

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

Airport Overlay District – The subject property falls within the area established by ordinance in Title 19.06.080 as the Airport Overlay District. Structures built within this area are governed by height limitations so as to not adversely affect safety in air navigation. The Residence Hotel proposed by the applicant contains buildings that are less than the maximum 175 to 200 feet required in this portion of the Overlay District and therefore no further action is necessary.

INTERAGENCY ISSUES

The Las Vegas Metropolitan Police Department is concerned about the increased demand for law enforcement services created as a result of ongoing population growth within the Las Vegas Valley. Metro feels that the proposed development could therefore have a possible negative effect on the response time to calls for service, the quality of investigations, and the time available for preventive patrolling and dealing with quality of life issues, which, if not addressed, may escalate to criminal issues. The Metropolitan Police Department fears that it is understaffed and therefore may not be able to provide adequate services with the additional development.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

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October 21, 2004 - Planning Commission Meeting

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Residence Hotel	445	1 space per guest room	436	9	442	9

An adequate number of parking spaces to meet the use are provided on site, including handicapped spaces. Up to 30 percent of the spaces may be designated as compact spaces. The site plan indicates that about 29 percent of the spaces provided will be compact.

The Department of Public Works has indicated that a Traffic Impact Analysis must be completed for this site prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing the site.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Residence Hotel use and there are no other similar uses in the vicinity of this project.

B) General Analysis and Discussion

- **Zoning**

The subject site is zoned C-1 (Limited Commercial). A Residence Hotel is a permitted use in this zoning district with the approval of a Special Use Permit.

- **Use**

A Residence Hotel use allows for buildings containing multiple units to be used for extended stay lodging, with customary hotel services such as linen, maid service, telephone and upkeep of furniture provided. Additional amenities to guests may include meeting rooms, recreational facilities, and a club house. The proposed development meets this definition. It consists of 136 studio units, 220 one-bedroom units, 88 two-bedroom units and one "VIP Suite" for a total of 445 for-rent units. Ten buildings are situated around the site in a "U"-shaped configuration, with an office and pool on the inside of the "U" and parking on the perimeter.

- **Conditions**

No base conditions are required to be met for the approval of a Special Use Permit for a Residence Hotel. The proposal, however, must meet the four criteria listed below for approval of the Special Use Permit.

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 Residence Hotel is located across from an intense use in a major casino and is adjacent to a vacant parcel and an outside storage yard that are planned for Service and Commercial uses in the General Plan.

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

The 7.58-acre site will be able to accommodate the proposed number of units, as well as all on-site parking and landscaping required by Code. On-site circulation is facilitated by a driveway that traces the perimeter of the site.

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

Rancho Drive serves the subject property and is a Primary Arterial that is 200 feet wide along the section abutting the proposed development. This roadway will be capable of handling the additional traffic generated by development of the site as a Residence Hotel.

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 Residence Hotel will be subject to ongoing inspections for licensing; therefore, the health, safety and welfare of the public will not be compromised.

NOTICES MAILED 196 [Mailed with SDR-5197]

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5196** APN: 125-35-401-003

Name of Property Owner: Jae Sum Kim

Name of Applicant: Gary R. Brennan

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

Yes

✓ No

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

City Official: N/A

Partner(s): N/A

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name:

Subscribed and sworn before me

This 3/57 day of August, 20 00

Notary Public in and for said County and State

Revised 2/12/02

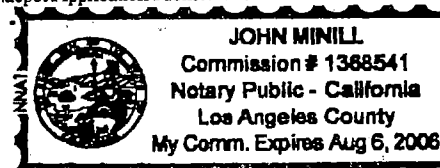
Subscribed and sworn to before me
this _____ day of _____
in the County of Los Angeles,
State of California.

Notary Public, John M. [illegible]

Subscribed and sworn to before me
this 31st day of AUG. 2004
In the County of Los Angeles,
State of Calif.

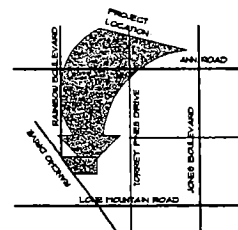
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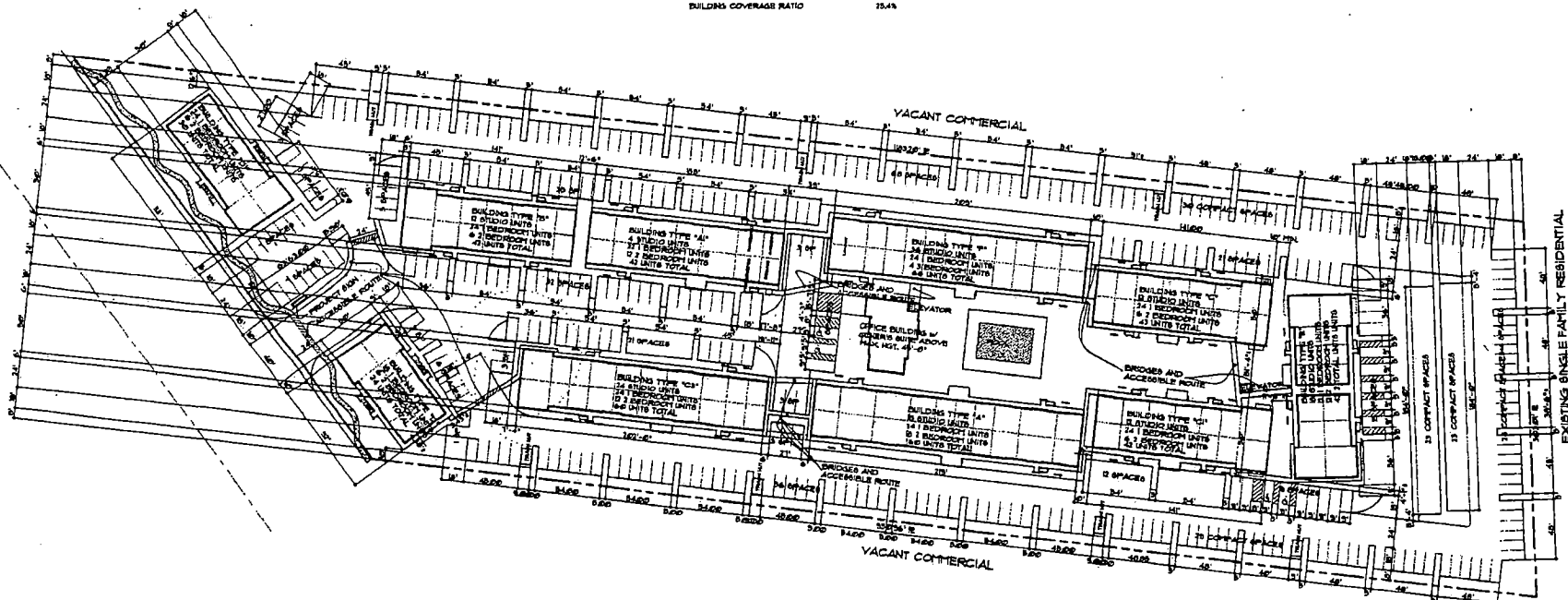
LOT COVERAGE

BUILDING A COVERAGE	1235.134
BUILDING AI COVERAGE	832.171
BUILDING B COVERAGE	7442.261
BUILDING C COVERAGE	7446.871
BUILDING CI COVERAGE	7446.871
BUILDING C3 COVERAGE	10910.331
BUILDING D COVERAGE	4781.431
BUILDING DI COVERAGE	5355.804
BUILDING E COVERAGE	771.533
BUILDING F COVERAGE	16478.301
OFFICE BUILDING COVERAGE	1128.712
TOTAL BUILDING COVERAGE	83811.554
TOTAL LOT AREA	158 ACRES
TOTAL LOT SQUARE FOOTAGE	33608468
BUILDING COVERAGE RATIO	25.4%



PROJECT DATA:

TOTAL 1-BEDROOM UNITS	770
TOTAL 1-BEDROOM UNITS	86
TOTAL STUDIO UNITS	136
VP SUITE	1
TOTAL UNITS	446
TOTAL PARKING REQUIRED FOR UNITS	446
OFFICE AREA	1664
PARKING REQUIRED FOR OFFICE	0
TOTAL PARKING REQUIRED	446
STANDARD PARKING PROVIDED	333
COMPACT PARKING PROVIDED (233A)	175
TOTAL PARKING PROVIDED	401



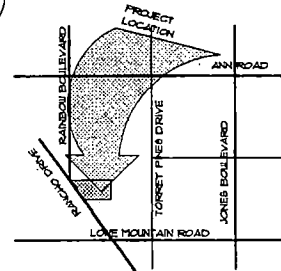
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SEP 07 2004

SUP-5196
10/21/04 PC

SITE PLAN
1" = 40'-0"

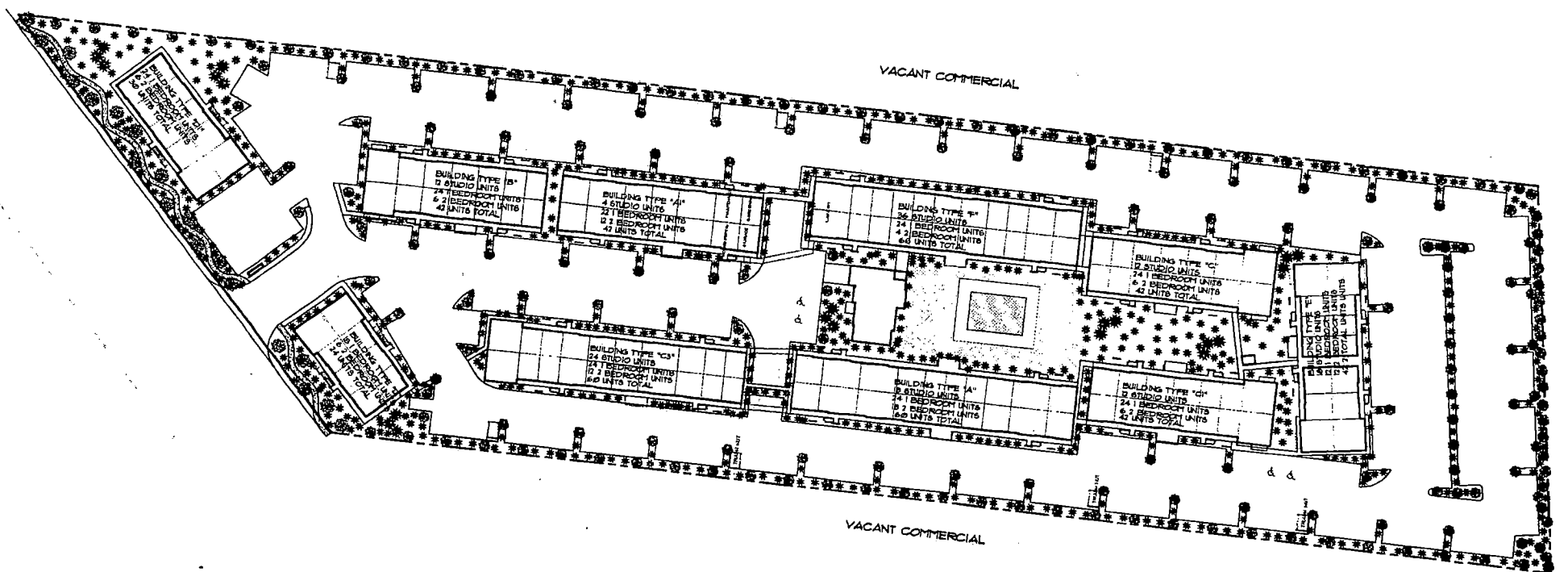
LANDSCAPE LEGEND

- 15 GAL MEXICAN PALM
- 24" BOX ALERPO PINE SPACED AS SHOWN ON PLAN
- 24" BOX MONDEL PINE SPACED AS SHOWN ON PLAN
- ASSORTED DROUGHT RESISTANT SHRUBS
5 GAL CONTAINERS - 6" DIA. O.C.
- FILL IN ALL VOIDS BETWEEN PLANTS 1/4" TO 1 1/4" DIA.
COLORED DECOMPOSED GRANITE TO A DEPTH OF 3"
- TURF



PROJECT DATA:

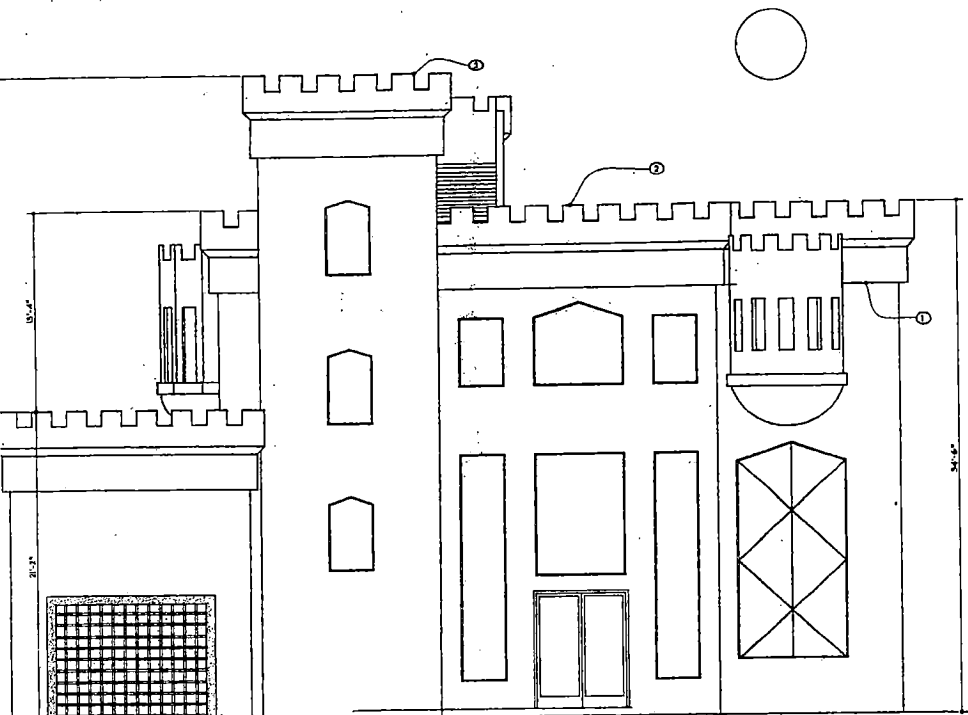
TOTAL 1-BEDROOM UNITS	120
TOTAL 2-BEDROOM UNITS	68
TOTAL STUDIO UNITS	136
VIP SUITE	1
TOTAL UNITS	445
TOTAL PARKING REQUIRED FOR UNITS	445
OFFICE AREA	1564
PARKING REQUIRED FOR OFFICE	0
TOTAL PARKING REQUIRED	445
STANDARD PARKING PROVIDED	322
CONTRACT PARKING PROVIDED (28%)	123
TOTAL PARKING PROVIDED	445



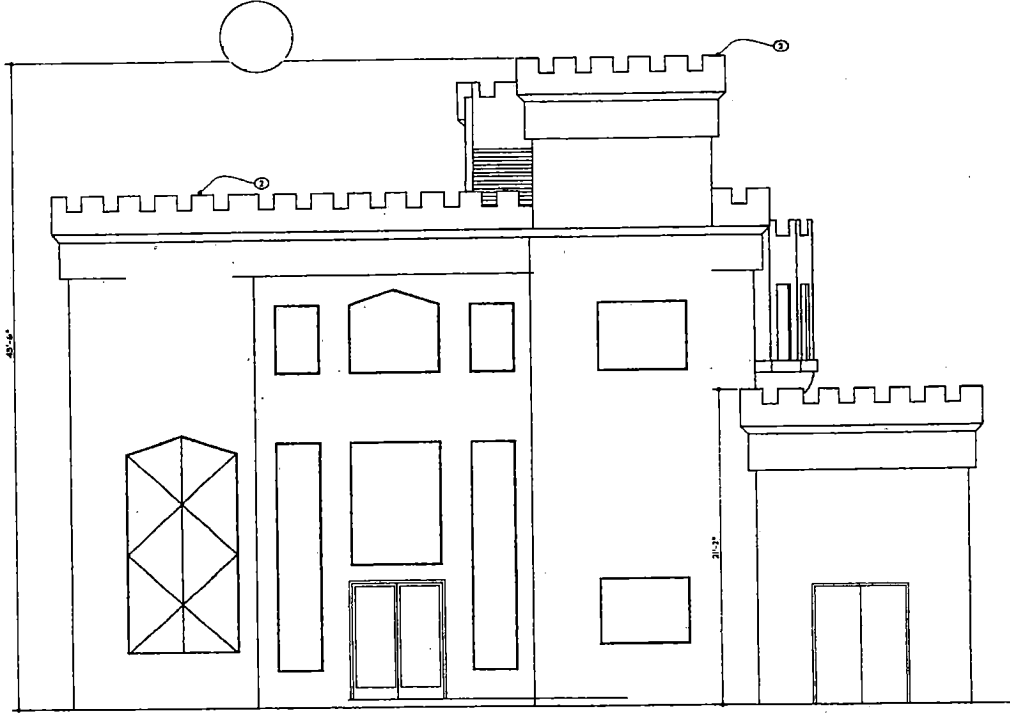
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SUP-5196
10/21/04 PC

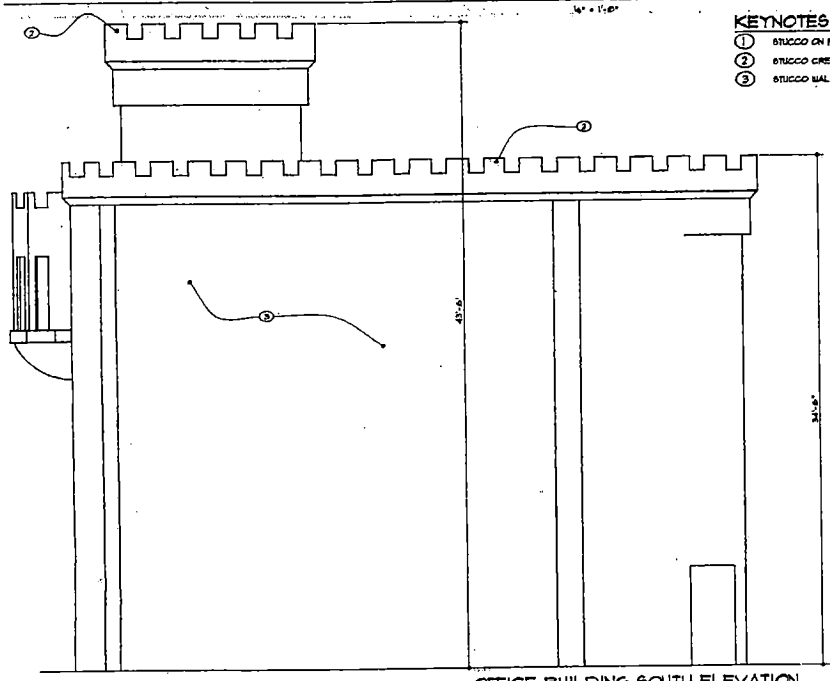
EXISTING SINGLE FAMILY RESIDENTIAL



OFFICE BUILDING WEST ELEVATION



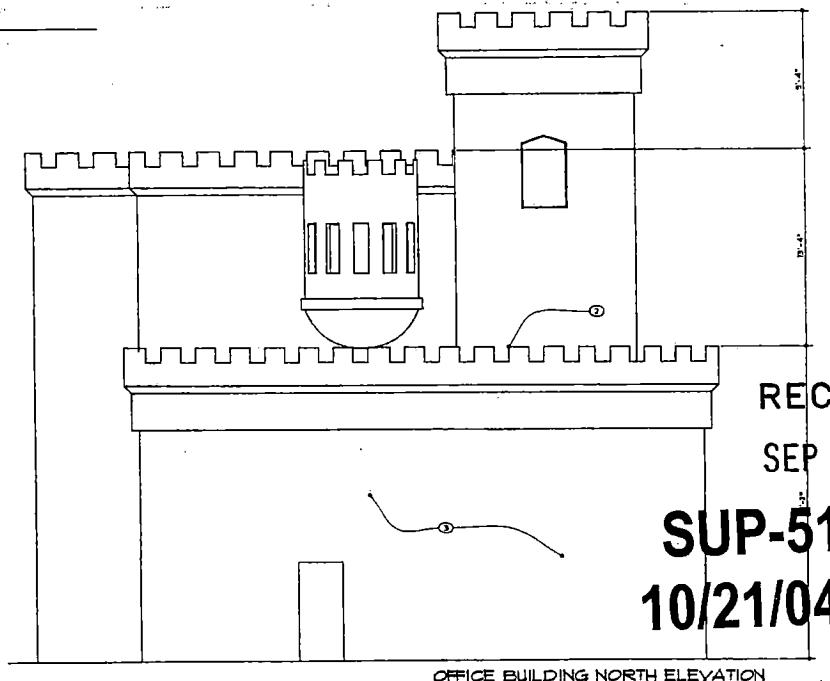
OFFICE BUILDING EAST ELEVATION



OFFICE BUILDING SOUTH ELEVATION

KEYNOTES

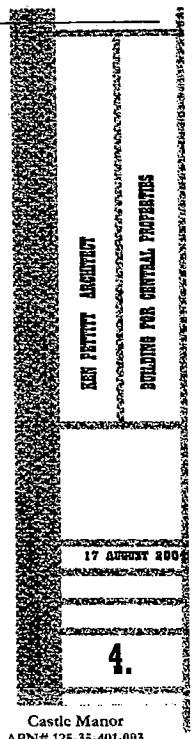
- ① STUCCO ON PLANT-ON
- ② STUCCO CORRELATIONS
- ③ STUCCO WALL FINISH



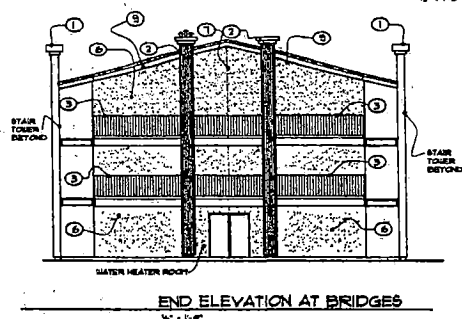
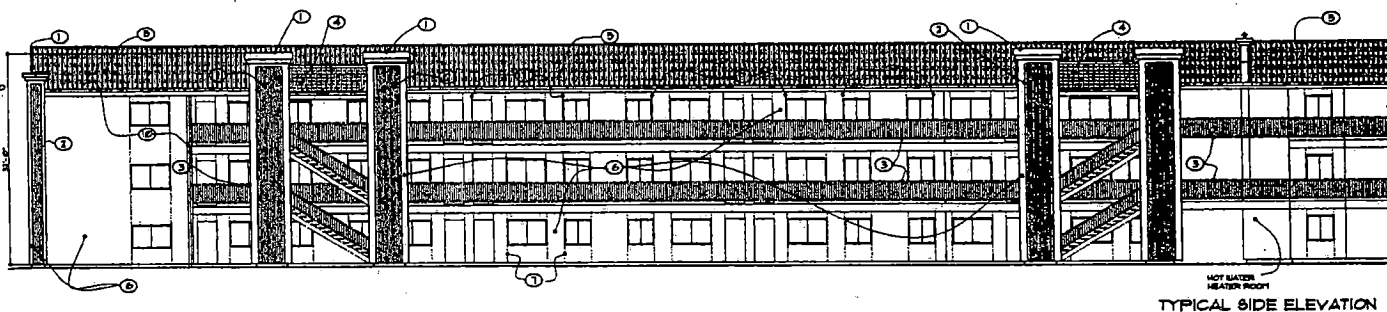
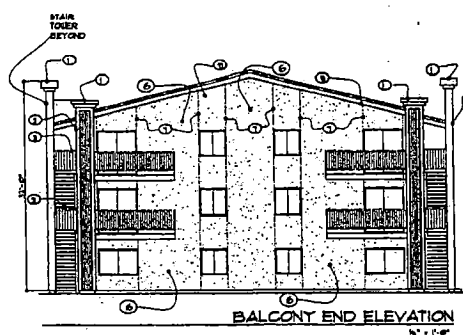
OFFICE BUILDING NORTH ELEVATION

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SUP-5196
10/21/04 PC

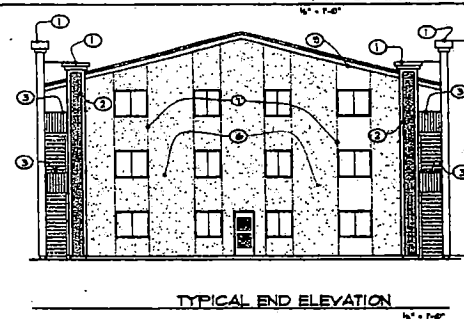


Castle Manor
APN# 125-35-401-003



KEYNOTES

- ① STUCCO OR POLYSTYRENE PLANT-ON
- ② RAZED STUCCO FINISH
- ③ METAL RAILING
- ④ CONCRETE ROOF TILE
- ⑤ CONCRETE ROOF TILE AND FLY UNDERLAYMENT
- ⑥ STUCCO
- ⑦ EXPANSION JOINT LOCATE AT CORNERS OF SPINOUS EXTENDED FIRST FLOOR TO CEILING AND AT DOORS EXTENDING TO CEILING AND SLABBERS AT 10'-0" O.C. FALL AS SHOWN ON ELEVATION
- ⑧ TILE TRIM AT EAVE--INSTALL SO AS TO ALLOW WATER TO RUN OFF ROOF
- ⑨ TILE TRIM AT GABLE
- ⑩ GUTTER AND DOWNSPOUT

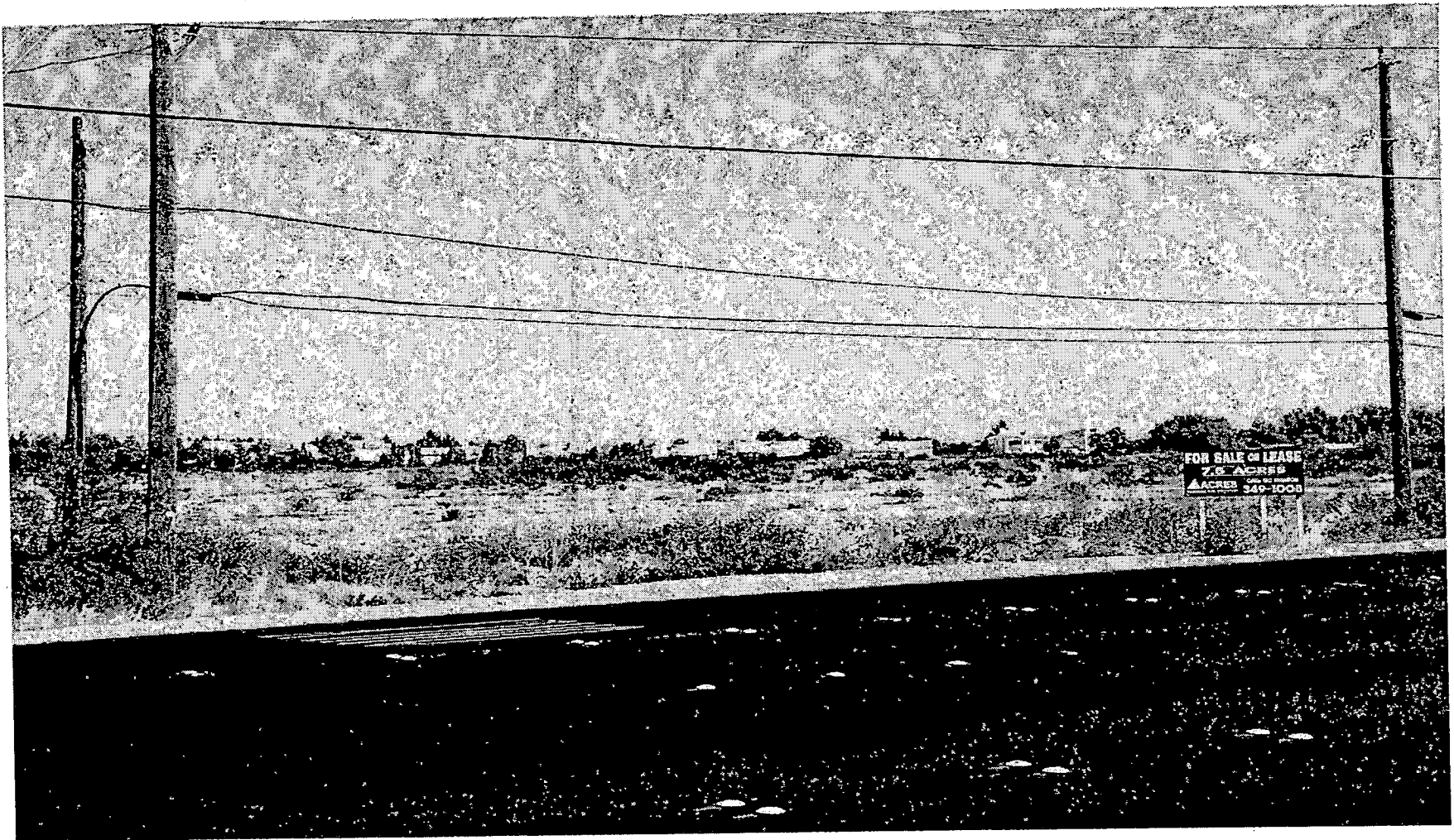


RECEIVED

SEP 07 2004

SUP-5196
10/21/04 PC





SUP-5196 - APPLICANT: GARY R. BRENNAN - OWNER: JAE SUM KIM AND MIMI KIM
SOUTHEAST CORNER OF RAINBOW BOULEVARD AND RANCHO DRIVE
OCTOBER 21, 2004 PLANNING COMMISSION

10/04/04

In regards to: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV. 89101

Dear Sir or Madam:

I, Jodi Faulkner am a property owner of the property located at 6232 Topweed Ave, Las Vegas, NV 89130. I am writing to let you know that I strongly object to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. and Rancho Dr.. I don't feel that this type of business is suitable or necessary for the neighborhood. I feel that a retail space or professional office building would be a better fit for this area. I would appreciate if this letter could be entered into record at the meeting scheduled for this matter on October 21, 2004.

Thank you for your time.

Sincerely,

Jodi Faulkner
Jodi A. Faulkner

Submitted at Planning Commission

Date 10-21-04 Item 72

@

In regards to: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV. 89101

Dear Sir or Madam:

I, Jeffrey Faulkner am a property owner of the property located at 6232 Topwood Ave Las Vegas, NV 89130. I am writing to let you know that I strongly object to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. and Rancho Dr.. I don't feel that this type of business is suitable or necessary for the neighborhood. I feel that a retail space or professional office building would be a better fit for this area. I would appreciate if this letter could be entered into record at the meeting scheduled for this matter on October 21, 2004.

Thank you for your time.

Sincerely,

Jeffrey A. Faulkner

In regards to: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV. 89101

Dear Sir or Madam:

I, Parker Singer, am a property owner of the property located at _____ I am writing to let you know that I strongly object to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. and Rancho Dr.. I don't feel that this type of business is suitable or necessary for the neighborhood. I feel that a retail space or professional office building would be a better fit for this area. I would appreciate if this letter could be entered into record at the meeting scheduled for this matter on October 21, 2004.

Thank you for your time.

Sincerely,

Parker Singer
Parker Singer

In regards to: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV. 89101

Dear Sir or Madam:

I, Tiffany Reber am a property owner of the property located at 5451 Wheatberry Ct. NLV, NV 89031. I am writing to let you know that I strongly object to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. and Rancho Dr.. I don't feel that this type of business is suitable or necessary for the neighborhood. I feel that a retail space or professional office building would be a better fit for this area. I would appreciate if this letter could be entered into record at the meeting scheduled for this matter on October 21, 2004.

Thank you for your time.

Sincerely,

Tiffany Reber
Tiffany Reber

In regards to: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV. 89101

Dear Sir or Madam:

I, Steve Spaniel, am a property owner of the property located at 5100 Chambliss Dr LV NV 89130. I am writing to let you know that I strongly object to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. and Rancho Dr.. I don't feel that this type of business is suitable or necessary for the neighborhood. I feel that a retail space or professional office building would be a better fit for this area. I would appreciate if this letter could be entered into record at the meeting scheduled for this matter on October 21, 2004.

Thank you for your time.

Sincerely,

Steve Spaniel
647-1712

In regards to: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV. 89101

Dear Sir or Madam:

I, Regina Jennings, am a property owner of the property located at 5200 Brookmere Dr. LV NV 89130. I am writing to let you know that I strongly object to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. and Rancho Dr.. I don't feel that this type of business is suitable or necessary for the neighborhood. I feel that a retail space or professional office building would be a better fit for this area. I would appreciate if this letter could be entered into record at the meeting scheduled for this matter on October 21, 2004.

Thank you for your time.

Sincerely,

Regina Jennings
5200 Brookmere Dr.
LV. NV. 89130

In regards to: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV. 89101

Dear Sir or Madam:

I, Robert Wright, am a property owner of the property located at 8211 W. Harmon Ave. I am writing to let you know that I strongly object to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. and Rancho Dr.. I don't feel that this type of business is suitable or necessary for the neighborhood. I feel that a retail space or professional office building would be a better fit for this area. I would appreciate if this letter could be entered into record at the meeting scheduled for this matter on October 21, 2004.

