Agenda City of Las Vegas
PLANNING COMMISSION MEETING
October 21, 2004

Council Chambers 400 Stewart Avenue Las Vegas, Nevada
Phone (702) 229-6301 TDD (702) 386-9108 http://www.lasvegasnevada.gov

Las Vegas City Council

Mayor Oscar B. Goodman
Mayor Pro Tem Gary Reese, Ward 3
Councilman Larry Brown, Ward 4
Councilman Lawrence Weekly, Ward 5
Councilman Michael Mack, Ward 6
Councilwoman Janet Moncrief, Ward 1
Councilman Steve Wolfson, Ward 2
City Manager Douglas A. Selby

Commissioners

Richard Truesdell, Chairperson
Todd Nigro, Vice Chairperson
Byron Goynes
Laura McSwain
Steven Evans
Leo Davenport
David Steinman

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE UNLESS OTHERWISE STATED, ITEMS MAY BE TAKEN OUT OF THE ORDER PRESENTED AT THE DISCRETION OF THE CHAIRPERSON.

COMMISSIONERS BRIEFING: 5:15 P.M. City of Las Vegas Council Chambers 400 Stewart Avenue Las Vegas, Nevada

It is the intent of the Planning Commission to be briefed by staff and that all items on the agenda shall be available for open discussion during the briefing session. The Planning Commission may ask applicants and other interested parties for information or presentations. Applicants may not participate in the discussion unless at the specific request of the Commission. All interested parties are invited to attend.

CALL TO ORDER: 6:00 P.M. City of Las Vegas Council Chambers 400 Stewart Avenue Las Vegas, Nevada

ROLL CALL:

ANNOUNCEMENT: Compliance with the Open Meeting Law

NOTICE: This meeting has been properly noticed and posted at the following locations:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Clark County Government Center, 500 S. Grand Central Parkway
Las Vegas Library, 833 Las Vegas Boulevard North
Grant Sawyer Building, 555 East Washington Avenue
Court Clerk's Office Bulletin Board, City Hall Plaza

MINUTES: Approval of the minutes of the September 23, 2004 Planning Commission Meeting minutes by reference (_____ Vote)

ACTIONS: ALL ACTIONS ON TENTATIVE SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

PLANNING COMMISSION MEETING RULES OF CONDUCT:

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.

2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.

3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.

4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.

5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.

6. After all objectors' input has been received; the applicant will be invited to respond to any new issues raised.

7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst them, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.

8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

ABEYANCE/ WITHDRAWN ITEMS:

ITEMS THAT HAVE BEEN REQUESTED TO BE EITHER HELD IN ABEYANCE TO A FUTURE MEETING OR WITHDRAWN WITHOUT PREJUDICE MAY BE CONSIDERED IN ONE MOTION. ANY PERSON WHO DOES NOT AGREE THAT THE ITEM SHOULD BE HELD OR WITHDRAWN SHOULD REQUEST THE ITEM BE HEARD SEPARATELY.

CONSENT ITEMS:

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

1. **ABEYANCE - TMP-5081 - TENTATIVE MAP - PRIMROSE ESTATES II - APPLICANT/OWNER: HORIZON HOMES, INC** - Request for a Tentative Map FOR A 13-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 5.23 acres adjacent to the southeast corner of Craig Road and Tioga Way (APN 138-03-302-001), R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 4 (Brown).

2. **TMP-4921 - TENTATIVE MAP - SPRING MOUNTAIN TWILIGHT - APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LLC** - Request for a Tentative Map FOR A 100-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 17.83 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road (APN 125-08-322-001), R-E (Residence Estates) and C-2 (General Commercial) Zones under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units Per Acre), Ward 6 (Mack).

3. **TMP-5186 - TENTATIVE MAP – LIBERTY TOWER - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: HARVARD SECURITIES, INC., A NEVADA CORPORATION** - Request for a Tentative Map FOR A PROPOSED 134 UNIT MIXED USE SUBDIVISION on 0.68 acres at 1801 Las Vegas Boulevard South (APN 162-03-310-006), C-2 (General Commercial) Zone, Ward 3 (Reese).

4. **TMP-5188 - TENTATIVE MAP - TAMARINDO PROFESSIONAL PARC (A COMMERCIAL SUBDIVISION) - APPLICANT: CW GROUP - OWNER: FORT APACHE/CHEYENNE HOLDINGS, LLC** - Request for a Tentative Map FOR A ONE LOT COMMERCIAL SUBDIVISION on 2.0 acres on the west side of Fort Apache Road, approximately 380 feet north of Cheyenne Avenue (APN 138-07-801-010), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to O (Office), Ward 4 (Brown).

5. **ANX-5163 - ANNEXATION - BRIDGEKEEPER LLC, ET AL** - Petition to annex property generally located south of Centennial Parkway and east of Puli Drive (APN 126-25-101-001, 002, 005 and portions of 126-25-201-001 and 126-25-401-006), containing approximately 60 acres, Ward 6 (Mack).

ONE MOTION – ONE VOTE:

THE FOLLOWING ARE ITEMS THAT MAY BE CONSIDERED IN ONE MOTION/ONE VOTE. THEY ARE CONSIDERED ROUTINE PUBLIC HEARING AND NON-PUBLIC HEARING ITEMS THAT HAVE NO PROTESTS, WAIVERS FROM THE CODE OR CONDITION CHANGES BY THE APPLICANT OR STAFF. ALL PUBLIC HEARINGS AND NON-PUBLIC HEARING ITEMS WILL BE OPENED AT ONE TIME. ANY PERSON REPRESENTING AN APPLICATION, A MEMBER OF THE PLANNING COMMISSION OR THE PUBLIC NOT IN AGREEMENT WITH THE CONDITIONS AND ALL STANDARD CONDITIONS FOR THE APPLICATION RECOMMENDED BY STAFF SHOULD REQUEST TO HAVE THIS ITEM REMOVED FROM THIS PART OF THE AGENDA.

6. **RQR-5164 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: S&S # 2, LLC** - Required Two Year Review of an Approved Special Use Permit (U-0042-95) WHICH ALLOWED A 50 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 410 North Eastern Avenue (APN 139-36-210-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

7. **RQR-5165 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: LIPKIN 1992 TRUST** - Required Two Year Review of an Approved Special Use Permit (U-104-02) WHICH ALLOWED A 40 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1501 Western Avenue (APN 162-04-605-005), M (Industrial) Zone, Ward 1 (Moncrief).

8. **RQR-5167 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: HAL-STAN, INC.** - Required Two Year Review of an Approved Special Use Permit (U-0038-95) WHICH ALLOWED A 40 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3500 North Rancho Drive (APN 138-12-710-044), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

9. **RQR-5168 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING – OWNER: Z J & R PROPERTIES, LLC** - Required One Year Review of an Approved Special Use Permit (U-0043-94) WHICH ALLOWED A 55 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3920 West Charleston Boulevard (APN 139-31-801-018), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

10. **RQR-5169 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: STEVE & RAYNELL PHILLIPS** - Required Two Year Review of an Approved Special Use Permit (U-0027-95) WHICH ALLOWED A 40 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6651 West Charleston Boulevard (APN 163-02-104-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], Ward 1 (Moncrief).

11. **RQR-5170 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: BOYS CLUBS OF CLARK COUNTY, INC.** - Required Two Year Review of an Approved Special Use Permit (U-0041-95) WHICH ALLOWED A 55 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2800 Marlin Avenue (APN 139-36-213-001), R-4 (High Density Residential) Zone, Ward 3 (Reese).

12. **RQR-5171 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: Z J & R PROPERTIES, LLC** - Required Two Year Review of an Approved Special Use Permit (U-0043-94) WHICH ALLOWED A 55 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3900 West Charleston Boulevard (APN 139-31-801-018), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

13. **MOD-5267 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Request for a Major Modification to the Las Vegas Medical District PLAN IN ORDER TO REDUCE HEIGHT AND SETBACK RESTRICTIONS ON MIXED-USE DEVELOPMENTS, LIST THEM AS A SPECIFIC USE ON THE TABLE OF PERMITTED USES, PROVIDE FOR THE INCORPORATION OF THE LIVE/WORK ORDINANCE, AND CLARIFY THE TABLE OF PERMITTED USES TO UPDATE TERMINOLOGY, Ward 5 (Weekly).

14. **SDR-5190 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: MG PROPERTIES - OWNER: MARTIN W. GREENWALD** - Request for a Site Development Plan Review FOR A 7,660 SQUARE FOOT COMMERCIAL ADDITION AND WAIVERS FROM PERIMETER LANDSCAPING REQUIREMENTS on 2.0 acres adjacent to the northeast corner of Rancho Drive and Lone Mountain Road (APN 125-35-401-006), C-2 (General Commercial) Zone, Ward 6 (Mack).

15. **SDR-5198 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER:WILTON PARTNERS ARVILLE NO. 8, LLC** - Request for a Site Development Plan Review FOR A 11,739 SQUARE FOOT COMMERCIAL BUILDING AND WAIVERS OF BUILDING PLACEMENT FOUNDATION LANDSCAPING ALONG THE SIDEWALK, AND LANDSCAPE BUFFER STANDARDS on 1.49 acres on the west side of Arville Street, approximately 250 feet north of Sahara Avenue, (APN 162-06-412-003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

16. **ROC-5347 - REVIEW OF CONDITION - NON-PUBLIC HEARING – APPLICANT/OWNER: PH GSA, LLC** - Request for a Review of Conditions Number 2 and 4 of an approved Site Development Plan Review (SDR-2037) WHICH REQUIRED PARKING AND LANDSCAPING; AND CONFORMANCE TO THE SUBMITTED SITE PLAN TO ALLOW FOR PARKING TO BE PROVIDED OFF-SITE, LANDSCAPING TO BE PROVIDED WITH FUTURE PHASES AND THE OFFICE BUILDING TO VARY FROM THE APPROVED PLANS FOR A PROPOSED 84,201 SQUARE FOOT OFFICE BUILDING on 5.11 acres adjacent to the northeast corner of Grand Central Parkway and City Parkway (APN 139-27-410-006, 007 and 008), PD (Planned Development) Zone, Ward 5 (Weekly).

17. **VAC-5130 - VACATION - PUBLIC HEARING - APPLICANT: RYLAND HOMES - OWNER: CLIFFS EDGE, LLC** - Petition to Vacate public rights-of-way generally located west of Puli Road, north of Centennial Parkway, Ward 6 (Mack).

18. **VAC-5131 - VACATION - PUBLIC HEARING - APPLICANT: RYLAND HOMES - OWNER: CLIFFS EDGE, LLC** - Petition to Vacate U. S. Government Patent Reservations generally located west of Puli Road, north of Centennial Parkway, Ward 6 (Mack).

PUBLIC HEARING ITEMS:

19. **ABEYANCE - ZON-4991 - PUBLIC HEARING - APPLICANT: RANDY BLACK, JR. - OWNER: DURANGO TOWN CENTER, LLC AND JIM MARSH AMERICAN CORPORATION** - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER), on 4.79 acres adjacent to the southeast corner of Regena Avenue and Riley Street (APN 125-29-502-010), Ward 6 (Mack).

20. **ABEYANCE - SDR-4985 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4991 - PUBLIC HEARING - APPLICANT: RANDY BLACK, JR. - OWNER: DURANGO TOWN CENTER, LLC AND JIM MARSH AMERICAN CORPORATION** - Request for a Site Development Plan Review FOR A MEDICAL/PROFESSIONAL/RETAIL DEVELOPMENT on 22.31 acres adjacent to the southeast corner of Regena Avenue and Riley Street (APN 125-29-502-010 and 125-29-510-006, 125-29-601-002 and 020), U (Undeveloped) Zone [T-C (Town Center) General Plan Designation] and TC (Town Center) [PROPOSED: T-C (Town Center)] Ward 6 (Mack).

21. **ABEYANCE - SDR-4978 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: LAS TUNIS, LLC - OWNER: CLARK COUNTY DEVELOPMENT CORPORATION** - Request for a Site Development Plan Review FOR A 5,660 SQUARE FOOT MEDICAL OFFICE BUILDING AND WAIVERS OF TRASH ENCLOSURE SEPARATION, FRONT YARD SETBACK, AND WIDTH OF PERIMETER LANDSCAPING on 0.45 acres on James Bilbray Drive, approximately 120 feet south of Smoke Ranch Road (APN 138-23-110-032), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking), Ward 6 (Mack).

22. **ABEYANCE - GPA-5075 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGEMENT** - Request to amend a portion of the Southwest Sector of the General Plan FROM: SC (SERVICE COMMERCIAL) AND ML (MEDIUM-LOW DENSITY RESIDENTIAL) TO M (MEDIUM DENSITY RESIDENTIAL) on 10.16 acres at 8324 West Charleston Boulevard (APN 138-33-401-015), Ward 2 (Wolfson).

23. **ABEYANCE - ZON-5076 – REZONING RELATED TO GPA-5075 - PUBLIC HEARING - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGEMENT** - Request for a Rezoning FROM: U (UNDEVELOPED) [SC (SERVICE COMMERCIAL) AND ML (MEDIUM-LOW DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATIONS] TO: R-PD14 (RESIDENTIAL PLANNED DEVELOPMENT - 14 UNITS PER ACRE) on 10.16 acres at 8324 West Charleston Boulevard (APN 138-33-401-015), Ward 2 (Wolfson).

24. **ABEYANCE - SDR-5077 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5075, ZON-5076 AND SUP-5078 - PUBLIC HEARING - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGEMENT** - Request for a Site Development Plan Review FOR A PROPOSED 140-UNIT CONDOMINIUM DEVELOPMENT on 10.16 acres at 8324 West Charleston Boulevard (APN 138-33-401-015), U (Undeveloped) Zone [SC (Service Commercial) and ML (Medium-Low Density Residential) General Plan Designations] [PROPOSED: R-PD14 (Residential Planned Development - 14 Units Per Acre) Zone], Ward 2 (Wolfson).

25. **ABEYANCE - VAC-5030 - VACATION - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIO – OWNER: RINKAI AMERICA, INC.** - Petition to Vacate a 20-foot (20') wide public alley generally located north of Sahara Avenue, west of Paradise Road, Ward 3 (Reese).

26. **VAR-5336 - VARIANCE - PUBLIC HEARING - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGEMENT** - Request for a Variance TO ALLOW A RRESIDENTIAL ADJACENCY SEPARATION OF 52 FEET WHERE 90 FEET IS THE MINIMUM DISTANCE REQUIRED FROM SINGLE-FAMILY DEVELOPMENT FOR A PROPOSED 140-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 10.16 acres at 8324 West Charleston Boulevard (APN 138-33-401-015), U (Undeveloped) Zone [SC (Service Commercial) and ML (Medium-Low Density Residential) General Plan Designations] [PROPOSED: R-PD14 (Residential Planned Development - 14 Units Per Acre)], Ward 2 (Wolfson).

27. **GPA-5015 – GENERAL PLAN AMENDMENT - PUBLIC HEARING - APLICANT/OWNER: CITY OF LAS VEGAS** - Request to Amend portions of the Downtown North Land Use Plan and the Downtown Centennial Plan to add the Scenic Byway as an Urban Trail along both sides of Las Vegas Boulevard between Washington and Sahara Avenues, Wards 1 (Moncrief) and 5 (Weekly).

28. **GPA-5016 – GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Request to amend the Downtown North Land Use Plan to add the Cultural Corridor Trail, located on the west side of Las Vegas Boulevard between Washington Avenue and Bonanza Road, as an Urban Trail, Ward 5 (Weekly).

29. **GPA-5157 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - OWNER/APPLICANT: CITY OF LAS VEGAS** - Request to amend the Master Plan Recreation and Transportation Trail Elements TO RE-DESIGNATE PORTIONS OF PROPOSED ALIGNMENTS IN DEVELOPED AREAS AS PEDESTRIAN PATHS, Ward 1 (Moncrief), Ward 3 (Reese), Ward 4 (Brown), Ward 5 (Weekly), Ward 6 (Mack); AND TO REVISE CROSS SECTIONS, All Wards.

30. **GPA-5266 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Request to Amend the City of Las Vegas Downtown Redevelopment Plan Map of the Las Vegas Redevelopment Plan to designate Future Land Use Designations as Commercial, Mixed Use, Industrial or Public Facility located within the Redevelopment Plan expansion area and within other areas of the Las Vegas Downtown Redevelopment Plan Map. Wards: 1 (Moncrief), 3 (Reese), and 5 (Weekly).

31. **GPA-5278 - GENERAL PLAN AMENDMENT - PUBLIC HEARING – APPLICANT/OWNER: CITY OF LAS VEGAS** - Request to amend Policy 3.4.1 of the Las Vegas 2020 Master Plan, which currently reads as follows: "That a minimum of 30 percent of available BLM lands be planned for recreational and parks uses within the northwest sector of the city, in the general vicinity of the intersection of Kyle Canyon Road and US 95", to the following: "That a minimum of 30 percent of available BLM lands be planned as open space within the Centennial Hills Sector of the City of Las Vegas through the adoption of an open space plan". And to amend Policy 3.4.3, which currently reads as follows: "That a minimum of 20 percent of available BLM lands within the Kyle Canyon area be made available for the development of a high technology business park, research and higher education, within the northwest sector of the city", to the following: "That an adequate amount of available BLM lands within the Centennial Hills Sector of the City of Las Vegas be made available for the development of a high technology business park, research facility and/or higher education facility, Ward 6 (Mack).

32. **GPA-5034 - GENERAL PLAN AMENDMENT - PUBLIC HEARING – APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT – OWNER: ALTA MLK, LLC** - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: H (HIGH DENSITY RESIDENTIAL) on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard (APN 139-33-202-005), Ward 5 (Weekly).

33. **ZON-4941 - REZONING RELATED TO GPA-5034 - PUBLIC HEARING - APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC** - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: R-PD50 (RESIDENTIAL PLANNED DEVELOPMENT – 50 UNITS PER ACRE) on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard (APN 139-33-202-005), Ward 5 (Weekly).

34. **VAR-5035 - VARIANCE RELATED TO GPA-5034, AND ZON-4941 - PUBLIC HEARING - APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC** - Request for a Variance TO ALLOW A 20 FOOT SETBACK WHERE 1,212 FEET IS REQUIRED on 16.78 acres north of Alta Drive and west Martin L. King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone [PROPOSED: R-PD50 (Residential Planned Development – 50 Units Per Acre)], Ward 5 (Weekly).

35. **SDR-5155 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5034, ZON-4941, AND VAR-5035 - PUBLIC HEARING - APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC** - Request for a Site Development Plan FOR A PROPOSED 21 STORY, 840 UNIT CONDOMINIUM DEVELOPMENT IN THREE BUILDINGS on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone [PROPOSED: R-PD50 (Residential Planned Development – 50 Units Per Acre)], Ward 5 (Weekly).

36. **GPA-5172 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: LEGEND HOMES - OWNER: STAR LIVING TRUST AND MATRIX DEVELOPMENT CORPORATION** - Request to Amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan FROM: RE (RURAL ESTATES) TO: R (RURAL DENSITY RESIDENTIAL) on approximately 6.7 acres adjacent to the southwest corner of El Campo Grande Avenue and Mustang Road (APN 125-26-801-012), Ward 6 (Mack).

37. **ZON-5174 - REZONING RELATED TO GPA-5172 - PUBLIC HEARING - APPLICANT: LEGEND HOMES - OWNER: STAR LIVING TRUST AND MATRIX DEVELOPMENT CORPORATION** - Request for a Rezoning FROM: U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) AND RE (RURAL ESTATES) GENERAL PLAN DESIGNATIONS] TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT – 3 UNITS PER ACRE) on 10.65 acres adjacent to the southwest corner of El Campo Grande Avenue and Mustang Road (APN 125-26-801-012 and 125-26-802-014), Ward 6 (Mack).

38. **SDR-5175 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5172 AND ZON-5174 - PUBLIC HEARING - APPLICANT: LEGEND HOMES - OWNER: STAR LIVING TRUST AND MATRIX DEVELOPMENT CORPORATION** - Request for a Site Development Plan Review FOR A 32 LOT RESIDENTIAL SUBDIVISION on 10.65 acres adjacent to the southwest corner of El Campo Grande Avenue and Mustang Road (APN 125-26-801-012 and 125-26-802-014), U (Undeveloped) [R (Rural Density Residential) and RE (Rural Estates) General Plan Designations] [PROPOSED: R-PD3 (Residential Planned Development – 3 Units Per Acre)], Ward 6 (Mack).

39. **WVR-5331 - WAIVER RELATED TO GPA-5172, ZON-5174, AND SDR-5175 - PUBLIC HEARING - APPLICANT: LEGEND HOMES - OWNER: MATRIX DEVELOPMENT CORPORATION** - Request for a Waiver of Title 18.12.160 TO ALLOW A 182-FOOT SEPARATION BETWEEN INTERSECTIONS WHERE A MINIMUM OF 220 FEET IS REQUIRED WHEN PROVIDING EXTERNAL ACCESS FROM A SUBDIVISION TO AN EXISTING STREET HAVING A RIGHT-OF-WAY WIDTH OF 60 FEET OR MORE, IN CONJUNCTION WITH A PROPOSED 32-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.65 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Road (APN 125-26-801-012 and 125-26-802-014), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre)], Ward 6 (Mack).

40. **GPA-5182 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: INFIELD DEVELOPMENT II, LLC AND JOHN D. FIELD** - Request to Amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan FROM: O (OFFICE) TO: SC (SERVICE COMMERCIAL) on 2.49 acres adjacent to the southwest corner of Alexander Road and Leon Avenue (APN 138-12-110-021 and 022), Ward 6 (Mack).

41. **ZON-5183 - REZONING RELATED TO GPA-5182 - PUBLIC HEARING - APPLICANT/OWNER: INFIELD DEVELOPMENT II, LLC AND JOHN D. FIELD** - Request for a Rezoning FROM: O (OFFICE) TO: C-1 (LIMITED COMMERCIAL) on 2.49 acres adjacent to the southwest corner of Alexander Road and Leon Avenue (APN 138-12-110-021 and 022), Ward 6 (Mack).

42. **SDR-5184 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5182 AND ZON-5183 - PUBLIC HEARING - APPLICANT/OWNER: INFIELD DEVELOPMENT II, LLC AND JOHN D. FIELD** - Request for a Site Development Plan Review FOR A 14,000 SQUARE FOOT OFFICE BUILDING AND A 17,250 SQUARE FOOT COMMERICAL BUILDING AND A WAIVER OF THE COMMERCIAL DEVELOPMENT STANDARDS TO ALLOW A 10 FOOT REAR SETBACK WHERE 20 FEET IS REQUIRED on 2.49 acres adjacent to the southwest corner of Alexander Road and Leon Avenue (APN 138-12-110-021 and 022), O (Office) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 6 (Mack).

43. **GPA-5194 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: MARIA TORRES AND JOSE TORRES** - Request to amend a portion of the Southwest Sector Plan of the General Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 0.46 acres at 2665 North Jones Boulevard (APN 138-14-704-015), Ward 5 (Weekly).

44. **GPA-5195 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: MIKE MULLIN - OWNER: WESTCARE WORKS, INC.** - Request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 5.21 acres at 5659 Duncan Drive (APN 138-12-110-048), Ward 6 (Mack).

45. **GPA-5200 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: TRIPLE FIVE DEVELOPMENT NEVADA - OWNER: GREAT MALL OF LAS VEGAS, LLC** - Request to Amend a portion of the Town Center Land Use Plan of the Centennial Hills Sector Plan of the General Plan FROM: MS-TC (MAIN STREET MIXED USE – TOWN CENTER) TO: GC-TC (GENERAL COMMERCIAL - TOWN CENTER) on 55.74 acres adjacent to the northeast corner of Deer Springs Way and Riley Street (APN 125-20-602-001, 002, 003, 004; 125-20-601-002, 003; 125-20-603-001, 002, 003, 004; and 125-21-201-001), Ward 6 (Mack).

46. **GPA-5205 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: SANSONE DEVELOPMENT - OWNER: BUREAU OF LAND MANAGEMENT** - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: PF (PUBLIC FACILITIES) TO: SC (SERVICE COMMERCIAL) on 4.18 acres adjacent to the southwest corner of Lake Mead Boulevard and Rock Springs Drive (APN 138-22-701-005), Ward 4 (Brown).

47. **ZON-5206 - REZONING RELATED TO GPA-5205 - PUBLIC HEARING - APPLICANT: SANSONE DEVELOPMENT - OWNER: BUREAU OF LAND MANAGEMENT** - Request for a Rezoning FROM: U (UNDEVELOPED) [PF (PUBLIC FACILITIES) GENERAL PLAN DESIGNATION] TO: C-1 (LIMITED COMMERCIAL) on 4.18 acres adjacent to the southwest corner of Lake Mead Boulevard and Rock Springs Drive (APN 138-22-701-005), Ward 4 (Brown).

48. **GPA-5207 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: JAWA STUDIO - OWNER: TOWN CENTER CROSSINGS, LLC** - Request to Amend a portion of the Town Center Land Use Plan of the Centennial Hills Sector Plan of the General Plan FROM: SC-TC (SERVICE COMMERCIAL – TOWN CENTER) TO: GC-TC (GENERAL COMMERCIAL – TOWN CENTER) on 3.88 acres adjacent to the northwest corner of Centennial Parkway and Juliano Avenue Road (APN 125-20-801-002), Ward 6 (Mack).

49. **SUP-5210 - SPECIAL USE PERMIT RELATED TO GPA-5207 AND SDR-5209 - PUBLIC HEARING - APPLICANT: JAWA STUDIO - OWNER: TOWN CENTER CROSSINGS, LLC** - Request for a Special Use Permit FOR A TAVERN on 3.88 acres adjacent to the northwest corner of Centennial Parkway and Juliano Avenue Road (APN 125-20-801-002), T-C (Town Center) Zone, Ward 6 (Mack).

50. **SDR-5209 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5207 AND SUP-5210 - PUBLIC HEARING - APPLICANT: JAWA STUDIO - OWNER: TOWN CENTER CROSSINGS, LLC** - Request for a Site Development Plan Review FOR A PROPOSED 6,000 SQUARE FOOT TAVERN on 3.88 acres adjacent to the northwest corner of Centennial Parkway and Juliano Avenue Road (APN 125-20-801-002), T-C (Town Center) Zone, Ward 6 (Mack).

51. **MOD-5212 - MAJOR MODIFICATION TO THE LAS VEGAS MEDICAL DISTRICT PLAN - PUBLIC HEARING - APPLICANT: TOWER REALTY AND DEVELOPMENT - OWNER: VALLEY GROUP CONSTRUCTORS** - Request for a Major Modification to the Las Vegas Medical District Plan FROM: MD-2 (MAJOR MEDICAL) TO: MD-1 (MEDICAL SUPPORT) at 701 Shadow Lane (APN 139-33-402-001), PD (Planned Development) Zone, Ward 5 (Weekly).

52. **VAR-5214 - VARIANCE RELATED TO MOD-5212 AND SDR-5213 - PUBLIC HEARING - APPLICANT: TOWER REALTY AND DEVELOPMENT - OWNER: VALLEY GROUP CONSTRUCTORS** - Request for a Variance TO ALLOW 148 PARKING SPACES WHERE 177 PARKING SPACES ARE REQUIRED FOR A OFFICE DEVELOPMENT on 1.69 acres at 701 Shadow Lane (APN 139-33-402-001), PD (Planned Development) Zone, Ward 5 (Weekly).

53. **SDR-5213 - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-5212 AND VAR-5214 - PUBLIC HEARING - APPLICANT: TOWER REALTY AND DEVELOPMENT – OWNER: VALLEY GROUP CONSTRUCTORS, INC.** - Request for a Site Development Plan Review FOR A OFFICE DEVELOPMENT AND WAIVER OF BUILDING HEIGHT TO ALLOW 52 FEET 9 INCHES WHERE 45 FEET IS THE MAXIMUM HEIGHT ALLOWED on 1.69 acres at 701 Shadow Lane (APN 139-33-402-001), PD (Planned Development) Zone, Ward 5 (Weekly).

54. **VAR-5202 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: KEVIN R. AND BARBARA SIPES** - Request for a Variance TO ALLOW A 2.94 ACRE DEVELOPMENT WHERE 5 ACRES IS REQUIRED FOR A RESIDENTIAL PLANNED DEVELOPMENT on 2.94 acres adjacent to the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue (APN 138-12-601-005), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development – 2 Units Per Acre)], Ward 6 (Mack).

55. **ZON-5203 - REZONING RELATED TO VAR-5202 - PUBLIC HEARING - APPLICANT/OWNER: KEVIN R. AND BARBARA SIPES** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 2.94 acres adjacent to the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue (APN 138-12-601-005), Ward 6 (Mack).

56. **SDR-5204 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5202 AND ZON-5203 - PUBLIC HEARING - APPLICANT/OWNER: KEVIN R. AND BARBARA SIPES** - Request for a Site Development Plan Review FOR A PROPOSED 7 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 2.94 acres adjacent to the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue (APN 138-12-601-005), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre)], Ward 6 (Mack).

57. **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).

58. **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).

59. **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).

60. **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).

61. **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).

62. **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 A N 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).

63. **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).

64. **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).

65. **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).

66. **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).

67. **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).

68. **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).

69. **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).

70. **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).

71. **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).

72. **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).

73. **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).

74. **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).

75. **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).

76. **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).

77. **ROR-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).

NON-PUBLIC HEARING:

78. **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).

DIRECTOR'S BUSINESS:

79. **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.

80. **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".

CITIZENS PARTICIPATION:

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE PLANNING COMMISSION NO SUBJECT MAY BE ACTED UPON BY THE PLANNING COMMISSION UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED.

Facilities are provided throughout City Hall for the convenience of disabled persons. Special equipment for the hearing impaired is available for use at meetings. If you need an accommodation to attend and participate in this meeting, please call the DEPARTMENT DESIGNEE at (702) 229-6301 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is (702) 386-9108.

AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

I **Carman Livingston Burney**, an employee of the Planning and Development Department of the City of Las Vegas, being first duly sworn, deposes and says that on the day of **October 11, 2004**, a copy of the **October 21, 2004 Planning Commission Agenda**, the attached of which is a true and correct copy, was deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears on the list maintained in the Department of Planning and Development, Current Planning Division.

Carman Livingston Burney

SIGNATURE

Planning and Development Department

Subscribed and sworn to before me this

11th day of October, 2004

NOTARY PUBLIC in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
JASON ALLSWANG
No. 03-80560-1 My Appointment Expires Feb. 27, 2007

AFFIDAVIT OF POSTING

(Posting required under the provision of NRS 241, Sec. 1.3 and 1.5)

State of Nevada)
)
County of Clark)
)
City of Las Vegas)

I John Holliway, an employee of the Planning and Development Department of the City of Las Vegas, being first duly sworn, deposes and says that on the day of October 14, 2004, at the hour of 1:30, there were posted copies of the October 21, 2004 Planning Commission Agenda, the attached of which is a true and correct copy, at the following locations:

1. In the Clark County Government Center
   500 South Grand Central Parkway

2. In the Grant Sawyer Building
   555 East Washington Avenue
   (Go in through the main entrance. Straight ahead is the security desk. Ask one of the guards to unlock the bulletin board so that you may post the agenda.)

3. In the Las Vegas Library
   833 Las Vegas Boulevard North
   (Go through the double doors. To the right of the desk is the bulletin board. I am told that they keep it very neat. Take some extra pushpins as they may not have any).

4. City Clerk's Bulletin Board
   400 Stewart Avenue, 2nd Floor Skybridge
   (in the walkway area next to the entrance of the Human Resources Department. See City Clerk for key)

5. On the Public Bulletin Board at the Plaza Level to the City Hall
   400 Stewart Avenue
   (Near the entrance to the Court Clerk's Office)

John Holliway
(Signature)

Planning and Development Department

Subscribed and sworn to before me

This 14th day of October, 2004.

Kathryn M. McDonald
Notary Public in and for said County and State

KATHRYN M. McDONALD
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 99-56749-1
MY APPT. EXPIRES JUNE 14, 2007

Agenda City of Las Vegas

PLANNING COMMISSION MEETING

October 21, 2004

Council Chambers 400 Stewart Avenue Las Vegas, Nevada
Phone (702) 229-6301 TDD (702) 386-9108 http://www.lasvegasnevada.gov

Las Vegas City Council

Mayor Oscar B. Goodman
Mayor Pro Tem Gary Reese, Ward 3
Councilman Larry Brown, Ward 4
Councilman Lawrence Weekly, Ward 5
Councilman Michael Mack, Ward 6
Councilwoman Janet Moncrief, Ward 1
Councilman Steve Wolfson, Ward 2
City Manager Douglas A. Selby

Commissioners

Richard Truesdell, Chairperson
Todd Nigro, Vice Chairperson
Byron Goynes
Laura McSwain
Steven Evans
Leo Davenport
David Steinman

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE UNLESS OTHERWISE STATED, ITEMS MAY BE TAKEN OUT OF THE ORDER PRESENTED AT THE DISCRETION OF THE CHAIRPERSON.

COMMISSIONERS BRIEFING: 5:15 P.M. City of Las Vegas Council Chambers 400 Stewart Avenue Las Vegas, Nevada

It is the intent of the Planning Commission to be briefed by staff and that all items on the agenda shall be available for open discussion during the briefing session. The Planning Commission may ask applicants and other interested parties for information or presentations. Applicants may not participate in the discussion unless at the specific request of the Commission. All interested parties are invited to attend.

CALL TO ORDER: 6:00 P.M. City of Las Vegas Council Chambers 400 Stewart Avenue Las Vegas, Nevada

ROLL CALL:

ANNOUNCEMENT: Compliance with the Open Meeting Law

NOTICE: This meeting has been properly noticed and posted at the following locations:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Clark County Government Center, 500 S. Grand Central Parkway
Las Vegas Library, 833 Las Vegas Boulevard North
Grant Sawyer Building, 555 East Washington Avenue
Court Clerk's Office Bulletin Board, City Hall Plaza

MINUTES: Approval of the minutes of the September 23, 2004 Planning Commission Meeting minutes by reference (_____ Vote)

ACTIONS: ALL ACTIONS ON TENTATIVE SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

PLANNING COMMISSION MEETING RULES OF CONDUCT:

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.

2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.

3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.

4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.

5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.

6. After all objectors' input has been received; the applicant will be invited to respond to any new issues raised.

7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst them, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.

8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

ABEYANCE/ WITHDRAWN ITEMS:

ITEMS THAT HAVE BEEN REQUESTED TO BE EITHER HELD IN ABEYANCE TO A FUTURE MEETING OR WITHDRAWN WITHOUT PREJUDICE MAY BE CONSIDERED IN ONE MOTION. ANY PERSON WHO DOES NOT AGREE THAT THE ITEM SHOULD BE HELD OR WITHDRAWN SHOULD REQUEST THE ITEM BE HEARD SEPARATELY.

CONSENT ITEMS:

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

1. **ABEYANCE - TMP-5081 - TENTATIVE MAP - PRIMROSE ESTATES II - APPLICANT/OWNER: HORIZON HOMES, INC.** - Request for a Tentative Map FOR A 13-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 5.23 acres adjacent to the southeast corner of Craig Road and Tioga Way (APN 138-03-302-001), R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 4 (Brown).

2. **TMP-5186 - TENTATIVE MAP – LIBERTY TOWER - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: HARVARD SECURITIES, INC., A NEVADA CORPORATION** - Request for a Tentative Map FOR A PROPOSED 17 LOT MIXED USE SUBDIVISION on 0.68 acres at 1801 Las Vegas Boulevard South (APN 162-03-310-006), C-2 (General Commercial) Zone, Ward 3 (Reese).

3. **TMP-5188 - TENTATIVE MAP - TAMARINDO PROFESSIONAL PARC (A COMMERCIAL SUBDIVISION) - APPLICANT: CW GROUP - OWNER: FORT APACHE/CHEYENNE HOLDINGS, LLC** - Request for a Tentative Map FOR A ONE LOT COMMERCIAL SUBDIVISION on 2.0 acres on the west side of Fort Apache Road, approximately 380 feet north of Cheyenne Avenue (APN 138-07-801-010), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to O (Office), Ward 4 (Brown).

4. **ANX-5163 - ANNEXATION - BRIDGEKEEPER LLC, ET AL** - Petition to annex property generally located south of Centennial Parkway and east of Puli Drive (APN 126-25-101-001, 002, 005 and portions of 126-25-201-001 and 126-25-401-006), containing approximately 60 acres, Ward 6 (Mack).

ONE MOTION – ONE VOTE:

THE FOLLOWING ARE ITEMS THAT MAY BE CONSIDERED IN ONE MOTION/ONE VOTE. THEY ARE CONSIDERED ROUTINE PUBLIC HEARING AND NON-PUBLIC HEARING ITEMS THAT HAVE NO PROTESTS, WAIVERS FROM THE CODE OR CONDITION CHANGES BY THE APPLICANT OR STAFF. ALL PUBLIC HEARINGS AND NON-PUBLIC HEARING ITEMS WILL BE OPENED AT ONE TIME. ANY PERSON REPRESENTING AN APPLICATION, A MEMBER OF THE PLANNING COMMISSION OR THE PUBLIC NOT IN AGREEMENT WITH THE CONDITIONS AND ALL STANDARD CONDITIONS FOR THE APPLICATION RECOMMENDED BY STAFF SHOULD REQUEST TO HAVE THIS ITEM REMOVED FROM THIS PART OF THE AGENDA.

5. **ROR-5164 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: S&S # 2, LLC** - Required Two Year Review of an Approved Special Use Permit (U-0042-95) WHICH ALLOWED A 50 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 410 North Eastern Avenue (APN 139-36-210-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

6. **ROR-5165 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: LIPKIN 1992 TRUST** - Required Two Year Review of an Approved Special Use Permit (U-104-02) WHICH ALLOWED A 40 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1501 Western Avenue (APN 162-04-605-005), M (Industrial) Zone, Ward 1 (Moncrief).

7. **ROR-5167 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: HAL-STAN, INC.** - Required Two Year Review of an Approved Special Use Permit (U-0038-95) WHICH ALLOWED A 40 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3500 North Rancho Drive (APN 138-12-710-044), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

8. **ROR-5168 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING – OWNER: Z J & R PROPERTIES, LLC** - Required One Year Review of an Approved Special Use Permit (U-0043-94) WHICH ALLOWED A 55 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3920 West Charleston Boulevard (APN 139-31-801-018), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

9. **RQR-5169 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: STEVE & RAYNELL PHILLIPS** - Required Two Year Review of an Approved Special Use Permit (U-0027-95) WHICH ALLOWED A 40 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6651 West Charleston Boulevard (APN 163-02-104-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], Ward 1 (Moncrief).

10. **RQR-5170 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: BOYS CLUBS OF CLARK COUNTY, INC.** - Required Two Year Review of an Approved Special Use Permit (U-0041-95) WHICH ALLOWED A 55 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2800 Marlin Avenue (APN 139-36-213-001), R-4 (High Density Residential) Zone, Ward 3 (Reese).

11. **RQR-5171 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: Z J & R PROPERTIES, LLC** - Required Two Year Review of an Approved Special Use Permit (U-0043-94) WHICH ALLOWED A 55 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3900 West Charleston Boulevard (APN 139-31-801-018), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

12. **MOD-5267 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Request for a Major Modification to the Las Vegas Medical District PLAN IN ORDER TO REDUCE HEIGHT AND SETBACK RESTRICTIONS ON MIXED-USE DEVELOPMENTS, LIST THEM AS A SPECIFIC USE ON THE TABLE OF PERMITTED USES, PROVIDE FOR THE INCORPORATION OF THE LIVE/WORK ORDINANCE, AND CLARIFY THE TABLE OF PERMITTED USES TO UPDATE TERMINOLOGY, Ward 5 (Weekly).

13. **SDR-5190 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: MG PROPERTIES - OWNER: MARTIN W. GREENWALD** - Request for a Site Development Plan Review FOR A 7,660 SQUARE FOOT COMMERCIAL ADDITION AND WAIVERS FROM PERIMETER LANDSCAPING REQUIREMENTS on 2.0 acres adjacent to the northeast corner of Rancho Drive and Lone Mountain Road (APN 125-35-401-006), C-2 (General Commercial) Zone, Ward 6 (Mack).

14. **SDR-5198 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER:WILTON PARTNERS ARVILLE NO. 8, LLC** - Request for a Site Development Plan Review FOR A 11,739 SQUARE FOOT COMMERCIAL BUILDING AND WAIVERS OF BUILDING PLACEMENT FOUNDATION LANDSCAPING ALONG THE SIDEWALK, AND LANDSCAPE BUFFER STANDARDS on 1.49 acres on the west side of Arville Street, approximately 250 feet north of Sahara Avenue, (APN 162-06-412-003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

15. **ROC-5347 - REVIEW OF CONDITION - NON-PUBLIC HEARING – APPLICANT/OWNER: PH GSA, LLC** - Request for a Review of Conditions Number 2 and 4 of an approved Site Development Plan Review (SDR-2037) WHICH REQUIRED PARKING AND LANDSCAPING; AND CONFORMANCE TO THE SUBMITTED SITE PLAN TO ALLOW FOR PARKING TO BE PROVIDED OFF-SITE, LANDSCAPING TO BE PROVIDED WITH FUTURE PHASES AND THE OFFICE BUILDING TO VARY FROM THE APPROVED PLANS FOR A PROPOSED 84,201 SQUARE FOOT OFFICE BUILDING on 5.11 acres adjacent to the northeast corner of Grand Central Parkway and City Parkway (APN 139-27-410-006, 007 and 008), PD (Planned Development) Zone, Ward 5 (Weekly).

16. **VAC-5130 - VACATION - PUBLIC HEARING - APPLICANT: RYLAND HOMES - OWNER: CLIFFS EDGE, LLC** - Petition to Vacate public rights-of-way generally located west of Puli Road, north of Centennial Parkway, Ward 6 (Mack).

17. **VAC-5131 - VACATION - PUBLIC HEARING - APPLICANT: RYLAND HOMES - OWNER: CLIFFS EDGE, LLC** - Petition to Vacate U. S. Government Patent Reservations generally located west of Puli Road, north of Centennial Parkway, Ward 6 (Mack).

PUBLIC HEARING ITEMS:

18. **ABEYANCE - ZON-4991 - PUBLIC HEARING - APPLICANT: RANDY BLACK, JR. - OWNER: DURANGO TOWN CENTER, LLC AND JIM MARSH AMERICAN CORPORATION** - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER), on 4.79 acres adjacent to the southeast corner of Regena Avenue and Riley Street (APN 125-29-502-010), Ward 6 (Mack).

19. **ABEYANCE - SDR-4985 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4991 - PUBLIC HEARING - APPLICANT: RANDY BLACK, JR. - OWNER: DURANGO TOWN CENTER, LLC AND JIM MARSH AMERICAN CORPORATION** - Request for a Site Development Plan Review FOR A MEDICAL/PROFESSIONAL/RETAIL DEVELOPMENT on 22.31 acres adjacent to the southeast corner of Regena Avenue and Riley Street (APN 125-29-502-010 and 125-29-510-006, 125-29-601-002 and 020), U (Undeveloped) Zone [T-C (Town Center) General Plan Designation] and TC (Town Center) [PROPOSED: T-C (Town Center)] Ward 6 (Mack).

20. **ABEYANCE - SDR-4978 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: LAS TUNIS, LLC - OWNER: CLARK COUNTY DEVELOPMENT CORPORATION** - Request for a Site Development Plan Review FOR A 5,660 SQUARE FOOT MEDICAL OFFICE BUILDING AND WAIVERS OF TRASH ENCLOSURE SEPARATION, FRONT YARD SETBACK, AND WIDTH OF PERIMETER LANDSCAPING on 0.45 acres on James Bilbray Drive, approximately 120 feet south of Smoke Ranch Road (APN 138-23-110-032), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking), Ward 6 (Mack).

21. **ABEYANCE - GPA-5075 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGEMENT** - Request to amend a portion of the Southwest Sector of the General Plan FROM: SC (SERVICE COMMERCIAL) AND ML (MEDIUM-LOW DENSITY RESIDENTIAL) TO M (MEDIUM DENSITY RESIDENTIAL) on 10.16 acres at 8324 West Charleston Boulevard (APN 138-33-401-015), Ward 2 (Wolfson).

22. **ABEYANCE - ZON-5076 – REZONING RELATED TO GPA-5075 - PUBLIC HEARING - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGEMENT** - Request for a Rezoning FROM: U (UNDEVELOPED) [SC (SERVICE COMMERCIAL) AND ML (MEDIUM-LOW DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATIONS] TO: R-PD14 (RESIDENTIAL PLANNED DEVELOPMENT - 14 UNITS PER ACRE) on 10.16 acres at 8324 West Charleston Boulevard (APN 138-33-401-015), Ward 2 (Wolfson).

23. **ABEYANCE - SDR-5077 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5075, ZON-5076 - PUBLIC HEARING - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGEMENT** - Request for a Site Development Plan Review FOR A PROPOSED 140-UNIT CONDOMINIUM DEVELOPMENT on 10.16 acres at 8324 West Charleston Boulevard (APN 138-33-401-015), U (Undeveloped) Zone [SC (Service Commercial) and ML (Medium-Low Density Residential) General Plan Designations] [PROPOSED: R-PD14 (Residential Planned Development - 14 Units Per Acre)], Ward 2 (Wolfson).

24. **VAR-5336 - VARIANCE - PUBLIC HEARING - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGEMENT** - Request for a Variance TO ALLOW A RESIDENTIAL ADJACENCY SEPARATION OF 52 FEET WHERE 90 FEET IS THE MINIMUM DISTANCE REQUIRED FROM SINGLE-FAMILY DEVELOPMENT FOR A PROPOSED 140-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 10.16 acres at 8324 West Charleston Boulevard (APN 138-33-401-015), U (Undeveloped) Zone [SC (Service Commercial) and ML (Medium-Low Density Residential) General Plan Designations] [PROPOSED: R-PD14 (Residential Planned Development - 14 Units Per Acre)], Ward 2 (Wolfson).

25. **ABEYANCE - VAC-5030 - VACATION - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIO – OWNER: RINKAI AMERICA, INC.** - Petition to Vacate a 20-foot (20') wide public alley generally located north of Sahara Avenue, west of Paradise Road, Ward 3 (Reese).

26. **GPA-5015 – GENERAL PLAN AMENDMENT - PUBLIC HEARING - APLICANT/OWNER: CITY OF LAS VEGAS** - Request to Amend portions of the Downtown North Land Use Plan and the Downtown Centennial Plan to add the Scenic Byway as an Urban Trail along both sides of Las Vegas Boulevard between Washington and Sahara Avenues, Wards 1 (Moncrief) and 5 (Weekly).

27. **GPA-5016 – GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Request to amend the Downtown North Land Use Plan to add the Cultural Corridor Trail, located on the west side of Las Vegas Boulevard between Washington Avenue and Bonanza Road, as an Urban Trail, Ward 5 (Weekly).

28. **GPA-5157 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - OWNER/APPLICANT: CITY OF LAS VEGAS** - Request to amend the Master Plan Recreation and Transportation Trail Elements TO RE-DESIGNATE PORTIONS OF PROPOSED ALIGNMENTS IN DEVELOPED AREAS AS PEDESTRIAN PATHS, Ward 1 (Moncrief), Ward 3 (Reese), Ward 4 (Brown), Ward 5 (Weekly), Ward 6 (Mack); AND TO REVISE CROSS SECTIONS, All Wards.

29. **GPA-5266 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Request to Amend the City of Las Vegas Downtown Redevelopment Plan Map of the Las Vegas Redevelopment Plan to designate Future Land Use Designations as Commercial, Mixed Use, Industrial or Public Facility located within the Redevelopment Plan expansion area and within other areas of the Las Vegas Downtown Redevelopment Plan Map. Wards: 1 (Moncrief), 3 (Reese), and 5 (Weekly).

30. **GPA-5278 - GENERAL PLAN AMENDMENT - PUBLIC HEARING – APPLICANT/OWNER: CITY OF LAS VEGAS** - Request to amend Policy 3.4.1 of the Las Vegas 2020 Master Plan, which currently reads as follows: "That a minimum of 30 percent of available BLM lands be planned for recreational and parks uses within the northwest sector of the city, in the general vicinity of the intersection of Kyle Canyon Road and US 95", to the following: "That a minimum of 30 percent of available BLM lands be planned as open space within the Centennial Hills Sector of the City of Las Vegas through the adoption of an open space plan". And to amend Policy 3.4.3, which currently reads as follows: "That a minimum of 20 percent of available BLM lands within the Kyle Canyon area be made available for the development of a high technology business park, research and higher education, within the northwest sector of the city", to the following: "That an adequate amount of available BLM lands within the Centennial Hills Sector of the City of Las Vegas be made available for the development of a high technology business park, research facility and/or higher education facility, Ward 6 (Mack).

31. **GPA-5034 - GENERAL PLAN AMENDMENT - PUBLIC HEARING – APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT – OWNER: ALTA MLK, LLC** - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: H (HIGH DENSITY RESIDENTIAL) on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard (APN 139-33-202-005), Ward 5 (Weekly).

32. **ZON-4941 - REZONING RELATED TO GPA-5034 - PUBLIC HEARING - APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC** - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: R-PD50 (RESIDENTIAL PLANNED DEVELOPMENT – 50 UNITS PER ACRE) on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard (APN 139-33-202-005), Ward 5 (Weekly).

33. **VAR-5035 - VARIANCE RELATED TO GPA-5034, AND ZON-4941 - PUBLIC HEARING - APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC** - Request for a Variance TO ALLOW A 20 FOOT SETBACK WHERE 1,212 FEET IS REQUIRED on 16.78 acres north of Alta Drive and west Martin L. King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone [PROPOSED: R-PD50 (Residential Planned Development – 50 Units Per Acre)], Ward 5 (Weekly).

34. **SDR-5155 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5034, ZON-4941, AND VAR-5035 - PUBLIC HEARING - APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC** - Request for a Site Development Plan FOR A PROPOSED 21 STORY, 840 UNIT CONDOMINIUM DEVELOPMENT IN THREE BUILDINGS on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone [PROPOSED: R-PD50 (Residential Planned Development – 50 Units Per Acre)], Ward 5 (Weekly).

35. **GPA-5172 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: LEGEND HOMES - OWNER: STAR LIVING TRUST AND MATRIX DEVELOPMENT CORPORATION** - Request to Amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan FROM: RE (RURAL ESTATES) TO: R (RURAL DENSITY RESIDENTIAL) on approximately 6.7 acres adjacent to the southwest corner of El Campo Grande Avenue and Mustang Road (APN 125-26-801-012), Ward 6 (Mack).

36. **ZON-5174 - REZONING RELATED TO GPA-5172 - PUBLIC HEARING - APPLICANT: LEGEND HOMES - OWNER: STAR LIVING TRUST AND MATRIX DEVELOPMENT CORPORATION** - Request for a Rezoning FROM: U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) AND RE (RURAL ESTATES) GENERAL PLAN DESIGNATIONS] TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT – 3 UNITS PER ACRE) on 10.65 acres adjacent to the southwest corner of El Campo Grande Avenue and Mustang Road (APN 125-26-801-012 and 125-26-802-014), Ward 6 (Mack).

37. **SDR-5175 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5172 AND ZON-5174 - PUBLIC HEARING - APPLICANT: LEGEND HOMES - OWNER: STAR LIVING TRUST AND MATRIX DEVELOPMENT CORPORATION** - Request for a Site Development Plan Review FOR A 32 LOT RESIDENTIAL SUBDIVISION on 10.65 acres adjacent to the southwest corner of El Campo Grande Avenue and Mustang Road (APN 125-26-801-012 and 125-26-802-014), U (Undeveloped) [R (Rural Density Residential) and RE (Rural Estates) General Plan Designations] [PROPOSED: R-PD3 (Residential Planned Development – 3 Units Per Acre)], Ward 6 (Mack).

38. **WVR-5331 - WAIVER RELATED TO GPA-5172, ZON-5174, AND SDR-5175 - PUBLIC HEARING - APPLICANT: LEGEND HOMES - OWNER: MATRIX DEVELOPMENT CORPORATION** - Request for a Waiver of Title 18.12.160 TO ALLOW A 182-FOOT SEPARATION BETWEEN INTERSECTIONS WHERE A MINIMUM OF 220 FEET IS REQUIRED WHEN PROVIDING EXTERNAL ACCESS FROM A SUBDIVISION TO AN EXISTING STREET HAVING A RIGHT-OF-WAY WIDTH OF 60 FEET OR MORE, IN CONJUNCTION WITH A PROPOSED 32-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.65 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Road (APN 125-26-801-012 and 125-26-802-014), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre)], Ward 6 (Mack).

39. **GPA-5182 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: INFIELD DEVELOPMENT II, LLC AND JOHN D. FIELD** - Request to Amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan FROM: O (OFFICE) TO: SC (SERVICE COMMERCIAL) on 2.49 acres adjacent to the southwest corner of Alexander Road and Leon Avenue (APN 138-12-110-021 and 022), Ward 6 (Mack).

40. **ZON-5183 - REZONING RELATED TO GPA-5182 - PUBLIC HEARING - APPLICANT/OWNER: INFIELD DEVELOPMENT II, LLC AND JOHN D. FIELD** - Request for a Rezoning FROM: O (OFFICE) TO: C-1 (LIMITED COMMERCIAL) on 2.49 acres adjacent to the southwest corner of Alexander Road and Leon Avenue (APN 138-12-110-021 and 022), Ward 6 (Mack).

41. **SDR-5184 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5182 AND ZON-5183 - PUBLIC HEARING - APPLICANT/OWNER: INFIELD DEVELOPMENT II, LLC AND JOHN D. FIELD** - Request for a Site Development Plan Review FOR A 14,000 SQUARE FOOT OFFICE BUILDING AND A 17,250 SQUARE FOOT COMMERICAL BUILDING AND A WAIVER OF THE COMMERCIAL DEVELOPMENT STANDARDS TO ALLOW A 10 FOOT REAR SETBACK WHERE 20 FEET IS REQUIRED on 2.49 acres adjacent to the southwest corner of Alexander Road and Leon Avenue (APN 138-12-110-021 and 022), O (Office) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 6 (Mack).

42. **GPA-5194 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: MARIA TORRES AND JOSE TORRES** - Request to amend a portion of the Southwest Sector Plan of the General Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 0.46 acres at 2665 North Jones Boulevard (APN 138-14-704-015), Ward 5 (Weekly).

43. **GPA-5195 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: MIKE MULLIN - OWNER: WESTCARE WORKS, INC.** - Request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 5.21 acres at 5659 Duncan Drive (APN 138-12-110-048), Ward 6 (Mack).

44. **GPA-5200 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: TRIPLE FIVE DEVELOPMENT NEVADA - OWNER: GREAT MALL OF LAS VEGAS, LLC** - Request to Amend a portion of the Town Center Land Use Plan of the Centennial Hills Sector Plan of the General Plan FROM: MS-TC (MAIN STREET MIXED USE – TOWN CENTER) TO: GC-TC (GENERAL COMMERCIAL - TOWN CENTER) on 55.74 acres adjacent to the northeast corner of Deer Springs Way and Riley Street (APN 125-20-602-001, 002, 003, 004; 125-20-601-002, 003; 125-20-603-001, 002, 003, 004; and 125-21-201-001), Ward 6 (Mack).

45. **GPA-5205 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: SANSONE DEVELOPMENT - OWNER: BUREAU OF LAND MANAGEMENT** - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: PF (PUBLIC FACILITIES) TO: SC (SERVICE COMMERCIAL) on 4.18 acres adjacent to the southwest corner of Lake Mead Boulevard and Rock Springs Drive (APN 138-22-701-005), Ward 4 (Brown).

46. **ZON-5206 - REZONING RELATED TO GPA-5205 - PUBLIC HEARING - APPLICANT: SANSONE DEVELOPMENT - OWNER: BUREAU OF LAND MANAGEMENT** - Request for a Rezoning FROM: U (UNDEVELOPED) [PF (PUBLIC FACILITIES) GENERAL PLAN DESIGNATION] TO: C-1 (LIMITED COMMERCIAL) on 4.18 acres adjacent to the southwest corner of Lake Mead Boulevard and Rock Springs Drive (APN 138-22-701-005), Ward 4 (Brown).

47. **GPA-5207 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: JAWA STUDIO - OWNER: TOWN CENTER CROSSINGS, LLC** - Request to Amend a portion of the Town Center Land Use Plan of the Centennial Hills Sector Plan of the General Plan FROM: SC-TC (SERVICE COMMERCIAL – TOWN CENTER) TO: GC-TC (GENERAL COMMERCIAL – TOWN CENTER) on 3.88 acres adjacent to the northwest corner of Centennial Parkway and Juliano Avenue Road (APN 125-20-801-002), Ward 6 (Mack).

48. **SUP-5210 - SPECIAL USE PERMIT RELATED TO GPA-5207 AND SDR-5209 - PUBLIC HEARING - APPLICANT: JAWA STUDIO - OWNER: TOWN CENTER CROSSINGS, LLC** - Request for a Special Use Permit FOR A TAVERN on 3.88 acres adjacent to the northwest corner of Centennial Parkway and Juliano Avenue Road (APN 125-20-801-002), T-C (Town Center) Zone, Ward 6 (Mack).

49. **SDR-5209 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5207 AND SUP-5210 - PUBLIC HEARING - APPLICANT: JAWA STUDIO - OWNER: TOWN CENTER CROSSINGS, LLC** - Request for a Site Development Plan Review FOR A PROPOSED 6,000 SQUARE FOOT TAVERN on 3.88 acres adjacent to the northwest corner of Centennial Parkway and Juliano Avenue Road (APN 125-20-801-002), T-C (Town Center) Zone, Ward 6 (Mack).

50. **MOD-5212 - MAJOR MODIFICATION TO THE LAS VEGAS MEDICAL DISTRICT PLAN - PUBLIC HEARING - APPLICANT: TOWER REALTY AND DEVELOPMENT - OWNER: VALLEY GROUP CONSTRUCTORS** - Request for a Major Modification to the Las Vegas Medical District Plan FROM: MD-2 (MAJOR MEDICAL) TO: MD-1 (MEDICAL SUPPORT) at 701 Shadow Lane (APN 139-33-402-001), PD (Planned Development) Zone, Ward 5 (Weekly).

51. **VAR-5214 - VARIANCE RELATED TO MOD-5212 AND SDR-5213 - PUBLIC HEARING - APPLICANT: TOWER REALTY AND DEVELOPMENT - OWNER: VALLEY GROUP CONSTRUCTORS** - Request for a Variance TO ALLOW 148 PARKING SPACES WHERE 177 PARKING SPACES ARE REQUIRED FOR A OFFICE DEVELOPMENT on 1.69 acres at 701 Shadow Lane (APN 139-33-402-001), PD (Planned Development) Zone, Ward 5 (Weekly).

52. **SDR-5213 - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-5212 AND VAR-5214 - PUBLIC HEARING - APPLICANT: TOWER REALTY AND DEVELOPMENT – OWNER: VALLEY GROUP CONSTRUCTORS, INC.** - Request for a Site Development Plan Review FOR A OFFICE DEVELOPMENT AND WAIVER OF BUILDING HEIGHT TO ALLOW 52 FEET 9 INCHES WHERE 45 FEET IS THE MAXIMUM HEIGHT ALLOWED on 1.69 acres at 701 Shadow Lane (APN 139-33-402-001), PD (Planned Development) Zone, Ward 5 (Weekly).

53. **VAR-5202 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: KEVIN R. AND BARBARA SIPES** - Request for a Variance TO ALLOW A 2.94 ACRE DEVELOPMENT WHERE 5 ACRES IS REQUIRED FOR A RESIDENTIAL PLANNED DEVELOPMENT on 2.94 acres adjacent to the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue (APN 138-12-601-005), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development – 2 Units Per Acre)], Ward 6 (Mack).

54. **ZON-5203 - REZONING RELATED TO VAR-5202 - PUBLIC HEARING - APPLICANT/OWNER: KEVIN R. AND BARBARA SIPES** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 2.94 acres adjacent to the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue (APN 138-12-601-005), Ward 6 (Mack).

55. **SDR-5204 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5202 AND ZON-5203 - PUBLIC HEARING - APPLICANT/OWNER: KEVIN R. AND BARBARA SIPES** - Request for a Site Development Plan Review FOR A PROPOSED 7 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 2.94 acres adjacent to the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue (APN 138-12-601-005), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre)], Ward 6 (Mack).

56. **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).

57. **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).

58. **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).

59. **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).

60. **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).

61. **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).

62. **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).

63. **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).

64. **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).

65. **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).

66. **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).

67. **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).

68. **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).

69. **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).

70. **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).

71. **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).

72. **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).

73. **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).

74. **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).

75. **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).

76. **ROR-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).

NON-PUBLIC HEARING:

77. **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).

DIRECTOR'S BUSINESS:

78. **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.

79. **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".

CITIZENS PARTICIPATION:

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE PLANNING COMMISSION NO SUBJECT MAY BE ACTED UPON BY THE PLANNING COMMISSION UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED.

Agenda

City of Las Vegas

PLANNING COMMISSION MEETING

October 21, 2004

Council Chambers 400 Stewart Avenue Las Vegas, Nevada
Phone (702) 229-6301 TDD (702) 386-9108 http://www.lasvegasnevada.gov

Facilities are provided throughout City Hall for the convenience of disabled persons. Special equipment for the hearing impaired is available for use at meetings. If you need an accommodation to attend and participate in this meeting, please call the DEPARTMENT DESIGNEE at (702) 229-6301 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is (702) 386-9108.

City of Las Vegas

PLANNING COMMISSION AGENDA

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:42 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ATTENDANCE:

PRESENT: CHAIRMAN RICHARD TRUESDELL, MEMBERS STEVEN EVANS, LAURA McSWAIN, LEO DAVENPORT AND DAVID STEINMAN

EXCUSED: NIGRO and GOYNES

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., FLINN FAGG – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD – PLANNING & DEVELOPMENT DEPT., DAVID GUERRA – PUBLIC WORKS, YONGYAO LOU – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE

MINUTES:

GARY LEOBOLD, Planning and Development Department, referenced the following items that were requested to be held in abeyance, tabled or withdrawn without prejudice. Letters are on file for each of the requests.

Item 3 [TMP-5188]	Abeyance to 11/18/2004 Planning Commission meeting
Item 25 [VAC-5030]	Abeyance to 12/06/2004 Planning Commission meeting
Item 29 [GPA-5266]	Abeyance to 11/18/2004 Planning Commission meeting
Item 43 [GPA-5195]	Abeyance to 11/18/2004 Planning Commission meeting
Item 44 [GPA-5200]	Withdrawn Without Prejudice
Item 47 [GPA-5207]	TABLED
Item 48 [SUP-5210]	TABLED
Item 49 [SDR-5209]	TABLED
Item 50 [MOD-5212]	Abeyance to 11/18/2004 Planning Commission meeting
Item 51 [VAR-5214]	Abeyance to 11/18/2004 Planning Commission meeting
Item 52 [SDR-5213]	Abeyance to 11/18/2004 Planning Commission meeting
Item 57 [VAR-5178]	Withdrawn Without Prejudice
Item 75 [SDR-5179]	Abeyance to 11/18/2004 Planning Commission meeting

Regarding the One Motion One Vote items, MR. LEOBOLD stated that one of the applicants, Lamar Outdoor Advertising, requested to pull Item 5 [RQR-5164] and Item 7 [RQR-5167] so a discussion could take place.

Regarding Item 8 [RQR-5168] and Item 11 [RQR-5171], they should be pulled from One Motion One Vote as they are discussion items, and the recommendation is for Denial.

Regarding Item 6 [RQR-5165], it will remain on One Motion One Vote, but Condition 1 is not required and would be deleted.

Regarding Item 76 [RQR-5166], staff requested moving this item up, as the applicant has multiple applications for billboards and would like for all the items to be heard at the same time.

Regarding Item 15 [ROC-5347], staff tried contacting the applicant several times to no avail. As a result, the applicant has not approved of the conditions, so the item needs to be pulled from One Motion One Vote.

Regarding Item 24 [VAR-5336], the item was out of order on the agenda but would be heard prior to Item 23 [SDR-5077].

Regarding Item 38 [WVR-5331], the item would be heard before the Site Development Review application, Item 37 [SDR-5175].

Regarding Item 60 [VAR-5160], the applicant requested trailing the item until after 9 p.m.

Regarding Item 41 [SDR-5184], Condition 6 would be revised to reflect the correct Site Plan, date stamped 10/01/2004, as it was received after the report was completed.

MR. LEOBOLD clarified for COMMISSIONER EVANS that a discussion would take place on Item 29 [GPA-5266], Item 30 [GPA-5278], Item 31 [GPA-5034] and Item 32 [ZON-4941]. He added that the aforementioned abeyance/withdrawal/tabled items are correct. In addition, Item 57 [VAR-5178] would be Withdrawn Without Prejudice, but a discussion would take place on Item 56 [ZON-5176] and Item 58 [SDR-5177].

MR. LEOBOLD also clarified for DEPUTY CITY ATTORNEY BRYAN SCOTT that on Item 6 [RQR-5165], Condition 6 would be deleted.

MEETING ADJOURNED AT 5:49 P.M.

City of Las Vegas

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CHAIRMAN TRUESDELL

CALL TO ORDER: 6:02 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN TODD NIGRO, MEMBERS STEVEN EVANS, BYRON GOYNES, LAURA McSWAIN, LEO DAVENPORT AND DAVID STEINMAN

STAFF PRESENT: ROBERT GENZER – PLANNING & DEVELOPMENT DEPT., MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD – PLANNING & DEVELOPMENT DEPT., FLINN FAGG – PLANNING & DEVELOPMENT DEPT., DAVID GUERRA – PUBLIC WORKS, YONGYAO LOU – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE

GARY LEOBOLD, Planning and Development Department, reiterated the following items that were requested to be held in abeyance, tabled or withdrawn without prejudice. Letters are on file for each of the requests.

Item 3 [TMP-5188]	Abeyance to 11/18/2004 Planning Commission meeting
Item 25 [VAC-5030]	Abeyance to 12/16/2004 Planning Commission meeting
Item 29 [GPA-5266]	Abeyance to 11/18/2004 Planning Commission meeting
Item 43 [GPA-5195]	Abeyance to 11/18/2004 Planning Commission meeting
Item 44 [GPA-5200]	Withdrawn Without Prejudice
Item 47 [GPA-5207]	TABLED
Item 48 [SUP-5210]	TABLED
Item 49 [SDR-5209]	TABLED

Item 50 [MOD-5212]	Abeyance to 11/18/2004 Planning Commission meeting
Item 51 [VAR-5214]	Abeyance to 11/18/2004 Planning Commission meeting
Item 52 [SDR-5213]	Abeyance to 11/18/2004 Planning Commission meeting
Item 57 [VAR-5178]	Withdrawn Without Prejudice
Item 75 [SDR-5179]	Abeyance to 11/18/2004 Planning Commission meeting

In addition, MR. LEOBOLD reiterated the following information:

Regarding One Motion One Vote items, MR. LEOBOLD stated that one of the applicants, Lamar Outdoor Advertising, requested to pull Item 5 [RQR-5164] and Item 7 [RQR-5167] so a discussion could take place. In addition, regarding Item 76 [RQR-5166], staff requested moving this item up, as the applicant has multiple applications for billboards and would like for all the items to be heard at the same time.

Regarding Item 8 [RQR-5168] and Item 11 [RQR-5171], they should be pulled from One Motion One Vote as they are discussion items, and the recommendation is for Denial.

Regarding Item 15 [ROC-5347], staff tried contacting the applicant several times to no avail. As a result, the applicant has not approved of the conditions, so the item needs to be pulled from One Motion One Vote.

Regarding Item 24 [VAR-5336], the item was out of order on the agenda but would be heard prior to Item 23 [SDR-5077].

Regarding Item 38 [WVR-5331], the item would be heard before the Site Development Review application, Item 37 [SDR-5175].

Regarding Item 60 [VAR-5160], the applicant requested trailing the item until after 9 p.m.

Regarding Item 76 [RQR-5166], staff requested moving this item up with the other items the applicant, Lamar Outdoor Advertising, has.

Regarding Item 69 [SUP-5189], the applicant needed to leave early due to a funeral and requested moving the item up on the agenda for discussion.

Regarding Item 77 [TMP-5023], staff requested moving this item on the agenda for discussion.

Regarding Item 6 [RQR-5165], it will remain on One Motion One Vote, but Condition 1 is not required and would be deleted.

Regarding Item 41 [SDR-5184], Condition 6 would be revised to reflect the correct Site Plan, date stamped 10/01/2004, as it was received after the report was completed.

CHAIRMAN TRUESDELL clarified for COMMISSIONER EVANS that any comments made by the public should only be whether or not the aforementioned items should be held in abeyance, withdrawn or tabled.

DANIEL DEEGAN, 1801 Granite Avenue, expressed concern on Notification for Item 29 [GPA-5266] relating to the expansion of the Downtown Redevelopment area. The residents normally

receive a courtesy Notification from Neighborhood Services on all issues effecting their neighborhood. However, Notification was not received for this item. As a result, no one was informed on the details of this item and was not prepared to speak on this item. MR. DEEGAN then requested that proper notification is given to their neighborhood association regarding any issues affecting their neighborhood.

ROBERT GENZER, Planning and Development, responded that staff is currently transitioning the notification procedures from the Department of Neighborhood Services to the Department of Planning and Development. He assured MR. DEEGAN that he would receive proper notification as this item goes forward.

MR. LEOBOLD also informed CHAIRMAN TRUESDELL that staff just received a letter from the applicant agreeing to the conditions on Item 15 [ROC-5347], so the item would remain on the One Motion One Vote.

PATRICIA WATERS DECKER, 1725 Lockloman Way, stated that she received notice of this meeting. She requested clarification on Item 29 [GPA-5266] relative to the development for the east side of the I-15 Freeway. She was concerned that the project runs through the middle of her street. MR. GENZER clarified that staff requested to abey the item until 12/18/2004, as staff is reviewing the proposed boundaries. Staff felt that some of the areas currently shown within the proposed boundaries may be deleted. He suggested that MS. WATERS DECKER contact the Office of Business Development regarding changes on the redevelopment plan for this particular application.

TAMMY GREEN, appeared on behalf of the residents located within residential areas on the displayed maps, Map 3 and Map 5. She stated that the residents received short notice, and a meeting was held on the 13th with residents in which they were poorly informed about the project. They were not informed that this item would be abeyed and requested clarification as to what is being developed and what impact the redevelopment would have on their neighborhood. She felt that an additional abeyance would be necessary after this abeyance, as the residents would like time to meet as a community and with appropriate staff to receive in writing the redevelopment plans and then review them. CHAIRMAN TRUESDELL clarified for MS. GREEN that the motion to hold this item in abeyance has not come forward; only a discussion is taking place as to whether or not to hold the item in abeyance.

VICE CHAIRMAN NIGRO motioned to bring forward the abeyance, withdrawn and tabled items as read into record.

Regarding Item 29 [GPA-5266], CHAIRMAN TRUESDELL disclosed that 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.