Thank you for your time.

Sincerely,

Robert Wright

Item 73 SDR-5197 Sign in sheet in opposition

Blenda Simper 6281 Fisher Ave LV 89130
Sybil J Hall 5061 Diamond Ranch Ave LV NV 89131
Darlene Bragg 6120 Azurite Dr Las Vegas 89130
F. Nishimoto 6924 WHITE LAKES LV NV 89130
Troy Crowther 6820 Bottle Sage
Tiffany Benson 5900 Sky Pointe #2005 LV NV 89130
Jeremy Benson 5900 Sky Point #2005 LV NV 89130
Oenette Lander 5033 Maverick St. LV NV 89130
Mark Jimenez 6332 Echo Canyon LV NV 89130
Michael & Dawn Renee Duffy 6337 Yankee Meadow Cir LV NV 89130
SERGE MILLER 6441 Rancho Santa Fe Dr 89130
ROB LUNDQUIST 4924 VEGA LN LV NV 89130
CHARICE LUNDQUIST " " " " " "
Brian Loveridge 5525 Flora Spray LV NV 89130
Stacie Howlett 6621 Welcome Lane LV NV 89130
Doug Howlett 6621 Welcome Lane LV NV 89130
Lora Cline 4908 Pulsar Ct. LV NV 89130
Gina Hargnum 6820 White Lakes Ave LV NV 89130
Anna Dahl 5345 Standing Rock Pl. LV NV 89130
JANICE HUNSAKER 4917 Vega Lane LV NV 89130
Freda Miller 6524 COSMO LV
JEAN ESSON 6620 WELCOME LN. LV 89130
PETER ESSON 6620 WELCOME LN LV 89130
Robert Gesler 6611 welcome Ln LV 89130
J Gesler 6611 welcome Ln LV 89130
ck Canepa 5201 white Coyote Pl LV 89130
Canepa " " " " "

Submitted at Planning Commission

Date 10-21-04 Item 72

A CALL TO ACTION

Are you aware that a
445 unit Residence Hotel
(day, week and month rentals)
is being planned in your neighborhood?

We know this will **increase noise**, traffic
and may greatly impact the **crime rate** in our
neighborhood. (Not to mention what it will do to the
value of our homes.)

This will effect the quality of life for each of us.

Please join us in protecting our neighborhood
by signing the objection letter,
emailing or calling Councilman Michael Mack,
and coming to the planning commission meeting

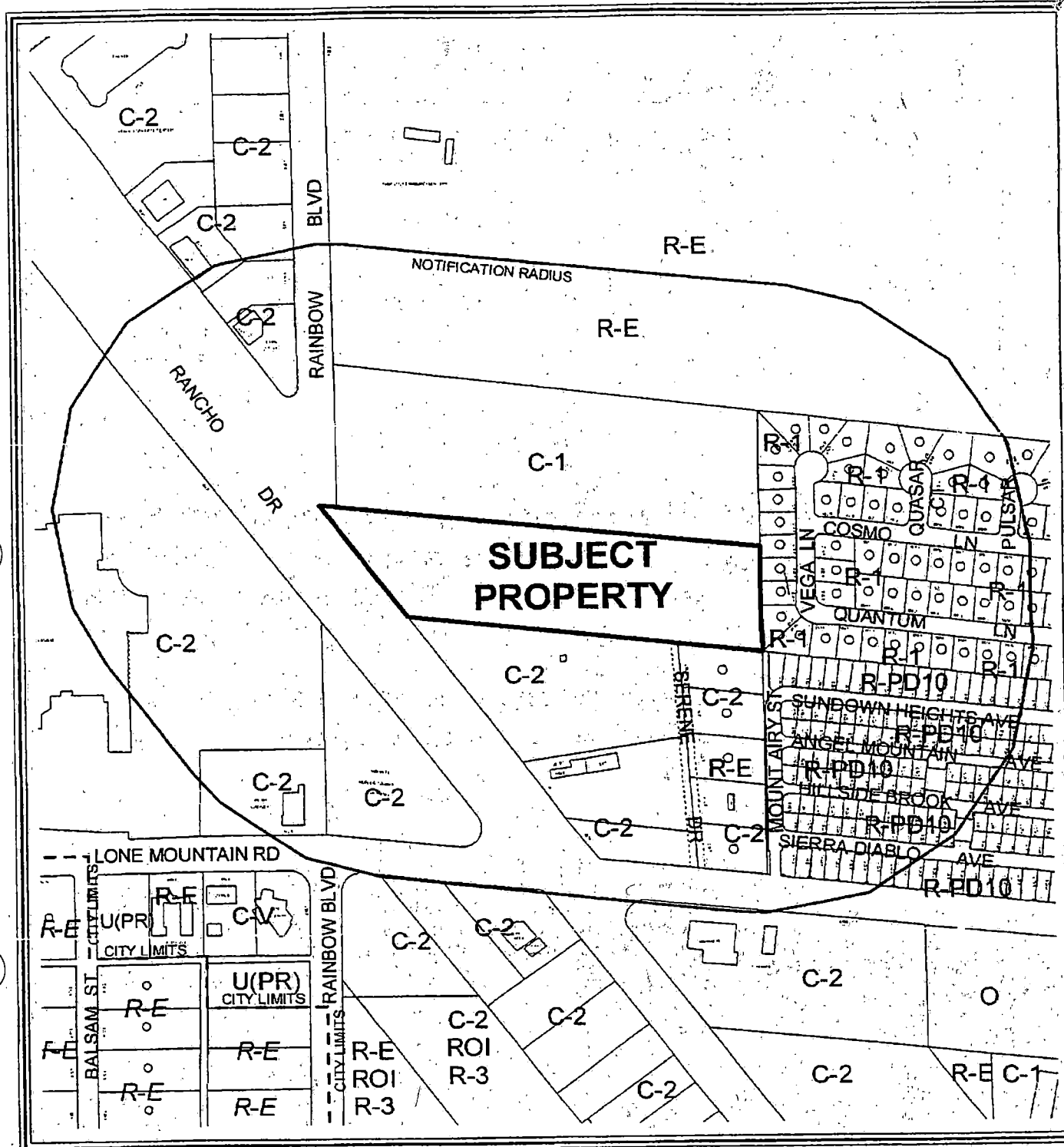
Thursday October 21, 2004

at 6:00 P.M.

400 East Stewart Ave.
(City Council Chambers).

Please help keep our neighborhood safe.

Councilman Mack's office 229-6405



CASE: **SDR-5197**

RADIUS: 750 FT

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

NOTICE OF PUBLIC HEARING

SITE DEVELOPMENT PLAN REVIEW

12535410014

Case: SDR-5197

MEETING: PLANNING COMMISSION
DATE: OCTOBER 21, 2004
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SDR-5197

APPLICANT: GARY R. BRENNAN - OWNER: JAE SUM KIM AND MIMI KIM - REQUEST FOR A SITE DEVELOPMENT PLAN REVIEW FOR A 445 UNIT RESIDENCE HOTEL ON 7.8 ACRES ADJACENT TO THE SOUTHEAST CORNER OF RAINBOW BOULEVARD AND RANCHO DRIVE (APN 125-35-401-003), C-1 (LIMITED COMMERCIAL) ZONE, WARD 6 (MACK).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 35, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objections thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on this request may be determined by the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. You may not receive an additional notice for the City Council meeting. For further information, please call 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



GARY LEOBOLD, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

EVERLYN CRAIK 5324 WHITE COYOTE PL LV 89130

MARLENE MARTIN 6808 White LAKES Ave LV NV 89130

Karen K. Clark 6508 Cosmo Ln

Shirley J. Clark

Amanda Clark

MARGARET SUSSE 6808 White LAKES Ave LV NV 89130

Debbie DeBella 6508 Cosmo Ln. L. V. NV.

Jennifer Blanchard 5408 Flowering Bush 89130

April Chapman 6913 Fruit Flower 89130

In regards to: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV. 89101

Dear Sir or Madam:

I, _____, am a property owner of the property located at _____. I am writing to let you know that I strongly object to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. and Rancho Dr.. I don't feel that this type of business is suitable or necessary for the neighborhood. I feel that a retail space or professional office building would be a better fit for this area. I would appreciate if this letter could be entered into record at the meeting scheduled for this matter on October 21, 2004.

Thank you for your time.

Sincerely,

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

☐ I, Adam Childress
Sharon Childress, own the property at, 6917 Rancho Santa Fe Dr.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development
Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a
negative way. A professional office building or retail space would be more suitable for the area
in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday
October 21, 2004.

☐ Thank you for your time.

Sincerely,

Adam Childress
Sharon Childress

Submitted at Planning Commission

Date 10-21-04 Item 72

10

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, DOUGLAS PETERMAN, own the property at, 6405 HOMERUN DR.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Douglas Peterman

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

L.V. NV-89130
6524 Sandown Heights
5204 Scoreboard

I, Robert J. Wellm, own the property at, 6416 Home Run.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Robert J. Wellm 10-15-04

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, JERALD NEWBERRY own the property at, 6408 HOME RUN DR.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Jerald R. Newberry

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Steve Beranek & Carrie Parker, own the property at, 6401 Home Run Dr.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development
Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive. 89/30

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Steve Beranek
Carrie S. Parker

7

‘

Dear Sir or Madam:

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday
October 21, 2004.

Thank you for your time.

Sincerely,





7
RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Richard Lauer, own the property at, 5033 Marente St.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development
Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a
negative way. A professional office building or retail space would be more suitable for the area
in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday
October 21, 2004.

Thank you for your time.

Sincerely,

Richard Lauer
John Lauer

7
RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Rolyn Bleazard, own the property at, 6117 Azurite Dr.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Rolyn Bleazard
Oct. 21, 2004

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Teresa Satterfield, own the property at, 1005 Melic way.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Teresa Satterfield

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Ingrid Peña, own the property at, 7225 Royal Guard Ave.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely, ~

Ingrid M Peña

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Megan Chatterton, own the property at, 7209 Grand Palace
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development
Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a
negative way. A professional office building or retail space would be more suitable for the area
in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday
October 21, 2004.

Thank you for your time.

Sincerely,

Megan Chatterton

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, KEN & MARILYN TYLER, own the property at, 6700 RIOSANDS.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Marilyn Tyler

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Chad & Crystal Hirsch, own the property at, 6785 N. Tigra Way - 89131.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Crystal Hirsch

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

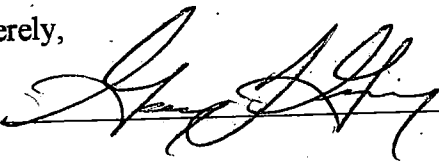
I, GARY GUNNY, own the property at, 5409 FLOWERING BUSH CT.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development
Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a
negative way. A professional office building or retail space would be more suitable for the area
in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday
October 21, 2004.

Thank you for your time.

Sincerely,



7
RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

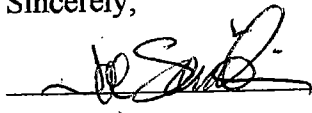
I, JOE SAWICKI, own the property at, 5413 Flowering Bush Ct.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,



RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Sharon Heyborne, own the property at, 5312 Flowering Bush Ct.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Sharon Heyborne

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Leigh Swaney, own the property at, 6900 Fruit Flower
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development
Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a
negative way. A professional office building or retail space would be more suitable for the area
in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday
October 21, 2004.

Thank you for your time.

Sincerely,

Leigh Swaney

7
RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

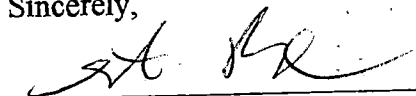
I, Stan Page, own the property at, 6812 Bottle Sage St.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,



7
RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

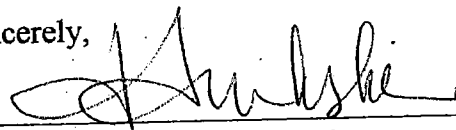
I, Maria Domkowsky own the property at, 6900 Bottle Sage Ave
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development
Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive. 89130

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,



RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Russell Lee, own the property at, 6905 Fruit Flower Ave.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Russell Lee

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Michael McMillan own the property at, 6909 - Fruit Blossom Ave.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development
Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a
negative way. A professional office building or retail space would be more suitable for the area
in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday
October 21, 2004.

Thank you for your time.

Sincerely,

Michael McMillan
Gwendolyn McMillan

7
RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

☒ I, Dianne Higgins, own the property at, 5408 Flowering Bush.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

☐ Sincerely,

Dianne Higgins

7
RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Stephani Johnson, own the property at, 6105 Lonesome Court
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development
Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a
negative way. A professional office building or retail space would be more suitable for the area
in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday
October 21, 2004.

Thank you for your time.

Sincerely,

Stephani Johnson

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Jennifer Conner, own the property at, 6901 Cloudy Ridge Ct Las Vegas, NV 89131.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Jennifer Conner

7
RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Kierstin Leavitt, own the property at, 7558 Violet Vista Ave.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Kierstin Leavitt

7
RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Michelle Beck, own the property at, 6808 Rose Petal Ave
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development
Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a
negative way. A professional office building or retail space would be more suitable for the area
in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday
October 21, 2004.

Thank you for your time.

Sincerely,

Michelle Beck

7
RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Judy Cook-Tienkvold, own the property at, 5812 Grand Heritage St.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development
Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a
negative way. A professional office building or retail space would be more suitable for the area
in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday
October 21, 2004.

Thank you for your time.

Sincerely,

Judy Cook-Tienkvold

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Heather Allen, own the property at, 7205 Piza Ave.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Heather Allen

7
RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Lori Pym, own the property at 5817 Mansion St
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development
Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a
negative way. A professional office building or retail space would be more suitable for the area
in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday
October 21, 2004.

Thank you for your time.

Lori Pym

Sincerely,

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Shanna Garrett, own the property at, 5716 Emperore Way.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Shanna F. Garrett

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Jean Chappell, own the property at, 6720 N. Tioga Way.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Jean Chappell
6720 N. Tioga Way

7
RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Debbie Iverson, own the property at, 7228 Royal Guard 89130
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development
Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a
negative way. A professional office building or retail space would be more suitable for the area
in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday
October 21, 2004.

Thank you for your time.

Sincerely,

Debbie Iverson

10-21-04

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Tami Storey, own the property at, 5764 Royal Castle Ln.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Tami Storey

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, _____, own the property at, _____.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Tammi Peterson, ^{rent} own the property at, 5850 Sky Pointe Dr #2019.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Tammi Peterson

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Joan C. Smith, ^{rent} own the property at, 5850 SkyPointe Dr. Apt. 1030
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Joan C. Smith
5850 SkyPointe Apt. 1030

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Judy Jolley, own the property at, 7265 Bath Dr.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Judy L. Jolley

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Jean Wakeman, own the property at, 6105 Daisy Field #101
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Jean Wakeman

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Melissa Hales, own the property at, 5917 Silver Heights.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Melissa Hales

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

N Andrea : Michael Doyle own the property at, 7855 Deer Springs Way #1048
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Doyle
Michael Doyle

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Jamie Abbat, own the property at 6100 Golden Saddle.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Jamie Abbat

RE: SUP-5196 and SDR-5197

City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Dear Sir or Madam:

I, Janise Loveridge, own the property at, 5525 Flora Spray.
I am writing to voice my objection to the Special Use Permit (SUP-5196) and Site Development Plan (SDR-5197) being proposed for the location at Rainbow Blvd. And Rancho Drive.

This business is not suitable for our neighborhood. I feel it would impact our neighborhood in a negative way. A professional office building or retail space would be more suitable for the area in review.

I would appreciate this letter being entered into record at the meeting scheduled this Thursday October 21, 2004.

Thank you for your time.

Sincerely,

Janise M. Loveridge

Issue: Notification and Alerting the Residents:

- ❖ We need your help, we are a few of many
- ❖ We are speaking for them
- ❖ We represent over 500 friends, neighbors and community members who were not able to attend and asked that we represent them.
- ❖ Short notice
 - Children
 - Work
 - School

Issue: Sufficient Rental Property in Existence:

- ❖ We understand in a growing community there is a need for all types of housing.
 - Apartments approved behind "Funny's" directly Southwest of "Subject Property"
 - Great project
 - Families can treat as their HOME and not a place to HIDE out
- ❖ Eagle Crest apartments within 2 miles
- ❖ 2 apartment complexes within 2 miles to the Southwest of the Santa Fe
- ❖ Contrast safety in apartment areas vs. Budget Suites areas

Issue: Such High Density in Such a Small Centralized Area - Congestion

- ❖ New homes currently under construction North on Rainbow
- ❖ Already Have Year Round School
- ❖ On Rainbow there are:
 - School Zones
 - Crosswalks
 - Bus Stops

Issue: Safety

Put yourselves in our shoes...would YOU want this for your CHILDREN?

- ❖ Adult Video Store and "Arcade" within walking distance
- ❖ Preschool within walking distance
- ❖ Elementary school within walking distance
- ❖ Children's bus stops within walking distance
- ❖ Children's cross walks within walking distance
- ❖ We have strong neighborhoods with a many older children who enjoy movies and bowling

From My Experience & Observation

- ❖ Constant flow of prostitution, illegal drug use, violent crime.
- ❖ Magnet that pulls people with undesirable lifestyles
 - Good families with limited economic resources are placed in jeopardy as they face prostitution, illegal drugs, and violent crime all around them.
 - Families of casino workers and other renters need a safe place for their families.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5197 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5196 - PUBLIC HEARING - APPLICANT: GARY R. BRENNAN - OWNER: JAE SUM KIM AND MIMI KIM - Request for a Site Development Plan Review FOR A 445 UNIT RESIDENCE HOTEL on 7.8 acres adjacent to the southeast corner of Rainbow Boulevard and Rancho Drive (APN 125-35-401-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 11/17/04

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
4. Submitted at meeting – Seven letters of opposition from Glenda Simper filed under Item 72 [SUP-5196]

MOTION:

GOYNES – DENIED – UNANIMOUS

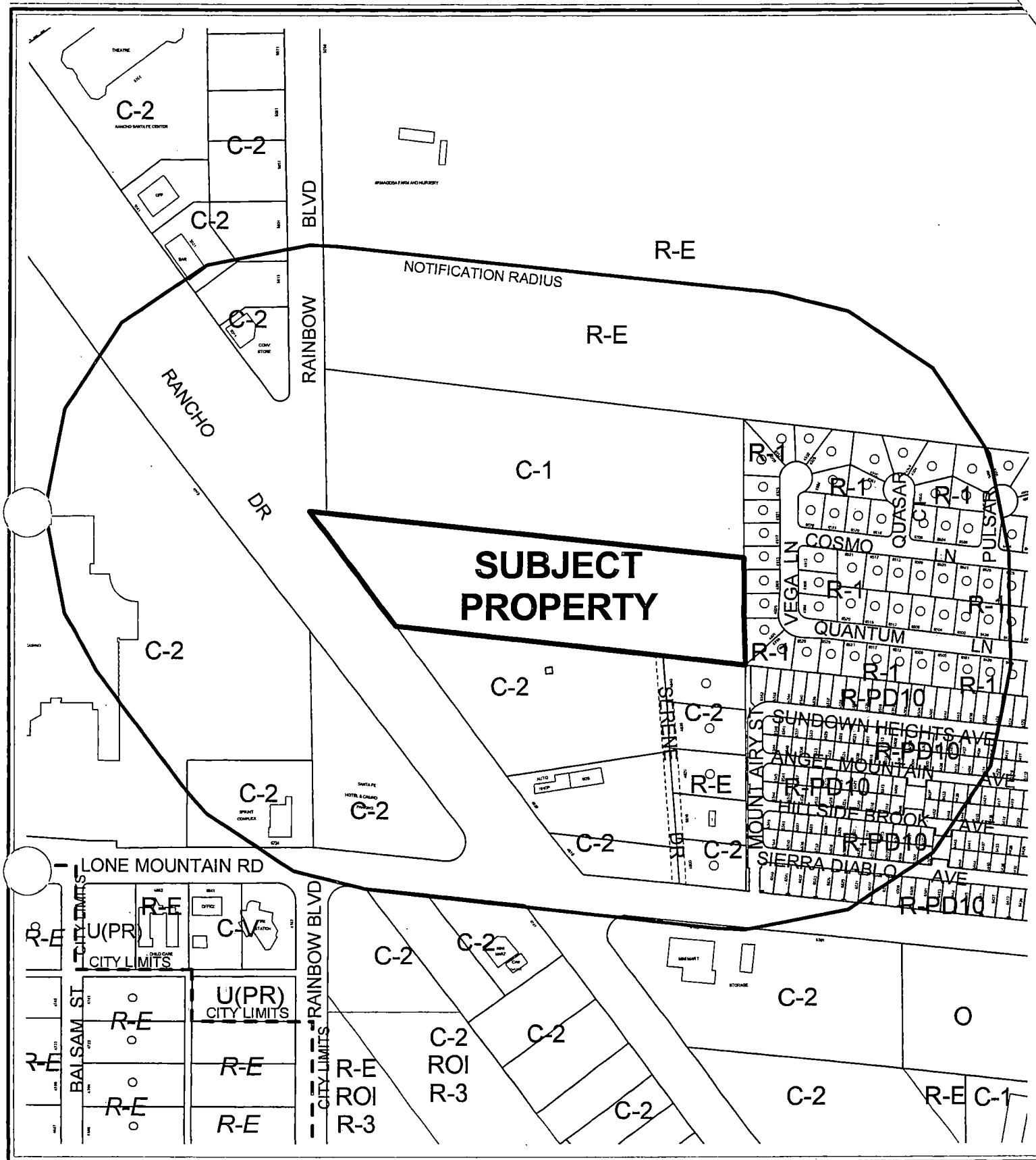
To be heard by the City Council on 11/17/2004 (Not before 4 p.m.)

MINUTES:

See Item 72 [SUP-5196] for related discussion on Item 72 [SDR-5192] and Item 73 [SDR-5197].

(11:27-12:21)

4-1316



CASE: **SDR-5197**

RADIUS: 750 FT

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

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-5197 - APPLICANT: GARY R. BRENNAN - OWNER:
JAE SUM KIM AND MIMI KIM**

**** 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, landscape plan and building elevations date stamped 09/07/04, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the required Multi-Use Non-Equestrian Trail on the east side of Rancho Drive in accordance with Exhibit 1 of the Recreation Trails Element of the Las Vegas 2020 Master Plan.
4. Trash enclosures shall be roofed and use materials similar to the principal structures on the site, in conformance to Title 19.08.045.
5. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to include additional architectural features to enhance façade articulation.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

SDR-5197 - Conditions Page Two
October 21, 2004 - Planning Commission Meeting

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Construct all incomplete half-street improvements on Rancho Drive adjacent to this site concurrent with development of this site.
14. Landscape and maintain all unimproved rights-of-way on Rancho Drive adjacent to this site.
15. Submit an application for an Occupancy Permit for all landscaping and private improvements in the Rancho Drive public right-of-way adjacent to this site prior to the issuance of any permits.
16. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance

SDR-5197 - Conditions Page Three
October 21, 2004 - Planning Commission Meeting

will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 445-unit Residence Hotel on 7.8 acres adjacent to the southeast corner of Rainbow Boulevard and Rancho Drive.

B) Applicant's Justification

According to the applicant's justification letter, the project complies with City parking, landscaping, setback, residential adjacency, lot coverage and design standards. The proposed location offers convenient access and maximum security. All units are fenced with decorative wrought iron and feature electronic key locks.

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The subject property was Annexed into the City of Las Vegas as part of a larger request (A-0003-64).
- 06/06/01 The City Council denied a request for a Site Development Plan Review (SD-0076-00) for a proposed 25,932 square-foot auto dealership (Rancho Nissan) on the subject site. The Planning Commission and staff recommended approval.
- 04/02/03 The subject property was Rezoned to C-1 (Limited Commercial) as part of a larger request (ZON-1364) related to the Rancho Corridor study. The Planning Commission and staff recommended approval.
- 10/21/04 The Planning Commission will consider a companion request for a Special Use Permit (SUP-5196) for a proposed Residence Hotel on the subject site.

B) Pre-Application Meeting

- 08/25/04 The site plan was surveyed for compliance with applicable standards, including parking, landscaping, residential adjacency, setbacks, lot coverage, and building design. NDOT should be contacted for driveway improvements on Rancho Drive. A screen wall must be provided between the subject property and the adjacent residential development to the east. A waiver of the front yard build-to-line should be considered, unless the site is redesigned. The office building elevations should be revised to be more compatible with the area.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 7.58

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Outside Storage
East: Single-Family Residential
West: Rancho Drive
Santa Fe Casino

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: C-2 (General Commercial)
East: R-1 (Single-Family Residential)
West: C-2 (General Commercial)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Centennial Hills Interlocal Land Use Plan in the Centennial Hills Sector Plan of the General Plan. This category allows low to medium intensity retail, offices, and other commercial uses not having more intense general commercial characteristics. A Residence Hotel is an appropriate land use within the SC (Service Commercial) designation.

INTERAGENCY ISSUES

The Las Vegas Metropolitan Police Department is concerned about the increased demand for law enforcement services created as a result of ongoing population growth within the Las Vegas Valley. According to this agency, the proposed development could therefore have a possible negative effect on the response time to calls for service, the quality of investigations, and the time available for preventive patrolling and dealing with quality of life issues, which, if not addressed, may escalate to criminal issues. The Metropolitan Police Department fears that it is understaffed and therefore may not be able to provide adequate services with the additional development.

PROJECT DESCRIPTION

The proposed three-story Residence Hotel consists of 136 studio units, 220 one-bedroom units, 88 two-bedroom units and one "VIP Suite" for a total of 445 for-rent units. Ten buildings are situated around the site in a "U"-shaped configuration, with an office and pool on the inside of the "U" and parking on the perimeter. A total of 451 parking spaces are proposed; approximately 29 percent of these are classified as eight-foot wide compact spaces. Access to the site is provided by one driveway from the northbound lanes of Rancho Drive. Seven trash enclosures are provided at various points on the perimeter of the site. Perimeters are landscaped with a 15-foot buffer containing trees and shrubs along Rancho Drive and eight-foot buffers along the sides and rear. The required 20-foot Multi-Use Non-Equestrian Trail is provided on the site adjacent to Rancho Drive. Typical building exteriors consist of stucco with concrete tile gabled roofs. The side of each building features external stairways and metal railings. The two-story office building employs a castle theme with tall windows and turrets.

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	7.58 Acres	N/A
Min. Lot Width	100 Feet	407 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	15 Feet	Y
• Corner	15 Feet	N/A	N/A
• Rear	20 Feet	134 Feet	Y

SDR-5197 - Staff Report Page Four
October 21, 2004 - Planning Commission Meeting

Max. Lot Coverage	50 %	25 %	Y
Max. Building Height	None	43.5 Feet	Y
Trash Enclosure	Walled, screened, roofed	Not indicated	---
Loading Zone	Not required	None	N/A
Mech. Equipment	Screened	Not indicated	---

Minimum development standards for properties in a C-1 (Limited Commercial) district have been met or exceeded by this project.

A2) Residential Adjacency Standards

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

- a) Proximity slope. The building on the subject site closest to single-family properties to the east is approximately 33 feet high. A 3-to-1 proximity slope drawn from the single-family properties into this property indicates that the highest point of this building should be set back at least 99 feet from the rear property line. The site plan shows that the edge of this building is 134 feet from the rear property line; therefore, the entire building falls below the proximity slope limitation.
- b) Building setback. The building on the subject site closest to single-family properties to the east meets the minimum 15-foot setback required for commercial sites adjacent to the rear of R-1 (Single-Family Residential) zoned properties.

A3) Parking and Traffic Standards

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

Uses	Units	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Residence Hotel	445	1 space per guest room	436	9	442	9

An adequate number of parking spaces to meet the use are provided on site, including handicapped spaces. Up to 30 percent of the spaces may be designated as compact spaces. The site plan indicates that about 29 percent of the spaces provided will be compact.

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October 21, 2004 - Planning Commission Meeting

The Department of Public Works has indicated that a Traffic Impact Analysis must be completed for this site prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing the site.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	76 Trees	87 Trees
Buffer:			
• Min. Trees (front and rear)	1 – 24" Box Tree/20 Linear Feet + 1 Tree	33 Trees	47 Trees
• Min. Trees (sides)	1 – 24" Box Tree/30 Linear Feet + 1 Tree	71 Trees	71 Trees
• Min. Zone Width (front)	15 Feet		15 Feet
• Min. Zone Width (sides and rear)	8 Feet		8 Feet
• Wall height	Max. 6 Feet except rear (Min. 6 Feet)		Not indicated

The subject proposal meets or exceeds all landscape standards of the Code. Shrubs are generally indicated on the conceptual site plan, but will need to comply fully with the Landscape, Wall and Buffer Standards.

A5) Sign Standards

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

One freestanding sign is indicated on the site plan. This and any additional signage will be required to comply with the criteria listed in Title 19.14.060 for properties within C-1 (Limited Commercial) zoning districts.

B) General Analysis and Discussion

• **Zoning**

The subject site is zoned C-1 (Limited Commercial). A Residence Hotel is a permitted use in this zoning district with the approval of a Special Use Permit. This type of use allows for buildings containing multiple units to be used for extended stay lodging, with customary hotel services such as linen, maid service, telephone and upkeep of furniture provided. Additional amenities to guests may include meeting rooms, recreational facilities, and a club house.

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- Site Plan

The development as depicted on the site plan complies with Title 19 standards. A 20-foot wide Multi-Use Non-Equestrian Trail is required on the east side of Rancho as indicated on Map No. 4 of the Interlocal Joint Parks and Trails Plan. As described by the Recreation Trails Element of the Las Vegas 2020 Master Plan, this trail should consist of a 10-foot path and a five-foot landscape buffer, with an additional five feet of landscaped amenities in the right-of-way. The site plan shows that a five-foot path will meander the length of the frontage within a minimum 15-foot landscape area. It also appears that the path does not stay within the 15-foot area abutting the frontage. A condition of approval will address this issue. Trash enclosures will be provided at the rate of approximately one per 64 units.

- Waivers

No waivers of the Commercial Development Standards are proposed for this site.

- Landscape Plan

All parking lot and perimeter landscaping standards appear to comply with Title 19 and the Landscape, Wall and Buffer Standards. The site will provide 24" box Aleppo Pine along Rancho Drive and 24" Mondel Pine along the side and rear property lines. The trees are denser for increased screening along the rear property line, where the site abuts single-family residences.

- Elevation

The buildings most visible from Rancho Drive need greater articulation in their front and side elevations. Most notably, stairways can be partially enclosed and parts of the long side elevations can extend out from the predominant line of the building. The long columnar elements at the stairways can be duplicated at regular intervals along the façade and can be attached to the roof to provide additional variation. The "castle" theme of the office building is unacceptable because it is not harmonious and compatible with the surrounding area.

- Floor Plan

The proposed residence hotel will feature one floor plan each for studio and one-bedroom units. Two-bedroom units vary relative to their location either on the end or the interior of the buildings. The "VIP Suite" or owner's unit is located on the upper floor of the office and contains two bedrooms and a single-car garage at lobby level.

FINDINGS

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

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

With significant revision to the building facades to increase visual interest, the proposed residence hotel site will be compatible with existing development in the area. The area to the north and south of the site is largely undeveloped, with an outside storage yard to the immediate south that will be screened from the subject property. Buildings on the proposed site will be set back and screened with additional landscaping to promote privacy and to comply with Residential Adjacency Standards.

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

The proposed residence hotel is consistent with the General Plan, Landscape, Wall and Buffer Standards, and all Title 19 standards with the implementation of conditions of approval for the site.

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

The subject property has access to Rancho Drive from one driveway. Rancho Drive is a Primary Arterial that is 200 feet wide along the section abutting the subject property and will be capable of handling the additional traffic generated by development of the site as a residence hotel.

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

Building and landscape materials are consistent with other commercial projects in the area. Pine trees are provided on the perimeter, especially along the east property line, to aid in screening from adjacent development.

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

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October 21, 2004 - Planning Commission Meeting

With the implementation of conditions of approval that require additional articulation to the buildings and the removal of castle-themed elements of the office building, the proposed elevations create an aesthetically pleasing environment that will be compatible with existing development in the area.

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

The proposed site will be subject to inspection for building and licensing, thereby safeguarding the public health, safety and general welfare.

NOTICES MAILED 196 [Mailed with SUP-5196]

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Gary R. Brennan

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

Yes ☐ No ☒

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

City Official: N/A

Partner(s): N/A

APN: _____

Signature of Property (Owner)/Authorized Agent: Hae In Kim

Print Name: Joe Suk Kim

Subscribed and sworn before me

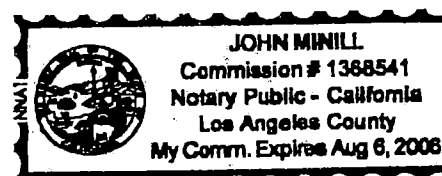
This 21ST day of AUGUST, 2004

Notary Public in and for said County and State

Subscribed and sworn to before me
this 31st day of Aug. 2004
in the County of Los Angeles,
State of Calif.

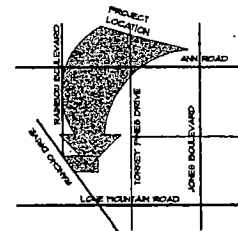
Revised 2/12/02

Notary Public, John Minilli



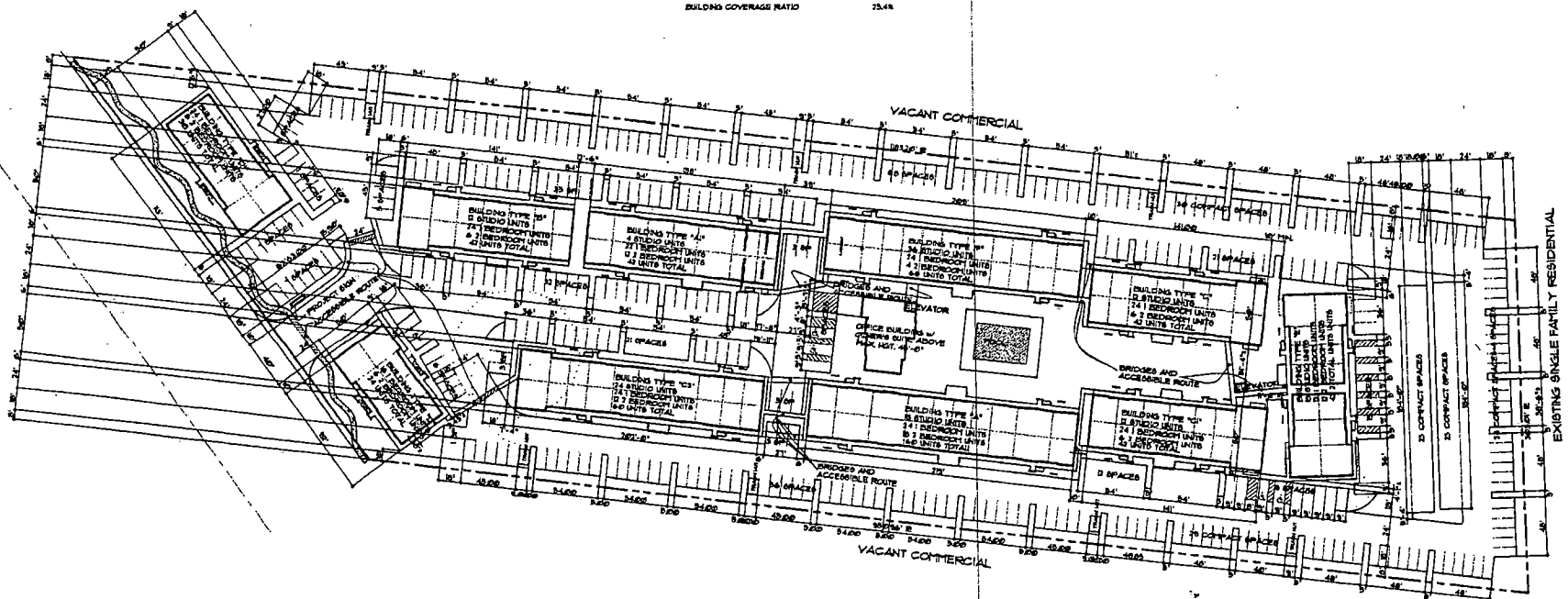
LOT COVERAGE

BUILDING A COVERAGE	1034.100
BUILDING A1 COVERAGE	833.111
BUILDING B COVERAGE	7,443.261
BUILDING C COVERAGE	7,443.261
BUILDING C1 COVERAGE	7,443.261
BUILDING C2 COVERAGE	7,443.261
BUILDING C3 COVERAGE	7,443.261
BUILDING D COVERAGE	7,443.261
BUILDING E COVERAGE	7,443.261
BUILDING F COVERAGE	7,443.261
BUILDING G COVERAGE	7,443.261
BUILDING H COVERAGE	7,443.261
BUILDING I COVERAGE	7,443.261
BUILDING J COVERAGE	7,443.261
BUILDING K COVERAGE	7,443.261
BUILDING L COVERAGE	7,443.261
BUILDING M COVERAGE	7,443.261
BUILDING N COVERAGE	7,443.261
BUILDING O COVERAGE	7,443.261
BUILDING P COVERAGE	7,443.261
BUILDING Q COVERAGE	7,443.261
BUILDING R COVERAGE	7,443.261
BUILDING S COVERAGE	7,443.261
BUILDING T COVERAGE	7,443.261
BUILDING U COVERAGE	7,443.261
BUILDING V COVERAGE	7,443.261
BUILDING W COVERAGE	7,443.261
BUILDING X COVERAGE	7,443.261
BUILDING Y COVERAGE	7,443.261
BUILDING Z COVERAGE	7,443.261
TOTAL LOT AREA	150 ACRES
TOTAL LOT SQUARE FOOTAGE	33,000,000
BUILDING COVERAGE RATIO	73.4%



PROJECT DATA:

TOTAL 1-BEDROOM UNITS	370
TOTAL 2-BEDROOM UNITS	80
TOTAL STUDIO UNITS	136
VIP SUITE	1
TOTAL UNITS	440
TOTAL PARKING REQUIRED FOR UNITS	440
OFFICE AREA	10,000
PARKING REQUIRED FOR OFFICE	20
TOTAL PARKING REQUIRED	460
STANDARD PARKING PROVIDED	331
COMPACT PARKING PROVIDED (1250)	129
TOTAL PARKING PROVIDED	460



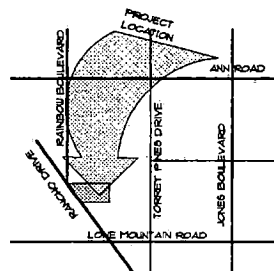
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SEP 07 2004

SDR-5197
10/21/04 PC

SITE PLAN
1" = 40'-0"

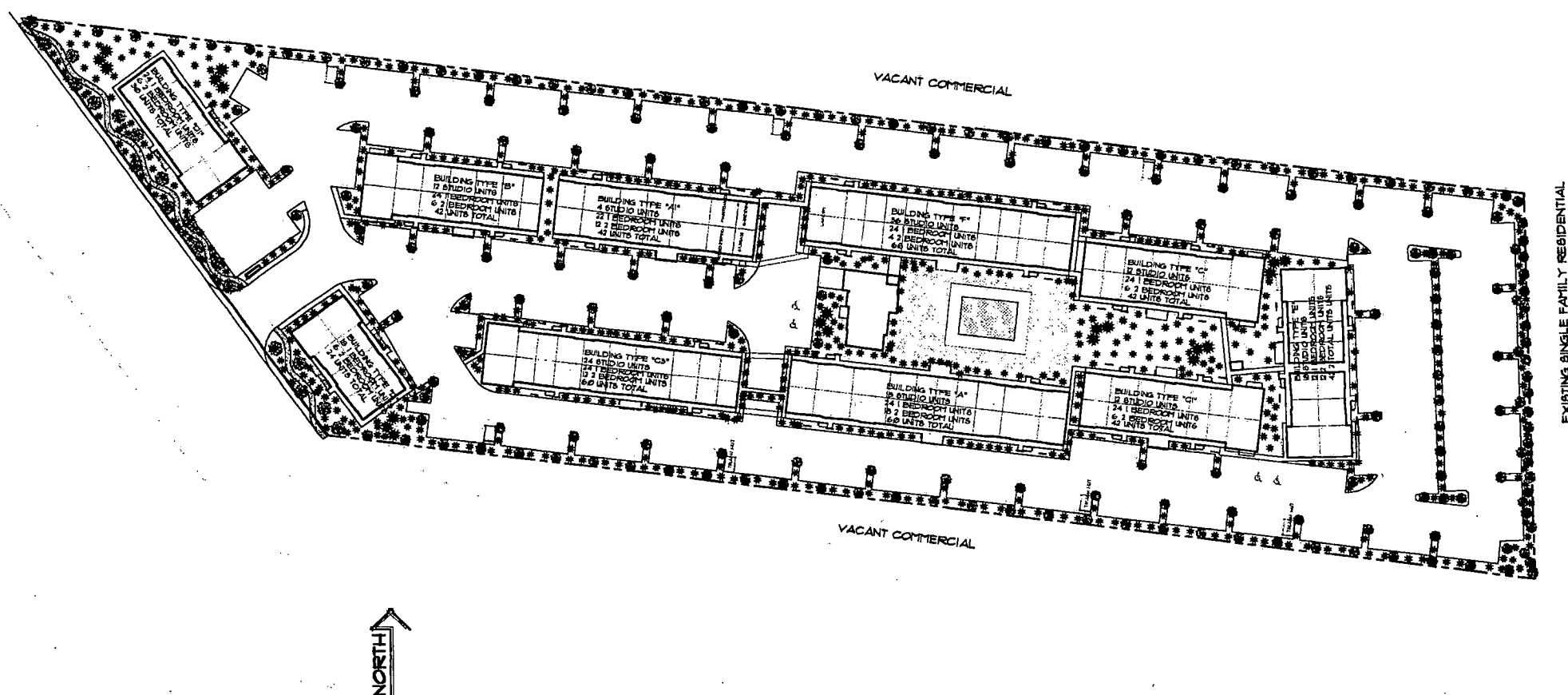
LANDSCAPE LEGEND

- 15 GAL. MEXICAN PALM
- 24" BOX ALLEPO PINE SPACED AS SHOWN ON PLAN
- 24" BOX MONDEL PINE SPACED AS SHOWN ON PLAN
- ASSORTED DROUGHT RESISTANT SHRUBS
- 5 GAL. CONTAINER - 6'-6" O.C.
- FILL IN ALL VOIDS BETWEEN PLANTS w/ 1/4" TO 1/2" DIA. COLORED DECOMPOSED GRANITE TO A DEPTH OF 3"
- TURF



PROJECT DATA:

TOTAL 1-BEDROOM UNITS	220
TOTAL 2-BEDROOM UNITS	88
TOTAL STUDIO UNITS	136
VIP SUITE	1
TOTAL UNITS	445
TOTAL PARKING REQUIRED FOR UNITS	445
OFFICE AREA	11689
PARKING REQUIRED FOR OFFICE	0
TOTAL PARKING REQUIRED	445
STANDARD PARKING PROVIDED	372
COMPACT PARKING PROVIDED (28.5%)	131
TOTAL PARKING PROVIDED	481



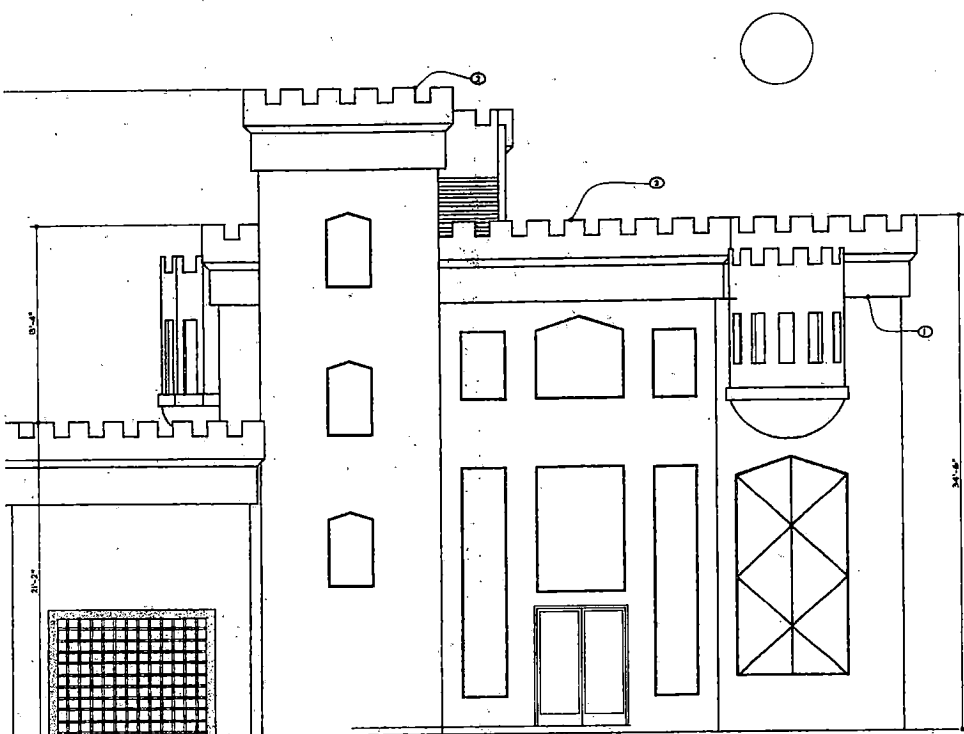
SDR-5197

LANDSCAPING PLAN

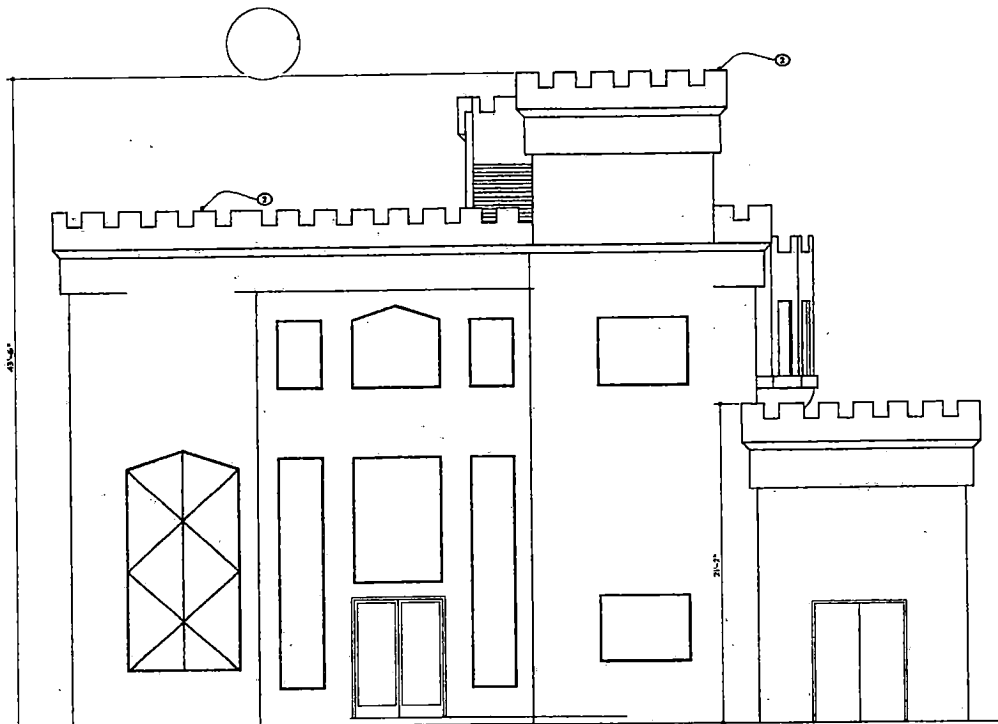
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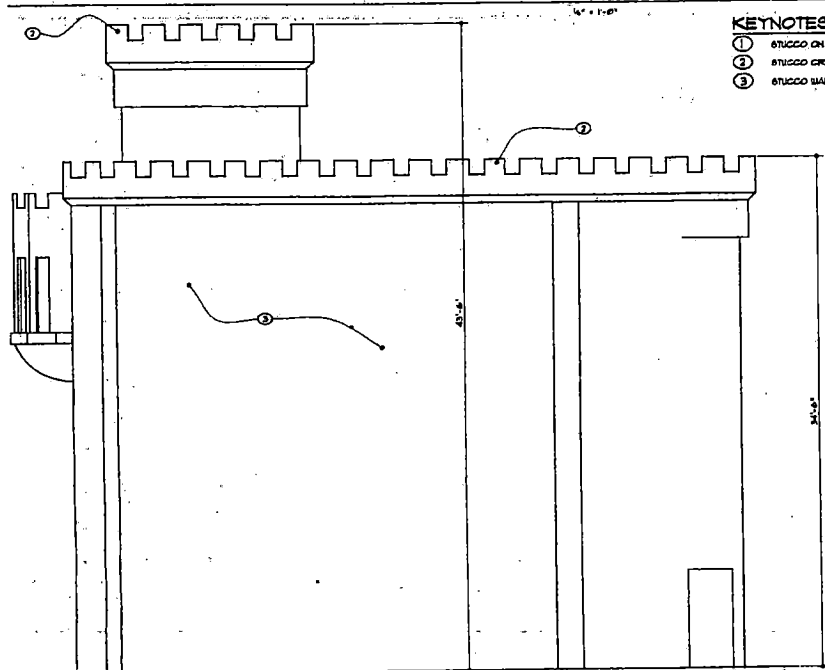
10/21/04 PC



OFFICE BUILDING WEST ELEVATION



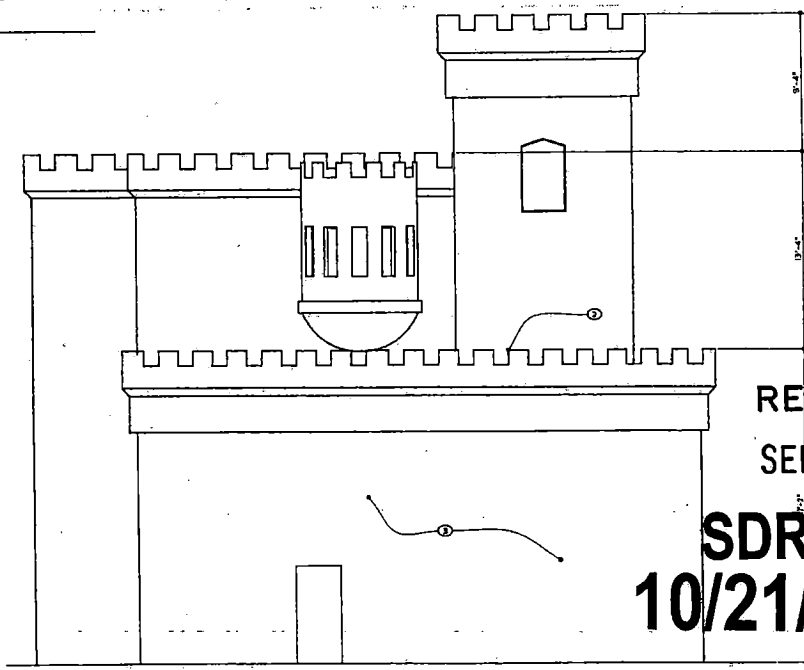
OFFICE BUILDING EAST ELEVATION



OFFICE BUILDING SOUTH ELEVATION

KEYNOTES

- ① STUCCO ON PLANT-ON
- ② STUCCO CREMELLATIONS
- ③ STUCCO WALL FINISH



OFFICE BUILDING NORTH ELEVATION

RECEIVED

SEP 07 2004

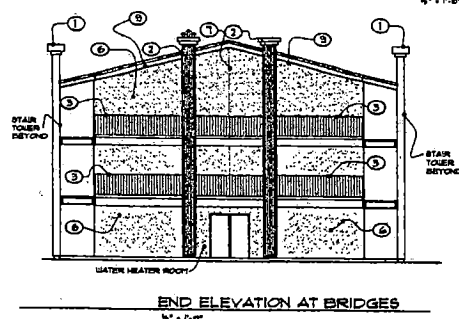
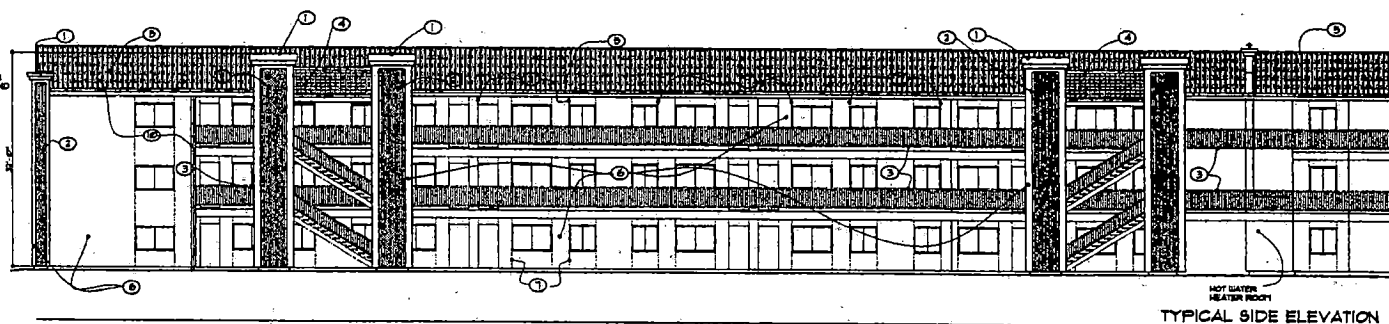
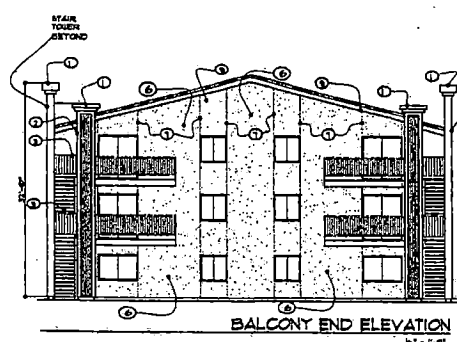
SDR-5197
10/21/04 PC

SEN PATTY ARMENT
BUILDING FOR CENTRAL PROPERTIES

17 AUGUST 2004

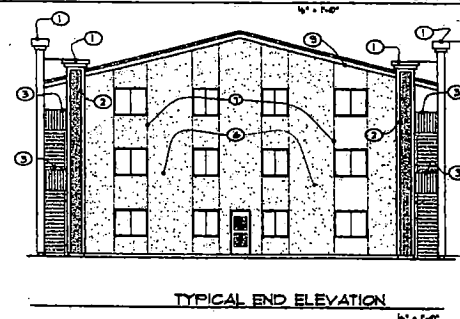
4.

Castle Manor
APN# 125-35-401-003



KEYNOTES

- ① STUCCO w/ POLYSTYRENE PLANT-ON
- ② RAZED STUCCO FINISH
- ③ METAL RAILING
- ④ CONCRETE ROOF TILE
- ⑤ CONCRETE ROOF TILE w/ PLY UNDERLAYMENT
- ⑥ STUCCO
- ⑦ EXPANSION JOINT, LOCATE AT CORNERS OF MODULES, EXTENDING FROM FLOOR TO CEILING AND AT DOORS, FURTHER AS SHOWN ON ELEVATION
- ⑧ TILE TRIM AT EAVE - INSTALL SO AS TO ALLOW WATER TO RUN OFF ROOF
- ⑨ TILE TRIM AT GABLE
- ⑩ GUTTER AND DOWNSPOUT



RECEIVED
SEP 07 2004
SDR-5197
10/21/04 PC





SDR-5197 - APPLICANT: GARY R. BRENNAN - OWNER: JAE SUM KIM AND MIMI KIM
SOUTHEAST CORNER OF RAINBOW BOULEVARD AND RANCHO DRIVE
OCTOBER 21, 2004 PLANNING COMMISSION

10/04/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5215 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DAVID VANZANTEN - OWNER: JAMES POLLINS AND LUISA TAPIA - Request for a Special Use Permit FOR A TAVERN AND FOR A WAIVER OF THE 1,500 FOOT MINIMUM DISTANCE SEPARATION REQUIREMENT FROM A RELIGIOUS FACILITY at 9 West Charleston Boulevard (APN 162-03-110-109), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 11/17/04

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:

EVANS – APPROVED subject to conditions, deleting Condition 3 and Condition 6 and amending the following condition:

9. The Off-Premise Advertising sign at 9 West Charleston Boulevard shall be removed within *one year* of approval of this special use.
– UNANIMOUS with TRUESDELL abstaining because he owns an interest in a piece of property within the notification area of this application

To be heard by the City Council on 11/17/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

FLINN FAGG, Planning and Development Department, explained the application is for a liquor establishment, which requires a Special Use Permit to waive the 1,500-foot minimum distance separation requirement because there is a religious facility nearby. Title 19 states that the waiver

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 74 – SUP-5215

MINUTES – Continued:

could be approved if there is a 100-foot right-of-way separating the two facilities and Charleston Boulevard does separate the religious facility from the proposed tavern. MR. FAGG asked that Condition 3 be stricken because it pertains to the distance requirement. A second issue pertains to Condition 6. The property is located within the Downtown Centennial Plan area and consequently, the parking requirements are not automatically imposed upon a project. Also, the area of the proposed tavern is located in the Arts District, which is becoming a pedestrian friendly area. Because of this, staff requests that the six on-site spaces be deemed appropriate for the use and that Condition 6 be stricken.

MR. FAGG pointed out that Condition 9 pertains to a billboard that is above the structure; however, the support beam for that billboard goes into the space of the building itself. There is currently no advertising on the billboard. The condition would require that the billboard be removed as part of the approval of this application.

DAVE VANZANTEN, 8709 Red Rio, Suite 103, appeared and stated he is looking forward to becoming a part of the Arts District. He mentioned there are several proposed multi-story tower projects for the area and this would be a nice place for those residents to go for lunch and dinner. MR. VANZANTEN asked if the Commissioners would consider allowing Condition 9 to remain so that the billboard could be utilized for one year after the doors are opened.

COMMISSIONER McSWAIN confirmed with MR. VANZANTEN that the request to keep the sign for one year is primarily because the income from that billboard was taken into account for the budgeting of the establishment. He stated that whether or not the advertising face is utilized, the monthly rent continues to be received. MR. VANZANTEN said that that income would greatly aid the establishment during the start up phase of the project. He agreed that after one year, he would take the sign down and not ask for an extension.

COMMISSIONER STEINMAN asked for clarification on what appeared to be a religious facility within the distance radius that was not separated by a 100-foot right-of-way. MR. FAGG confirmed that what COMMISSIONER STIENMAN was viewing was a thrift store that was run by a religious facility but it was not a church; therefore, there is no conflict.

MR. VANZANTEN asked for clarification on Condition 12. DAVID GUERRA, Public Works Department, explained the condition would require that if there were any existing public improvements that do not meet current Code, they would have to be removed and replaced and brought up to Code. It does specifically include the alley improvements because the alley is not on any type of maintenance rehabilitation program. COMMISSIONER EVANS suggested MR. VANZANTEN meet with Public Works before the item is heard at City Council. He then confirmed with COMMISSIONER McSWAIN that she would be in support of allowing the

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 74 – SUP-5215

MINUTES – Continued:

applicant to keep the sign for one year. COMMISSIONER EVANS stated he was pleased to see this addition to the Arts District.

DEPUTY CITY ATTORNEY BRYAN SCOTT suggested that Planning Staff reconsider how properties such as the thrift store are indicated in the backup. He said he had been confused as COMMISSIONER STEINMAN had been when looking at the map. He suggested that staff use a different color or leave the areas white on the maps.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(1:39-1:47)

5-3333

CONDITIONS:

Planning and Development

1. 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.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. Liquor Establishment (Tavern) may not be located within fifteen hundred feet (property line to property line) of any other liquor establishment (tavern), church, synagogue, school, child care facility licensed for more than twelve children, or City park.
4. The proposed Liquor Establishment (Tavern) must have direct access (both ingress and egress) from a street having a minimum right-of-way width of one hundred feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed liquor establishment (tavern) will be located.
5. A fully enclosed and roofed refuse collection area shall be built with the same design theme and materials similar to those used in the main structure.
6. All parking spaces required by LVMC Chapter 19.10 for the liquor establishment (tavern) use will be located on the same parcel as the use.
7. The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the Liquor Establishment (Tavern) will be located, execute and record an agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

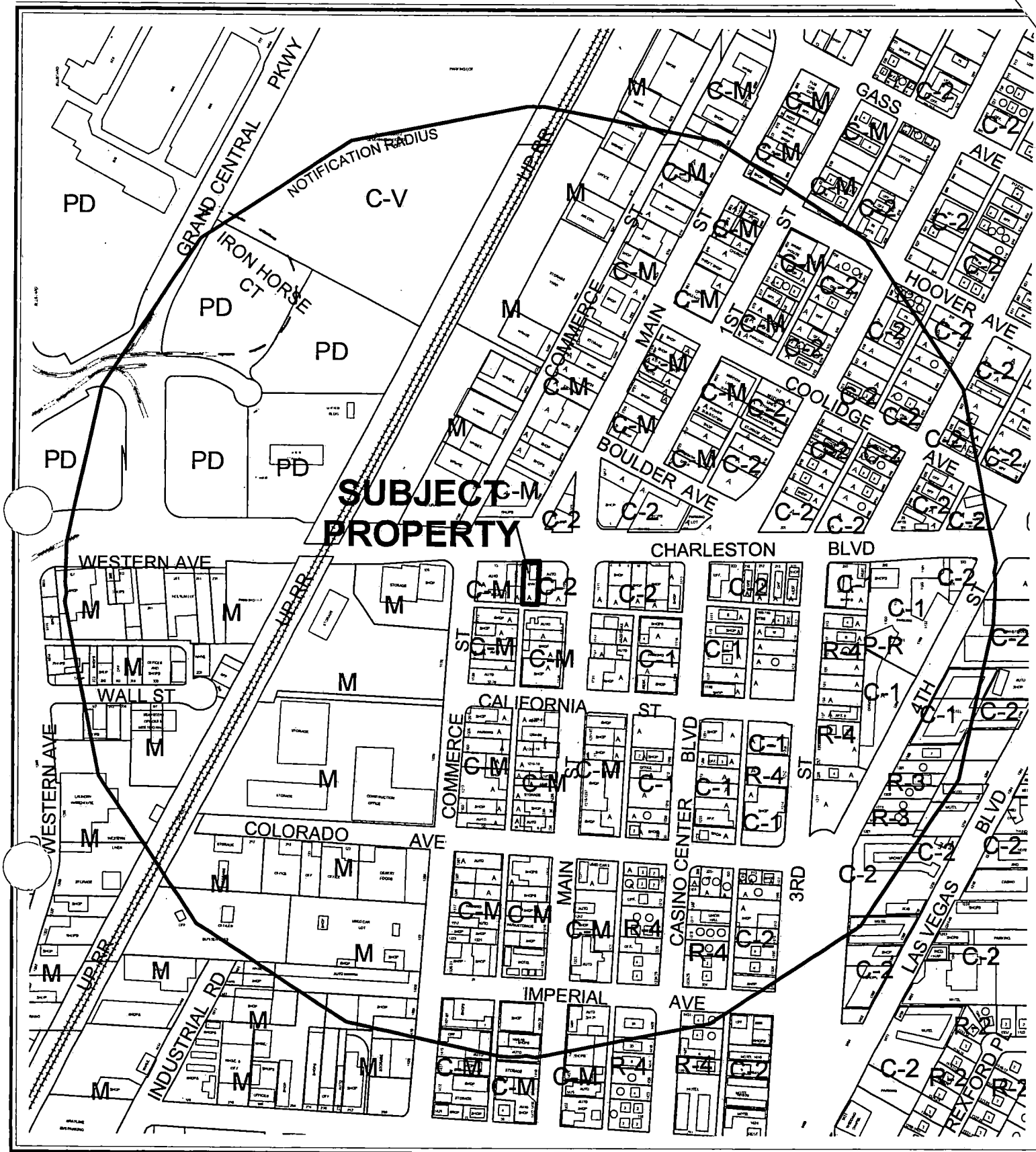
PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 74 – SUP-5215

CONDITIONS – Continued:

8. Architectural Design Standards of the Downtown Arts District regarding Façade Configuration and Exterior Materials shall serve as a guide to exterior enhancement of the building. The murals at the rear of the property shall be maintained.
9. The Off-Premise Advertising Sign at 9 W Charleston Boulevard shall be removed within 90 days of approval of this special use.
10. All equipment and non-permitted signage shall be kept clear from the roof.
11. The use shall conform to the provisions of LVMC Chapter 6.50.

Public Works

12. Remove all substandard public street improvements, including alley improvements, adjacent to this site and replace with new improvements meeting current Las Vegas Downtown Centennial City Standards prior to the issuance of any permits for this site.