MR. GENZER reiterated the abeyance, withdrawn and tabled items for the record.

(6:05-6:20)

City of Las Vegas

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

SUBJECT:
Approval of the minutes of the September 23, 2004, Planning Commission Meeting

MOTION:
NIGRO - APPROVED – UNANIMOUS with STEINMAN abstaining as he was not present at the aforementioned meeting.

MINUTES:
There was no discussion.

(6:03-6:03)
1-28

City of Las Vegas

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

CHAIRMAN TRUESDELL announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:
ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN TRUESDELL read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDA ITEM.

City of Las Vegas

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

CHAIRMAN TRUESDELL noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.

2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.

3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.

4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.

5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.

6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.

7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.

8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

City of Las Vegas

Agenda Item No.: 1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:
ABEYANCE - TMP-5081 - TENTATIVE MAP - PRIMROSE ESTATES II - APPLICANT/OWNER: HORIZON HOMES, INC. - Request for a Tentative Map FOR A 13-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 5.23 acres adjacent to the southeast corner of Craig Road and Tioga Way (APN 138-03-302-001), R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 4 (Brown).

P.C.: FINAL ACTION

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED subject to conditions Consent Item 1 [TMP-5081], Item 2 [TMP-5186] and Item 4 [ANX-5163] – UNANIMOUS with McSWAIN abstaining on Item 4 as her company is doing work for Focus Group who is involved in the project

This is Final Action

MINUTES:
CHAIRMAN TRUESDELL stated this is a Consent item.

(6:20 – 6:21)

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 1 – TMP-5081

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 applications approved for Rezoning (ZON-4219) and Site Development Plan Review (SDR-4222).

3. Prior to submittal of a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map depicting the conditions of approval herein and particularly those enumerated as Special Conditions shall be approved by the Planning and Development Department and Public Works Department staff.

4. Street names must be provided in accordance with the City's Street Naming Regulations.

5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

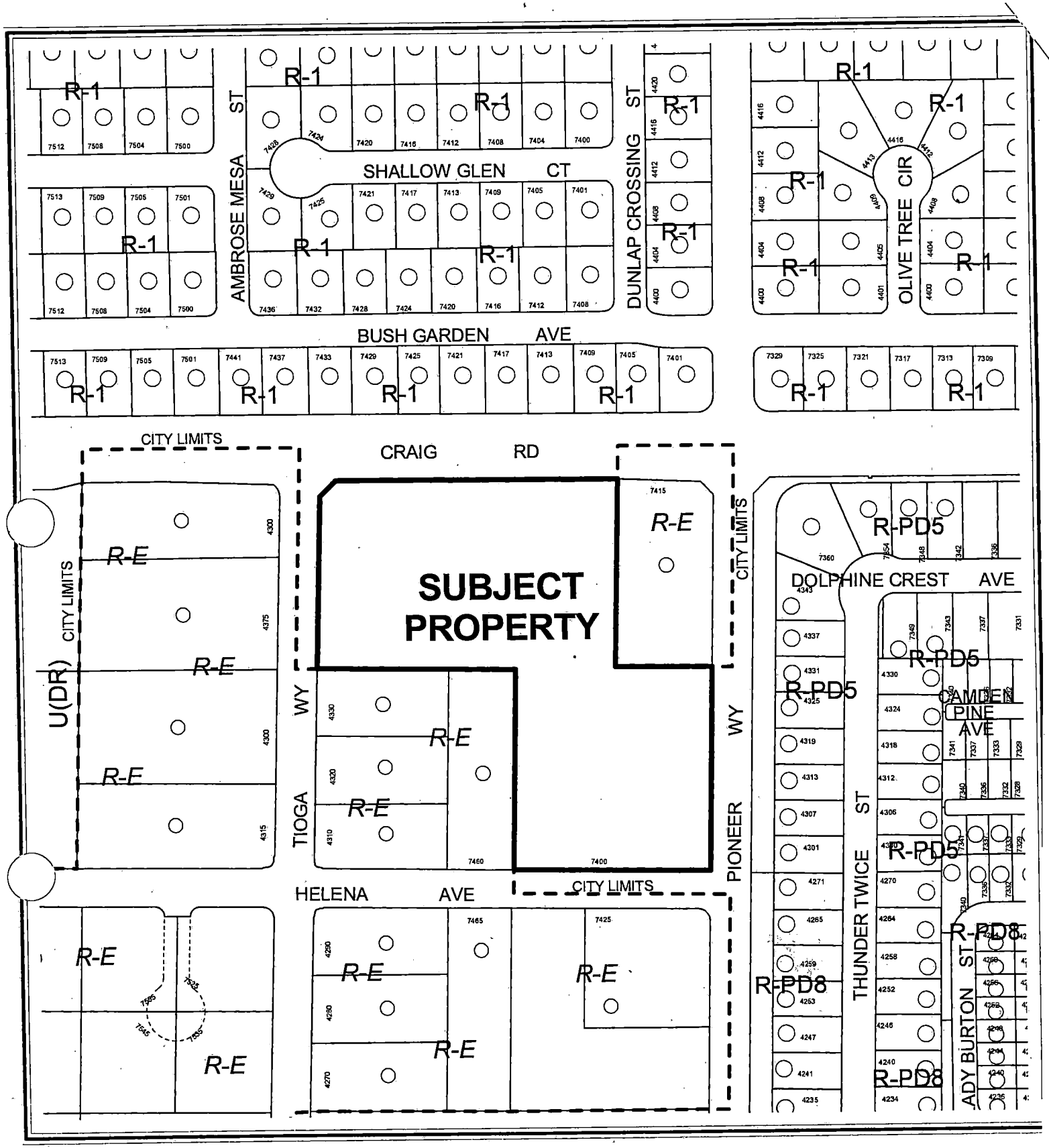
6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

7. Dedicate a 15-foot radius corner on the northwest corner of Pioneer Way and Helena Avenue as required by Rezoning application, ZON-4219.

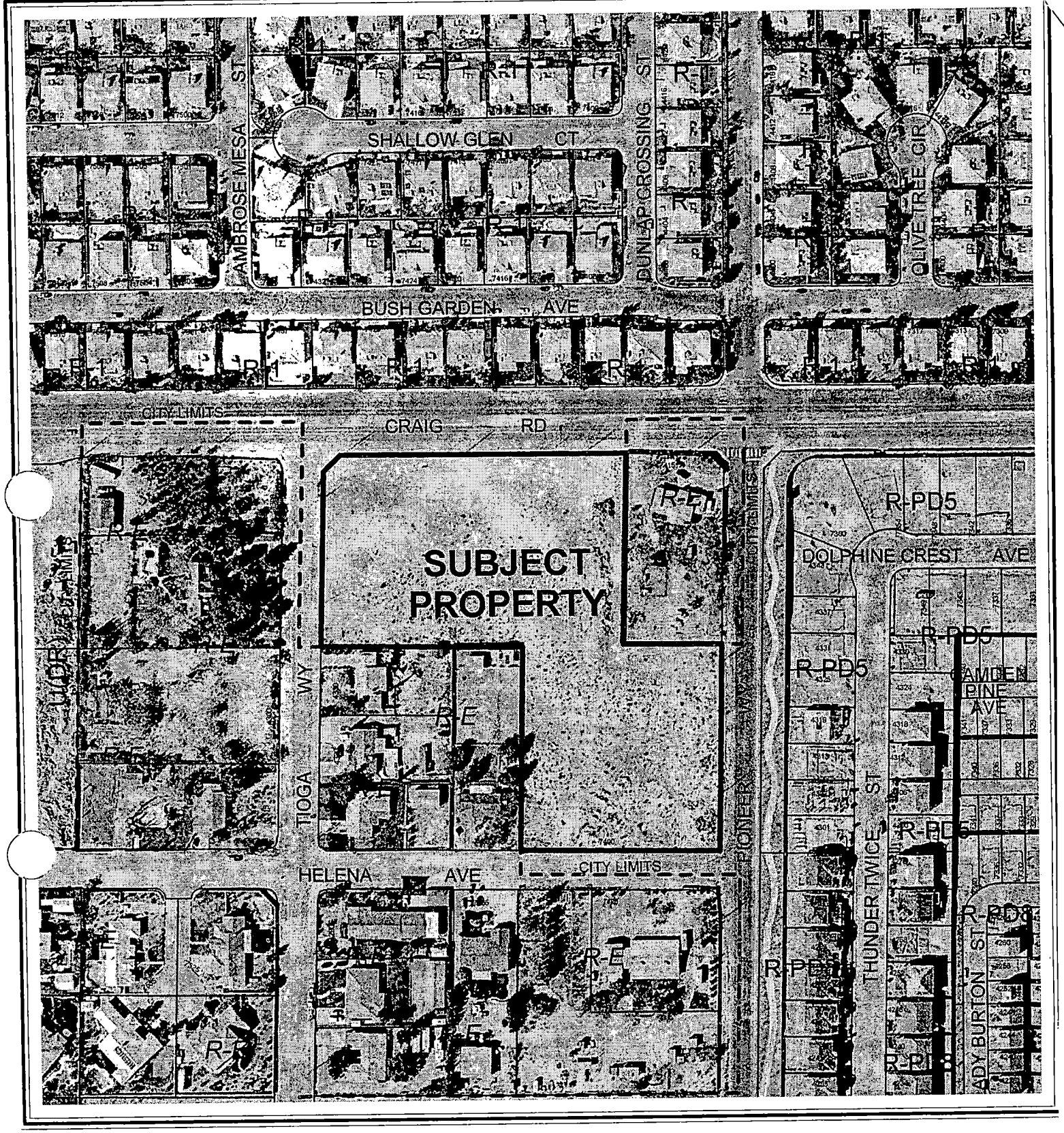
8. Site development to comply with all applicable conditions of approval for ZON-4219 and all other subsequent site-related actions.

9. 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.



CASE: **TMP-5081**

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN LAND USE DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)



0 200 400 Feet

CASE: TMP-5081

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN LAND USE DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - TMP-5081 - PRIMROSE ESTATES II -
APPLICANT/OWNER: HORIZON HOMES, INC

** 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 applications approved for Rezoning (ZON-4219) and Site Development Plan Review (SDR-4222).

3. Prior to submittal of a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map depicting the conditions of approval herein and particularly those enumerated as Special Conditions shall be approved by the Planning and Development Department and Public Works Department staff.

4. Street names must be provided in accordance with the City's Street Naming Regulations.

5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

6. 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.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for approval of a Tentative Map for a 13-lot single-family residential subdivision on 5.23 acres adjacent to the southeast corner of Craig Road and Tioga Way.

B) Applicant's Justification

A justification letter is not required for a Tentative Map submittal.

BACKGROUND INFORMATION

A) Previous Actions

03/06/96	The City Council approved a request for Annexation (A-0024-95) of the subject property. The effective date was March 15, 1996.
09/12/02	The Planning Commission denied a request for a Special Use Permit (U-0107-02) for a commercial childcare center. Staff recommended denial.
07/21/04	The City Council approved a Waiver (WVR-4596) to allow a 140-foot separation between intersections, where a minimum of 220 feet is required. The Planning Commission recommended denial of the request on 06/24/04 and the Staff recommended denial on May 13, 2004.
07/21/04	The City Council approved a Variance (VAR-4590) to allow zero open space where 0.21 acres are required. The Planning Commission and staff recommended denial of the request on June 24, 2004.
07/21/04	The City Council approved, subject to amended conditions, a Rezoning (ZON-4219) from R-E (Residence Estates) to R-PD2 (Residential Planned Development – 2 Units Per Acre). The Planning Commission recommended approval of the request on June 24, 2004. Staff recommended denial on May 13, 2004.
07/21/04	The City Council approved, subject to amended conditions, a Site Development Plan Review (SDR-4222). The Planning Commission and staff recommended denial of the request on June 24, 2004.
10/07/04	The Planning Commission abeyed this item to the October 21, 2004 Planning Commission meeting to enable a request for a deviation in the requirement for a "knuckle" on Lawrence Powers Court to be processed.

B) Pre-Application Meeting

08/11/04 The staff met with the prospective applicant to address the subject proposal. Matters discussed included the following:

- A knuckle is needed on the sharp street bend.
- Plans need to be signed and stamped
- If perimeter walls are higher than eight feet, the walls will need to be terraced four feet.
- Single-family homes are to be placed on lots 4, 5, 7, 8, 9 and 13.
- Toga Way and Helena Avenue are to be constructed with rural street standards.
- A fee in lieu of provisions for open space needs to be submitted with the map (a variance in open space was granted).
- It must be disclosed to lot purchasers that animals may be located on adjacent properties.
- Question whether the dead-end street is less than 150 feet.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres:	5.23

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	DR (Desert Rural Density Residential)
North:	L (Low Density Residential)
South:	R-E (Rural Estates Residential)
East:	R-E (Rural Estates Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation] ROI: R-PD2 (Residential Planned Development - 2 Units Per Acre)
North:	R-1 (Single Family Residential District)
South:	R-E (Rural Estates Residential)
East:	R-PD5 (Residential Planned Development – 5 Units Per Acre)
West:	R-E (Rural Estates Residential)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with a DR (Desert Rural Density Residential) land use designation, which allows for single family homes on large lots, many including equestrian facilities. This rural environment allows up to two units per acre, as well as some noncommercial raising of domestic animals. The approved zoning district is R-PD2 (Residential Planned Development – 2 Units Per Acre) and is consistent with the DR 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

There are no Special Area Plans, Overlay Districts, 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-4222), the following Development Standards apply to the subject proposal:

Standards	**Provided**
Min. Lot Size	12,321 sq. ft.
Min. Lot Width	100 ft
Min. Setbacks • Front • Side • Corner • Rear	 20 ft 3 ft 3 ft 15 ft
Max. Lot Coverage	38.5%
Max. Building Height	2 stories or 35 ft, which ever is less
Trash Enclosure	N/A
Loading Zone	N/A
Mech. Equipment	Screened

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	
Parking Area	N/A	N/A	N/A
Buffer: • Min. Trees	1 Trees/ 30 Linear Feet	40 Trees	42 Trees
• Min. Zone Width	6 Feet		6 feet
• Wall height	6 Feet		Not Shown
• Shrubs	4- 1 gallon, 4-5 gallon per tree or 320 shrubs		220 shrubs

The proposal meets the requirements for landscaping except for the number of shrubs required per individual tree, which will be added pursuant to a condition of approval of the Site Development Plan.

Pursuant to Title 19.06, the following Open Space Standards, "Density (Units per Acre to the nearest 10th, x 1.65= the percentage of land that will be open space," apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
5.23 acres	2.49	1.65	4.1%	9,341 sf	0 %	0 sf

The proposal does not meet the requirement for open space; however, a Variance (VAR-4590) was granted to void the requirement for open space. In lieu of the provision of open space, the applicant is to pay a monies in lieu of Open Space, which is addressed as a condition of approval of the Site Development Plan.

B) General Analysis and Discussion

- General information

The proposed development is located at the southeast corner of Tioga Way and Craig Road, a Primary Arterial (100-foot wide) Street on the Master Plan of Streets and Highways. The 13-lot single-family subdivision, with lots ranging in size from 12,321 square feet up to 14,058 square feet, is to be gated with a single entrance from Pioneer Way. The single street in the subdivision is to be private.

The City Engineer granted a request for a deviation of standards for a "knuckle" at the turn on Lawrence Powers Court. The applicant added an additional five foot to the radius of the turn to ameliorate the sharp turn.

- Cross Section

The submitted cross sections depict maximum natural grade between 0% and 2% across this site. Per Table A of Subdivision Code 18.08.110, a development with natural slope between 0% to 2% is allowed a maximum 4-foot retaining wall. No retaining walls are shown, however a 4-foot floodwall is shown along the north boundary of this site adjacent to Craig Road that is separated from the screen wall with a 6-foot landscape buffer.

- Special Conditions of Approval (from ZON-4219 and SDR-4222)

Approved applications for Rezoning (ZON-4219) and Site Development Plan Review (SDR-4222) established Conditions of Approval for the proposed development. In addition to the standard conditions, the following special conditions were imposed:

1. A Rezoning (ZON-4219), Variance (VAR-4590), and Waiver (WVR-4596) approved by the City Council.

2. The standards for this development shall include the following: minimum lot size of 12,321 square feet, minimum distance between buildings of 6 feet, lot coverage shall not exceed 38.5%, and building height shall not exceed two stories or 35 feet, whichever is less.

3. The setbacks for this development shall be a minimum of 20 feet to the front of the house, 3 feet on the side, 3 feet on the corner side, and 15 feet in the rear.

4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum of four five-gallon and four 1-gallon shrubs for each tree within provided planters.

5. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4219 and all other subsequent site-related actions.

These conditions will be enforced through recommended conditions of this Tentative Map.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP-5081 APN: 138-03-302-001

Name of Property Owner: HORIZON HOMES, INC

Name of Applicant: HORIZON HOMES, 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 __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: Lawrence Powers

Subscribed and sworn before me

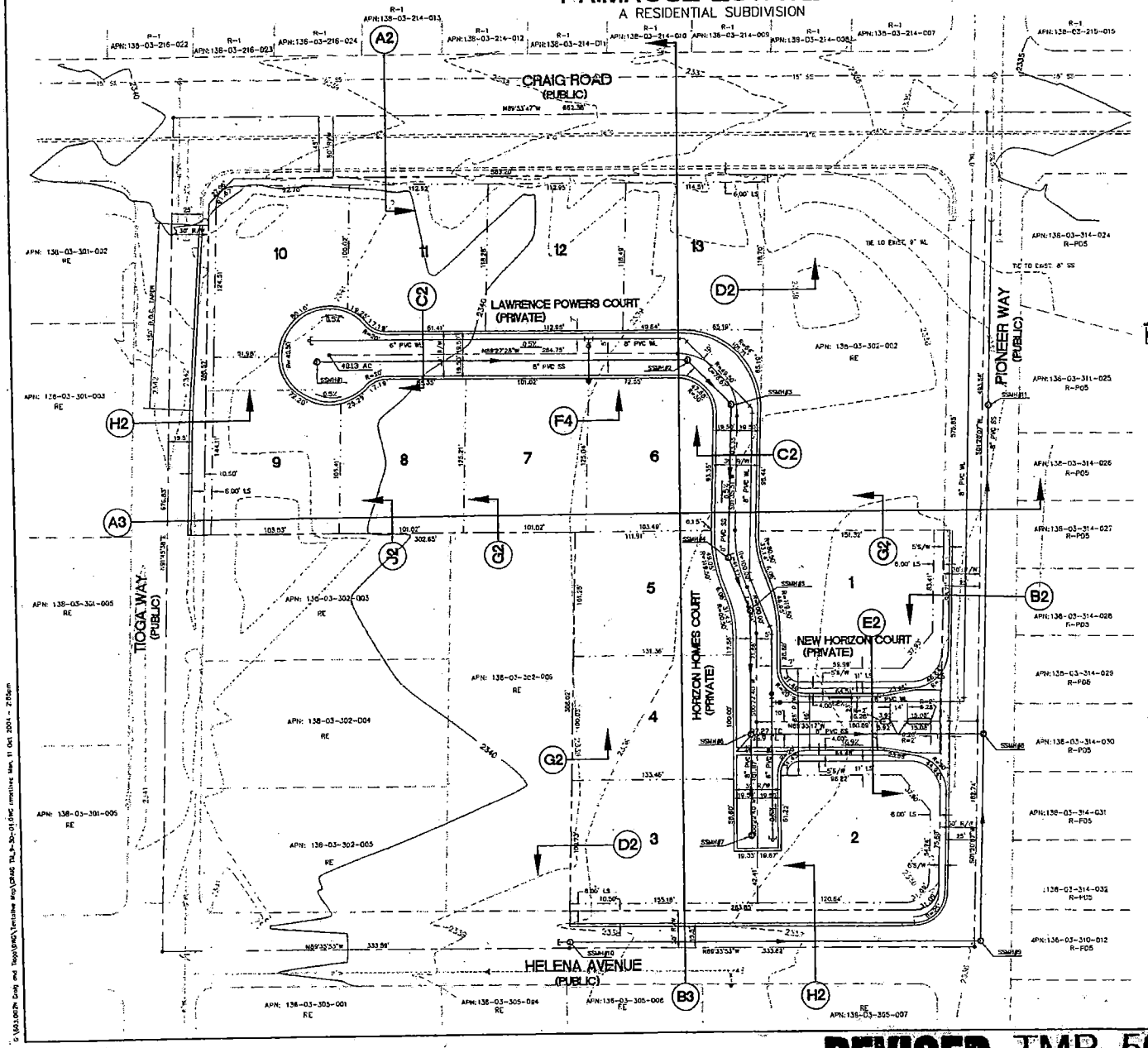
This 2nd day of AUGUST, 2004

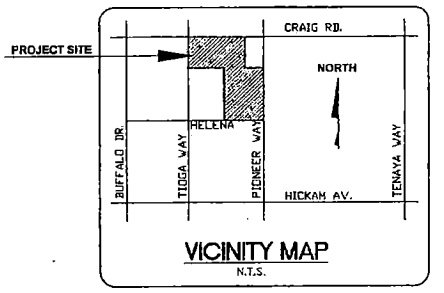
Marie E. Borkowski

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
MARIE E. BORKOWSKI
My Appointment Expires
February 17, 2005
No: 97-0442-1

TENTATIVE MAP
FOR
PRIMROSE ESTATES II
A RESIDENTIAL SUBDIVISION





VICINITY MAP
N.T.S.

NORTH

GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft.

OWNER
HORIZON HOMES, INC.
4465 S. BUFFALO DRIVE, #2
LAS VEGAS, NV. 89147
PHONE: (702) 367-2712
FAX: (702) 871-5863

DEVELOPER
HORIZON HOMES, INC.
4465 S. BUFFALO DRIVE, #2
LAS VEGAS, NV. 89147
PHONE: (702) 367-2712
FAX: (702) 871-5063

UTILITY SERVICES BY
LAS VEGAS VALLEY WATER DISTRICT
SEWER BY CITY OF LAS VEGAS
SWLER STATE DISPOSAL
NEVADA POWER COMPANY
SPRINT CENTRAL TELEPHONE COMPANY
SOUTHWEST GAS CORPORATION

BENCHMARK
6LV00.355
RIVET AND PLATE IN TOP OF CURB AT EAST SIDE OF TENAYA WAY 400'± FEET NORTH OF LARKVALE.

ELEVATION: 709.4097 METERS
(NAVD '88): 2327.45 FEET

BASIS OF BEARING
S00°26'14"W
BEING THE EAST LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 3, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.B.&M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN IN FILE 98, PAGE 37 OF PARCEL MAPS.

LEGAL DESCRIPTION
THE NORTHEAST QUARTER (NE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 3, TOWNSHIP 20 SOUTHE, RANGE 60 EAST, M.O.B. & M., CLARK COUNTY, NEVADA.

LEGEND
- 2295 — EXISTING CONTOURS
- EXISTING WATERLINE
- EXISTING SEWER LINE
- WATER LINE
- SEWER LINE W/MANHOLE
- UNIT BOUNDARY
- CENTERLINE
- FIRE HYDRANT

EST. SEWAGE CONTRIBUTION
AVERAGE FLOW: 0.00226 M.G.D.
PEAK FLOW: 0.00796 M.G.D.

REVISIONS
ACTION:
APPROVAL BY C.L.V. PLANNING COMMISSION
DATE:

SETBACKS
SINGLE FAMILY HOUSES
FRONT: 20 FEET
SIDE: 5 FEET
CORNER SIDE: 5 FEET
REAR: 15 FEET

SITE DATA

AREA:	5.23 AC (GROSS)
EXISTING ZONING:	RPD-2
NUMBER OF UNITS:	13
DENSITY (GROSS):	2.49 DU/AC
OPEN SPACE PROVD:	11,903 SF
AREA:	4.95 AC (NET)

APN NUMBER
138-03-302-001

PROJ NO: 603.002N
DESIGN: DY/RTM
DRAWN: DY/AC
DATE: 10/11/04
SCALE: AS SHOWN
P.M.: DY/AC

DENNIS L. ATWOOD
EXP. 12/31/04
CIVIL
STATE OF NEVADA
PROFESSIONAL ENGINEER

STAMP DATE: _____

TRC
Customer-Focused Solutions
BY Engineering Nevada
8336 W. SUNSET ROAD
Suite 160
Las Vegas, NV 89113
Tel: 702-450-4572
Fax: 702-450-4573
Web: trcsolutions.com

OWNER/DEVELOPER
HORIZON HOMES, INC.
4465 S. BUFFALO DRIVE, #2
LAS VEGAS, NEVADA 89147
PHONE: (702) 367-2712
FAX: (702) 871-5863

PRIMROSE ESTATES II
TENTATIVE MAP
COVER SHEET

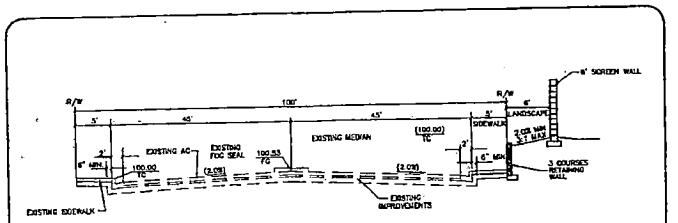
SHEET
1
OF 3 SHTS

REVISED
10.12.04

TMP-5081
10-21-04 PC

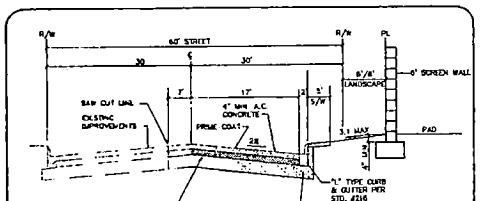
RECEIVED
OCT 12 2004

TENTATIVE MAP
FOR
PRIMROSE ESTATES II
A RESIDENTIAL SUBDIVISION



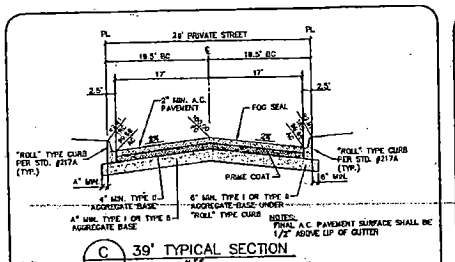
A/2 100' TYPICAL SECTION N.T.S.

CRAIG ROAD



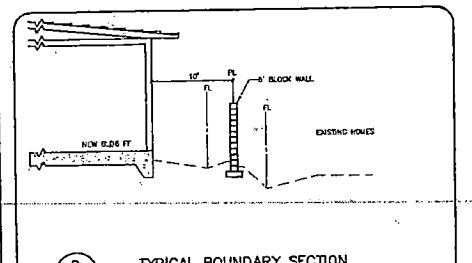
B/2 SECTION N.T.S.

PIONEER WAY

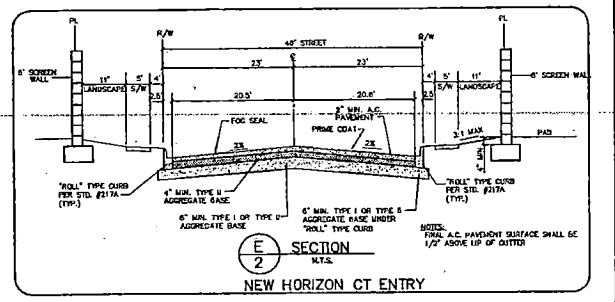


C/2 39' TYPICAL SECTION N.T.S.

LAWRENCE POWERS AND HORIZON HOMES CT

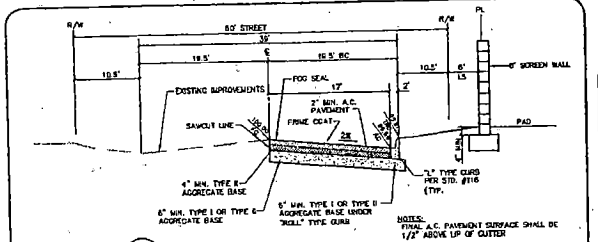


D/2 TYPICAL BOUNDARY SECTION N.T.S.



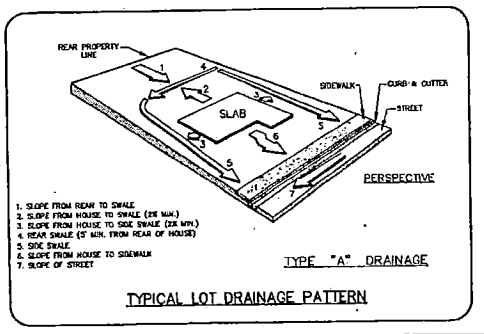
E/2 SECTION N.T.S.

NEW HORIZON CT ENTRY



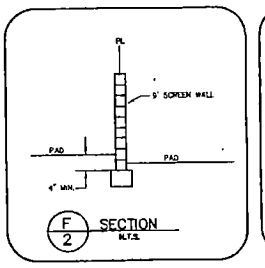
H/2 39' TYPICAL RURAL SECTION N.T.S.

TIOGA WAY AND HELENA AVE

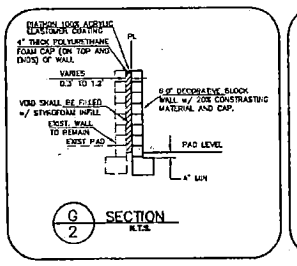


TYPE "A" DRAINAGE

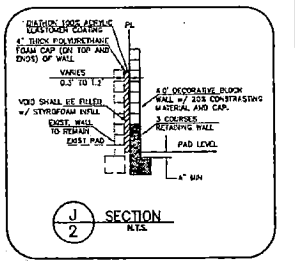
TYPICAL LOT DRAINAGE PATTERN



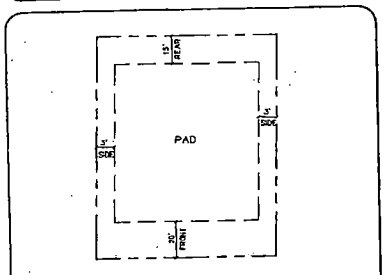
F/2 SECTION N.T.S.



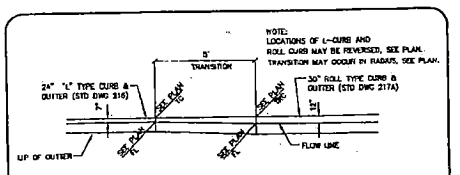
G/2 SECTION N.T.S.



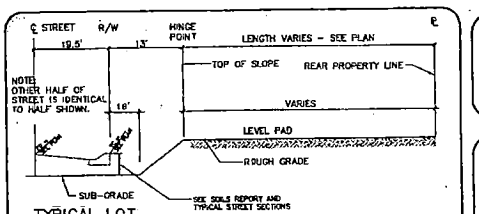
J/2 SECTION N.T.S.



TYPICAL LOT SETBACK DETAIL N.T.S.



TYPICAL CURB TRANSITION DETAIL N.T.S.



TYPICAL LOT ROUGH GRADE SECTION N.T.S.

BENCHMARK

GLVD0338
RIVET AND PLATE IN TOP OF CURB AT EAST SIDE OF TENAYA WAY 400'± FEET NORTH OF LARKVALE.

ELEVATION: 708.4087 METERS (NAVD 88); 2327.45 FEET

BASIS OF BEARING

S00°36'18"W
BEING THE EAST LINE OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 2, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.B.&M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN IN FILE 68, PAGE 37 OF PARCEL MAPS.

DISCLAIMER NOTE

Call before you Dig 1-800-227-2600

Call before you Overhead 1-702-227-2929

Call before you UnderGround 1-702-455-7511 1-800-918-8686

UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE ONLY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UNDERGROUND OR OVERHEAD UTILITIES PRIOR TO COMMENCING CONSTRUCTION. NO REPRESENTATION IS MADE THAT ALL EXISTING UTILITIES ARE SHOWN HEREON. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN OR UTILITIES NOT SHOWN IN THEIR PROPER LOCATION.

REVISED 10.12.04

TMP-5081
10/21/04 PC

RECEIVED
OCT 12 2004

DESCRIPTION | BY | DATE

PROJ NO: 883.002N
DESIGN: DT/BTH
DATE: 10/11/04
SCALE: AS SHOWN
File: 01/10

DENIS L. ATWOOD EXP. 12/31/04 CIVIL — No. 8713 — STATE OF NEVADA — PROFESSIONAL ENGINEER

STAMP DATE:

TRC — Customer Focused Solutions
8345 W. SUNSET ROAD Suite 150 LAS VEGAS, NV 89113
Tel: 702-450-6572 Fax: 702-307-4222 Web: trcsolutions.com
BV Engineering Nevada

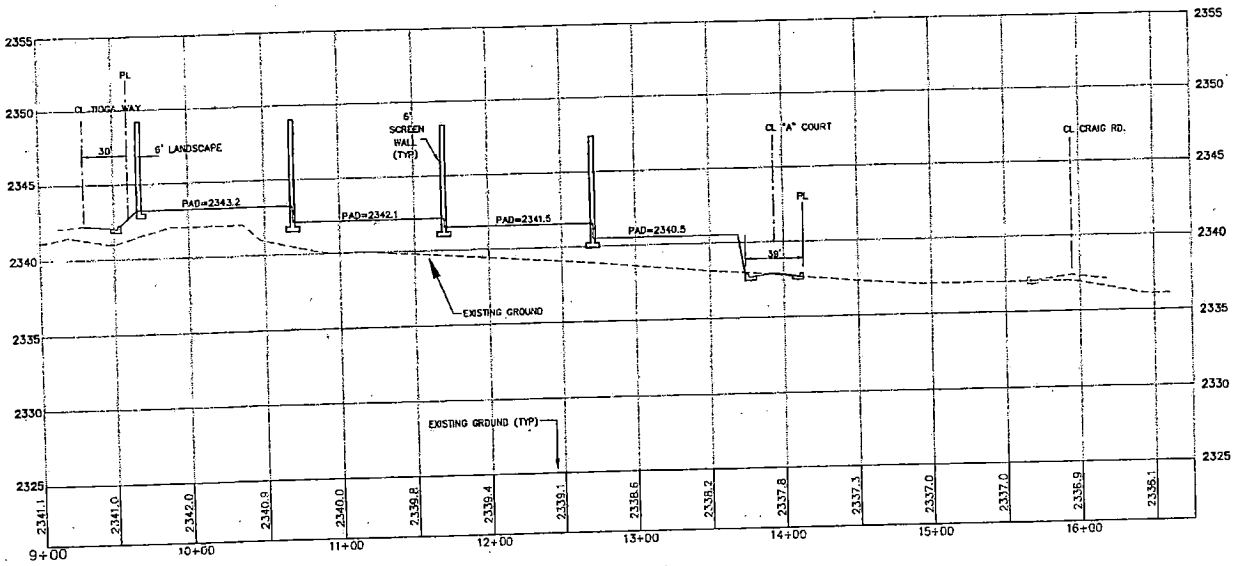
OWNER/DEVELOPER
HORTON HOMES, INC.
4485 S. BUFFALO DRIVE, #3
LAS VEGAS, NEVADA 89147
(702) 227-7777
FAX: (702) 871-4483

PRIMROSE ESTATES II
TENTATIVE MAP
SECTIONS AND DETAILS

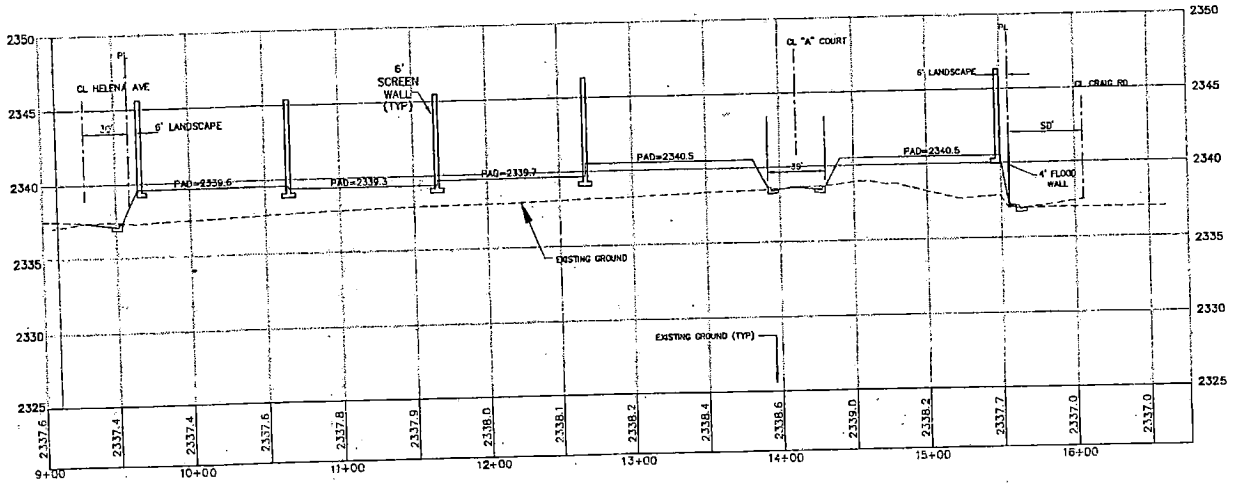
SHEET 2 OF 3 SHTS

G:\883.002N Craig and Tenaya\Civil\tentative map\CRAIG TM_3-30-04.dwg modified Mon, 11 Oct 2004 - 2:05pm

TENTATIVE MAP
FOR
PRIMROSE ESTATES II
A RESIDENTIAL SUBDIVISION



SECTION A
SCALE: 1"=40' HORIZ.
SCALE: 1"=4' VERT.



SECTION B
SCALE: 1"=40' HORIZ.
SCALE: 1"=4' VERT.

BENCHMARK

BLM00358
RIVET AND PLATE IN TOP OF CURB AT EAST SIDE OF TENAYA WAY 400'± FEET NORTH OF LARKVALE.

ELEVATION: 709.4897 METERS
(NAVD 88): 2327.43 FEET

BASIS OF BEARING

S00°36'14"W
BEING THE EAST LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 2, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.B.&M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN IN FILE 98, PAGE 37 OF PARCEL MAPS.

DISCLAIMER NOTE

Call before you Dig 1-800-227-2600
Call before you Overhead 1-702-227-2929
Call before you UnderGround 1-702-455-7511 1-702-385-7565

UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE ONLY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UNDERGROUND OR OVERHEAD UTILITIES PRIOR TO COMMENCING CONSTRUCTION. NO REPRESENTATION IS MADE THAT ALL EXISTING UTILITIES ARE SHOWN HEREON. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN OR UTILITIES NOT SHOWN IN THEIR PROPER LOCATION.

TMP-5081
10/21/04 PC

REVISED
10.12.04

RECEIVED
OCT 12 2004

PROJ NO: 603.00SN
DESIGN: BY/RTM
DATE: 10/11/04
SCALE: AS SHOWN
PM: DY/AG

DENIS L. ATWOOD
EXP. 12/31/04
CIVIL
No. 6713
STATE OF NEVADA
PROFESSIONAL ENGINEER

STAMP DATE:

TRC
Customer-Focused Solutions
BV Engineering Nevada
6385 W. SUNSET ROAD
Suite 103 LAS VEGAS, NV 89113
Tel: 702-650-6572
Fax: 702-307-1222
Web: trcsolutions.com

OWNER/DEVELOPER
HORIZON HOMES, INC.
4465 S. BUFFALO DRIVE, #2
LAS VEGAS, NEVADA 89147
PHONE: (702) 387-2911
FAX: (702) 871-3883

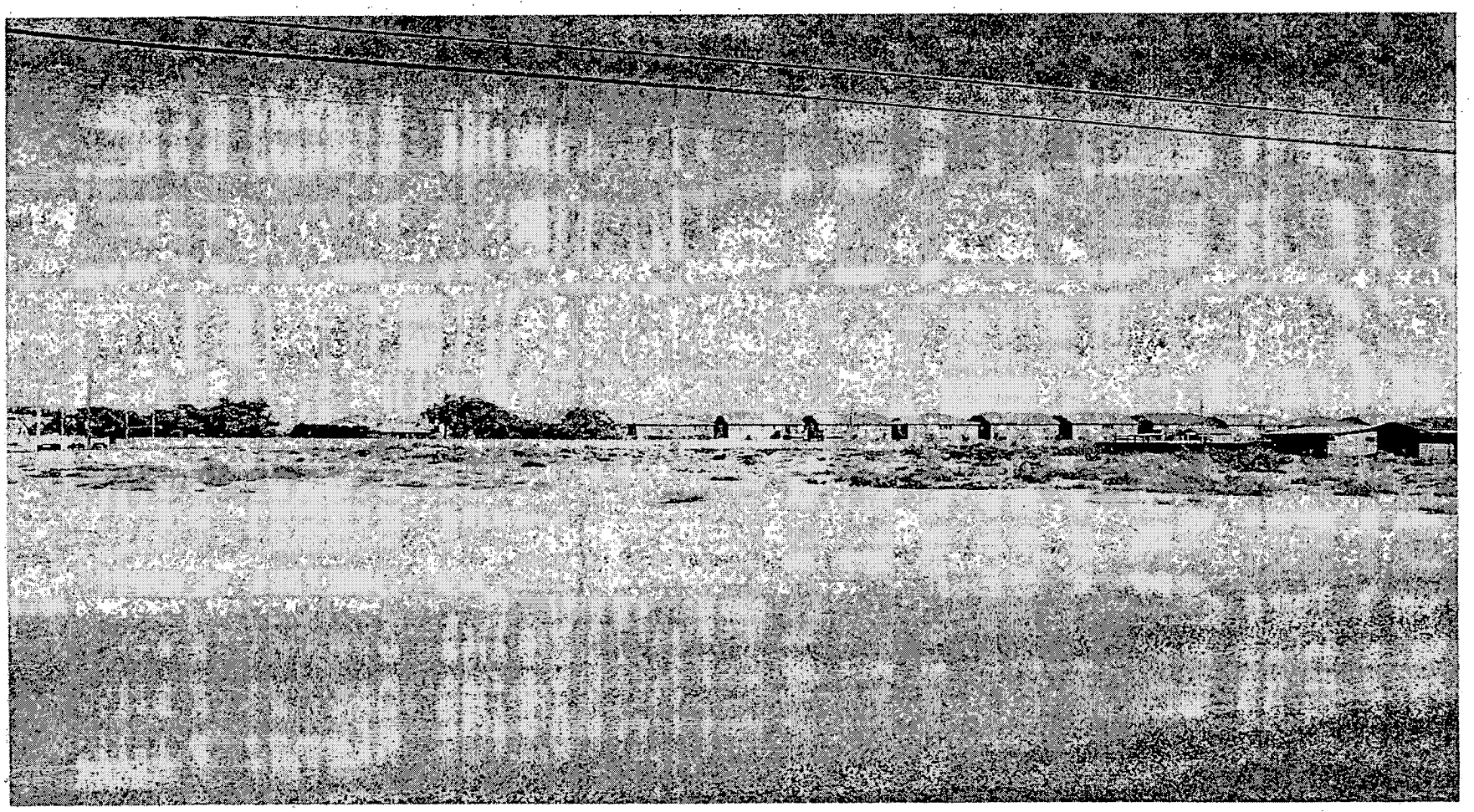
PRIMROSE ESTATES II
TENTATIVE MAP
PROFILES

SHEET
3
OF 3 SHTS

G:\603.00SN Doug and Tony\DWG\Tentative Map\CIVIL\TM-5a_8-30-04.DWG xrefs:Survey Mon, 11 Oct 2004 - 2:04pm

TMP-5081 - PRIMROSE ESTATES II - APPLICANT/OWNER: HORIZON HOMES, INC.
SOUTHEAST CORNER OF CRAIG ROAD AND TIOGA WAY
OCTOBER 21, 2004 PLANNING COMMISSION

09/17/04



TMP-5081 - PRIMROSE ESTATES II - APPLICANT/OWNER: HORIZON HOMES, INC.
SOUTHEAST CORNER OF CRAIG ROAD AND TIOGA WAY
OCTOBER 21, 2004 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No.: 2

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:
TMP-5186 - TENTATIVE MAP – LIBERTY TOWER - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: HARVARD SECURITIES, INC., A NEVADA CORPORATION - Request for a Tentative Map FOR A PROPOSED 17 LOT MIXED USE SUBDIVISION on 0.68 acres at 1801 Las Vegas Boulevard South (APN 162-03-310-006), C-2 (General Commercial) Zone, Ward 3 (Reese).

P.C.: FINAL ACTION

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED subject to conditions Consent Item 1 [TMP-5081], Item 2 [TMP-5186] and Item 4 [ANX-5163] – UNANIMOUS with McSWAIN abstaining on Item 4 as her company is doing work for Focus Group who is involved in the project

This is Final Action

MINUTES:
CHAIRMAN TRUESDELL stated this is a Consent item.

(6:20 – 6:21)

CONDITIONS – Continued:

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 included in 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 Site Development Review (SDR-4512).

3. 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.

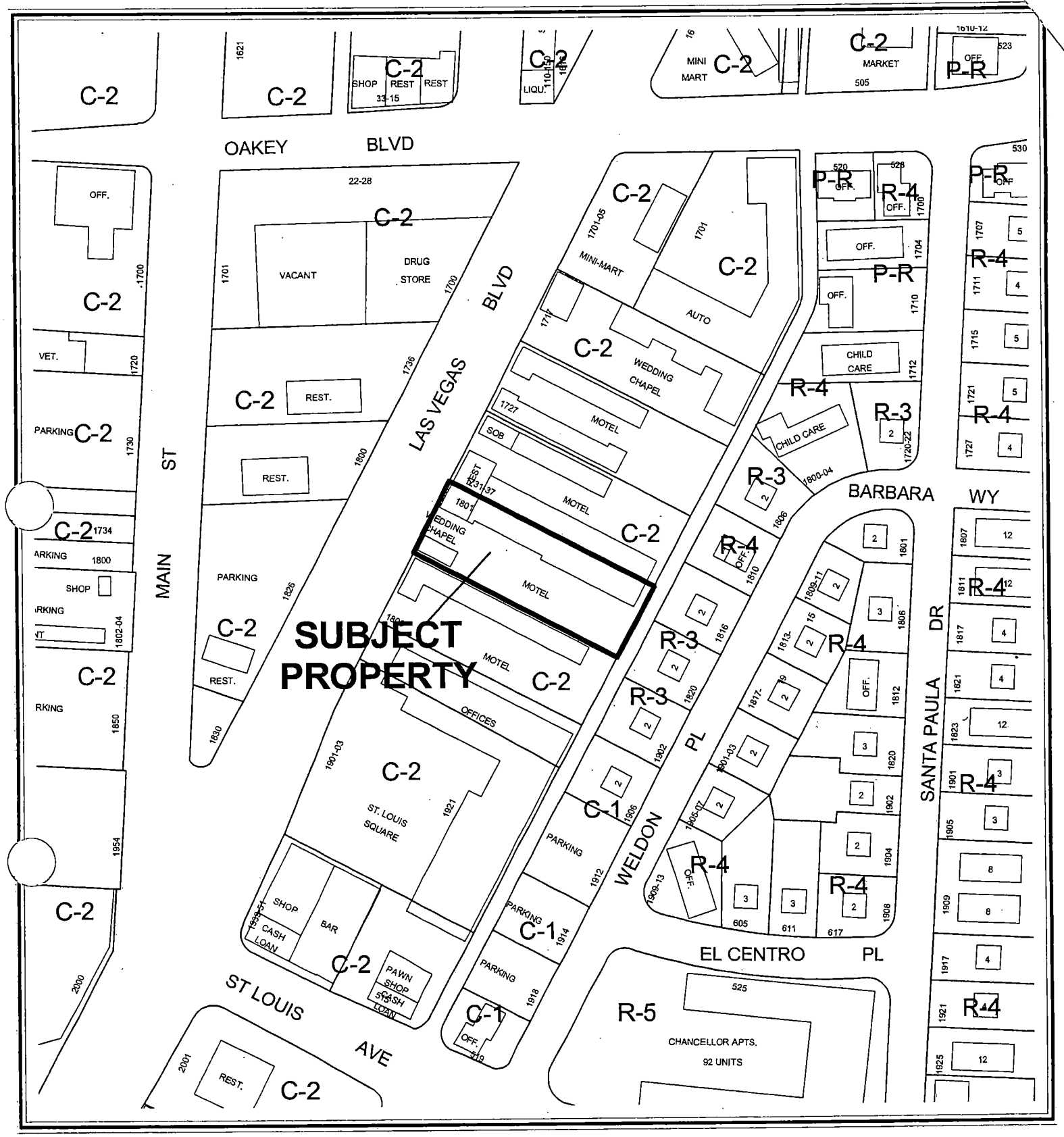
4. The development shall comply with all City codes and State subdivision statutes.

Public Works

5. Construct a new sewer main from this site in Las Vegas Boulevard or in the alley from this site to Oakey Boulevard. 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.

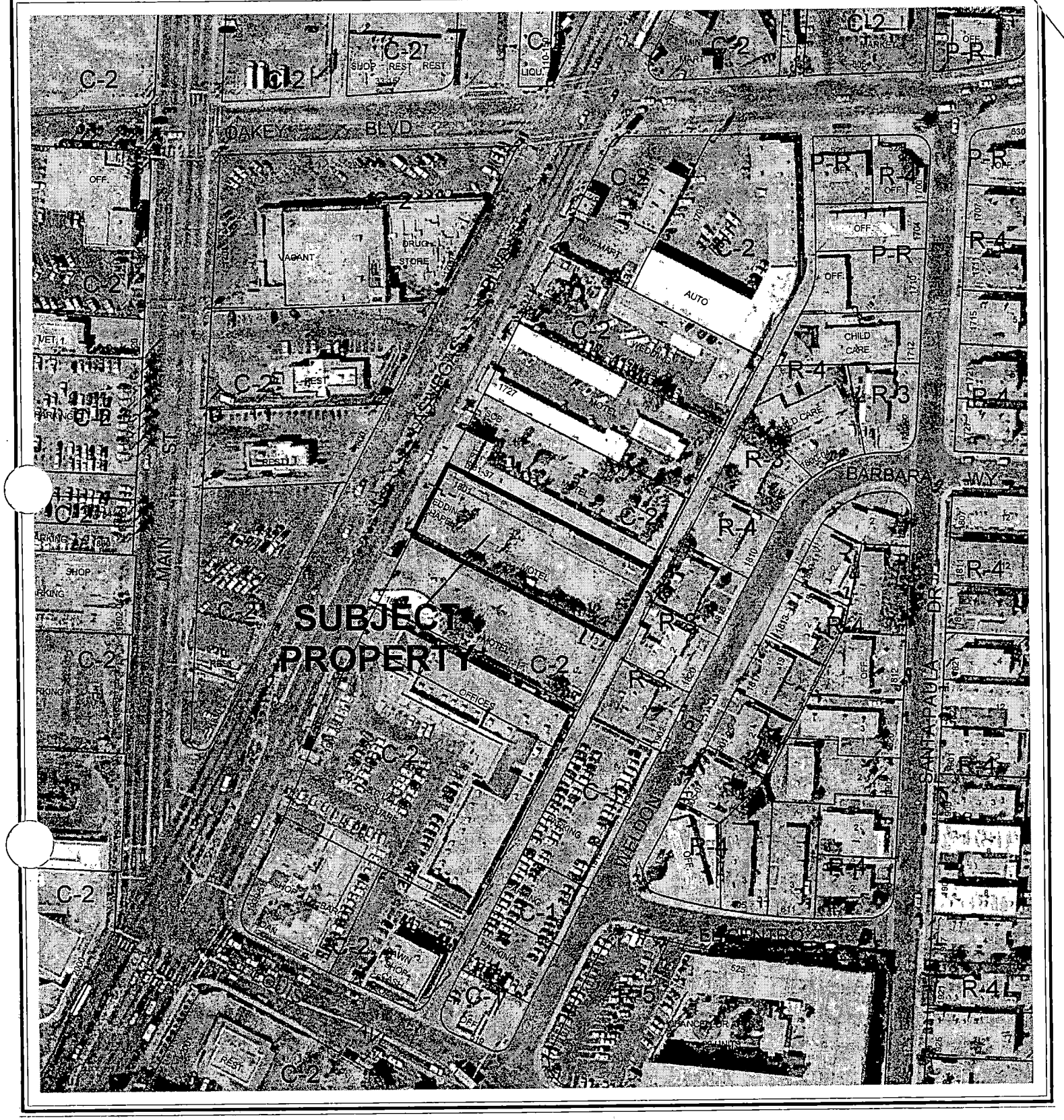
6. Site development to comply with all applicable conditions of approval for SDR-4512 and all other subsequent site-related actions.

7. 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.



CASE: TMP-5186

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



0 100 200 Feet

CASE: TMP-5186

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TMP-5186 - LIBERTY TOWER - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: HARVARD SECURITIES, INC., A NEVADA CORPORATION

** 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 included in the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for approval of a Tentative Map for a proposed 17-lot mixed-use subdivision on 0.68 acres at 1801 Las Vegas Boulevard South.

B) Applicant's Justification

A justification letter is not required for a Tentative Map submittal.

BACKGROUND INFORMATION

A) Previous Actions

05/01/96	The City Council accepted the Withdrawal Without Prejudice of a request for a Variance (V-0025-96) to allow 50 parking spaces where 59 spaces are required for a restaurant/tavern. The Board of Zoning Adjustment and staff recommended denial on 03/26/96.
05/01/96	The City Council accepted the Withdrawal Without Prejudice of a request for a Special Use (U-0015-96) for a Tavern and for a Waiver of the 1500-foot separation requirement from similar establishments and from a Child Care Facility. The Board of Zoning Adjustment and staff recommended denial on 03/26/96.
06/07/00	The City Council approved a Site Development Plan (SD-0020-00) to add a 1,152 square-foot restaurant to a motel. The Planning Commission and staff recommended approval on 04/27/00.
08/04/04	The City Council approved a request for a Special Use Permit (SUP-4515) for a proposed Mixed-Use development (Liberty Tower) and a Site Development Plan Review (SDR-4512) on the subject site. The Planning Commission and staff recommended approval on 07/08/04.

B) Pre-Application Meeting

08/26/04 The staff met with the prospective applicant to review a Tentative Map for condominium units in a proposed high-rise building. A total of 20 lots plus common lots were proposed for both residential and commercial development. The parking lots are to be mapped as common lots. It was indicated that no perimeter walls are proposed, as the building will be situated on the property lines. The City Engineer must approve any driveways that access Las Vegas Boulevard.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.68

B) Existing Land Use

Subject Property:	Motel and Wedding Chapel
North:	Motel, Restaurant
	Sexually Oriented Business
South:	Motel
East:	Duplex
West:	Restaurant
	Parking Area

C) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial)
South:	C-2 (General Commercial)
East:	R-3 (Medium Density Residential)
West:	C-2 (General Commercial)

D) General Plan Compliance

The Downtown Redevelopment Area map identifies the subject property as C (Commercial). This designation allows uses normally designated Office, Service Commercial, and General Commercial in the General Plan. The existing C-2 (General Commercial) zoning classification of the property conforms to the General Commercial and thus the Commercial land use designation.

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

The property is also located in several special districts, including the Northern Strip of the Downtown Centennial Plan and in the Redevelopment Plan area. A Special Use Permit and Site Development Plan Review were granted for a proposed mixed-use development within the Downtown Redevelopment Area-Commercial land use classification, the Northern Strip of the Downtown Centennial Plan, the Redevelopment Plan area, and in the C-2 (General Commercial) zoning district.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, properties within the Downtown Overlay District are exempt from the automatic application of the mandatory maximum building height, required building setback, and maximum lot coverage provisions. However, the exemption does not prohibit the imposition of limitations on the approval of a Site Development Plan. The following Development Standards (from SDR-4512) are provided:

Standards	Approved	Provided	Compliance
Min. Setbacks			
• Front	0 Feet	0 Feet	Y
• Side	0 Feet	0 Feet	Y
• Rear	0 Feet	0 Feet	Y
Max. Lot Coverage	Up to 100%	93%	Y
Max. Building Height	None	275 feet	Y
Max. Density	197 du/ac	192.6 du/ac	Y
Number of Units	134	131	Y

The proposed structure will generally comply with the development requirements of the Downtown Centennial Plan. While the first floor commercial space is not located directly at the front property line, a covered outdoor dining area is provided adjacent to the public sidewalk and appropriately substitutes for the building frontage requirement.

B) General Analysis and Discussion

- General information

This Tentative Map is for a project that includes the construction of a 275-foot high Mixed Use development within the Downtown Overlay District. The map depicts a 21-story building with 116 residential apartment units and 15 residential condominium units on the upper 14 floors; five levels of parking and one "amenity" floor on the second through seventh floors; and nonresidential uses, including a café, located at ground level. Seventeen lots are proposed in the subdivision, consisting of 15 condominium lots, one apartment lot, and one commercial lot. Access to the development is from northbound Las Vegas Boulevard.

- Cross Section

No grading plan was provided with this Tentative Map; however, no perimeter walls are proposed for the site.

- Special Conditions of Approval (from SDR-4512)

In addition to the Conditions of Approval for a Tentative Map generally, the following special conditions were indicated:

- The waiver for the reduced sidewalk width on Las Vegas Boulevard is approved, in order to allow a 10-foot wide sidewalk. The palm trees shall be located in a five-foot amenity zone with tree grates immediately behind the curb in accordance with the Downtown Centennial Plan.
- The waiver from the Downtown Centennial Plan requirement for building step backs at the 4th, 11th, and 18th stories is approved, based on the level of façade articulation detailed in the submitted elevations.
- All signage shall be in conformance with the requirements of Title 19.14 and the Las Vegas Boulevard Scenic Byway Overlay District.

Compliance with these conditions are addressed as a condition of approval of this item.

DDS/SS

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

DDS/SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP-5186 APN: 162-03-310-006

Name of Property Owner: Harvard Securities, Inc

Name of Applicant: Joseph De Mauro

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

_____ Yes ____✓____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Joseph DeMauro

Subscribed and sworn before me

This 24th day of August, 2004

[signature] Clark, NV

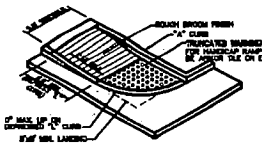
Notary Public in and for said County and State

MEGAN D. IRWIT
Notary Public State of Nevada
No. 01-70550-1
My appt. exp. Aug. 13, 2005

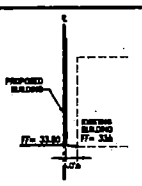
TENTATIVE MAP
FOR
LIBERTY TOWER

1601 S. LAS VEGAS BOULEVARD

A 21 STORY MIXED-USE DEVELOPMENT
CONTAINING 118 APARTMENT UNITS,
15 CONDOMINIUM UNITS AND
2,200 SQUARE FEET RETAIL SPACE



DETAIL 1 - SIDEWALK RAMP
N.T.S.



SECTION A
N.T.S.

SECTION B
N.T.S.

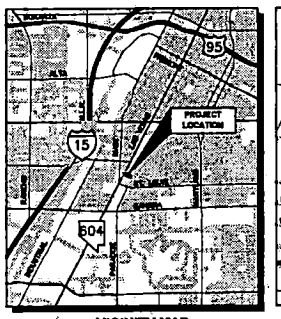
SECTION C
N.T.S.

SECTION D
N.T.S.

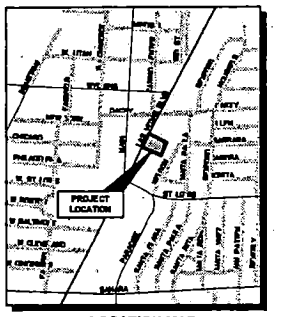
NORTH

GRAPHIC SCALE

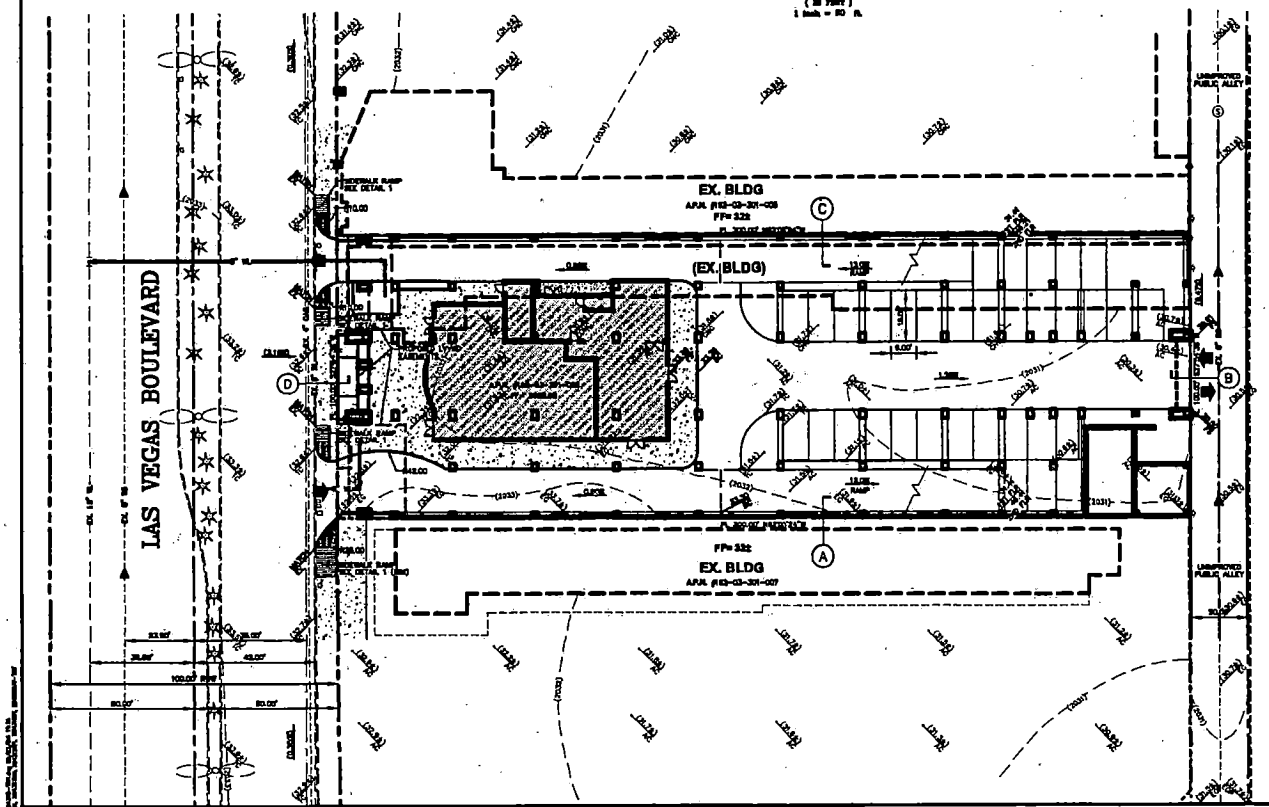
(20 FEET)
1 inch = 20 ft.



VICINITY MAP
N.T.S.



LOCATION MAP
N.T.S.



NOTES

1. THERE ARE NO KNOWN PROPOSED RESERVATIONS FOR PARKS, SCHOOLS, OR OTHER PUBLIC OR QUASI-PUBLIC USES.
2. THERE ARE NO KNOWN EXISTING OR PROPOSED STORM DRAINS.
3. THERE ARE NO KNOWN EXISTING OR PROPOSED IRRIGATION OR DRAINAGE RIGHTS-OF-WAY OR EASEMENTS.
4. THERE ARE NO KNOWN EXISTING UTILITY EASEMENTS.
5. 0 FEET BUILDING SETBACKS ALL SIDES.

OWNER/DEVELOPER

MR. JOSEPH DE MAIELI
HARVARD EQUITIES, INC.
1318 EAST FLAMINGO AVENUE, SUITE #38
LAS VEGAS, NEVADA 89119
(702) 947-0857

SITE DATA

A.P.N. # 162-03-310-008
GROSS AREA: 0.65 ACRE
NET AREA: 0.59 ACRE
EXISTING ZONING: GENERAL COMMERCIAL DISTRICT (C-1)

LOT DATA

15 CONDOMINIUM LOTS
1 RETAIL LOT
1 APARTMENT LOT
17 TOTAL LOTS + COMMON LOT

PARKING COUNT AND DIMENSIONS

133 REGULAR (9'x18')
19 TANDEM (9'x18')
35 COMPACT (8'x16')
18 HANDICAP (9'x18')

UTILITIES AND SERVICES

WATER SERVICE: LVVWD
SEWER SERVICE: CLARK COUNTY WATER RECLAMATION DISTRICT
POWER: NEVADA POWER
GAS: SOUTHWEST GAS
TELEPHONE: SPRINT

ESTIMATED AVERAGE DAILY SEWAGE FLOW: 28,000 GPD
ESTIMATED PEAK DAILY SEWAGE FLOW: 124,000 GPD

LEGAL DESCRIPTION

A PORTION OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 61 EAST, CITY OF LAS VEGAS, CLARK COUNTY NEVADA, M.D.B.

DEVIATIONS FROM STANDARDS

C.C.A.M.S.D. 222 FOR MODIFIED SIDEWALK RAMP.

C.C.A.M.S.D. 222A FOR 15' RADIUS CURB RETURN ON 3 NONTHERLY CURB RETURNS.

BENCHMARK:

CLARK COUNTY BENCHMARK (ST LOUIS # 3.

RIVET & TAG IN TOP OF CURB AT THE SOUTHEAST CORNER OF LAS VEGAS BLVD. AND ST. LOUIS AVE.

ELEVATION = 618.91 METERS, 2030.83 FEET (NAVD 88).

BASIS OF BEARINGS:

NORTH 27°04'06" EAST, BEING THE CENTERLINE OF LAS VEGAS BLVD. AS SHOWN PLAT OF SOUTH FIFTH STREET TRACT, RECORDED IN BOOK 3 OF PLATS, AT PAGE 72, CLARK COUNTY, RECORDER.

Call before you Underground 1-702-455-7511
Call before you OVERHEAD 1-702-229-6811
Call before you Dig 1-702-593-6111 1-800-227-2600

REVISIONS			
REV.	DESCRIPTION	DATE	BY

PRELIMINARY
NOT FOR CONSTRUCTION

NORTH

DO NOT SCALE DRAWINGS

REGISTERED PROFESSIONAL ENGINEER
STATE OF NEVADA
No. 9352
MARGIE DE LAURELL
CIVIL
EXPIRES 12-31-04

Nevada By Design
ENGINEERING CONSULTANTS
3991 East Flamingo Road, Suite E
Las Vegas, NV 89121
Phone: (702) 436-1332
Fax: (702) 436-1335
www.NVbydesign.com

JBA ARCHITECTURE STUDIOS
1130 SOUTH RANCHO DRIVE, SUITE 1
LAS VEGAS, NEVADA 89102
(702) 384-1044 FAX (702) 384-1045

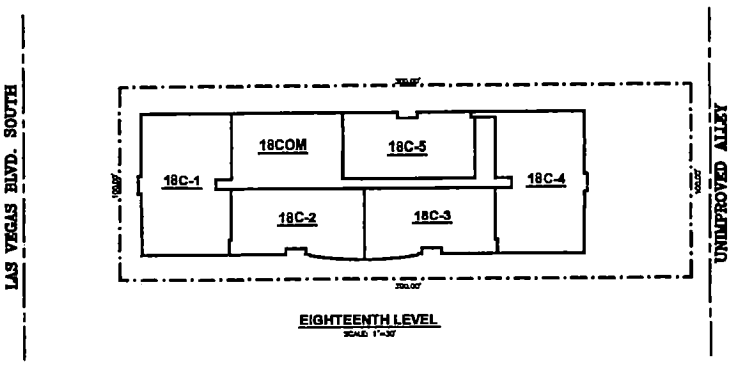
10/03/04
AS NOTED
TENTATIVE MAP
DATE
SCALE
SHEET TITLE

LIBERTY TOWER
1601 S. LAS VEGAS BOULEVARD
LAS VEGAS NV. 89104

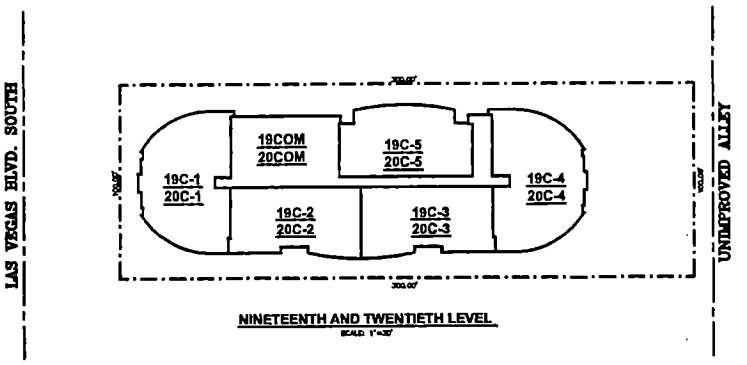
TENTATIVE MAP

SHEET NO.
TM-1
SHEET 1 of 1

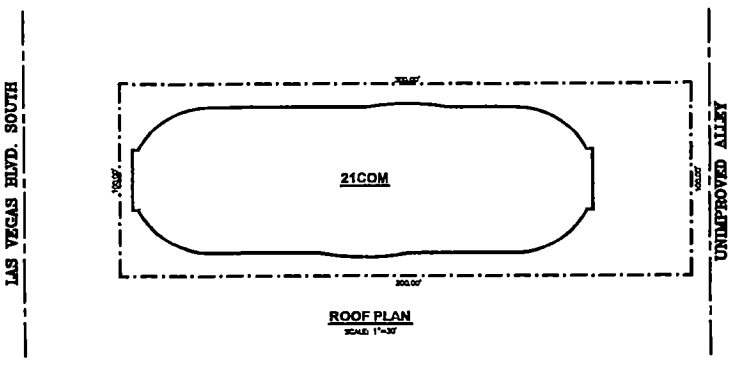
TMP-5186
10/21/04 PC



EIGHTEENTH LEVEL
SCALE: 1"=30'



NINETEENTH AND TWENTIETH LEVEL
SCALE: 1"=30'

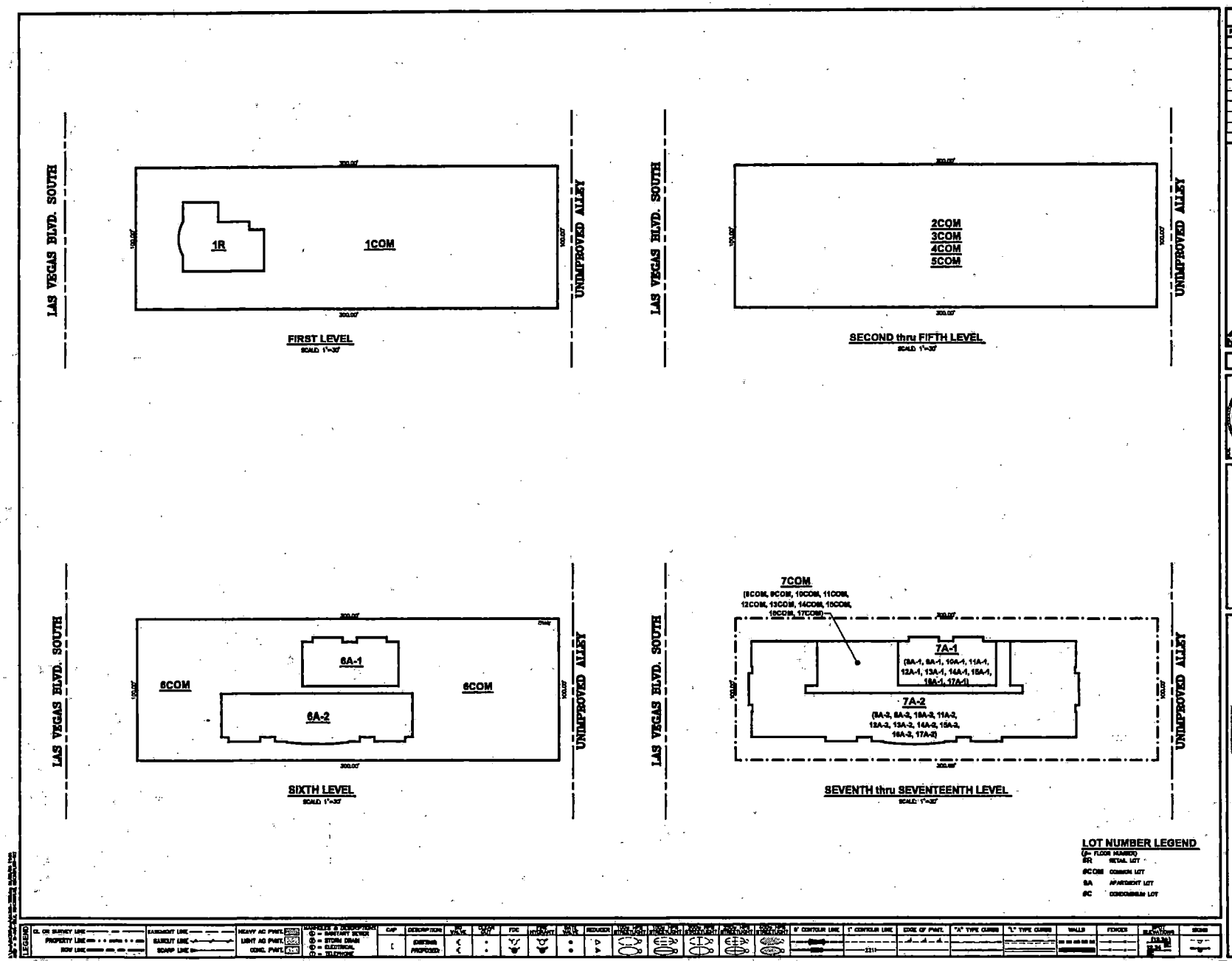


ROOF PLAN
SCALE: 1"=30'

LOT NUMBER LEGEND
(# = FLOOR NUMBER)
#RL RETAIL LOT
#COM COMMON LOT
#A APARTMENT LOT
#C CONDOMINIUM LOT

LEGEND

| | | |



REVISIONS

REV.	DESCRIPTION	DATE	BY

PRELIMINARY
NOT FOR CONSTRUCTION

NORTH

DO NOT SCALE DRAWINGS

STATE OF NEVADA — MARGIE DE LAURELL — No. 9330 — 12-31-04 — CIVIL

10/13/04

Nevada By Design

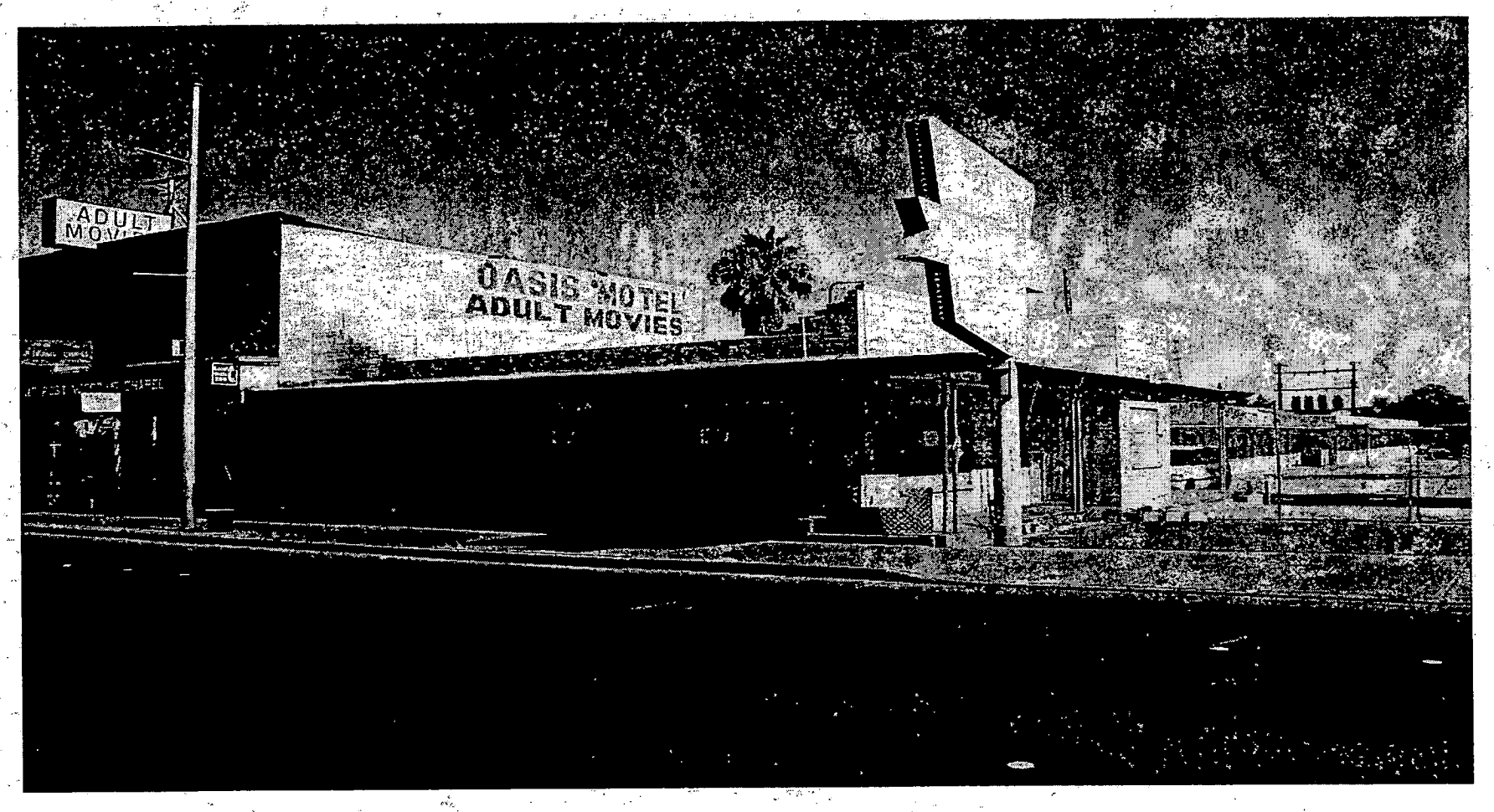
JMA ARCHITECTURE STUDIOS

LIBERTY TOWER
1801 S. LAS VEGAS BOULEVARD
LAS VEGAS NV. 89104

FIRST thru SEVENTEENTH LEVEL

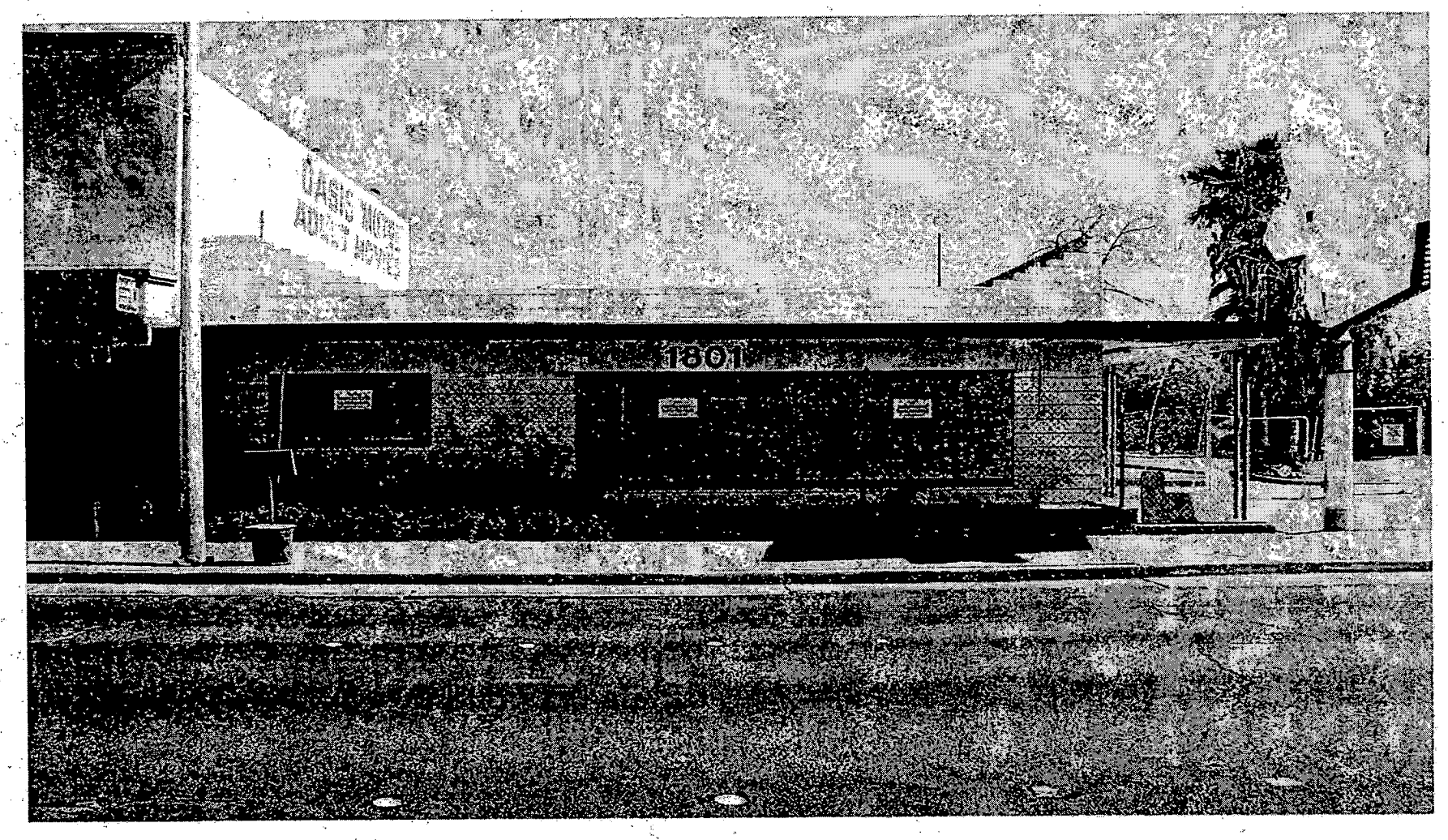
TM-2

TMP-5186
10/21/04 PC



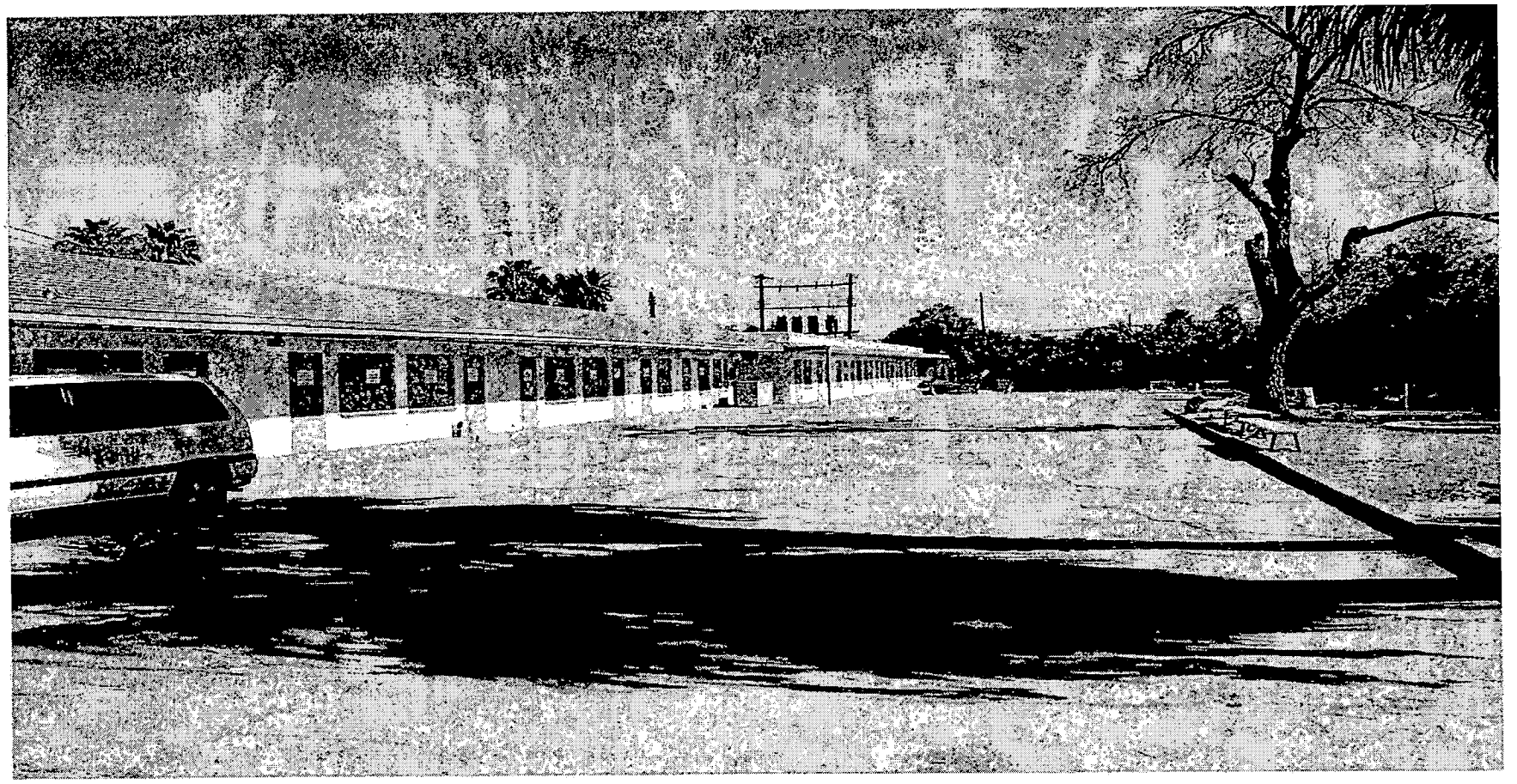
TMP-5186 - TENTATIVE MAP - LIBERTY TOWER - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: HARVARD SECURITIES, INC., A NEVADA CORPORATION
1801 LAS VEGAS BOULEVARD SOUTH
OCTOBER 21, 2004 PLANNING COMMISSION

10/06/04



TMP-5186 - TENTATIVE MAP - LIBERTY TOWER - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: HARVARD SECURITIES, INC., A NEVADA CORPORATION
1801 LAS VEGAS BOULEVARD SOUTH
OCTOBER 21, 2004 PLANNING COMMISSION

10/06/04



TMP-5186 - TENTATIVE MAP - LIBERTY TOWER - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: HARVARD SECURITIES, INC., A NEVADA CORPORATION
1801 LAS VEGAS BOULEVARD SOUTH
OCTOBER 21, 2004 PLANNING COMMISSION

10/06/04

City of Las Vegas

Agenda Item No.: 3

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:
TMP-5188 - TENTATIVE MAP - TAMARINDO PROFESSIONAL PARC (A COMMERCIAL SUBDIVISION) - APPLICANT: CW GROUP - OWNER: FORT APACHE/CHEYENNE HOLDINGS, LLC - Request for a Tentative Map FOR A ONE LOT COMMERCIAL SUBDIVISION on 2.0 acres on the west side of Fort Apache Road, approximately 380 feet north of Cheyenne Avenue (APN 138-07-801-010), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to O (Office), Ward 4 (Brown).

P.C.: FINAL ACTION

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
4. Location Map
5. Conditions For This Application
6. 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.

City of Las Vegas **Agenda Item No.: 3**

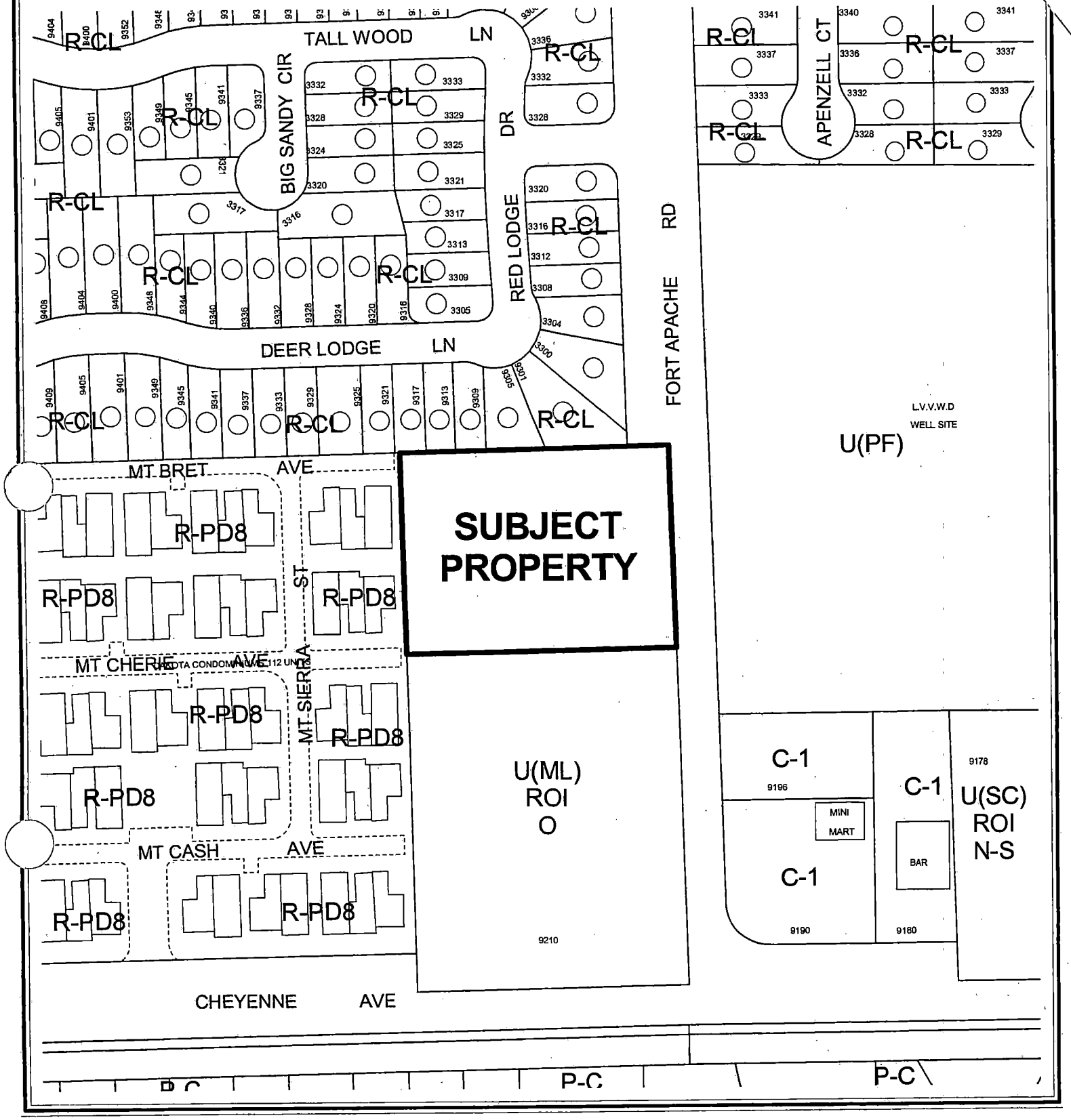
PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 3 – TMP-5188

MINUTES:

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

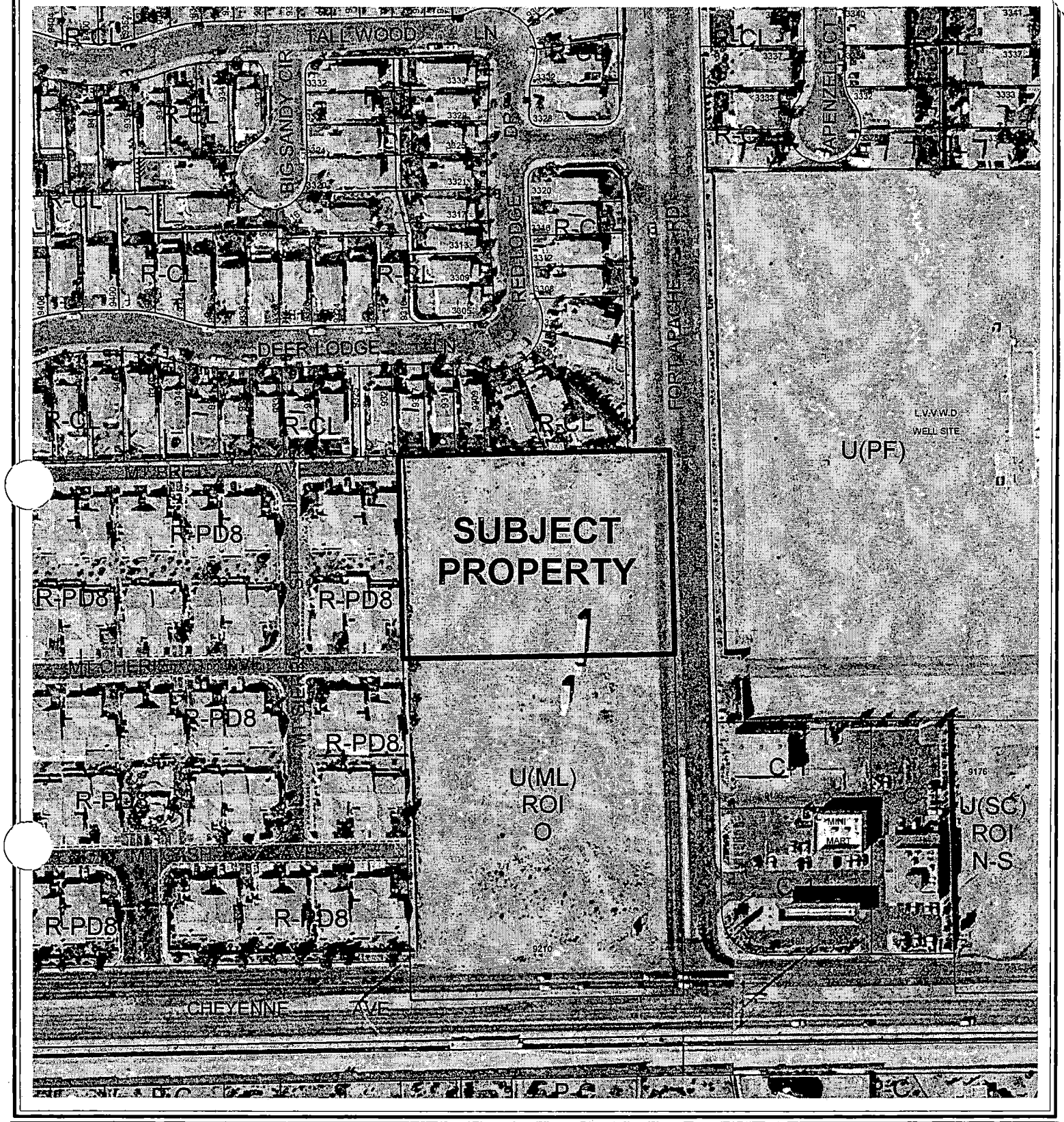
(6:05 – 6:20)

1-90



CASE: TMP-5188

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO O (OFFICE)



0 100 200 Feet

CASE: TMP-5188

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO O (OFFICE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TMP-5188 - TAMARINDO PROFESSIONAL PARC (A COMMERCIAL SUBDIVISION) - APPLICANT: CW GROUP - OWNER: FORT APACHE/CHEYENNE HOLDINGS, LLC

** CONDITIONS **

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

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. All development shall conform to the Conditions of Approval for the following applications: Site Development Plan Review (SDR-4827) and Rezoning (ZON-2576), particularly those listed as "Special Conditions" in this report.

3. All development is subject to the conditions of City departments and state subdivision statutes.

Public Works

4. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

5. Site development to comply with all applicable conditions of approval for ZON-2576, SDR-4827 and all other applicable site-related actions.

6. 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 a tentative map for a one-lot commercial subdivision on 15.33 acres located on the west side of Fort Apache Road, approximately 380 feet north of Cheyenne Avenue.

B) Applicant's Justification

No justification letter is required for this application.

BACKGROUND INFORMATION

A) Previous Actions

02/05/03	The City Council approved an annexation (A-0038-02) for the subject property. The Planning Commission recommended approval. The effective date was February 14, 2003.
08/20/03	The City Council approved a General Plan Amendment (GPA-2575) to change the General Plan from ML (Medium-Low Density Residential) to O (Office) and a Rezoning (ZON-2576) from U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation] to O (Office) for this site. The Planning Commission and staff recommended denial.
08/26/04	The Planning Commission approved a Site Development Plan Review (SDR-4827) for an office development. The staff of Planning and Development recommended approval of this application on this date.
10/06/04	The City Council allowed the Site Development Plan Review (SDR-4827) for the subject development on this meeting date.

B) Pre-Application Meeting

08/25/04	The staff met with the prospective applicant to review a proposed tentative map for the subject site. Noted deficiencies included: signed and stamped copies of the map; illustration of the existing and proposed sanitary sewer systems; illustration of the existing and proposed water mains; and cross-sections of perimeter block walls.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.0

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Dwellings
South:	Undeveloped
East:	Las Vegas Valley Water District site
West:	Single Family Dwellings

C) Existing Zoning

Subject Property:	Undeveloped (Office) General Plan Designation under Resolution of Intent to O (Office)
North:	R-CL (Single Family – Compact Lot)
South:	Undeveloped (Office) General Plan Designation under Resolution of Intent to O (Office)
East:	U (Undeveloped) [PF (Public Facility) General Plan Designation]
West:	R-PD8 (Residential Planned Development – 8 Units Per Acre)

D) General Plan Compliance

The O (Office) land use-planning designation for the subject property allows for small lot office conversions as a transition from residential to commercial uses along primary and secondary streets and for large planned office areas. Permitted uses include business, professional and financial offices as well as offices for individuals, civic, social, fraternal and other non-profit organizations. The proposed office development supports the Office 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
Special Notification		X

There are no special area plans, districts, or study areas that pertain to this request.

DS

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	76,048 SF	Y
Min. Lot Width	100 Feet	263	Y
Min. Setbacks			
• Front	25 Feet	25 Feet	Y
• Side	10 Feet	16.66 Feet	Y
• Corner	15 Feet	N/A	Y
• Rear	15 Feet	15 Feet	Y
Max. Lot Coverage	30 %	24.6%	Y
Max. Building Height	2 Stories / 35 Feet	Single Story	Y
Trash Enclosure		Y	Y

The proposal meets the Title 19 development requirements.

B) General Analysis and Discussion

- General information

The proposed single lot commercial subdivision consists of four existing office buildings and a service station.

- Cross Section

The Tentative Map shows insufficient information to determine the existing and/or proposed grades for this site. The site is surrounded by existing developments to the west and north of this site and to the south is a proposed commercial development. The walls to the west and north are existing and non-retaining. The proposed wall along the southern border is shown as non-retaining. The approved grading plan on file in the Flood Control Section of the Department of Public Works indicates that a stem wall/retaining wall will be constructed approximately 10-feet away and at a lower elevation from the existing western perimeter wall that will facilitate an onsite swale.

- Special Conditions of Approval (from SDR-4827 and ZON-2576)

  1. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the south boundary of this site prior to construction of hard surfacing (asphalt or concrete).

  2. Driveways shall be designed, located and constructed with 25-foot ingress and egress radii in accordance with Standard Drawing #222A.

  3. Site development to comply with all applicable conditions of approval for ZON-2576 and all other subsequent site-related actions.

  4. The applicant will obtain the permission of the owner of parcel #138-07-816-007 to raise the existing block wall one course of brick. The applicant will submit to the city an engineers report on the wall prior to construction. With City approval the applicant will raise the wall one course of bricks.

  5. Dedicate 50 feet of right-of-way adjacent to this site for Fort Apache Road prior to the issuance of any permits.

  6. Construct half-street improvements including appropriate transitional paving (if legally able) on Fort Apache 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.

  7. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sanitary sewer to the south edge of this site at a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

DS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **TMP-5188** APN: 138-07-801-010

Name of Property Owner: FORT APACHE/CHEYENNE HOUSING

Name of Applicant: CW GROUP

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: JAMES CHILD (AGENT)

Subscribed and sworn before me

This 1ST day of SEPTEMBER, 2004

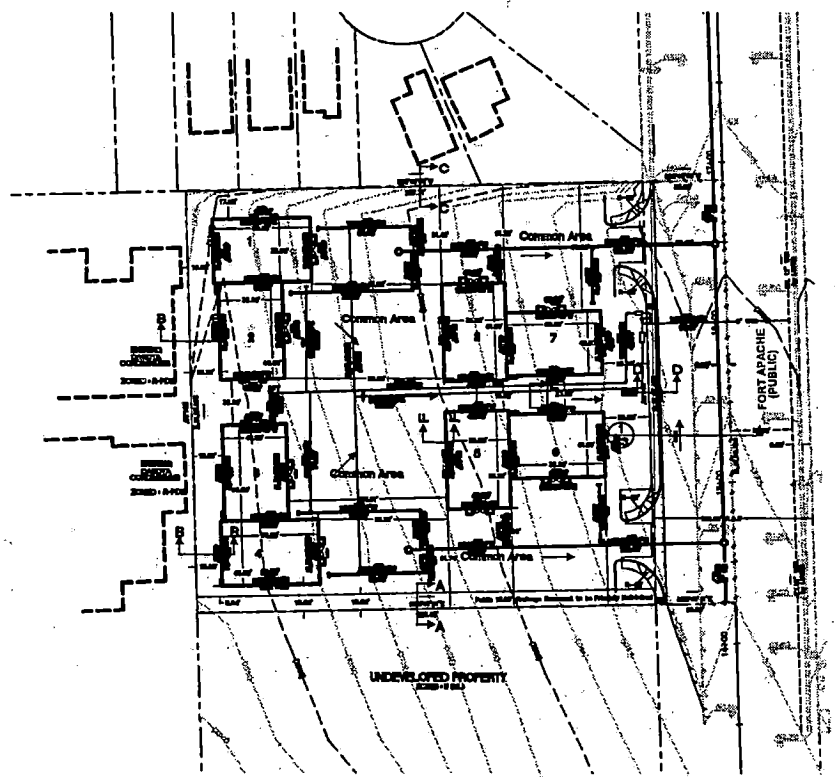
Diana L Brady

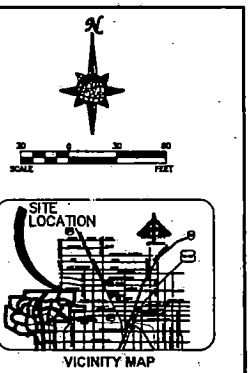
Notary Public in and for said County and State

DIANA L. BRADY
Notary Public, State of Nevada
Appointment No. 9314681
My Appt. Expires Jan. 2, 2005

TENTATIVE MAP
TAMARINDO OFFICE COMPLEX
LEGAL DESCRIPTION

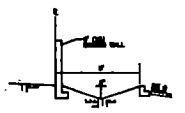
A portion of the Southwest Quarter (S/W 1/4), of the Southwest Quarter (S/W 1/4) of Section 7, Township 20 South, Range 60 East, M.D.M., Clark County, Nevada.





LEGEND

** Notes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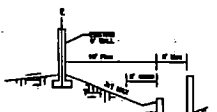
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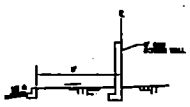
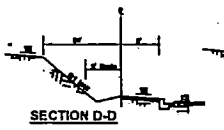

SECTION C-C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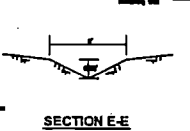
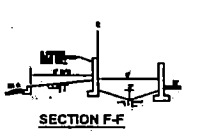

SECTION E-E
ONSITE SWALE


SECTION F-F

FORT APACHE ROAD A
1/2 STREET SECTION

BASIS OF BEARINGS

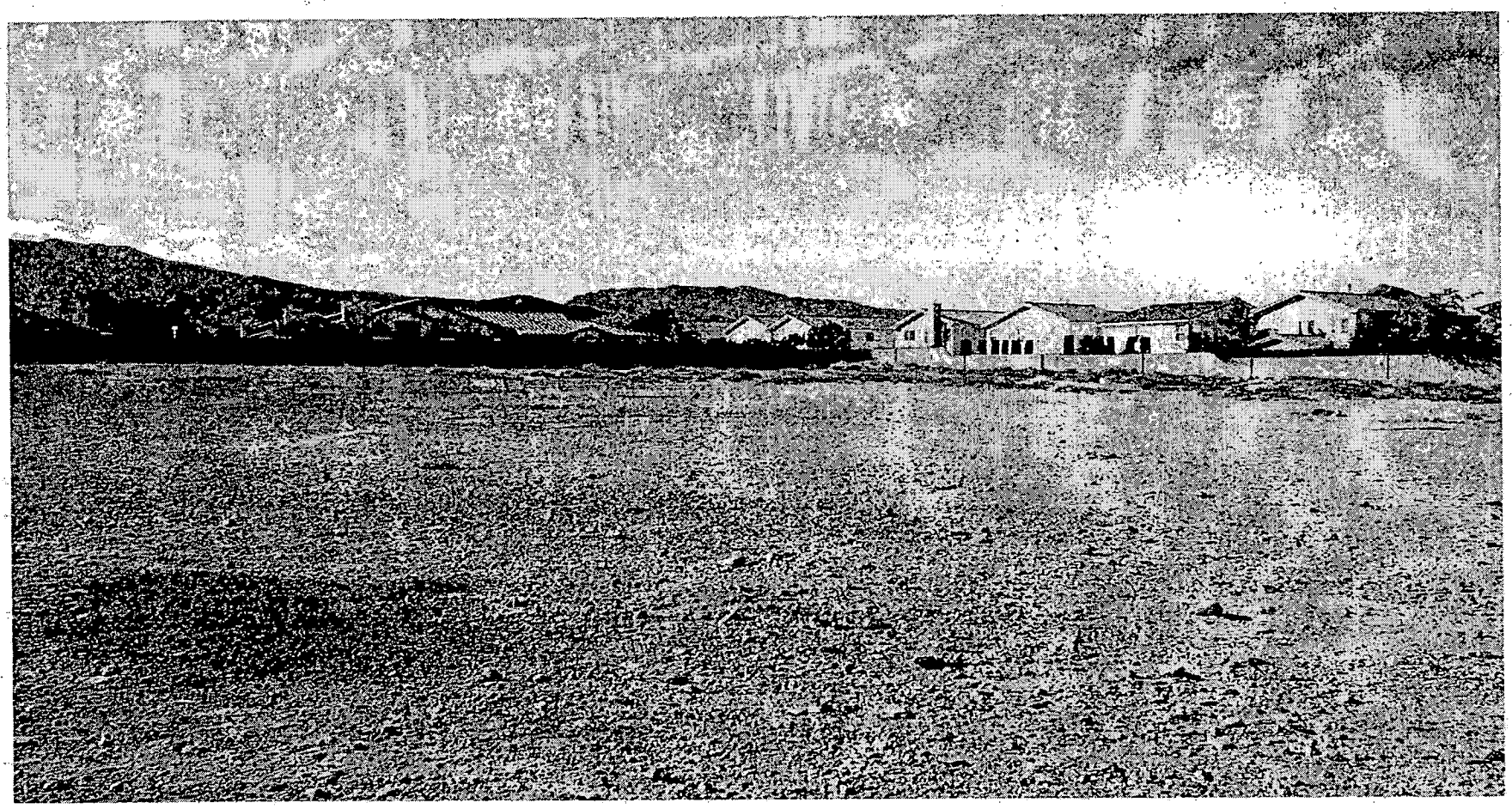
BENCHMARK

Call before you Dig 1-800-227-2600

TAMARINDO PROFESSIONAL PARK
CHEYENNE AND FORT APACHE
Tentative Map

SHEET T1

TMP-5188
10/21/04 PC



TMP-5188 - TENTATIVE MAP - TAMARINDO PROFESSIONAL PARC (A COMMERCIAL SUBDIVISION) -
APPLICANT: CW GROUP - OWNER: FORT APACHE/CHEYENNE HOLDINGS, LLC
WEST SIDE OF FORT APACHE ROAD, APPROXIMATELY 380 FEET NORTH OF CHEYENNE AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

City of Las Vegas

Agenda Item No.: 4

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:
ANX-5163 - ANNEXATION - BRIDGEKEEPER LLC, ET AL - Petition to annex property generally located south of Centennial Parkway and east of Puli Drive (APN 126-25-101-001, 002, 005 and portions of 126-25-201-001 and 126-25-401-006), containing approximately 60 acres, Ward 6 (Mack).

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends APPROVAL.

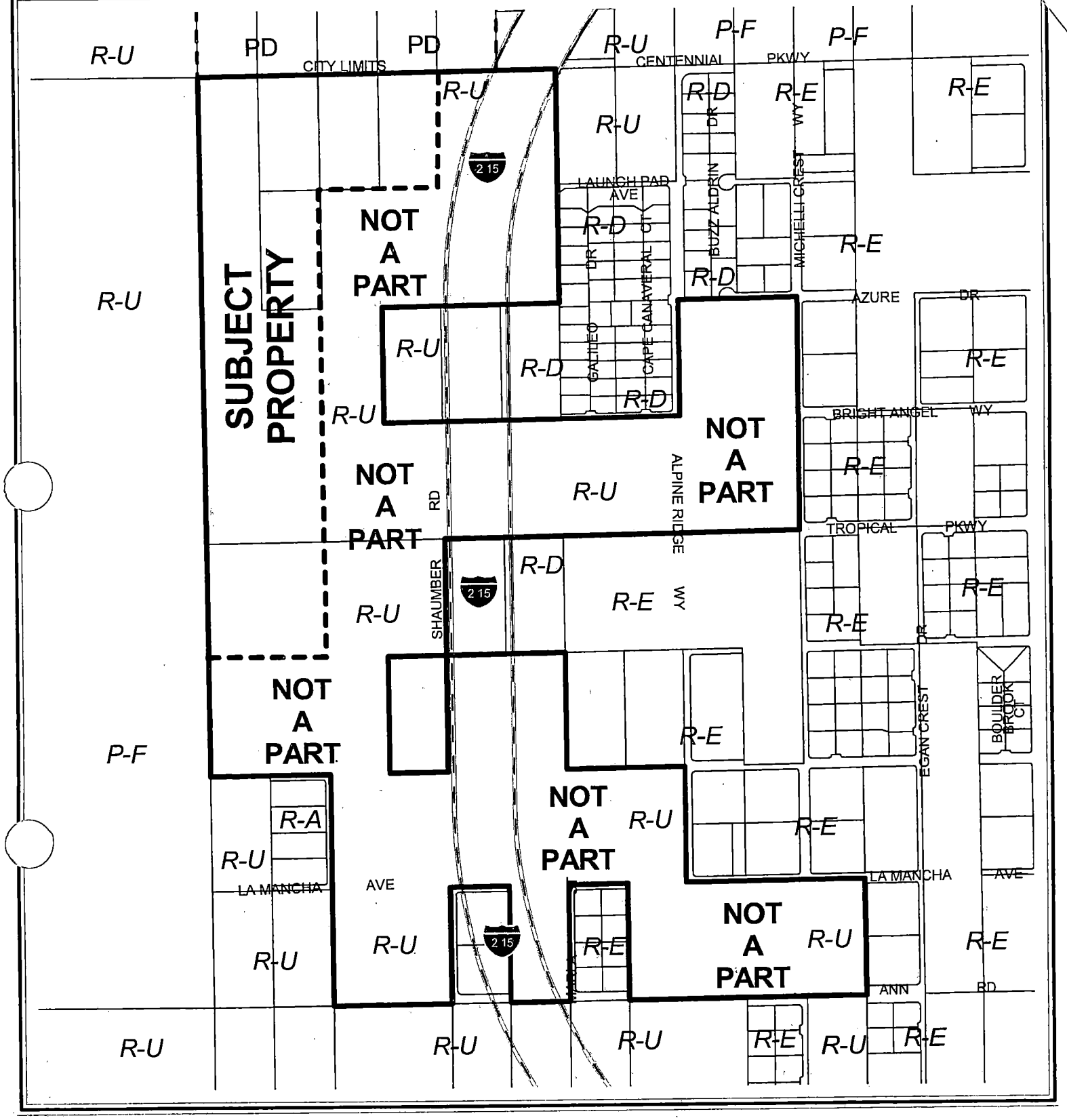
BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application –Not Applicable
3. Staff Report

MOTION:
NIGRO – APPROVED subject to conditions Consent Item 1 [TMP-5081], Item 2 [TMP-5186] and Item 4 [ANX-5163] – UNANIMOUS with McSWAIN abstaining on Item 4 as her company is doing work for Focus Group who is involved in the project

This item will be forwarded to City Council in Ordinance Form

MINUTES:
CHAIRMAN TRUESDELL stated this is a Consent item.

(6:20 – 6:21)



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CASE: ANX-5163

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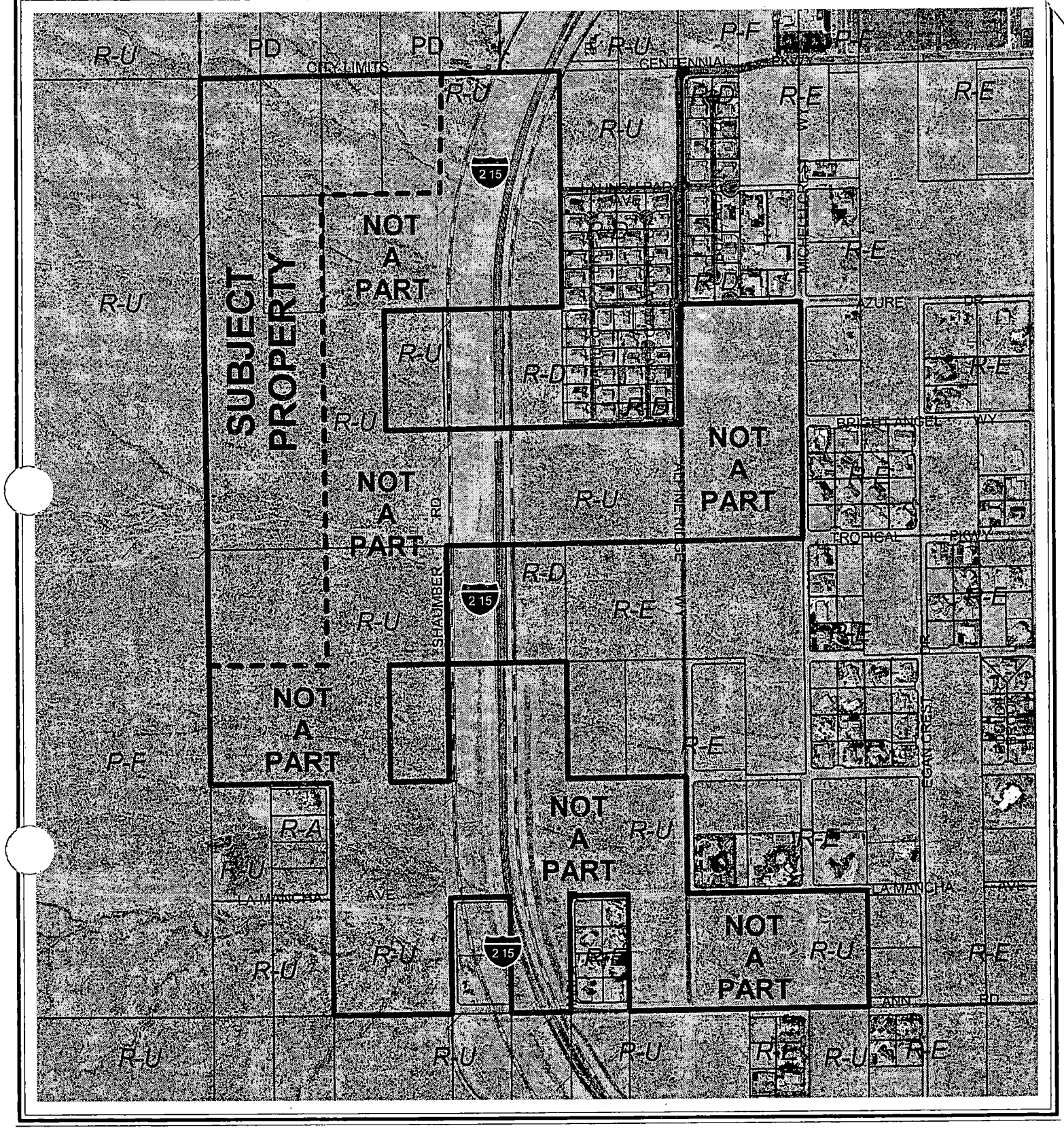

0 600 1200 Feet

CASE: ANX-5163

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City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ANX-5163 - BRIDGEKEEPER LLC, ET AL

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL

** STAFF REPORT **

APPLICATION REQUEST

This request is intended to annex three parcels and portions of two others located on the south side of Centennial Parkway, east of Puli Drive.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 60 acres

B) Existing Land Use

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

C) Existing Zoning

Subject Property:	R-U (Rural Open Land) [Clark County designation]
North:	PD (Planned Development)
South:	R-U (Rural Open Land) [Clark County designation]
East:	R-U (Rural Open Land) [Clark County designation]
West:	R-U (Rural Open Land) [Clark County designation]

D) Special Districts/Zones

These parcels are not within a special district or plan area.

E) Rural Preservation Neighborhood:

These parcels are not within a rural preservation neighborhood.

F) Excepted Area of Interlocal Agreement:

These parcels are not within the Excepted Area of the Interlocal Agreement.

ANALYIS &FINDINGS

The subject property is currently undeveloped. The applicant has indicated that the proposed use for the site is a master planned community, which will include acreage to be annexed in a future request. A significant portion of the land in this area is under the ownership of the Bureau of Land Management. Upon completion of the annexation of this land, it will be nominated for disposal at a future BLM Public Land Sale.

These parcels are in an area of the city considered to be appropriate for annexation in that they meet the requirements of NRS 268.580 No. 2(b), which states, "Not less than one-eighth of the aggregate external boundaries must be contiguous with the boundaries of the annexing city." The current county zoning on the site is R-U (Rural Open Land). The city's zoning equivalent is U (Undeveloped) zone [PCD (Planned Community Development) General Plan designation] and U (Undeveloped) zone [PF-CC (Public Facility – Clark County) General Plan designation].

Upon development appropriate right-of-way dedications, street improvements, drainage plan/studies and traffic mitigation commitments will be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

SR

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ANX-5163 APN: 126-25-101-005

Name of Property Owner: BridgeKeeper, LLC

Name of Applicant: Southwest Desert Equities, 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 ✓ 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: _____

Subscribed and sworn before me

This 17th day of August, 2004

Amanda Dalton

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
AMANDA DALTON
Appt. No. 00-64522-1
My Appt. Expires March 22, 2006

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ANX-5163 APN: 126-25-101-002

Name of Property Owner: Silver State Holding Company

Name of Applicant: Southwest Desert Equities, 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 ✓ 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]

Subscribed and sworn before me

This 23 day of August, 2004

Billie Dee Anderson

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
BILLIE DEE ANDERSON
My Appointment Expires
December 5, 2004
No: 01-66353-1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ANX-5163 APN: 126-25-101-001

Name of Property Owner: Southwest Desert Equities, LLC

Name of Applicant: Southwest Desert Equities, 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 ✓ 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: _____

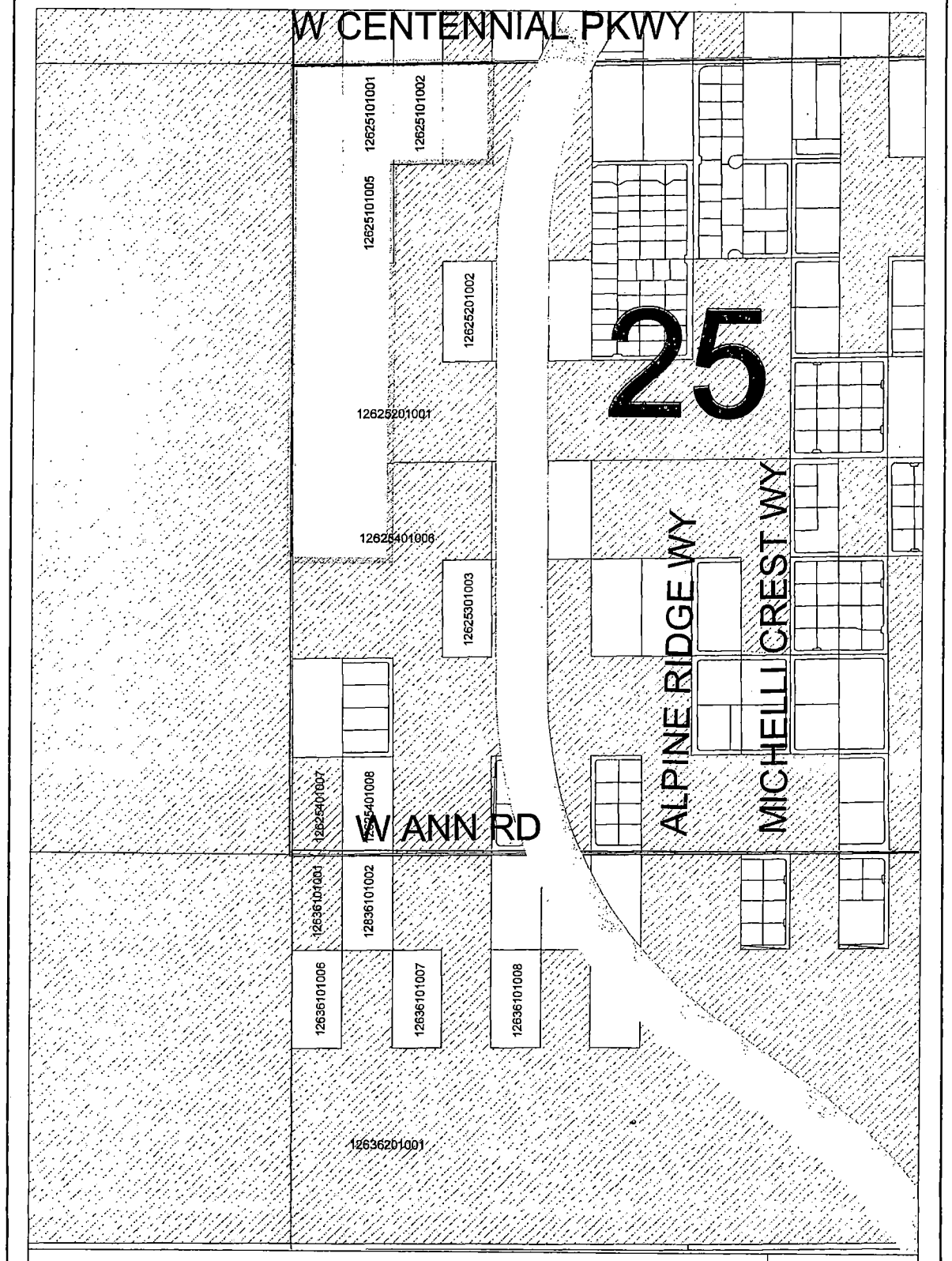
Subscribed and sworn before me

This 17th day of August, 2004

Amanda Dalton

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
AMANDA DALTON
Appt. No. 00-64522-1
My Appt. Expires March 22, 2006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MICHELLI CREST WY
ALPINE
Annexation Request
ANX-5163
10/21/04 PC
Parcels Participating in Annexation
Annexation Boundary
BLM Land
I-215 Beltway
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QUADRANT
PLANNING
August 2004

City of Las Vegas

Agenda Item No.: 5

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
RQR-5164 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: S&S # 2, LLC - Required Two Year Review of an Approved Special Use Permit (U-0042-95) WHICH ALLOWED A 50 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 410 North Eastern Avenue (APN 139-36-210-003), 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:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		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, deleting Condition 3 until the property is developed and adding the following condition:
- **Applicant shall repair the existing fence.**

– 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, stated that this is a two-year review on the 30 foot tall off-premise advertising billboard sign. There is a car wash and convenience store on the western portion of the site; the eastern portion is undeveloped, which is where the billboard sign is located. The area immediately surrounding has not substantially changed since the approval of the previous two-year review. Billboards are not generally conducive to a newly developed area

MINUTES – Continued:

and not appropriate to the use and perpetuity. However, staff recommended approval with an additional two-year review.

SCOTT NAFTZGER, Lamar Outdoor Advertising, 1863 Helm Drive, accepted staff's recommendations with the exception of Condition 3. MR. NAFTZGER requested the deletion of Condition 3, as the sign has been well maintained. He felt that redesigning the structure would be an undue hardship.

SHARON HABERFELD, S & S #2, LLC, owner of the property, agreed to staff's conditions.

COMMISSIONER McSWAIN questioned if Condition 3 should remain. Photos depicted the fencing was in disrepair, and she asked MS. HABERFELD if the fencing had been repaired. MS. HABERFELD responded that fencing was done towards the rear of the property. When the property was purchased, MS. HABERFELD was concerned with safety issues, as there is housing behind the property with many children in the area. The children climb the fence and cut across the lot to get to the convenience store. In addition, individuals have used the rear area of the lot to throw over their unwanted furniture, which then damages the top of the poles on the fencing. The fencing is repaired once a year. She emphasized that there are many vacant lots in the neighborhood that do not have fencing, yet they make efforts to maintain their fencing.

COMMISSIONER McSWAIN responded by stating MS. HABERFELD'S comments convinced her even more that if this property was developed, then some of these ongoing problems would be alleviated. One revision being looked at under the Code is not allowing billboards on undeveloped properties. She then requested a condition be added that the fencing should be repaired. MR. NAFTZGER agreed to the added condition and then confirmed for MS. HABERFELD that Lamar Outdoor Advertising would be responsible for repairing the fencing.

MS. HABERFELD then stated that along the side of the property, the fencing is Nevada Department of Transportation (NDOT). There is an area that looked like someone intentionally cut the fence. She reported this to NDOT and was advised against doing any repairs or modifications, and MR. NAFTZGER added that he was advised of the same or his permits would be taken away. CHAIRMAN TRUESDELL and DEPUTY CITY ATTORNEY BRYAN SCOTT clarified that if the fencing is NDOT, then it is their responsibility; if it is private fencing, then MR. NAFTZGER'S commitment to repair the fencing would be valid.

COMMISSIONER McSWAIN stated that she would like Condition 3 to remain as is. DEPUTY CITY ATTORNEY SCOTT then responded that it would be difficult for the applicant to have something equivalent to an existing on-site building when there is none. MR. LEOBOLD stated that there

MINUTES – Continued:
is a car wash and convenience store on the site, but the undeveloped portion of the site is where the billboard is located. He added that this condition is standard with applications that require reviews in an effort to try and improve the appearance of billboards. COMMISSIONER McSWAIN then stated that she would accept removing Condition 3 until the property is developed.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:26 – 6:34)

CONDITIONS:
Planning and Development

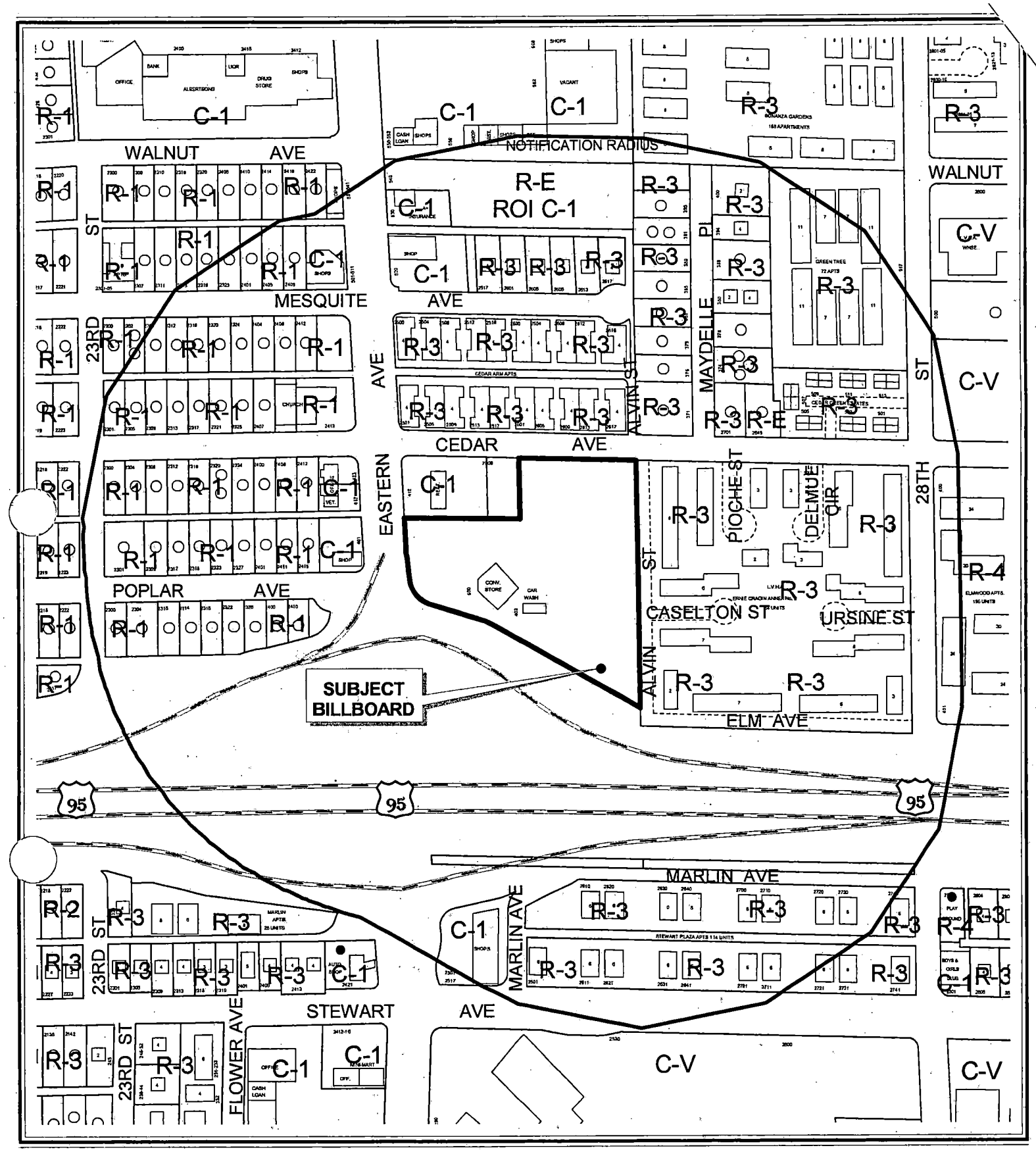
1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise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

2. 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.



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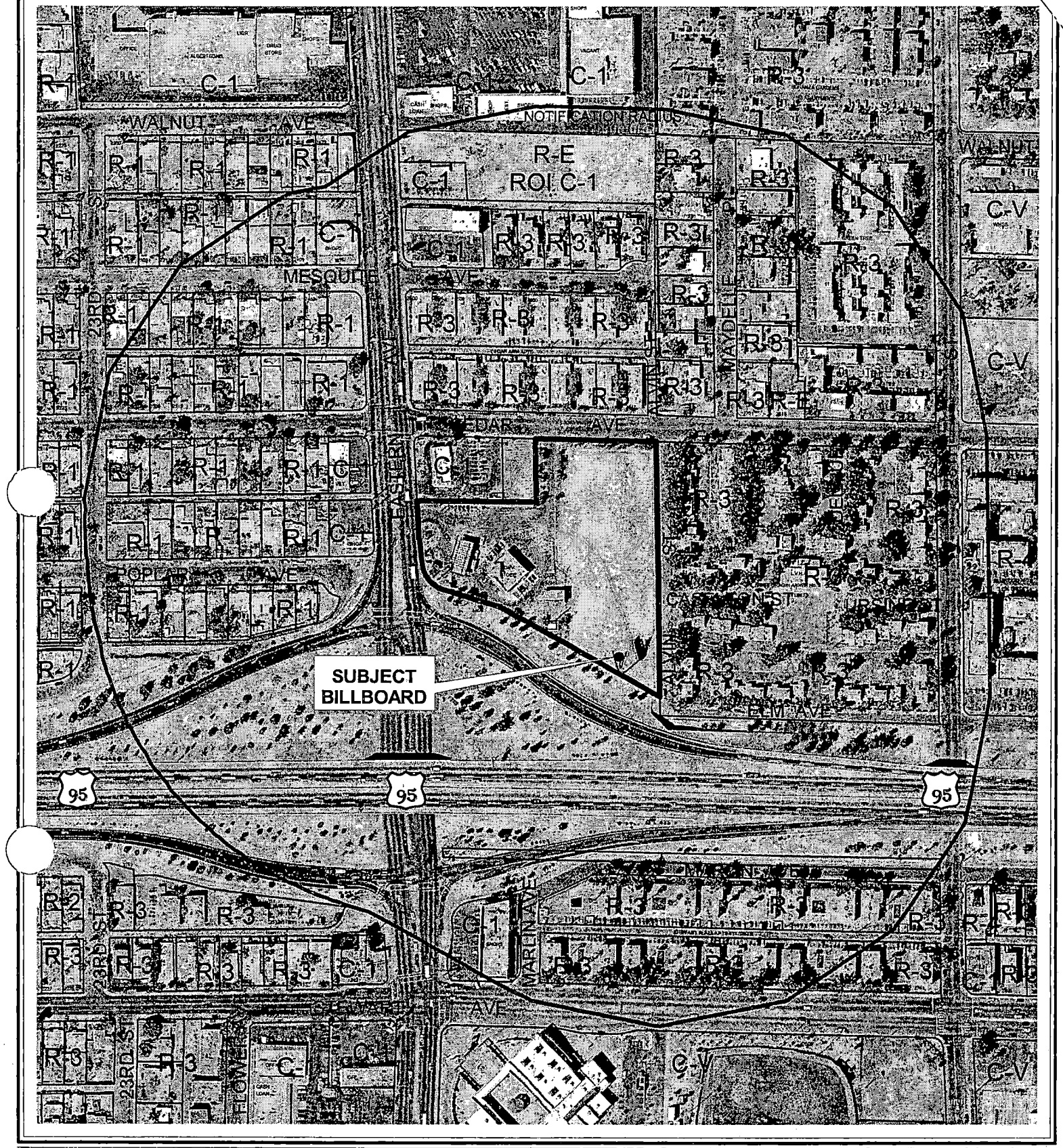
CASE: **RQR-5164**

RADIUS: 750 FT

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

N



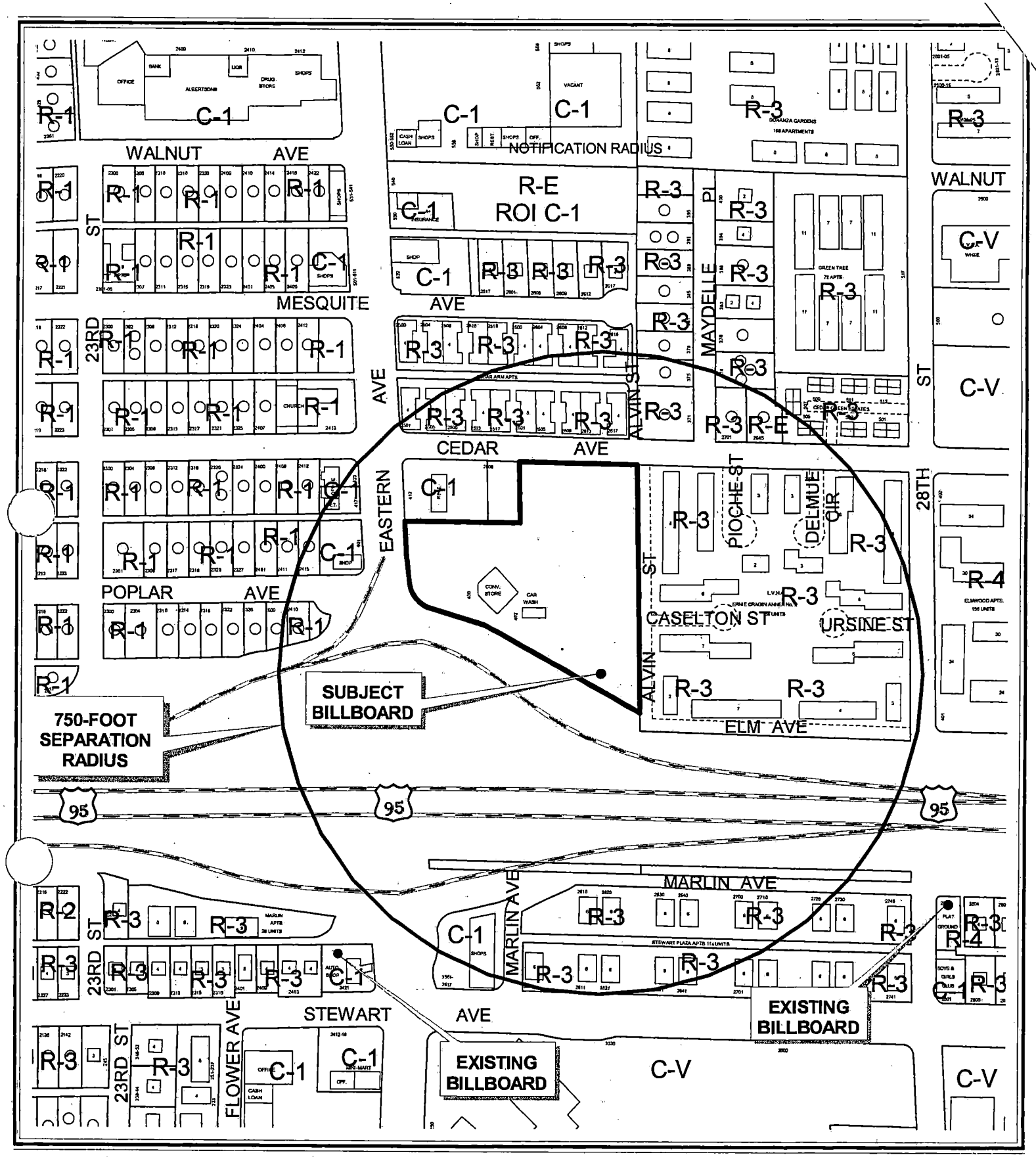
CASE: **RQR-5164**

RADIUS: 750 FT

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

0 200 400 Feet

N



0 200 400 Feet

CASE: **RQR-5164**

SEPARATION RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-5164 - APPLICANT: LAMAR ADVERTISING - OWNER: S&S # 2, LLC

** CONDITIONS **

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

Planning and Development

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

2. 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 30-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 410 North Eastern Avenue (north side of I-515 frontage, approximately 500 feet east of Eastern Avenue), R-3 (Medium Density Residential) Zone under Resolution of Intent to C-1 (Limited Commercial).

B) Applicant's Justification

A justification letter is not required as part of this application.

BACKGROUND INFORMATION

A) Previous Actions

11/16/94 The City Council approved Rezoning (Z-0115-94) to C-1 (Limited Commercial) on this site as a part of a larger request. The Planning Commission and staff recommended approval on October 27, 1994.

03/23/95 The Planning Commission approved a Plot Plan and Elevation Review [Z-0115-94(1)] for a convenience store on this site as a part of a larger request. The Planning Commission and staff recommended approval on March 23, 1995.

05/17/95 The City Council approved a Special Use Permit (U-0042-95) for an off-premise advertising (billboard) sign on this site. The Board of Zoning Adjustment recommended denial, while the staff recommended approval on April 25, 1995.

09/06/95 The City Council approved a Review [U-0042-95(1)] of Condition Nos. 1 and 4 of an approved Special Use Permit, whereby the off-premise advertising sign was to be reviewed in five years (instead of two years), and the sign was permitted to be located within 120 feet (instead of 300 feet) of the subject site's east property line, which abutted a multi-family residential development. The Planning Commission and staff recommended approval on September 6, 1995.

07/05/00 The City Council approved a Required Five-Year Review [U-0042-95(2)] 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-0042-95(3)] 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 recommended denial. Staff recommended approval.

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: 4.65 acres (entire site)

B) Existing Land Use

Subject Property:	Car wash
	Convenience store
	Undeveloped
North:	Restaurant
	Multi-family apartments
South:	Interstate 515
	Eastern Avenue Interchange
East:	Multi-family residential
West:	Commercial and retail

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The site is currently designated as SC (Service Commercial) within the Southeast Sector 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	
Redevelopment Plan Area	X	
Special Overlay District		X
Trails		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The subject site is located in the Redevelopment Area, and was a part of the 1996 expansion of that area.

ANALYSIS

A) Zoning Code Compliance

A2) Minimum Distance Separation Requirements

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

BTS

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet to another Off Premise Sign	900 feet to another Off Premise Sign

B) General Analysis and Discussion

- Zoning

The subject property is currently zoned C-1 (Limited Commercial). The existing off-premise advertising (billboard) sign is permitted in the C-1 (Limited Commercial zoning district with a valid Special Use Permit, which may be time-limited or periodically reviewed by Planning Commission or City Council with reference to its compatibility with surrounding uses.