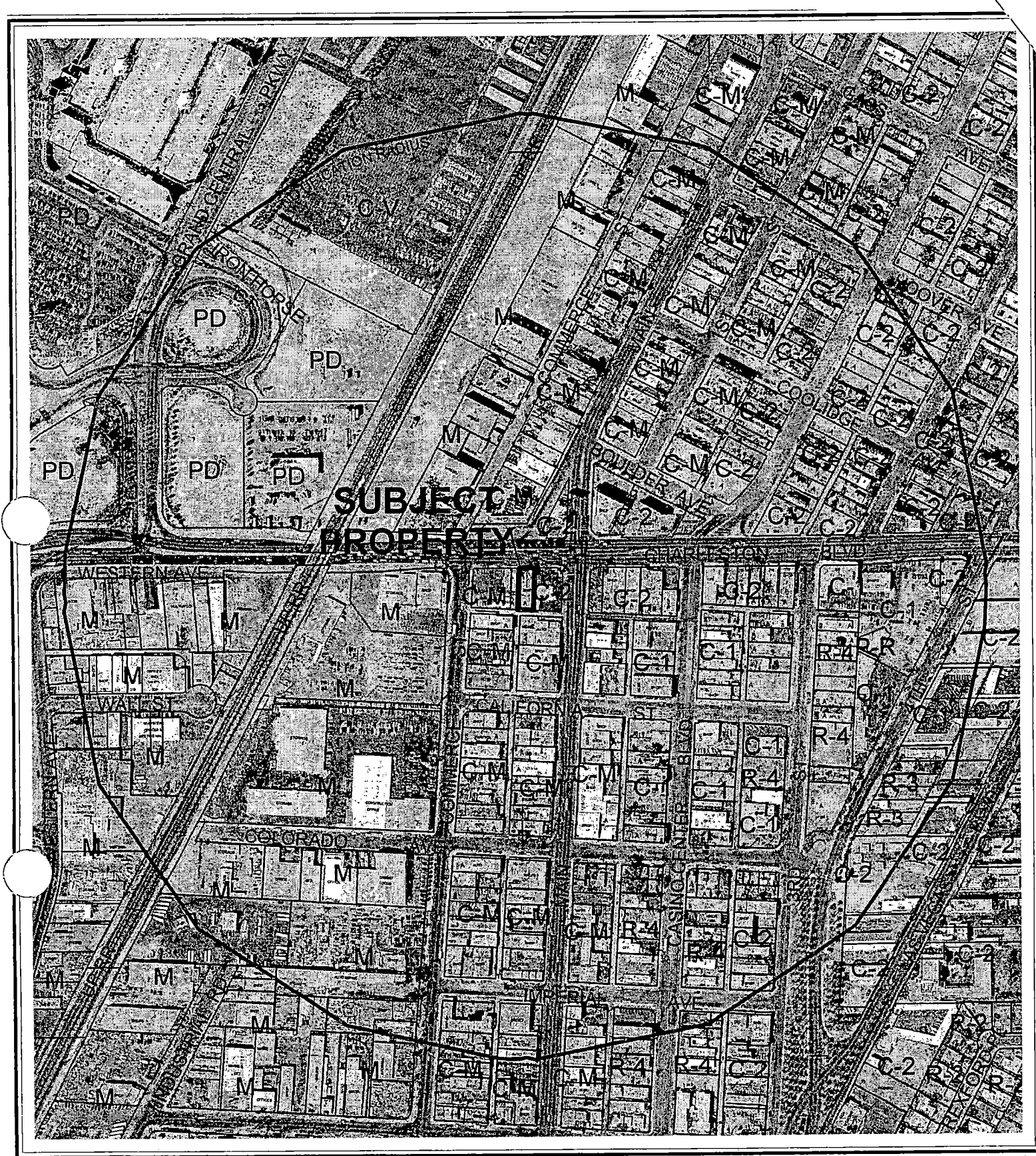
CASE: SUP-5215

RADIUS: 1500 FT

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

0 300 600 Feet





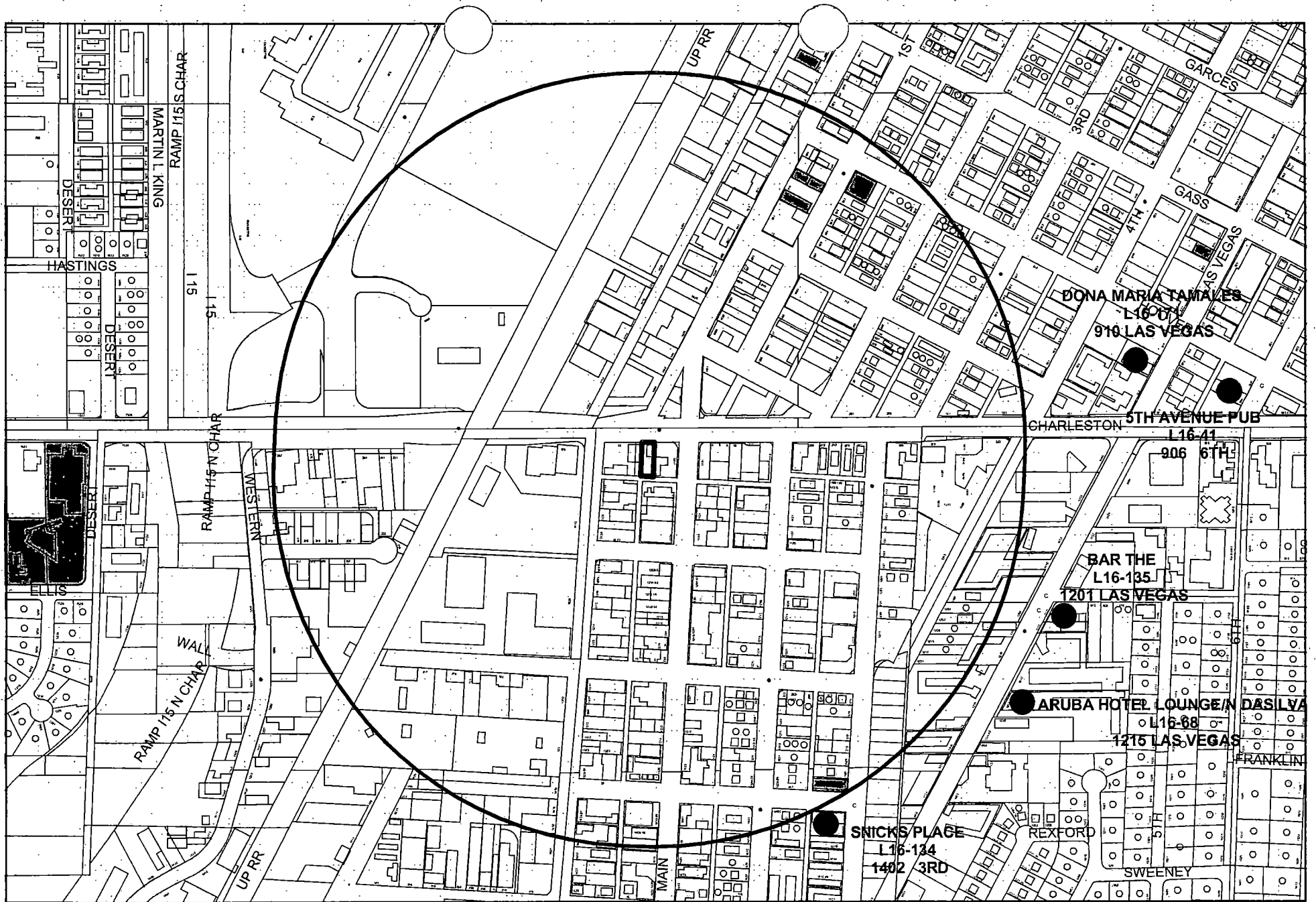
CASE: SUP-5215

RADIUS: 1500 FT

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

0 300 600 Feet





SUP-5215

Protected Landuses

- | | |
|---|---|
|  Parks |  Taverns |
|  Schools |  Religious |

Business Licenses

- | |
|--|
|  Tavern |
|  Child Care/
Children Facility |

 Subject Property

 1500 foot buffer

0 425 850 1,700 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-5215 - APPLICANT: DAVID VANZANTEN - OWNER:
JAMES POLLINS AND LUISA TAPIA**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. 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.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. Liquor Establishment (Tavern) may not be located within fifteen hundred feet (property line to property line) of any other liquor establishment (tavern), church, synagogue, school, child care facility licensed for more than twelve children, or City park.
4. The proposed Liquor Establishment (Tavern) must have direct access (both ingress and egress) from a street having a minimum right-of-way width of one hundred feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed liquor establishment (tavern) will be located.
5. A fully enclosed and roofed refuse collection area shall be built with the same design theme and materials similar to those used in the main structure.
6. All parking spaces required by LVMC Chapter 19.10 for the liquor establishment (tavern) use will be located on the same parcel as the use.
7. The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the Liquor Establishment (Tavern) will be located, execute and record an agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.
8. Architectural Design Standards of the Downtown Arts District regarding Façade Configuration and Exterior Materials shall serve as a guide to exterior enhancement of the building. The murals at the rear of the property shall be maintained.

SUP-5215 - Conditions Page Two
October 21, 2004 - Planning Commission Meeting

9. The Off-Premise Advertising Sign at 9 W Charleston Boulevard shall be removed within 90 days of approval of this special use.
10. All equipment and non-permitted signage shall be kept clear from the roof.
11. The use shall conform to the provisions of LVMC Chapter 6.50.

Public Works

- 
12. Remove all substandard public street improvements, including alley improvements, adjacent to this site and replace with new improvements meeting current Las Vegas Downtown Centennial City Standards prior to the issuance of any permits for this site.
- 

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a Liquor Establishment (Tavern) and Waivers of the 1,500 foot Minimum Distance Separation Requirement from Religious Land Uses at 9 West Charleston Boulevard.

B) Applicant's Justification

This proposed boxing/old-Vegas-themed tavern supports the Mayor's vision of invigorating the Arts District and the Downtown area. The integrity of the building's historic significance will remain intact.

BACKGROUND INFORMATION

A) Previous Actions

10/01/04 City Council approved the Planning and Development Department's request to amend (GPA-2497) the City of Las Vegas Downtown Development Plan Map (Map 9) of the Las Vegas Redevelopment Plan from Industrial to Commercial and from Industrial to Mixed Use for properties bounded by Charleston Boulevard to the north, Third Street to the east, Commerce Street to the west and Colorado Street to the south. Final Action: October 6, 2004.

B) Pre-Application Meeting

08/23/04 Parking standards for a Tavern were discussed. Elements of a Special Use Permit application were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.16

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October 21, 2004 - Planning Commission Meeting

B) Existing Land Use

Subject Property: Vacant Boxing Gym, Off-Premise (Billboard) Sign
 North: Warehouses, Industrial Shops
 South: Radiator Repair Shop
 East: Tour Bus Depot
 West: 24-Hour Tire, Muffler, & Window Tinting Shop

C) Planned Land Use

Subject Property: C (Downtown Commercial)
 North: C (Downtown Commercial)
 South: C (Downtown Commercial)
 LI/R (Light Industrial/Research)
 East: C (Downtown Commercial)
 West: C (Downtown Commercial)

D) Existing Zoning

Subject Property: C-2 (General Commercial)
 North: C-2 (General Commercial)
 South: C-M (Commercial Industrial)
 East: C-2 (General Commercial)
 West: C-2 (General Commercial)
 C-M (Commercial Industrial)

E) General Plan Compliance

The C-2 (General Commercial) zoning is in conformance with the Southeast Sector of the General Plan, which designates the subject site as C (Downtown Commercial) as part of the Downtown Centennial Plan. The intent of this district is to establish an atmosphere that fosters creativity and freedom of expression of multiple tastes and cultures.

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

This proposal is located in the Downtown Centennial Plan's Arts District.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.06.060.C, properties within the Downtown Overlay District are exempt from the automatic application of the standard parking requirements of Title 19.10. However, the exemption does not prohibit the Planning Commission and the City Council from evaluating on a case-by-case basis to determine the extent to which those standards shall be required.

Pursuant to Title 19.10.010.F, the following Parking Standards would apply to the subject proposal if it were *not* situated within the Downtown Overlay District:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Restaurant, Café, Tavern, or Bar	2,308 SF Public	One space /50 square feet of public seating and waiting area, plus one space for each 200 square feet of the total remaining gross floor area.	46 spaces	2 spaces	6 spaces	1 space
	770 SF Remaining					
	3,078 SF. Total					

Public Works has no comment on circulation and traffic issues regarding this Special Use Permit request.

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.04.050.B, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Liquor Establishment (Tavern)	May not be located within fifteen hundred feet (property line to property line) of any other liquor establishment (tavern), church, synagogue, school, child care facility, or City park.	YES: 1,513 feet from nearest liquor establishment. NO: 1,130 feet from a Religious use.

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

Standards	Code Requirement	Provided
Trash Enclosure	Enclosed and roofed with same design theme and materials similar to those used in the main structure.	Not indicated

A Condition of Approval has been added above, which requires a fully enclosed and roofed refuse collection area with the same design theme and materials similar to those used in the main structure.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-2 (General Commercial) within the C (Downtown Commercial) General Plan designation.

The proposed Liquor Establishment (Tavern) is within the range of permitted uses, with approval of a Special Use Permit, in the Arts District of the Downtown Centennial Plan.

- Use

Waivers of Minimum Distance Separation Requirements

The City's Zoning Code, Title 19.04.050.B requires a tavern to be a minimum of 1,500 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line. In this case, this use meets the minimum distance separation requirements, as no other Liquor Establishments are located within 1,500 feet of the subject property.

However, approval of this Special Use Permit request will require Waivers of the 1,500 foot Minimum Distance Separation Requirement between a Liquor Establishment and Religious (and religiously owned) Land Uses:

- a. The proposed Tavern is located 1,130 feet (property line to property line) from Full Gospel Deliverance Church, 910 South First Street.

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- b. The proposed Tavern is located 1,230 feet (property line to property line) from Opportunity Village Thriftstore, 915 South Main Street.
- c. The proposed Tavern is located 1,272 feet (property line to property line) from an industrial facility, owned by a religious establishment, at 901 South First Street.

Of these, only the Full Gospel Deliverance Church is a protected land use that is not only owned by a religious establishment, but actually serves as a religious use.

- Conditions

Arts District Architectural Design Standards

Background: This structure that will house this use was built in 1942, and had served as a boxing gym for many years. This plain yet exceptional property conjures up a glimpse of 1940's era Las Vegas street life. The giant murals of legendary boxers in the rear of the parcel were probably painted in the 1970s. Applicant for this Liquor Establishment (Tavern) has submitted elevations that already appear to conform to Arts District Architectural Design Standards.

Conditions: Conformance to Arts District Architectural Design Standards, with special emphasis on Façade Configuration and Exterior Materials. Maintain the murals at the rear of the property.

Off-Premise (Billboard) Sign

Background: An 50 foot tall 14' x 48' Off-Premise Advertising Sign is anchored to the ground through the roof and space of the building that will contain the tavern. The billboard currently has no advertising posted, and sports graffiti at its "base" above the roof. Off-Premise Advertising Signs in the Downtown Arts District requires a special use permit. No special use permit is on record for the billboard at 9 W Charleston Boulevard.

Pursuant to Las Vegas Centennial Plan Arts District Design Standard AD1.a.6 (page 77), "Off-Premise Advertising Signs in the Downtown Arts District must be directly mounted to and flush with the wall of a structure, and shall not be freestanding, mounted on top of a roof, or project past the walls or roof of a building."

Condition: The Off-Premise Advertising Sign at 9 W Charleston Boulevard shall be removed within 90 days of approval of this special 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."**

Title 19.04.050.B requires a tavern to be a minimum of 1,500 feet from any church, synagogue, school, childcare facility, or City Park.. In this case, this use meets the minimum distance separation requirements as other liquor establishment uses are not located within 1,500 feet of the subject property. Other protected land uses include parcels owned by religious establishments, and one church. The church is somewhat isolated in a C-M (Commercial-Industrial) zone, 1,230 feet away at 910 South First Street, across the primary arterial Charleston Boulevard. Staff finds that the proposed use can be conducted in a harmonious manner with this secluded religious use.

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

The subject site will be physically suitable for the type and intensity of land use as proposed by this proposed tavern.

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."**

Patrons of this proposed tavern would likely access the Arts District area via Charleston Boulevard, a 100-foot wide Primary Arterial. Subject tavern, built to the north, east, and west property lines, has no access from Charleston. The sole access for this use comes from a 20-foot wide alleyway behind the building, which directly accesses the tavern's parking area. The alleyway is accessed via Commerce and Main Streets (80-foot wide Secondary Collectors). These collector streets provide adequate access, however, this narrow gravel alleyway is clogged with parked vehicles from adjacent 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."**

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

NOTICES MAILED 245

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: David V. Venter

No

APN:

Print Name:

Nawone I Reynolds
Notary Public in and for said County and State





Case Number: **SUP-5215**

APN:

162-03-110-109

Name of Property Owner:

James Pollins

Name of Applicant:

David VanZanter

Yes

No

City Official:

Partner(s):

APN:

Signature of Property Owner/Authorized Agent:

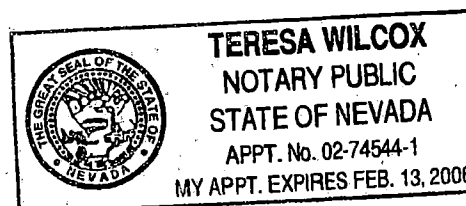
This 27 day of AUGUST, 2004

Teresa Wilson

Notary Public in and for said County and State

State of Nevada

County of Clark



W. Charleston

Approximately 6' City Sidewalk/Curb

50'

95' to Main St.

Llantas Tire Shop

Bus Depot
Parking

67.5'

147'

dance floor

service area

men's room

stage

kitchen

men's room

Bus
Depot

79.5'

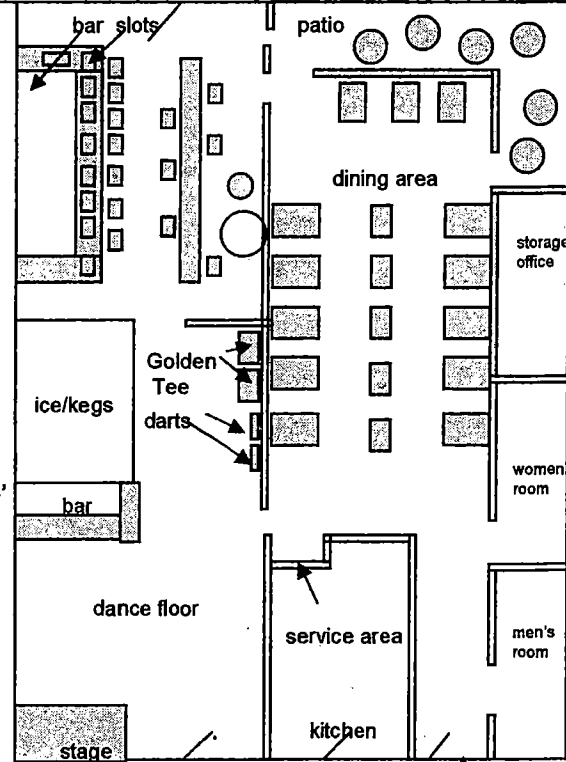
Parking

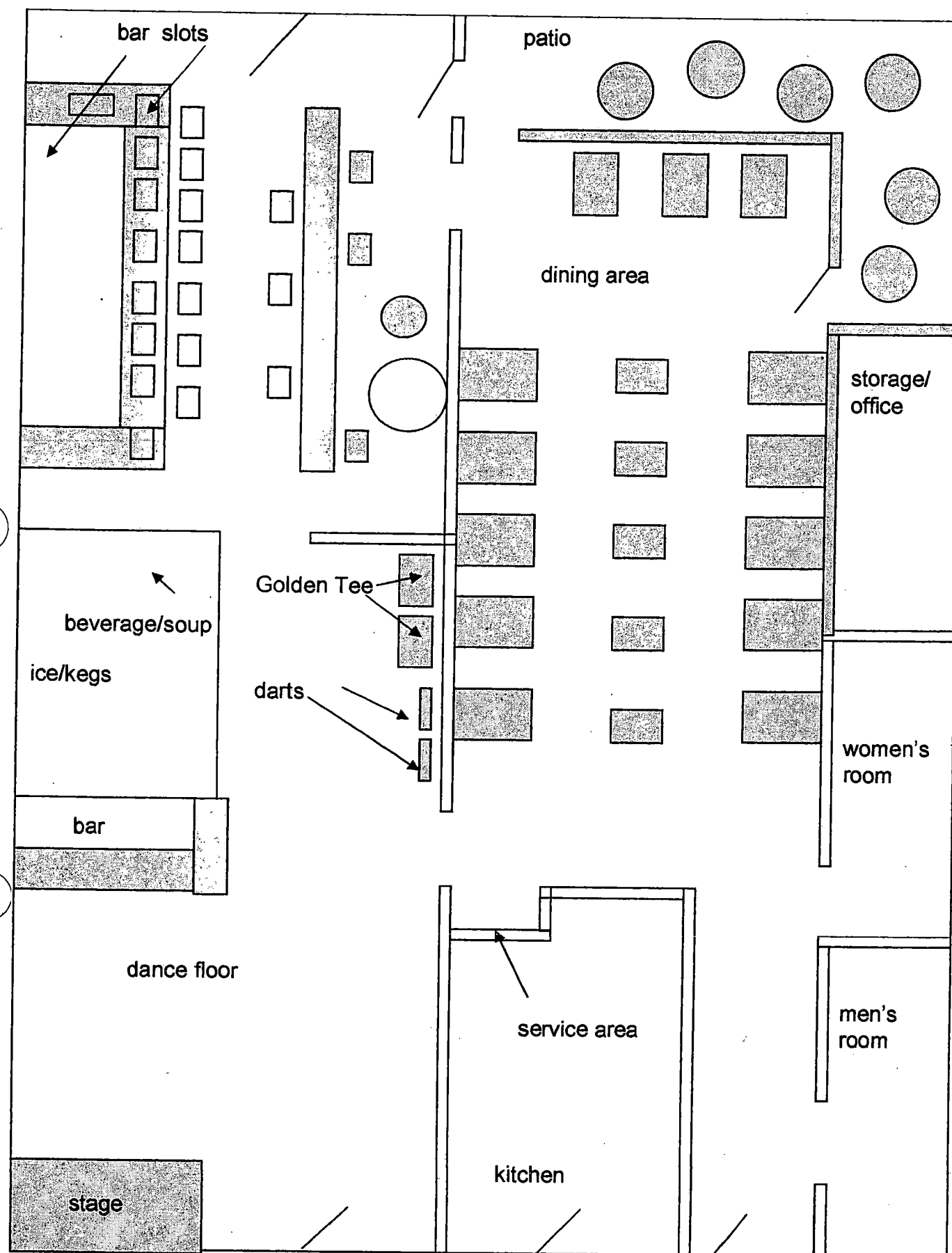
The Right Hook
9 West Charleston
Parcel 16203110109

Scale 1" = 17' North

Alley

SUP-5215
10/21/04 PC



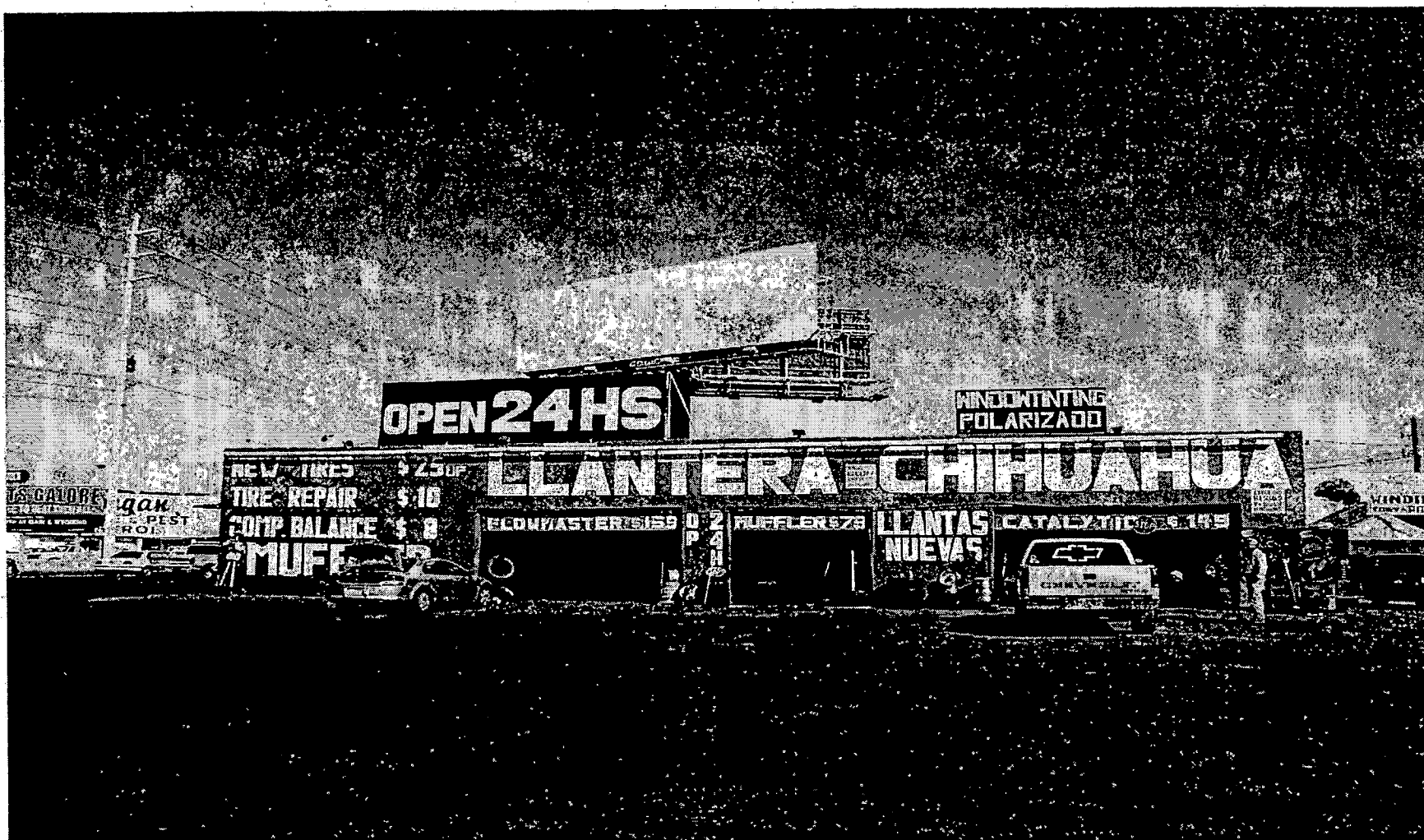


Scale 1" = 7' North ↑

The Right Hook
9 West Charleston
Parcel 16203110109

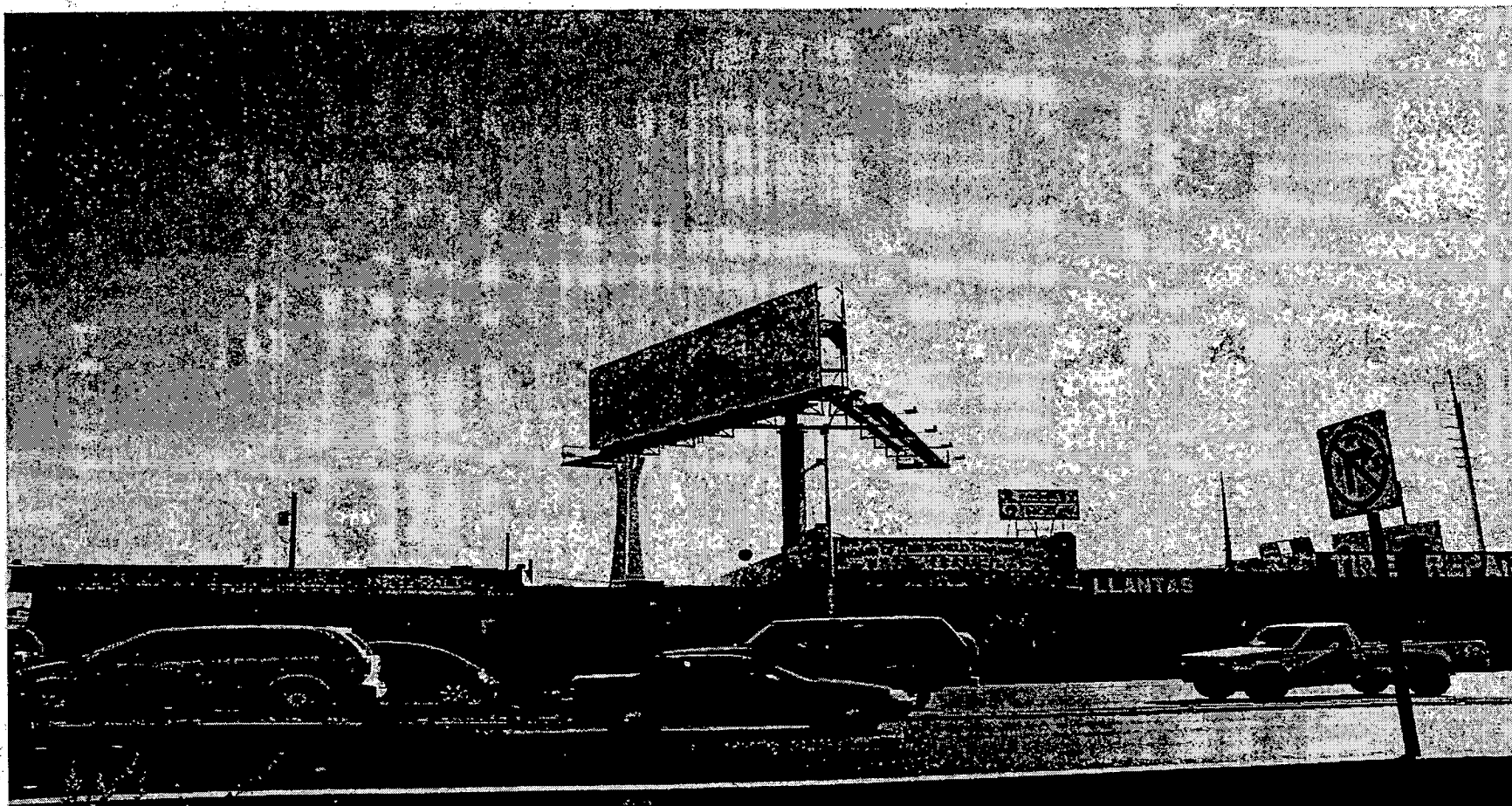
Inside width: 47'
Inside length: 65.5'

SUP-5215
10/21/04 PC



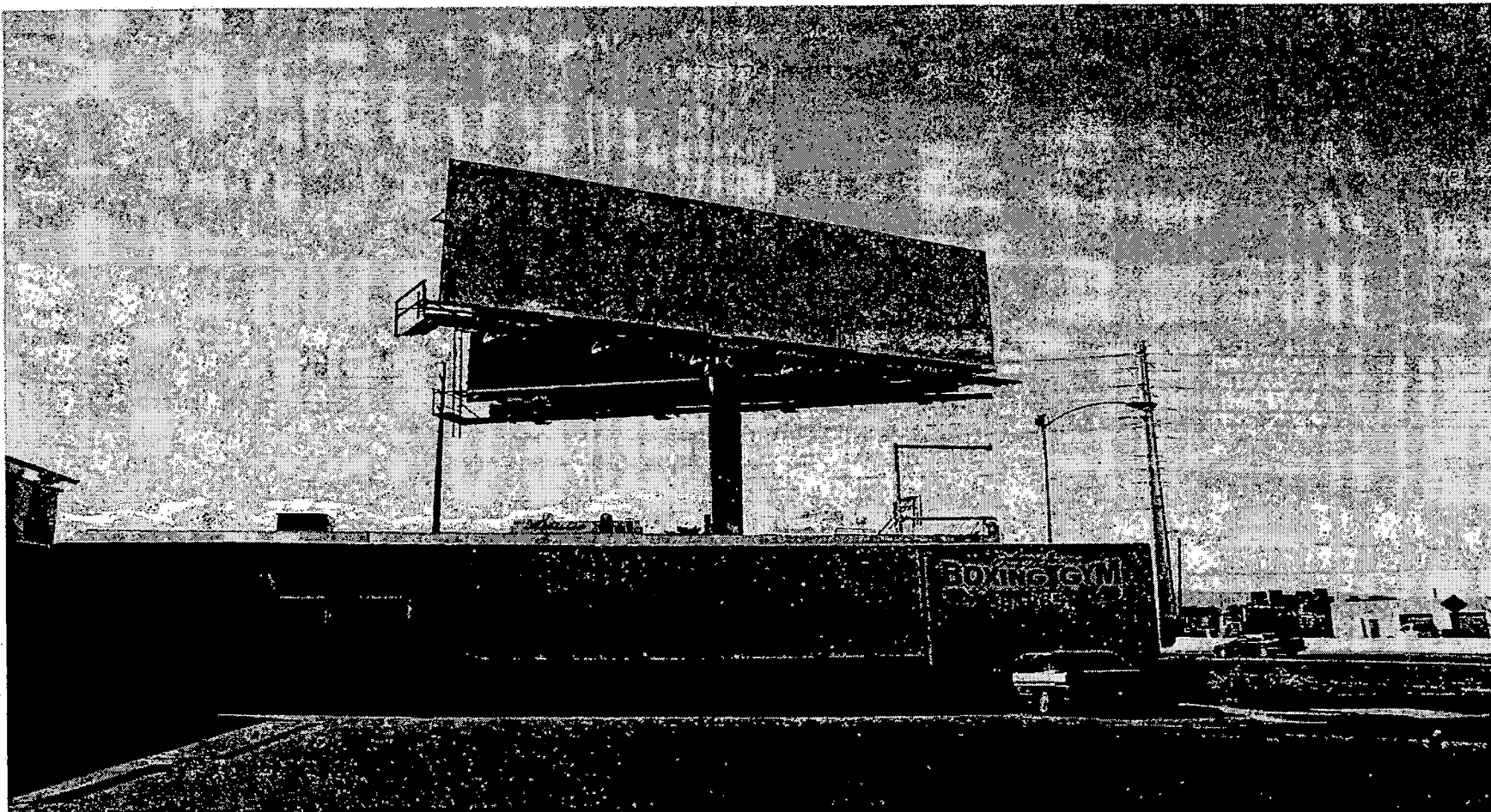
SUP-5215 - APPLICANT: DAVID VANZANTEN - OWNER: JAMES POLLINS AND LUISA TAPIA
 9 WEST CHARLESTON BOULEVARD
 OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



SUP-5215 - APPLICANT: DAVID VANZANTEN - OWNER: JAMES POLLINS AND LUISA TAPIA
9 WEST CHARLESTON BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



SUP-5215 - APPLICANT: DAVID VANZANTEN - OWNER: JAMES POLLINS AND LUISA TAPIA
9 WEST CHARLESTON BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5179 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: SANDHURST DEVELOPMENT, LLC - Request for a Site Development Plan Review FOR A PROPOSED 31 STORY, MIXED USE DEVELOPMENT IN PARKWAY CENTER TO INCLUDE 409 RESIDENTIAL UNITS AND 41,640 SQUARE FEET OF COMMERCIAL SPACE on 3.23 acres on the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway, (APN 139-33-810-006), PD (Planned Development) Zone, Ward 5 (Weekly).

C.C.: 11/17/04

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 3 [TMP-5188], Item 29 [GPA-5266], Item 43 [GPA-5195], Item 50 [MOD-5212], Item 51 [VAR-5214], Item 52 [SDR-5213] and Item 75 [SDR-5179] to 11/18/2004 Planning Commission meeting; Item 25 [VAC-5030] to 12/16/2004 Planning Commission meeting; WITHDRAW WITHOUT PREJUDICE Item 44 [GPA-5200] and Item 57 [VAR-5178]; and TABLE Item 47 [GPA-5207], Item 48 [SUP-5210] and Item 49 [SSR-5209] – UNANIMOUS

NOTE: Chairman Truesdell made a disclosure relating to Item 29 [GPA-5266], as he has an interest in the adjacent property. He would be voting on the abeyance but would abstain once the item comes forward. In addition, on Item 44 [GPA-5200], he would be voting on the abeyance but is uncertain if he would vote on the item once it comes forward, as he has been involved with the group that purchased the property and have abstained on this item in the past.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 75 – SDR-5179

MINUTES:

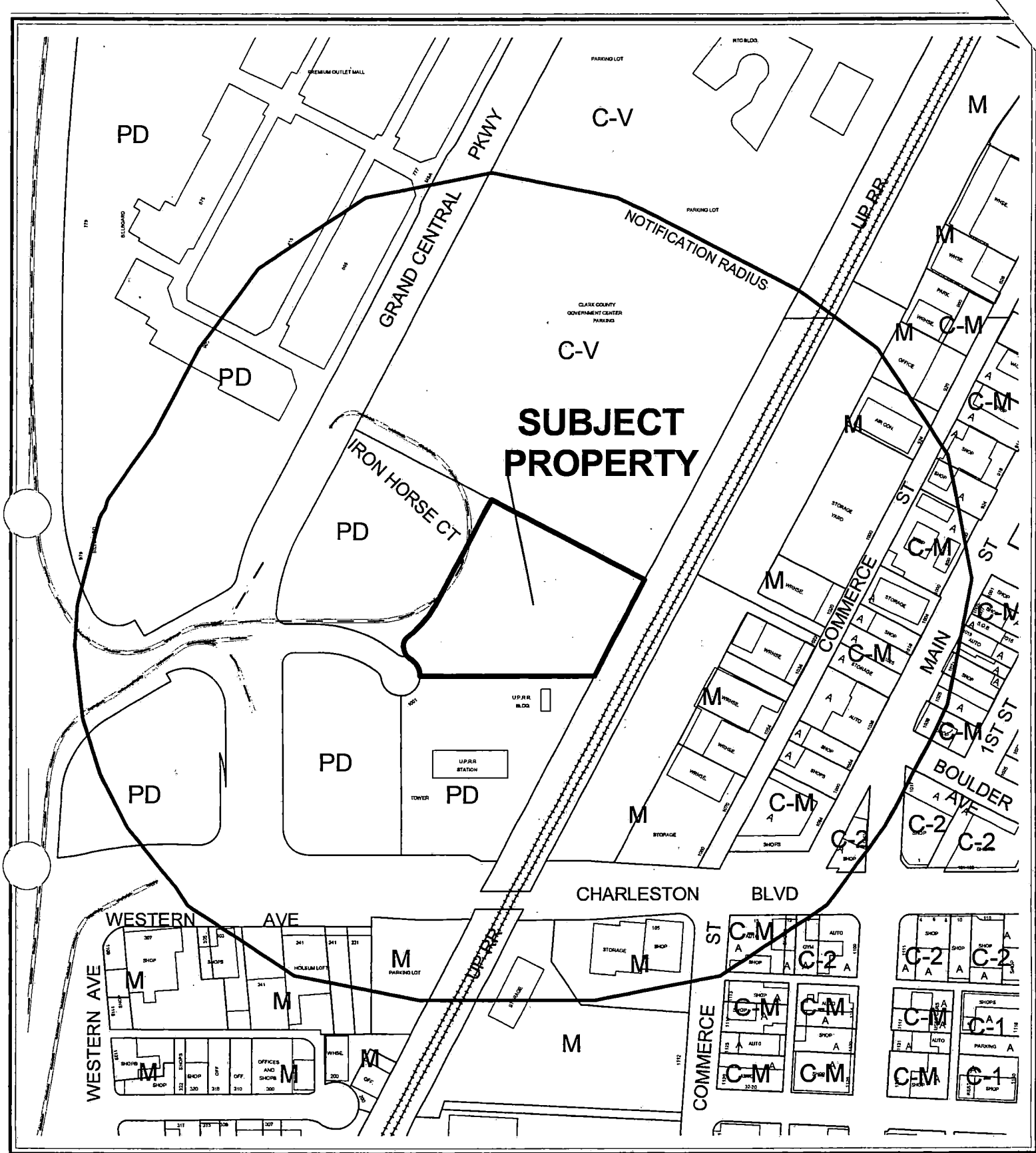
GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:05-6:20)

1-90

C

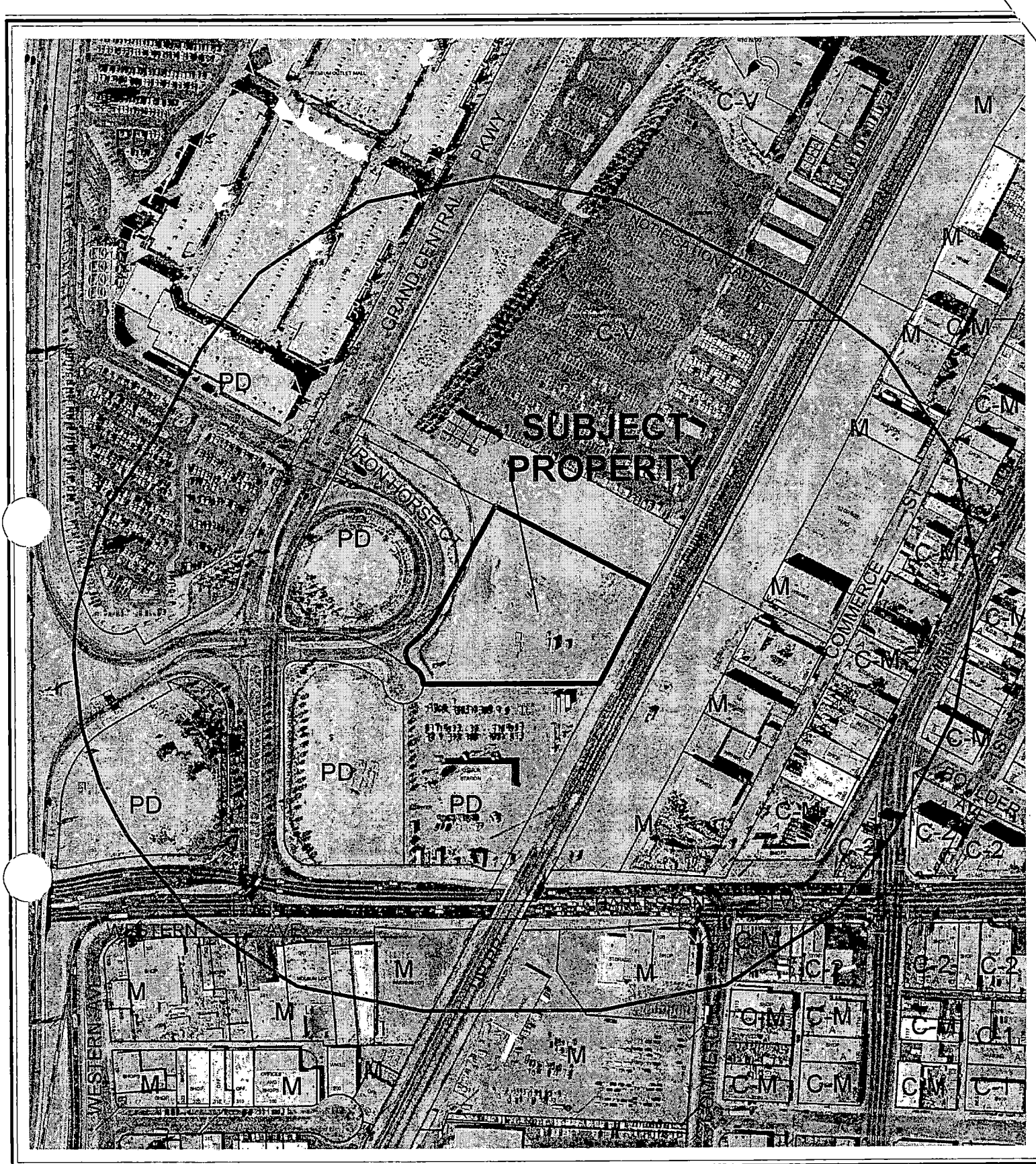
C



CASE: **SDR-5179**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)



CASE: **SDR-5179**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5179 - APPLICANT/OWNER: SANDHURST DEVELOPMENT, LLC

**** 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 September 3, 2004, except as amended by conditions herein.
3. The Waiver from the Parkway Center build-to requirement is hereby approved, due to the lack of frontage along the public right-of-way.
4. The Waiver from the Downtown Centennial Plan streetscape requirements is hereby approved, provided that the site plan is revised to show the future public sidewalk connections on the abutting properties; the Waiver from the Parkway Center landscape standards for reduced buffer width is also approved. The revised site plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of building permits.
5. The entrances to the commercial and residential lobbies shall be re-oriented in order to provide a direct pedestrian connection to the future public sidewalk on Iron Horse Court.
6. The elevations of the lower three stories of the building shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to continue the level of architectural expression on the upper stories and to enhance façade articulation.
7. The elevations of the parking structure shall be revised and approved by the Planning and Development Department staff, prior to the time application is made for a building permit, to be compatible with the color, texture, architectural features, and articulation of the main building.
8. The Waiver from the requirement for the use of stone veneer on the lower floors of the building is hereby approved; decorative pre-cast concrete panels may be used in place of the required stone, subject to approval of the Planning and Development Department.

SDR-5179 - Conditions Page Two
October 21, 2004 - Planning Commission Meeting

9. All landscaping and a permanent underground sprinkler system for the landscape materials shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
10. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
11. The applicant shall be required to provide and install standard Fourth Street style fixtures in place of existing fixtures. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
12. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with the Parkway Center Development Standards. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. 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.
15. Signage for the development shall be permitted in conformance with the requirements of Parkway Center Development Standards.
16. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
17. All City Code requirements and design standards of all City departments must be satisfied.

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October 21, 2004 - Planning Commission Meeting

Public Works

18. Construct any incomplete half street improvements, including the entire cul-de-sac bulb, adjacent to this site and remove any substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
19. If not already constructed at time of development, construct the oversized Clark Avenue sewer main from Las Vegas Boulevard to 14th Street. Coordinate with the Collection Systems Planning Section of Public Works to determine appropriate public sewer paths to service this site prior to the submittal of any sewer-related construction drawings. The offsite public sewer improvements will be required to provide capacity for this project.
20. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
21. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole

SDR-5179 - Conditions Page Four
October 21, 2004 - Planning Commission Meeting

or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

22. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 31-story mixed-use development including 409 residential units and 41,640 square feet of commercial space on 3.23 acres adjacent to Grand Central Parkway and Iron Horse Drive. Waivers of Parkway Center Development Standards are requested.

B) Applicant's Justification

This proposed mixed-use project is part of the trend toward high-rise developments in the downtown area. This project will comply with the Downtown Las Vegas Centennial Plan and Parkway Center Development Standards. This project proposes to serve as an icon at one of the gateways to downtown.

BACKGROUND INFORMATION

A) Previous Actions

11/23/98 The City Council approved a Rezoning (Z-0100-97) to reclassify 223 acres of property, including the subject parcel, from M (Industrial) to P-D (Planned Development) for mixed use projects. This rezoning created what would later be known as Parkway Center.

10/05/04 The Parkway Center Architecture Review Committee (PC-ARC) recommended approval of the proposed project and the requested Waivers.

B) Pre-Application Meeting

08/26/04 Applicant was informed that Parkway Center parking standards will apply to this project. Applicant noted that waivers from development standards may be necessary; staff instructed applicant to address these in the justification letter.

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 3.2

B) *Existing Land Use*

Subject Property: Undeveloped
North: County and Regional Offices, Parking
South: Warehouses
East: Railroad, Warehouses
West: Highway Access Circle, Shopping Mall Parking

C) *Planned Land Use*

Subject Property: MXU (Downtown – Mixed Use)
North: PF (Public Facility)
South: MXU (Downtown – Mixed Use)
East: LI/R (Light Industry/Research)
West: MXU (Downtown – Mixed Use)

D) *Existing Zoning*

Subject Property: PD (Planned Development)
North: C-V (Civic)
South: PD (Planned Development)
East: M (Industrial)
West: PD (Planned Development)

E) *General Plan Compliance*

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

This proposal includes elements of H (High Density Residential), O (Office), and SC (Service Commercial), and are therefore in compliance with the land use designation.

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

Redevelopment Plan Area

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

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Parkway Center District. The district is intended to accommodate a wide variety of commercial, public and residential uses within vertically or horizontally mixed-use configuration. The proposed project is consistent with the goals and objectives of the Downtown Centennial Plan.

Airport Overlay District

This site is subject to the North Las Vegas Airport Overlay District. Structures may be built up to 175 feet in height; any structures over this height limit must be reviewed by the Federal Aviation Administration (FAA).

PROJECT DESCRIPTION

This is a 31-story, 368 foot-high mixed-use development with 409 condominium units. The first four mezzanine levels contain amenities such as offices, conference rooms, restaurants, a great room, and storage. The next 19 floors contain low and mid-rise condos. The next four floors are dedicated to loft-style condominiums. The development is topped off by four floors of luxury sky lofts. A seven level parking structure is located at the northeast side of the tower.

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 Parkway Center Development Standards manual addresses certain site development standards, which are detailed below:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	3.23 Acres	N/A
Min. Lot Width	N/A	285 Feet	N/A
Min. Setbacks			
• Front	0 Feet	90 Feet	N
• Side	N/A	42 Feet	N/A
• Rear	N/A	10 Feet	N/A
Build-to Line	75% of frontage line	0%	N
Max. Lot Coverage	Up to 100%	48%	Y
Max. Building Height	N/A	368 feet	N/A
Min. Building Height	4 stories	31 stories	Y
F.A.R.	1.5	6.4	Y
Trash Enclosure	Walled/roofed	Interior	Y
Loading Zone	N/A	2 spaces	Y
Mech. Equipment	Screened	Screened	Y

The proposed development does not comply with the required build-to line along the front side of the property, but otherwise conforms with the Parkway Center development standards.

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

Pursuant to Section 4.12 of the Parkway Center Development Standards, the following Parking Standards apply to the subject proposal:

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October 21, 2004 - Planning Commission Meeting

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Residential units	N/A	1.5 spaces per unit	614	N/A	614	8
Retail	29,810	2 spaces per 1,000 SF	60	N/A	60	N/A
Restaurant	11,830	2 spaces per 1,000 SF	24	N/A	50	5
Total			698	12	724	13

The development will provide parking spaces in excess of Parkway Center requirements.

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	
Perimeter Landscaping			
• Front: 5'	1 tree @ 30' o.c. max.	2 trees	0'/0 trees
• Side: 10'	1 tree @ 30' o.c. max.	35 trees	8'/57 trees
• Rear: 20'	1 tree @ 30' o.c. max.	14 trees	10'/26 trees
Streetscape Treatment	1 Shade Tree @ 30'	2 Trees	0 Trees
East/West Street	o.c. max.		
Iron Horse Court	(min. 24" box)		
Sidewalk	11' Sidewalk	N/A	Not indicated

Due to the limited frontage on Iron Horse Court, the applicant is not able to provide the required streetscape treatment. In addition, the perimeter landscape buffers do not meet the minimum depth requirements stipulated in the Parkway Center manual, but the number of trees in the buffer areas exceeds the amount required.

A5) Sign Standards

No information is provided on the elevations or site plan relative to signage. All signage shall be subject to the requirements listed in the Parkway Center Development Standards manual.

B) General Analysis and Discussion

- Zoning

The proposed commercial and residential uses are permitted by the Parkway Center Development Standards manual. The structure generally conforms with the development standards contained in the Parkway Center manual, with the exception of the build-to line requirement along Iron Horse Court.

- Site Plan

The site plan depicts a walled swimming pool area located directly at the front of the site, with the residential lobby located to the east and the parking structure located to the rear of the site. A circular driveway area is located at the center of the site, and the principal entrance for both the commercial lobby and the residential lobby are entered directly from the driveway area. The parking structure is accessible from both the east and west sides of the structure.

The Parkway Center Standards requires pedestrian connectivity throughout the area; the lack of sufficient area for a public sidewalk in front of the site and the location of the principal building entrances at the center of the site do not enhance the pedestrian environment to the degree specified in the standards. It is recommended that the building entrances be reoriented so as to have more direct connections to future sidewalk development along Iron Horse Court, and that the public sidewalk connections along Iron Horse Court be shown on the site plan.

- Waivers

Three Waivers from the Downtown Las Vegas Centennial Plan Parkway Center site planning and physical design standards are requested:

- 1) A Waiver from Standard 2.1 has 75% of the building be aligned with the street. The building is at the termination of a cul-de sac, therefore, this standard would be unduly restrictive.
- 2) A Waiver from Standard 2.2 which has the main entrance located adjacent to the street. Due to a lack of street frontage, the main entrance cannot be positioned toward the street.
- 3) A Waiver from Standard 5.7, which requires the use of stone on the lower floors of the building.
- 4) A Waiver from Standard 6.2 which requires 10-foot landscape buffers along side property lines and a 20-foot buffer at the rear of the property, the provision of the standard Downtown Centennial Plan Streetscape treatment.

SDR-5179 - Staff Report Page Eight
October 21, 2004 - Planning Commission Meeting

The applicant has requested a Waiver from the build-to line requirement, which specifies that 75% of the building must be located directly on the frontage line. Staff recommends approval of the Waiver request, due to the limited frontage available along Iron Horse Court. Regarding the Waiver from the requirement for the main entrance, while located the principal entry facing the street is difficult due to the configuration of the property, it is recommended that an additional entry be located towards the street with a direct pedestrian connection to the future public sidewalk. In addition, a Waiver has been requested from the streetscape and landscape requirements, due to the constraints of the site. Staff would also recommend approval of this request, provided the connection points for the future public sidewalk that will be provided on the abutting properties are shown on the site plan. Finally, the Waiver from the requirement for the use of stone veneer is also recommended for approval, provided a decorative pre-cast concrete panel design is utilized on the lower floors of the building.

- Landscape Plan

As previously noted, the applicant has requested a Waiver from the streetscape and perimeter landscape requirements due to the constraints of the site. The amount of trees to be provided in the perimeter landscape buffer areas exceeds the amount required, thereby mitigating the fact that the buffers do not meet the minimum depth requirements.

- Elevation

The elevations depict the use of horizontal bands of glazing and colored pre-cast concrete panels on the three lower floors of the structure, with residential window configurations and synthetic stucco surfacing on the upper floors of the building. While the design of the elevations clearly distinguishes the commercial and residential functions of the building as specified in the standards, the character of the two sections is substantially different, and the base of the building should be redesigned to include the vertical elements that are expressed on the residential levels of the building.

The Parkway Center Standards require the use of stone on the lower two floors of buildings; the applicant is proposing the use of colored pre-cast concrete in place of stone veneer. At the Parkway Center Architectural Review Committee meeting of October 5, 2004, the committee recommended approval of the use of pre-cast concrete on the lower floors of the building, provided a texture or design were utilized on the concrete.

Section 4.10 of the Parkway Center Standards requires that the exterior walls of all parking structures be compatible with the color, texture, architectural features, and articulation of the main building. The elevations of the parking structure will need to be redesigned to conform with this requirement.

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 development that is intended for the Parkway Center and surrounding area.

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

The proposed development is consistent with the General Plan and Title 19, and is generally consistent with the Parkway Center Development Standards Manual.

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

The adjacent roadways have sufficient capacity to accommodate the proposed development, and the development will have minimal impact on neighborhood traffic.

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 for the city.

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

With minor modifications to the elevations of the parking structure and the lower three floors of the principal building, the elevations create an orderly and aesthetically pleasing environment, and will be compatible with the development intended for the Parkway Center.

SDR-5179 - Staff Report Page Ten
October 21, 2004 - Planning Commission Meeting

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

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

NOTICES MAILED 38

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5179** APN: 139-33-810-001
Name of Property Owner: SAND HURST DEVELOPMENT LLC
Name of Applicant: Robert S. De martino

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: _____ *P/A*

Partner(s): _____

APN: _____

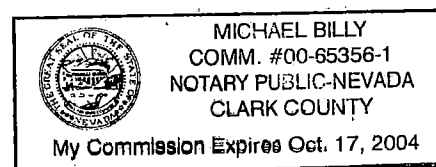
Signature of Property Owner/Authorized Agent: Robert DeBorja

Print Name: ROBERT S. DE MARTINO

Subscribed and sworn before me

This 16 day of August, 2004

Robert H. Bell
Notary Public in and for said County and State



LEGEND

ENTRANCES AND EXITS

PROJECT INFORMATION

CITY OF LAS VEGAS
ZONING: R-TOWER
CODE REFERENCE: 2003 IBC

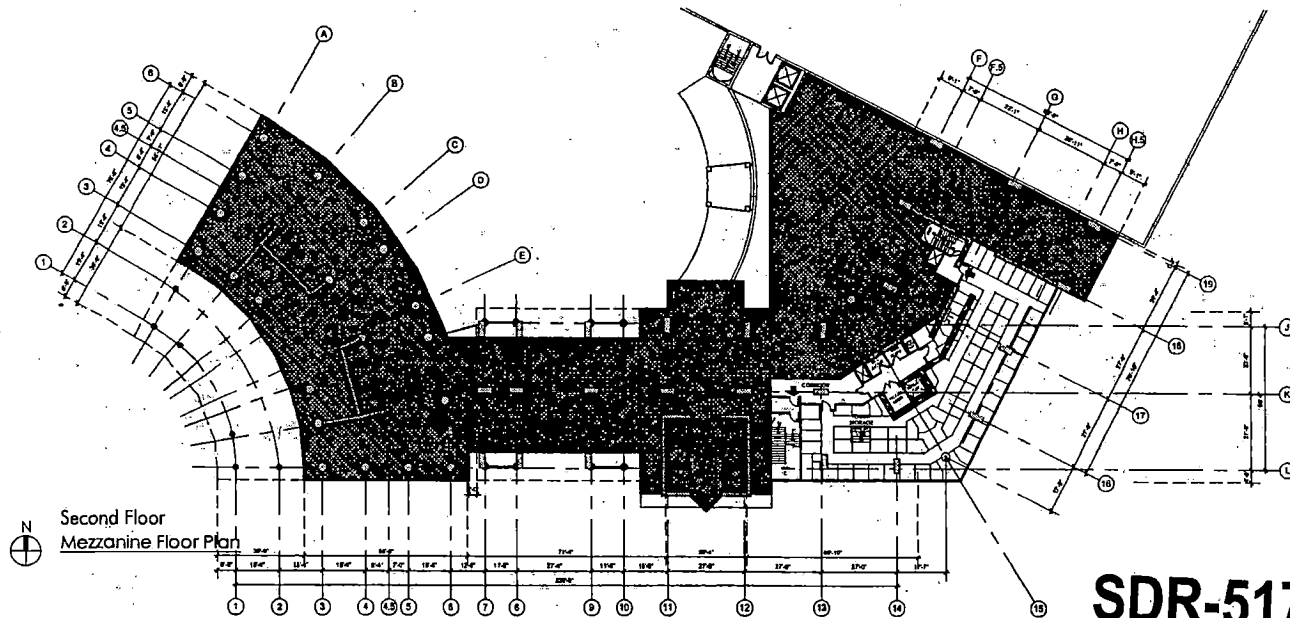
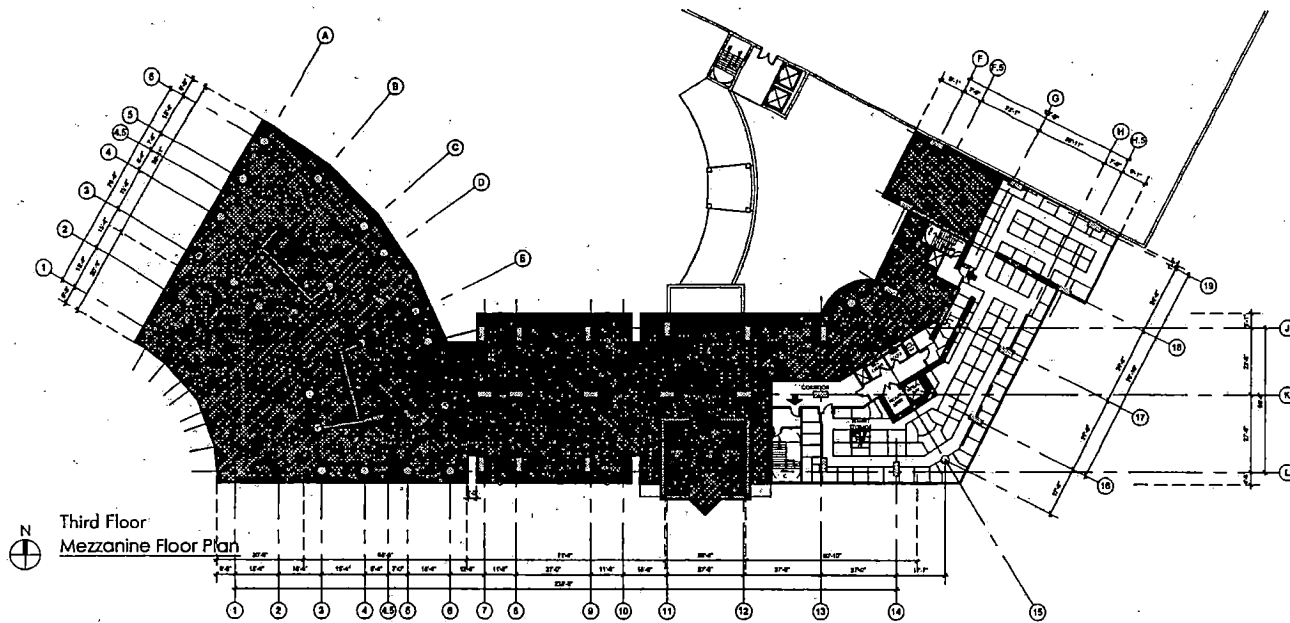
SECOND FLOOR MEZZANINE SQUARE FOOTAGES
TENANT STORAGE 4848 SQ. FT.
TOTAL 4848 SQ. FT.

SECOND FLOOR MEZZANINE OCCUPANCY COUNT
TENANT STORAGE 18 OCC.
TOTAL 19 OCC.

THIRD FLOOR MEZZANINE SQUARE FOOTAGES
TENANT STORAGE 5975 SQ. FT.
TOTAL 5975 SQ. FT.

THIRD FLOOR MEZZANINE OCCUPANCY COUNT
TENANT STORAGE 20 OCC.
TOTAL 20 OCC.

JMA ARCHITECTURE STUDIOS



Floor Plans

RENAISSANCE TOWER

SDR-5179
10/21/04 PC

225 CORPORATE CIRCLE, SUITE 200 HENDERSON, NEVADA 89014
PHONE: (702) 942-2033 FAX: (702) 942-2039 WWW.JMAARCH.COM

PROJECT NO: 200481175

DATE: September 3, 2004

0 10' 20' 40'
SCALE: 1" = 1'-0"



LEGEND

ENTRANCES AND EXITS

PROJECT INFORMATION

CITY OF LAS VEGAS
ZONING: R-TOWER
CODE REFERENCE: 2003 IBC

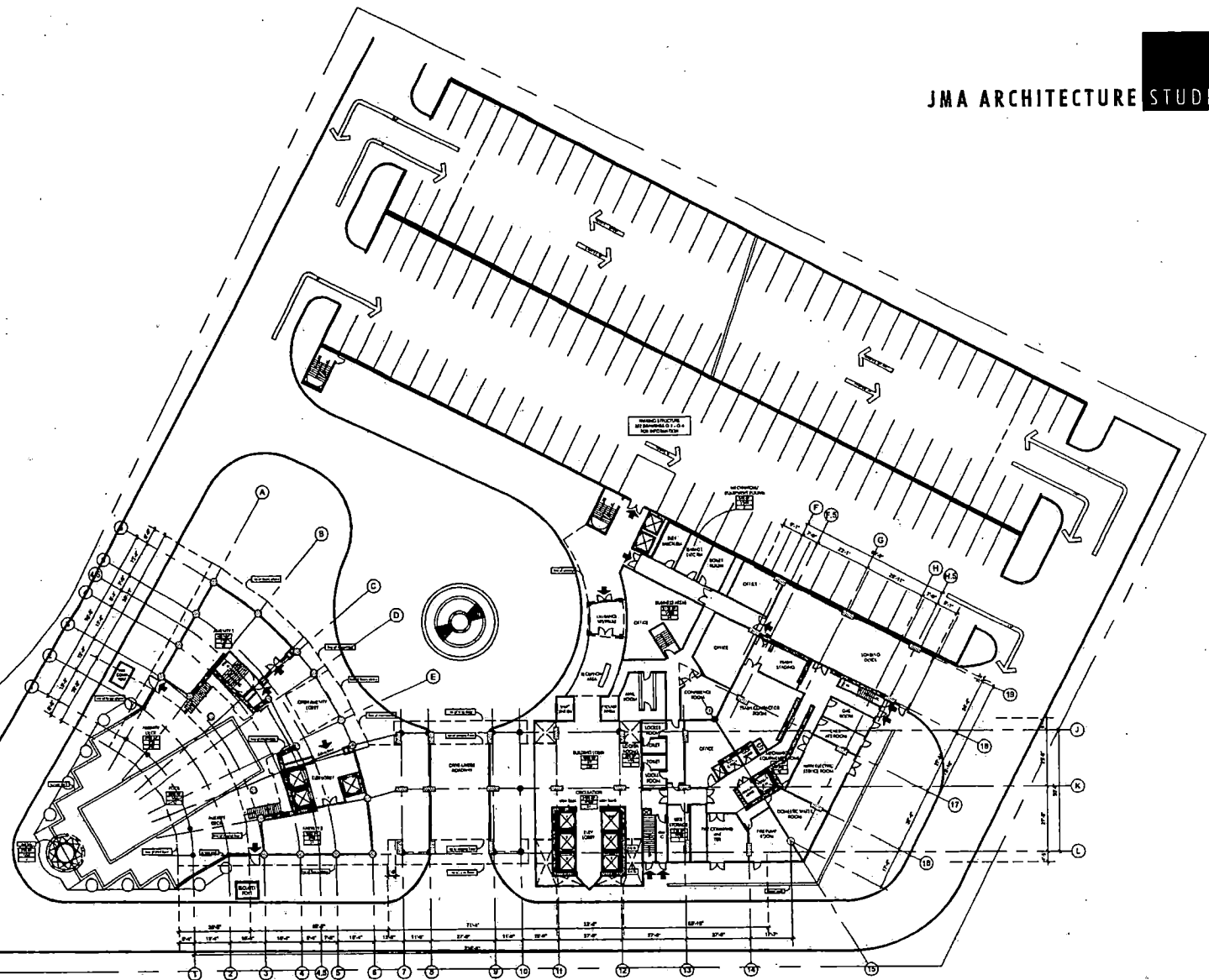
FIRST FLOOR SQUARE FOOTAGES

AMENITY 1	1561 SQ. FT.
AMENITY 2	1552 SQ. FT.
AMENITY DECK	4038 SQ. FT.
POOL	2080 SQ. FT.
HOT TUB	200 SQ. FT.
BUILDING LOBBY	1536 SQ. FT.
CIRCULATION	2405 SQ. FT.
LOCKER ROOMS	300 SQ. FT.
MECHANICAL/EQUIPMENT ROOM	4300 SQ. FT.
MECHANICAL/EQUIPMENT ROOM	588 SQ. FT.
BUSINESS AREAS	5116 SQ. FT.
BIKE STORAGE	230 SQ. FT.
TOTAL	23,900 SQ. FT.