- Use

Title 19.14.100(B) of the Las Vegas Municipal Code 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. Staff finds that 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 area immediately surrounding the subject site has not changed substantially since the approval of the previous Required Two-Year Review [U-0042-95(3)]. However, billboards are generally not conducive to new development in an area and are not an appropriate use in perpetuity. Therefore staff recommends approval of this request, subject to a two-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."**

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 135

APPROVALS 0

PROTESTS 0

BTS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-5164** APN: 139-36-210-003

Name of Property Owner: 535 #2 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: [signature]

Print Name: Scott Nattzig on behalf of owner

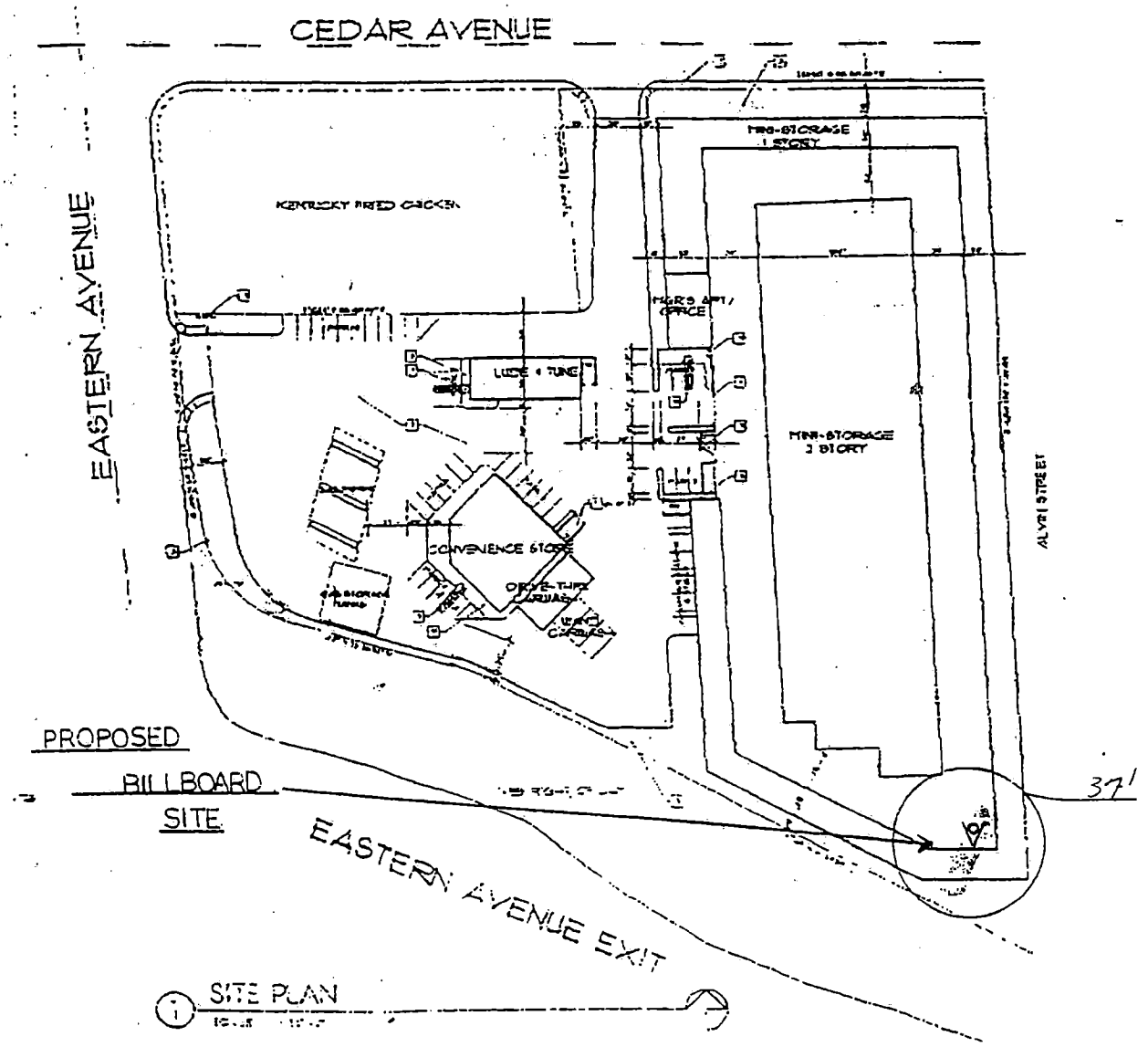
Subscribed and sworn before me

This 27 day of August, 2004

Lynda S Miles

Notary Public in and for said County and State

LYNDA S. MILES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 03-85089-1
My Appt. Expires Sept. 25, 2007



RQR-5164
10/21/04 PC

ELEVATION (NO SCALE)

RQR - 5164
(S:S #2 LLC)

RQR-5164
10/21/04 PC

RQR-5164 - APPLICANT: LAMAR ADVERTISING - OWNER: S&S # 2, LLC
400 NORTH EASTERN AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

RQR-5164 - APPLICANT: LAMAR ADVERTISING - OWNER: S&S # 2, LLC
400 NORTH EASTERN AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

City of Las Vegas

Agenda Item No.: 6

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

RQR-5165 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: LIPKIN 1992 TRUST - Required Two Year Review of an Approved Special Use Permit (U-104-02) WHICH ALLOWED A 40 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1501 Western Avenue (APN 162-04-605-005), M (Industrial) 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:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions on Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131] and subject to conditions and deleting Condition 1 on Item 6 [RQR-5165] – UNANIMOUS with McSWAIN abstaining on Item 16 and Item 17, as her company is presently under contract with the applicant, Ryland Homes

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

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [RQR-5165], Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131].

COMMISSIONER McSWAIN requested pulling Item 9 [RQR-5169] from One Motion One Vote.

DEPUTY CITY ATTORNEY BRYAN SCOTT requested staff to reiterate the items that were being pulled from One Motion One Vote. GARY LEOBOLD, Planning and Development, stated that Item 5, Item 7, Item 8 and Item 11 would be pulled from One Motion One Vote so discussions could take place on these items. Item 6, Item 9 and Item 10 will remain on the One Motion One Vote items. He also confirmed for CHAIRMAN TRUESDELL that staff had received a letter from the applicant agreeing to the conditions for Item 15.

CHAIRMAN TRUESDELL then read into record the items that were One Motion One Vote as previously stated above.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [RQR-5165], Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131].

(6:21 – 6:26)

CONDITIONS:

Planning and Development

1. 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.

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

3. 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 19A including, but not limited to, distance separation requirements, or (3) a Variance

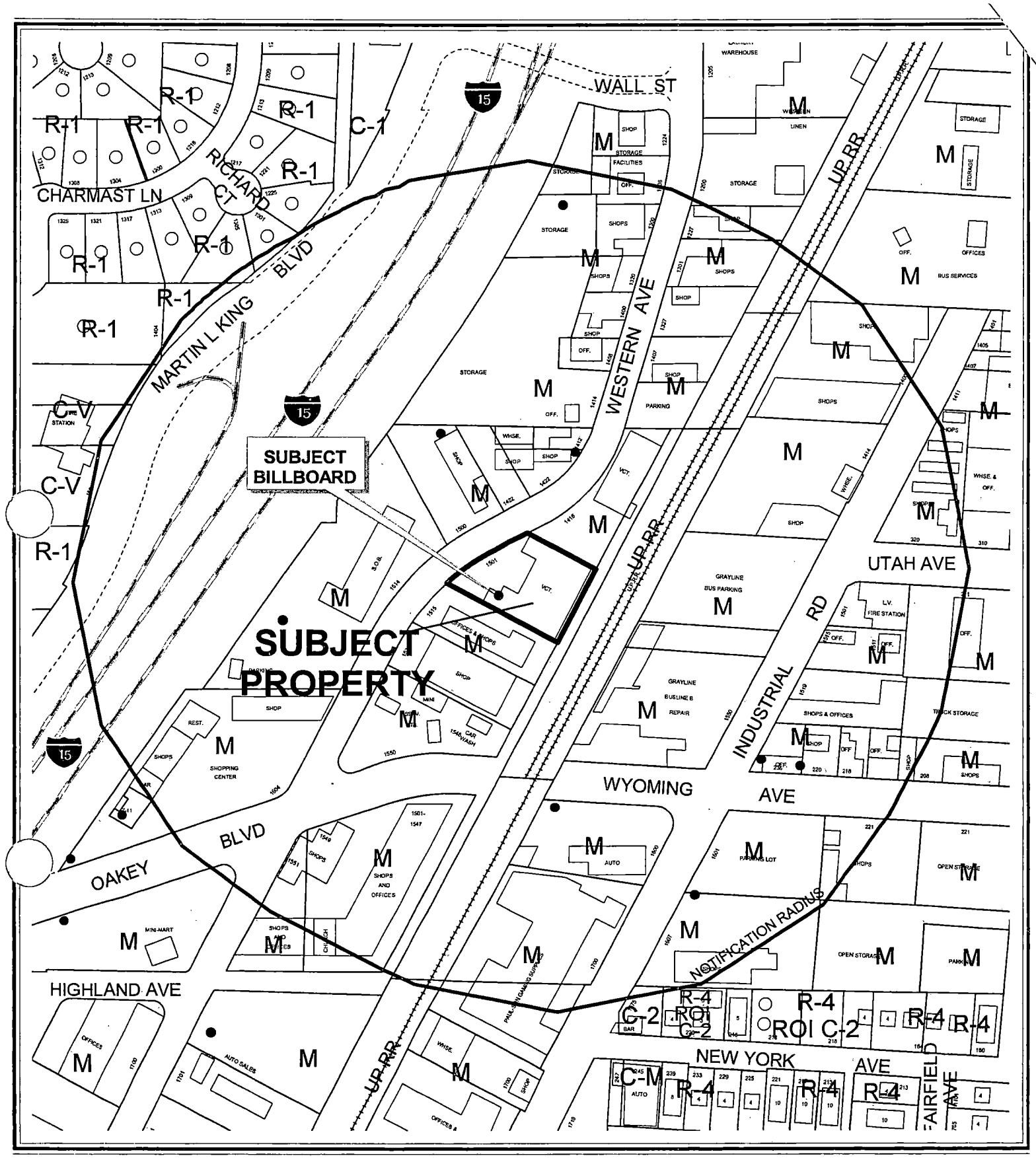
CONDITIONS – Continued:

to the applicable standards of Title 19A has been approved for the new structure by the City Council.

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. 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.

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



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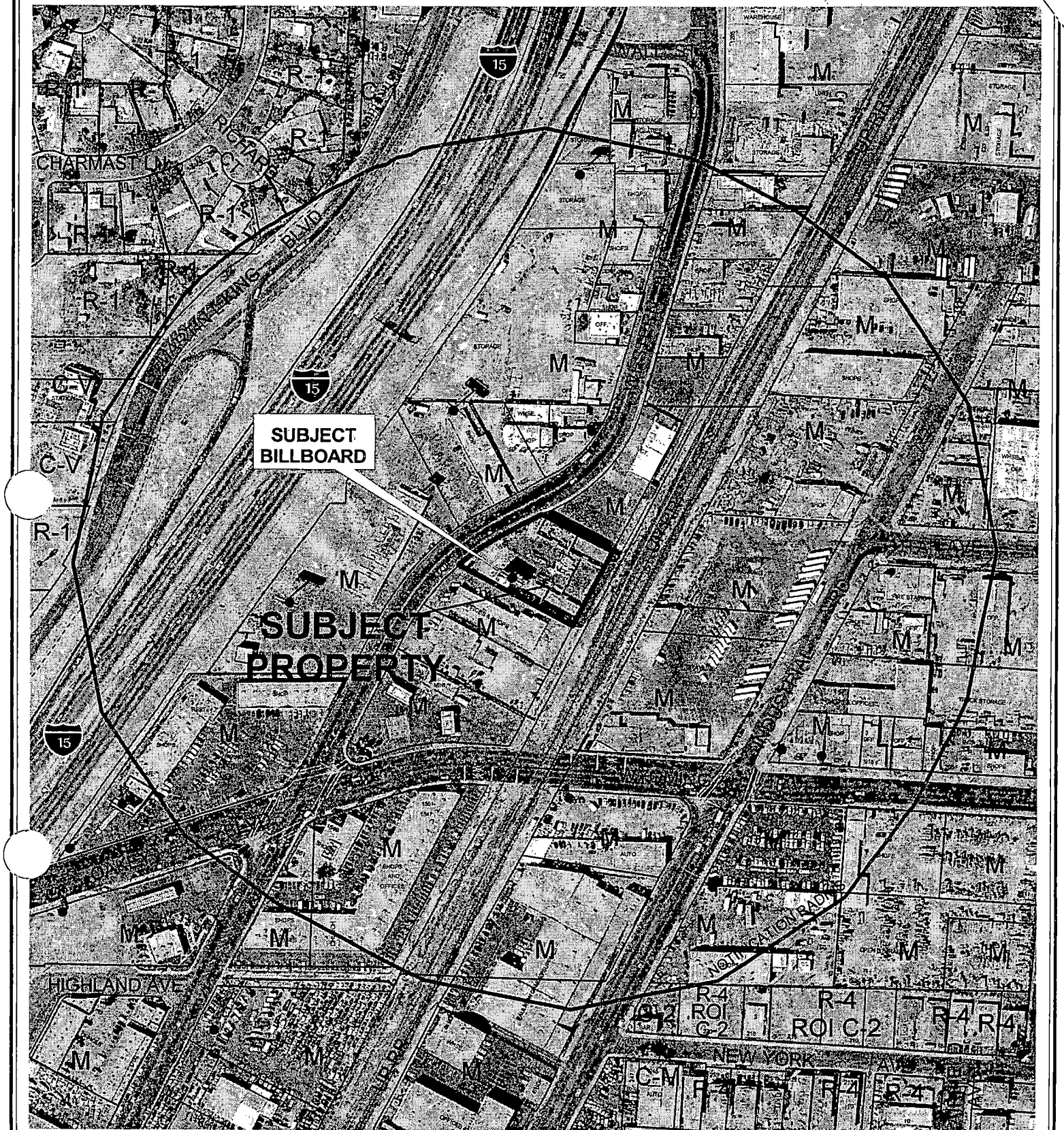
CASE: **RQR-5165**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



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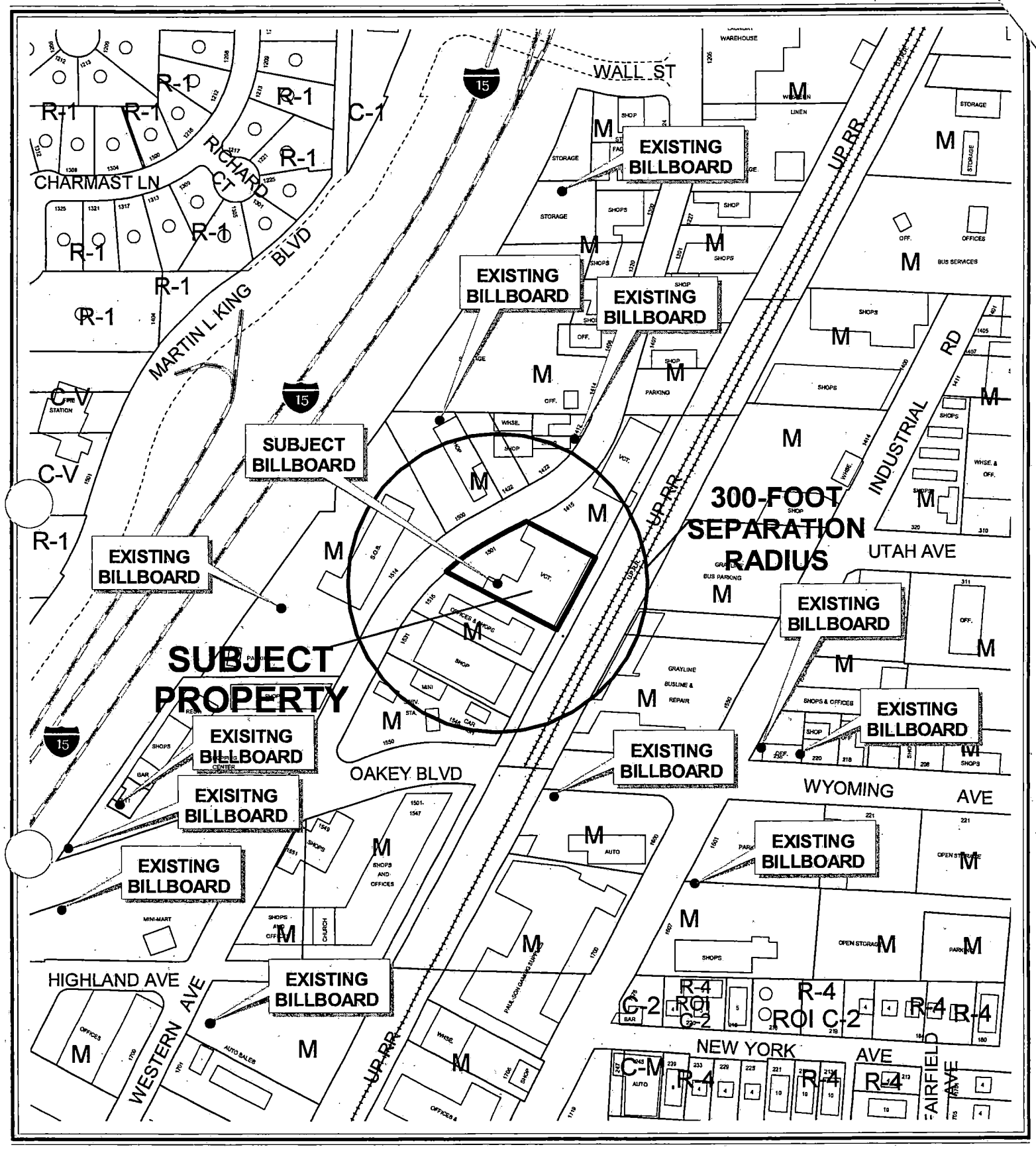
CASE: **RQR-5165**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



CASE: RQR-5165

SEPARATION RADIUS: 300 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-5165 - APPLICANT: LAMAR ADVERTISING - OWNER: LIPKIN 1992 TRUST

** CONDITIONS **

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

Planning and Development

1. 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.

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

3. 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 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

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. 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.

6. All City Code requirements and design standards of all City departments must 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 at 1501 Western Avenue.

B) Applicant's Justification

A justification letter is not required as part of this application.

BACKGROUND INFORMATION

A) Previous Actions

10/16/02 The City Council approved a Special Use Permit (U-0104-02) for an off-premise advertising (billboard) sign on the subject property. The Planning Commission and staff recommended approval of the case on September 9, 2002.

08/04/04 The City Council approved a Site Development Plan (SDR-4514) for a warehouse facility. The Council also approved two Variance (VAR-4517) to allow a zero side-yard setback where ten feet is required and (VAR-4516) to allow 18 parking spaces where 23 are required. The Planning Commission and staff recommended approval of the above-mentioned cases on July 8, 2004.

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 a Site Development Plan Review application.

BTS

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.79 acres

B) Existing Land Use

Subject Property:	Industrial Uses
North:	Industrial Uses
South:	Industrial and Office Uses
East:	R.O.W. (Union Pacific Railroad)
West:	S.O.B. (Sexually Oriented Business)

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The site is currently designated as LI/R (Light Industrial Research) within the Southeast Sector Plan of the General Plan. The LI/R (Light Industrial Research) category allows areas appropriate for clean, low-intensity, (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, and research, development and testing laboratories. Typical supporting and ancillary general uses are also allowed.

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

BTS

The subject site is located in the McCarran International Airport Overlay Map. The maximum height allowed within this area is 200 feet. The existing dimensions of the billboard are 14-feet X 48-feet. Therefore, the billboard complies with the overlay map.

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	325 feet to another Off Premise Sign

B) General Analysis and Discussion

- Zoning

The subject off-premise advertising (billboard) signs are an allowed use within the M (Industrial) zoning district, with approval of a Special Use Permit, if no closer than 300 feet from any other off-premise advertising (billboard) sign or residentially zoned property.

- Use

The proposed off-premise advertising (billboard) sign use is consistent with the range of intense industrial uses allowable under the M (Industrial) zoning district, along this portion of Western Avenue. Staff finds that the proposed off-premise advertising (billboard) sign use is harmonious and compatible with the industrial uses found in the vicinity of this request and therefore recommends approval.

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."**

BTS

The off-premise advertising (billboard) sign use is consistent with the range of intense industrial uses allowable under the M (Industrial) zoning district, along this portion of Western Avenue.

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

   The site is physically suitable for the proposed off-premise advertising (billboard) sign 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 proposed off-premise advertising (billboard) sign use will not generate any additional traffic to this 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 off-premise advertising (billboard) sign use will not compromise the public health, safety, and welfare, as it will be subject to the provisions of the Sign Code and the Uniform Building Code.

NOTICES MAILED 47

APPROVALS 0

PROTESTS 0

BTS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-5165** APN: 162-04-605-005

Name of Property Owner: Lipkin 1992 Trust

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: _____

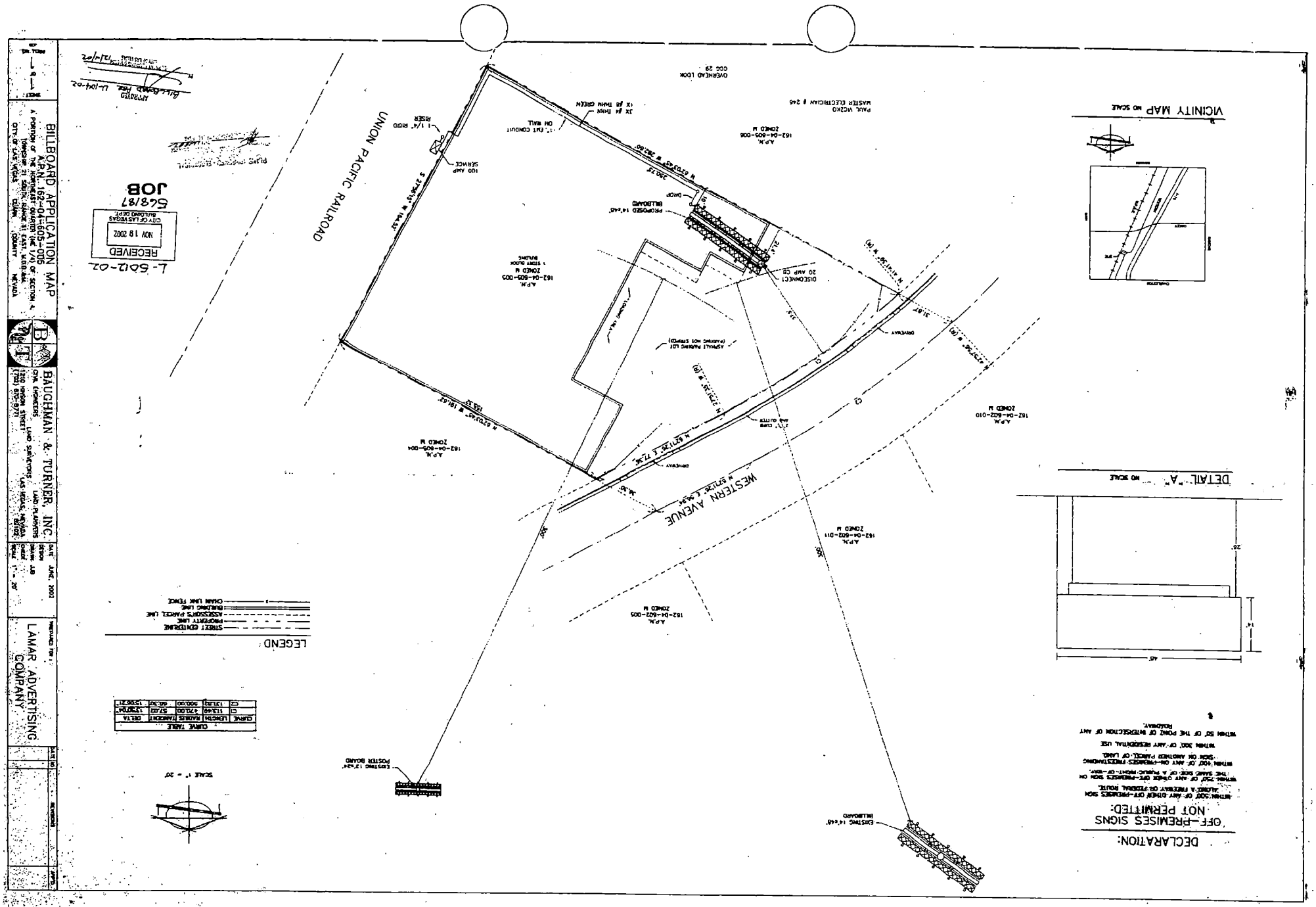
Print Name: Scott Nottzer on behalf of owner

Subscribed and sworn before me

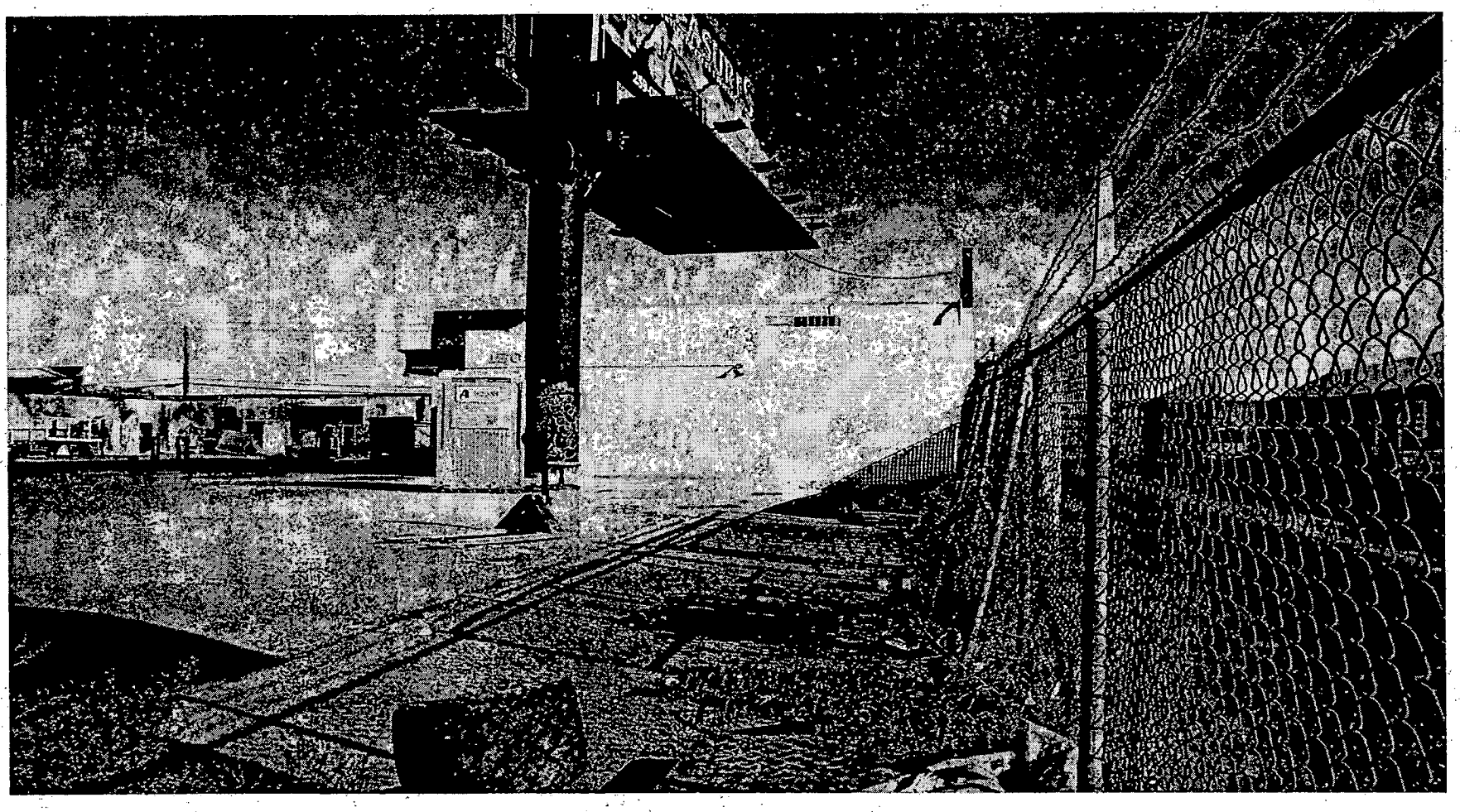
This 27 day of August, 2004

_____
Notary Public in and for said County and State

LYNDA S. MILES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 03-85289-1
My Appt. Expires Sept. 25, 2007



RQR-5165
10/21/04 PC

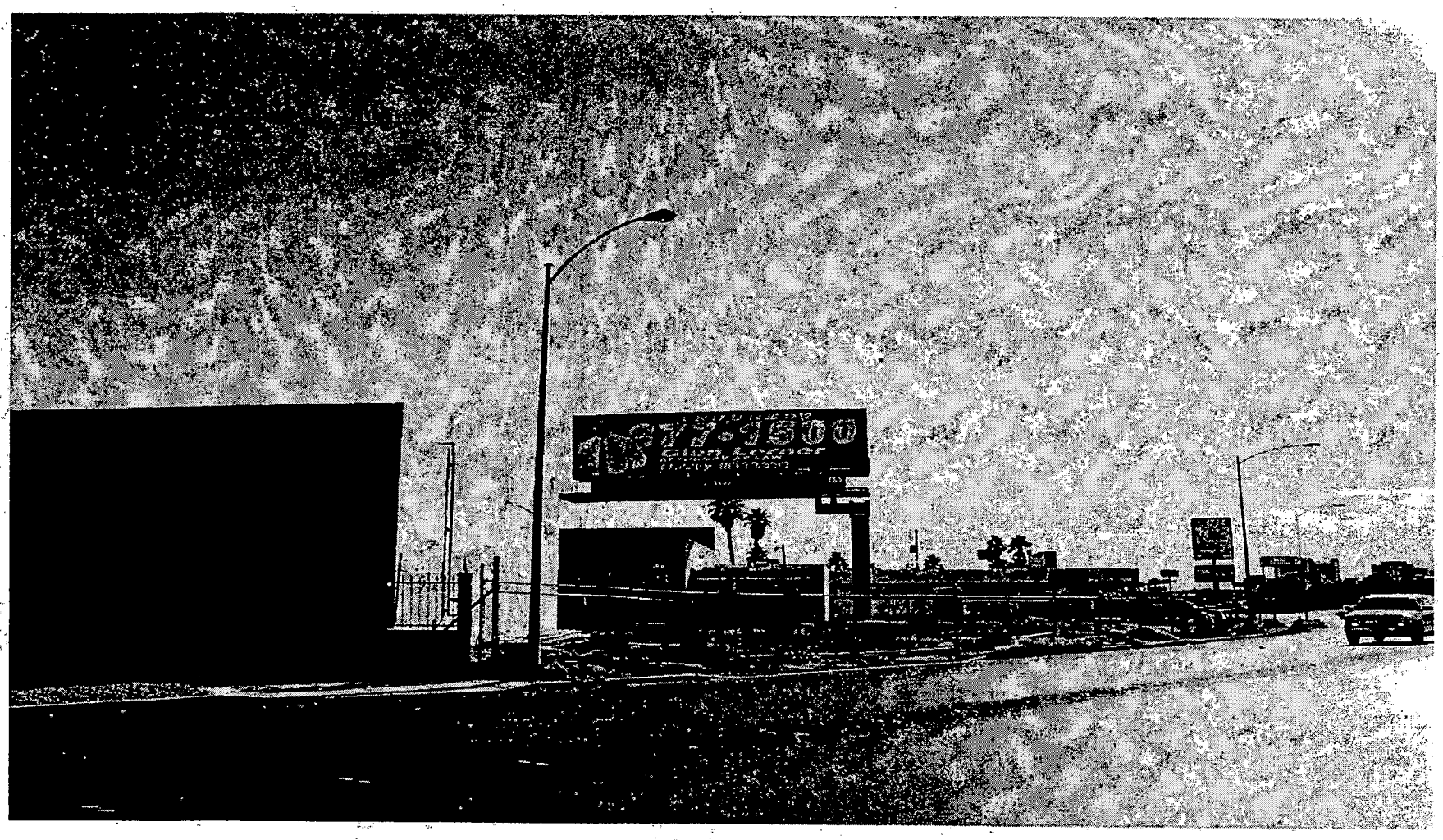


RQR-5165 - APPLICANT: LAMAR ADVERTISING - OWNER: LIPKIN 1992 TRUST
1501 WESTERN AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

RQR-5165 - APPLICANT: LAMAR ADVERTISING - OWNER: LIPKIN 1992 TRUST
1501 WESTERN AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



RQR-5165 - APPLICANT: LAMAR ADVERTISING - OWNER: LIPKIN 1992 TRUST
1501 WESTERN AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

City of Las Vegas

Agenda Item No.: 7

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
RQR-5167 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: HAL-STAN, INC. - Required Two Year Review of an Approved Special Use Permit (U-0038-95) WHICH ALLOWED A 40 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3500 North Rancho Drive (APN 138-12-710-044), 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:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		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 and 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.

– 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, stated that the area immediately surrounding the site has not substantially changed since the approval of the previous two-year review. Staff recommended approval with an additional two-year review.

MINUTES – Continued:
There is a restaurant and parking lot on the site, and the billboard sign is located where a portion of the site is undeveloped.

SCOTT NAFTZGER, Lamar Outdoor Advertising, 1863 Helm Drive, requested removal of Condition 3.

COMMISSIONER McSWAIN commented that there is general change occurring on Rancho Road and asked if the applicant would be willing to improve the quality of the signage. MR. NAFTZGER then asked for clarification on the wording in Condition 3 relating to "shall be designed to finish materials" and asked if that entailed repainting or redesigning the entire structure. FLINN FAGG, Planning and Development, gave an example of such billboard signage located at the Premium Outlets adjacent to I-15 Freeway. These billboards utilize similar architectural finishes, materials and colors like the adjacent Commercial Complex. MR. NAFTZGER responded that meeting this kind of condition would be impossible without digging up the footing and rebuilding the sign from the ground up. Adding these types of embellishments would increase the wind load and moreover, the cost involved is approximately $60,000.00.

COMMISSIONER EVANS asked if the last sentence of Condition 3 was correct. CHAIRMAN TRUESDELL confirmed and added that if the sign is a "V" shape, it cannot have exposed backing. COMMISSIONER EVANS' concern was that this portion of the condition appeared to be a separate issue in itself. He felt that it was not necessary to require the removal and complete reconstruction of the sign. However, the sign industry should be aware that there is distaste for much of the signage throughout Las Vegas. He does not necessarily oppose billboard signage but disapproves of the poor quality of maintenance on the signage, such as debris and fencing. He does not want to delete Condition 3 unless it is clearly understood what is being deleted. MR. NAFTZGER responded that deleting the first sentence of Condition 3 would be acceptable because 95% of their signs are the newer ones and have enclosures; the other 5% would probably be the ones that were purchased from different companies.

MR. LEOBOLD confirmed for COMMISSIONER STEINMAN that finishing materials also dealt with how the structure is painted. COMMISSIONER STEINMAN'S opinion is that the billboard should not be on this portion of Rancho Road. However, if it is to remain, then he felt that the billboard sign should look nice and compatible with the adjacent building on the site.

CHAIRMAN TRUESDELL agreed with previous comments regarding limiting billboards within the Valley and ensuring that they are in conformance. He supported staff's recommendation for approval with the two-year review. Even if the first sentence of Condition 3 is deleted, he felt

MINUTES – Continued:
that appropriate conditions were in place to maintain control of the existing sign. He then confirmed for COMMISSIONER DAVENPORT that the clause could be added on again at the next review. MR. LEOBOLD then verified with CHAIRMAN TRUESDELL that the first sentence of Condition 3 would be deleted.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(6:34 – 6:42)
1-766

CONDITIONS:
Planning and Development

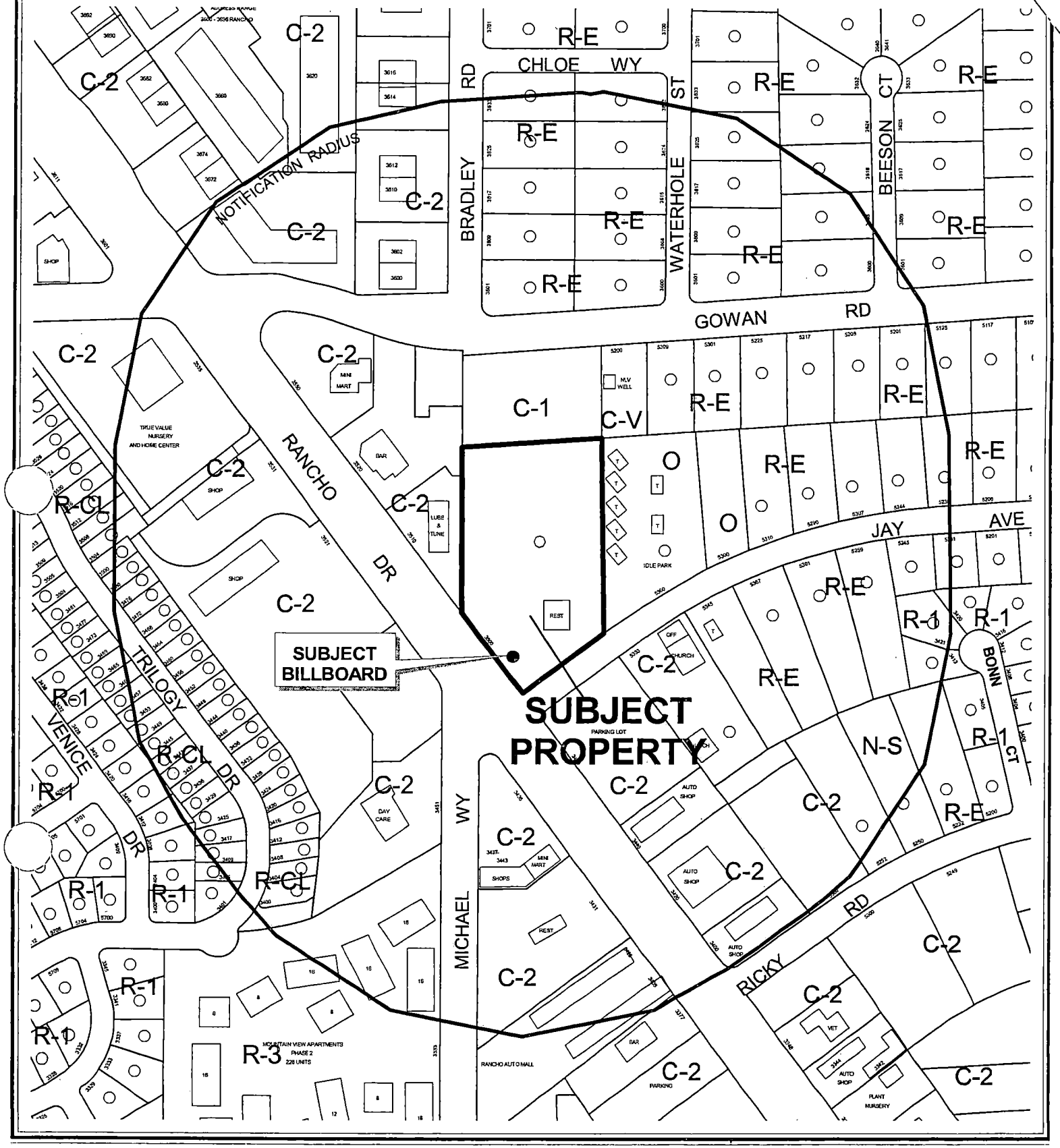
1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise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

2. 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.

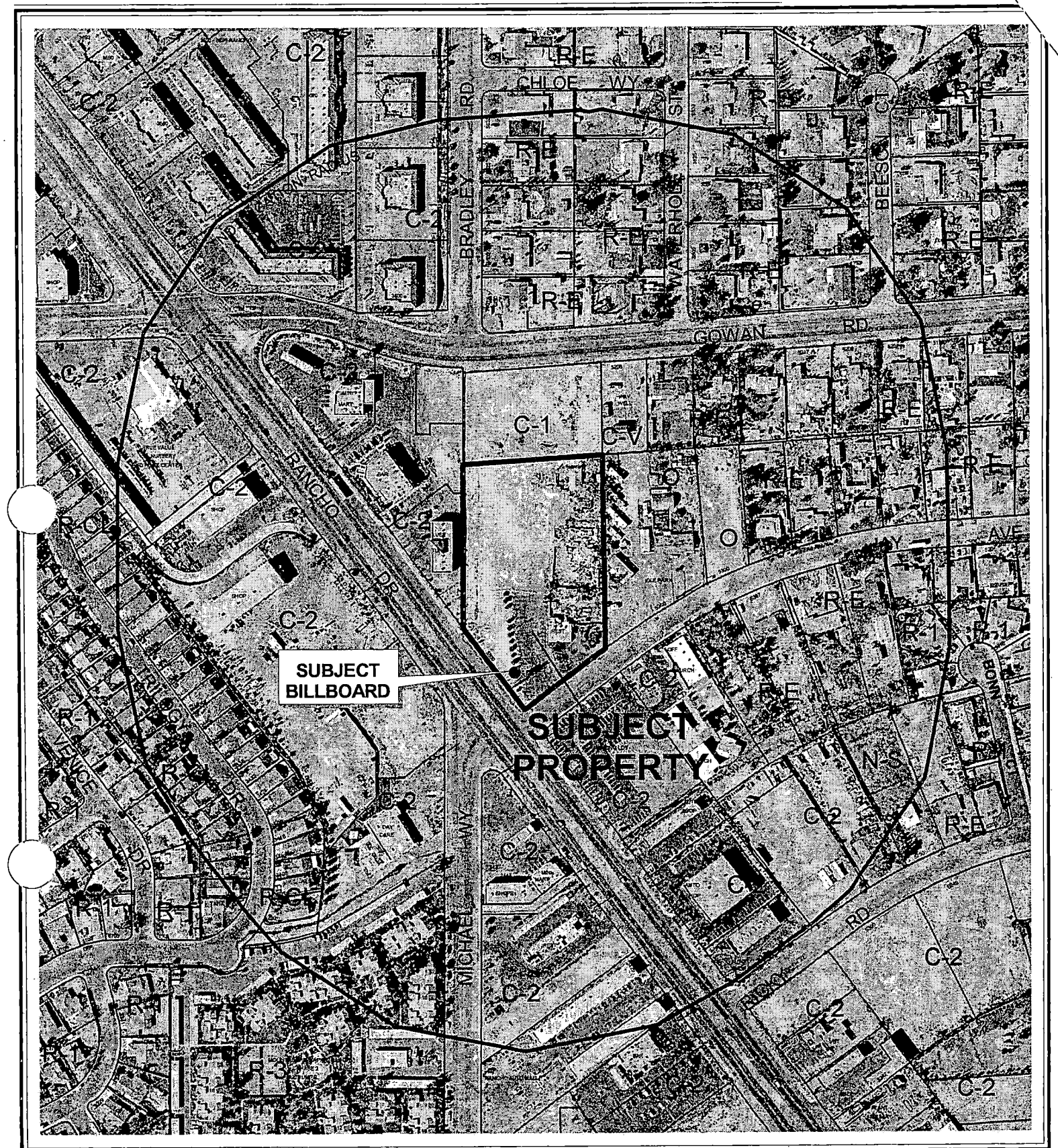
5. All City Code requirements and design standards of all City Departments shall be satisfied.



CASE: **RQR-5167**

RADIUS: 750 FT

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

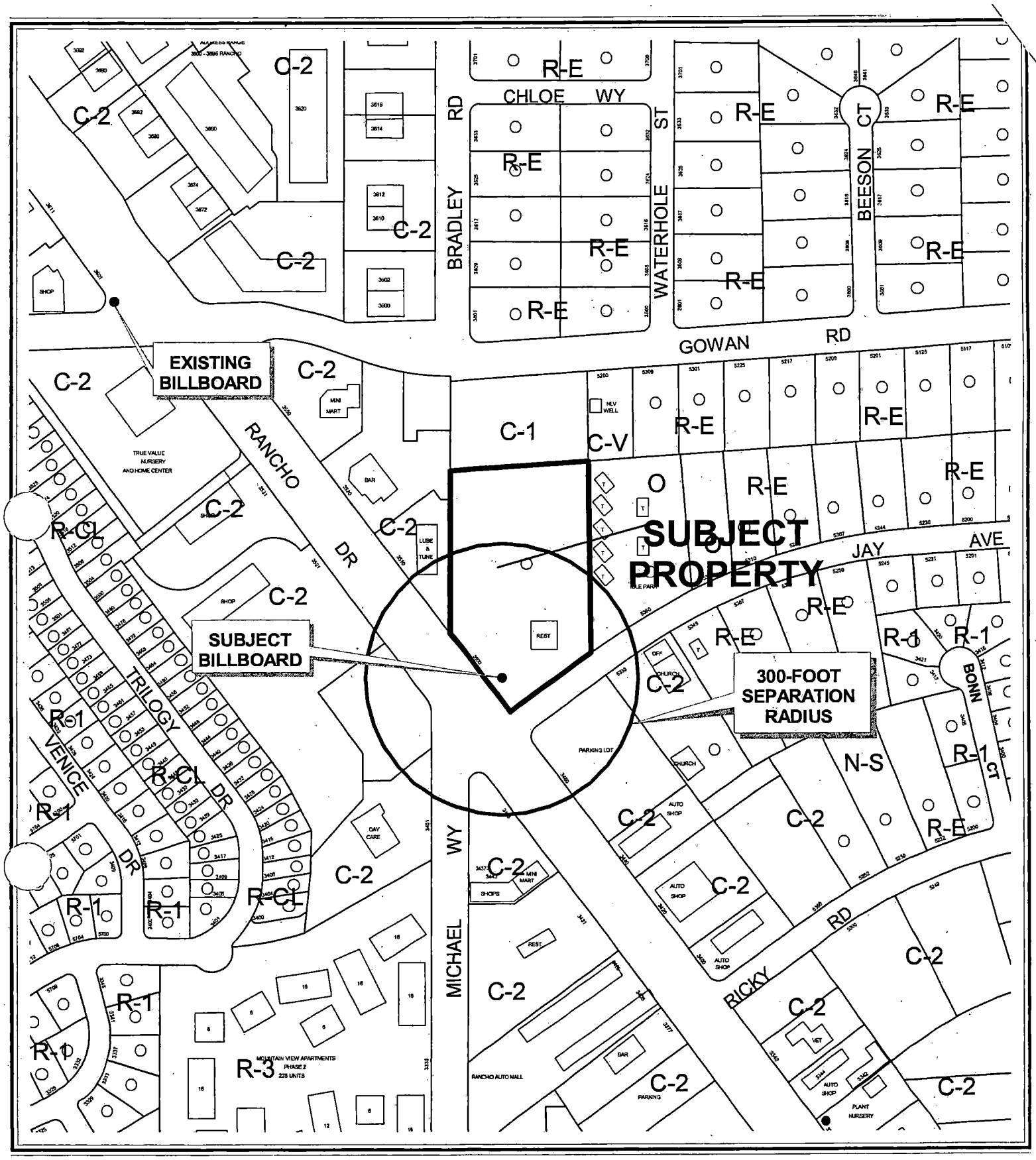


0 200 400 Feet

CASE: **RQR-5167**

RADIUS: 750 FT

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



CASE: **RQR-5167**

SEPARATION RADIUS: 300 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-5167 - APPLICANT: LAMAR ADVERTISING - OWNER: HAL-STAN, INC.

** CONDITIONS **

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

Planning and Development

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

2. 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 this site.

B) Applicant's Justification

A justification letter is not required as part of this application.

BACKGROUND INFORMATION

A) Previous Actions

06/05/63 The subject property was designated within the C-2 (General Commercial) zoning district upon its Annexation (A-0003-63) into the City of Las Vegas.

05/17/95 The City Council approved a Special Use Permit (U-0038-95) 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-0038-95(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 26, 2000.

10/17/02 The City Council approved a Required Two-Year Review [U-00385-95(2)] 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.

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: 3.30 acres (overall site)

B) Existing Land Use

Subject Property:	Restaurant Undeveloped
North:	Undeveloped
South:	Church Parking Commercial Retail
East:	Mobile home residential
West:	Commercial Retail

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	GC (General Commercial)
East:	O (Office)
West:	GC (General Commercial)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	C-2 (General Commercial)
East:	O (Office)
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.

BTS

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District	X	
Airport 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

The subject site is located in the North Las Vegas Overlay Map. The maximum height allowed within this area is 70 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 northeast side of Ranch Drive.

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	1200 feet

B) General Analysis and Discussion

- Zoning

The subject property is currently zoned C-1 (Limited Commercial). The existing off-premise advertising (billboard) sign is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19.14.100 permits the removal of the sign if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. The area surrounding the subject site has not substantially changed since initial approval of this 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 area immediately surrounding the subject site has not changed substantially since the approval of the previous Required Two-Year Review [U-0038-95 (2)]. Therefore staff recommends approval of this request, subject to a two-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."**

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 126

APPROVALS 0

PROTESTS 0

BTS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-5167** APN: 138-12-710-044

Name of Property Owner: Hal-Stan Inc.

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: [signature]

Print Name: Scott Naftzger on behalf of owner

Subscribed and sworn before me

This 27 day of August, 2004

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

LYNDA S. MILES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 03-85289-1
My Appt. Expires Sept. 25, 2007

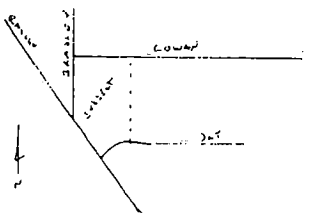
RQR-5167
10/21/04 PC

A PORTION OF THE
SOUTHEAST ¼ SECTION 13
TOWNSHIP 20 SOUTH
RANGE 60 EAST

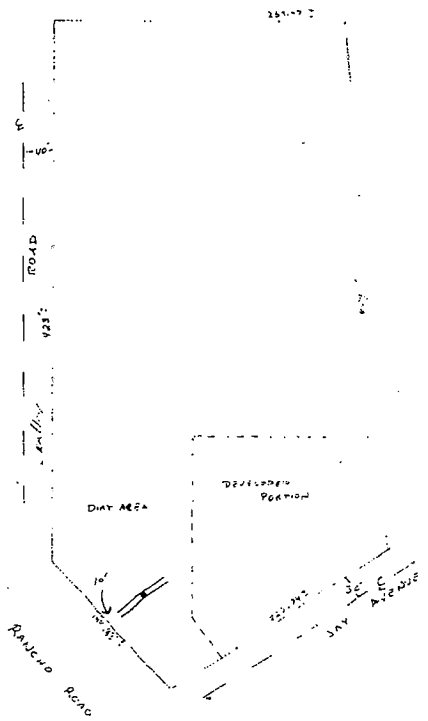
APN 13812-710-044

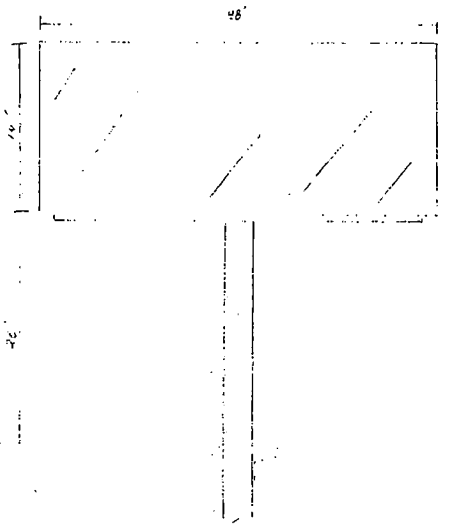
3500 No. RANCHO DRIVE

ZONED C-1



VICINITY
MAP
(NOT TO SCALE)





N
1" = 50'

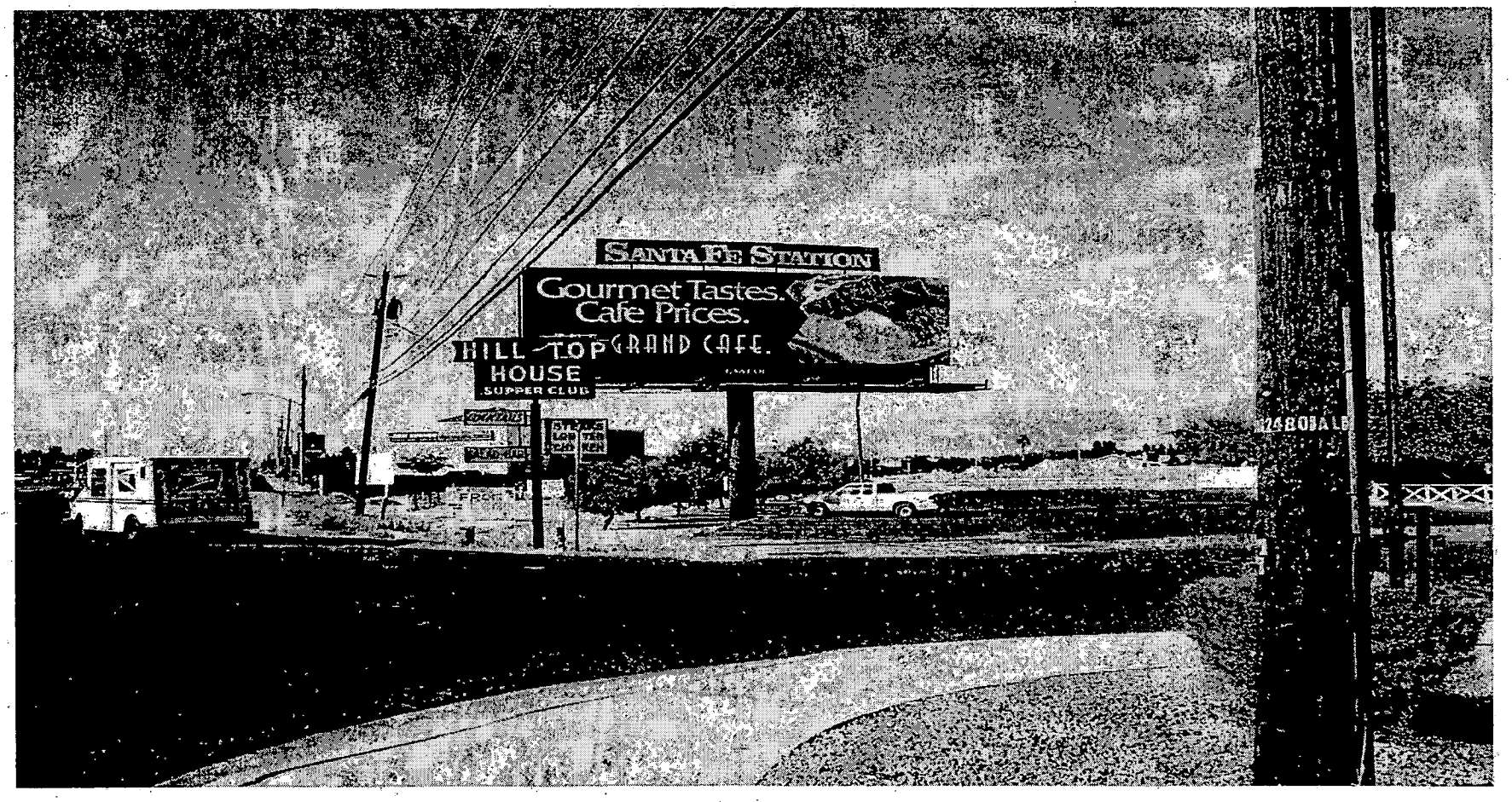
APPROVED

857-1371-01

Halstan Inc.

SCALE: 1" = 50
DATE 3-95
DRAWN BY
APPROVED
REVISED
APN 13812-710-044
3500 N. RANCHO
DRAWING NUMBER 1

ALMAR OUTDOOR ADVERTISING, INC.
MICHAEL PERRAH
1650

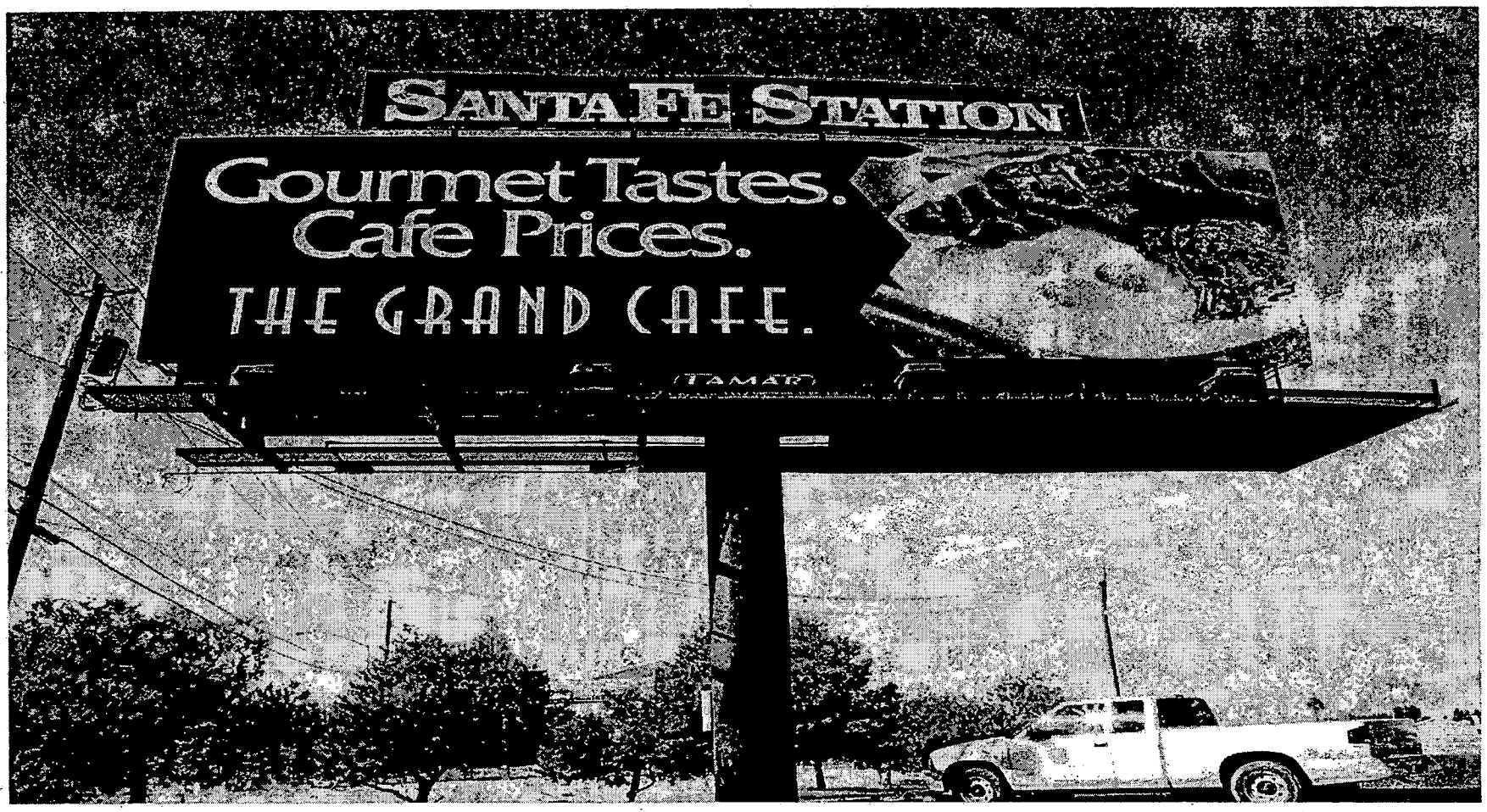


RQR-5167 - APPLICANT: LAMAR ADVERTISING - OWNER: HAL-STAN, INC.
3500 NORTH RANCHO DRIVE
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

RQR-5167 - APPLICANT: LAMAR ADVERTISING - OWNER: HAL-STAN, INC.
3500 NORTH RANCHO DRIVE
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



RQR-5167 - APPLICANT: LAMAR ADVERTISING - OWNER: HAL-STAN, INC.
3500 NORTH RANCHO DRIVE
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

City of Las Vegas

Agenda Item No.: 8

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
RQR-5168 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING – OWNER: Z J & R PROPERTIES, LLC - Required One Year Review of an Approved Special Use Permit (U-0043-94) WHICH ALLOWED A 55 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3920 West Charleston Boulevard (APN 139-31-801-018), 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:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
McSWAIN – DENIED – UNANIMOUS

- **This is Final Action**

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated that billboard sign is located on the northwest corner of Charleston Boulevard and Valley View Boulevard. There is an additional billboard sign on the northeast corner of this same site. Staff felt that the continuance of an off-premise advertising billboard sign in this area is inappropriate because of the opening of the Las Vegas Springs Preserve to the east, a 110-acre public facility, representing substantial change in the immediate area. The billboard use is in conflict with an assertion of the Master Plan 2020 that "the visual image of the 'streetscape' and 'roadscape' environments is perhaps the most

MINUTES – Continued:
important single factor in the perception of quality of life for both the resident and the visitor to Las Vegas".

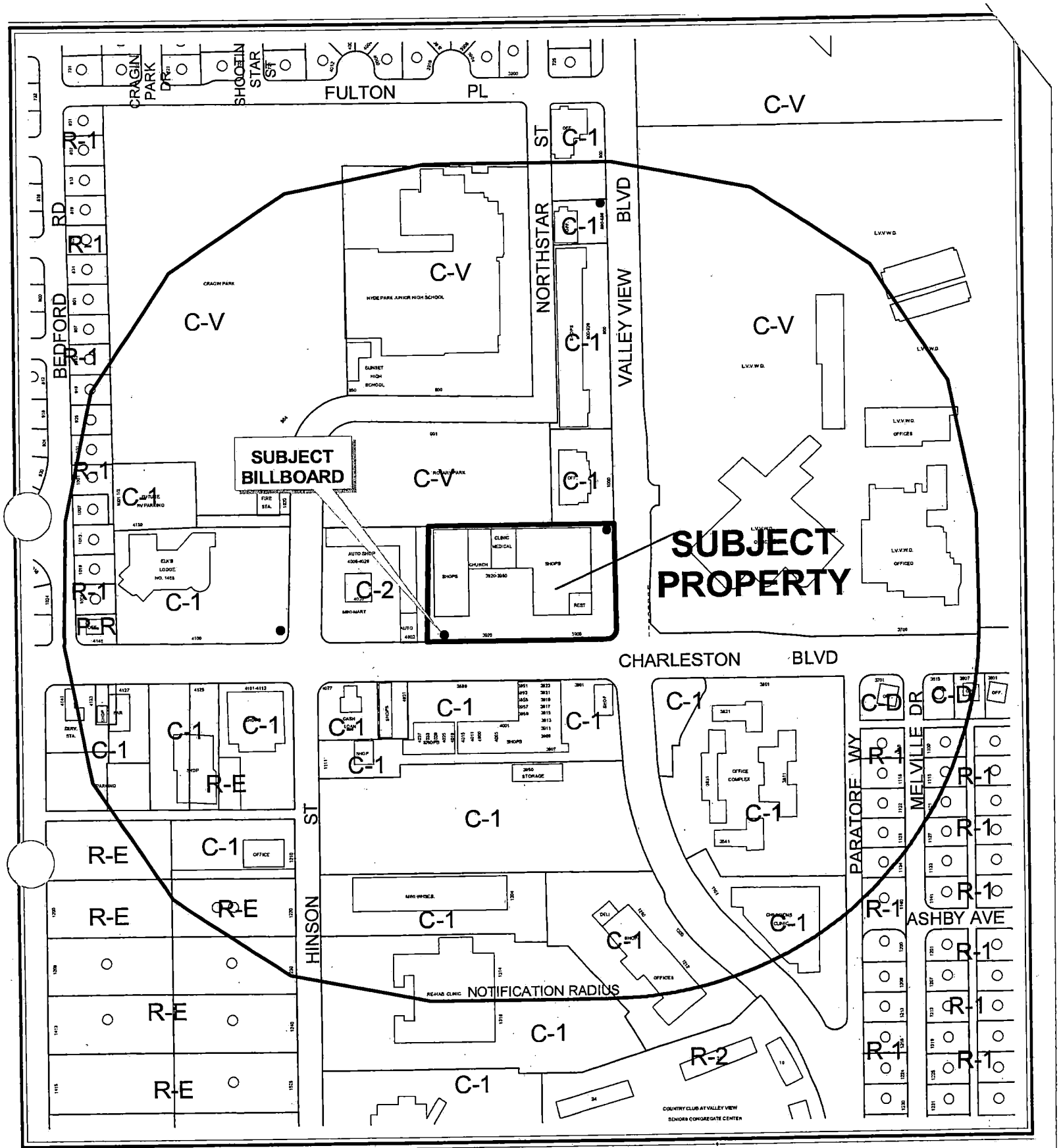
SCOTT NAFTZGER, Lamar Outdoor Advertising, 1863 Helm Drive, requested approval of the application with the deletion of the first sentence on Condition 3.

Along with staff's arguments for denial, COMMISSIONER McSWAIN emphasized that this billboard is located on Charleston Boulevard where it is in competition with other retail operations and is not appropriate. She would not support this application and emphatically would not approve of the applicant's request to amend Condition 3.

COMMISSIONER STEINMAN commented that he previously opposed the billboard signage approved on Valley View Boulevard near this location, and he concurred with COMMISSIONER McSWAIN'S comments. He stated he would remain consistent and not support this application or the similar application on the agenda, Item 11 [RQR-5171].

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(6:42 – 6:45)
1-1320

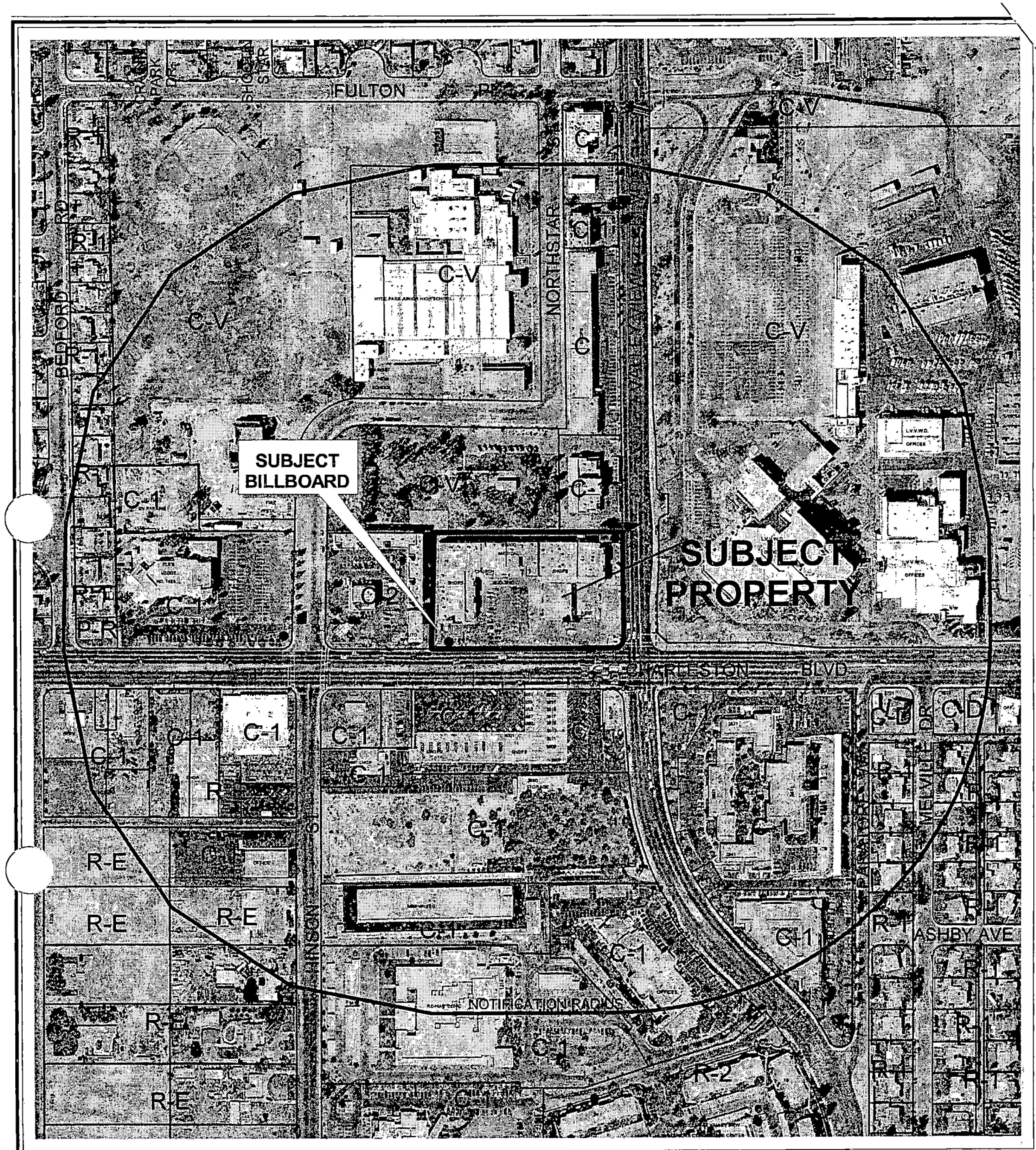


CASE: **RQR-5168**

RADIUS: 750 FT

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

N



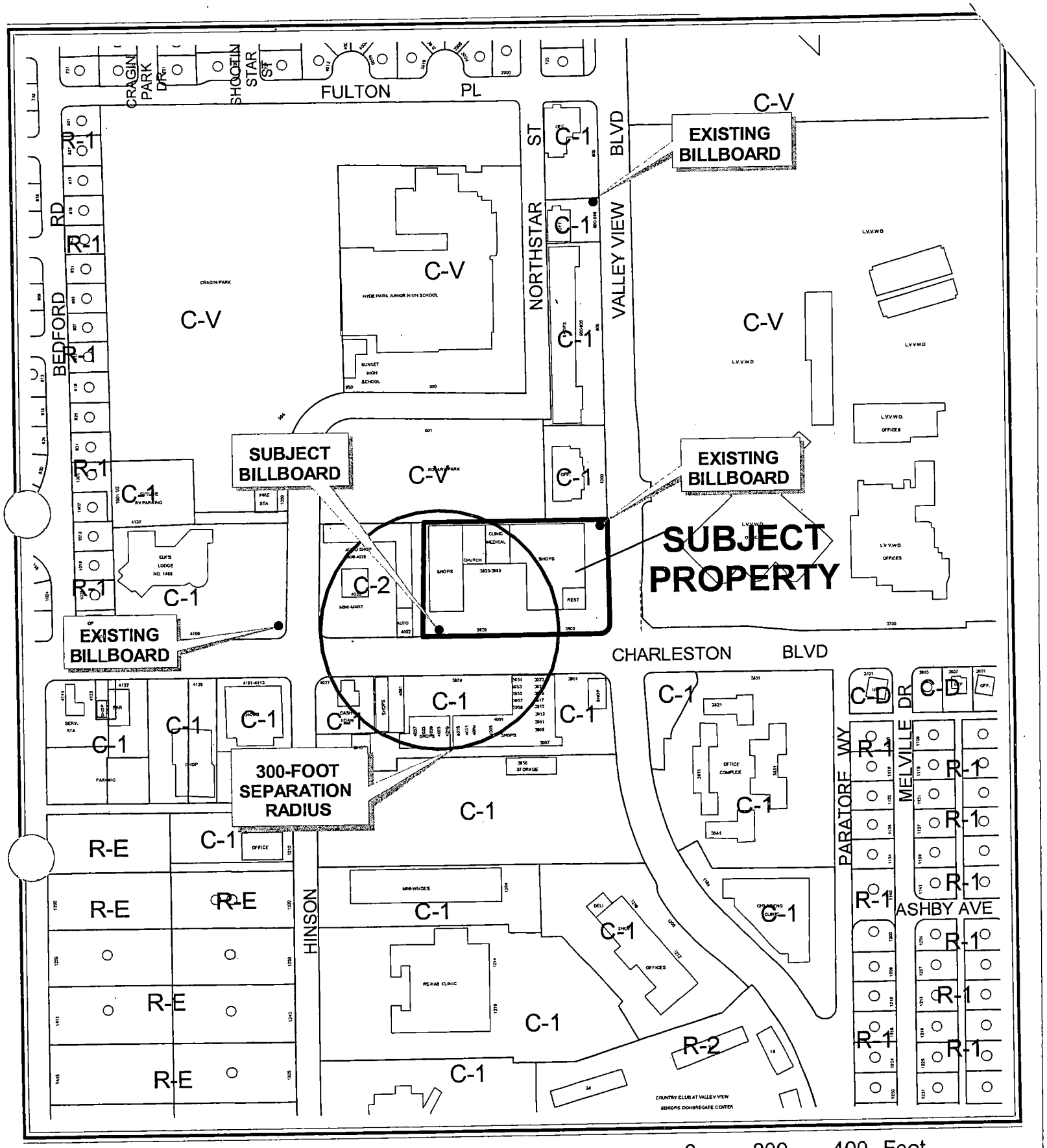
0 200 400 Feet

CASE: **RQR-5168**

RADIUS: 750 FT

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

N



CASE: **RQR-5168**

SEPARATION RADIUS: 300 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-5168 - APPLICANT: LAMAR ADVERTISING - Z J & R PROPERTIES, LLC

** CONDITIONS **

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

Planning and Development

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

2. 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. Bird deterrent devices must be installed to prevent birds from roosting within the structure of the sign and to prevent bird droppings from accumulating around the pole and the base of the sign.

6. 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 One Year Review on approved Special Use Permit U-0043-94(3), which allowed a 55-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 3920 West Charleston Boulevard.

B) Applicant's Justification

A justification letter is not required as part of this application.

BACKGROUND INFORMATION

A) Previous Actions

04/20/94	The City Council approved a Special Use Permit (U-0043-94) for two 55-foot-high, 14-foot by 48-foot off-premise advertising (billboard) signs on the subject site.
05/29/99	The City Council approved a required five-year review [U-0043-94(1)] on the approved Special Use Permit; subject to review in two years time.
07/05/01	The City Council approved a required two-year review [U-0043-94(2)] on the approved Special Use Permit; subject to a two-year review for the billboard located at 3920 West Charleston Boulevard. Planning Commission and staff recommended approval.
08/21/02	The City Council heard an appeal of the DENIAL by the Planning Commission and approved the two-year review of the Special Use Permit [U-0043-94(3)] on this site subject to a one year review.
11/05/03	The City Council heard an appeal of the DENIAL (September 25, 2003) by the Planning Commission and staff and approved the one-year review of the Special Use Permit [U-0043-94(3)] on this site subject to a one year review.

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: 1.83 acres

B) Existing Land Use

Subject Property:	Existing Retail
North:	Park
South:	Existing Retail
East:	Existing Retail
West:	Existing Retail

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The SC (Service Commercial) category of the Southeast Sector Land Use Plan of the General Plan 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
Trails		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Reviewed billboard is not situated within any special area plan, overlay district, DINA, or PRS.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	**Code Requirement**	**Provided**
Off-Premise Advertisement (Billboard)	300 feet to another Off Premise Sign	485 feet to another Off Premise Sign

An off premise advertisement (billboard) sign not oriented toward the same travelway cannot be closer that 300 feet in any direction to another off premise advertisement (billboard) sign. The nearest billboard oriented to Charleston Boulevard similar to the subject sign is beyond the 300-foot distance from the subject sign.

B) General Analysis and Discussion

- Zoning

The subject property is currently zoned C-1 (Limited Commercial). The existing off-premise advertising (billboard) sign is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19.14.100 permits the removal of the sign if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. The area surrounding the subject site has not seen substantial change since initial approval of this Special Use Permit. However, the continuance of an off-premise advertising (billboard) sign in this area is inappropriate because of the opening of the Las Vegas Springs Preserve to the east, a 110-acre public facility, representing substantial change in the immediate area.

- Current Condition of the Sign

A September 2003 site visit found the sign in non-conformance with conditions of Special Use Permit [U-0043-94(3)]. The support pole of the sign and the property showed a substantial amount of bird droppings around the base of the sign. The support pole needed to be scraped and repainted and the parking lot around the billboard sign needed to be cleaned.

- Special Condition of Approval from this Required Review RQR-5168, listed above:

5. Bird deterrent devices must be installed to prevent birds from roosting within the structure of the sign and to prevent bird droppings from accumulating around the pole and the base of the sign.

FINDINGS

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

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

   Title 19.14.100 permits the removal of the signs if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. The recently developed Las Vegas Springs Preserve significantly changes the nature of the area. This use is not compatible and harmonious with the future land uses as projected by the General Plan and does not support this use. For this reason, denial of this application is recommended.

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."**

   This billboard use is in conflict with an assertion of the Master Plan 2020 that "the visual image of the 'streetscape' and 'roadscape' environments is perhaps the most important single factor in the perception of quality of life for both the resident and the visitor to Las Vegas."

NOTICES MAILED 51

APPROVALS 0

PROTESTS 0

SRS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-5168** APN: 139-31-801-018

Name of Property Owner: ZJ & R Properties 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: Scott Naftzger

Print Name: Scott Naftzger on behalf of owner.

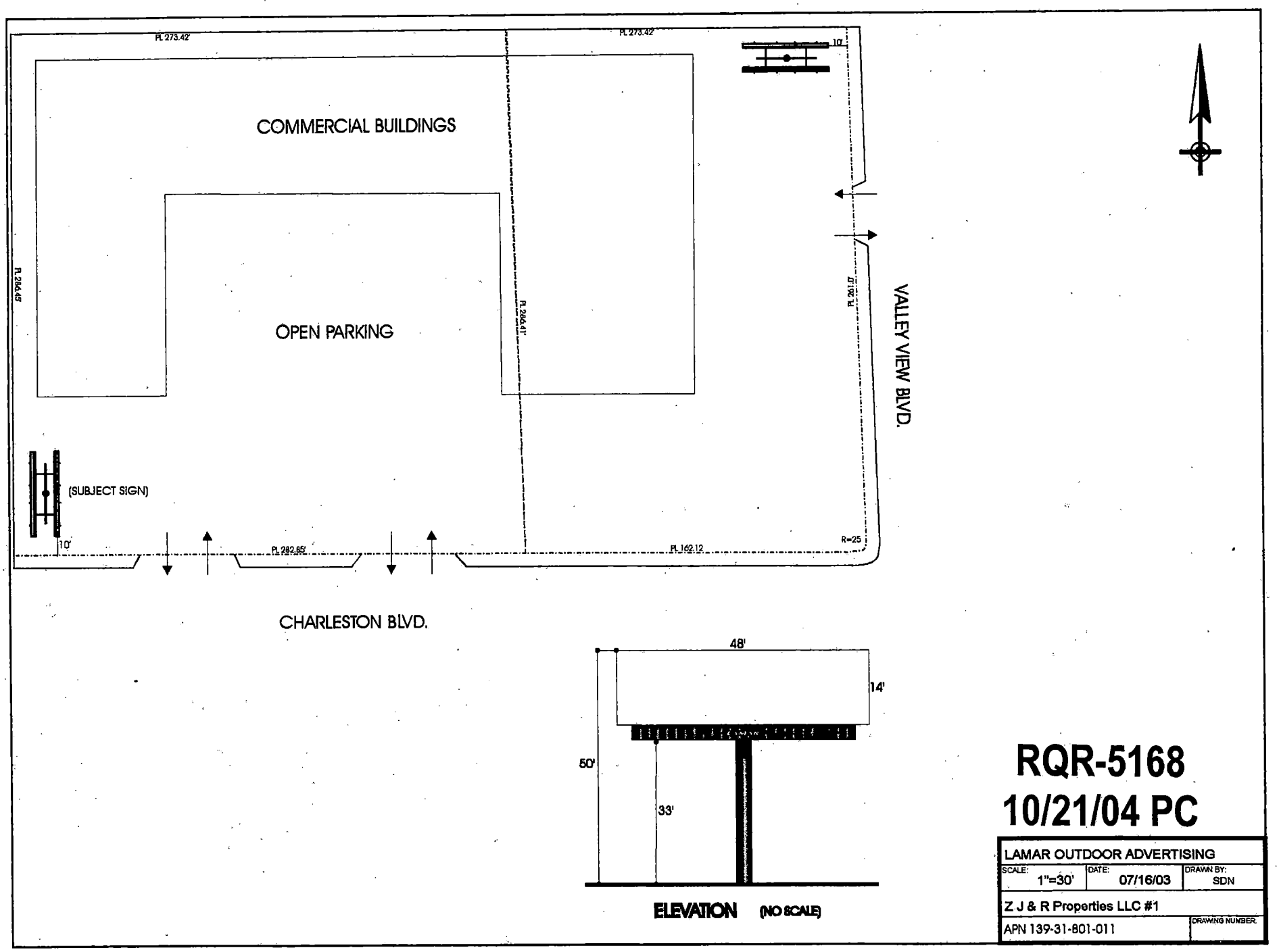
Subscribed and sworn before me

This 27 day of August, 2004

Lynda S Miles

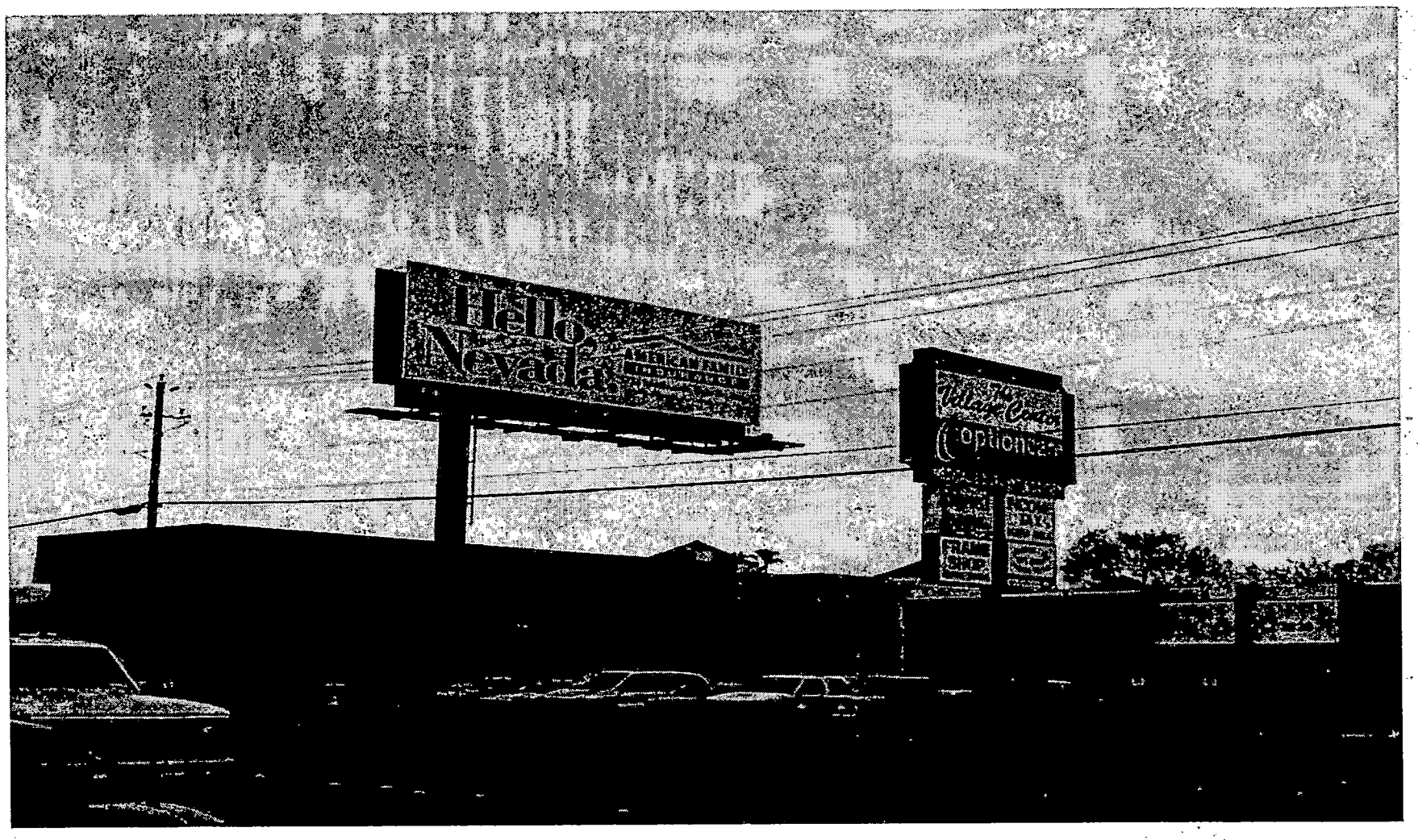
Notary Public in and for said County and State

LYNDA S. MILES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 03-85289-1
My Appt. Expires Sept. 25, 2007



RQR-5168
10/21/04 PC

LAMAR OUTDOOR ADVERTISING		
SCALE: 1"=30'	DATE: 07/16/03	DRAWN BY: SDN
Z J & R Properties LLC #1		
APN 139-31-801-011		DRAWING NUMBER:



RQR-5168 - APPLICANT: LAMAR ADVERTISING - OWNER: Z J & R PROPERTIES, LLC
3920 WEST CHARLESTON BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

City of Las Vegas

Agenda Item No.: 9

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
RQR-5169 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: STEVE & RAYNELL PHILLIPS - Required Two Year Review of an Approved Special Use Permit (U-0027-95) WHICH ALLOWED A 40 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6651 West Charleston Boulevard (APN 163-02-104-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], Ward 1 (Moncrief).

IF APPROVED: C.C.: 11/17/04
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
McSWAIN – DENIED – UNANIMOUS

This is Final Action

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated that the billboard sign is a non-conforming use on this property. Title 19.14.100.C.11 requires a minimum separation of 300 feet between an off-premise advertising (billboard) sign and any "R" (Residential) or "U" (Undeveloped) zone. These minimum separation requirements are not met, as the billboard is located on a parcel zoned U (Undeveloped), and is situated only 116 feet away from the property line of an R-3 zoned parcel.

MINUTES – Continued:

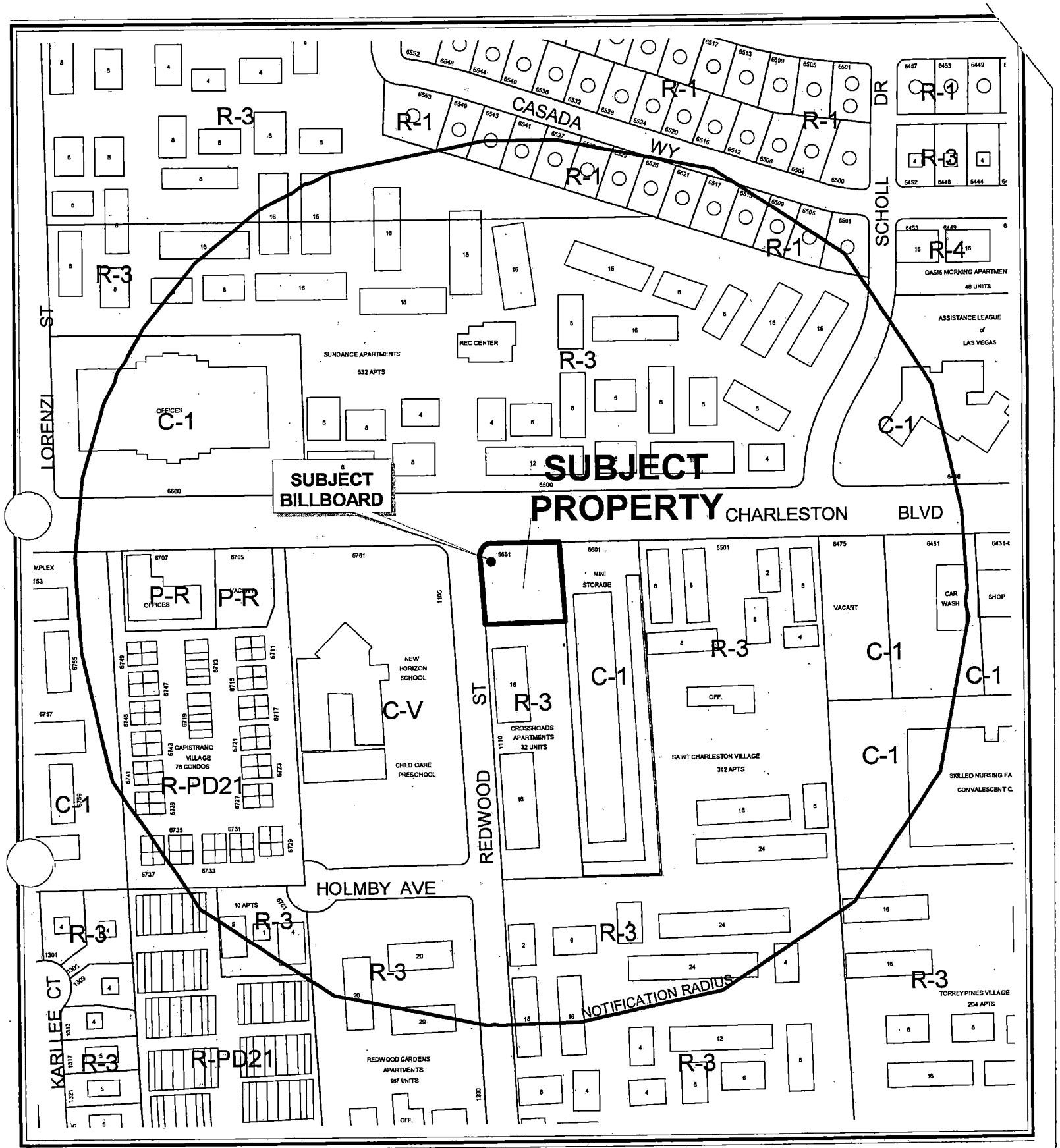
In this instance, the vicinity has not changed substantially in the past two years. Therefore, staff recommended approval with an additional two-year review. MR. LEOBOLD added that the site is currently vacant.

SCOTT NAFTZGER, Lamar Outdoor Advertising, 1863 Helm Drive, agreed with staff's recommendations. MR. LEOBOLD then verified for MR. NAFTZGER that Condition 3 has been deleted. MR. LEOBOLD added that in earlier drafts of staff's reports, Condition 3 was erroneously placed on some of the applications that dealt with billboards on vacant lots. This has been rectified and the condition has been removed from such applications.

COMMISSIONER McSWAIN briefly commented that she never supported this particular billboard even though it was approved at City Council. The billboard is located within a retail area and on a vacant lot. She felt that staff's assessment of the application was accurate, and she would not support this application.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(6:45 – 6:48)

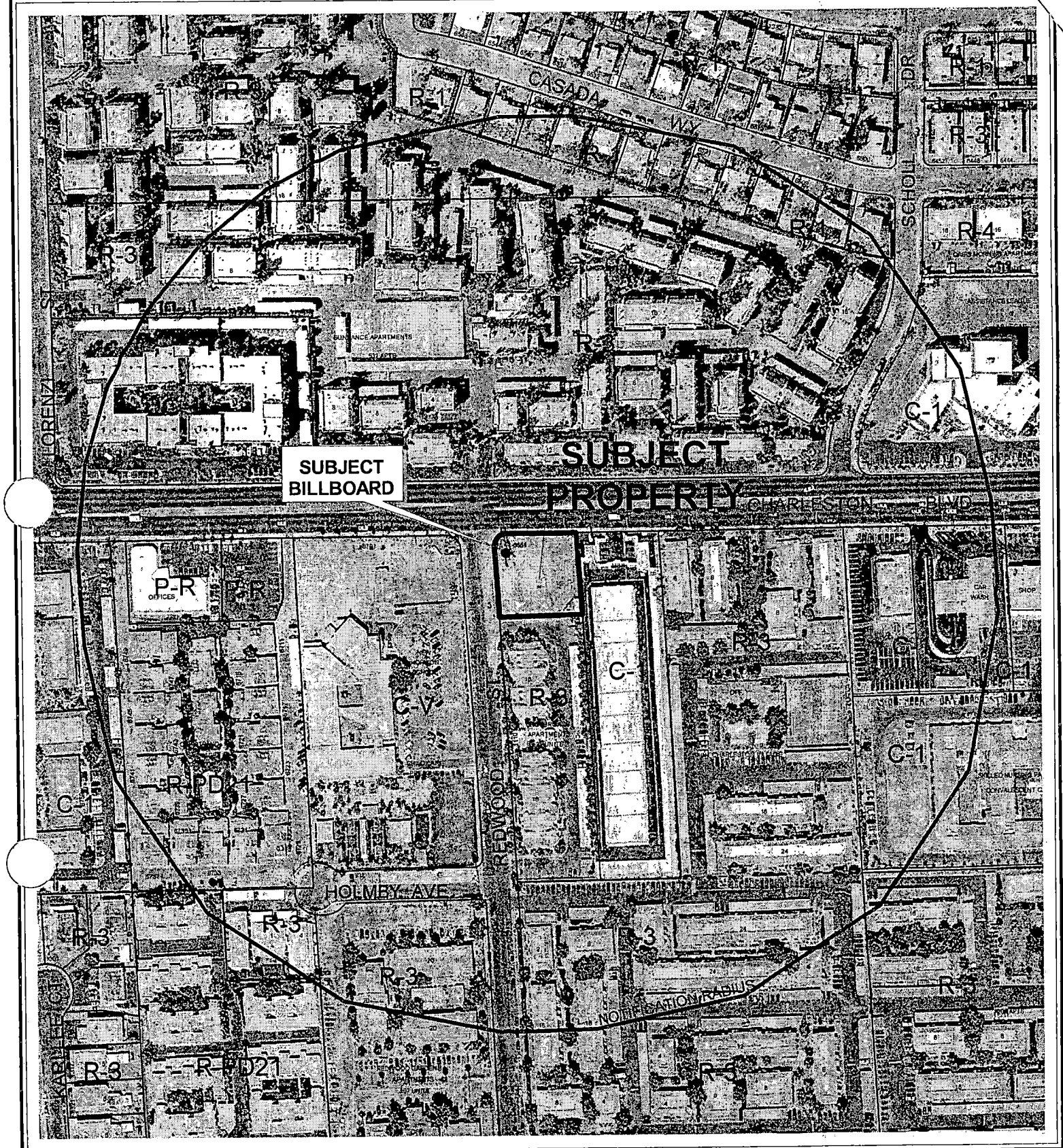


CASE: **RQR-5169**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL GENERAL PLAN DESIGNATION]



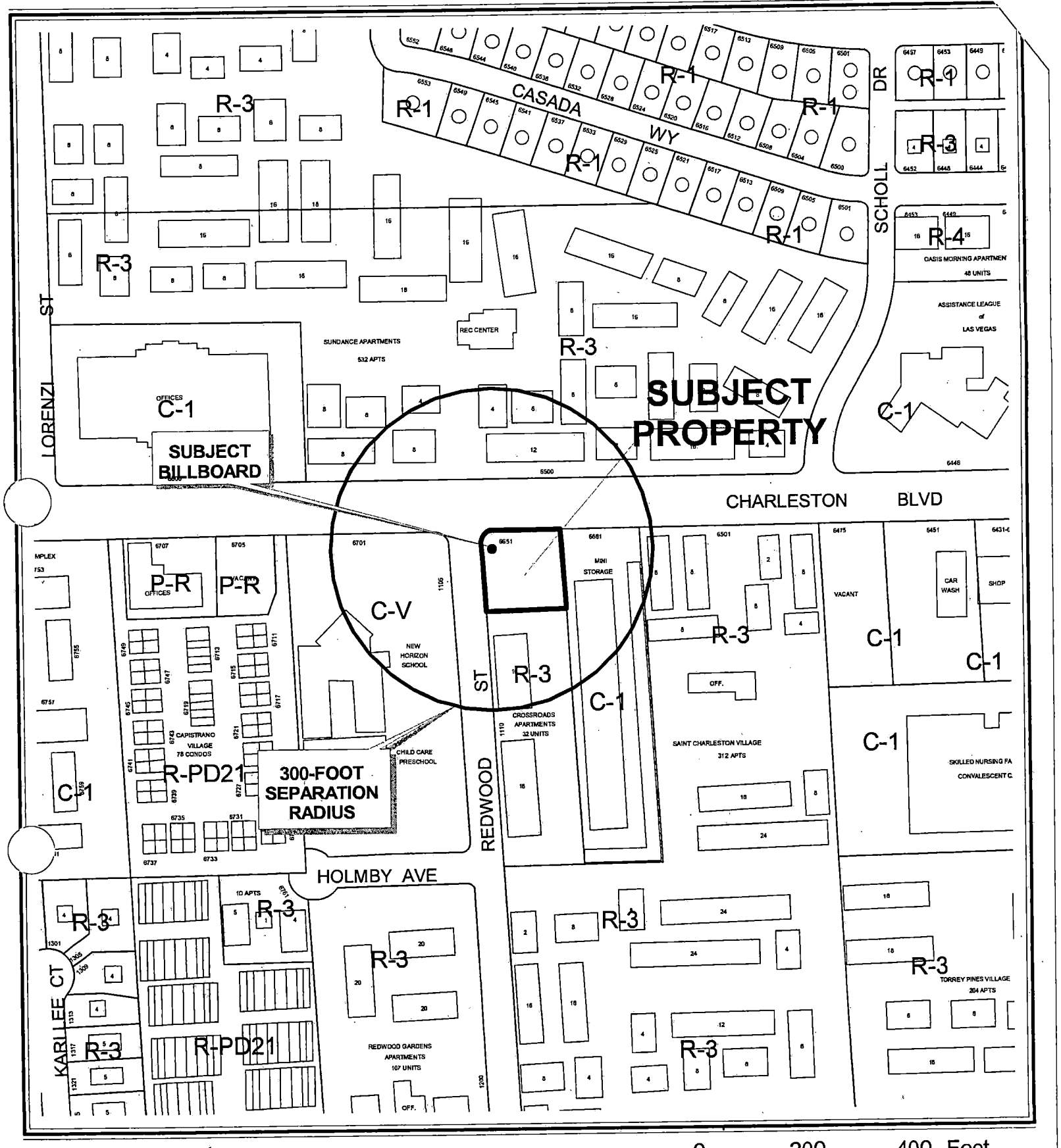
CASE: **RQR-5169**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL GENERAL PLAN DESIGNATION]

N



CASE: RQR-5169

SEPARATION RADIUS: 300 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL GENERAL PLAN DESIGNATION]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-5169 - APPLICANT: LAMAR ADVERTISING - OWNER: STEVE & RAYNELL PHILLIPS

** CONDITIONS **

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

Planning and Development

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

2. 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 and bird droppings 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.

SRS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a Required One Year Review on approved Special Use Permit U-0027-95(2) which allowed a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 6651 West Charleston Boulevard.

B) Applicant's Justification

A justification letter is not required as part of this application.

BACKGROUND INFORMATION

A) Previous Actions

02/18/95	The City Council approved a request for Reclassification of Property (Z-0172-94) from N-U (Non-Urban) to C-1 (Limited Commercial) of the subject site; the Resolution of Intent for Reclassification subsequently expired, due to the property not being developed as proposed.
07/05/95	The City Council rescinded a denial of the Special Use Permit (U-0027-95) for a 672 square-foot (14 feet x 48 feet), 40-foot high off-premise advertising (billboard) sign on this site, subject to a five-year review.
09/08/00	The City Council approved a Required Five Year Review [U-0027-95(1)] of a Special Use Permit for a 672 square-foot (14 feet x 48 feet), 40-foot high off-premise advertising (billboard) sign on this site, subject to a two-year review.
08/07/02	The City Council approved a Site Development Plan Review (SD-0026-02) for site improvements in conjunction with temporary sales at this site.
11/06/02	The City Council approved a Required Two Year Review [U-0027-95(2)] of a Special Use Permit for a 672 square-foot (14 feet x 48 feet), 40-foot high off-premise advertising (billboard) sign on this site, subject to a two-year review. Planning Commission and staff recommended approval on September 26, 2002.

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

Net Acres: 0.52

B) Existing Land Use

Subject Property:	Undeveloped
North:	Multiple Family Residential
South:	Multiple Family Residential
East:	Commercial
West:	Church
	School
	Daycare

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	U (Undeveloped) [SC (Service Commercial) General Plan Designation]
North:	R-3 (Medium Density Residential)
South:	R-3 (Medium Density Residential)
East:	C-1 (Limited Commercial)
West:	C-V (Civic)

E) General Plan Compliance

The SC (Service Commercial) land use designation of this parcel conforms to the Southwest General Plan. Off-premise (billboard) advertising is an allowed use with a Special Use Permit.

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

This billboard is not situated in any special area plan, overlay district, DINA or PRS.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

Pursuant to Title 19.04.100, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	At least **300 feet** to another Off Premise Sign	YES **1,060 feet** to another Off Premise Sign
Off-Premise Advertisement (Billboard)	At least **300 feet** to the nearest property line of a lot in the "U" zoning district	NO **Zero feet**. Billboard is sited on a "U" zone.
Off-Premise Advertisement (Billboard)	At least **300 feet** to the nearest property line of a lot in any "R" zoning district	NO Billboard is sited **116 feet** from "R-3"

The subject billboard exceeds the separation requirement to another billboard. However, the minimum separation requirements are not met, as the billboard is located on a parcel zoned U (Undeveloped), and is situated only 116 feet away from the property line of an R-3 zoned parcel.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned U (Undeveloped) [SC (Service Commercial) General Plan Designation]. An off-premise advertising (billboard) sign is not a permitted use within the U (Undeveloped) zone.

Title 19.14.100.C.11 requires a minimum separation of 300 feet between an off-premise advertising (billboard) sign and any "R" (Residential) or "U" (Undeveloped) zone. These minimum separation requirements are not met, as the billboard is located on a parcel zoned U (Undeveloped), and is situated only 116 feet away from the property line of an R-3 zoned parcel.

- Use

The off-premise advertising (billboard) sign is a legal, non-conforming use on this property. An off-premise advertising (billboard) sign use is not usually considered appropriate adjacent to residential uses. In this instance, the vicinity has not changed substantially in the past two years and therefore, the continued off-premise advertising (billboard) sign use on the subject site may be appropriate for the next two years.

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:

The following findings required for approval of a Special Use Permit application, per Title 19.18.060, should also be required for any subsequent Special Use Permit review. Thus, the Planning Commission or City Council must affirm the following:

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

   Title 19.14.010 of the Las Vegas Municipal Code allows the removal of an off-premise sign if conditions are the surrounding area have changed such that the off-premise sign no longer meets the standards for approval of a Special Use Permit. Staff finds that while the area immediately surrounding the subject site has not changed substantially since the

original approval of the Special Use Permit allowing the off-premise advertising (billboard) sign. Billboards are not conducive to new development of an area and are not an appropriate use in perpetuity. Therefore staff recommends this approval be subject to a two-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 site.

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

   The proposed continuation of the off-premise advertising (billboard) sign use will not affect Charleston Boulevard or Redwood Street, both fully developed streets adjacent to the site.

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

   The off-premise advertising (billboard) sign will be subject to regular inspection and will not compromise the public health safety and welfare.

NOTICES MAILED 192

APPROVALS 0

PROTESTS 0

SRS

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-5169 APN: 163-02-104-001

Name of Property Owner: Steven & Raynell Phillips

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: [signature]

Print Name: Scott Nattzger on behalf of owner

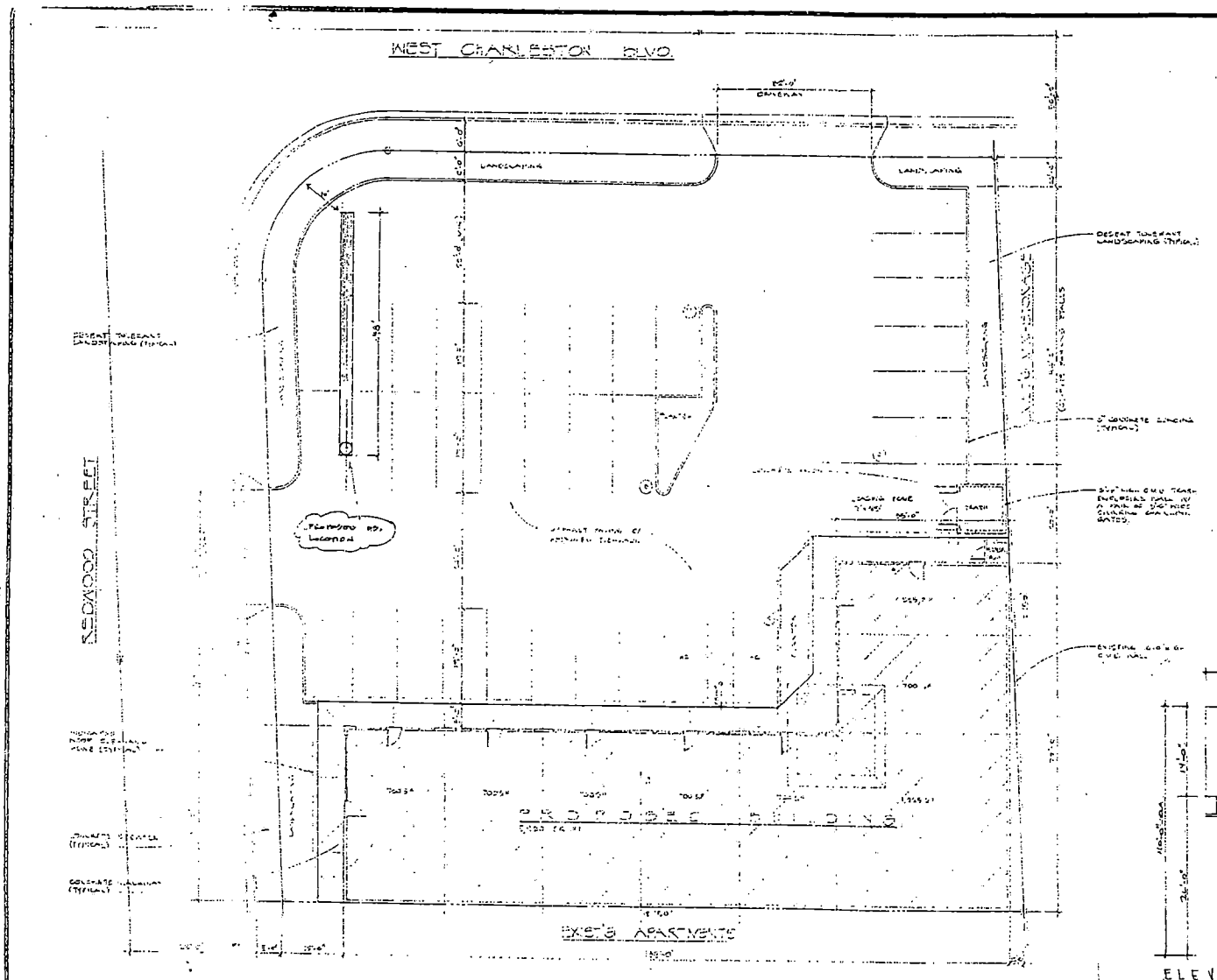
Subscribed and sworn before me

This 27 day of August, 2004

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

LYNDA S. MILES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 03-85269-1
My Appt. Expires Sept. 25, 2007

RQR-5169
10/21/04 PC

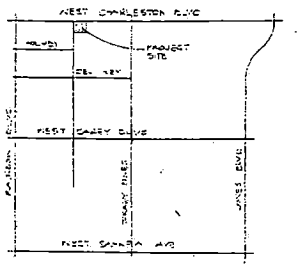


DESIGN DATA/CODE ANALYSIS

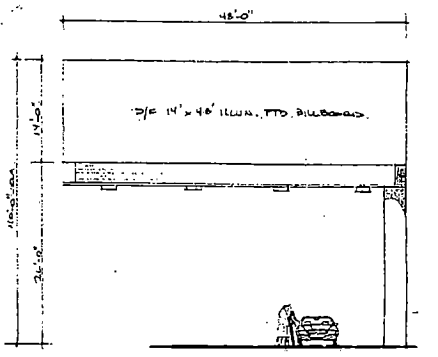
EXISTING USE: VACANT LAND
PROPOSED USE: RETAIL CENTER
SITE AREA: 22,400 S.F.
BUILDING AREA: 5,900 S.F.
CONSTRUCTION TYPE: V-N
BUILDING FULLY SPRINKLERED
OCCUPANCY GROUP: BC/ RETAIL

EXISTING ZONING: R2
PROPOSED ZONING: C-1
PARKING REQ'D.: 35 SPACES
PARKING PROVIDED: 35 SPACES

LEGAL DESCRIPTION:
A PORTION OF LOT D AS SHOWN ON MAP IN FILE 59, PAGE 59 OF PARCEL MAPS, AND AMENDED MAP IN FILE 59, PAGE 96, CLARK COUNTY RECORDS, NEVADA



VICINITY MAP



ELEVATION
SCALE 1/8"

NEVADA OUTDOOR SYSTEMS, INC.

OWNER: MACEY GLATSKY
SCALE: 1/8"
DATE: 9-23-04
LOCATION: CHARLESTON & REDWOOD E/S CORNER

REVISIONS	BY

CHARLESWOOD CENTER
PROPOSED NEW BUILDING
SOUTHEAST CORNER OF CHARLESTON BLVD & REDWOOD ST.
FOR:
MERIDIAN INVESTMENTS
CITY OF LAS VEGAS

DRAWN: PAS
CHECKED:
DATE: 10-27-94
SCALE:
JOB NO.
SHEET: A-1
OF SHEET

U-27-95
BOA 3/28/95

RQR-5169 - APPLICANT: LAMAR ADVERTISING - OWNER: STEVE & RAYNELL PHILLIPS
6651 WEST CHARLESTON BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

City of Las Vegas

Agenda Item No.: 10

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
RQR-5170 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: BOYS CLUBS OF CLARK COUNTY, INC. - Required Two Year Review of an Approved Special Use Permit (U-0041-95) WHICH ALLOWED A 55 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2800 Marlin Avenue (APN 139-36-213-001), R-4 (High Density Residential) 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:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED subject to conditions on Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131] and subject to conditions and deleting Condition 1 on Item 6 [RQR-5165] – UNANIMOUS with McSWAIN abstaining on Item 16 and Item 17, as her company is presently under contract with the applicant, Ryland Homes

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

MINUTES:
CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [RQR-5165], Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131].

COMMISSIONER McSWAIN requested pulling Item 9 [RQR-5169] from One Motion One Vote.

DEPUTY CITY ATTORNEY BRYAN SCOTT requested staff to reiterate the items that were being pulled from One Motion One Vote. GARY LEOBOLD, Planning and Development, stated that Item 5, Item 7, Item 8 and Item 11 would be pulled from One Motion One Vote so discussions could take place on these items. Item 6, Item 9 and Item 10 will remain on the One Motion One Vote items. He also confirmed for CHAIRMAN TRUESDELL that staff had received a letter from the applicant agreeing to the conditions for Item 15.

CHAIRMAN TRUESDELL then read into record the items that were One Motion One Vote as previously stated above.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [RQR-5165], Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131].

(6:21 – 6:26)

CONDITIONS:

Planning and Development

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

2. 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.

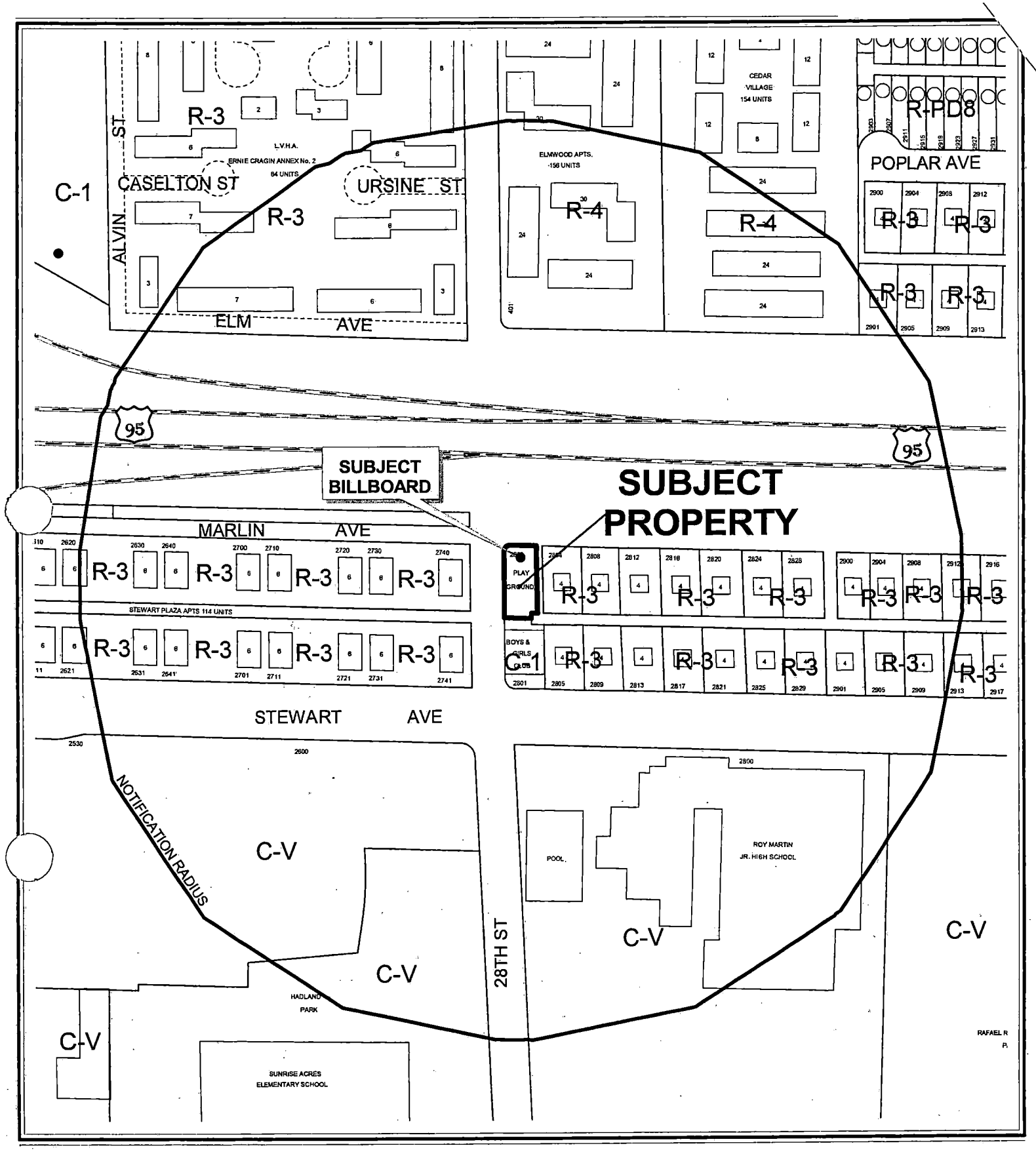
PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 10 – RQR-5170

CONDITIONS – Continued:

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.



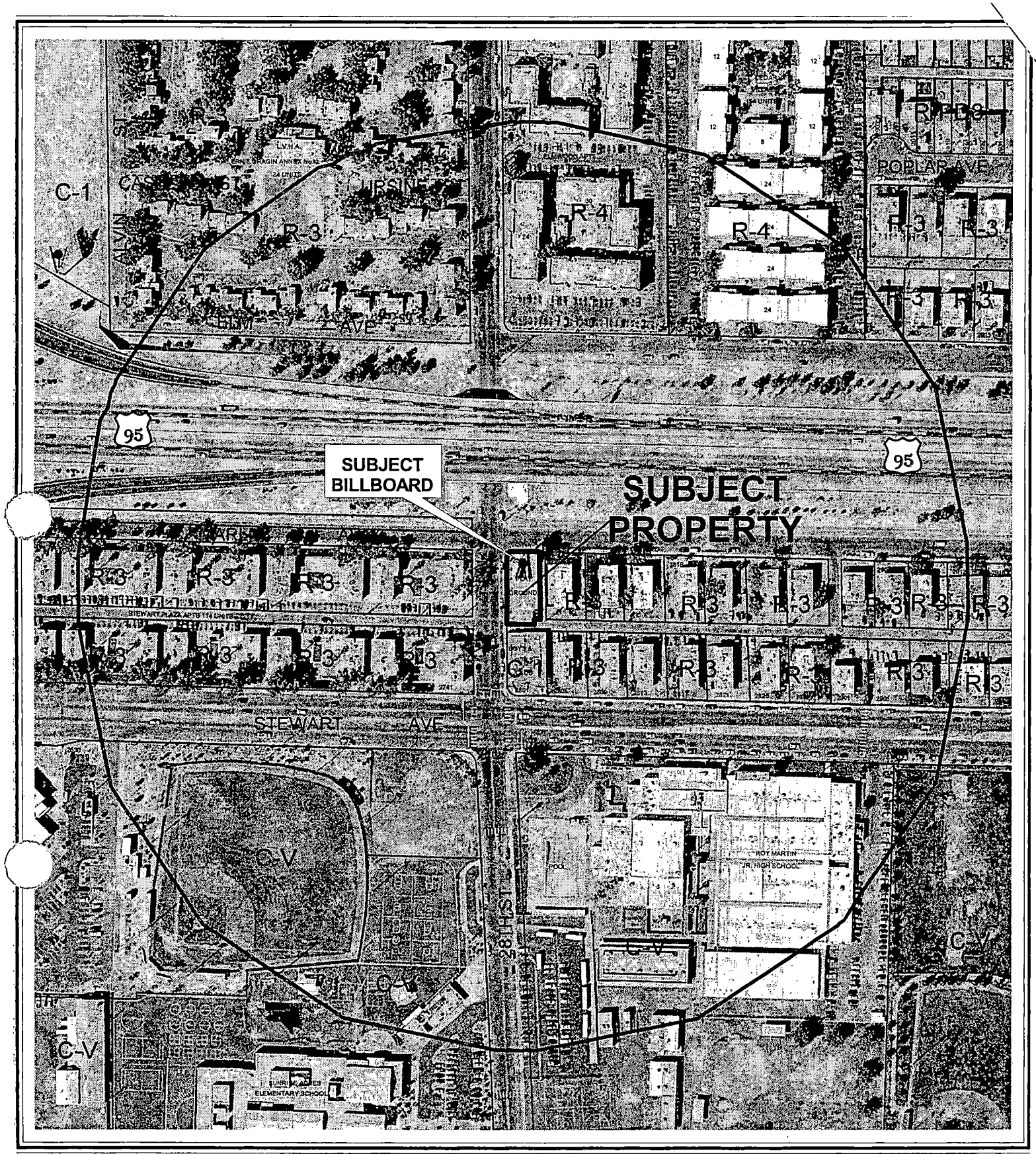
0 200 400 Feet

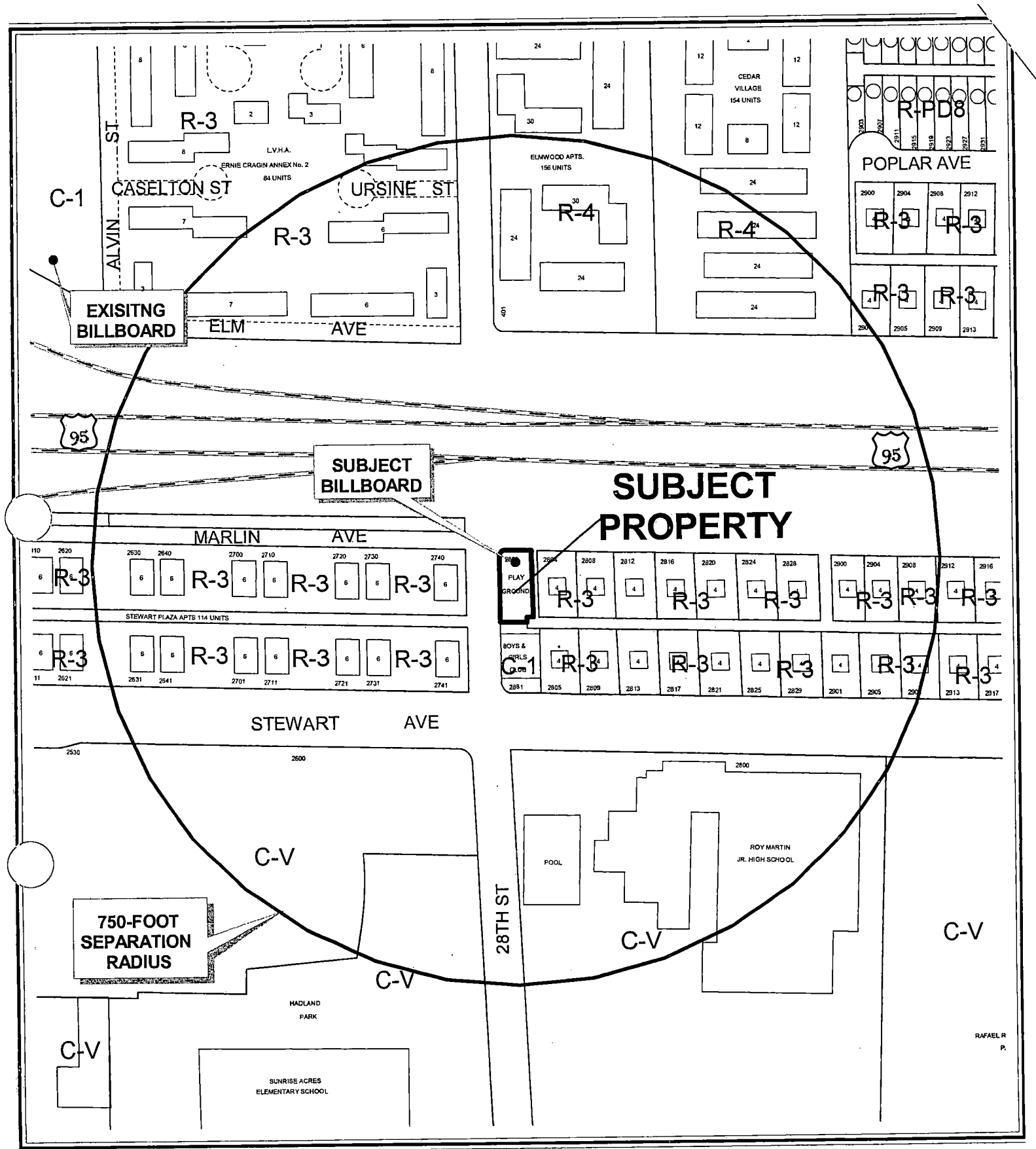
CASE: **RQR-5170**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

N


SUBJECT BILLBOARD
SUBJECT PROPERTY
95
95
C-1
R-3
R-4
R-4
R-4
R-3
R-3
R-3



0 200 400 Feet

CASE: **RQR-5170**

SEPARATION RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-5170 - APPLICANT: LAMAR ADVERTISING - OWNER: BOYS CLUBS OF CLARK COUNTY, INC.

** CONDITIONS **

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

Planning and Development

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

2. 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 approved Special Use Permit U-0041-95, which allowed a 30-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 2801 Marlin Avenue.

B) Applicant's Justification

A justification letter is not required as part of this application.

BACKGROUND INFORMATION

A) Previous Actions

04/24/63	The City Council approved a Rezoning (Z-0062-63) to R-4 (High Density Residential) on this site.
07/19/95	The City Council approved the Special Use Permit (U-0041-95), which allowed the 14-foot x 48-foot off-premise adverting (billboard) sign on this site, subject to a five-year review.
09/06/00	The City Council approved a Required Five year Review [U-0041-95(1)] of a Special Use Permit for a 14-foot x 48-foot off-premise advertising (billboard) sign on this site, subject to a two year review.
11/06/02	The City Council approved a Required Two year Review [U-0041-95(2)] of a Special Use Permit for a 14-foot x 48-foot off-premise advertising (billboard) sign on this site, subject to a two year review. Planning Commission and staff recommended approval on September 26, 2002.

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

Net Acres:	0.17

B) Existing Land Use

Subject Property:	Playground
North:	U.S. 95
South:	Public Facility
East:	Multi-Family Residential
West:	Multi-Family Residential

C) Planned Land Use

Subject Property:	M (Medium Density Residential)
North:	Right-of-Way
South:	M (Medium Density Residential)
East:	M (Medium Density Residential)
West:	M (Medium Density Residential)

D) Existing Zoning

Subject Property:	R-4 (Apartment Residential)
North	Right-of-Way
South	C-1 (Limited Commercial)
East	R-3 (Limited Multiple Residential)
West	R-3 (Limited Multiple Residential)

E) General Plan Compliance

This billboard's parcel is designated M (Medium Density Residential) on the Southeast Sector of the General Plan. Billboards are permitted in industrial areas with an approved Special Use Permit.

SRS

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 billboard is not situated within any Special Area Plan, Overlay District, DINA, or PRS.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	At least **300 feet** to another Off Premise Sign	YES **977 feet** to another Off Premise Sign
Off-Premise Advertisement (Billboard)	At least **300 feet** to the nearest property line of a lot in any "R" zoned district.	NO **Zero feet** to an "R-3" zoned lot.

This billboard exceeds the minimum distance separation requirement of between billboards.

B) General Analysis and Discussion

- Zoning

The existing 14-foot x 48-foot off-premise adverting (billboard) sign is not permitted in the R-4 (High Density Residential) zoning district. The subject site was not zoned C-1 (Limited Commercial) at the time of approval of the Special Use Permit which allowed billboard. The adjacent site at 2801 Stewart Avenue is zoned C-1 (Limited Commercial), however it does not include the site on which the subject billboard is located.

- Use

The off-premise advertising (billboard) sign is a legal, non-conforming use on this property. While an off-premise advertising (billboard) sign use is not usually conducive in areas adjacent to residential uses, the vicinity has not changed substantially in the past two years and therefore, the continued off-premise advertising (billboard) sign use on the subject site is appropriate for the next two years.

FINDINGS

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

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

   Title 19.14.010 allows the removal of an off-premise advertising (billboard) sign if conditions in the surrounding area have changed such that the off-premise 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 past five years. Therefore, staff recommends the Special Use Permit be reviewed again in two years at which time the City Council may require the subject billboard be removed.

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 site.

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

   The continuation of the off-premise advertising (billboard) sign use will not affect existing public rights-of-way adjacent to this request.

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

The off-premise advertising (billboard) sign will be subject to regular inspections and will not compromise the public health, safety and welfare.

NOTICES MAILED 33

APPROVALS 0

PROTESTS 0

SRS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-5170 APN: 139-36-213-001

Name of Property Owner: Boys Clubs of Clark County Inc.

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: [signature]

Print Name: Scott Nattzler on behalf of owner

Subscribed and sworn before me

This 27 day of August, 2004

[signature]

Notary Public in and for said County and State

LYNDA S. MILES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 03-85289-1
My Appt. Expires Sept. 25, 2007

RQR-5170
10/21/04 PC

U.S. 95

MARLIN AVENUE

R = 15.00'
L = 24.31'

PROPOSED SIGN LOCATION

20TH STREET

221.49'

BUILDING

ALLEY

BUILDING DEPT. ALLOWS MAXIMUM OF 3% VOLTAGE DROP ON BRANCH CIRCUITS OR FEEDERS.

R = 15.00'
L = 22.99'
N88°30'00"W
23.57'

STEWART AVENUE

GRAPHIC SCALE

(IN FEET)
1 inch = 80 ft.

N

OVERALL HEIGHT OF SIGN TO BE 30'0" FEET ABOVE EXISTING GRADE OF HIGHWAY

14' X 48' 672 SQUARE FOOT SIGN

APPROVED

ELEVATION

No.	REVISIONS	Date/Init.	Appr.	Date

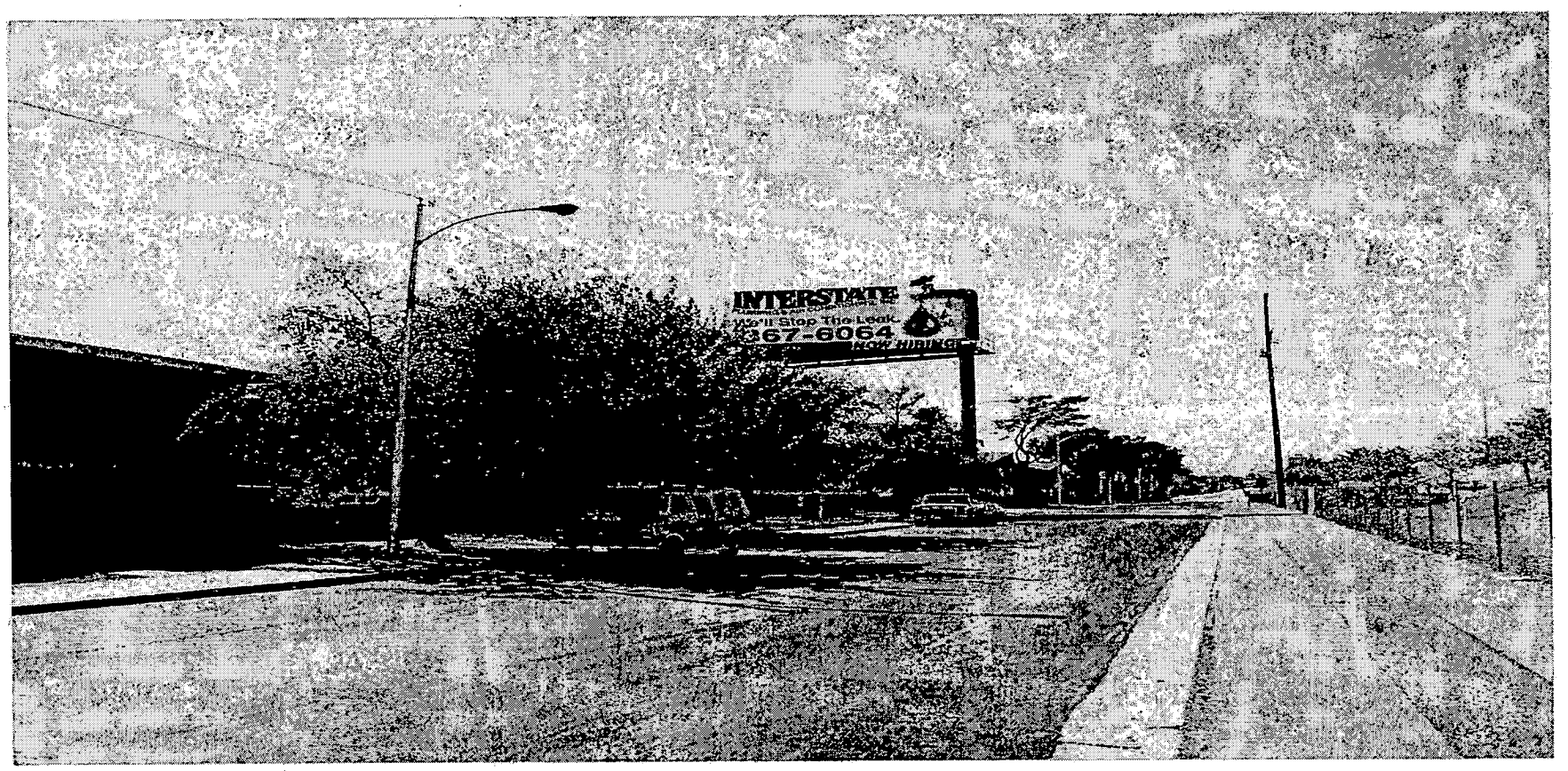
ROSE, RUDLEY, SOUTH & BENJAMIN
5400 West Charleston Blvd.
Las Vegas, Nevada 89102
PH: (702) 878-2778
PLANNING / CONSTRUCTION SERVICES

SEEPOD OUTDOOR

Job Number: SHEP	Drawn by: DBK	Scale: 1"=30	
Sheet Number: 10F1	Checked by: DBK	File No: SHEP.DWG	
	Date: 10/04/04		

RQR-5170 - APPLICANT: LAMAR ADVERTISING - OWNER: BOYS CLUBS OF CLARK COUNTY, INC.
2800 MARLIN AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



RQR-5170 - APPLICANT: LAMAR ADVERTISING - OWNER: BOYS CLUBS OF CLARK COUNTY, INC.
2800 MARLIN AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

City of Las Vegas

Agenda Item No.: 11

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

RQR-5171 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: Z J & R PROPERTIES, LLC - Required Two Year Review of an Approved Special Use Permit (U-0043-94) WHICH ALLOWED A 55 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3900 West Charleston Boulevard (APN 139-31-801-018), 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:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – DENIED – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated that staff recommended denial for the same reasons as staff's comments on Item 8 [RQR-5168], particularly that an additional billboard sign is located on the northwest corner of the same site.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 11 – RQR-5171

MINUTES – Continued:

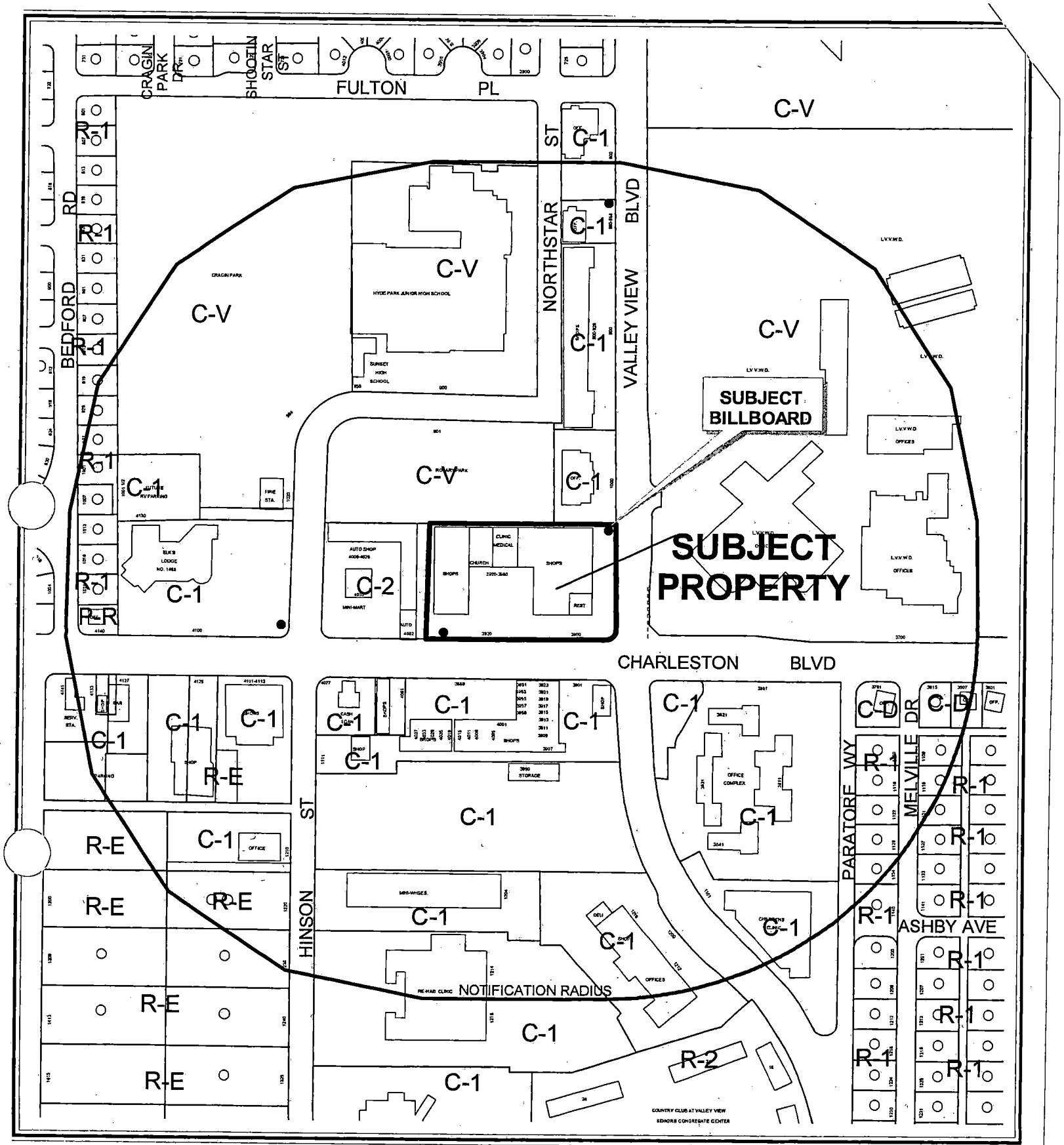
SCOTT NAFTZGER, Lamar Outdoor Advertising, 1863 Helm Drive, requested approval of the application with the deletion of the first sentence on Condition 3.

COMMISSIONER McSWAIN agreed with staff's recommendation for denial.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

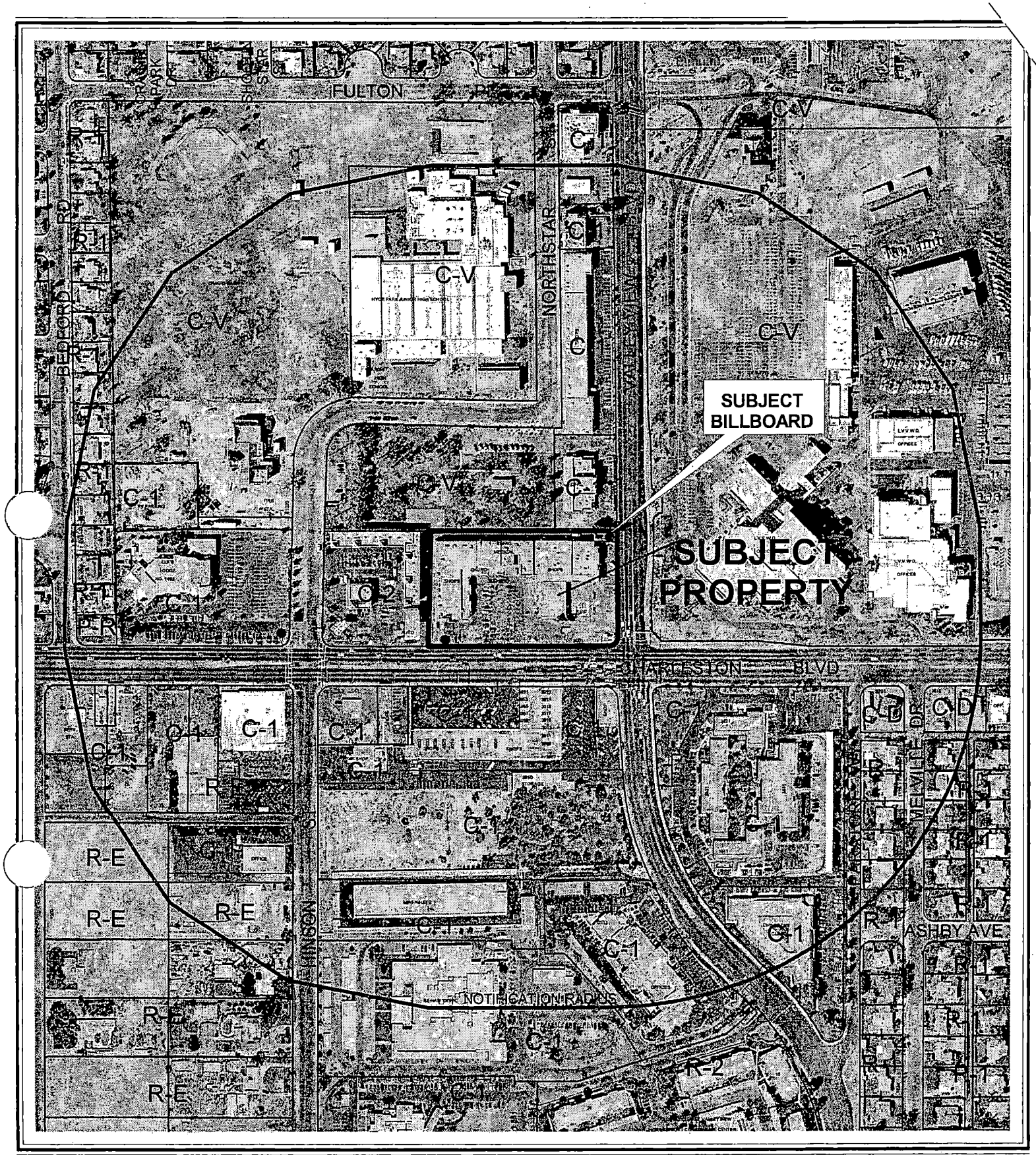
(6:48 – 6:50)



CASE: **RQR-5171**

RADIUS: 750 FT

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



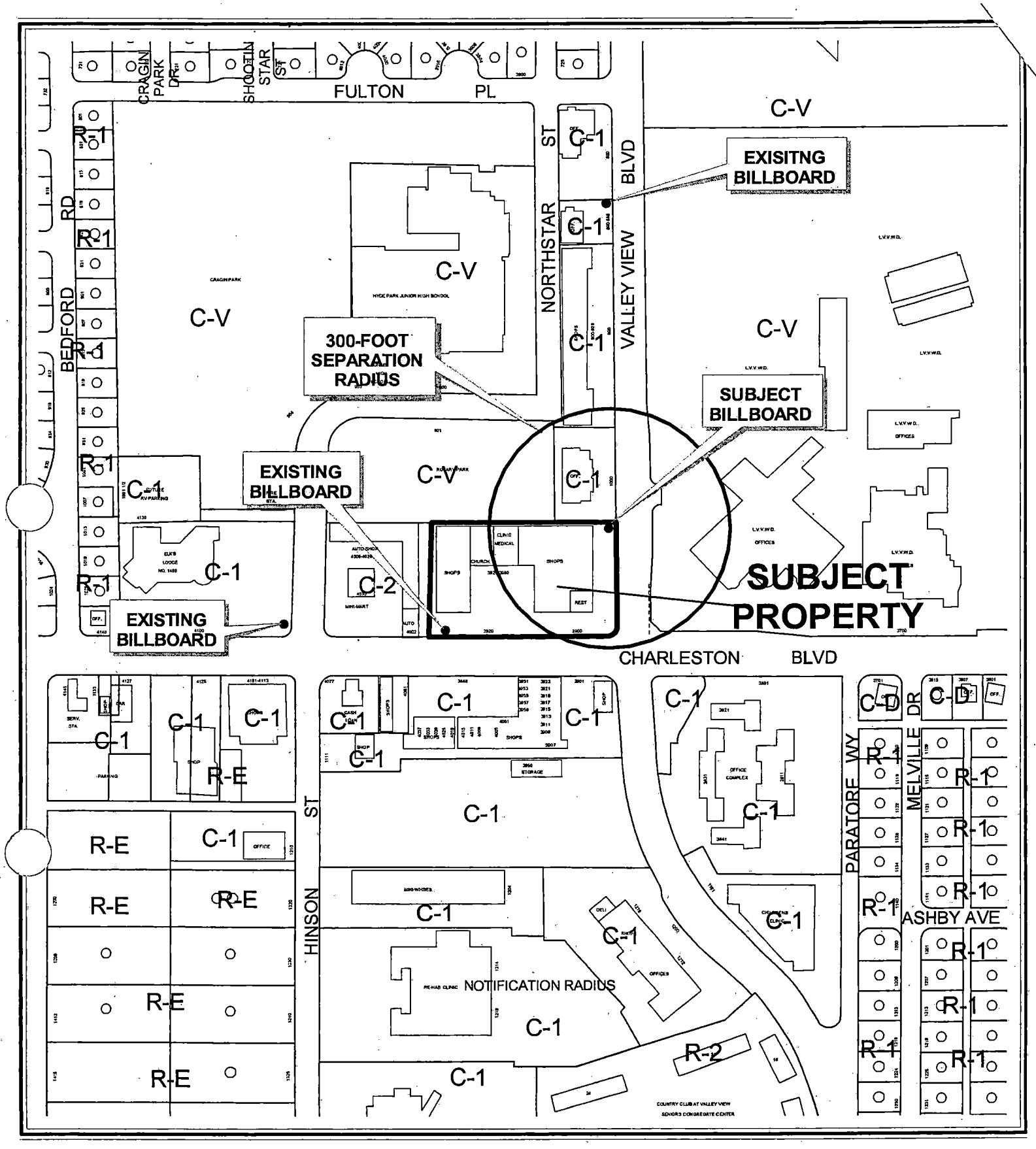
0 200 400 Feet

CASE: **RQR-5171**

RADIUS: 750 FT

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

N



CASE: **RQR-5171**

SEPARATION RADIUS: 300 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-5171 - APPLICANT: LAMAR ADVERTISING - OWNER: Z J & R PROPERTIES, 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 and bird droppings 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 One Year Review on an approved Special Use Permit, which allowed a 55-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 3900 West Charleston Boulevard.