FIRST FLOOR OCCUPANCY COUNT

AMENITY 1	32 OCC.
AMENITY 2	31 OCC.
AMENITY DECK	289 OCC.
POOL	42 OCC.
HOT TUB	4 OCC.
LOBBY	220 OCC.
CIRCULATION	24 OCC.
LOCKER ROOMS	6 OCC.
MECHANICAL/EQUIPMENT ROOM	15 OCC.
MECHANICAL/EQUIPMENT ROOM	2 OCC.
BUSINESS AREAS	52 OCC.
BIKE STORAGE	1 OCC.
TOTAL	698 OCC.

JMA ARCHITECTURE STUDIOS



First Floor Plan

Floor Plans

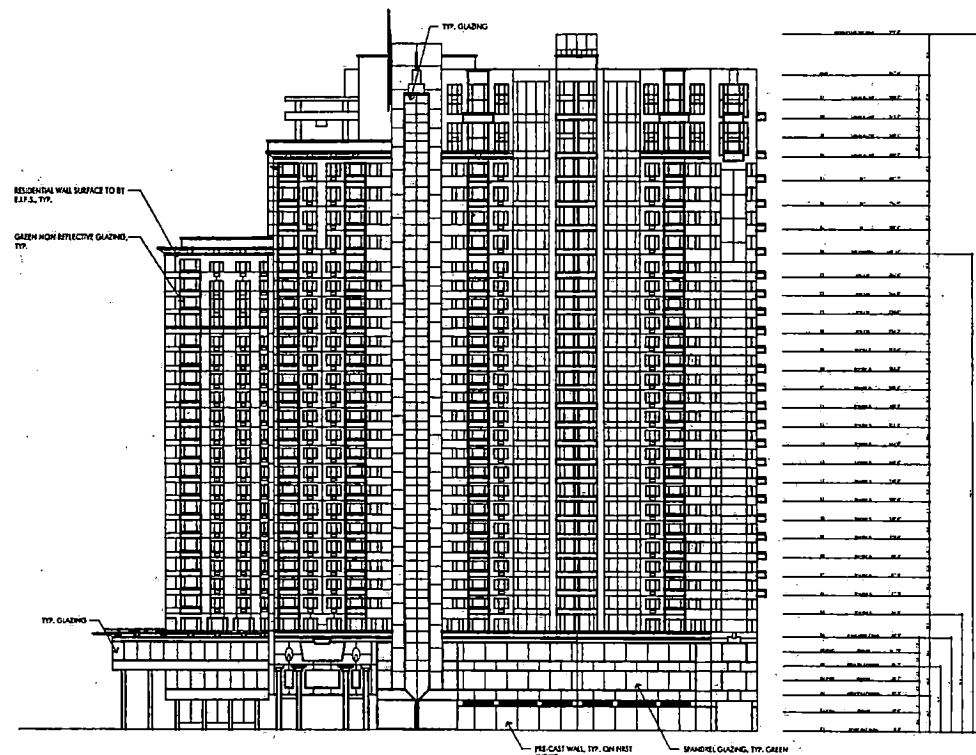
RENAISSANCE TOWER

SDR-5179
10/21/04 PC

2285 CORPORATE CIRCLE, SUITE 200 HENDERSON, NEVADA 89074
PHONE: (702) 442-3333 FAX: (702) 442-3399 WWW.JMAARCH.COM

PROJECT NO: 200401175
DATE: September 5, 2004

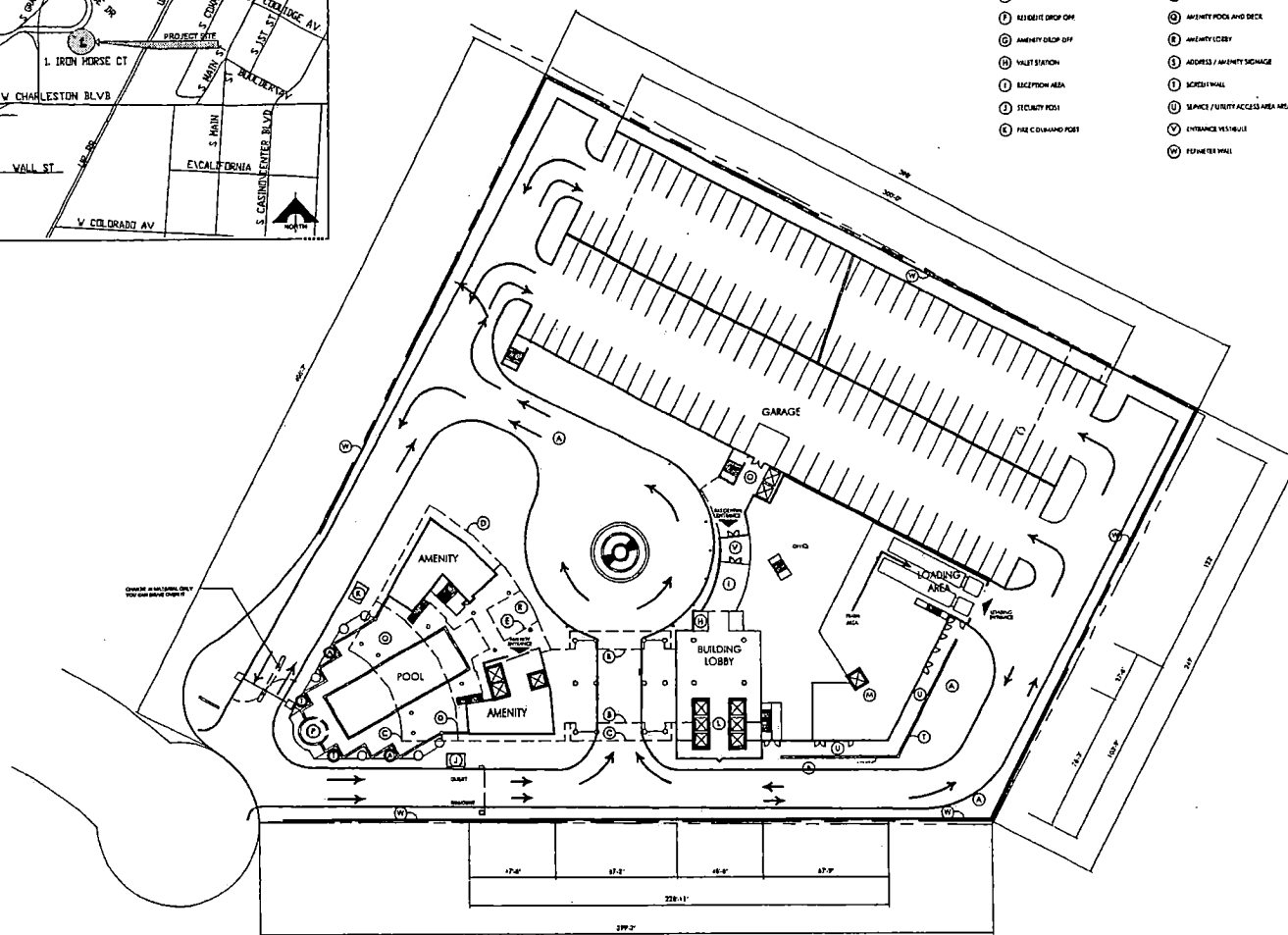
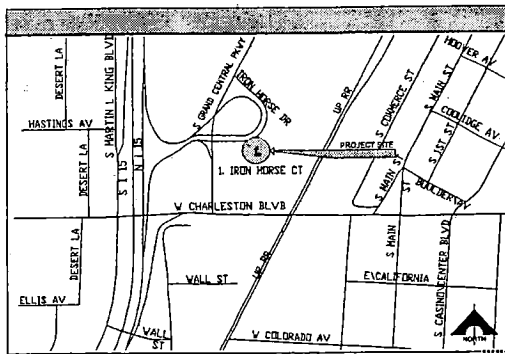
0 10' 20' 40'
SCALE: 1" = 1'-0" NORTH



SOUTH ELEVATION
RENAISSANCE TOWER

SDR-5179
10/21/04 PC

325 CORPORATE CIRCLE, SUITE 100 HENDERSON, NEVADA 89014
PHONE: (702) 842-2033 FAX: (702) 842-2039 WWW.JMAARCH.COM
PROJECT NO: 200401175
DATE: September 3, 2004
SCALE: 1/32" = 1'-0"
NORTH



- (A) LANDSCAPE AREA
- (B) LINE OF 2ND FLOOR ABOVE
- (C) LINE OF 3RD FLOOR ABOVE
- (D) LINE OF BUILDING ABOVE
- (E) LINE OF MEZZANINE ABOVE
- (F) RAMP DROP OFF
- (G) RAMP DROP OFF
- (H) VALET STATION
- (I) RECEIPTION AREA
- (J) SECURITY POST
- (K) FIRE CLOUARD POST
- (L) RESIDENTIAL ELEVATOR LOBBY
- (M) FREIGHT ELEVATOR
- (N) AMENITY ELEVATOR LOBBY
- (O) GARAGE ELEVATOR LOBBY
- (P) HOT TUB
- (Q) AMENITY POOL AND DECK
- (R) AMENITY LOBBY
- (S) ACCESS / AMENITY SIGNAGE
- (T) SCREEN WALL
- (U) STAIRS / AMENITY ACCESS AREA AREA
- (V) ENTRANCE VESTIBULE
- (W) RECEPTION WALL

JMA ARCHITECTURE STUDIOS

TOTALS	
RESIDENTIAL UNITS	175
1 BEDROOM UNITS	175
2 BEDROOM UNITS	0
3 BEDROOM UNITS	0
TOTAL UNITS	175 UNITS

BASIS DATA	
MAX. BUILDING	107.5'±
RESIDENTIAL CONDOMINIUM	107.5'±
LOBBY, OFFICE, GARAGE, POOL	107.5'±
MECHANICAL, ELEVATOR	107.5'±
MECHANICAL, ELEVATOR	107.5'±
MECHANICAL, ELEVATOR	107.5'±
TOTAL BUILDING	107.5'±
MECHANICAL, ELEVATOR	107.5'±
TOTAL BUILDING	107.5'±

NOTES: 1. ALL DIMENSIONS ARE IN FEET AND INCHES. 2. DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. 3. DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

TOTALS	
RESIDENTIAL UNITS	175
1 BEDROOM UNITS	175
2 BEDROOM UNITS	0
3 BEDROOM UNITS	0
TOTAL UNITS	175 UNITS

NOTES: 1. ALL DIMENSIONS ARE IN FEET AND INCHES. 2. DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. 3. DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

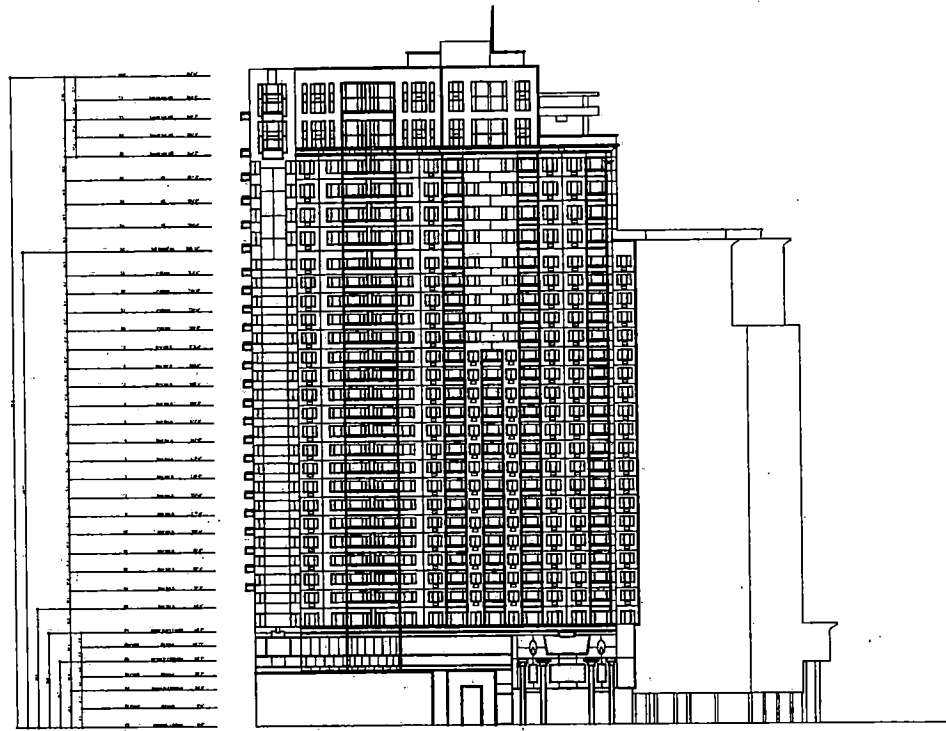
TOTALS	
RESIDENTIAL UNITS	175
1 BEDROOM UNITS	175
2 BEDROOM UNITS	0
3 BEDROOM UNITS	0
TOTAL UNITS	175 UNITS

NOTES: 1. ALL DIMENSIONS ARE IN FEET AND INCHES. 2. DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. 3. DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

SITE PLAN
RENAISSANCE TOWER

SDR-5179
10/21/04 PC

2205 CORPORATE CIRCLE, SUITE 250 HENDERSON, NEVADA 89074
PHONE (702) 842-2022 FAX (702) 842-2028 WWW.JMAARCH.COM
PROJECT NO: 200401175
DATE: September 3, 2004
SCALE: 1/30
NORTH



NORTH ELEVATION
RENAISSANCE TOWER

SDR-5179
10/21/04 PC

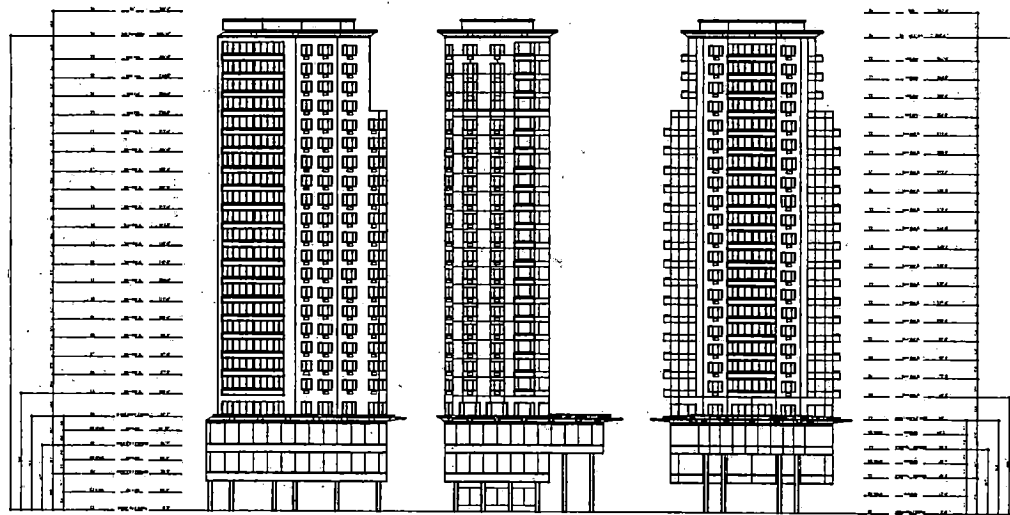
2288 CORPORATE CIRCLE, SUITE 200 HENDERSON, NEVADA 89074
PHONE: (702) 942-8333 FAX: (702) 942-2028 WWW.JMAARCH.COM

PROJECT NO: 200401175
DATE: September 3, 2004

0 16' 32' 64'
SCALE: 1/32" = 1'-0"

 NORTH

JMA ARCHITECTURE STUDIOS



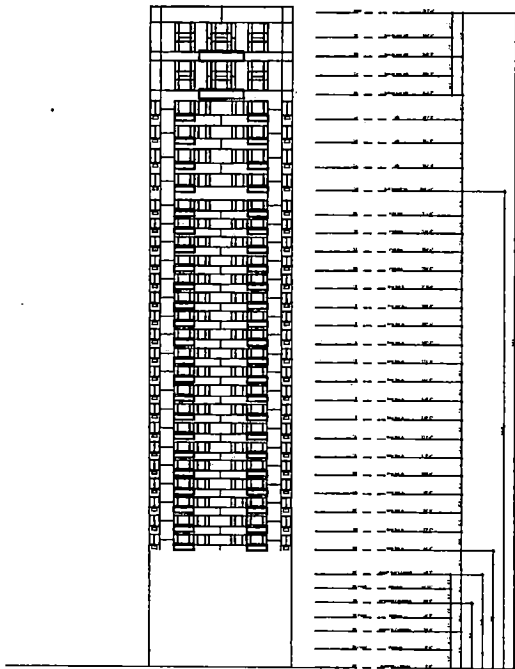
WEST ELEVATIONS
RENAISSANCE TOWER

SDR-5179
10/21/04 PC

2285 CORPORATE CIRCLE, SUITE 220 HENDERSON, NEVADA 89014
PHONE: (702) 842-2533 FAX: (702) 842-2539 WWW.JMAARCH.COM

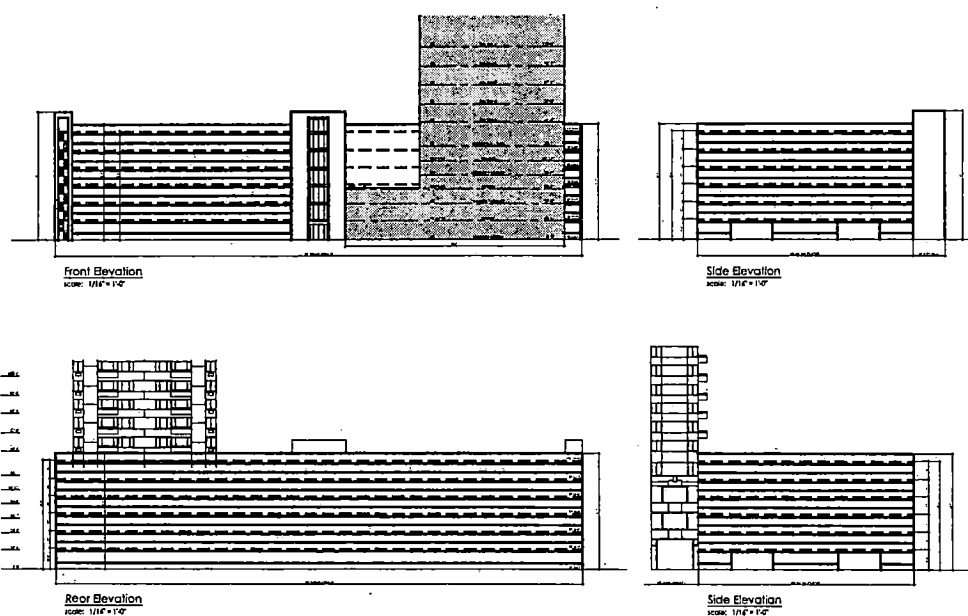
PROJECT NO: 200401175
DATE: September 3, 2004

0 16' 32' 64'
SCALE: 1/32" = 1'-0" NORTH



EAST ELEVATION
RENAISSANCE TOWER

SDR-5179
10/21/04 PC



GARAGE ELEVATIONS
RENAISSANCE TOWER

SDR-5179
10/21/04 PC

8299 CORPORATE CIRCLE, SUITE 230 HENDERSON, NEVADA 89074
PHONE: (702) 942-2033 FAX: (702) 942-2036 WWW.JMAARCH.COM
PROJECT NO: 200401175
DATE: September 3, 2004
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SCALE: 1/32\" = 1'-0\"
NORTH

LEGEND

ENTRANCES AND EXITS

PROJECT INFORMATION

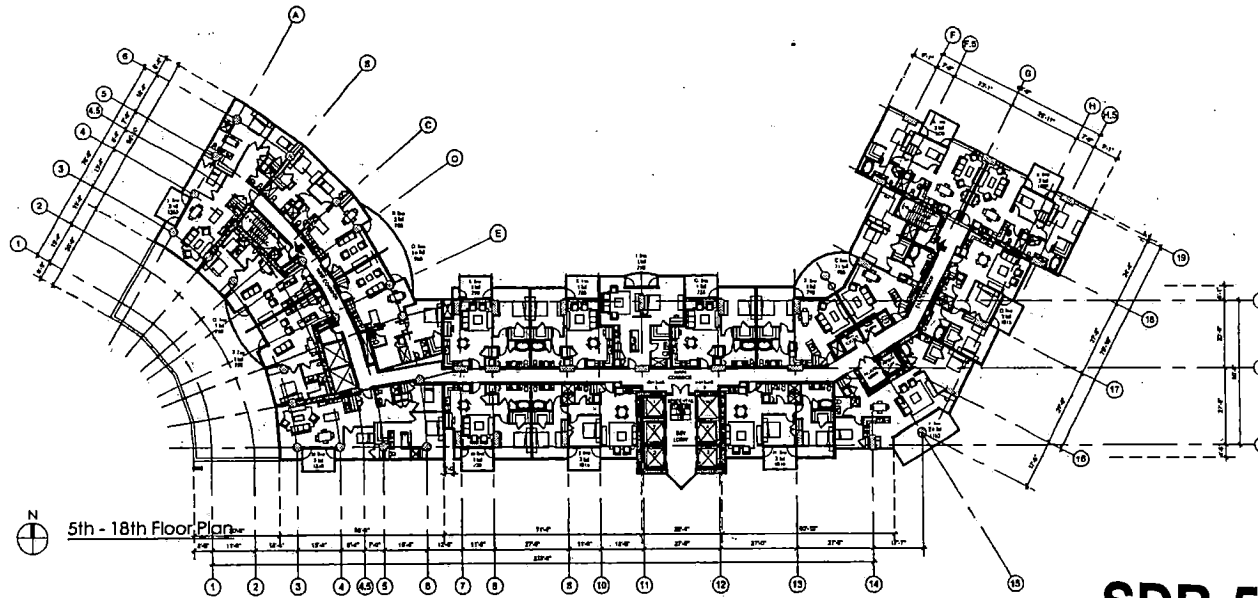
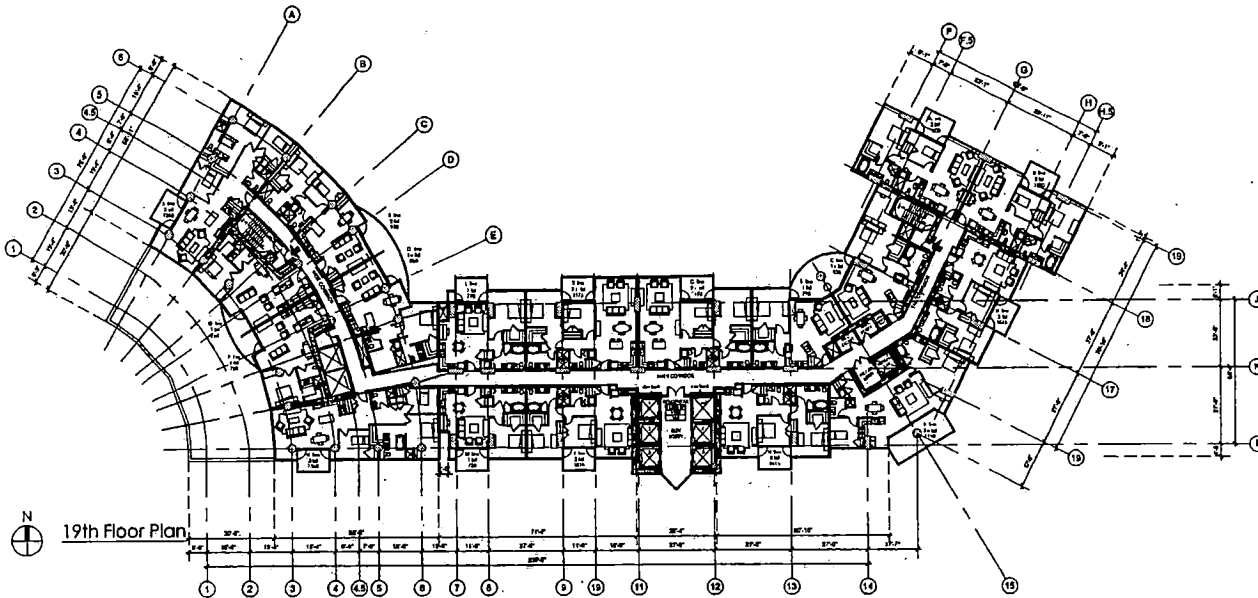
CITY OF LAS VEGAS
ZONING: R-TOWER
CODE REFERENCE: 2003 IBC

5TH - 18TH FLOOR SQUARE FOOTAGES
RESIDENTIAL (PER FLOOR) TOTAL 21,593 SQ. FT.
TOTAL X 14 FLOORS 302,302 SQ. FT.

5TH - 18TH FLOOR OCCUPANCY COUNT
RESIDENTIAL (PER FLOOR) TOTAL 108 OCC.
TOTAL 108 OCC.
TOTAL X 14 FLOORS 1512 OCC.

19TH FLOOR SQUARE FOOTAGES
RESIDENTIAL TOTAL 21,693 SQ. FT.
TOTAL 21,693 SQ. FT.

19TH FLOOR OCCUPANCY COUNT
RESIDENTIAL TOTAL 169 OCC.
TOTAL 169 OCC.



Floor Plans

RENAISSANCE TOWER

JMA ARCHITECTURE STUDIOS

SDR-5179
10/21/04 PC

2265 CORPORATE CIRCLE, SUITE 250 HENDERSON, NEVADA 89014
PHONE: (702) 844-0033 FAX: (702) 842-2079 WWW.JMAARCH.COM
PROJECT NO: 200401175
DATE: September 3, 2004
SCALE: 1" = 1'-0" NORTH

LEGEND

ENTRANCES AND EXITS

PROJECT INFORMATION

CITY OF LAS VEGAS
ZONING: R-TOWER
CODE REFERENCE: 2003 IBC

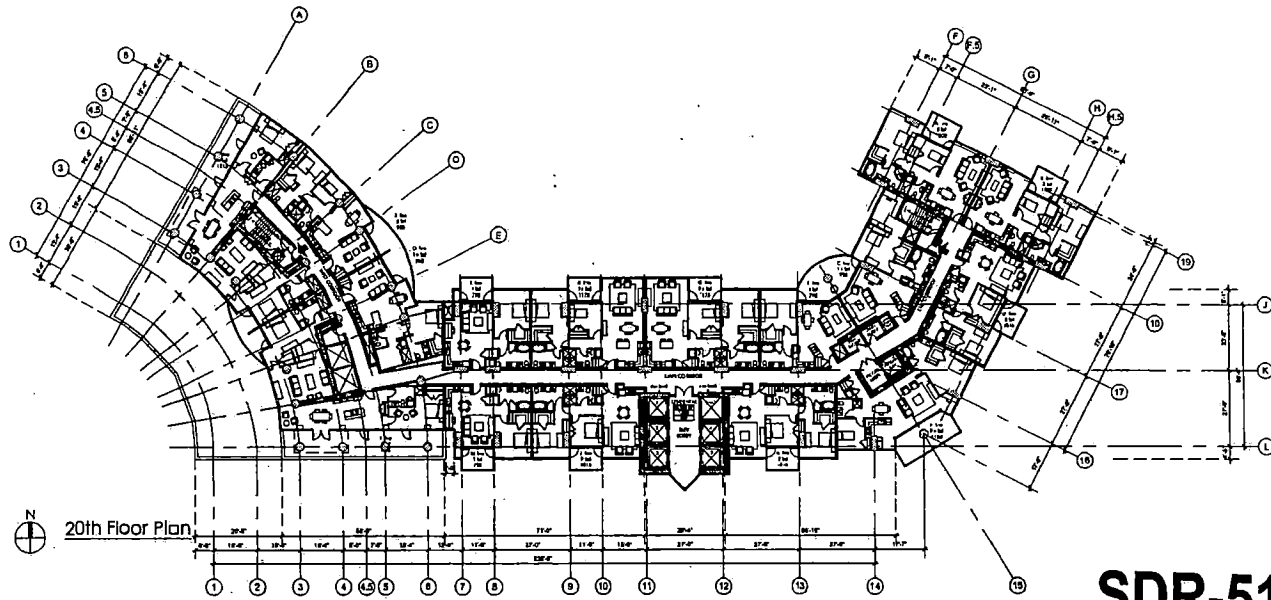
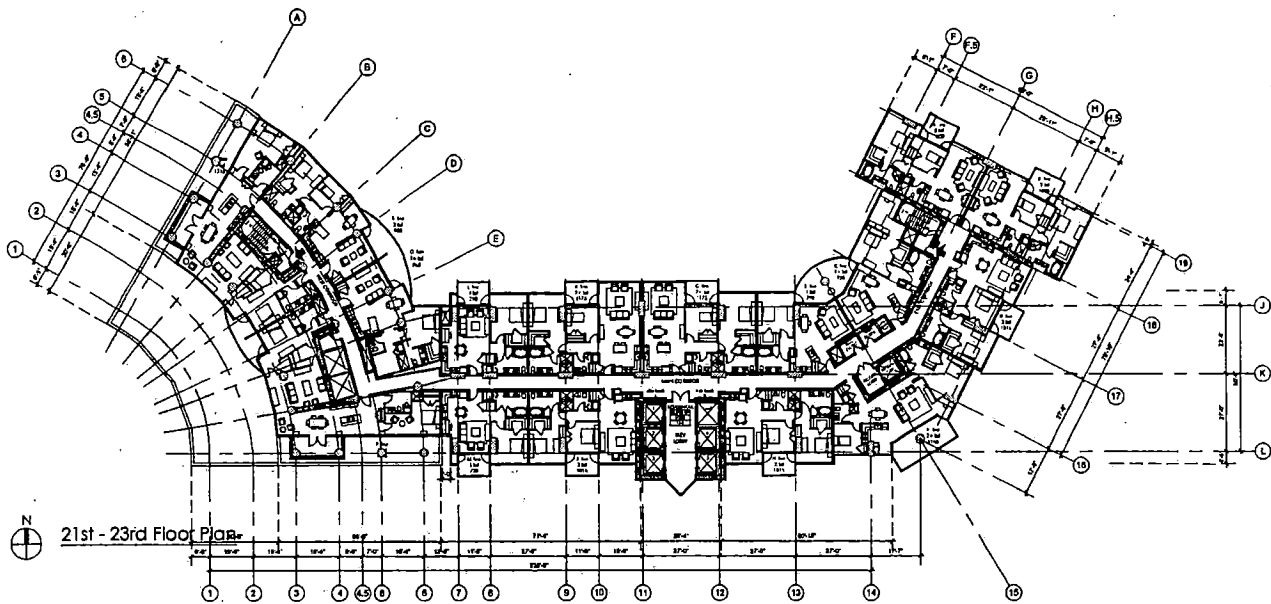
20TH FLOOR SQUARE FOOTAGES
RESIDENTIAL 20,550 SQ. FT.
TOTAL 20,550 SQ. FT.

20TH FLOOR OCCUPANCY COUNT
RESIDENTIAL 103 OCC.
TOTAL 103 OCC.

21ST - 23RD FLOOR SQUARE FOOTAGES
RESIDENTIAL (PER FLOOR) 20,550 SQ. FT.
TOTAL 20,550 SQ. FT.
TOTAL X 3 FLOORS 61,650 SQ. FT.

21ST - 23RD FLOOR OCCUPANCY COUNT
RESIDENTIAL (PER FLOOR) 103 OCC.
TOTAL 103 OCC.
TOTAL X 3 FLOORS 309 OCC.