B) Applicant's Justification

A justification letter is not required as part of this application.

BACKGROUND INFORMATION

A) Previous Actions

04/20/94	The City Council approved a Special Use Permit (U-0043-94) for two 55-foot-high, 14-foot x 48-foot off-premise advertising (billboard) signs on the subject site.
05/29/99	The City Council approved a required five-year review [U-0043-94(1)] on the approved Special Use Permit; subject to review in two years time.
07/05/01	The City Council approved a required two-year review [U-0043-94(2)] on the approved Special Use Permit; subject to a one-year review for the billboard located at 3900 West Charleston Boulevard, and a two-year review for the billboard located at 3920 West Charleston Boulevard. The Planning Commission voted to approve the billboard at 3920 West Charleston Boulevard and denial of the billboard at 3900 West Charleston Boulevard.
08/21/02	The City Council reviewed an appeal of the denial of the Planning Commission and approved the two-year review of the approved Special Use Permit [U-0043-94(4)] for the billboard at 3900 West Charleston Boulevard.
11/05/03	The City Council reviewed an appeal of the denial of the Planning Commission and approved the one-year review (RQR-2860) of the approved Special Use Permit [U-0043-94(4)] for the billboard at 3900 West Charleston Boulevard. Planning Commission and staff recommended denial on September 25, 2003.

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: 1.23 Acres

B) Existing Land Use

Subject Property:	Existing Retail
North:	Existing Retail
South:	Existing Retail
East:	Las Vegas Valley Water District
West:	Existing Retail

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	SC (Service Commercial)
East:	PF (Public Facility)
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-V (Civic)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

The SC (Service Commercial) category of the Southeast Sector Land Use Plan of the General Plan 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**
Trails		**X**
Rural Preservation Neighborhood		**X**
County/North Las Vegas/HOA Notification		**X**
Development Impact Notification Assessment		**X**
Project of Regional Significance		**X**

This billboard is not situated within any Special Area Plan, Special Overlay District, DINA, or PRS.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	**Code Requirement**	**Provided**
Off-Premise Advertisement (Billboard)	**300 feet** to another Off Premise Sign	**406 feet** to another Off Premise Sign

The nearest billboard oriented to Charleston Boulevard similar to the subject sign is beyond the 300-foot distance from the subject sign.

B) General Analysis and Discussion

- Zoning

The subject property is currently zoned C-1 (Limited Commercial). The existing off-premise advertising (billboard) sign is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19.14.100 permits the removal of the sign if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. The area surrounding the subject site has not seen substantial change since initial approval of this Special Use Permit. However, the continuance of an off-premise advertising (billboard) sign in this area is inappropriate because of opening of the Las Vegas Springs Preserve to the east, a 110-acre public facility, representing important change in the immediate area.

- Current Condition of the Sign

A site visit of the parcel found the sign in conformance with Conditions of RQR-5171:

1. The Special Use Permit shall be reviewed in one 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 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

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

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

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

FINDINGS

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

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

   Title 19.14.100 permits the removal of the signs if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. This use is not compatible and harmonious with this and future land uses as projected by the General Plan. The presence of the Las Vegas Springs Preserve significantly improves the nature of the area, and is not compatible with the urban clutter of billboards. Denial of this use is recommended.

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."**

   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 51

APPROVALS 0

PROTESTS 0

SRS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-5171 APN: 139-31-801-018

Name of Property Owner: E.J & R Properties 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: Scott Naftzger

Print Name: Scott Naftzger on Behalf of owner

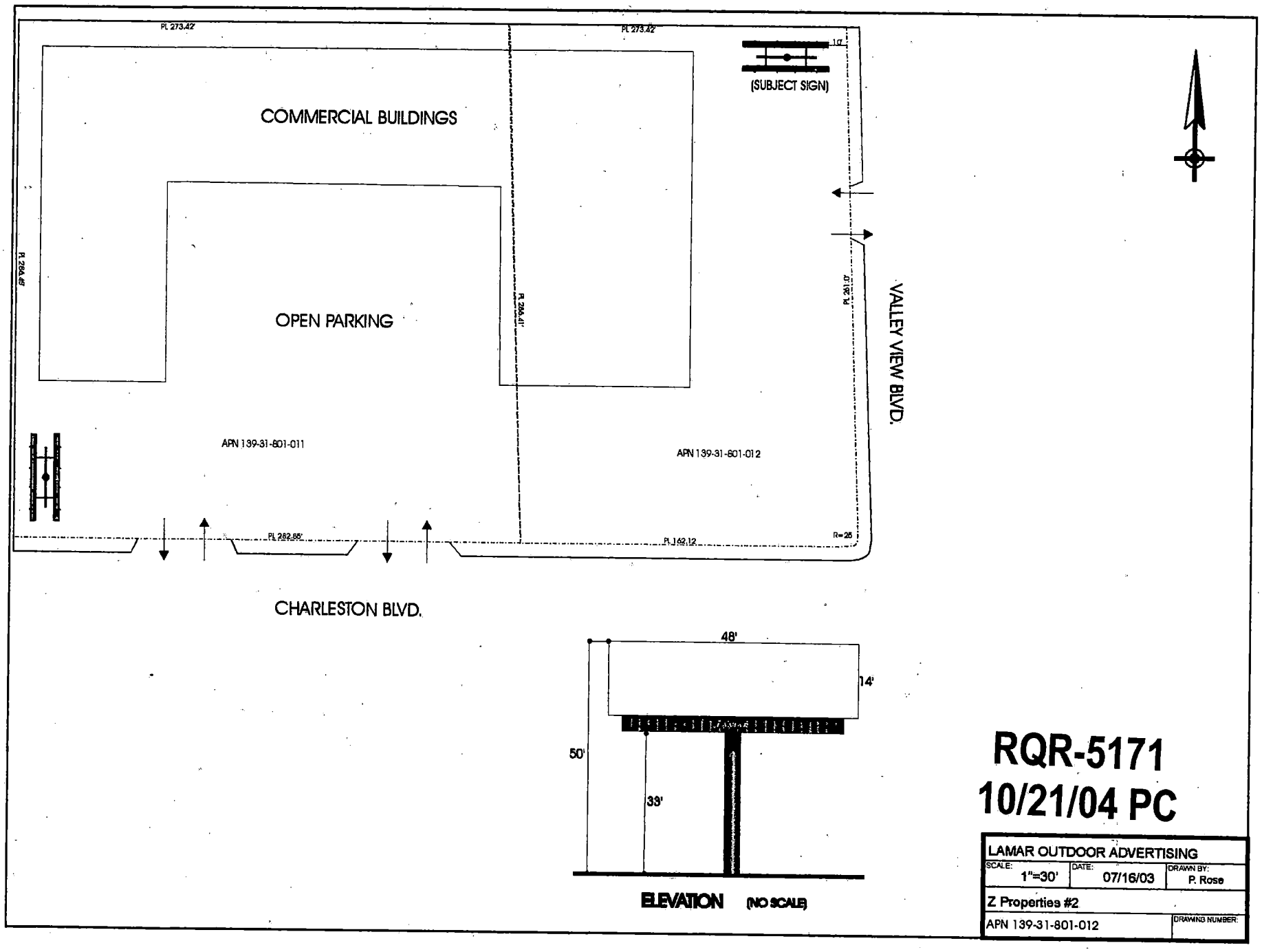
Subscribed and sworn before me

This 27 day of August, 2004

Lynda S Miles

Notary Public in and for said County and State

LYNDA S. MILES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 03-85289-1
My Appt. Expires Sept. 25, 2007



RQR-5171
10/21/04 PC

LAMAR OUTDOOR ADVERTISING		
SCALE: 1"=30'	DATE: 07/16/03	DRAWN BY: P. Rose
Z Properties #2		
APN 139-31-801-012		DRAWING NUMBER:

RQR-5171 - APPLICANT: LAMAR ADVERTISING - OWNER: Z J & R PROPERTIES, LLC
3900 WEST CHARLESTON BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

City of Las Vegas

Agenda Item No.: 12

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

MOD-5267 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Major Modification to the Las Vegas Medical District PLAN IN ORDER TO REDUCE HEIGHT AND SETBACK RESTRICTIONS ON MIXED-USE DEVELOPMENTS, LIST THEM AS A SPECIFIC USE ON THE TABLE OF PERMITTED USES, PROVIDE FOR THE INCORPORATION OF THE LIVE/WORK ORDINANCE, AND CLARIFY THE TABLE OF PERMITTED USES TO UPDATE TERMINOLOGY, Ward 5 (Weekly).

C.C.: 11/17/04

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

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions on Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131] and subject to conditions and deleting Condition 1 on Item 6 [RQR-5165] – UNANIMOUS with McSWAIN abstaining on Item 16 and Item 17, as her company is presently under contract with the applicant, Ryland Homes

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

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [RQR-5165], Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131].

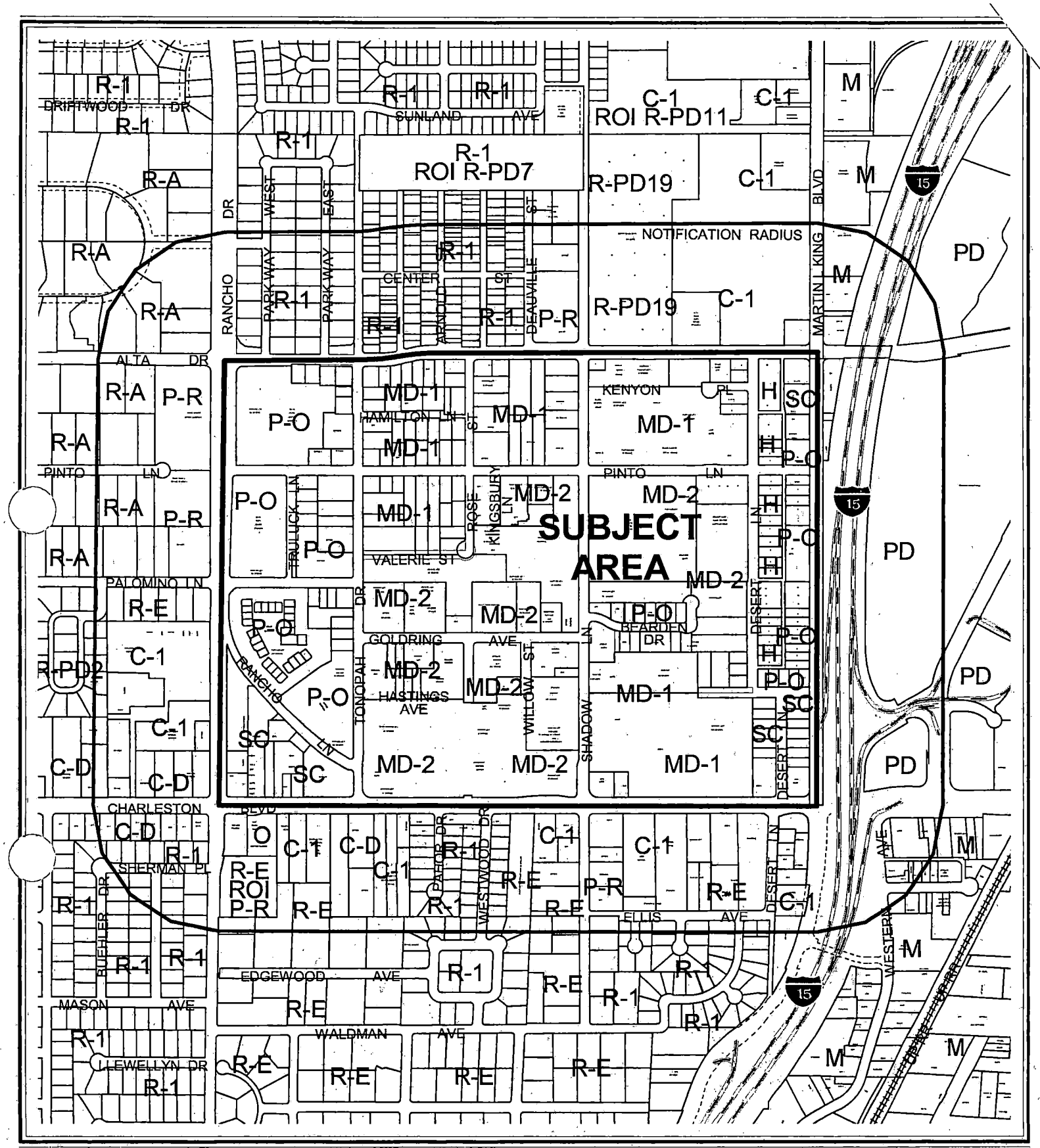
COMMISSIONER McSWAIN requested pulling Item 9 [RQR-5169] from One Motion One Vote.

DEPUTY CITY ATTORNEY BRYAN SCOTT requested staff to reiterate the items that were being pulled from One Motion One Vote. GARY LEOBOLD, Planning and Development, stated that Item 5, Item 7, Item 8 and Item 11 would be pulled from One Motion One Vote so discussions could take place on these items. Item 6, Item 9 and Item 10 will remain on the One Motion One Vote items. He also confirmed for CHAIRMAN TRUESDELL that staff has received a letter from the applicant agreeing to the conditions for Item 15.

CHAIRMAN TRUESDELL then read into record the items that were One Motion One Vote as previously stated above.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [RQR-5165], Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131].

(6:21 – 6:26)

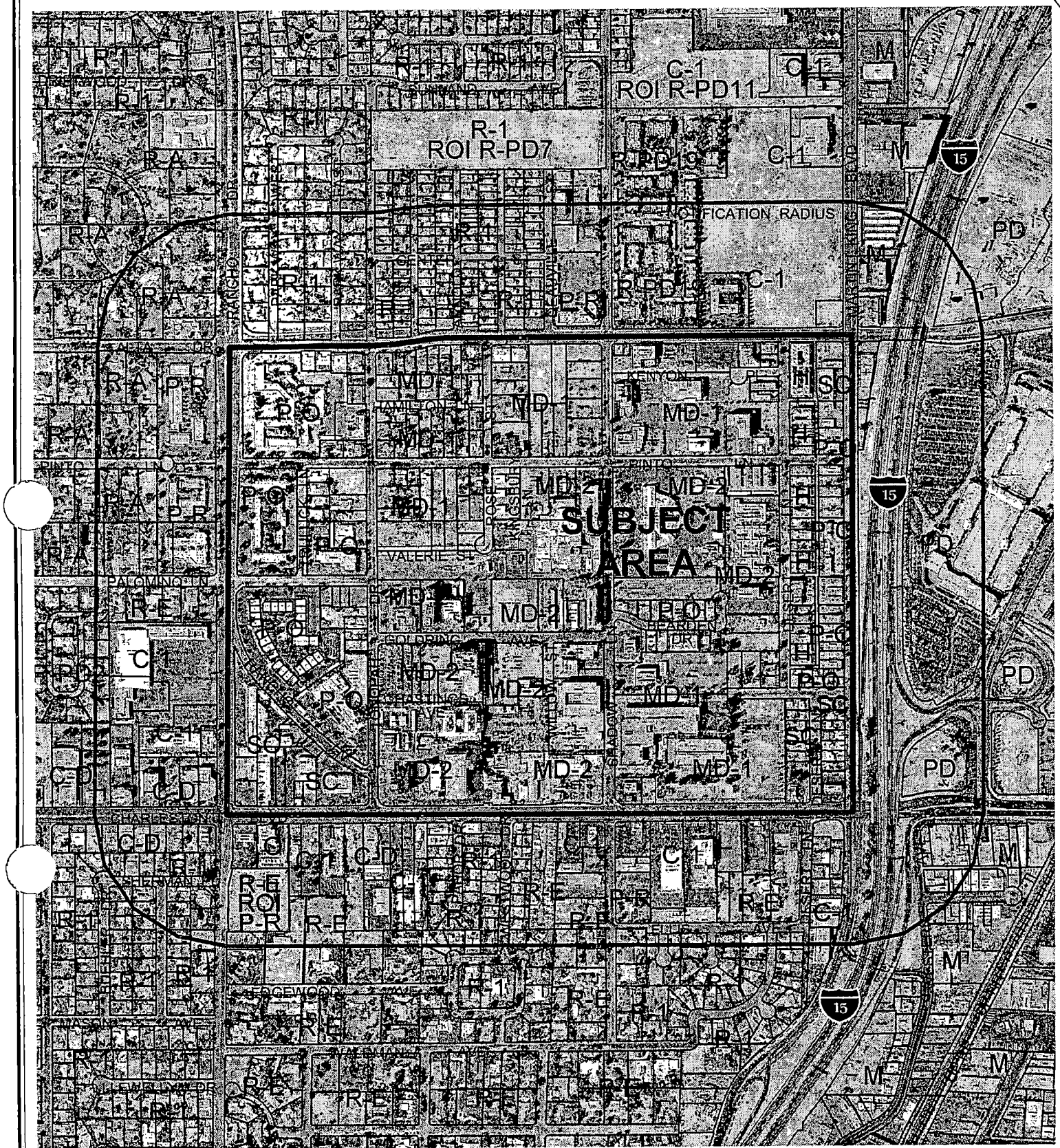


CASE: **MOD-5267**

RADIUS: 750 FT

0 600 1200 Feet

N



CASE: **MOD-5267**

RADIUS: 750 FT

0 600 1200 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MOD-5267 - APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL.**

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Major Modification to the Las Vegas Medical District Neighborhood Plan intended to make the following revisions:

1. Add "Mixed-Use" to the list of permitted uses as requiring a Special Use Permit in the MD-1 and P-O districts.

    - The conditions will match Title 19:
        - The non-residential use shall be located at ground level fronting the primary public right-of-way, and the primary entry way to that use shall be directly from and oriented to a street; and
        - The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.

2. Remove "Insurance" from "Insurance/Bank, Savings & Loan". Insurance offices will fall under "Office, other than listed". "Banks" will be considered "Financial Institutions, General" to be consistent with Title 19.

3. The following will be added as a footnote to the "Table of Permitted Uses":

    "This plan area is within the boundaries defined in the Live/Work ordinance. In accordance with that ordinance, residential uses may occupy the same structure as office or commercial uses where appropriate."

4. On page 25, the second footnote under the development standards table will be amended to read:

    ***"*Mixed-Use* and Multi-Family developments *are exempt from the automatic application of the mandatory maximum building height, required building setback, maximum lot coverage, and residential adjacency standards in Title 19.*

5. On page 26, the last sentence in the second paragraph will read, "For Mixed-Use developments, parking is required at the rate of one space for each residential unit, in addition to the amount required by Title 19 for the non-residential uses."

B) Applicant's Justification

The design guidelines associated with the Medical District are not suited to the nature of mixed-use developments. The proposed changes will provide the flexibility in parking requirements and bulk standards necessary to accommodate developments of this type. To further permit and encourage this type of activity, the Medical District is also proposed to be included in the city's Live/Work ordinance.

Insurance offices are currently grouped with Banks/ Savings and Loan. Staff feels that Insurance Offices would be more appropriately served if considered as part of "Office, other than listed." For consistency with Title 19, "Banks/ Savings and Loan" will be renamed, "Financial Institution, General."

BACKGROUND INFORMATION

A) Previous Actions

5/27/97	The City Council approved a request to rezone property bounded by Charleston Boulevard, Rancho Drive, Alta Drive, and Martin Luther King Boulevard to PD (Planned Development) creating the Las Vegas Medical District.
6/19/02	The City Council approved a Major Modification to revise and update design guidelines, permitted uses, and landscape requirements within the Las Vegas Medical District Plan.

B) Pre-Application Meeting

This request is staff initiated so there was no formal pre-application conference.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 214 acres

B) General Plan Compliance

The Las Vegas Medical District Neighborhood Plan is itself an element of the General Plan. This request does not alter types or intensity of uses.

INTERAGENCY ISSUES

There are no interagency issues involved with this request.

PROJECT DESCRIPTION

The Las Vegas Medical District was created to provide for the transitional development of the area bounded by Charleston Boulevard, Rancho Drive, Alta Drive, and Martin Luther King Boulevard. Focusing on the two principal uses, University Medical Center and Valley Hospital, the PD (Planned Development) plan document encourages medically oriented uses as well as supporting commercial and residential uses, developed in a pedestrian oriented manner. The revisions proposed in this request are intended to provide flexibility in design necessary and appropriate for mixed-use developments.

Other revisions to the Table of Permitted Uses are generally housekeeping items to revise obsolete terminology and consider certain uses separately. For example, the term "Savings & Loan" will be removed and replaced with "Financial Institution, Specified." "Insurance" is currently listed individually and will now be considered under "Office, other than listed."

ANALYSIS

The intent of this request is focused on the following three issues:

1. Revise the means by which mixed-use developments will be permitted.
2. Include the Medical District in the boundaries defined by the "Live/Work Ordinance"
3. "Insurance" and "Bank/Savings & Loan" will be separated and renamed on the Table of Permitted Uses.

These changes will provide for the development of mixed-use projects more effectively than the current standards and guidelines of the Las Vegas Medical District Plan. Developments that provide residential uses as well as office or commercial uses are appropriate within this plan area but are limited unnecessarily by the development standards applied to more traditional developments.

The nature of these dense urban developments encourages activity that is pedestrian oriented rather than vehicle oriented. An important design element of a pedestrian friendly development is the reduction of front setbacks so that buildings front either right on the street or very close to it. Building height is also critical simply because of the number of units required to make a project feasible. The changes proposed in this request will allow these types of bulk standards to be determined on a case-by-case basis at the time of a prospective project's review. While this may provide relief from the automatic application of height restrictions, multi-family projects are currently limited only by residential adjacency, of which there is very little. So the overall impact is not drastic.

Parking needs for these types of projects are also generally less than would be required in traditional developments of the same square footage. Multiple uses can draw one vehicle trip, rather than a separate trip for each use. For that reason, parking standards are also relaxed.

Including this area within the boundaries of the live/work ordinance will provide greater housing opportunities while maintaining the desired character and intensity of development.

Other changes to the "Table of Permitted Uses" are simply for clarification and to ensure that like uses are treated similarly.

FINDINGS

These amendments will provide for the desired development types within the Las Vegas Medical District Plan without compromising the original intent of the design guidelines. There will be no new or unanticipated uses. While bulk restrictions are removed for mixed-use projects, the impact of that revision will be minimal as there is only a limited amount of residential property remaining, which can be protected with appropriate conditions of approval. Primarily, this request will address the specific needs for mixed-use projects and facilitate them accordingly.

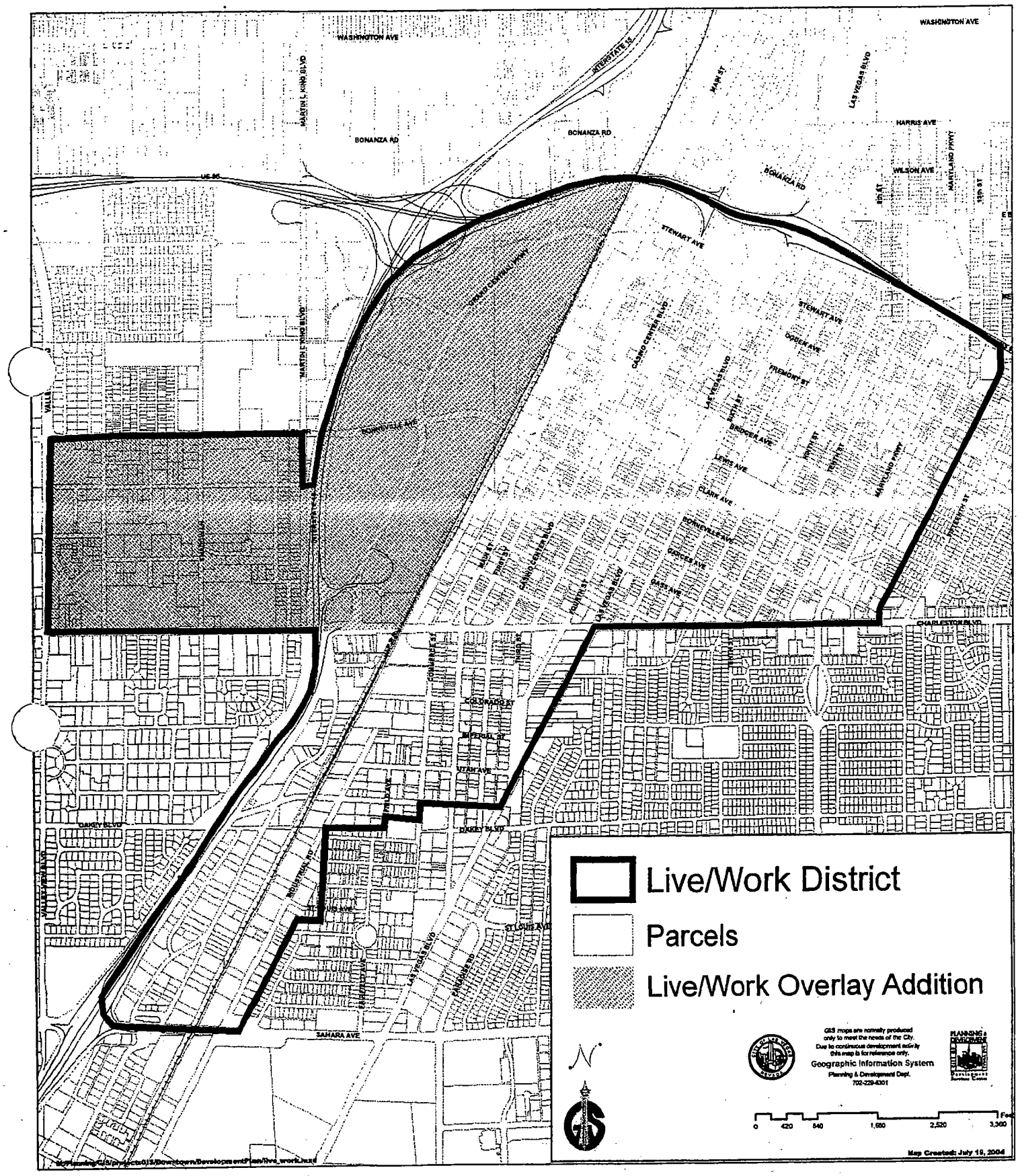
NOTICES MAILED 460

APPROVALS 0

PROTESTS 0

City of Las Vegas

LIVE/WORK OVERLAY DISTRICT



City of Las Vegas

Agenda Item No.: 13

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SDR-5190 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: MG PROPERTIES - OWNER: MARTIN W. GREENWALD - Request for a Site Development Plan Review FOR A 7,660 SQUARE FOOT COMMERCIAL ADDITION AND WAIVERS FROM PERIMETER LANDSCAPING REQUIREMENTS on 2.0 acres adjacent to the northeast corner of Rancho Drive and Lone Mountain Road (APN 125-35-401-006), C-2 (General Commercial) Zone, Ward 6 (Mack).

C.C.: 11/17/04

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED subject to conditions on Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131] and subject to conditions and deleting Condition 1 on Item 6 [RQR-5165] – UNANIMOUS with McSWAIN abstaining on Item 16 and Item 17, as her company is presently under contract with the applicant, Ryland Homes

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

MINUTES:
CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [RQR-5165], Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131].

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(6:21 – 6:26)

1-591

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 dated September 7, 2004, except as amended by conditions herein.

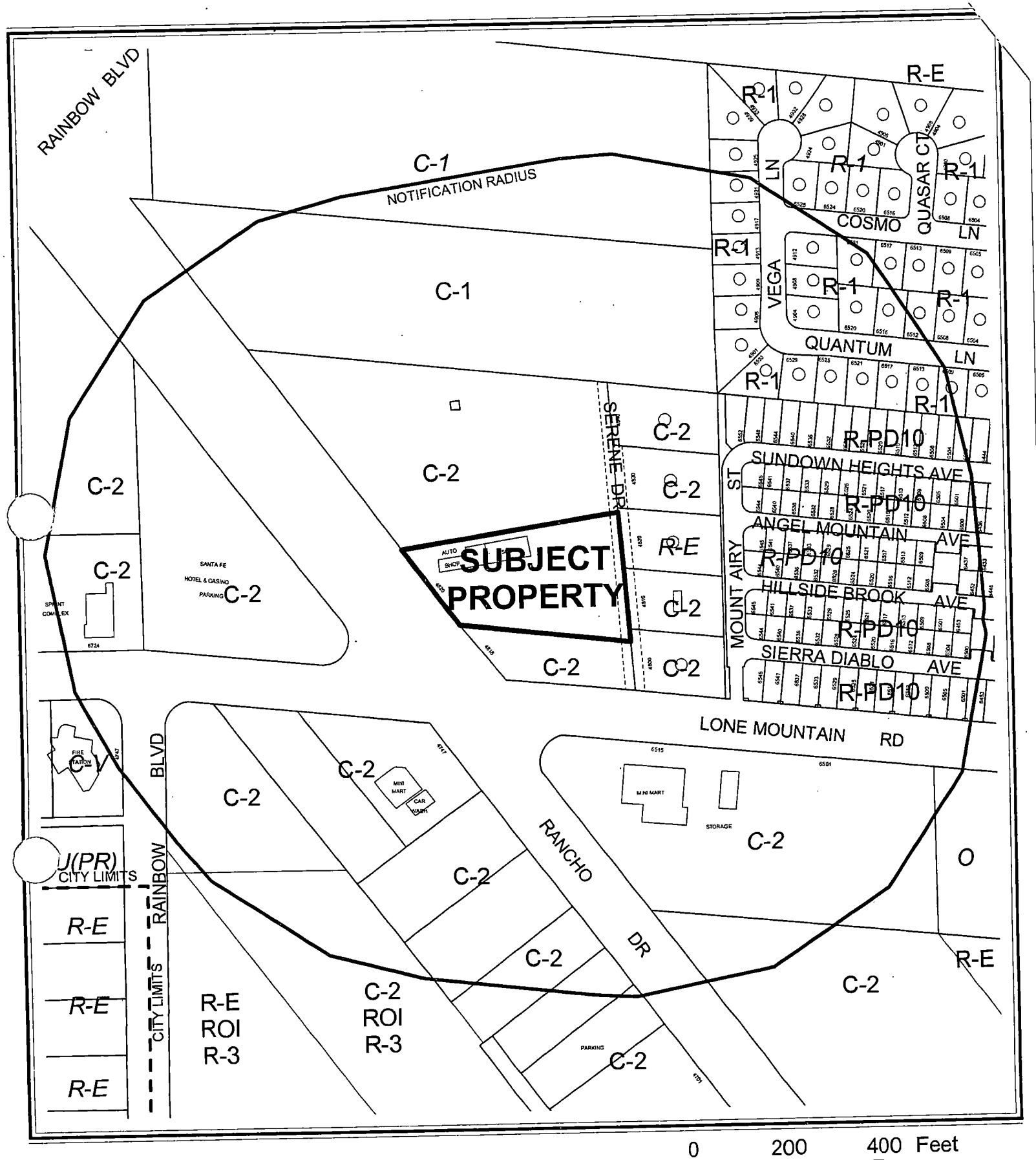
3. The proposed use of the building addition shall not contain a sexually oriented business as defined by Title 19. Conversion of the use to a sexually oriented business shall be cause for revocation of a business license. The building addition shall not have internal access to the existing sexually oriented business.

4. The following changes shall be made to the plans and approved by staff of the Department of Planning and Development prior to the issuance of a building permit.

CONDITIONS – Continued:

The rear property line wall shall consist of a solid decorative block wall with at least 20 percent contrasting materials, or alternatively, evergreen trees planted 20 feet on center shall be planted along the proposed wall/fence.
A solid gate shall be provided to the emergency access at the rear of the property.
A detail of the trash enclosure shall be illustrated and be provided with a roofed enclosure.
A revised landscape plan shall show the total number of trees by variety and show a maximum of 15% of the total landscaped area as turf.
The handicapped parking spaces shall reflect the proper design standards according to Title 19.

5. The 10-foot wide multi-use transportation trail path shall be relocated to abut the front property line on private property, and the curbs along the access drive shall be ramped to provide a smooth transition of the trail across the drive. The property owner shall be responsible for maintenance of the trail path.


RAINBOW BLVD
C-1
NOTIFICATION RADIUS
C-1
C-2
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C-2
SUBJECT PROPERTY
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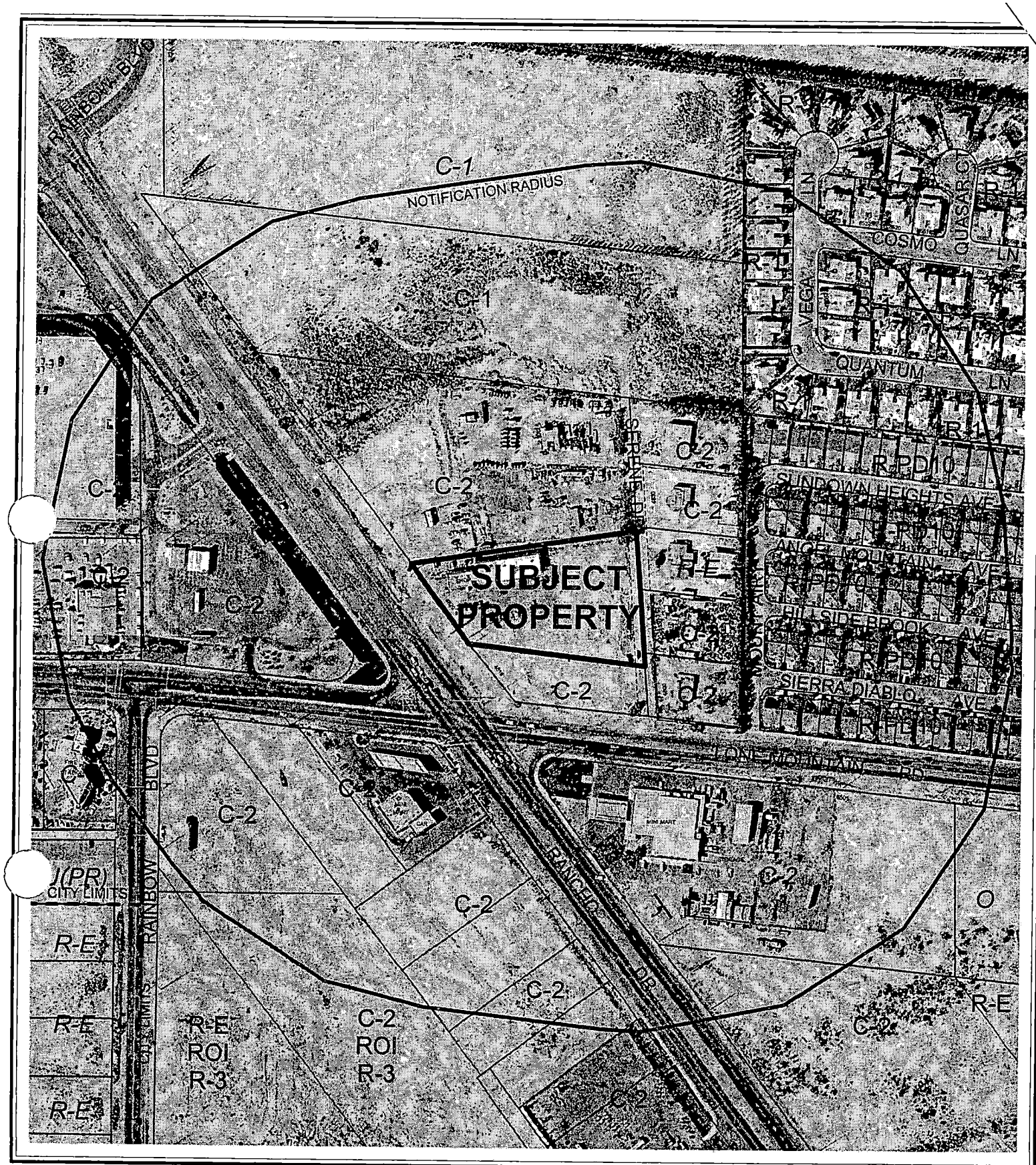
C-2



CASE: **SDR-5190**

RADIUS: 750 FT

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

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5190 - APPLICANT: MG PROPERTIES - OWNER: MARTIN W. GREENWALD

** 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 dated September 7, 2004, except as amended by conditions herein.

3. The proposed use of the building addition shall not contain a sexually oriented business as defined by Title 19. Conversion of the use to a sexually oriented business shall be cause for revocation of a business license. The building addition shall not have internal access to the existing sexually oriented business.

4. The following changes shall be made to the plans and approved by staff of the Department of Planning and Development prior to the issuance of a building permit.
   - The rear property line wall shall consist of a solid decorative block wall with at least 20 percent contrasting materials, or alternatively, evergreen trees planted 20 feet on center shall be planted along the proposed wall/fence.
   - A solid gate shall be provided to the emergency access at the rear of the property.
   - A detail of the trash enclosure shall be illustrated and be provided with a roofed enclosure.
   - A revised landscape plan shall show the total number of trees by variety and show a maximum of 15% of the total landscaped area as turf.
   - The handicapped parking spaces shall reflect the proper design standards according to Title 19.

5. The 10-foot wide multi-use transportation trail path shall be relocated to abut the front property line on private property, and the curbs along the access drive shall be ramped to provide a smooth transition of the trail across the drive. The property owner shall be responsible for maintenance of the trail path.

6. Landscaping and a permanent underground sprinkler system shall be installed and 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. All mechanical equipment and air conditioners shall be fully screened of views from Rancho Drive.

8. 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. Lighting shall be directed away or screened and shall not create fugitive lighting on properties in the residential area to the rear of the site.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

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

Public Works

11. Construct all incomplete half-street improvements on Rancho Drive adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the northern boundary of this site prior to construction of hard surfacing (asphalt or concrete).

12. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. The proposed driveway accessing Rancho Drive, shall also receive approval from the Nevada Department of Transportation.

13. Extend public sewer, from the intersection of Airy Mountain Avenue and Lone Mountain Road approximately 200 feet east of this site, to the north edge of this development to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City

14. 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.

15. Landscape and maintain all unimproved right-of-way on Rancho Drive adjacent to this site.

16. 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.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review and Waivers of the perimeter and parking lot landscape requirements for a 7,660 square foot commercial addition on 2.0 acres adjacent to the northeast corner of Rancho Drive and Lone Mountain Road.

B) Applicant's Justification

The applicant indicates in a letter attached to this application that the new retail store addition will include a facelift of the existing building that contains three businesses. The new addition, landscaping and facelift of the existing building will add eye appeal to the underdeveloped area. The project is expected to provide 20 to 30 new jobs. The applicant has requested a Waiver in certain parking lot and perimeter landscaping standards.

BACKGROUND INFORMATION

A) Previous Actions

07/28/92 The City Council denied a request upon appeal from the Board of Zoning Adjustment for a Special Use Permit (U-0141-92) for a Truck Rental Business. The Board of Zoning Adjustment denied the request on August 25, 1992.

04/02/03 The City Council approved a General Plan Amendment (GPA-1363) to reclassify a large area (Rancho Corridor), which includes the subject property, from an SC (Service Commercial) classification to a GC (General Commercial) classification. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

08/12/04 The staff met with the prospective applicant to review plans for an addition to an existing business at the subject location. The applicant mentioned that the new addition would contain some adult business sales but at less than 35 percent of the floor area. It was noted that the easterly property line appears to be along the centerline of Serene Drive. If the street exists as a public road easement, dedication of the half street with improvements will be required. NDOT approval will be needed for the driveway access, a drainage study will be required, and there may be a need for a Waiver of the perimeter and parking lot landscaping. It was also mentioned that a multi-use trail is required along the east side of Rancho Drive.

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C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.0

B) Existing Land Use

Subject Property:	Commercial
North:	Undeveloped (limited storage)
South:	Undeveloped
East:	Residential
West:	Commercial

C) Planned Land Use

Subject Property:	GC (General Commercial)
North:	GC (General Commercial)
South:	GC (General Commercial)
East:	GC (General Commercial)
West:	SC (Service 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) R-E (Residence Estates)
West:	C-2 (General Commercial)

E) General Plan Compliance

The site is located in the Centennial Hills Sector of the General Plan. On the Centennial Hills Interlocal Land Use Map, the land use designation of the property is GC (General Commercial). The property is zoned C-2 (General Commercial) which is a zoning district permitted in the GC 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**

There are no special plans, study areas or overlays that affect the subject site.

PROJECT DESCRIPTION

This application for a Site Development Plan Review is for improvement of the subject property by a 7,660 square foot retail store addition, a facelift of the existing building on the property, and landscaping. The existing building contains three businesses, including Sun Valley Automotive (automotive repair shop), the Theater Group and Rancho Adult Entertainment Center (a sexually oriented business). The new addition will be for a gift shop. Gifts will include such items as DVD's, fashions, games, novelties, toys, smoking accessories, books, magazines and greeting cards. Gifts will be geared to ages 18 years and older; however, less than 35 percent of the items displayed are to be sexually explicit.

By definition of Title 19.04, an "adult emporium" is a sexually oriented business (SOB) when it engages in the sale, rental or trade of books, films, videotapes, sexual novelties, discs, magazines and other periodicals and which:

1) Will or does derive 35 percent or more of its gross revenue from the sale, rental or trade of sexual novelties or books, films, videotapes, discs, magazines and other periodicals which are distinguished or characterized by their emphasis on mater depicting, describing, or relating to specific sexual activities or specific anatomical areas;
2) At any particular time devotes 35 percent or more of its inventory floor and wall space to the types of inventory described in subparagraph (1) above;
3) At any particular time has, as 35 percent or more of its total inventory or any category thereof, the types of inventory describe in subparagraph (1) above; or
4) Holds itself out, by advertising or otherwise, primarily as an outlet for the types of inventory described in subparagraph (1) above.

The applicant states that the gift shop is not an SOB because "less than 35 percent of the items displayed will be sexually explicit." Nor is the new business an expansion of the existing SOB, because the two businesses are not physically connected in any way. Since an SOB is not permitted in a C-2 (General Business) Zone, the new use could not under any circumstance be established as an SOB.

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	NA	NA	NA
Min. Lot Width	100 Feet	200 Feet	Y
Min. Setbacks			
• Front	20 Feet	27 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	NA	NA
• Rear	20 Feet	45 Feet	Y
Max. Lot Coverage	50 %	17 %	Y
Max. Building Height	NA	15 Feet	Y

The development conforms with the required development standards.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, Residential Adjacency Standards, the building is required to be situated a distance equal to three times its height for property designated for residential development for sale. East of the site, properties are zoned C-2 (General Commercial) and R-E (Residence Estates). The lot zoned R-E is located east of the proposed addition. Consequently the building must be located 45 feet from the residential lot, and it appears to meet that requirement.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Existing Garage	1,558		35		35	
Existing Retail	5,213					
Proposed Retail	7,660	1/175	42	2	41	4
Total	14,431		77	2	76	4

DS

The present uses (automotive garage and sexually oriented business) were established prior to the present Title 19 parking requirements. The property has a substandard unstriped parking lot that consists of some asphalt and gravel. Based on the size of the parking lot, there is sufficient area for approximately 35 parking spaces. Since the existing development does not have the required number of parking spaces, it is classified as a "parking-impaired development," i.e. the existing development is not considered nonconforming. However, any expansion of the development must comply with the required number of spaces. Except for the handicapped parking spaces, the new development complies with the parking standards. The handicapped spaces do not meet the Title 19 design standards for the proper width. A recommended condition requires conformance to the handicapped parking standards.

A4) Landscape Standards

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

Standards	**Required Spaces**		**Spaces Provided**
	Ratio	Trees	
Parking Area	1 Tree / 4.2 Spaces	19 Trees	23
Buffer: • Min. Trees	1 Tree/20 Linear Feet	23 Trees	22

The required number of trees for the parking area exceeds the minimum number of trees required; the number of trees required for the street frontage is deficient by one tree; and the required number of trees along the rear perimeter wall equals the number of trees required. There is an abundance of additional trees placed throughout the site, and an additional seven trees are located within the street right-of-way of Rancho Drive. The parking area is deficient by four landscape islands. The applicant has submitted a request for Waivers in the landscape standards for the parking area and perimeter landscaping.

B) General Analysis and Discussion

- Zoning

The subject property is zoned C-2 (General Commercial). The proposed commercial building is a permitted use in this Zone.

- Site Plan

The site plan is an illustration of a well-designed building addition and parking area. Access will be from Rancho Drive and connect to five parking rows on the site. Emergency access is to be provided by way of a private street along the rear lot line. Ample landscaping is proposed throughout the site.

- Waivers

The applicant has submitted a request for Waivers in the landscape standards for the parking area and perimeter landscaping. The waivers are recommended for these reasons.

1. The waivers to the Code are minor,
2. Additional trees are being planted along Rancho Drive to mitigate the impact of the Waivers.

- Landscape Plan

The landscape plan shows an abundance of trees placed across the site. The trees are to consist of Aleppo Pine, Flowering Plum, Swan Hill Olive, and Foothills Palo Verde. The frontage along the site is deficient one tree; however, seven trees are located within the street right-of-way of Rancho Drive. The perimeter wall along the private street at the rear property line is proposed to consist of a split-face block wall 2.83 feet in height with a 3.17-foot iron fence on top. Capped pilasters are to be provided every 16 feet. The wall/fence is an attractive structure; however, it is inadequate as a screen wall to provide protection to the residential area to the rear. It is recommended that the wall either be a solid wall or that evergreen plantings be provided along the wall to provide a screen to views from the residential area. In lieu of bollards in the emergency access at the rear, it is recommended that a solid gate also be installed to screen views from the residential area. These alterations are addressed as conditions of approval.

- Elevation

Along with a new building addition, the existing building will be refurbished with a new façade that will integrate with the building addition. The stucco on the old building will match the new building in a light tan. Existing overhead doors for the automotive garage will be painted a light tan to match. Existing and proposed windows will be replaced or installed with a medium bronze glass with a dark bronze framing. New canopies with a stucco finish in light brown will be placed over existing and proposed entrances. One-inch wide expansion joints in the canopies will be painted a dark bronze finish to match the window frames. Offsets and a four-foot wide fascia at the roofline are strategically placed around the building. New backlit fascia signage is proposed for each business. The proposal presents a well designed building in subdued colors that is a marked improvement over the existing building.

- Floor Plan

The floor plan is typical of a retail business. Restroom facilities are to be included in the new building addition.

DS

FINDINGS

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

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

   Lots to the east of the subject area are somewhat in transition. Although the lots are occupied by residences, all but one lot are zoned C-2 (General Commercial), and all the lots are designated on the Centennial Hills Interlocal Land Use Map as GC (General Commercial). These lots are accessed by a private drive that also provides emergency access to the subject property. Regardless, the proposed building addition, improvements to the façade of the existing building, improved parking areas, and ample landscaping throughout the site will provide a good transition to the existing residences located to the rear of the site. The commercial properties on both sides are undeveloped, but they will be enhanced by these improvements.

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 located in a GC (General Commercial) land use classification. The proposed use is consistent with the uses intended for this classification. There are a few minor deficiencies and concerns in the development's compliance with the Landscape, Wall and Buffer Standards, which are addressed in the conditions of approval. The applicant has requested Waivers in the landscape standards, and it is recommended that these Waivers be granted.

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

   The subject property has access to Rancho Drive from an existing driveway. Rancho Drive is a Primary Arterial (100-foot wide) street according to the Master Plan of Streets and Highways and capable of handling additional traffic from the site.

   A multi-use transportation trail is required along the east side of Rancho Drive. The trail path, which also serves as a sidewalk for pedestrian use, is proposed within the street right-of-way of Rancho Drive. The Transportation Trails Element requires that the trail path be located outside the street right-of-way on private property. Accordingly, the 10-foot wide trail path must be located along and abut the front property line on private property, which also will avoid its being eradicated by a future street widening project by the Nevada Department of Transportation that has jurisdiction over Rancho Drive. The trail path may be dedicated to the City for public trail purposes, but the property owner will be responsible for its maintenance. This matter is addressed as a condition of approval with this report.

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

   The building and landscape materials for this development are very appealing. The building materials are earth tone colors. Ample landscaping is being provided throughout the site. The rear perimeter wall consists of a split-face block and iron fence. For screening purposes for the residential area to the rear, it is recommended that evergreen trees be placed 20 feet on center in front of the wall/fence or that the proposed wall/fence be replaced with a solid wall.

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

   The building elevations are appealing; compatible with newer, recent development in the area; and will foster an aesthetic environment that is compatible with the existing residences to the rear of the site and to future development on both sides.

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

   The proposed development will be subject to permits and final inspection for a Certificate of Occupancy, and therefore will not compromise the health, safety and general welfare.

NOTICES MAILED 143

APPROVALS 0

PROTESTS 0

DS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5190 APN: 125 35 401 006

Name of Property Owner: GREENWALD, MARTIN W

Name of Applicant: Same

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

_____Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: MARTIN W GREENWALD

Subscribed and sworn before me

This 28th day of August, 2004

[signature]

Notary Public in and for said County and State

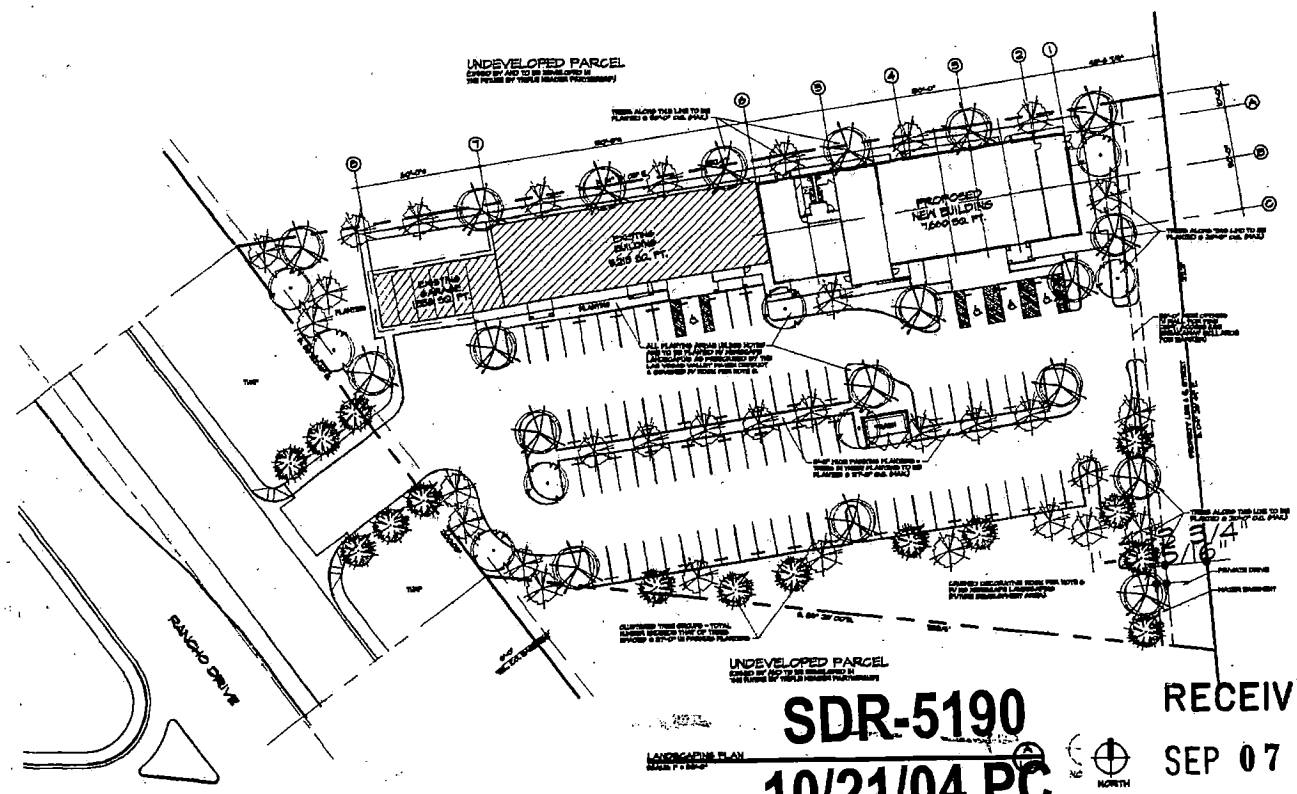
JANIS PERSHA
Notary Public State of Nevada
No. 94-2014-1
My appt. exp. Sept. 4, 2006

LANDSCAPING SCHEDULE

SYMBOL	BOTANICAL NAME / COMMON NAME	SIZE	REMARKS
	ALBIZIA JULIBRISSIN	24" BOX	
	PINUS HALEPENSIS		
	TRISTANIA CONFERTA	24" BOX	
	PYRUS CALLERYANA 'CHANTICLEER'		
	OLEA EUROPAEA 'SWAN HILL'	24" BOX	
	SWAN HILL OLIVE		
	CERCIDIUM FLORIDUM	24" BOX	
	FOOTHILLS PALO VERDE		

LANDSCAPING NOTES

1. SITE PREPARATION - THE CONTRACTOR SHALL REMOVE ALL WEEDS, GRASS, AND ALL OTHER DELETERIOUS MATERIAL FROM THE LANDSCAPE AREAS TO BE PLANTED AND KEEP FREE AND CLEANED AT ALL TIMES.
2. GRADING - THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FINISH GRADING AND ENGINEERING SPECIFICATIONS.
3. TREE PLANTING - THE CONTRACTOR SHALL BE RESPONSIBLE FOR TREE PLANTING AS SHOWN ON THE PLANS.
4. IRRIGATION - NO PLANTS SHALL BE PLACED UNTIL THE SYSTEM IRRIGATION SYSTEM IS FULLY AND SATISFACTORILY OPERATIONAL.
5. PLANTING TABLETS - TABLETS SHALL BE PLACED IN THE PLANT PIT AT ONE TIME AT THE BEGINNING OF THE RAINY SEASON.
6. ALL PLANTING AREAS TO BE GRADED AT TIME PERMANENT IRRIGATION IS INSTALLED.



LANDSCAPING PLAN

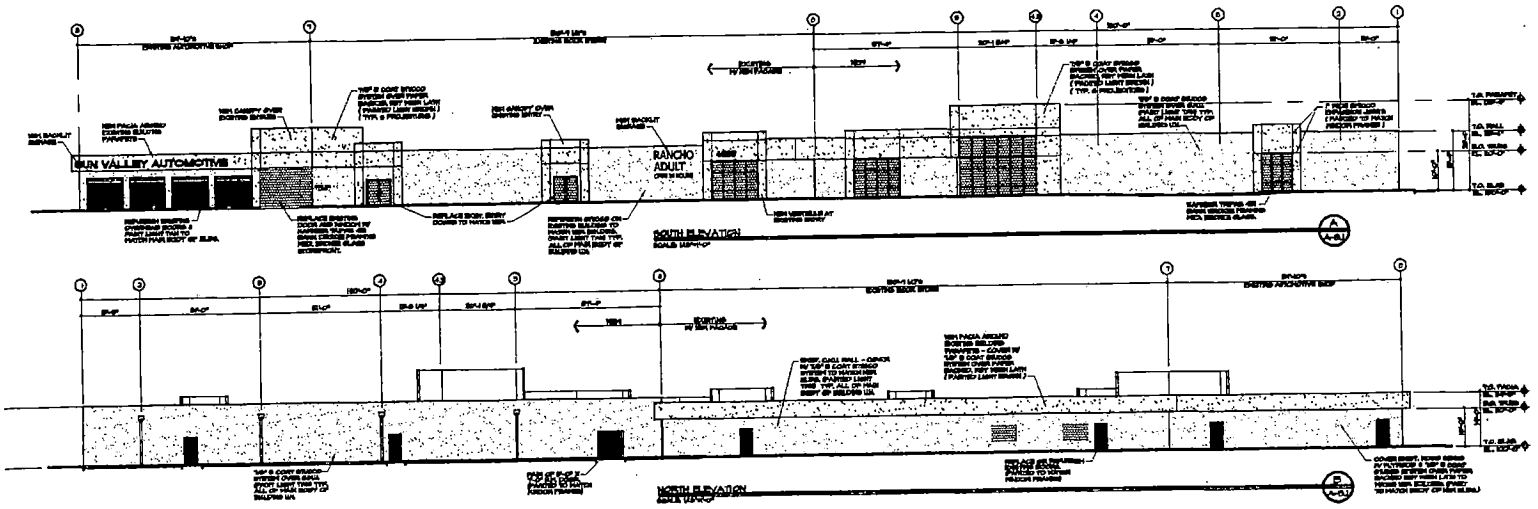
SDR-5190
10/21/04 PC

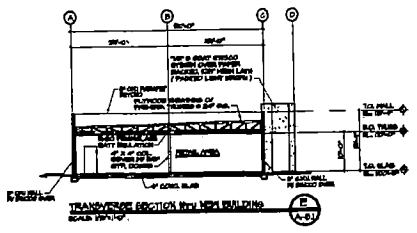
RECEIVED
SEP 07 2004

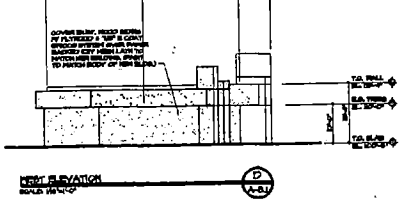
WARREN B. BUCHANAN
ARCHITECT
WBBA
737-8866
CONSULTANT

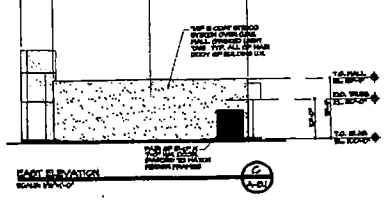
REVISIONS	DATE

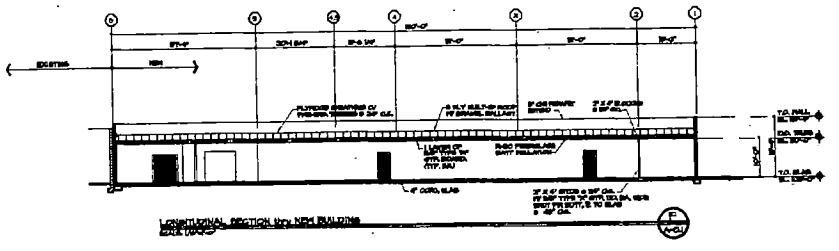
SHEET TITLE: LANDSCAPING PLAN
PROJECT: RETAIL CENTER ADDITION for: TRIPLE HEADER PARTNERSHIP
● RANCHO & LONE MOUNTAIN ROADS
DATE: 4 JULY '0
SCALE: 1" = 30'-0
DRAWN: MBB
JOB
SHEET: L-1.1











SDR-5190
10/21/04 PC

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REVISIONS

CONSULTANT

737-8866

WARREN B. BUCHANAN
ARCHITECT

VBA

LAS VEGAS, NV.

SHEET TITLE BUILDING ELEVATIONS SECTIONS

PROJECT RETAIL CENTER ADDITION for:
TRIPLE HEADER PARTNERSHIP
● RANCHO & LONE MOUNTAIN ROADS

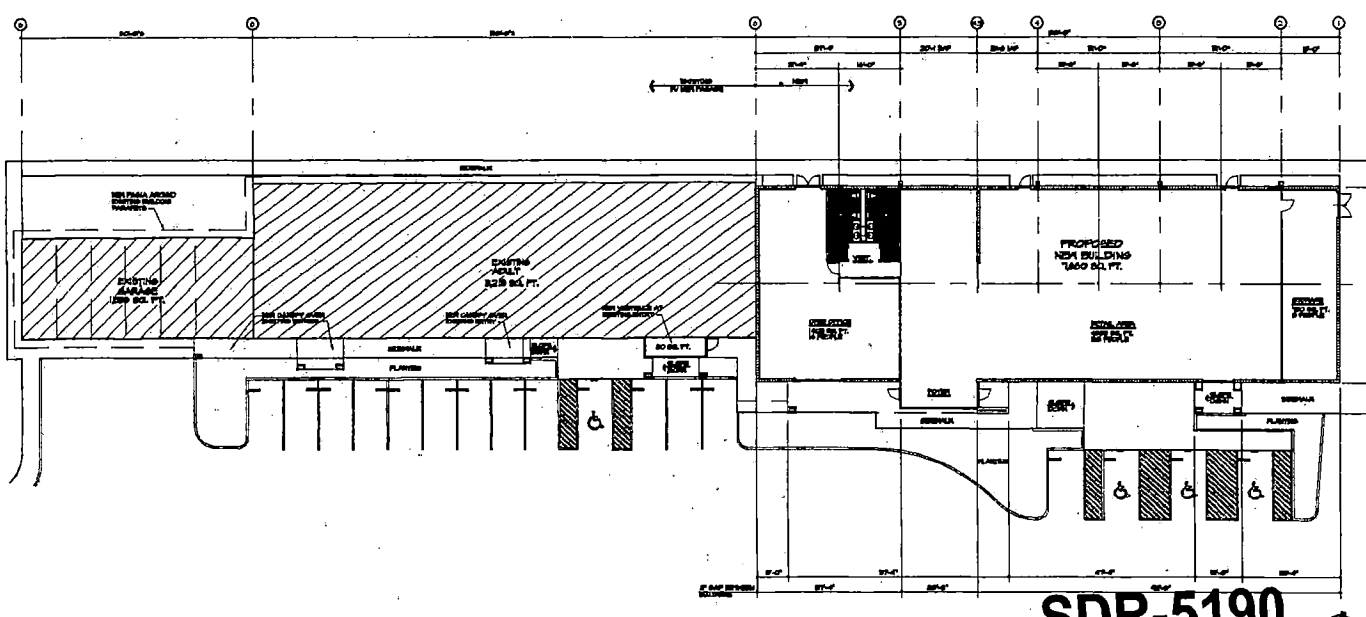
DATE 4 JULY '04

SCALE 1/16" = 1'-0

DRAWN MSB

JOB

SHEET A-3.



SDR-5190
10/21/04 PC

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REVISIONS

CONSULTANT

737-886

WARREN B. BUCHANAN
ARCHITECT

WBB

SHEET TITLE FLOOR PLAN

PROJECT RETAIL CENTER ADDITION for:
TRIPLE HEADER PARTNERSHIP
@ RANCHO & LONE MOUNTAIN ROADS

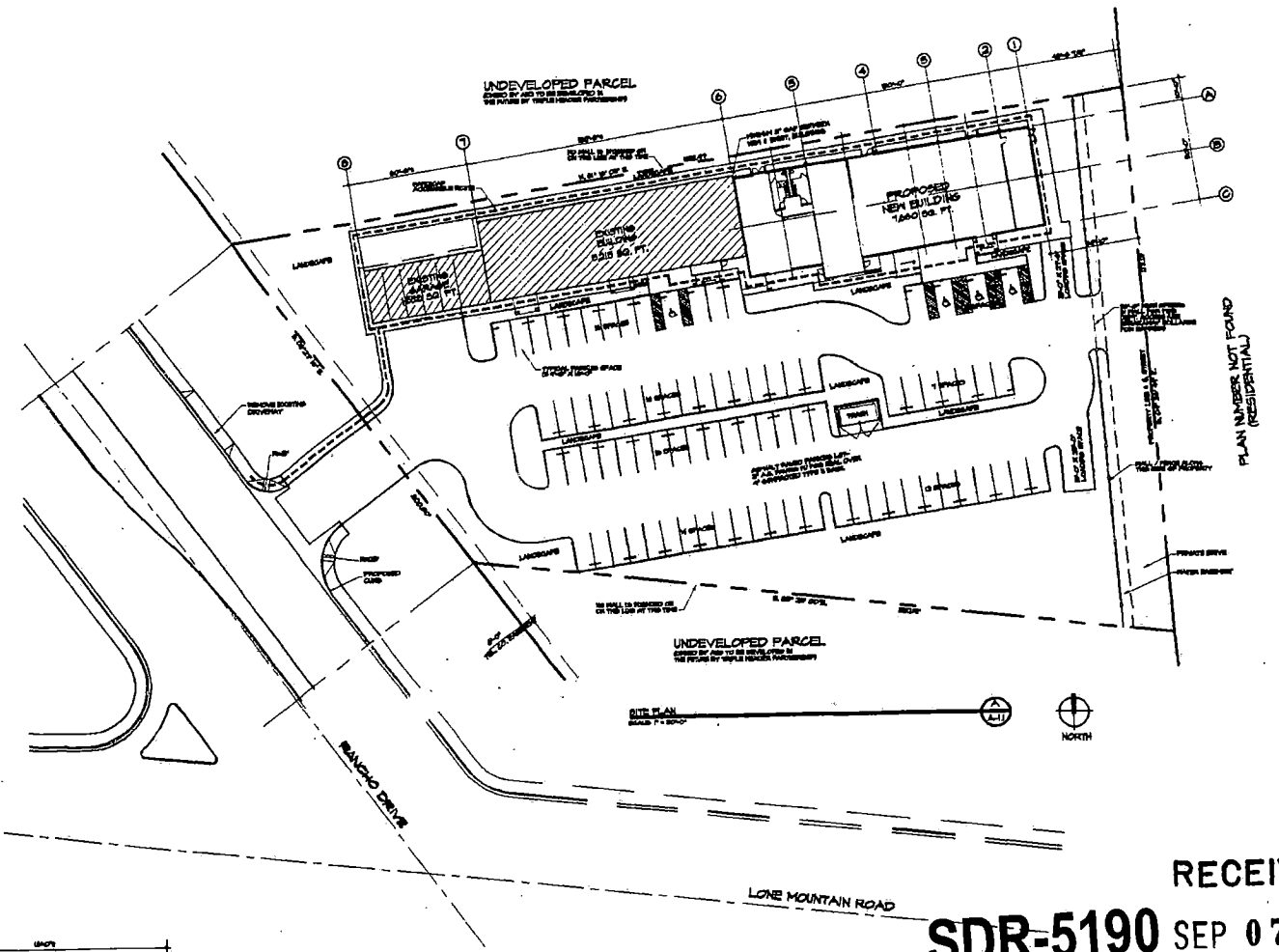
DATE 4 JULY 0

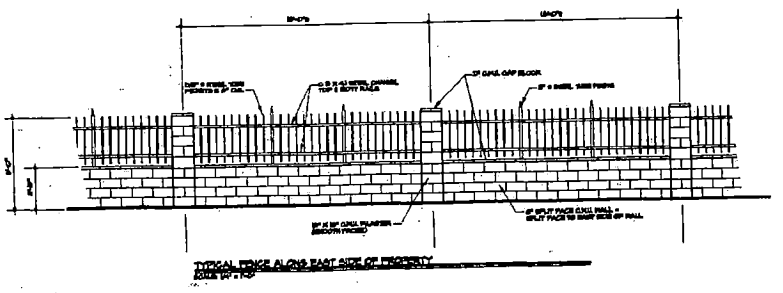
SCALE 1/16" = 1'

DRAWN WBB

JOB

SHEET A-2.





CODE ANALYSIS (2000 IBC)

ANALYSIS ITEMS

1. OCCUPANCY CLASSIFICATION: RETAIL GROUP M
2. TYPE OF CONSTRUCTION: TYPE V N
3. FIRE SPRINKLERS: NONE
4. HEIGHT-ABOVE: 30'-0" ALLOWABLE: 40'-0"
5. STORIES ACTUAL: 1 = STORY ALLOWABLE: 2 = STORIES
6. AREA ABOVE: 7,660 Sq. Ft. = 14 Ft. ALLOWABLE: 9,000 Sq. Ft.
7. OCCUPANT LOAD: TOTAL = 30 STORAGE = 2

	REQUIRED	PROVIDED
A. SITE PARKING:		
RETAIL =	31	31
STORAGE =	1	1

B. PARKING FOR PHYSICALLY HANDICAPPED AS REQUIRED BY CBC 1129B.1 = 2 SPACES
C. PARKING FOR MOTORCYCLES: 1 SPACE IS PROVIDED FOR EVERY 50 SPACES OR FRACTION THEREOF = 1 SPACE
10. FIRE CONSTRUCTION REQUIREMENTS: APPLY EXCLUSIONS TO: NONE
11. SPECIAL INSPECTIONS REQUIRED: NONE
12. CODE YEAR / TYPE: 2000 INTERNATIONAL BUILDING CODE

ZONING DATA

ZONE: C-2
GROSS AREA: 17,125 Sq. Ft. OR .39 ACRES
TOTAL NUMBER OF SITES: 1 PROPOSED BUILDING AND 2 EXISTING BUILDINGS
BUILDING AREA ON SITE: 14,458 Sq. Ft.
DENSITY: 36.08 %
LAND USE:
PARCEL NOS.: 125-31-712-005
FILE NO. PLANS ON APN 125-32-201-004

PARKING ANALYSIS

BUILDING AREAS:
EXISTING RETAIL = 6,818 Sq. Ft.
EXISTING RETAIL (WALL) = 4,000 Sq. Ft.
NEW RETAIL = 7,660 Sq. Ft.
TOTAL = 18,478 Sq. Ft.

PARKING NEED:
EXISTING STORAGE = 2 SPACES PLUS 1 SPACE PER 300 Sq. Ft. = 15 SPACES
EXISTING RETAIL (WALL) = 1 SPACE PER 300 Sq. Ft. = 13 SPACES
NEW RETAIL = 1 SPACE PER 300 Sq. Ft. = 26 SPACES
TOTAL = 54 SPACES

PARKING SPACES PROVIDED: 58 SPACES (INCLUDES 4 H.A. SPACES)
PLUS 2 LOADING BAYS (30'-0" X 40'-0")

INDEX TO THE DRAWING

A-1 SITE PLAN & DRAWING INDEX
A-1.1 FLOOR PLAN
A-2.1 EXTERIOR ELEVATIONS & BUILDING SECTIONS
L1 LANDSCAPE PLAN

VICINITY MAP

RECEIVED
SEP 07 2004
SDR-5190
10/21/04 PC

REVISIONS

CONSULTANT

737-8861

WARREN B. BUCHANAN ARCHITECT

SHEET TITLE: SITE PLAN & DRAWING INDEX

PROJECT: RETAIL CENTER ADDITION for: TRIPLE HEADER PARTNERSHIP
• RANCHO & LONE MOUNTAIN ROADS

DATE: 4 JULY 04

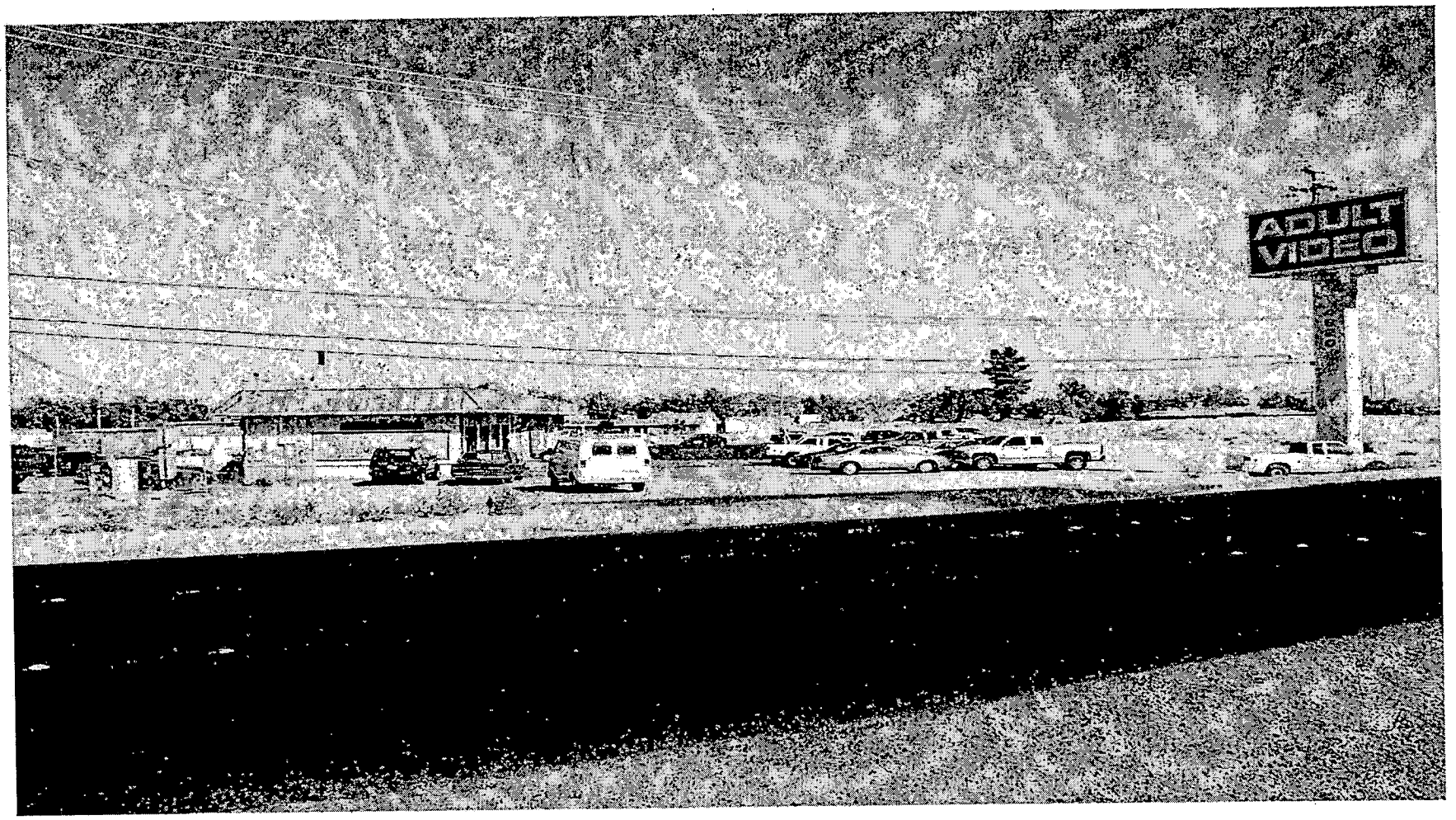
SCALE: 1" = 30'-0"

DRAWN:

JOB:

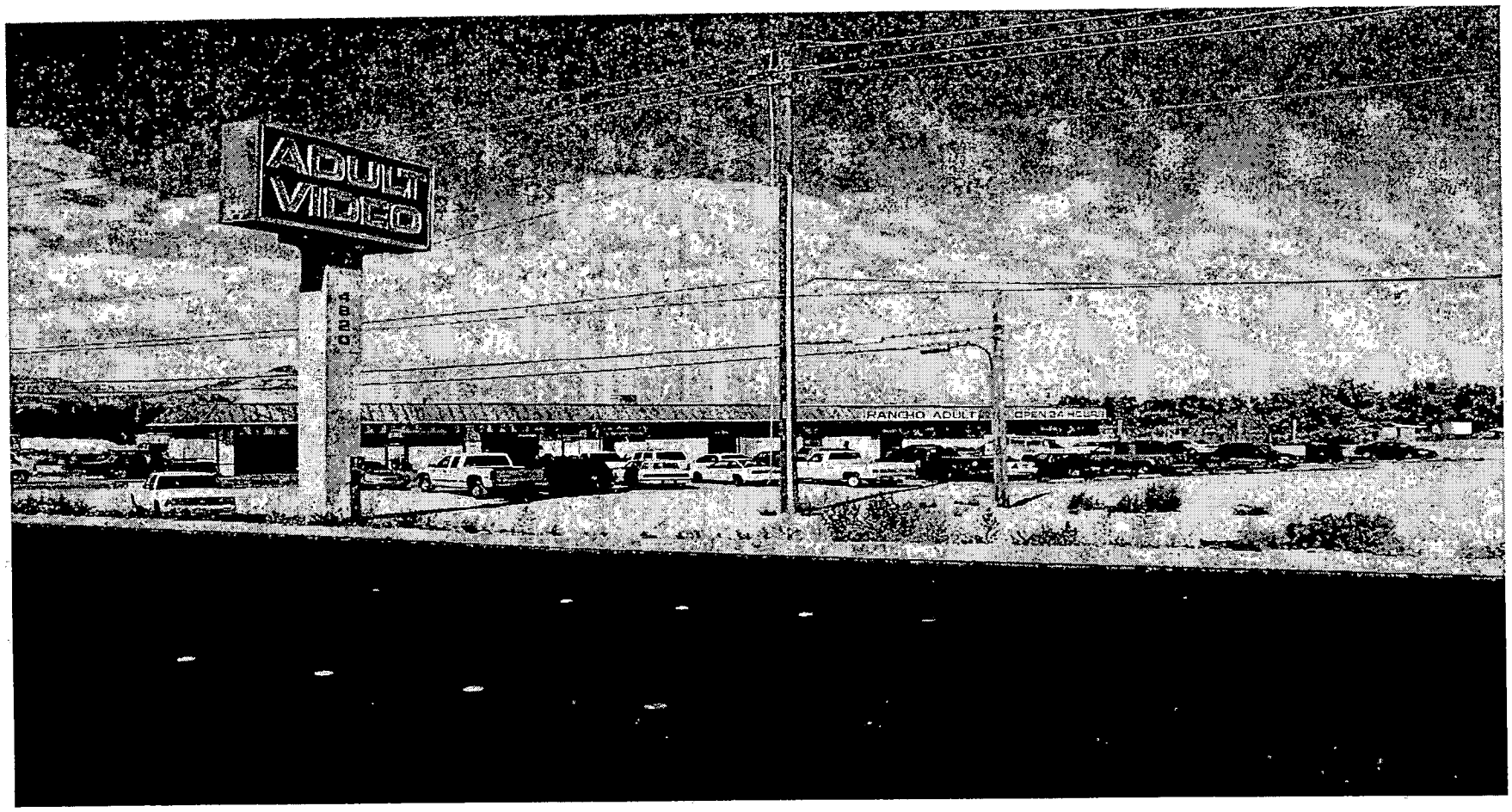
SHEET: A-1.1

A-1.1 SITE PLAN



SDR-5190 - APPLICANT: MG PROPERTIES - OWNER: MARTIN W. GREENWALD
NORTHEAST CORNER OF RANCHO DRIVE AND LONE MOUNTAIN ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



SDR-5190 - APPLICANT: MG PROPERTIES - OWNER: MARTIN W. GREENWALD
NORTHEAST CORNER OF RANCHO DRIVE AND LONE MOUNTAIN ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

City of Las Vegas

Agenda Item No.: 14

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SDR-5198 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER:WILTON PARTNERS ARVILLE NO. 8, LLC - Request for a Site Development Plan Review FOR A 11,739 SQUARE FOOT COMMERCIAL BUILDING AND WAIVERS OF BUILDING PLACEMENT FOUNDATION LANDSCAPING ALONG THE SIDEWALK, AND LANDSCAPE BUFFER STANDARDS on 1.49 acres on the west side of Arville Street, approximately 250 feet north of Sahara Avenue, (APN 162-06-412-003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 11/17/04

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED subject to conditions on Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131] and subject to conditions and deleting Condition 1 on Item 6 [RQR-5165] – UNANIMOUS with McSWAIN abstaining on Item 16 and Item 17, as her company is presently under contract with the applicant, Ryland Homes

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

MINUTES:
CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [RQR-5165], Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131].

COMMISSIONER McSWAIN requested pulling Item 9 [RQR-5169] from One Motion One Vote.

DEPUTY CITY ATTORNEY BRYAN SCOTT requested staff to reiterate the items that were being pulled from One Motion One Vote. GARY LEOBOLD, Planning and Development, stated that Item 5, Item 7, Item 8 and Item 11 would be pulled from One Motion One Vote so discussions could take place on these items. Item 6, Item 9 and Item 10 will remain on the One Motion One Vote items. He also confirmed for CHAIRMAN TRUESDELL that staff had received a letter from the applicant agreeing to the conditions for Item 15.

CHAIRMAN TRUESDELL then read into record the items that were One Motion One Vote as previously stated above.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [RQR-5165], Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131].

(6:21 – 6:26)

CONDITIONS:

Planning and Development

1. This Site Development 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 09/07/04, except as amended by conditions herein.

3. The site plan shall be revised to reflect the conditions herein and approved by staff of the Planning and Development Department prior to the time application is made for a building permit. A Waiver in the placement of the building at the front of the lot is approved by this condition.

CONDITIONS – Continued:

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

5. The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit. Plantings shall be provided around the foundation of the building in locations that demonstrate closer compliance with the intent of the Landscape, Wall and Buffer Standards. This is a denial of a request for a complete Waiver in the placement of landscaping around the foundation of the building in support of partial landscaping in strategic locations around the building. However, this condition is approval of a request for a Waiver in the zone width for perimeter landscaping in the extreme northwest corner of the site.

6. Landscaping and a permanent underground sprinkler system shall be installed and shall be permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems is cause for revocation of a business license.)

7. A sidewalk shall be provided to connect the sidewalk along Arville Street to the sidewalk around the proposed building. The sidewalk shall be handicap accessible.

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. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. All lighting shall be directed away or screened from the adjacent residential property.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

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

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 14 – SDR-5198

CONDITIONS – Continued:

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

13. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

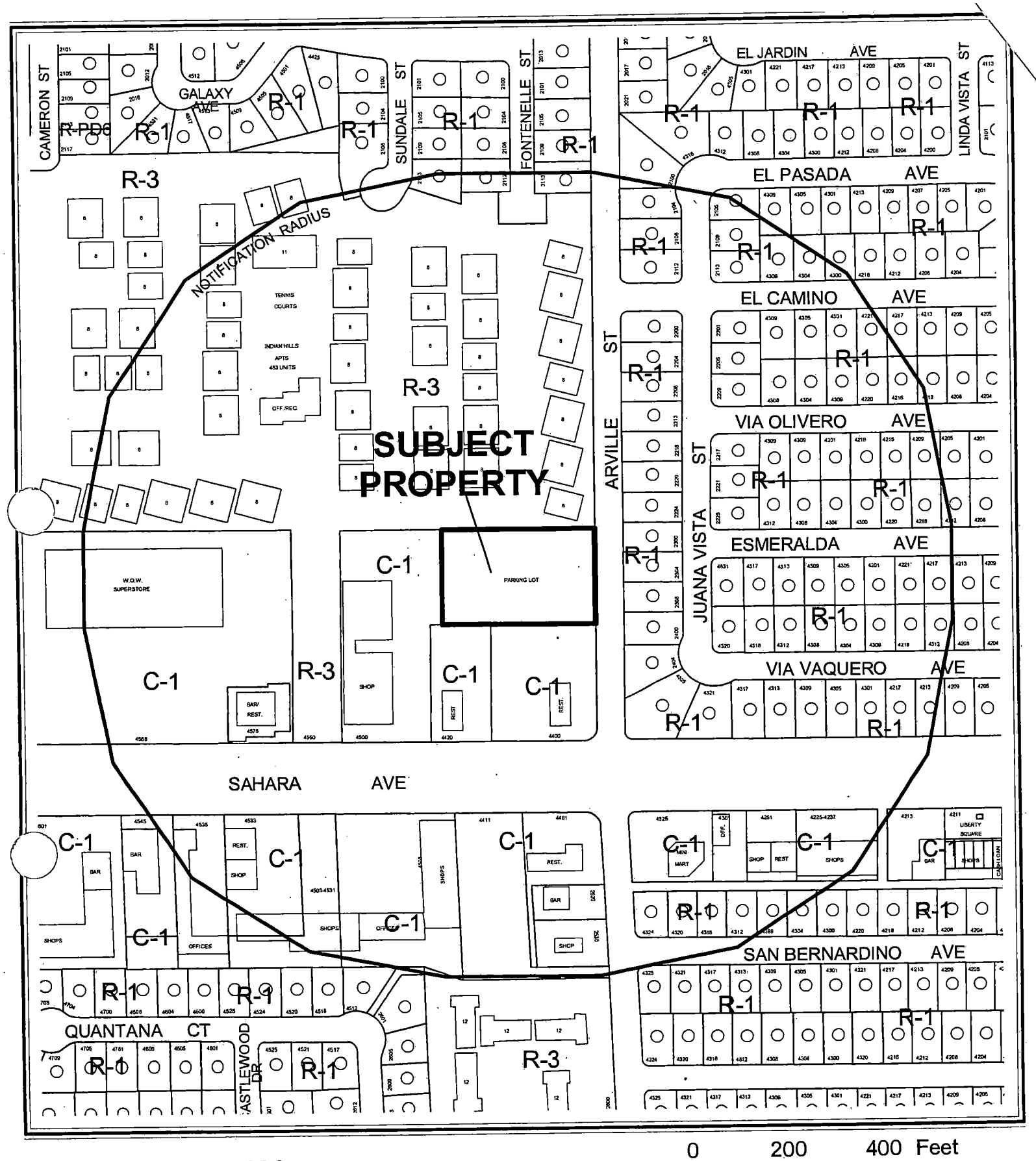
Public Works

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

15. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the west prior to the issuance of any permits.

16. 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.

17. Site development to comply with all applicable conditions of approval for Z-57-87 and all other subsequent site-related actions.



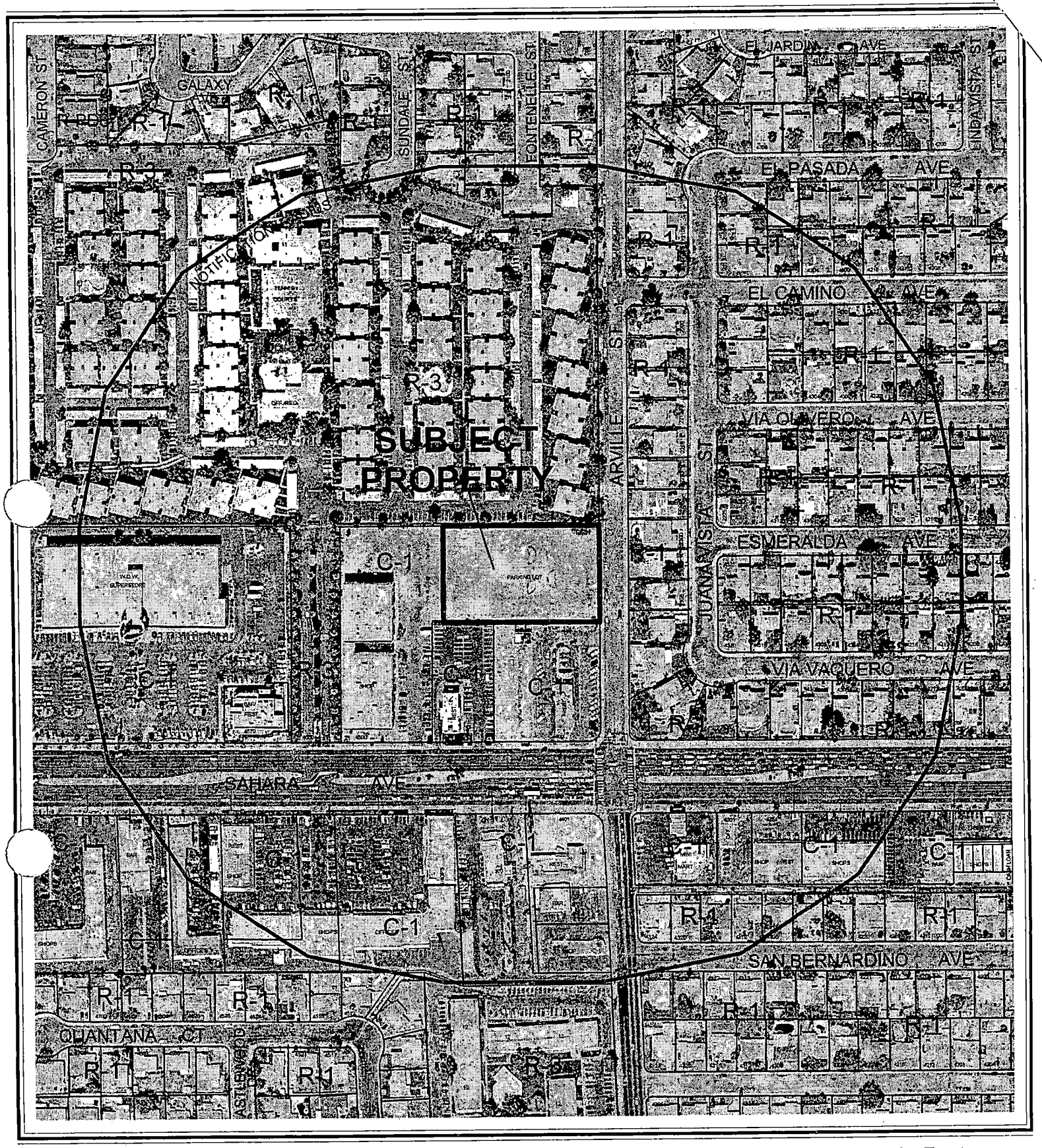
0 200 400 Feet

CASE: **SDR-5198**

RADIUS: 750 FT

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

N



0 200 400 Feet

CASE: **SDR-5198**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5198 - APPLICANT/OWNER: WILTON PARTNERS ARVILLE NO. 8, LLC

** CONDITIONS **

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

Planning and Development

1. This Site Development 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 09/07/04, except as amended by conditions herein.

3. The site plan shall be revised to reflect the conditions herein and approved by staff of the Planning and Development Department prior to the time application is made for a building permit. A Waiver in the placement of the building at the front of the lot is approved by this condition.

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

5. The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit. Plantings shall be provided around the foundation of the building in locations that demonstrate closer compliance with the intent of the Landscape, Wall and Buffer Standards. This is a denial of a request for a complete Waiver in the placement of landscaping around the foundation of the building in support of partial landscaping in strategic locations around the building. However, this condition is approval of a request for a Waiver in the zone width for perimeter landscaping in the extreme northwest corner of the site.

6. Landscaping and a permanent underground sprinkler system shall be installed and shall be permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems is cause for revocation of a business license.)

7. A sidewalk shall be provided to connect the sidewalk along Arville Street to the sidewalk around the proposed building. The sidewalk shall be handicap accessible.

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. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. All lighting shall be directed away or screened from the adjacent residential property.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

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

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

13. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

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

15. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the west prior to the issuance of any permits.

16. 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.

DDS

17. Site development to comply with all applicable conditions of approval for Z-57-87 and all other subsequent site-related actions.

DDS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for an 11,739 square foot commercial building and Waivers of building placement, sidewalk, and landscape buffer standards on 1.40 acres approximately 250 feet north of Sahara Avenue, on the west side of Arville Street.

B) Applicant's Justification

In a letter submitted with the application, the applicant states that the interest is in establishing a 11,739 square foot building on the subject property. Justification is given for Waivers in the commercial design standards, including: perimeter landscaping requirements, the placement of the building, and the location of the sidewalk around the proposed building. These Waivers are fully addressed in the body of this report.

BACKGROUND INFORMATION

A) Previous Actions

08/05/87 The City Council approved a Rezoning (Z-0057-87) to C-1 (Limited Commercial) on this property as part of a larger request.

01/11/96 The Planning Commission approved a Plot Plan Review [Z-57-87(4)] and building elevation for a 33,277 square foot retail building (Just for Feet) on property located west of the subject tract. The staff recommended approval on the same date.

B) Pre-Application Meeting

08/23/04 The staff met with the prospective applicant to review plans for a proposed general retail development on the subject property. In addition to the general requirements for a retail development, the following particular details were noted:

- The building would need to be shifted forward on the site to meet the commercial development standards or a Waiver would be required.
- A Waiver would be needed in the foundation and perimeter landscaping.

- The architectural design would need to be carried around the entire building.
- The trash enclosure should match the architectural style of the building.
- Off-site infrastructure would need to be improved.
- A flood study would be needed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 1.49

B) Existing Land Use

Subject Property:	Parking lot
North:	Apartment development
South:	Restaurants
East:	Single-family residential
West:	Service commercial (Just for Feet building-vacant)

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject property is located within the Southeast Sector of the General Plan. The property is designated SC (Service Commercial). The property is zoned C-1 (Limited Commercial), which is a zoning district permitted in this land use classification.

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

No special districts or zones are related to the subject property.

PROJECT DESCRIPTION

The applicant is proposing to construct an 11,739 square foot building for general retail use. The building would consist of seven commercial units. Four suites will each contain 1,287 square feet, two suites will each have 1,828 square feet, and one larger suite will have 2,984 square feet. The building is to be of Mediterranean style architecture.

The entrance to the site is to be off Arville Street, a 60-foot wide local street, which connects to Sahara Avenue, a Primary Arterial (100-foot wide) street, according to the Master Plan of Streets and Highways. Additional access will be provided from Sahara Avenue through commercial property to the west and south.

The site plan is illustrative of a retail development with a commercial building situated along the north property line of the site and with parking located primarily to the south side of the building. Additional parking spaces, including handicap spaces are located between the building and Arville Street. A total of 102 parking spaces are provided for the development.

Trees and other landscaping are provided throughout the site within the parking areas and along the perimeter of the site. A 15-foot landscaped area is provided along Arville Street.

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	NA	1.49 Acres	NA
Min. Lot Width	100 Feet	200 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	 20 Feet 10 Feet NA 20 Feet	 84 Feet 10 Feet NA 64 Feet	 Y Y NA Y
Max. Lot Coverage	50 %	19%	Y
Max. Building Height	NA	34.5 Feet	NA

The development complies with the development standards.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, Residential Adjacency Standards apply where a nonresidential use is adjacent to residential property "developed for sale." In this instance, a single-family residential development is located across Arville Street from the proposed building. The height is approximately 42 feet to the roofline of a tower constructed in the front of the building. At a required 3:1 slope from the building to the property of the single-family residences, 126 feet is required. A distance of 143.82 feet is provided. Therefore, the building meets the Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	GFA (sq. ft.)	Required			Provided	
		Ratio Space/sq. ft.	Parking Spaces		Parking Spaces	
			Regular	Handicap	Regular	Handicap
General Retail	11,739	1 space/175	65	3	98	4

The use is provided with the required number of parking spaces.

A4) Landscape and Open Space Standards

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

Standards	**Trees Required**		**Trees Provided**
	Ratio	Trees	
Parking Area	0.28 Trees/Space	29	22
Buffer Trees	1 Tree/Linear Foot + 1	24	24
Total		53	58

The development must be provided with one tree for every 20 feet of linear distance along the front property line and north property line plus one tree. The total distance is 451 feet (excluding driveway). The regular numbers of trees are provided. The parking area must be provided with trees according to the formula: total spaces/6 + islands/2. This equates to a need for 29 trees for which 22 are provided. However, an additional 11 trees are provided along the south property line for a total of 33 trees.

B) General Analysis and Discussion

- Zoning

The present zoning of the subject property is C-1 (Limited Commercial). The C-1 zone allows a broad spectrum of retail uses. The applicant proposes general retail uses for the new commercial building. General retail uses are permitted in a C-1 zone, except for those uses not otherwise listed.

- Site Plan

The site plan is illustrative of a retail development with a commercial building situated along the north property line of the site and with parking located primarily to the south side of the building. Additional parking spaces, including handicap spaces are located between the building and Arville Street. According to the commercial design standards, the building is to be situated forward on the lot. However, if the building were located forward on the lot, the Residential Adjacency Standards separation requirement from the single-family residential development across Arville Street to the east could not be met. This is critical in protecting the integrity of the residential area.

- Waivers

The applicant has requested three waivers of the commercial development standards: (1) a Waiver of the building orientation and siting; (2) a Waiver to place sidewalks next to the building; and (3) a Waiver of landscape buffering. As mentioned above, if the building were placed forward on the lot, it could not meet the Residential Adjacency Standards. Therefore, it is recommended that this Waiver be granted.

As to the second Waiver, the applicant indicates that a sidewalk is proposed around the building that varies from approximately 5.8 to 13.5 feet in width depending on the location. In locations where the sidewalk is less than 11 feet wide, there is insufficient space for a five-foot sidewalk and a six-foot planting bed. The places where the sidewalk is wider than 11 feet are at the entrances to the building where access would be denied. Landscaping along the foundation is desirable where it can be provided to soften the abrupt changes in hard surfaces. In this instance, no landscaping is proposed around the foundation. It is not recommended that a complete Waiver be granted to eliminate all foundation landscaping. Instead, it is recommended that the applicant explore alternatives in providing some landscaping in strategic locations around the building to more closely comply with the intent of the provision. This concern is addressed as a condition of approval.

The third Waiver is requested to reduce the buffer width for perimeter landscaping in the northwest corner of the site. Parking is being integrated with an existing parking area west of the site that is only 3.5 feet from the north property line. Parking for the subject property will transition to a location eight feet from the north property line; however, a Waiver is required for a short 30-foot distance along the north property line where the transition is being made. It is recommended that this Waiver be granted. Since the depiction is minor and the overall site will have more than the number of required trees.

- Landscape Plan

A conceptual landscape plan is included with the site plan for the subject development. The plan appears to meet the intent of the Landscape Wall and Buffer Requirements with the exception of any landscaping around the foundation of the building. It is recommended that landscaping be provided around the building in strategic locations to meet the intent of the requirement.

- Elevation

The elevation plans include drawings of a building to consist of Mediterranean style architecture. The building is to have three broad towers, one at each end and one in the middle. The exterior surface will be of smooth stucco finish with a terra-cotta tile roof system. Large arched doorways decorate the entrances and will consist of aluminum with oil rubbed bronze anodized finish. Seven wrought iron balconies, six traditional style lights, wood trellis and raised embellishments across the front, sides and rear of the building are to enhance the style of architecture. The terra-cotta tile roof system is carried around to the rear of the building partway. The roofed trash enclosure at the west end of the building is of the same architectural style.

DDS

The building is a very attractive design and should integrate well with other commercial buildings in the area.

- Floor Plan

The proposed building is to consist of seven commercial units. Four suites will each contain 1,287 square feet, two suites will each have 1,828 square feet, and one larger suite will have 2, 984 square feet. Each space will have at least one entrance and one rear exit. The spaces are typical of retail spaces generally.

FINDINGS

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

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

   The applicant is proposing to construct a building for retail uses. Such uses are compatible with the restaurants to the south and another vacant building for retail use to the west. Such a mixture of uses is very common in commercial areas such as this. There lacks any architectural theme among the buildings that comprise the commercial area. However, the proposed building by itself will have an interesting architectural style that will not detract from the apartment complex to the north or from other adjacent areas.

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

   The subject property is located in a SC (Service Commercial) land use classification, and the property is zoned C-1 (Limited Commercial), which is a zoning district permitted in this land use classification. The land use classification and district are intended for general commercial use. The proposed use is consistent with this intent.

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

   The entrance to the site is to be off Arville Street, a 60-foot wide local street, which connects to Sahara Avenue, a Primary Arterial (100-foot wide) street, according the Master Plan of Streets and Highways. Additional access will be provided from Sahara Avenue through commercial property to the west and south. Both streets have sufficient capacity to handle additional volumes of traffic as well as vehicular maneuvering in and out of the site.

Pedestrian access is limited to sidewalks along Arville Street and around the proposed building. There should be a connection from the sidewalk along Arville Street directly to the building that may also be used by handicapped persons.

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

The building and landscape materials of the project are described above and below. The materials of the development are consistent with other commercial projects in the vicinity. The architectural design of the building adds variety to an otherwise mundane commercial area.

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

The proposed building is to consist of Mediterranean style architecture, having three broad towers, one at each end and one in the middle. The exterior surface will be of smooth stucco finish with a terra-cotta tile roof system. Large arched doorways decorate the entrances and will consist of aluminum with oil rubbed bronze anodized finish. Seven wrought iron balconies, six traditional style lights, wood trellis and raised embellishments across the front, sides and rear of the building are to enhance the style of architecture. The terra-cotta tile roof system is carried around to the rear of the building partway. The roofed trash enclosure at the west end of the building is of the same architectural style.

The building is a very attractive design and should integrate well with other commercial buildings in the area.

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

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

NOTICES MAILED 111

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5198** APN: 162-06-412-003

Name of Property Owner: Wilton Partners Arville #8 LLC

Name of Applicant: Wilton Partners Arville No. 8 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 ✓ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the names(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: _____

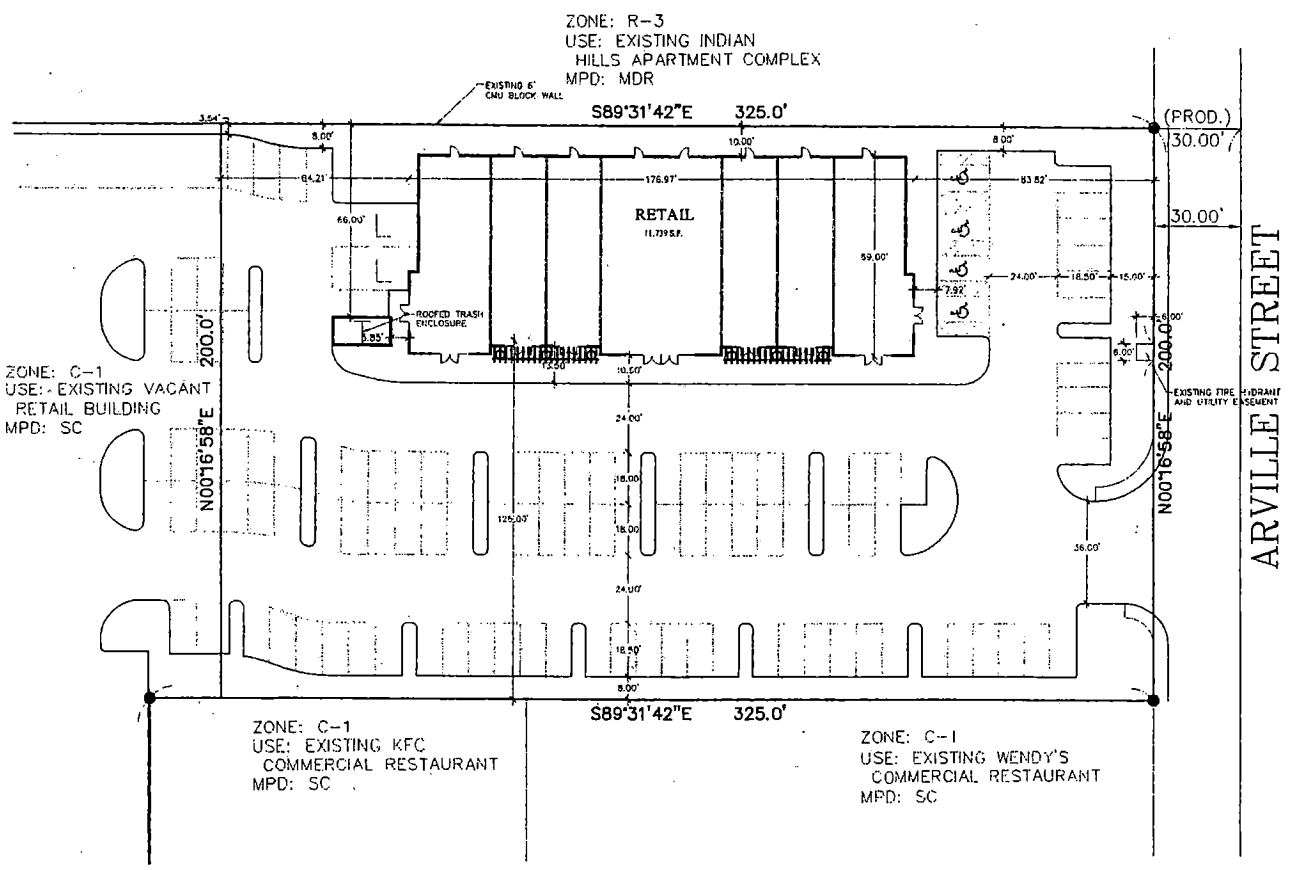
Print Name: Jay H. Wilton

Subscribed and sworn before me

This 31 day of August ,20 04

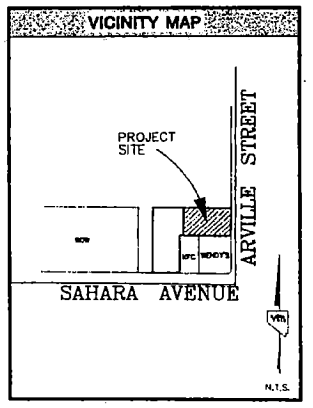
_____
Notary Public in and for said County and State

NANI APRIL GADD
Comm. #1504585
NOTARY PUBLIC - CALIFORNIA
Los Angeles County
My Comm. Expires July 30, 2008



ZONE: R-1
USE: EXISTING SINGLE FAMILY DETACHED RESIDENTIAL SUB.
MPD: LDR

VICINITY MAP



SITE-DATA

SITE DEVELOPMENT REVIEW APPLICATION:

APN NUMBER:	162-08-412-003
GROSS AREA:	1.66 ACRES
CURRENT ZONING:	C-1
CURRENT USE:	COMMERCIAL GENERAL SERVICES (2 UNITS)
PROPOSED USE:	GENERAL RETAIL
CURRENT MASTER PLAN DESIGNATION:	SERVICE COMMERCIAL

PARKING CALCULATIONS

PER TITLE 19 REQUIREMENTS:

SUBJECT PROPERTY:
REQUIRED PARKING SPACES (GENERAL RETAIL UNDER 25,000 S.F.):
1 SPACE PER 175 S.F. OF BUILDING AREA
11,739 / 175 = 68 STALLS REQUIRED

COMMERCIAL SUBDIVISION:
REQUIRED PARKING SPACES (GENERAL RETAIL OVER 25,000 S.F.):
1 SPACE PER 250 S.F. OF BUILDING AREA

EXISTING RETAIL BUILDING (JUST FOR FEET):	27,319 S.F. TOTAL
PROPOSED RETAIL BUILDING:	11,739 S.F.
TOTAL BUILDING GROSS FLOOR AREA:	39,058 S.F. OVERALL

39,058 / 250 = 157 STALLS REQUIRED

PER C.C.&R REQUIREMENTS:

COMMERCIAL SUBDIVISION:
REQUIRED PARKING SPACES: 5 SPACES PER 1000 S.F. OF BUILDING AREA
39,058 / 200 = 196 STALLS REQUIRED

PARKING PROVIDED:

SUBJECT PROPERTY:	102 STALLS PROVIDED
COMMERCIAL SUBDIVISION:	201 STALLS PROVIDED

GRAPHIC SCALE

1" = 20'

NORTH

WILTON PARTNERS
1111 SANTA MONICA BOULEVARD, SUITE 300
LOS ANGELES, CALIFORNIA 90025

CITY OF LAS VEGAS

vtn nevada
2727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89146-5415
PH. (702) 873-7500 FAX (702) 361-7591
CONSULTING ENGINEERS & PLANNERS & LAND SURVEYORS

NO	DATE	BY	REVISION

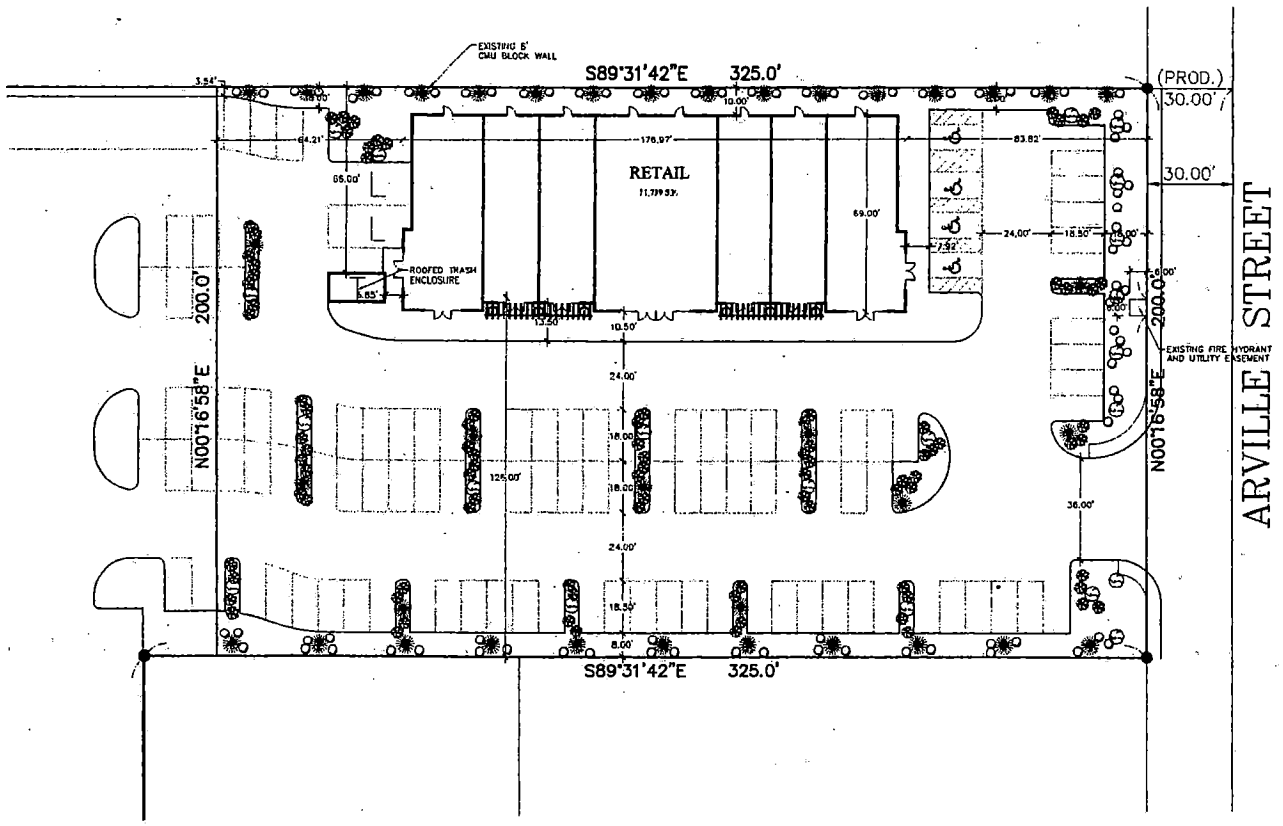
CONCEPTUAL
SITE PLAN
JUST FOR FEET II
SAHARA/ARVILLE

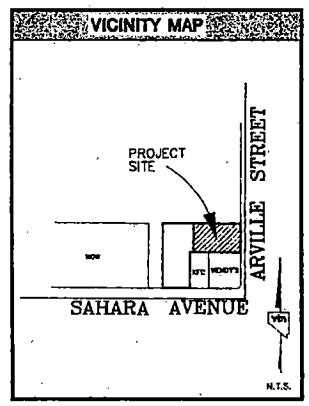
DRAWN BY: S.T.W. 08/04
DESIGNED BY: S.T.W. 08/04
CHECKED BY: S.J.P. 08/04
PROJECT NO.: 1459
SCALE: 1"=20'
VERT. VERT.

SHEET
SP-1
1 OF 1 SHEETS
DRAWING NO.

SDR-5198
10/21/04 PC

RECEIVED
SEP 07 2004





SITE-DATA

SITE DEVELOPMENT REVIEW APPLICATION:

APN NUMBER:	163-05-412-003
GROSS AREA:	1.49 ACRES
CURRENT ZONING:	C-1
CURRENT USE:	COMMERCIAL GENERAL SERVICES (PAWNING)
PROPOSED USE:	GENERAL RETAIL
CURRENT MASTER PLAN DESIGNATION:	SERVICE COMMERCIAL

TREE/PLANT SCHEDULE

SYM.	QTY.	SIZE	SPACING	NAME
	37	24" BOX	VARIES	MODESTO ASH
	21	24" BOX	VARIES	MONDEL PINE
	--	VARIES	N/A	DATE PALM
	--	13 GALLON	VARIES	PHOTNIA
	81	15 GALLON	VARIES	FLOWERING PLUM
	91	5 GALLON	VARIES	GROUND SHRUBS

GENERAL NOTES
1. Landscape shall conform to requirements of Chapter 19A City of Las Vegas.
2. The proposed landscaping and plants are conceptual only, a detailed Landscape Plan will be prepared by a licensed Landscape Architect as a part of the final engineering plan
3. The number and types of plant may vary from this proposed conceptual plan.

GRAPHIC SCALE
1" = 20'

NORTH

WILTON PARTNERS
11911 SANTA MONICA BOULEVARD
LOS ANGELES, CA 90025

CITY OF LAS VEGAS

VTN
2727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89146-5148
PH. (702) 873-7500 FAX (702) 362-2397
RENO CONSULTING ENGINEERS & PLANNERS & LAND SURVEYORS

REV	DATE	BY	REVISION

CONCEPTUAL
LANDSCAPE PLAN

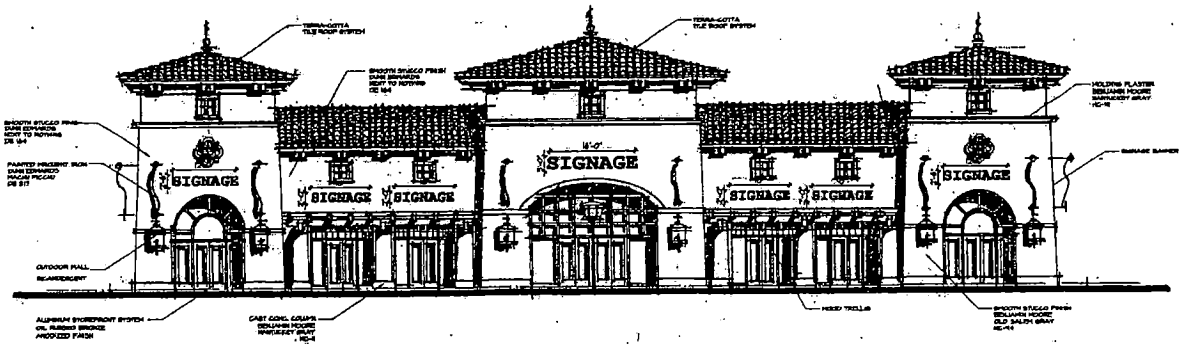
JUST FOR FEET II

DRAWN BY: S.T.M. 09/04
DESIGNED BY: S.T.M. 09/04
CHECKED BY:
PROJECT NO: 8604
SCALE: 20
HORIZ. VERT.

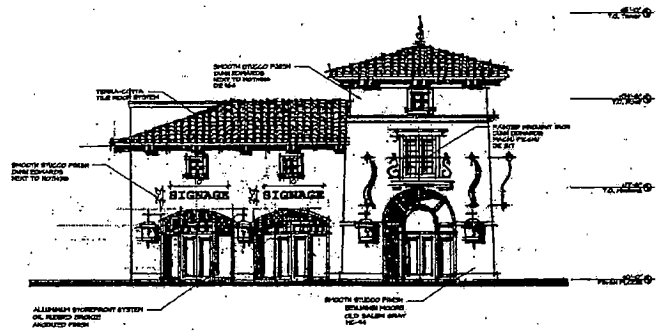
SHEET
LP-1
2 OF 2 SHEETS
DRAWING NO.

SDR-5198
10/21/04 PC

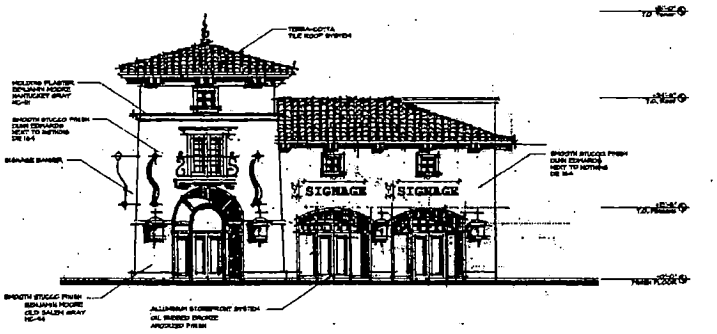
RECEIVED
SEP 07 2004



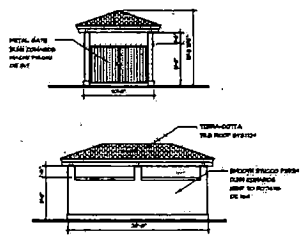
SOUTH ELEVATION
SCALE 3/32" = 1'-0"



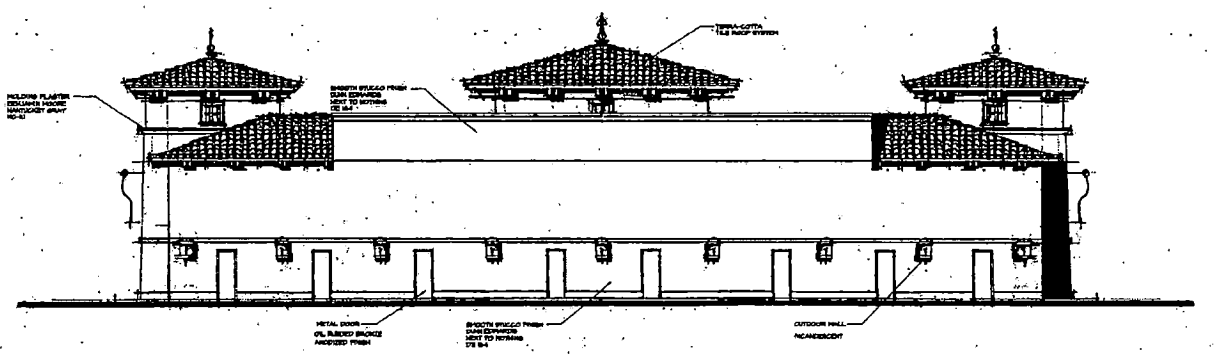
WEST ELEVATION
SCALE 3/32" = 1'-0"



EAST ELEVATION
SCALE 3/32" = 1'-0"



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



NORTH ELEVATION
SCALE 3/32" = 1'-0"

Sahara and Arville

Note: This Layout is Conceptual in Nature and No Guarantee of its accuracy is implied. All Dimensions and Sizes are Preliminary and Subject to Change

Wilton Partners
Los Angeles, CA 301.444.6377

Scale: 3/32" = 1'-0"

Perlman Architects
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89074
702.990.9800 702.932.3222 fax

Sahara Avenue and Arville Street, Las Vegas, NV

Conceptual Elevation

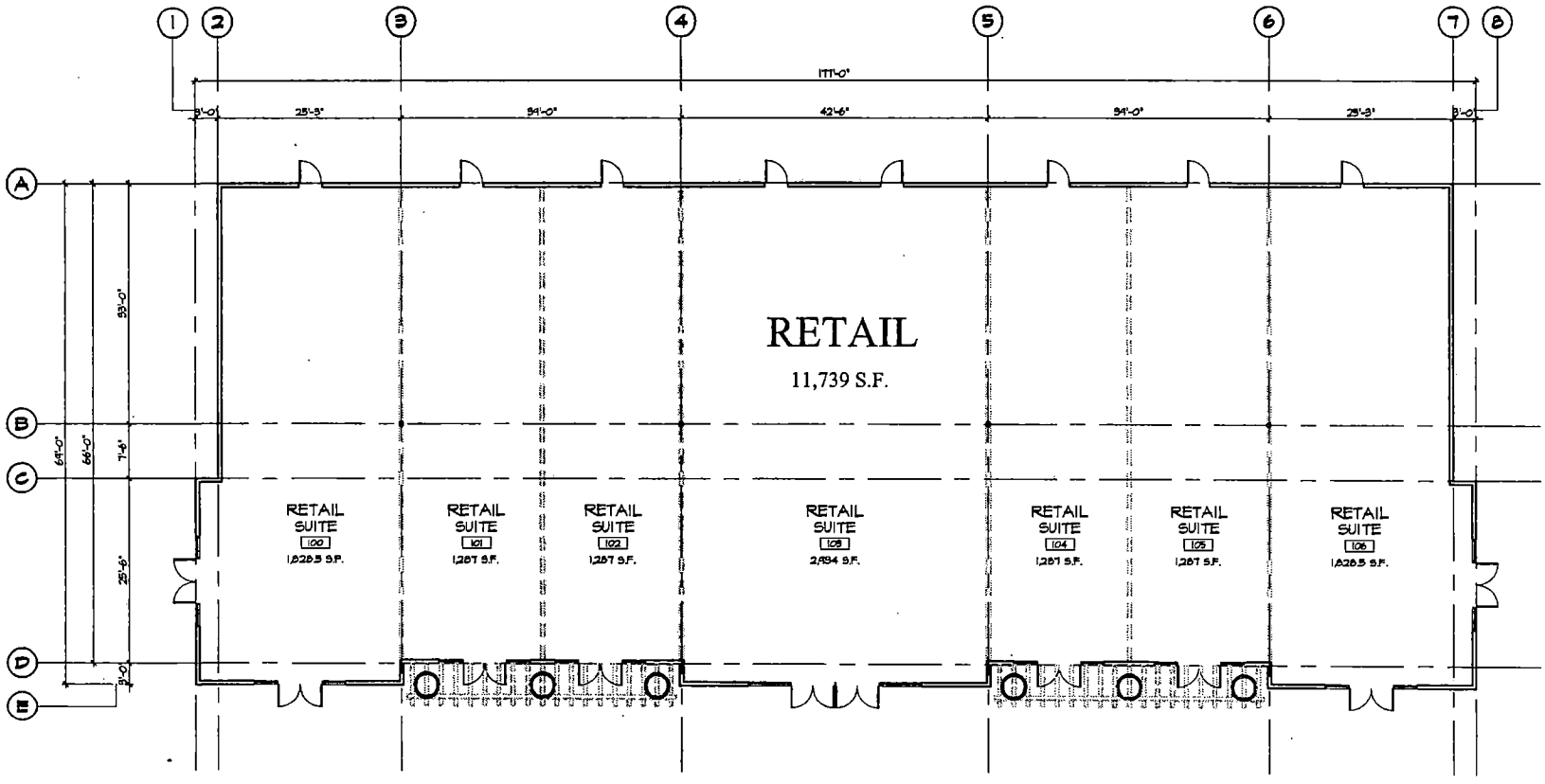
Date: September 2, 2004
Project Number: 104386

0 32/3 64/3

© Copyright Perlman Architects, Inc.

SDR-5198
10/21/04 PC

RECEIVED
SEP 07 2004



GENERAL NOTES:

1. FUTURE DEMISING WALL TO BE DETERMINED AT TIME OF LEASING
2. FUTURE RESTROOM TO BE DETERMINED AT TIME OF LEASING
3. FUTURE MEZZANINE, LOCATION AND ACCESS, TO BE DETERMINED AT TIME OF LEASING

FLOOR PLAN

SCALE 1/16" = 1'-0"

RECEIVED
SEP 07 2004

SDR-5198
10/21/04 PC

Sahara and Arville

Sahara Avenue and Arville Street, Las Vegas, NV

Note: This Layout is Conceptual in Nature and No Guarantee of its accuracy is implied. All Dimensions and Sizes are Preliminary and Subject to Change

Conceptual Floor Plan

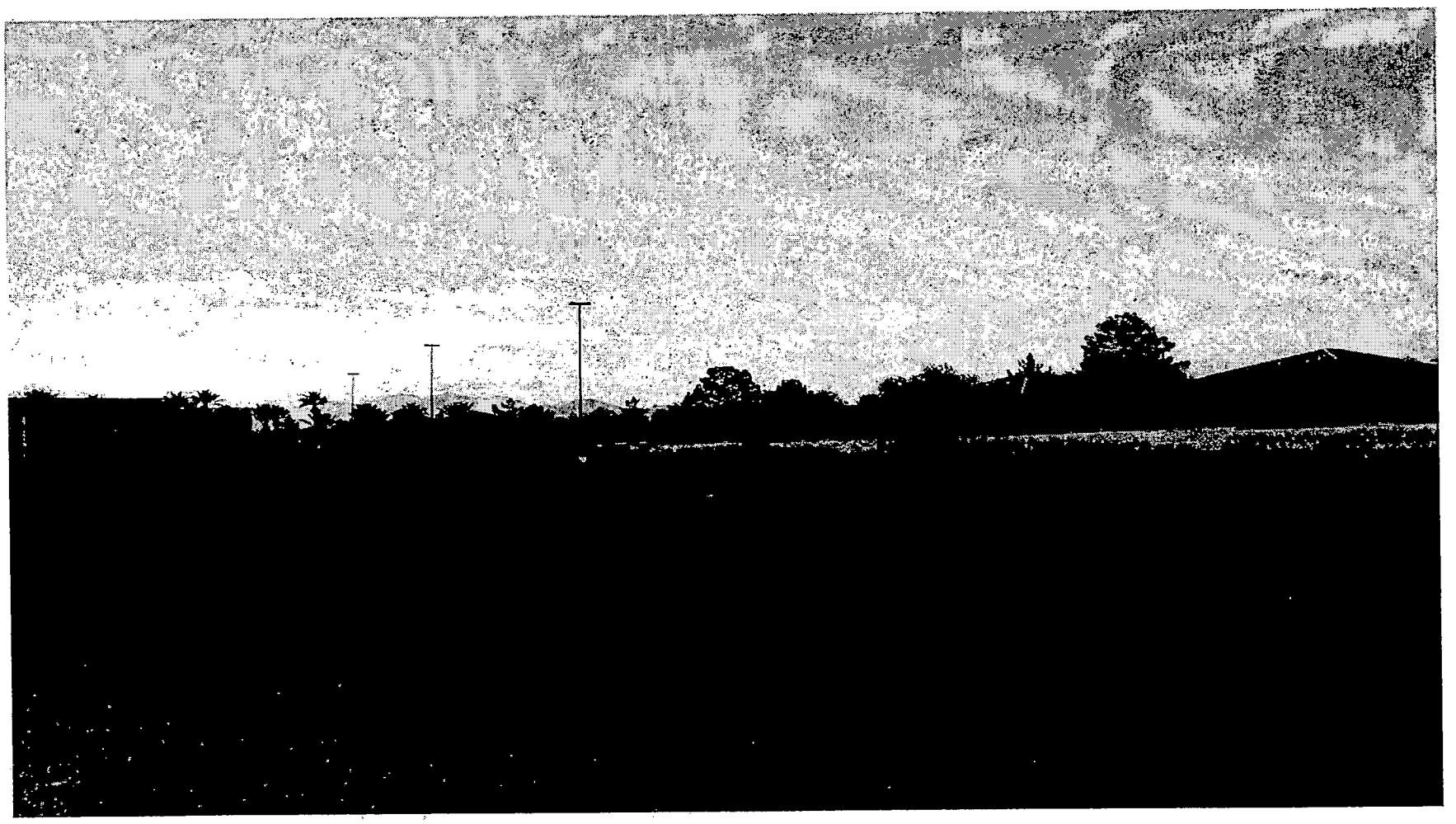
Wilton Partners
Los Angeles, CA 301.444.6377

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

Date: September 1,2004
Project Number: 104386

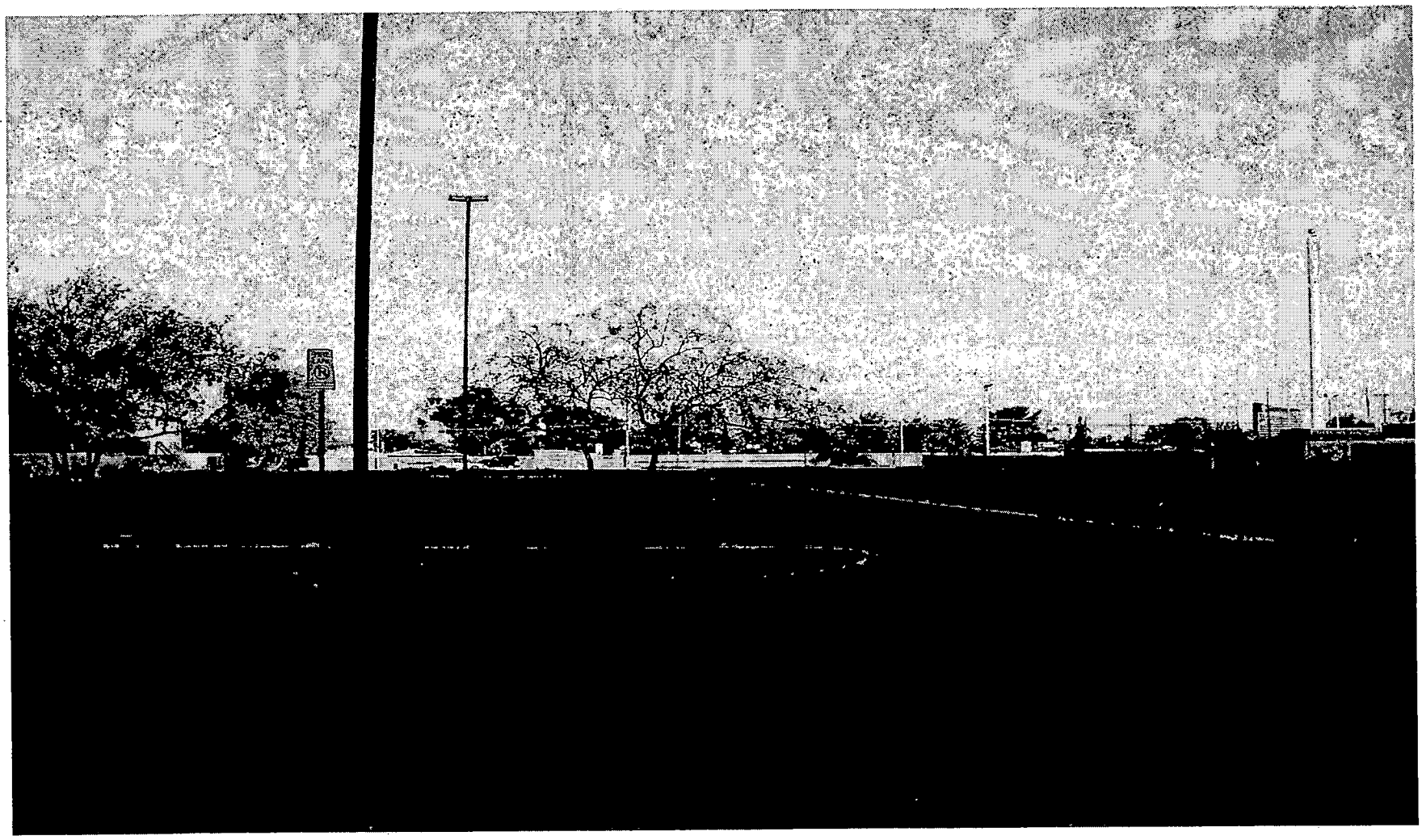
Perlman
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89074
702.990.9900 702.932.3222 fax

© COPYRIGHT 2003, PERLMAN ARCHITECTS, INC.



SDR-5198 - APPLICANT/OWNER: WILTON PARTNERS ARVILLE NO. 8, LLC
WEST SIDE OF ARVILLE STREET, APPROXIMATELY 250 FEET NORTH OF SAHARA AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/12/04



SDR-5198 - APPLICANT/OWNER: WILTON PARTNERS ARVILLE NO. 8, LLC
WEST SIDE OF ARVILLE STREET, APPROXIMATELY 250 FEET NORTH OF SAHARA AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/12/04

City of Las Vegas

Agenda Item No.: 15

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ROC-5347 - REVIEW OF CONDITION - NON-PUBLIC HEARING - APPLICANT/OWNER: PH GSA, LLC - Request for a Review of Conditions Number 2 and 4 of an approved Site Development Plan Review (SDR-2037) WHICH REQUIRED PARKING AND LANDSCAPING; AND CONFORMANCE TO THE SUBMITTED SITE PLAN TO ALLOW FOR PARKING TO BE PROVIDED OFF-SITE, LANDSCAPING TO BE PROVIDED WITH FUTURE PHASES AND THE OFFICE BUILDING TO VARY FROM THE APPROVED PLANS FOR A PROPOSED 84,201 SQUARE FOOT OFFICE BUILDING on 5.11 acres adjacent to the northeast corner of Grand Central Parkway and City Parkway (APN 139-27-410-006, 007 and 008), PD (Planned Development) Zone, Ward 5 (Weekly).

P.C.: FINAL ACTION

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED subject to conditions on Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131] and subject to conditions and deleting Condition 1 on Item 6 [RQR-5165] – UNANIMOUS with McSWAIN abstaining on Item 16 and Item 17, as her company is presently under contract with the applicant, Ryland Homes

This is Final Action

MINUTES:
CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [RQR-5165], Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131].

COMMISSIONER McSWAIN requested pulling Item 9 [RQR-5169] from One Motion One Vote.

DEPUTY CITY ATTORNEY BRYAN SCOTT requested staff to reiterate the items that were being pulled from One Motion One Vote. GARY LEOBOLD, Planning and Development, stated that Item 5, Item 7, Item 8 and Item 11 would be pulled from One Motion One Vote so discussions could take place on these items. Item 6, Item 9 and Item 10 will remain on the One Motion One Vote items. He also confirmed for CHAIRMAN TRUESDELL that staff had received a letter from the applicant agreeing to the conditions for Item 15.

CHAIRMAN TRUESDELL then read into record the items that were One Motion One Vote as previously stated above.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [RQR-5165], Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131].

(6:21 – 6:26)

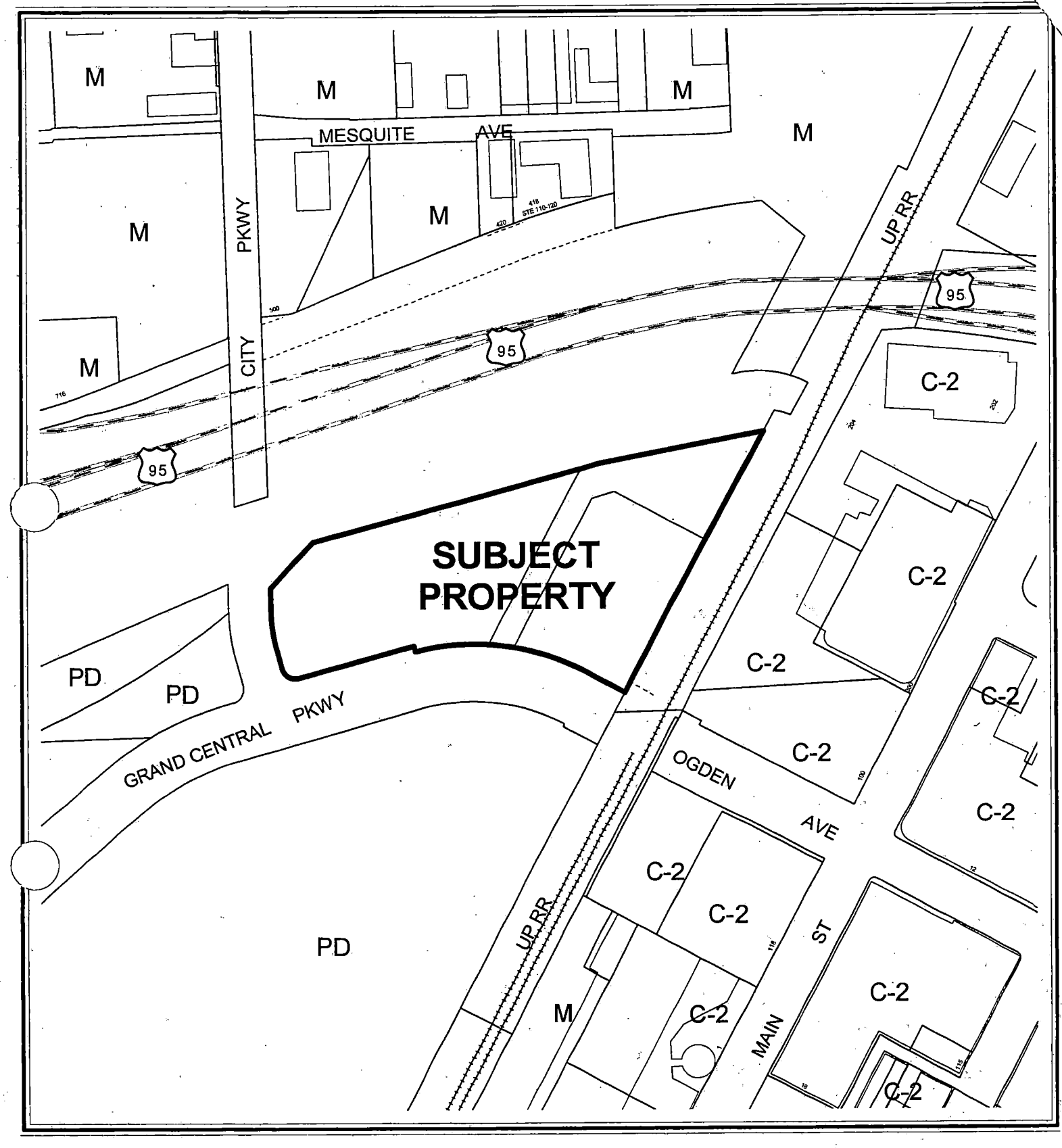
CONDITIONS:

Planning and Development

1. Conditions of Approval Numbers 2 and 4 of Site Development Plan Review SDR-2037 are hereby eliminated.

2. The applicant shall submit a Site Development Plan Review for administrative approval by the Planning and Development Department for the temporary parking lot and the parking lot shall be constructed prior to the issuance of a Certificate of Occupancy for the subject office building.

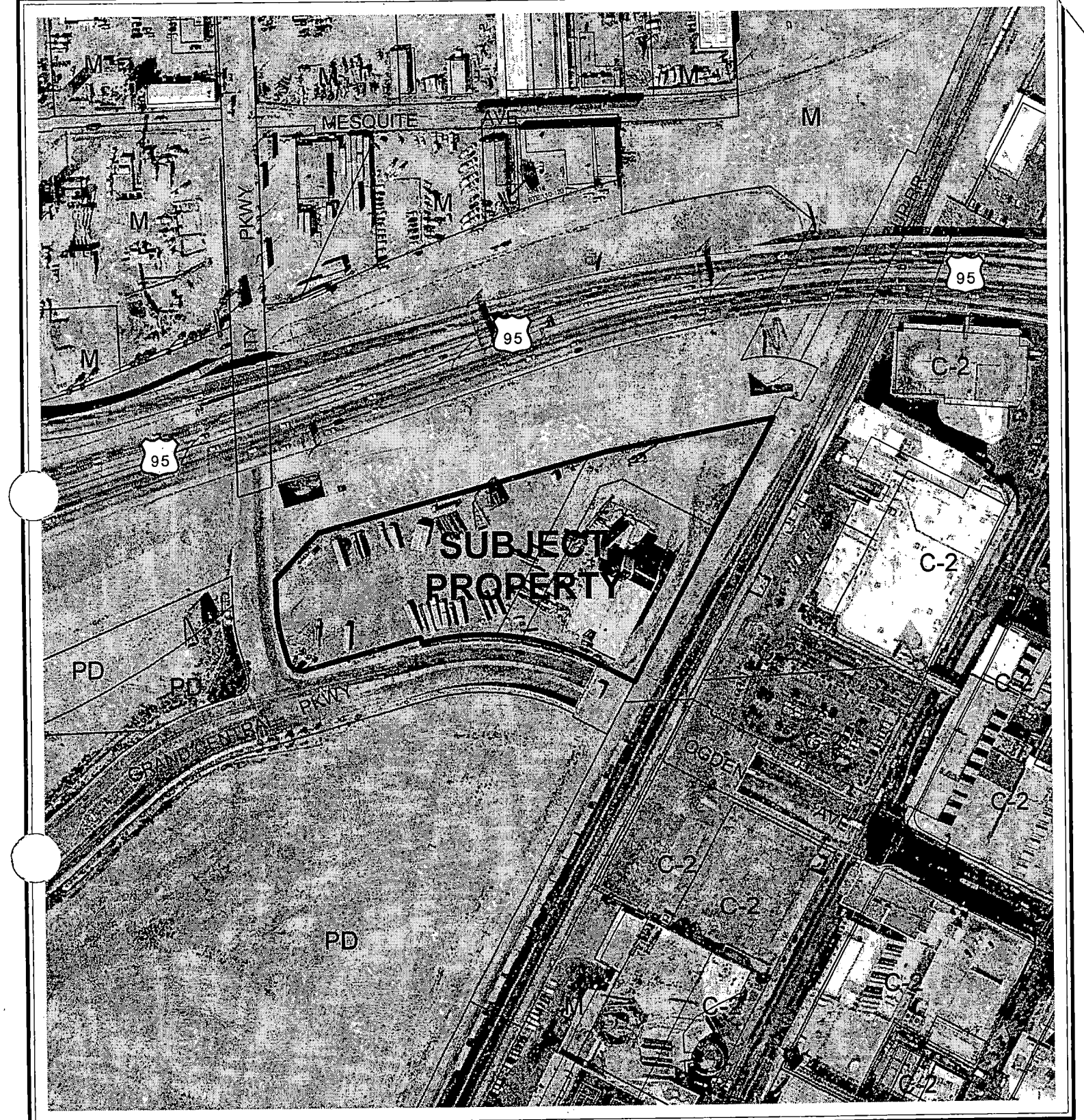
3. Conformance to all other applicable Conditions of Approval for Site Development Plan Review SDR-2037.