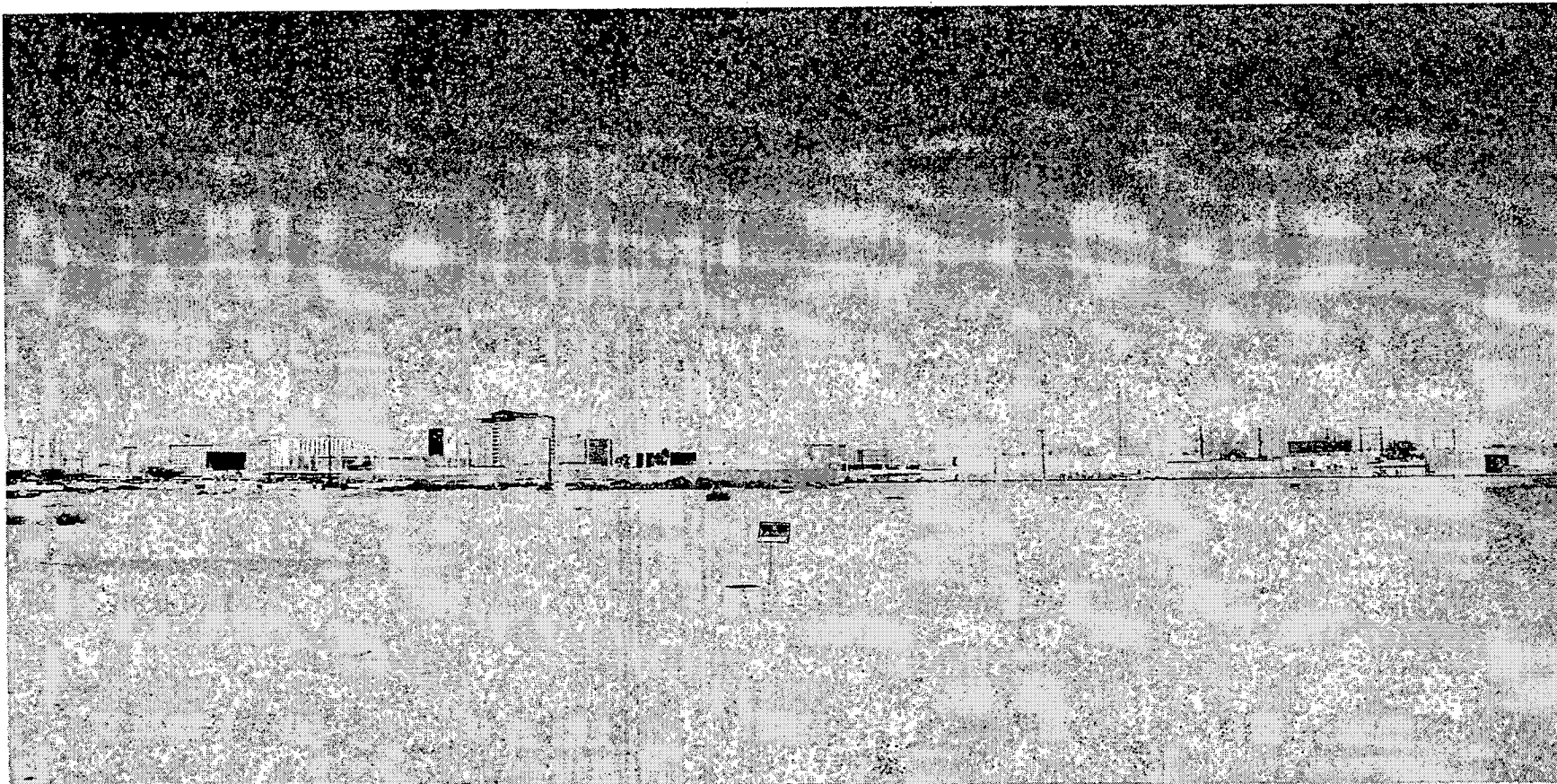
JMA ARCHITECTURE STUDIOS



Floor Plans
RENAISSANCE TOWER

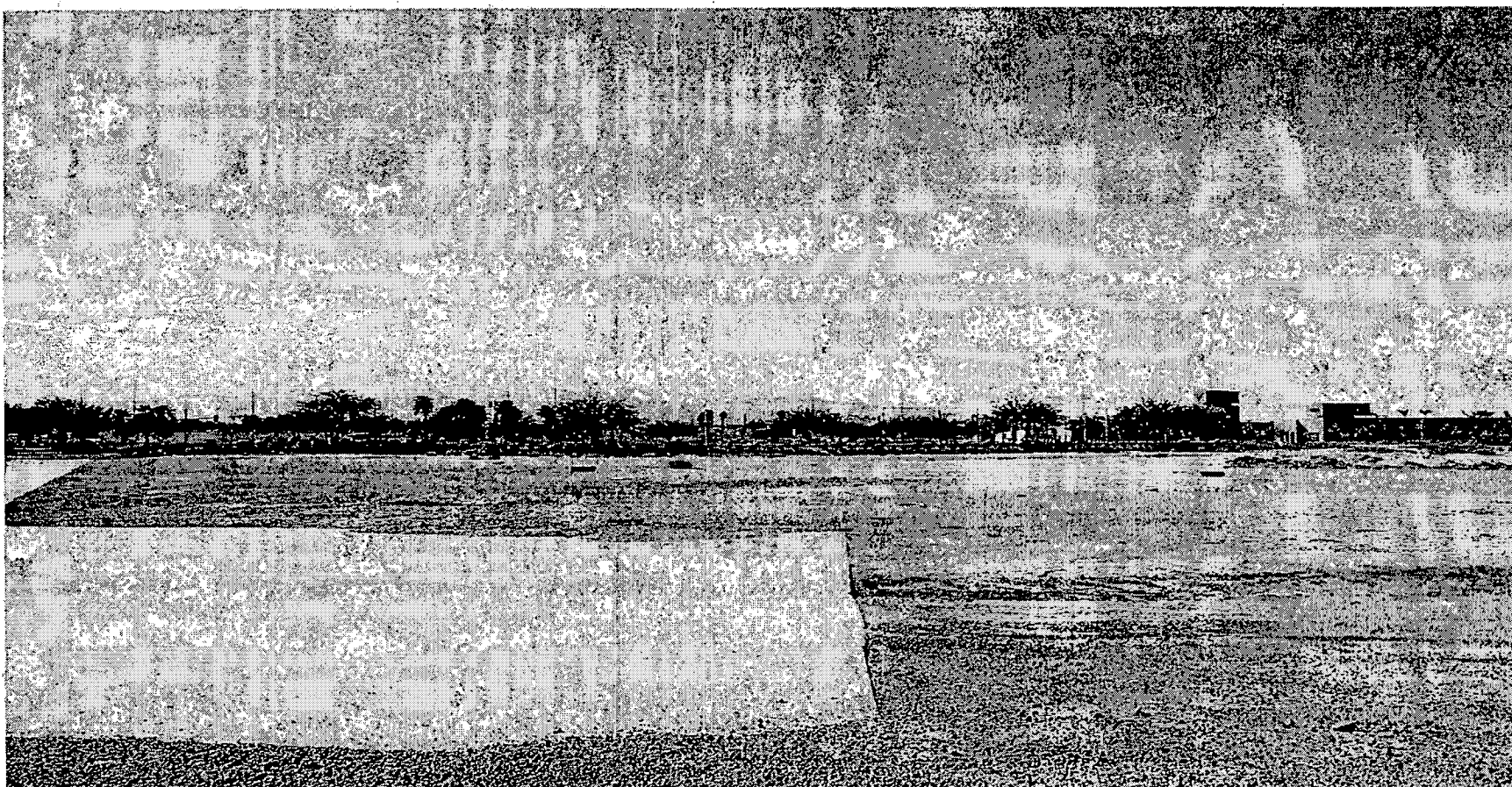
SDR-5179
10/21/04 PC

2280 CORPORATE CIRCLE, SUITE 250 HENDERSON, NEVADA 89014
PHONE: (702) 842-8033 FAX: (702) 842-8036 WWW.JMAARCH.COM
PROJECT NO: 200401175
DATE: September 3, 2004
SCALE: 1" = 1'-0" NORTH



SDR-5179 - APPLICANT/OWNER: SANDHURST DEVELOPMENT, LLC
EAST SIDE OF GRAND CENTRAL PARKWAY, APPROXIMATELY 450 FEET NORTH OF CHARLESTON
BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



SDR-5179 - APPLICANT/OWNER: SANDHURST DEVELOPMENT, LLC
EAST SIDE OF GRAND CENTRAL PARKWAY, APPROXIMATELY 450 FEET NORTH OF CHARLESTON
BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



SDR-5179 - APPLICANT/OWNER: SANDHURST DEVELOPMENT, LLC
EAST SIDE OF GRAND CENTRAL PARKWAY, APPROXIMATELY 450 FEET NORTH OF CHARLESTON
BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RQR-5166 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: RANCHO DRIVE, LLC - Required Two Year Review of an Approved Special Use Permit (U-0037-95) WHICH ALLOWED A 40 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN on the east side of Rancho Drive, approximately 200 feet south of Rainbow Boulevard (APN 125-35-401-001), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 11/17/04

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:

McSWAIN – APPROVED subject to conditions, amending the following condition:

3. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

And adding the following condition:

- The Special Use Permit shall be reviewed in one year.
- Motion carried with STEINMAN voting NO

To be heard by the City Council on 11/17/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 76 – RQR-5166

MINUTES – Continued:

GARY LEOBOLD, Planning and Development, stated that the continued off-premise advertising billboard sign use is inappropriate as it is within a vacant lot, which is not conducive to promoting development on vacant properties. Therefore, staff recommended denial, but if approved, subject to a one-year review with staff's recommended conditions.

SCOTT NAFTZGER, Lamar Outdoor Advertising, 1863 Helm Drive, thanked the Commission for bringing the item forward to be heard with his other applications on the agenda. He then requested approval of the application with the deletion of the first sentence on Condition 3.

COMMISSIONER McSWAIN stated that the area is in transition and has upcoming new development. The lot is landscaped and maintained, so she would support the application with a one-year review.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:10 – 6:11)

1-

CONDITIONS:

Planning and Development

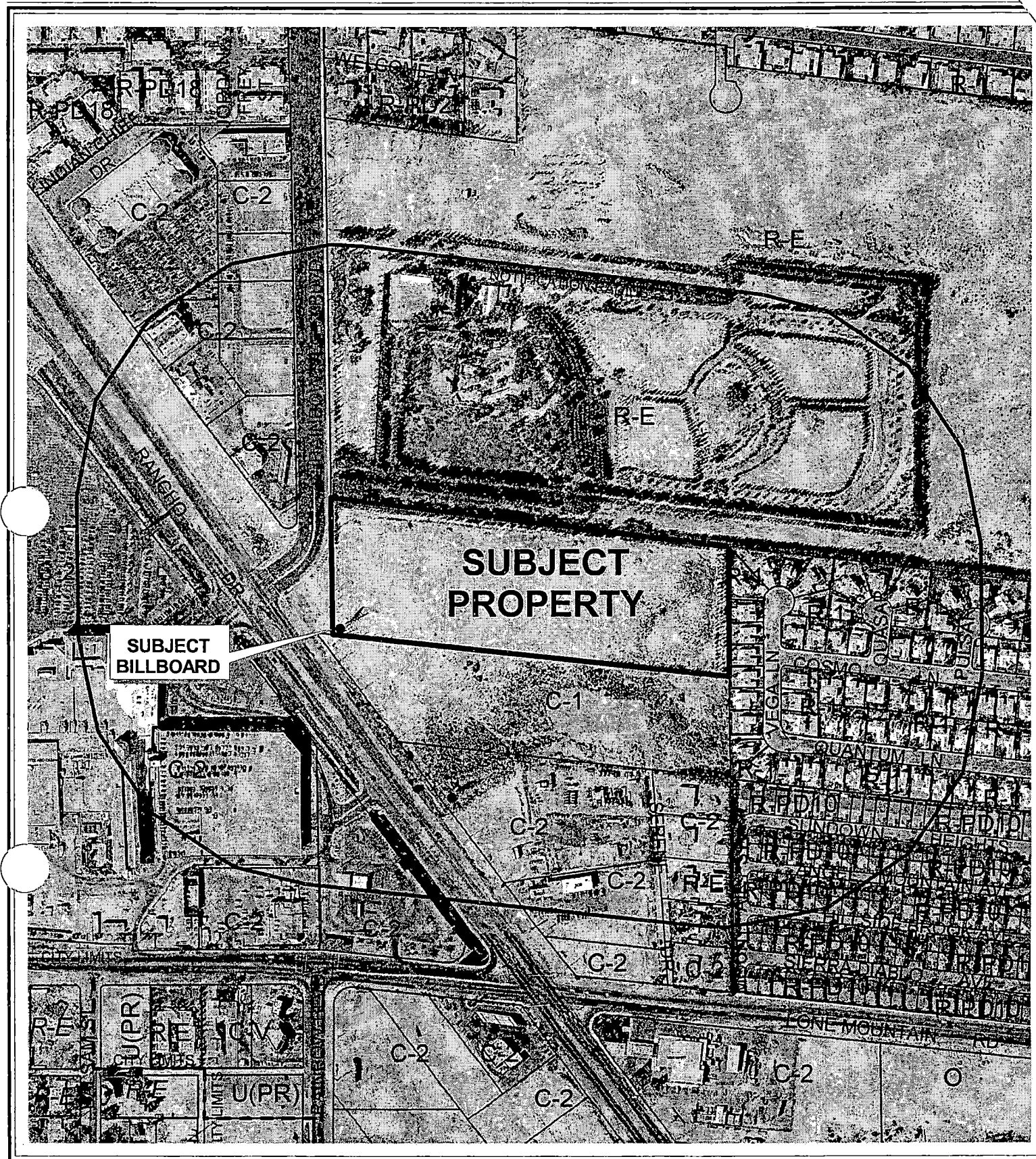
1. The Special Use Permit shall be reviewed in one (1) year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising sign (billboard) supporting structure shall be designed to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 76 – RQR-5166

CONDITIONS – Continued:

4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. All City Code requirements and design standards of all City Departments shall be satisfied.





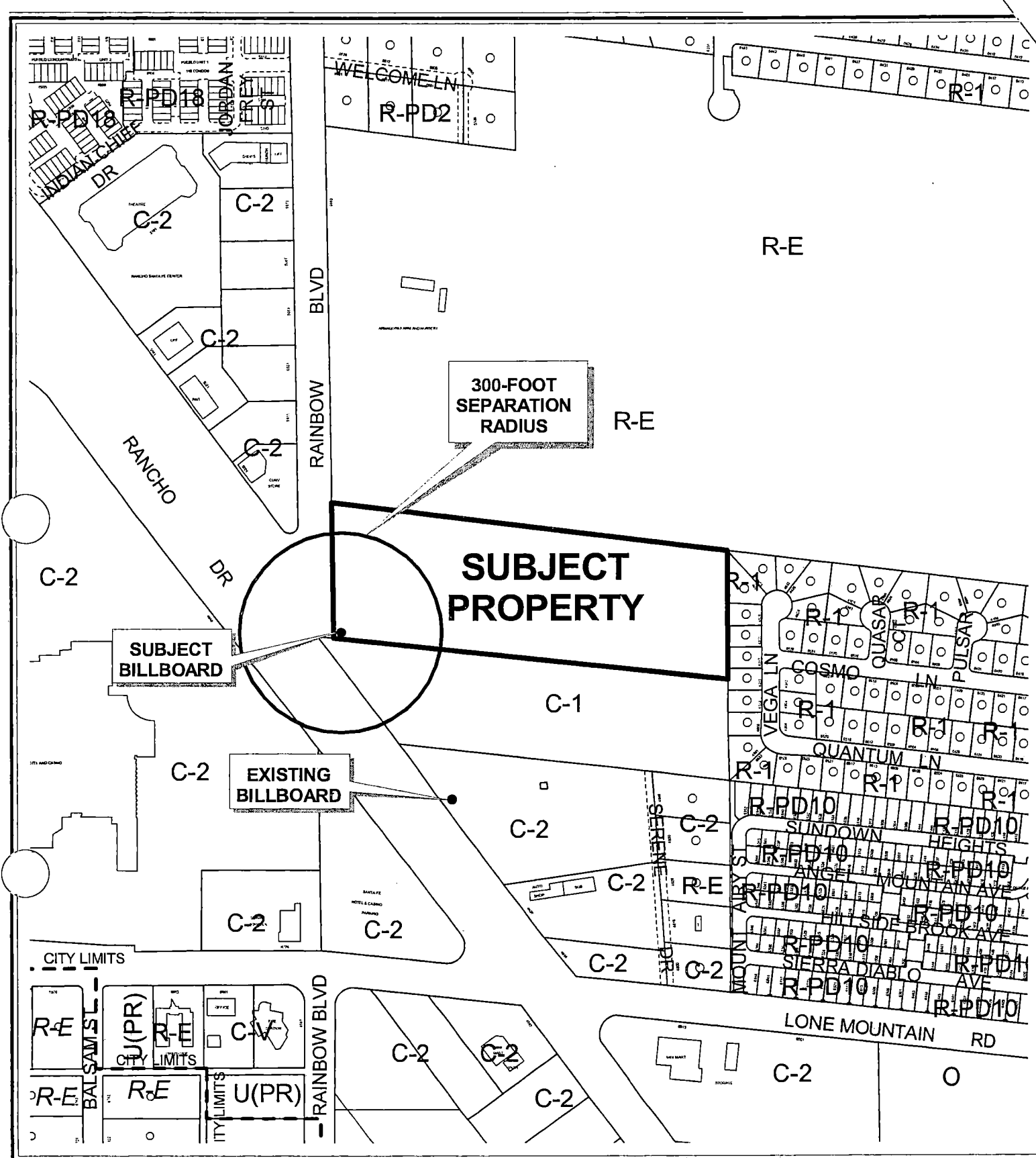
CASE: RQR-5166

RADIUS: 750 FT

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

0 300 600 Feet





CASE: RQR-5166

SEPARATION RADIUS: 300 FT

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



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-5166 - APPLICANT: LAMAR ADVERTISING - OWNER:
RANCHO DRIVE, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in one (1) year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising sign (billboard) supporting structure shall be designed to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a Required Two Year Review on an approved Special Use Permit, which allowed a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign on property located on the east side of Ranch Drive approximately 200 feet south of Rainbow Boulevard.

B) Applicant's Justification

A justification letter is not required as part of this application.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|---|
| 05/20/64 | The subject property was designated within the C-2 (General Commercial) zoning district upon its Annexation (A-0003-64) into the City of Las Vegas. |
| 05/17/95 | The City Council approved a Special Use Permit (U-0037-95) for an off-premise advertising (billboard) sign on the subject property. The Board of Zoning Adjustment and staff recommended approval on April 25, 1995. |
| 03/24/97 | The City Council adopted Ordinance No. 4073, establishing the Off-Premise Sign Exclusionary Zone, including the subject site as part of a larger area, with the adoption of Title 19A (Las Vegas Zoning Code). |
| 07/05/00 | The City Council approved a Required Five-Year Review [U-0037-95(1)] of a Special Use Permit for an approved off-premise advertising sign, thereby allowing the use to continue on the subject property, subject to a review in two years. The Planning Commission and staff recommended approval on May 25, 2000. |
| 10/16/02 | The City Council approved a Required Two Year Review [U-0037-95(1)] of a Special Use Permit for an approved off-premise advertising sign, thereby allowing the use to continue on the subject property, subject to a review in two years. The Planning Commission and staff recommended approval on September 12, 2002. |

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October 21, 2004 - Planning Commission Meeting

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.70 (entire site)

B) Existing Land Use

Subject Property: Undeveloped
North: Agricultural Nursery
South: Undeveloped
East: Single-family dwellings
West: Hotel/Casino
Commercial retail

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: R-E (Residential Estate)
South: C-1 (Limited Commercial)
East: R-1 (Single-family Residential)
West: C-2 (General Commercial)

E) General Plan Compliance

The site is currently designated as SC (Service Commercial) within the Centennial Hills Interlocal Land Use Plan of the General Plan. The SC (Service Commercial) category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

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

The subject site is located in the North Las Vegas Overlay Map. The maximum height allowed within this area is 200 feet therefore the billboard complies with the overlay map.

The subject site is located in the Rancho Corridor trails area. The multi-use transportation trail designation is located on the southeast side of Ranch Drive and Rainbow Boulevard.

ANALYSIS

A) *Zoning Code Compliance*

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet to another Off Premise Sign	600 feet to another off Premise Sign

B) *General Analysis and Discussion*

- Zoning

The subject property is zoned C-1 (Limited Commercial). The existing off-premise advertising (billboard) sign is permitted in the General Commercial zoning district with approval of a Special Use Permit, which may be time-limited or periodically reviewed by Planning Commission and City Council with reference to its compatibility with surrounding uses. The subject property is located in the Off-Premise Sign Exclusionary Zone as defined in Section 19.14.100(E) of the Las Vegas Municipal Code. A new off-premise advertising (billboard) sign could not be erected at this location, however, the existing billboard may continue as a non-conforming use.

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- Use

Title 19.14.100(B) allows the removal of an off-premise advertising (billboard) sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards for approval of a Special Use Permit. The continued off-premise advertising (billboard) sign use on the subject site is appropriate in that the vicinity has not changed substantially in the two years since the last Required Review.

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 continued off-premise advertising (billboard) sign use is inappropriate as it is within a vacant lot, which is not conducive to promoting development on vacant properties. Therefore, staff recommends denial of this request. If the request is approved, it shall be subject to a one-year review.

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

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

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

Off-premise advertising signs do not generate automotive traffic and therefore will not affect the existing public rights-of-way adjacent to this site.

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

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October 21, 2004 - Planning Commission Meeting

The off-premise advertising (billboard) sign will be subject to regular City inspections and licensing requirements and will not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

NOTICES MAILED 133

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-5166** APN: **125-35-401-001**

Name of Property Owner: **Rancho Dr. LLC**

Name of Applicant: **Lamar Advertising**

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: _____

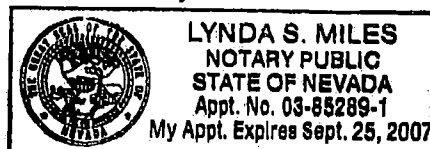
Print Name: **Scott Nafziger**

on behalf of owner

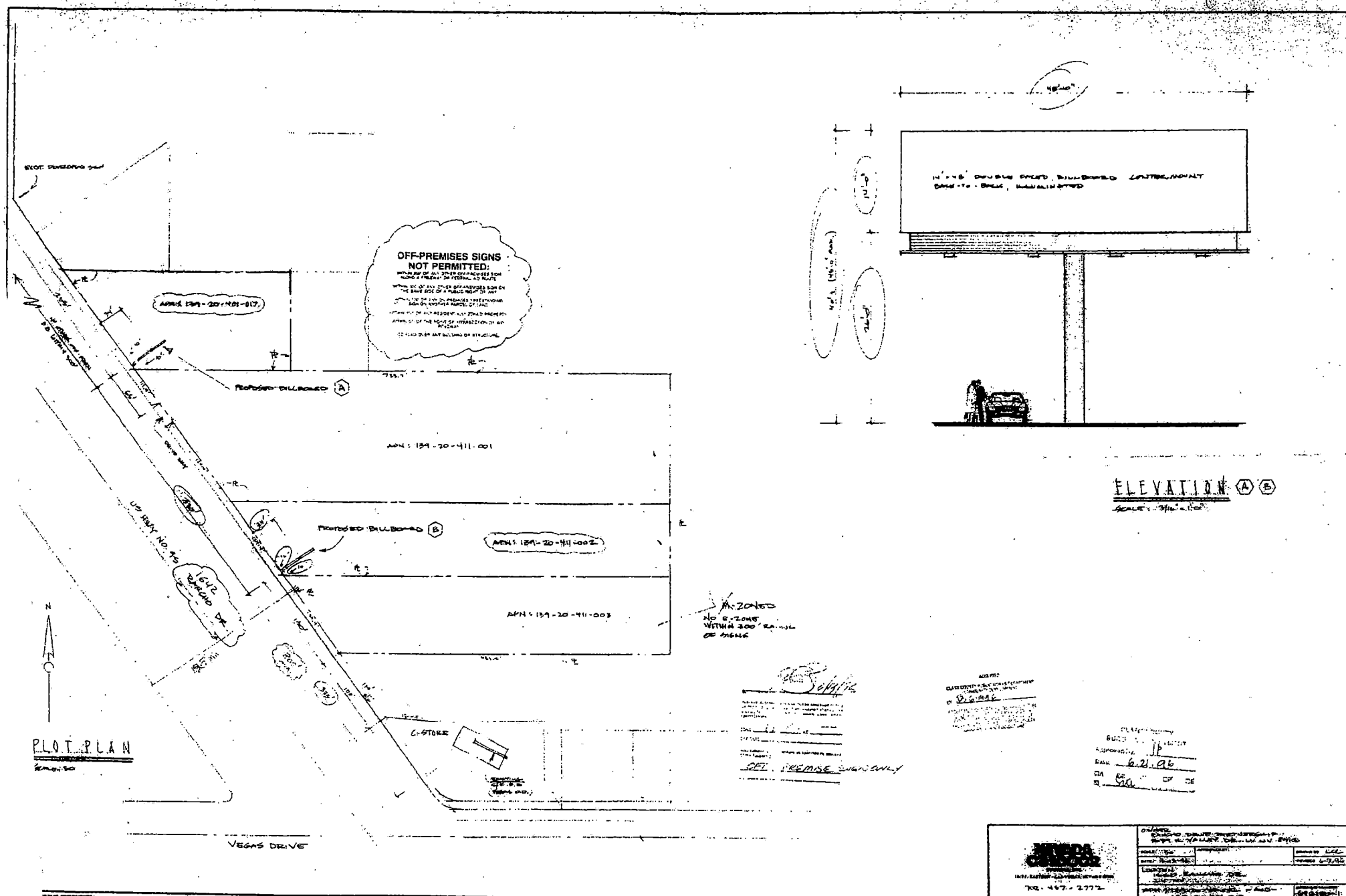
Subscribed and sworn before me

This **27** day of **August**, 20**04**

Lynda S. Miles
Notary Public in and for said County and State



RQR-5166
10/21/04 PC





RQR-5166 - APPLICANT: LAMAR ADVERTISING - OWNER: RANCHO DRIVE, LLC
EAST SIDE OF RANCHO DRIVE, APPROXIMATELY 200 FEET SOUTH OF RAINBOW BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



RQR-5166 - APPLICANT: LAMAR ADVERTISING - OWNER: RANCHO DRIVE, LLC
EAST SIDE OF RANCHO DRIVE, APPROXIMATELY 200 FEET SOUTH OF RAINBOW BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**ABEYANCE - 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:

EVANS – APPROVED subject to conditions and amending the following condition:

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 10,240 square feet with no lot being less than 8,800 square feet.

– UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated that on these types of applications, the cross sections depict a maximum natural grade between 0% and 2% across this site. The Subdivision Code allows a development with a natural slope between 0% to 2% a maximum

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 77 – TMP-5023

MINUTES – Continued:

4-foot retaining wall. No retaining walls were indicated on the initial application; however, the applicant clarified that there will be a maximum retainment height of 2.7 feet adjacent to Jones Boulevard, no retainment on the eastern property line, a maximum retainment height of 3.4 feet adjacent to Deer Springs Way, and a maximum retainment height of 3.5 feet adjacent to the property to the north. The total vertical wall face adjacent to three sides of this development would exceed eight feet in height with a six-foot perimeter wall. Thereafter, the applicant submitted revised cross sections depicting described retaining walls, and the retaining walls have been eliminated across most of the site. There is no combination of screening and retaining walls that exceed eight feet.

KIRBY ADAMS, 720 **Suzanna** Way, concurred with MR. LEOBOLD'S brief overview of the proposed application. He asked for clarification on Condition 2 relative to the lot sizes, as he was not present at the meeting regarding the Site Plan Review. ROBERT GENZER, Planning and Development, responded that the change on the condition should reflect an average lot size of 10,240 square feet with a minimum lot size of 8,800 square feet. CHAIRMAN TRUESDELL confirmed that MR. ADAMS concurred with the recommended conditions and the change on Condition 2.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:10 – 6:11)

1-

CONDITIONS:

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..
3. Street names must be provided in accordance with the City's Street Naming Regulations.

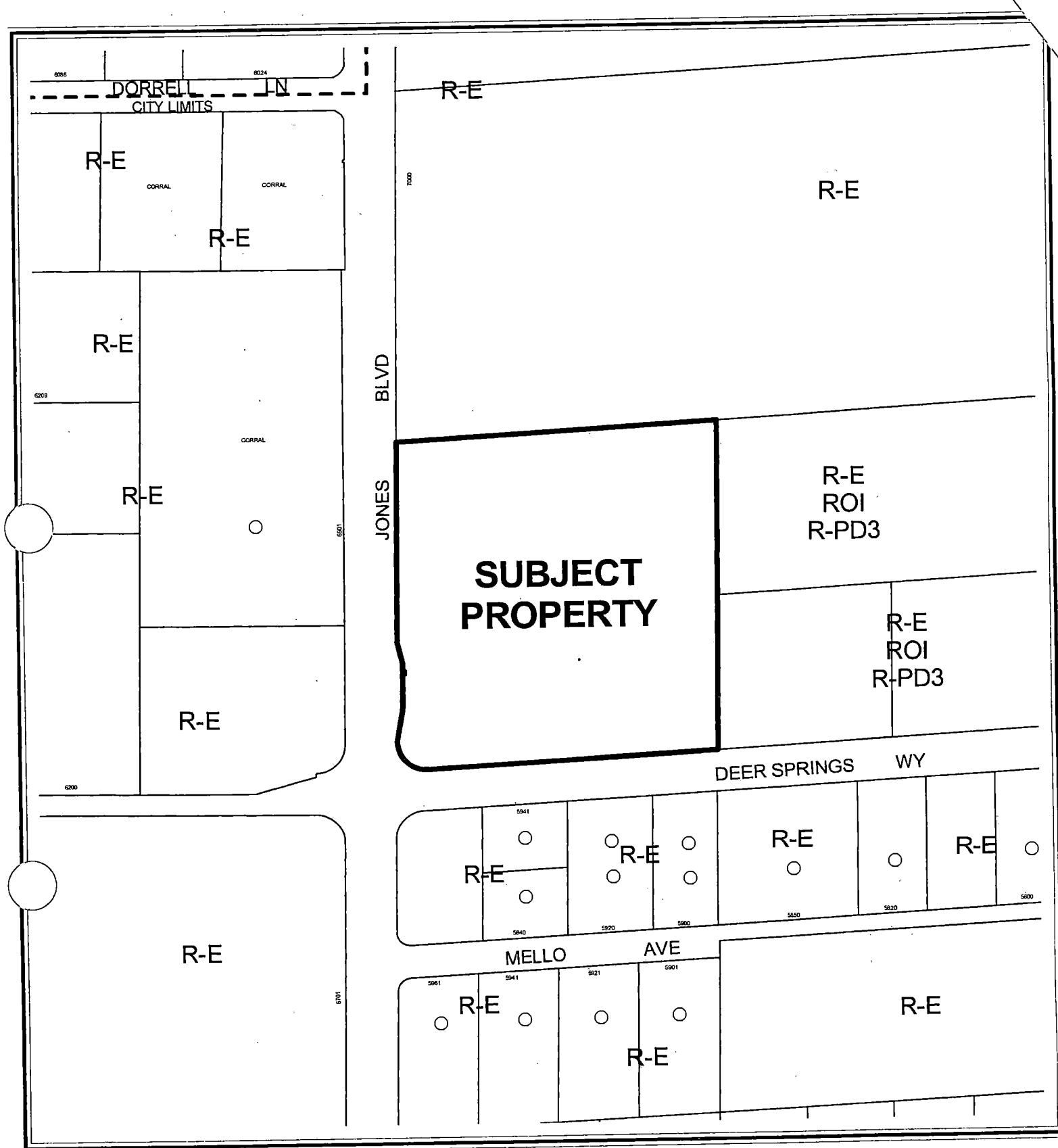
PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 77 – TMP-5023

CONDITIONS – Continued:

4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. 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.
6. Street names must be provided in accordance with the City's Street Naming Regulations.
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. 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.
9. The development shall comply with all City Codes and State Subdivision Statutes.

Public Works

10. Site development to comply with all applicable conditions of approval for ZON-4452, SDR-4455 and all other subsequent site-related actions.
11. 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.



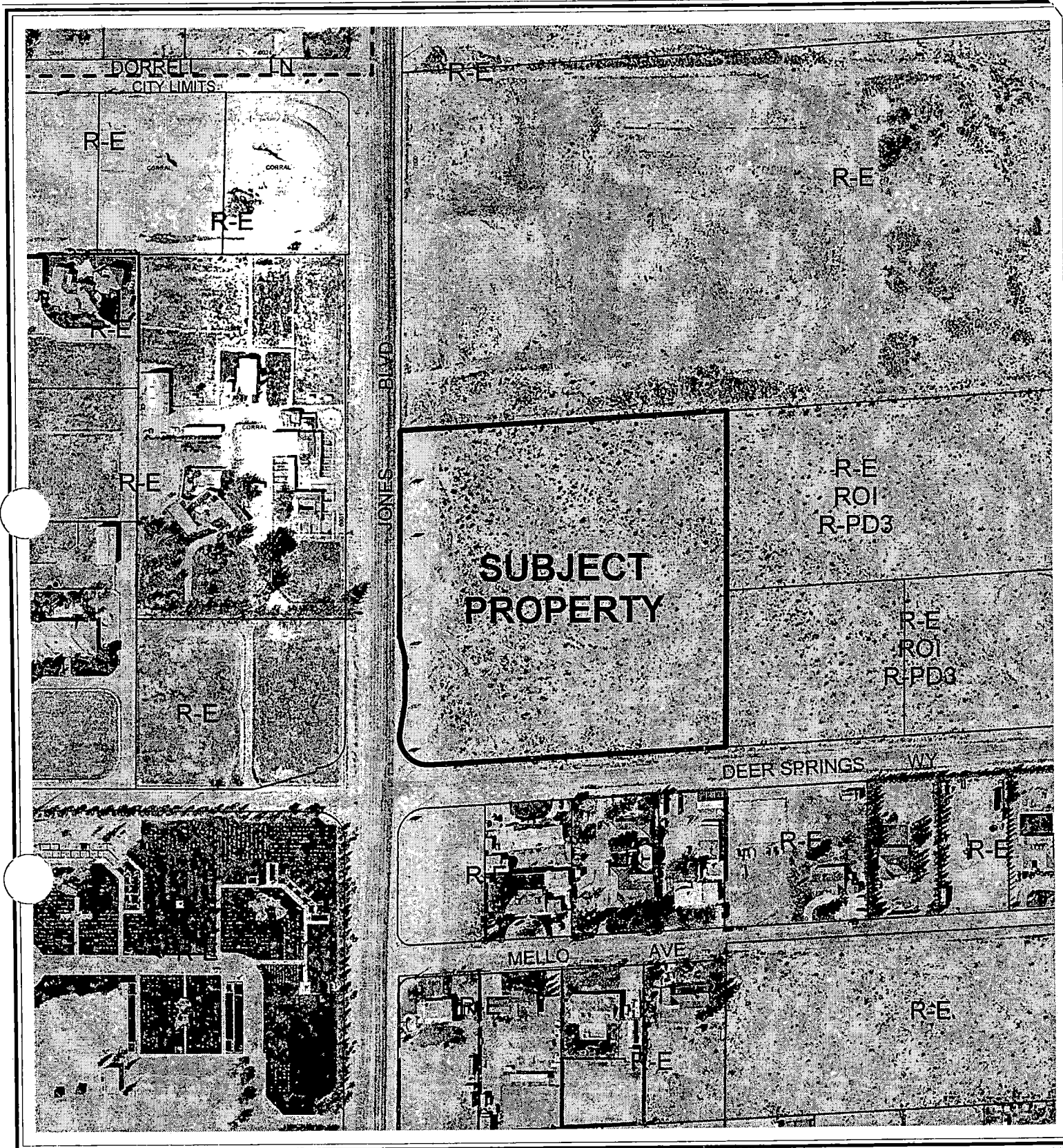
0 200 400 Feet

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)





0 200 400 Feet

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 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - TMP-5023 - 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..
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. 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.
6. Street names must be provided in accordance with the City's Street Naming Regulations.
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. 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.

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9. The development shall comply with all City Codes and State Subdivision Statutes.

Public Works

10. Site development to comply with all applicable conditions of approval for ZON-4452, SDR-4455 and all other subsequent site-related actions.
11. 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. The map has been revised to reduce the height of retaining walls along the perimeter of the proposed subdivision.

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.

10/07/04 The Planning Commission voted to hold this item in abeyance at the request of the applicant in order to address design and perimeter wall height issues.

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 eight feet in height. The applicant has agreed to submit revised cross sections depicting the described retaining walls. The revised plans show that retaining walls have been eliminated across most of the site and that no combination of screening and retaining walls is over eight feet in height.

- 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:

2. 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.

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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 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



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP-5023 APN: 125-24-201-002

Name of Property Owner: JONES DEER SPRINGS LLC

Name of Applicant: GARRETT, 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: _____

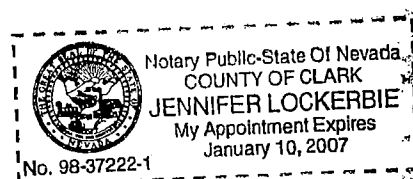
Signature of Property Owner/Authorized Agent: George R. Mehoctic

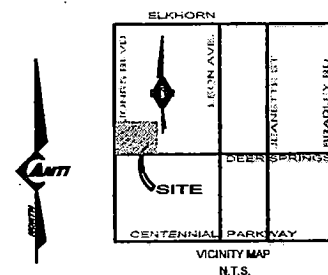
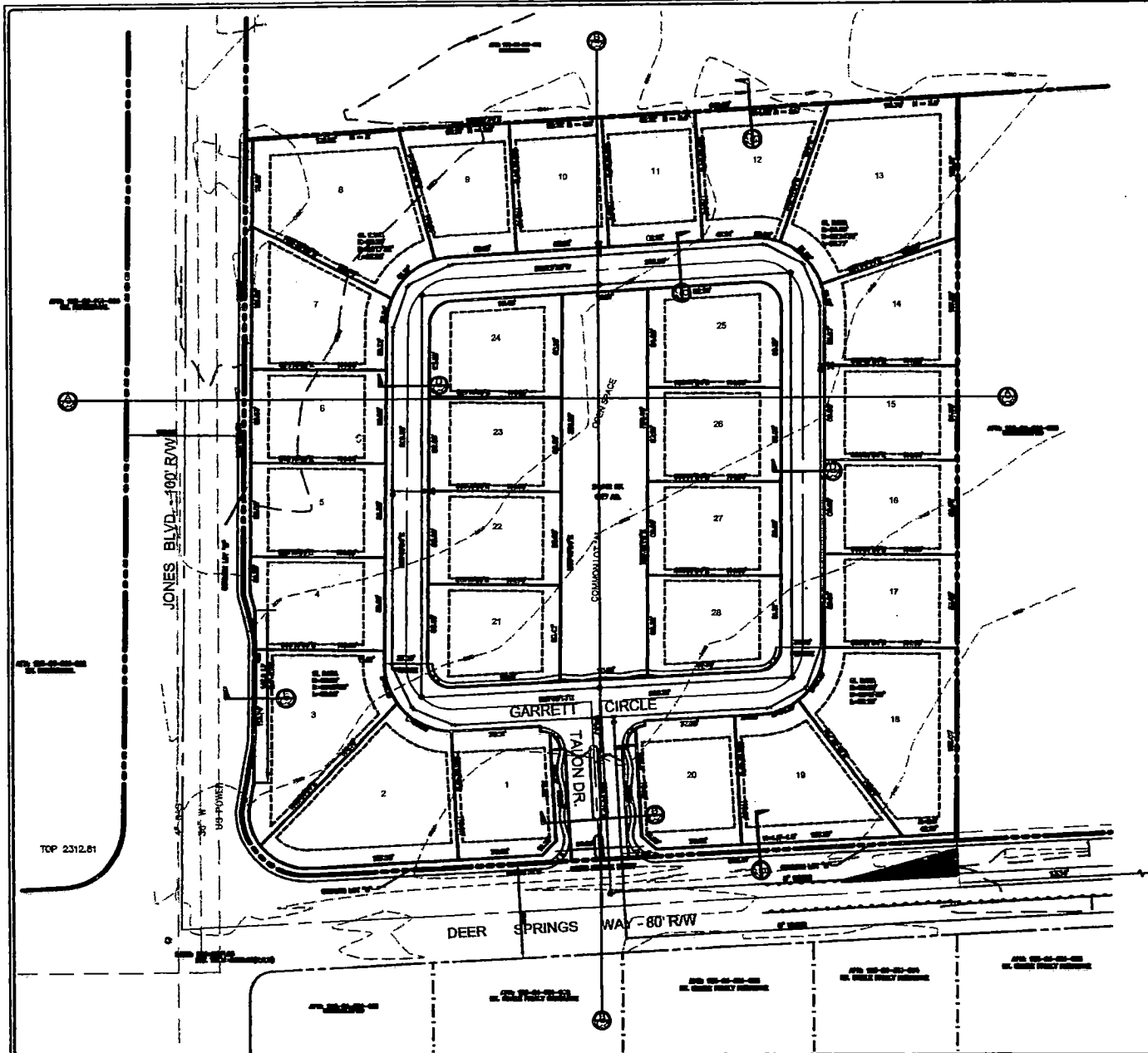
Print Name: GEORGE R. MEHOCTIC

Subscribed and sworn before me

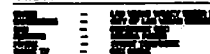
This 12 day of August, 2004

Jennifer Lockerbie
Notary Public in and for said County and State





UTILITY COMPANIES SERVICING SITE



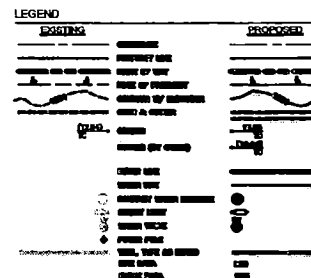
SITE DATA

APN: 125-24-201-002

NOTE:

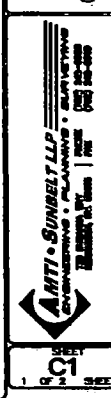
SEWER CONTRIBUTION

LEGEND



TENTATIVE MAP
NWC JONES AND DEER SPRINGS
GARRETT CROSSING BY BRAMBLE HOMES

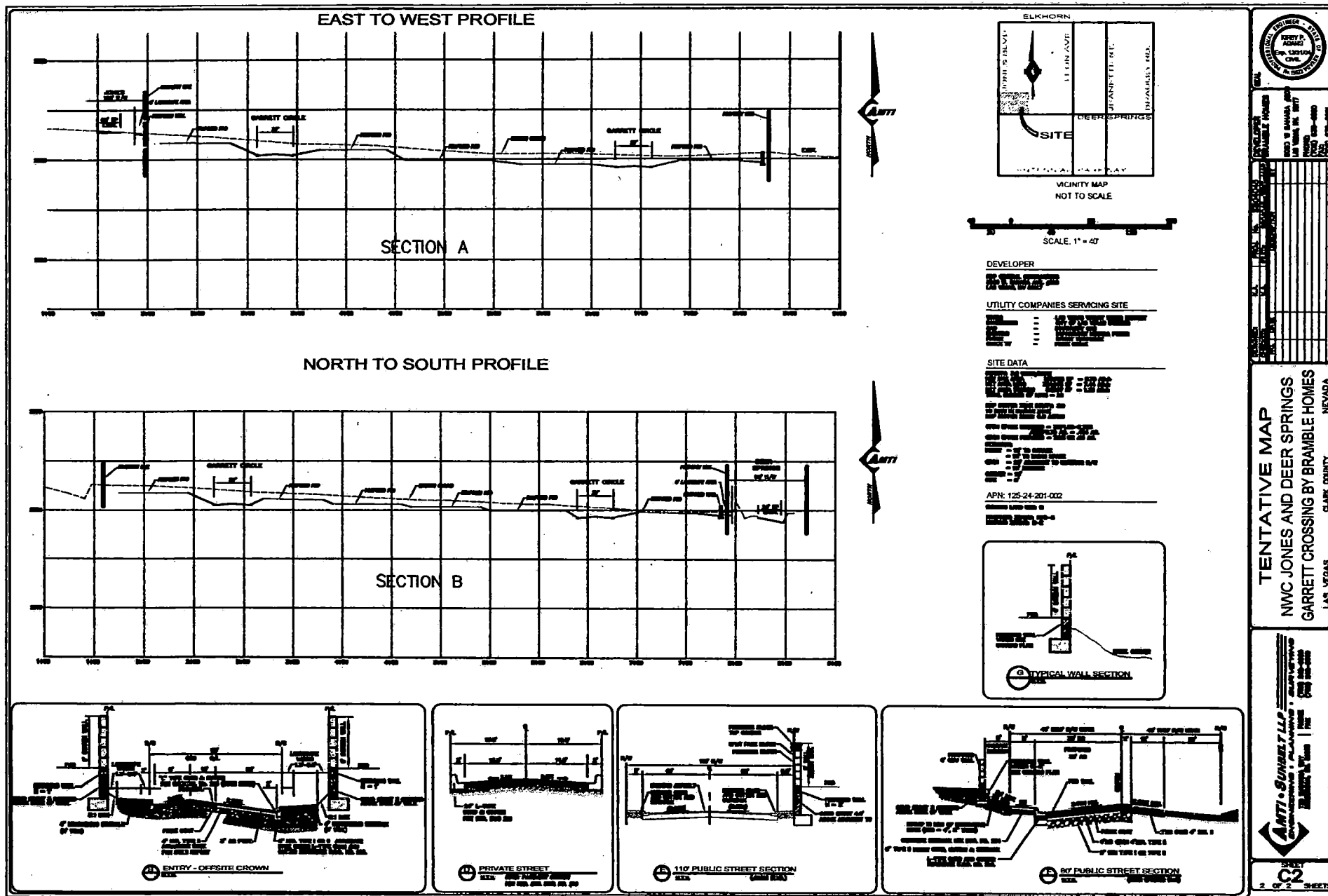
APR 12 2004
LAS VEGAS CLARK COUNTY NEVADA



REVISED
10.14.04

TMP-5023
10/21/04 PC

RECEIVED
OCT 14 2004



REVISED
10.14.04

TMP-5023
10/21/04 PC

RECEIVED
OCT 14 2004



TMP-5023 - GARRETT CROSSINGS - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY -
OWNER: JONES DEER SPRINGS, LLC
NORTHEAST CORNER OF JONES BOULEVARD AND DEER SPRINGS WAY
OCTOBER 21, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RENOTIFICATION - TXT-5037 - TEXT AMENDMENT - PUBLIC HEARING -
APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend
Title 19.14.100 relating to standards for Off-Premise Signs.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – Motion to HOLD IN ABEYANCE – APPROVED – UNANIMOUS

To be held in abeyance until 11/18/2004 Planning Commission Meeting

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

ROBERT GENZER, Planning and Development Department, reminded the Commissioners that they had been given a copy of the text amendment a month earlier so they could begin their review. At the City Council meeting of October 20, 2004, COUNCILMAN BROWN asked that dialogue begin regarding the issue of off-premise signs. There have been recent changes to Codes in Clark County and the City of North Las Vegas. There are a number of issues that have been raised including the maintenance of existing boards, an expanding number of applications for new boards and whether or not boards should be allowed on sites that are currently vacant and not maintained. Staff has attempted to address some of these concerns in this text amendment.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 78 – TXT-5037

MINUTES – Continued:

MR. GENZER highlighted a few of the changes such as the addition of a specific requirement that all applicants provide a maintenance schedule for off-premise signs and property at the time of submitting the application for a Special Use Permit. By requiring this type of schedule, staff hopes to alleviate some issues raised regarding graffiti and other issues that seem to occur on the pole portion of the signs. Staff also offered another condition that could be made standard, which states no off-premise sign shall be erected on vacant property that does not have a minimum of one permanent industrial or commercial use. That would alleviate the concern raised that when no investment has been made there should not necessarily be the opportunity to gain income without doing anything to improve the property. There are proposed changes to distance separation requirements after MAYOR PRO TEM REESE raised an issue because he would like to take into consideration if the amendment is made now there are a number of existing billboards that could easily become non-conforming. This is an important point to remember during the discussion of this item.

MR. GENZER pointed out the proposed Number 7 of the new standards number seven, which stated “if an existing off-premise sign is removed, the Special Use Permit shall be expunged and a new off-premise sign cannot be erected in the same location unless the new sign meets all requirements of Code or, Council approves a Special Use Permit or grants a Variance for the sign. MR. GENZER recollected that there have been instances in the past where a sign was removed and could not replace it because the site had become non-conforming.

There is a proposed condition regarding maintenance, which is a voiced concern of the Commission, as well as not allowing more than one sign being permitted per sign face. That concern is addressed by a separate proposed condition that will prohibit that from occurring.

COMMISSIONER McSWAIN had several concerns and questions. She questioned the affect of using the words “may impose” instead of using the word “must.” She wondered if the differentiation affected the ability for an applicant to request a variance waiving conditions. MR. GENZER did not believe that would be the case. DEPUTY CITY ATTORNEY BRYAN SCOTT stated that the word “must” indicates something is mandatory and “may” is discretionary. If “must” is used, it would mean that no waiver is available and “may” could indicate it is. He noted that there is no asterisk in the proposal to clarify the point. MR. GENZER indicated that an asterisk could be used in case that terminology is used and that could prevent anyone from potentially asking for a waiver. DEPUTY CITY ATTORNEY SCOTT stated that another alternative would be to add the wording “unless otherwise approved by City Council.” COMMISSIONER McSWAIN used Number 5 for an example. The verbiage uses the word “may” and the Commissioner wants the applicants to be prepared for what is basically a

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 78 – TXT-5037

MINUTES – Continued:

Site Plan Review as part of the application. She wants them to know that they will have to meet Code. This language does not lend itself to provide guidance for applicants so they can be prepared for the process.

COMMISSIONER McSWAIN asked if lot coverage should be included in Condition 2 because earlier in the meeting, there was a building on the lot but it was so far away the property could still be considered vacant. During the meeting, there were some billboard related items that had conditions relating to architectural standards; however, there is no reference in the proposed amendment of that nature. Condition 14 does reference additional design standards regarding signs in C-1 and C-2 districts. She felt architectural design standards that went along with design standards should be incorporated into the amendment.

She also questioned Number 7 and MR. GENZER'S comments on replacing a sign. COMMISSIONER McSWAIN did not want the condition to discourage people wanting to upgrade a sign in an area that may be slightly transitioning. She did not want to completely exclude signs that are coming down unless the goal is to get rid of them completely. Her goal is to have a better quality sign in appropriate areas that do not compete with retail. She was not sure if it was appropriate to consider how billboards would interact with retail but noticed there was nothing relating to that issue in the amendment. She gave an example of corridors such as Decatur Boulevard and Washington Avenue where people have requested signs. The intersection is Commercial but there is residential right behind it and although it meets the distance separations, it still seems inappropriate to the Commissioner to put signs there. At that intersection, the billboards also compete with the retail signs.

COMMISSIONER EVANS confirmed with CHAIRMAN TRUESDELL that there was not an immediate urgency to act upon this item immediately. The Chairman stated the topic was raised by the Planning Commission and is important to the Council; however, because of the lateness of the hour, perhaps an abeyance should be considered. MR. GENZER stated that staff had no objection to abeying the item. The previous day, at City Council, MR. GENZER agreed that in one month, staff would bring before Council a compilation of what other entities in the Valley are doing in relation to billboards. He asked that the Commission put their comments in writing so staff could incorporate them into one list, which staff could use to amend the proposal and then bring it back before the Commission. He acknowledged this is a difficult issue and will involve discussion with members of the industry. At this point, staff has not attempted to contact the industry because staff is trying to get the Commission's input first. Once the Commissioners comments are incorporated, staff will take the item to Industry for their comments. CHAIRMAN TRUESDELL stated that each of the Commissioners committed to getting their comments to staff by October 26th or 27th. This will allow staff time to consider the comments and obtain answers to any of the Commissioners questions.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 78 – TXT-5037

MINUTES – Continued:

COMMISSIONER STEINMAN assumed that this would eventually be put into ordinance form and felt it was erroneous to overlook the exclusionary zones. He felt that determining boundaries of where billboards would stop was the most important part of the entire ordinance. He felt exclusionary zones would give weight to the ordinance. CHAIRMAN TRUESDELL felt the exclusionary zone is created by the distance separations and requirements. He agreed with COMMISSIONER STEINMAN that there are areas the Commission has looked at and decided billboards would never be appropriate within.

COMMISSIONER STEINMAN also felt that the language in Condition 6 should be amended to read “the Special Use Permits would be reviewed within a five year period” and not in a minimum of a five year period. He did not feel the use of the word minimum was effective. CHAIRMAN TRUESDELL stated the comments were valid and to incorporate them into the comments to staff.

MR. GENZER suggested the item could be held for 30 days but he wanted the comments as soon as possible for staff to work with so a draft revision could possibly be returned to the Commission at the next meeting. CHAIRMAN TRUESDELL suggested putting a discussion item on the Agenda for the 11/03/2004 meeting in case there was some discussion that needed to take place. He also suggested it be put forward on the agenda so it was not heard at a late hour if the meeting were to run long. This would also be beneficial in case there were industry representatives in the audience for other items, they could give some early input if the Commission desired that. He commended staff's hard work and said the item is moving in the right direction. MR. GENZER said that could be done as a discussion item if the CHAIRMAN directed; however, no action could be taken.

COMMISSIONER McSWAIN stated that previously, the sign industry was consulted before the sign ordinance was put together for approval. She asked why the industry has not been included in this stage of the development of the amended text. MR. GENZER stated that direction to begin the review of the ordinance has come from the City Council and the Planning Commission and staff is trying to establish exactly what both bodies want before the industry is consulted.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(1:47-2:06)

5-3829

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RENOTIFICATION - TXT-5037 - CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL

Title 19.14.100 shall be amended as follows:

Create a new 19.14.100 (B) (4) and (5):

4. The applicant shall provide a maintenance schedule for the off-premise sign and property at the time of submitting the application for a Special Use Permit.
5. In consideration of the approval or denial of a Special Use Permit for an off-premise sign, the Planning Commission or City Council may impose conditions requiring the overall site on which the off-premise sign is located to meet the landscaping, wall and buffer standards of the Code within a period of time specified by the Planning Commission and City Council.

Create new or amend the existing following standards in 19.14.100 (C):

2. No off-premise sign shall be erected on a vacant property that does not have a minimum of one permanent industrial or commercial use.
3. Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts Only. All proposed off-premise signs in the C-1 and C-2 zoning districts, regardless of orientation to the right-of-way shall be no closer than 500 feet in any direction to any other off-premise sign and no closer than 200 feet to any on-premise pylon sign of at least 26 feet in height, including those outside the corporate limits of the City. All off-premise signs in the C-M or M zoning districts shall be no closer than 300 feet in any direction to any off-premise sign, with no distance separations standard from any on-premise sign.
5. Off-premise signs which are within 660 feet of the right-of-way and which can be read from Interstate 15, US 95 from the north city limits to the Oran K. Gragson Highway, the Oran K. Gragson Highway or Interstate 515 shall be no closer than 750 feet (measured along the highway frontage) to any other off-premise sign within 660 feet of the right-of-way as described above, including those located outside the corporate boundaries of the City. ~~along the same frontage. Each side of the highway shall be considered a separate frontage. This standard shall also apply to off premise signs outside of the corporate limits of the City. The sign and all other off premise signs not oriented toward the same highway shall be no closer than 300 feet in any direction to any other off premise sign, wherever located, including an off premise sign that is situated outside the corporate boundaries of the City.~~

9. ~~Off premise signs shall not be located closer than 10 feet to the right-of-way line of a freeway nor closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways. No portion of an off-premise sign shall be closer than 25 feet to any existing or future public right-of-way.~~
11. No off-premise sign shall be allowed within 300—750 feet from the nearest property line of a lot in the “U” zoning district or “R” zoning district.

All standards will be re-numbered so they are in sequential order.

Create the following new standards for 19.14.100 (D)

6. All Special Use Permits shall be reviewed in a minimum of a five (5) year period, unless another period of time is established by the City Council. The City Council may require the sign to be removed as a result of the required review. The applicant shall be responsible for the notification cost of the review. Failure to pay these costs may result in a requirement that the off-premise sign be removed.
7. If any existing off-premise sign is removed, the Special Use Permit shall be expunged and a new off-premise sign can not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19, including, but not limited to, distance separation requirements, or (3) a variance to the applicable standards has been approved.
8. The off-premise sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise sign.
9. Only one advertising sign is permitted per sign face.
10. All off-premise signs shall be designed to discourage birds from creating a nuisance to the sign or property.
11. The permit number, permittee's name and telephone number, and the sign's address as assigned by the City shall be indicated on a 4 inch by 6 inch plate, or other approved substitute, installed so as to be readily accessible and readable, approximately six feet above the adjacent ground surface, on every proposed off-premise sign erected in accordance with the provisions of this section of the Code. The display shall also identify the owner of the off-premise sign.

12. It is the determination of the City that abandoned signs or those, which appear to be abandoned due to missing or disoriented panels, are a detriment to the health, safety and welfare of the general public. Therefore, the face of each permitted off-premise sign shall contain a discernable message or graphic at all time. Any off-premise sign that stands as a skeletal structure without message panels, or which has all blank panels or panels removed or arranged in such a manner as to make the message unreadable shall be considered in disrepair and not in compliance to this section of the Code.
13. No off-premise sign shall be erected over an existing structure. Following construction of the sign, no building shall be constructed or placed beneath any part of the off-premise sign.
14. All proposed off-premise signs and supporting structures shall be painted to match any structures on the parcel. Additional design standards for those off-premise signs located in the C-1 and C-2 districts may be required to provide enhanced aesthetics, such as but not limited to pole covers or the number of design of support structures.

**** STAFF REPORT ****

APPLICATION REQUEST

Discussion and possible action to amend a portion of Title 19.14.100 of the Las Vegas Zoning Code. This amendment would amend certain existing standards for off-premise signs, as well as establish new ones.

BACKGROUND INFORMATION

- 07/15/04 The Planning Commission conducted a workshop to discuss issues and possible Code changes pertaining to Off-Premise Advertising Signs.
- 09/23/04 The Planning Commission will hear a text amendment regarding the demolition of existing off-premise signs due to roadway expansion. (TXT-5129).

ANALYSIS

It is a common occurrence for the Planning Commission and City Council to hear four to eight applications a meeting for new off-premise advertising signs, as well as two year required reviews for previously approved signs. The issues pertaining to the approval or denial of billboards is complex; Title 19.14.100 provides standards for the location, size, distance separation and height for these types of signs, yet also contains a provision that the aesthetic impacts of these signs may be taken into account when consideration of approval or denial takes place. There are no well-defined standards in the Code pertaining to aesthetics, although conditions are routinely attached to a Special Use Permit that are not in the Code. Also, it is also common for discussion to take place regarding clutter and present and future maintenance of not only the sign, but the property as well. Some signs have been approved due to the fact that no other billboards have been approved along a roadway corridor, while some have been denied to prevent clutter from occurring.

Related to the placement of off-premise signs is on-premise signage. One example of this connection is the issue of height; any commercial business can have a 40 foot high on-premise sign. The height standard, with some exceptions along freeways for off-premise signs is also 40 feet; yet the Code treats these in entirely separate sections of the Sign Ordinance (Title 19.14.100).

Still another concern is the one size fits all in terms of signs located in commercial or industrial areas of the City. It may be more prudent to establish strict size, dimension, distance separation and height standards for those located in commercial areas as opposed to industrial areas of the City.

TXT-5037 - Staff Report Page Two
October 21, 2004 - Planning Commission Meeting

Another aspect of off-premise signs is the Exclusionary Zone, where the placement of billboards is not allowed. It has never been amended since it was adopted. Changing this map is a maze of complexity, and will be dealt with at a later date.

In summary, current Code standards are not adequate to address issues raised by the containing influx of off-premise sign applications to the City. Substantial amendments need to be made in order to ensure the orderly development of the City.

NOTICES MAILED **NEWSPAPER ONLY**

APPROVALS 0

PROTESTS 0

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TXT-5335 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER:
CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.04.050, "Liquor Establishment (Tavern)" in order to allow waivers for taverns located within enclosed regional malls and to amend 19.20.020 to add a definition for "Regional Mall".

THIS ITEM WILL BE FORWARDED 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 – Not Applicable
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions and with direction to staff to review the industry definition of the square foot requirement for a regional mall and to make any necessary adjustments so that the language reflects what is most applicable to a regional mall – **UNANIMOUS** with **TRUEDELL** abstaining as the Item will directly affect one of his clients

To be forwarded to City Council in Ordinance form

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

ROBERT GENZER, Planning and Development Department, explained that at the present time, the only regional mall that would be affected by the proposed text amendment would be the Meadows Mall. Several years ago, there was a tavern within the mall that has been gone for some time now. There was a potential request to put a new tavern in that same location and staff discovered that immediately adjacent to the mall, there is an elementary school. The situation of the school is interesting because it is immediately adjacent to the property line of the mall but it is impossible to get directly from the school to the mall due to a block wall, a landscape corridor

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 79 – TXT-5335

MINUTES – Continued:

and Meadows Lane. Because of this, the 1,500-foot distance separation requirement does not make sense in this particular case. Waivers are allowable if the uses are separated by a 100-foot right-of-way; however, in this case the separating street, Meadows Lane, does not meet that requirement. The amendment would add an additional waiver possibly to the ordinance that would state “in order to be eligible for a waiver; you must be located within an enclosed regional mall.” This would allow for the application to take place and allow the Planning Commission and the City Council to determine if it is an appropriate application.

C COMMISSIONER STEINMAN felt the definition of a regional mall should not be stated at 100,000 square feet. He thought 500,000 square feet would be more appropriate. There is a website for the International Council of Shopping Centers and the information is most likely available there. The Commissioner thought a mall in the 100,000 square foot range would be a fairly small neighborhood center, not a regional mall. MR. GENZER replied that staff would look into the matter and make any necessary adjustments. VICE CHAIRMAN NIGRO concurred with COMMISSIONER STEINMAN’S comments regarding regional malls being larger facilities. COMMISSIONER DAVENPORT felt a regional mall would be defined by our standards. COMMISSIONER STEINMAN thought it should be defined as the industry defines it.

C VICE CHAIRMAN NIGRO confirmed with MR. GENZER the 100,000 square feet would have to include multiple uses to qualify as a mall. MR. GENZER clarified that the intent of the definition is not to include swap meets, super market centers or home improvement centers because they are not enclosed. Under the definition, the uses must be enclosed under one roof. VICE CHAIRMAN NIGRO asked for example, if a 120,000 square foot Wal-Mart would fall under the definition of the Code for a regional mall. MR. GENZER read part of the definition, which states “it must be a building or structure that is used or intended to be used as an assemblage of varied tenants.”

Subsequent to COMMISSIONER McSWAIN’S motion for approval with direction to staff to investigate the industry definition of regional mall and make any necessary adjustments, DEPUTY CITY ATTORNEY BRYAN SCOTT suggested the minimum square footage number given in the definition could be amended now and if there is an issue between meetings, the number could be changed before the item is heard before the City Council. COMMISSIONER DAVENPORT suggested it could be sent forward with the 100,000 square foot number and then Council could be advised if it needed to be changed. COMMISSIONER STEINMAN felt it should be changed to 500,000 square feet at this time. COMMISSIONER McSWAIN did not want to amend her original motion.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 79 – TXT-5335

MINUTES – Continued:

VICE CHAIRMAN NIGRO indicated that the 500,000 square foot requirement would be much closer to what the malls are in town. He estimated regional malls are probably 750,000 to 1 million square feet. COMMISSIONER McSWAIN agreed but pointed out that the Commission has also defined a regional mall as shopping areas where people from outside of the neighborhood would go to shop. She asked if the Commission was prepared to redefine regional malls entirely or just for this particular item. COMMISSIONER STEINMAN reminded everyone that to enclose a structure, there would have to be about 500,000 square feet to do so. He trusted staff would do that and make the appropriate adjustments if necessary.

COMMISSIONER DAVENPORT said this would only be a guideline. If there were a 200,000 square foot facility and the Commission wanted to recognize it as a regional mall, a 500,000 square foot requirement would prohibit that.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(2:06-2:15)

6-726

CONDITIONS:

1. Add subsection (d) to Title 19.04.050 (B) Minimum Requirements - LIQUOR ESTABLISHMENT (TAVERN) (5), as follows:

“(d) Will be located within a Regional Mall”

2. Title 19.20.020, “Words and Terms Defined,” is hereby amended as follows:

Regional Mall: “a building or structure that is used or intended to be used as a assemblage of varied tenants that includes, but is not limited to, retail, personal services, food and other ancillary uses wherein access to the various uses is provided from inside the enclosed mall building/structure. A regional mall shall have a minimum square footage of 100,000 square feet.”

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TXT-5335 - TEXT AMENDMENT - PUBLIC HEARING -

APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Add subsection (d) to Title 19.04.050 (B) Minimum Requirements - LIQUOR ESTABLISHMENT (TAVERN) (5), as follows:

“(d) Will be located within a Regional Mall”

2. Title 19.20.020, “Words and Terms Defined,” is hereby amended as follows:

Regional Mall: “a building or structure that is used or intended to be used as a assemblage of varied tenants that includes, but is not limited to, retail, personal services, food and other ancillary uses wherein access to the various uses is provided from inside the enclosed mall building/structure. A regional mall shall have a minimum square footage of 100,000 square feet.”

**** STAFF REPORT ****

APPLICATION REQUEST

Discussion and possible action to amend a portion of Section 19.04.050 of the Las Vegas Zoning Code. The purpose of this text amendment is to add the ability of the City Council to grant a waiver in conjunction with a Special Use Permit for a Liquor Establishment (Tavern) when the subject use is proposed within an enclosed regional mall. The amendment will also establish a definition of Regional Mall in Section 19.20.020 (Definitions) of the Zoning Code.

ANALYSIS

Section 19.04.050(B) of Title 19 (Special Use Permit Requirements) requires a liquor establishment (tavern) to be a minimum of 1,500 feet from any other liquor establishment (tavern), church, synagogue, school, child care facility licensed for more than 12 children or city park.

A waiver of the distance separation requirements may be requested and granted by the City Council for a liquor establishment (tavern) as stated below:

- “(5) The distance separation requirement set forth in Paragraph (1) may be waived in accordance with the provisions of Subsection 19.04.050(A)(4), but only in connection with a proposed liquor establishment (tavern) that:
- (a) Will be located on a parcel within the C-V District or the Downtown Casino Overlay District;
 - (b) Will be located on a parcel or within a building that, pursuant to State law or City ordinance, has been designated as historic property, historic building, or landmark; or
 - (c) Will be separated from the existing use by a street or highway with a minimum right-of-way width of one hundred feet.”)
 - (d) Will be located within an enclosed Regional Mall.”

The purpose of this Text Amendment is adding a fourth scenario [section (d) above] to allow a waiver request when the liquor establishment (tavern) is located within an enclosed regional mall.

TXT-5335 - Staff Report Page Two
October 21, 2004 - Planning Commission Meeting

Additionally, the amendment will add a definition of a regional mall as follows:

Regional Mall: "a building or structure that is used or intended to be used as a assemblage of varied tenants that includes, but is not limited to, retail, personal services, food and other ancillary uses wherein access to the various uses is provided from inside the enclosed mall building/structure. A regional mall shall have a minimum of two major anchor tenants and a minimum square footage of 100,000 square feet."

NOTICES MAILED **NEWSPAPER ONLY**

APPROVALS 0

PROTESTS 0

City of Las Vegas

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

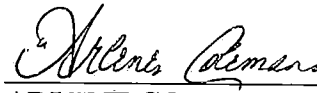
MINUTES:

None.

MEETING ADJOURNED AT 2:15 A.M.

Respectfully submitted:


STACEY CAMPBELL, DEPUTY CITY CLERK


ARLENE COLEMAN, DEPUTY CITY CLERK