CASE: ROC-5347

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N



0' 200 400 Feet

CASE: ROC-5347

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-5347 - APPLICANT/OWNER: PH GSA, LLC

** CONDITIONS **

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

Planning and Development

1. Conditions of Approval Numbers 2 and 4 of Site Development Plan Review SDR-2037 are hereby eliminated.

2. The applicant shall submit a Site Development Plan Review for administrative approval by the Planning and Development Department for the temporary parking lot and the parking lot shall be constructed prior to the issuance of a Certificate of Occupancy for the subject office building.

3. Conformance to all other applicable Conditions of Approval for Site Development Plan Review SDR-2037.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Review of Conditions Number 2 and 4 of an approved Site Development Plan Review (SDR-2037) which required parking and landscaping; and conformance to the submitted site plan to allow for parking to be provided off-site, landscaping to be provided with future phases and the office building to vary from the approved plans for a proposed 84,201 square-foot office building on 5.11 acres adjacent to the northeast corner of Grand Central Parkway and City Parkway.

B) Applicant's Justification

The applicant's justification letter indicates the start of Phase II includes a parking structure to be located in the areas of the site previously shown as site parking. They are asking to have Conditions 2 and 4 removed from the approval.

BACKGROUND INFORMATION

A) Previous Actions

11/23/98	The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) on the subject site as part of a larger request. The Planning Commission and staff recommended approval May 28, 1998.
04/24/03	The Planning Commission approved a Site Development Plan Review (SDR-2037) for a proposed 84,201 square foot office building on this site. The Planning and Development Department recommendation was for approval.

B) Pre-Application Meeting

A pre-application meeting was not required for this Review of Condition request.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Review of Condition application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 5.11

B) Existing Land Use

Subject Property:	Office Building (Under Construction)
North:	US 95 Expressway
South:	Undeveloped
East:	Union Pacific Railroad
West:	Undeveloped

C) Planned Land Use

Subject Property:	MXU (Mixed Use)
North:	ROW (Right-of-Way)
South:	MXU (Mixed Use)
East:	C (Commercial)
West:	MXU (Mixed Use)

D) Existing Zoning

Subject Property:	PD (Planned Development)
North:	US 95 Expressway
South:	PD (Planned Development)
East:	C-2 (General Commercial)
West:	PD (Planned Development)

E) General Plan Compliance

The subject site is located on the Southeast Sector Map of the General Plan. The site is designated as MXU (Mixed Use) on the Redevelopment Plan Area Map of the General Plan. The office building is in compliance with MXU (Mixed 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

The subject site is included in the Las Vegas Redevelopment Plan Area, which includes most of downtown Las Vegas, portions of West Las Vegas, and the industrial area located south of Charleston and east of the Union Pacific Railroad. The purpose of this plan is to eliminate blighted properties, develop vacant or underutilized properties by using methods of planning, and strengthen the economic base of this part of the City of Las Vegas.

PROJECT DESCRIPTION

The original Site Development Plan Review was for a proposed 84,201 square foot office building located on the west portion of the site with surface parking to the west. In order to allow development on the western portion of the site, the applicant is requesting review of two conditions of approval for the original Site Development Plan Review (SDR-2037) that required construction of the parking lot and installation of landscaping for the approved office building. The applicant intends to construct a temporary parking lot on the property to south of this site to provide the required parking.

The two conditions read as follows:

2. Approval is for an 84,201 square foot office building and associated parking and landscaping. Additional development will require separate Site Development Plan Reviews.

4. All development shall be in conformance with the conditions of approval for the site plan and building elevations approved by the Parkway Center-Architectural Review Committee, except as amended by conditions herein.

ANALYSIS

Typically, developments of this type must satisfy all conditions of approval in order to obtain a Certificate of Occupancy. In this case the applicant will provide the parking offsite to satisfy the requirement. Also, landscaping on the western portion of the site will not be installed until the development of phase II in completed. A condition has been added to this request requiring a Site Development Plan Review be approved administratively for the temporary parking lot and for the parking lot to be constructed prior to the issuance of a Certificate of Occupancy for the subject office building.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

MP

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ROC-5347 APN: 139-27-410-007 / 139-27-410-006

Name of Property Owner: PH GSA, LLC

Name of Applicant: PH GSA, 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: Suzanne Sanders

Print Name: Suzanne Sanders

Subscribed and sworn before me

This 29th day of September, 2004

Linda Creger

Notary Public in and for said County and State

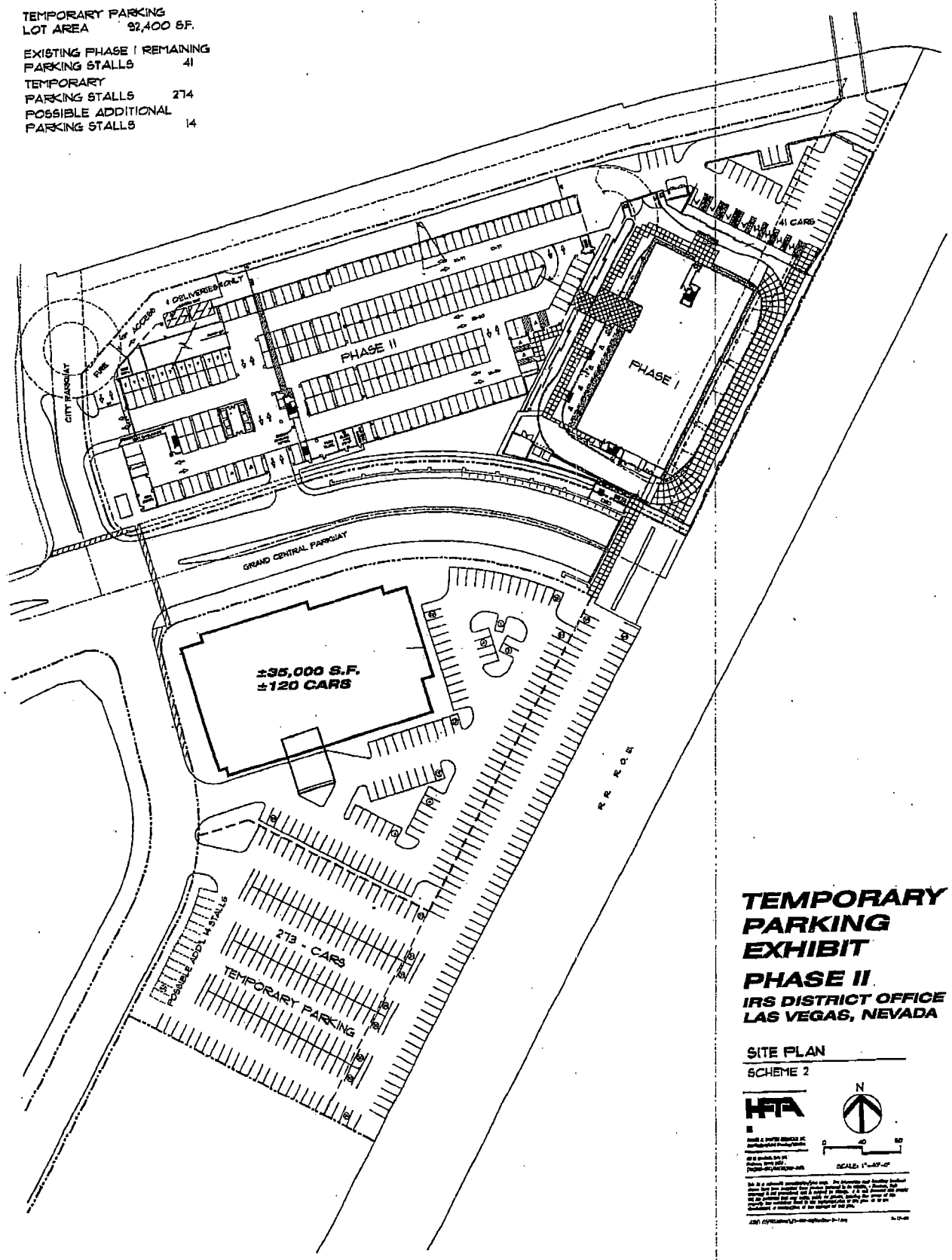
LINDA CREGER
Notary Public State of Nevada
No. 04-87684-1
My appt. exp. March 8, 2008

TEMPORARY PARKING
LOT AREA 92,400 S.F.

EXISTING PHASE I REMAINING
PARKING STALLS 41

TEMPORARY
PARKING STALLS 274

POSSIBLE ADDITIONAL
PARKING STALLS 14



TEMPORARY PARKING EXHIBIT

PHASE II

IRS DISTRICT OFFICE
LAS VEGAS, NEVADA

SITE PLAN

SCHEME 2

HFA

N

0 40 80

SCALE: 1"=40'-0"

ROC-5347
10/21/04 PC

City of Las Vegas

Agenda Item No.: 16

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VAC-5130 - VACATION - PUBLIC HEARING - APPLICANT: RYLAND HOMES - OWNER: CLIFFS EDGE, LLC - Petition to Vacate public rights-of-way generally located west of Puli Road, north of Centennial Parkway, Ward 6 (Mack).

SET DATE: 11/03/04

C.C.: 11/17/04

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED subject to conditions on Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131] and subject to conditions and deleting Condition 1 on Item 6 [RQR-5165] – UNANIMOUS with McSWAIN abstaining on Item 16 and Item 17, as her company is presently under contract with the applicant, Ryland Homes

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

MINUTES:
CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [RQR-5165], Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131].

COMMISSIONER McSWAIN requested pulling Item 9 [RQR-5169] from One Motion One Vote.

DEPUTY CITY ATTORNEY BRYAN SCOTT requested staff to reiterate the items that were being pulled from One Motion One Vote. GARY LEOBOLD, Planning and Development, stated that Item 5, Item 7, Item 8 and Item 11 would be pulled from One Motion One Vote so discussions could take place on these items. Item 6, Item 9 and Item 10 will remain on the One Motion One Vote items. He also confirmed for CHAIRMAN TRUESDELL that staff had received a letter from the applicant agreeing to the conditions for Item 15.

CHAIRMAN TRUESDELL then read into record the items that were One Motion One Vote as previously stated above.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [RQR-5165], Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131].

(6:21 – 6:26)

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.

2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

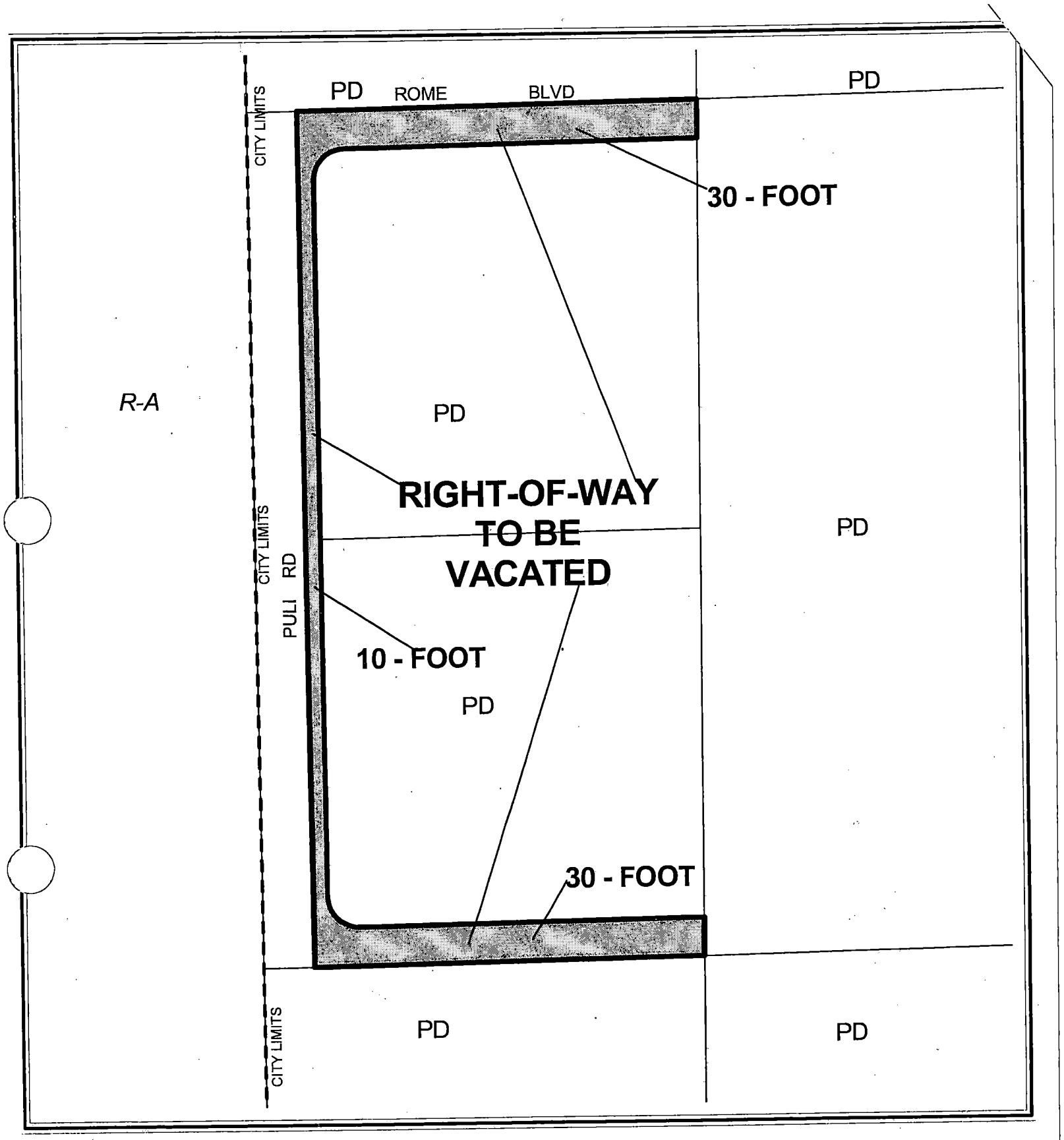
3. All development shall be in conformance with code requirements and design standards of all City Departments.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 16 – VAC-5130

CONDITIONS – Continued:

4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



CASE: VAC-5130

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-5130 - APPLICANT: RYLAND HOMES - OWNER: CLIFFS EDGE, LLC

** CONDITIONS **

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

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.

2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

3. All development shall be in conformance with code requirements and design standards of all City Departments.

4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a Petition to Vacate unused right-of-way generally located east of Puli Road, north of Centennial Parkway.

B) Applicant's Justification

The applicant justifies this application by stating, "A vacation of Right-Of-Way is necessary to vacate al Rights-Of-Ways that do not fall within future roadways." Additionally the applicant states, "This site is currently being designed for single-family residential development."

BACKGROUND INFORMATION

A) Previous Actions

12/17/03 The City Council approved an Annexation (ANX-3087) of 27.5 acres of land within the Cliff's Edge Master Development Plan area. The Planning Commission and staff recommended approval on October 23, 2003. The effective date of this annexation was December 26, 2003.

02/18/04 The City Council approved a request for a Rezoning (ZON-3241) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 90 acres covering 20 separate parcels in the Cliff's Edge area. The Planning Commission recommended approval on January 8, 2004. Staff recommended approval.

DETAILS OF APPLICATION REQUEST

The subject Vacation is legally described as the North and South thirty feet (30'), excepting the West forty feet (40'), and East ten feet (10') of the West fifty feet (50'), including the spandrel areas, of the West Half (W½) of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 24, Township 19 South, Range 59 East, M.D.M.

PL

ANALYSIS

A) Planning discussion

The proposed vacation of public right-of-way will facilitate the development of the proposed residential subdivision and future right-of-ways.

B) Public Works discussion

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

A. Does this vacation request result in uniform or non-uniform right-of-way widths? *N/A as the streets will be incorporated into the Cliff's Edge Master Development.*

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the streets are not currently in use.*

C. Does it appear that the vacation request involves only excess right-of-way? *No, it is unused right-of-way that will be incorporated into the Cliff's Edge Master Development site.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, the Cliff's Edge Master Development.*

E. Does this vacation request eliminate public street access to any abutting parcel? *No.*

F. Does this vacation request result in a conflict with any existing City requirements? *No.*

G. Does the Department of Public Works have an objection to this vacation request? *No.*

NOTICES MAILED 2

APPROVALS 0

PROTESTS 0

PL

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-5130** APN: 126-24-401-001, 002

Name of Property Owner: Cliffs Edge LLC

Name of Applicant: Ryland Homes

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

____ Yes X No

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

City Official: _____

Partner(s) _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Paul Kenner

Subscribed and sworn before me

This 23rd day of August ,20 04

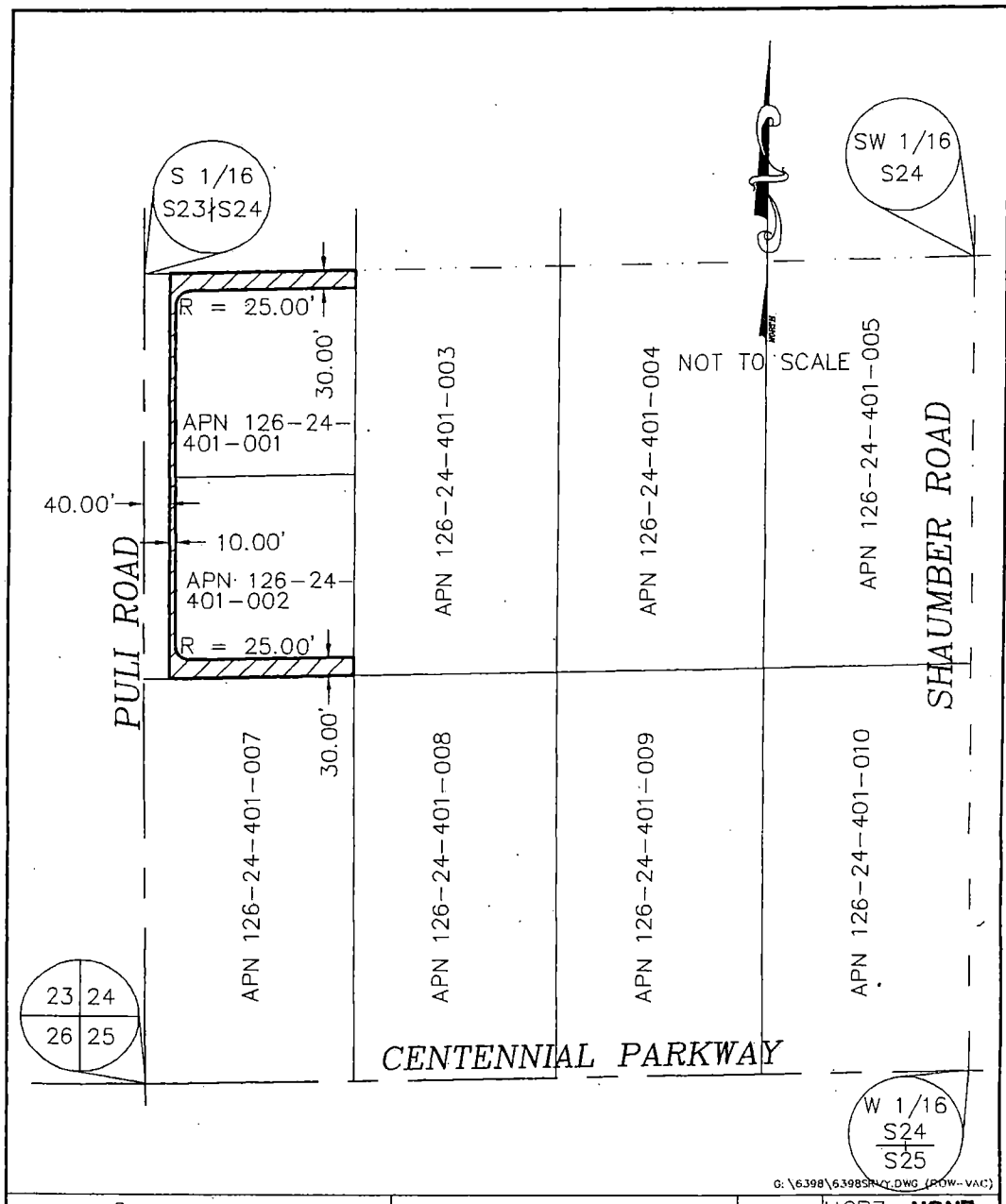
[signature]
Notary Public in and for said County and State

ATHENA R. ALLEN
Notary Public State of Nevada
No. 00-63341-1
My appt. exp. May 17, 2008

RECEIVED
AUG 25 2004

RECEIVED
AUG 25 2004

VAC-5130
10/21/04 PC



vtn nevada 2727 S. RAINBOW BOULEVARD LAS VEGAS, NEVADA 89146-5148	**EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION**	SCALE HORZ. **NONE** VERT. **NA**
		W.O. NO. **6398**
		DRAWN BY: **SP**
	RIGHT-OF-WAY VACATION	DATE: **08/20/04**
		SHEET **2** OF **2**

City of Las Vegas

Agenda Item No.: 17

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
VAC-5131 - VACATION - PUBLIC HEARING - APPLICANT: RYLAND HOMES - OWNER: CLIFFS EDGE, LLC - Petition to Vacate U. S. Government Patent Reservations generally located west of Puli Road, north of Centennial Parkway, Ward 6 (Mack).

SET DATE: 11/03/04

C.C.: 11/17/04

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED subject to conditions on Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131] and subject to conditions and deleting Condition 1 on Item 6 [RQR-5165] – UNANIMOUS with McSWAIN abstaining on Item 16 and Item 17, as her company is presently under contract with the applicant, Ryland Homes

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

MINUTES:
CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 17 – VAC-5131

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 6 [RQR-5165], Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131].

COMMISSIONER McSWAIN requested pulling Item 9 [RQR-5169] from One Motion One Vote.

DEPUTY CITY ATTORNEY BRYAN SCOTT requested staff to reiterate the items that were being pulled from One Motion One Vote. GARY LEOBOLD, Planning and Development, stated that Item 5, Item 7, Item 8 and Item 11 would be pulled from One Motion One Vote so discussions could take place on these items. Item 6, Item 9 and Item 10 will remain on the One Motion One Vote items. He also confirmed for CHAIRMAN TRUESDELL that staff had received a letter from the applicant agreeing to the conditions for Item 15.

CHAIRMAN TRUESDELL then read into record the items that were One Motion One Vote as previously stated above.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 6 [RQR-5165], Item 10 [RQR-5170], Item 12 [MOD-5267], Item 13 [SDR-5190], Item 14 [SDR-5198], Item 15 [ROC-5347], Item 16 [VAC-5130] and Item 17 [VAC-5131].

(6:21 – 6:26)

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.

2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.

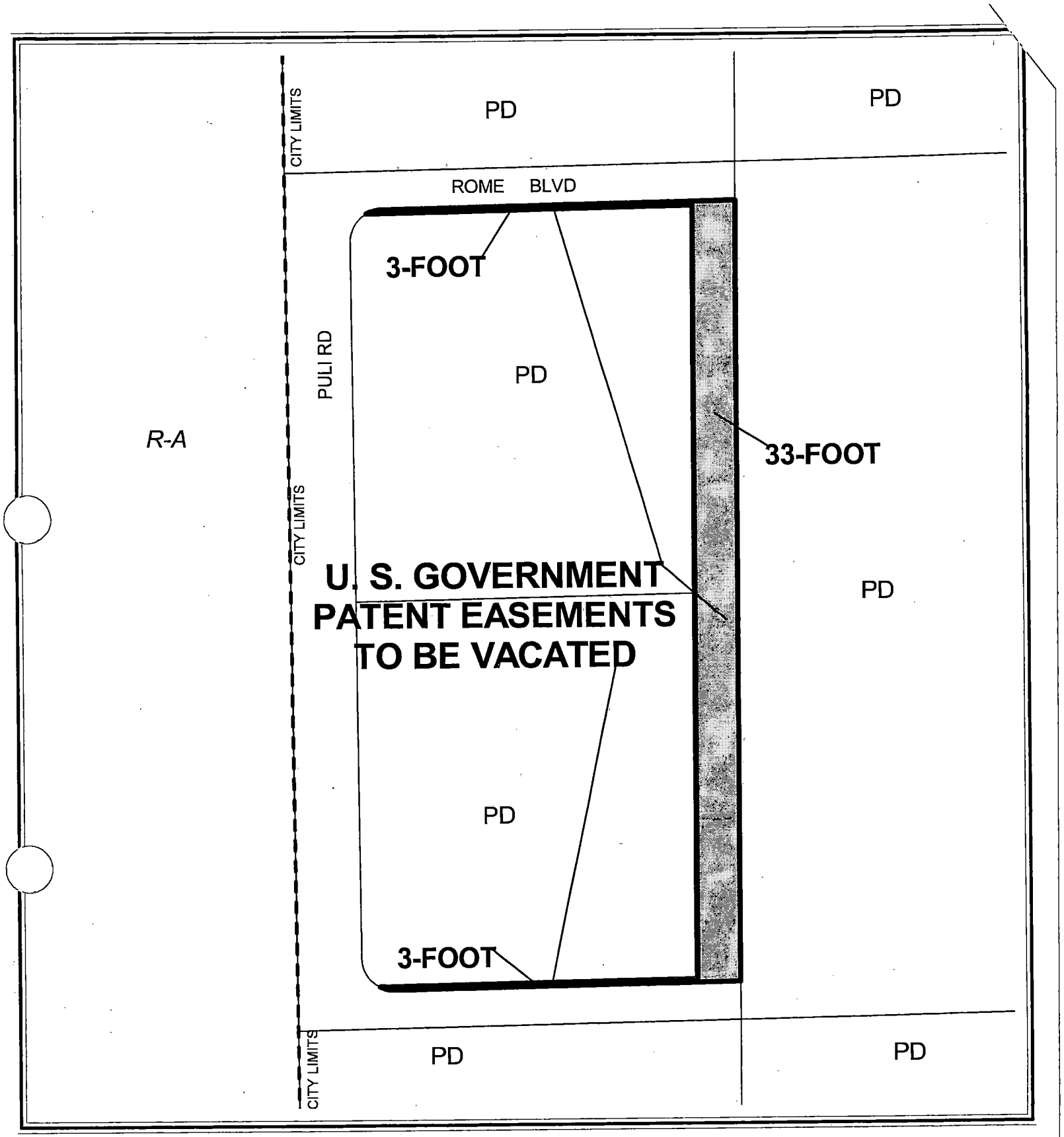
3. All development shall be in conformance with code requirements and design standards of all City departments.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 17 – VAC-5131

CONDITIONS – Continued:

4. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

5. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



CASE: VAC-5131

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-5131 - APPLICANT: RYLAND HOMES - OWNER: CLIFFS EDGE, LLC

** CONDITIONS **

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

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.

2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.

3. All development shall be in conformance with code requirements and design standards of all City departments.

4. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

5. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Petition to Vacate U. S. Government Patent Reservations generally located west of Puli Road, north of Centennial Parkway.

B) Applicant's Justification

The applicant justifies this application by stating, "A vacation of Right-Of-Way is necessary to vacate all Rights-Of-Ways that do not fall within future roadways." Additionally, the applicant states, "This site is currently being designed for single-family residential development."

BACKGROUND INFORMATION

A) Previous Actions

12/17/03 The City Council approved an Annexation (ANX-3087) of 27.5 acres of land within the Cliff's Edge Master Development Plan area. The Planning Commission and staff recommended approval on October 23, 2003. The effective date of this annexation was December 26, 2003.

02/18/04 The City Council approved a request for a Rezoning (ZON-3241) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 90 acres covering 20 separate parcels in the Cliff's Edge area. The Planning Commission recommended approval on January 8, 2004. Staff recommended approval.

DETAILS OF APPLICATION REQUEST

The subject Vacation is legally described as the North, South, and East thirty three feet (33'); excepting the North thirty feet (30'), the South thirty feet (30') and the West forty feet (40') of the West Half (W½) of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 24, Township 19 South, Range 59 East, M.D.M.

PL

ANALYSIS

A) Planning discussion

The proposed vacation of public right-of-way will facilitate the development of the proposed residential subdivision and future right-of-ways.

B) Public Works discussion

Public Works has no objection to the vacation application request for U.S. Government Patent Reservations generally located east of Puli Road, north of Centennial Parkway.

NOTICES MAILED 1

APPROVALS 0

PROTESTS 0

PL

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-5131 APN: 126-24-401-001, 002

Name of Property Owner: Cliffs Edge LLC

Name of Applicant: Ryland Homes

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

____ Yes _X_ No

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

City Official: _____

Partner(s) _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Paul Kenner

Subscribed and sworn before me

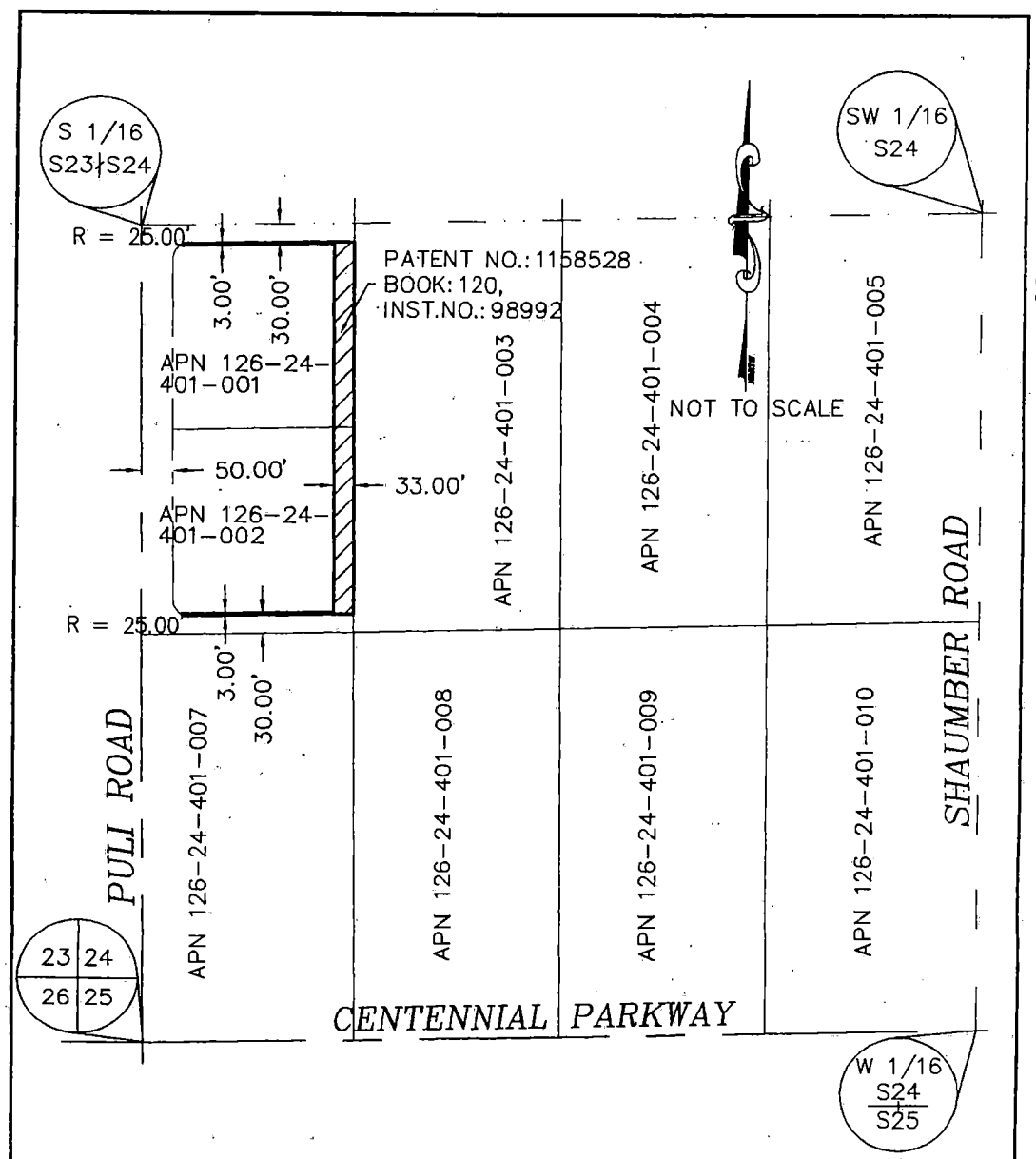
This 23rd day of August ,20 04

[signature]

Notary Public in and for said County and State

ATHENA R. ALLEN
Notary Public State of Nevada
No. 00-63341-1
My appt. exp. May 17, 2008

RECEIVED
AUG 25 2004



VAC-5131
10/21/04 PC
RECEIVED
AUG 25 2004

G:\6398\6398SRVY.DWG (PAT-VAC)

vtn nevada
2727 S. RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89146-5148

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION

PATENT EASEMENT VACATION

SCALE	HORZ. **NONE**
	VERT. **NA**
W.O. NO.	**6398**
DRAWN BY:	**SP**
DATE:	**08/20/04**
SHEET	**2** OF **2**

City of Las Vegas

Agenda Item No.: 18

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:

ABEYANCE - ZON-4991 - PUBLIC HEARING - APPLICANT: RANDY BLACK, JR. - OWNER: DURANGO TOWN CENTER, LLC AND JIM MARSH AMERICAN CORPORATION - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER), on 4.79 acres adjacent to the southeast corner of Regena Avenue and Riley Street (APN 125-29-502-010), Ward 6 (Mack).

C.C.: 11/17/04

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

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

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

6. ***The only allowed private driveway to Durango Drive as presented on the accompanying Site Plan dated October 15, 2004 from this site will be designed with a deceleration lane and bus stop per Standard Drawing 234.3.***

– UNANIMOUS

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

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 18 [ZON-4991] and Item 19 [SDR-4985].

GARY LEOBOLD, Planning and Development, gave a brief overview of the project. He pointed out that this application was previously held in abeyance to allow the applicant to redesign the project. The request is for a Rezoning from U (Undeveloped) Zone [TC (Town Center) General Plan Designation] to T-C (Town Center) on approximately 4.79 acres located at

MINUTES – Continued:

the southeast corner of Regena Avenue and Riley Street. The remaining portion of the site is already zoned TC (Town Center). Staff recommended approval on the rezoning, as it is consistent with this land use designation. Staff also recommended approval on the Site Plan. Even though there were some access issues after redesigning the project, the Site Plan does meet all other standards of Title 18 and Town Center Development Standards Manual. In addition, the proposed project would be consistent with existing and proposed development around the site.

MR. LEOBOLD pointed out that on Item 18 [ZON-4991], Condition 6 stipulated there would be no driveway access to Durango Drive.

GEORGE GARCIA, 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014, thanked staff and the Commission for their support and assistance in working with the applicant on making their goals work within the Town Center. He then stated that the proposed project would be a 300,000 square foot business park. Included in the project is a medical office, professional offices, and retail development, which these services would be in conjunction with the upcoming hospital north of this site. MR. GARCIA added that an attempt was made to create a campus atmosphere by clustering the buildings together, while keeping the attractive streetscape scenery. The retail has been incorporated within the project; there is no direct access from the retail, as it is internally served within the business park itself.

COMMISSIONER McSWAIN verified with MR. GARCIA that the request for approval is for the revised Site Plan, with the revised conditions. COMMISSIONER McSWAIN stated that having no access onto Durango Drive may not necessarily reduce the amount of traffic on Durange Drive, as the traffic would still exist. She would rather see a project that had good ingress/egress, so there would be less stress on individuals entering and existing the project. In the past, concessions have been made on other projects cutting off the access points, as a means to protect neighborhoods. However, access points are expected to be on all sides of a project this size. She would support the proposed project with the deletion of Condition 6 and Condition 21.

VICE CHAIRMAN NIGRO concurred with COMMISSIONER McSWAIN'S comments. He then asked if there were any safety issues with the single driveway on Durango Drive. DAVID GUERRA, Public Works, replied there are none. The history on this site involved past meetings between officials and residents in the area regarding future development and not allowing driveways such as on the proposed project. Should the Commission approve of deleting the condition, Public Works requested that another condition be added to state "the driveway shown on the plan would include a deceleration lane". In addition, MR. GUERRA also requested that conditions regarding the traffic impact analysis study and the drainage study be added on Item 19 [SDR-4985], because the zoning involves only a small portion of the project.

MINUTES – Continued:

MR. GARCIA concurred. VICE CHAIRMAN NIGRO then stated that the deceleration lane would alleviate his concern with traffic entering and exiting the proposed project. CHAIRMAN TRUESDELL commented that as the retail portion develops, it would be a concern if Waivers are then requested for additional driveways. He felt that the single driveway and the addition of the deceleration lane would be appropriate for a project of this scale.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 18 [ZON-4991] and Item 19 [SDR-4985].

(6:59-7:13)
1-2005

CONDITIONS:

Planning and Development

1. Site Development Plan Review (SDR-4985) 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.

2. This Rezoning request shall go direct to Ordinance.

Public Works

3. Dedicate 50 feet of half street right-of-way adjacent to this site for Grand Montecito Parkway where such does not exist, 30 feet of right-of-way for Regena Avenue, 30 feet of right-of-way for Riley Street a 15 foot radius at the southeast corner of Regena Avenue and Riley Street, and dedicate or obtain appropriate right-of-way of the entire cul-de-sac for the proposed termination of Regena Avenue. Dedicate or obtain dedication of the area needed to connect Riley Street to the Durango Drive alignment at a ninety degree angle and dedicate or obtain dedication of the area needed to connect Grand Montecito Parkway to the Durango Drive alignment at a ninety degree angle with all radii and designs meeting American Association of State Highway and Transportation Officials (AASHTO) criteria for a normal crowned street. Also dedicate all additional rights-of-way required by Standard Drawing #201.1 for turning lanes and #234.1 or 234.3 and #234.2 for bus turnouts at the intersection of Grand Montecito Parkway and Durango Drive prior to or concurrent with the commencement of on-site development activities.

CONDITIONS – Continued:

4. Dedicate portions of the BLM right-of-way grant N-74262 recorded as 20030529-01737 for Durango Drive as required by the Department of Public Works prior to the issuance of any permits.

5. Construct half-street improvements including appropriate overpaving on Regena Avenue, Riley Street and Grand Montecito Parkway adjacent to this site concurrent with development. Also construct turning lanes and bus turnouts adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). This site shall be responsible for all, if any, half-street improvements on Durango Drive that are not constructed by a special or capital improvement project.

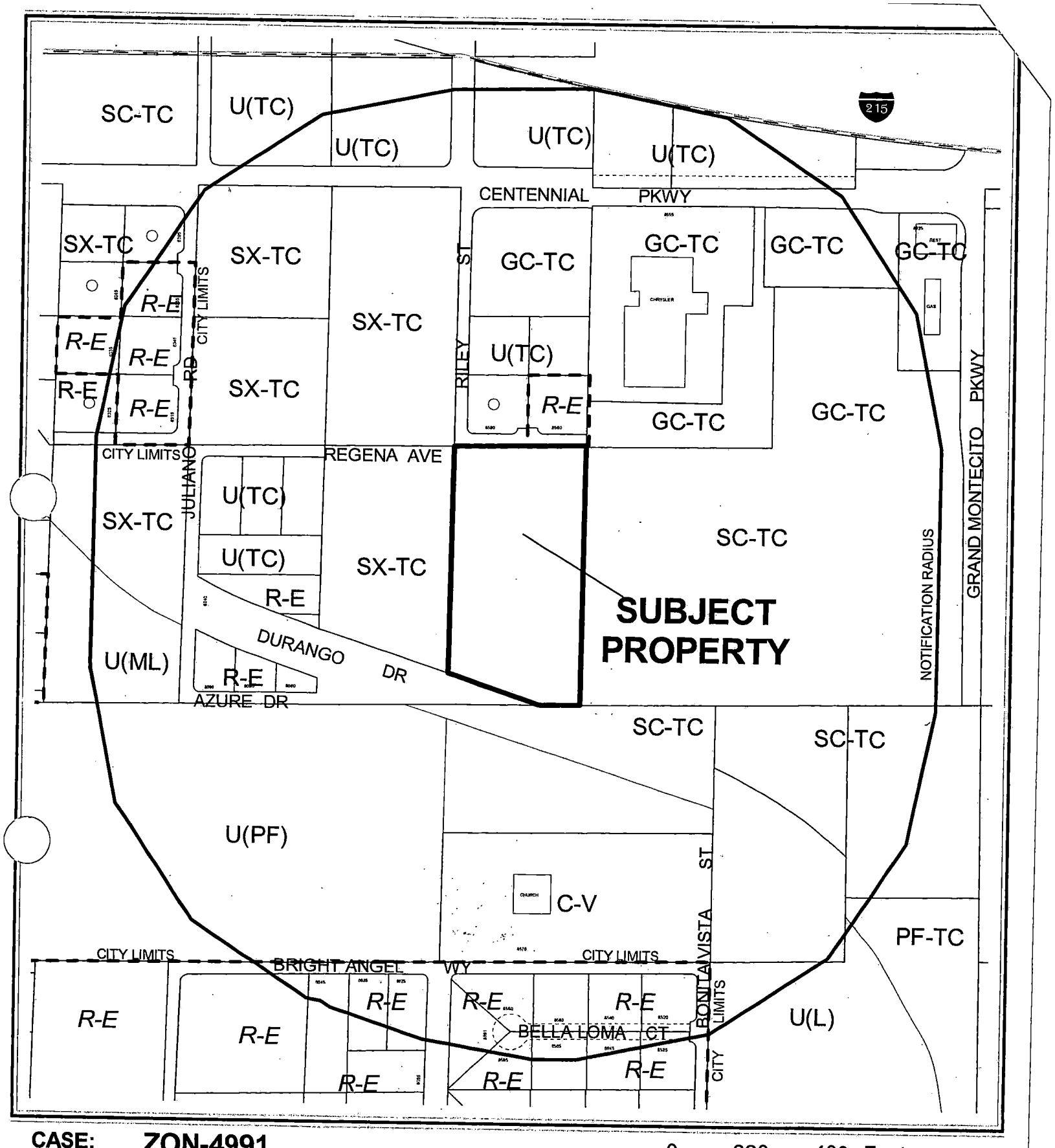
6. No private driveways will be allowed access to Durango Drive from this site.

7. 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.

8. 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.

CONDITIONS – Continued:

9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



CASE: **ZON-4991**

RADIUS: 900 FT

0 200 400 Feet

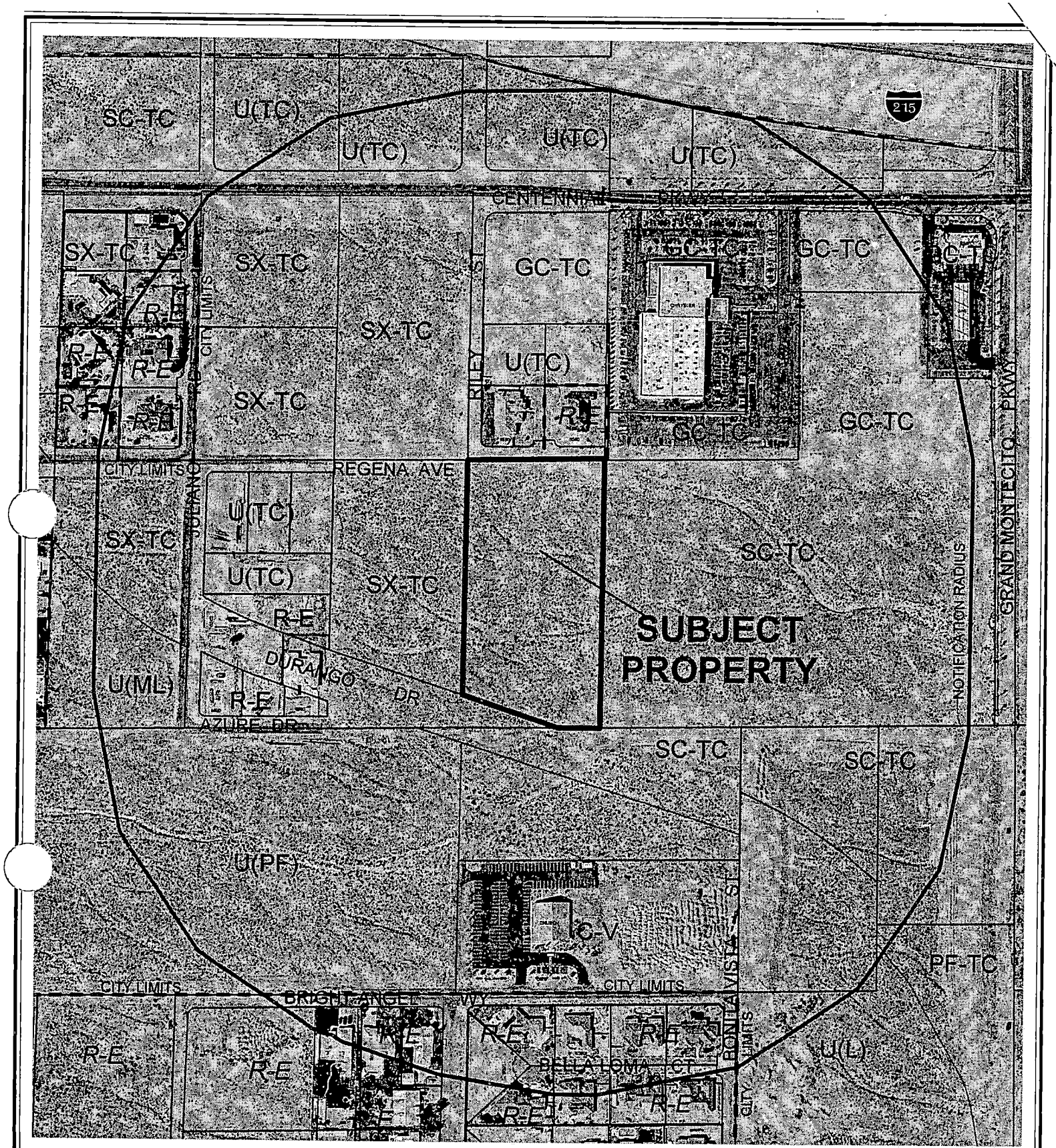
ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [T-C (TOWN CENTER) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL) TOWN CENTER LAND USE DESIGNATION]

N



CASE: **ZON-4991**

RADIUS: 900 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [T-C (TOWN CENTER) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL) TOWN CENTER LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - ZON-4991 - PUBLIC HEARING - APPLICANT: RANDY BLACK, JR. - OWNER: DURANGO TOWN CENTER, LLC AND JIM MARSH AMERICAN CORPORATION

** CONDITIONS **

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

Planning and Development

1. Site Development Plan Review (SDR-4985) 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.

2. This Rezoning request shall go direct to Ordinance.

Public Works

3. Dedicate 50 feet of half street right-of-way adjacent to this site for Grand Montecito Parkway where such does not exist, 30 feet of right-of-way for Regena Avenue, 30 feet of right-of-way for Riley Street a 15 foot radius at the southeast corner of Regena Avenue and Riley Street, and dedicate or obtain appropriate right-of-way of the entire cul-de-sac for the proposed termination of Regena Avenue. Dedicate or obtain dedication of the area needed to connect Riley Street to the Durango Drive alignment at a ninety degree angle and dedicate or obtain dedication of the area needed to connect Grand Montecito Parkway to the Durango Drive alignment at a ninety degree angle with all radii and designs meeting American Association of State Highway and Transportation Officials (AASHTO) criteria for a normal crowned street. Also dedicate all additional rights-of-way required by Standard Drawing #201.1 for turning lanes and #234.1 or 234.3 and #234.2 for bus turnouts at the intersection of Grand Montecito Parkway and Durango Drive prior to or concurrent with the commencement of on-site development activities.

4. Dedicate portions of the BLM right-of-way grant N-74262 recorded as 20030529-01737 for Durango Drive as required by the Department of Public Works prior to the issuance of any permits.

5. Construct half-street improvements including appropriate overpaving on Regena Avenue, Riley Street and Grand Montecito Parkway adjacent to this site concurrent with development. Also construct turning lanes and bus turnouts adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). This site shall be responsible for all, if any, half-street improvements on Durango Drive that are not constructed by a special or capital improvement project.

6. No private driveways will be allowed access to Durango Drive from this site.

7. 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.

8. 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.

9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from U (Undeveloped) Zone [TC (Town Center) General Plan Designation] to T-C (Town Center) on approximately 4.79 acres located at the southeast corner of Regena Avenue and Riley Street.

B) Applicant's Justification

The new development will be compatible with the adjacent uses, and will upgrade the neighborhood with attractive, functional office space that will serve the local community. The proposed development will not have a substantial adverse effect on public facilities and services, and the proposed zoning conforms to the current land use plan.

BACKGROUND INFORMATION

A) Previous Actions

08/21/02 The City Council approved a General Plan Amendment (GPA-0019-02) for area along the north side of the Durango S-Curve of which the subject parcel is a part.

02/05/03 The City Council approved a Petition to Annex the subject property (A-0038-02) located at the southeast corner of Regena Avenue and Riley Street. The effective date was February 14, 2003. The Planning Commission and staff recommended approval on October 24, 2002.

09/23/04 The Planning Commission held this and related Site Development Plan Review SDR-4985 in abeyance to allow the applicant addditional time to design the site.

B) Pre-Application Meeting

07/30/04 The following issues were discussed:

- Grand Montecito is a frontage road
- Durango is a Parkway (120 foot right-of-way)
- Riley is a Town Center Collector
- 15 foot setback is required in SC-TC for landscape planter Sidewalk per page 110
- Street lighting per page 115
- Buildings should be located at the front setback line with parking to the side or rear per page 73, 116-117.

DC

- Parking lots shall be screened by buildings and/ or landscaping per page 117
- 1 tree/ 6 parking lot spaces
- Architectural features/ glazing/ materials per pages 72-75
- Revised Master Sign plan required- CH-10-03
- Parking- Medical: 1/200 square feet plus 1/175 square feet for all additional
- General Office: 1/300 square feet

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.84

B) Existing Land Use

Subject Property:	Undeveloped
North:	Residential
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	SC-TC (Service Commercial – Town Center)
North:	GC-TC (General Commercial – Town Center)
South:	L (Low Density Residential)
East:	SC-TC (Service Commercial – Town Center)
West:	SX-TC (Suburban Mixed Use – Town Center)

D) Existing Zoning

Subject Property:	U (Undeveloped) [TC (Town Center) General Plan Designation]
North:	U (Undeveloped) [TC (Town Center) General Plan Designation] Clark County
South:	U (Undeveloped) [L (Low Density Residential) General Plan Designation]
East:	TC (Town Center)
West:	TC (Town Center)

DC

E) General Plan Compliance: Centennial Hills General Plan

The site is designated as TC (Town Center) on the Centennial Hills Sector map of the General Plan. Within Town Center, land use is more specifically described by special land use designations as set out in the Town Center Development Standards Manual. The Manual designated this site as SC-TC (Service Commercial - Town Center). The request for T-C (Town Center) zoning conforms to the SC-TC (Service Commercial – Town Center) special land use designation.

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

Trails – There are two trail segments adjacent to the site as identified on Map 6 (Town Center Multi-Use Trail Alignments) of the Transportation Trails Element. One is a Town Center Parkway Trail along Durango Road to the south of the site and a Multi-use Transportation Trail also along Durango Drive. The Town Center Parkway Trail is detailed in the street cross-sections in the Town Center Development Standards Manual and represents the sidewalks along these streets.

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 subject site is designated SC (Service Commercial - Town Center) on Map 4 of the Town Center Development Standards Manual. This category allows office use as proposed on the subject parcel. The requested Rezoning to T-C (Town Center) is consistent with this land 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 proposed T-C (Town Center) zoning district allows for a wide range of uses, including the proposed office development on the subject site. The intensity of the proposed use is consistent with the SC-TC (Service Commercial - Town Center) land use designation. The proposed development will be compatible with the intensity of the planned undeveloped properties surrounding the site .

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

The proposed Rezoning will facilitate the development of office uses within the portion of the Town Center area designated for such uses.

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

The site is adjacent to Durango Drive (a Town Center Parkway Arterial [120-foot]/ to the south, Riley Street (a Town Center 80 foot Collector to the west), and Regena Avenue (a Town Center 80 foot Collector) to the north, and Grand Montecito Parkway (a 90 foot Frontage Road) to the east of the site. These streets will be adequate to provide access to the subject site for the density of development that will be allowed under the proposed T-C (Town Center) zoning district.

NOTICES MAILED 42 [Mailed with SDR-4985]

APPROVALS 0

PROTESTS 0

DC

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4991 APN: 125-29-601-020 (013) Now

Name of Property Owner: JAMES R. MARSH

Name of Applicant: _____

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

_____ Yes _____X_____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: James R Marsh

Subscribed and sworn before me

This 21 day of July, 2004

_____
Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
JAMES W. ROZZI
No. 92-1582-1 My Appointment Expires Oct. 24, 2004

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4991 APN: 125-29-502-010

Name of Property Owner: DURANGO TOWN CENTER, LLC

Name of Applicant: _____

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

_____ Yes _____X_____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Ronay Black Jr

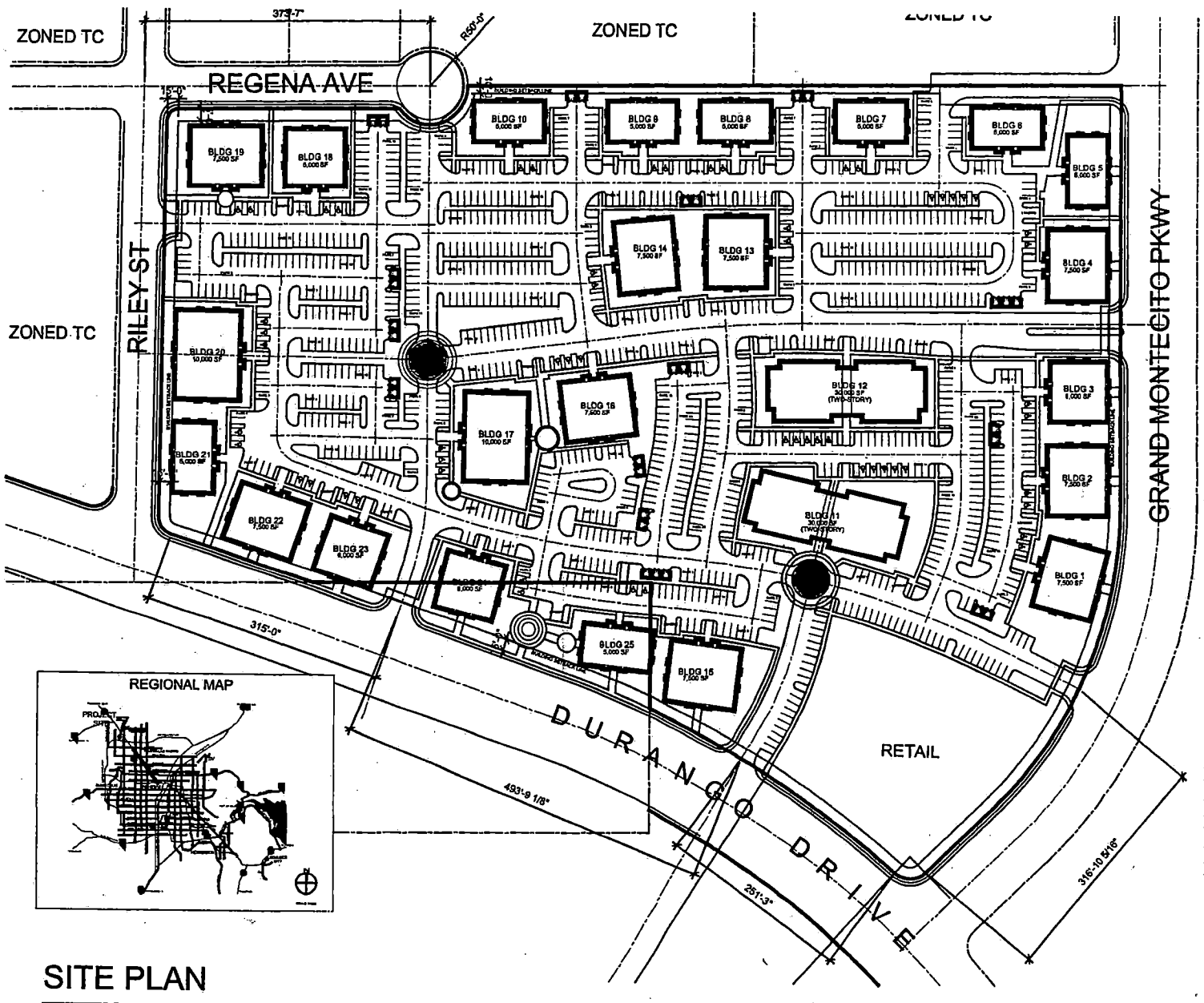
Subscribed and sworn before me

This 21th day of July, 2004

Lesley Fernandez
Notary Public in and for said County and State

LESLEY FERNANDEZ
Notary Public State of Nevada
No. 03-83173-1
My appt. exp. July 23, 2007

ZON-4991
10/21/04 PC



SITE PLAN

OFFICE PARK @ GRAND MONTECITO PKWY / DURANGO DRIVE

JMA ARCHITECTURE STUDIOS

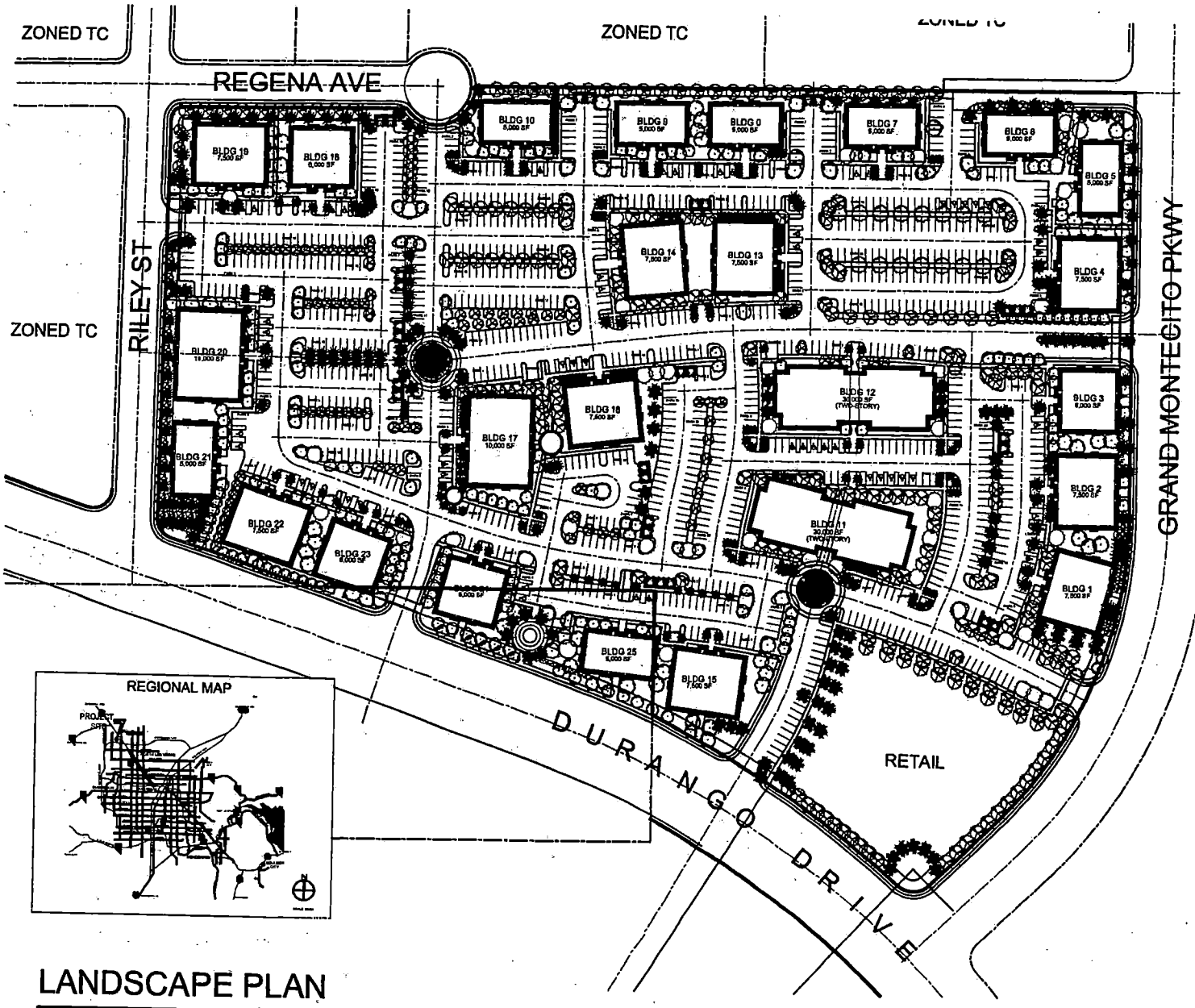
SITE DATA	
SITE AREA	972,235 SF
	22.31 ACRES
CURRENT ZONING	TC
BUILDING DENSITY	28%
BUILDING 1	7,500 SF
PARKING REQUIRED	38 SPACES
PARKING PROVIDED	38 SPACES
BUILDING 2	7,500 SF
PARKING REQUIRED	38 SPACES
PARKING PROVIDED	38 SPACES
BUILDING 3	6,000 SF
PARKING REQUIRED	30 SPACES
PARKING PROVIDED	30 SPACES
BUILDING 4	7,500 SF
PARKING REQUIRED	38 SPACES
PARKING PROVIDED	38 SPACES
BUILDING 5	5,000 SF
PARKING REQUIRED	25 SPACES
PARKING PROVIDED	25 SPACES
BUILDING 6	5,000 SF
PARKING REQUIRED	25 SPACES
PARKING PROVIDED	25 SPACES
BUILDING 7	5,000 SF
PARKING REQUIRED	25 SPACES
PARKING PROVIDED	25 SPACES
BUILDING 8	5,000 SF
PARKING REQUIRED	25 SPACES
PARKING PROVIDED	25 SPACES
BUILDING 9	5,000 SF
PARKING REQUIRED	25 SPACES
PARKING PROVIDED	25 SPACES
BUILDING 10	5,000 SF
PARKING REQUIRED	25 SPACES
PARKING PROVIDED	25 SPACES
BUILDING 11	30,000 SF
PARKING REQUIRED	150 SPACES
PARKING PROVIDED	150 SPACES
BUILDING 12	30,000 SF
PARKING REQUIRED	150 SPACES
PARKING PROVIDED	150 SPACES
BUILDING 13	7,500 SF
PARKING REQUIRED	38 SPACES
PARKING PROVIDED	38 SPACES
BUILDING 14	7,500 SF
PARKING REQUIRED	38 SPACES
PARKING PROVIDED	38 SPACES
BUILDING 15	7,500 SF
PARKING REQUIRED	38 SPACES
PARKING PROVIDED	38 SPACES
BUILDING 16	7,500 SF
PARKING REQUIRED	38 SPACES
PARKING PROVIDED	38 SPACES
BUILDING 17	10,000 SF
PARKING REQUIRED	50 SPACES
PARKING PROVIDED	50 SPACES
BUILDING 18	6,000 SF
PARKING REQUIRED	30 SPACES
PARKING PROVIDED	30 SPACES
BUILDING 19	7,500 SF
PARKING REQUIRED	38 SPACES
PARKING PROVIDED	38 SPACES
BUILDING 20	10,000 SF
PARKING REQUIRED	50 SPACES
PARKING PROVIDED	50 SPACES
BUILDING 21	5,000 SF
PARKING REQUIRED	25 SPACES
PARKING PROVIDED	25 SPACES
BUILDING 22	7,500 SF
PARKING REQUIRED	38 SPACES
PARKING PROVIDED	38 SPACES
BUILDING 23	6,000 SF
PARKING REQUIRED	30 SPACES
PARKING PROVIDED	30 SPACES
BUILDING 24	6,000 SF
PARKING REQUIRED	30 SPACES
PARKING PROVIDED	30 SPACES
BUILDING 25	5,000 SF
PARKING REQUIRED	25 SPACES
PARKING PROVIDED	25 SPACES
BUILDING 26	5,000 SF
PARKING REQUIRED	25 SPACES
PARKING PROVIDED	25 SPACES
TOTAL BUILDING AREA	211,500 SF
TOTAL PARKING REQ'D	1,058 SPACES
	PER CLIENT - 5/1000
TOTAL PARKING PROVIDED	1,083 SPACES

2385 CORPORATE CIRCLE, SUITE 250 HENDERSON, NEVADA 89074
PHONE: (702) 942-2000 FAX: (702) 942-2099 WWW.JMAARCH.COM

PROJECT NO: 2003630
DATE: AUGUST 10, 2004

0 30' 60' 120'
SCALE: 1"=60'

NORTH



LANDSCAPE PLAN

OFFICE PARK @ GRAND MONTECITO PARKWAY / DURANGO DRIVE

JMA ARCHITECTURE STUDIOS

PLANT LEGEND:

TREES:

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	COUNT
	ACACIA SMALLII	SWEET ACACIA	36" BOX	35
	CHITALPA TASHKENTENSIS	CHITALPA (MATCHED STANDARDS)	36" BOX	132
	ZELKOVA SERRATA	SAWLEAF ZELKOVA	36" BOX	35
	PHOENIX DACTYLIFERA	DATE PALM	36" BOX	35
	FRAXINUS 'RIO GRANDE'	FAN-TEX ASH	36" BOX	154
	PYRUS CALLERYANA	BRADFORD PEAR	36" BOX	134

SHRUBS:

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	COUNT
	YUCCA RIGIDA	BLUE YUCCA, PALMILLA	15 GAL.	323
	AGAVE CELSIPR, CBS	TWIN-FLOWERED AGAVE	5 GAL.(4' O.C.)	316
	CASSIA HELEOPHILA	DESERT CASSIA	5 GAL.(4' O.C.)	316
	LEUCOPHYLLUM (FGREEN CLOUD)	GREEN CLOUD SAGE	5 GAL.(4' O.C.)	394
	SALVIA GREGGII	AUTUMN SAGE	5 GAL.	487

GROUNDCOVER:

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	COUNT
	TECOMA CHISMOCHIO 'HIDETA RUM'	HERNANDEZ	1 GAL.(4' O.C.	335
	RUMOHORA AGAVUS	ANGELITA DAISY	1 GAL.	394
	LANTANA 'NEW GOLD'	YELLOW LANTANA	1 GAL.(4' X 3	268
	MUHLENBERGIA C. 'REGAL MIST'	DEER GRASS	1 GAL.(4' O.C.	316
	REGINA MICROCARPA	BEAR GRASS	1 GAL.(4' O.C.	732
	ROSMARINUS H. 'PROS'	ROSE ROSEMARY	1 GAL.(4' O.C.	262

NOTE: SHRUBS AND GROUND COVER SHALL BE USED THROUGHOUT THE ENTIRE PROJECT @ ALL LANDSCAPE AREAS SHOWN ON THE SITE PLAN.

NOTE: LANDSCAPING SHALL BE 15% MINIMUM COVERAGE FOR THE ENTIRE PROJECT W/ 10% LANDSCAPING @ PARKING AREA AS APPROVED BY THE CITY OF HENDERSON.

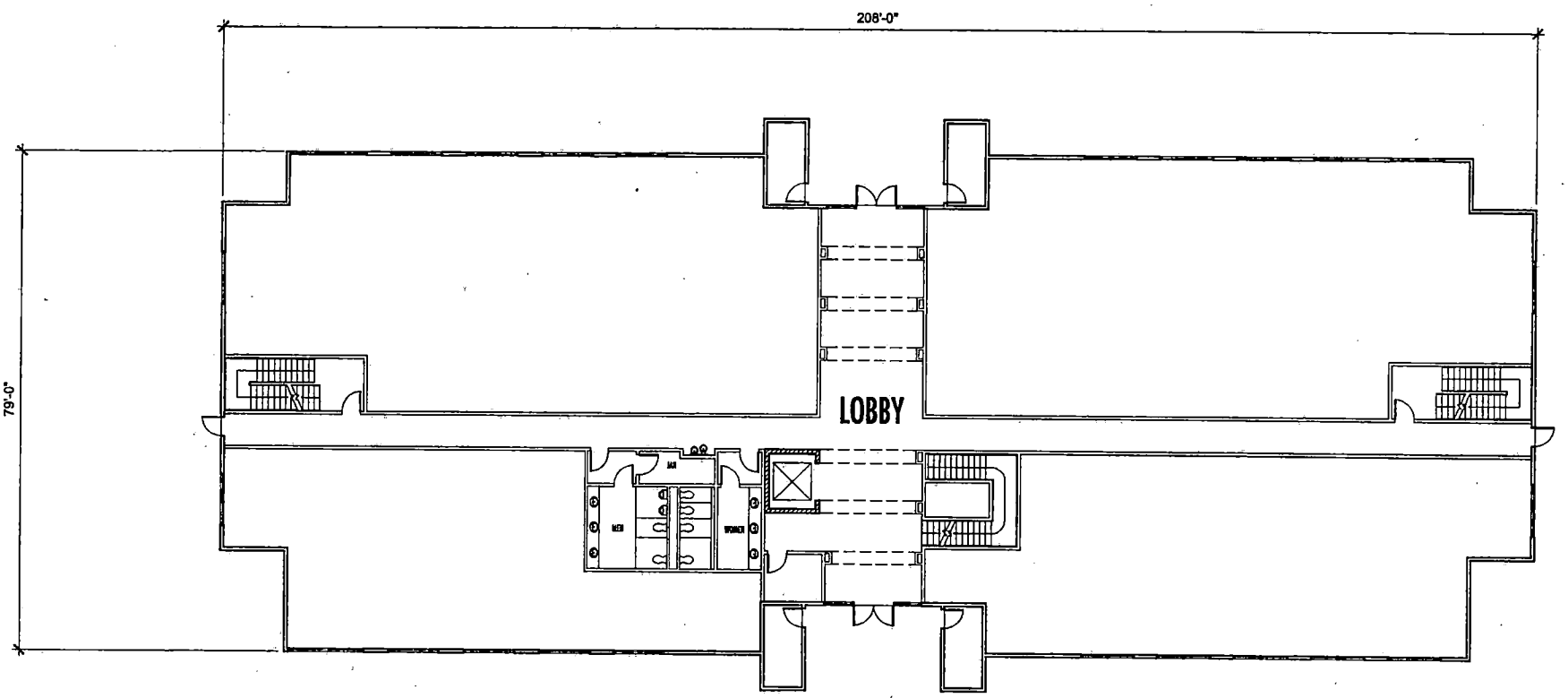
LANDSCAPE COVERAGE: 15 %
LANDSCAPE COVERAGE @ PARKINB AREA: 10 %

ZON-4991
10/21/04 PC

2295 CORPORATE CIRCLE, SUITE 250 HENDERSON, NEVADA 89074
PHONE: (702) 942-2020 FAX: (702) 943-3258 WWW.JMAARCH.COM

PROJECT NO: 2003630
DATE: AUGUST 10, 2004
SCALE: 1"=60'
0 30' 60' 120'
NORTH

JMA ARCHITECTURE STUDIOS



ZON-4991
10/21/04 PC

2386 CORPORATE CIRCLE, SUITE 330 ...
PHONE: (702) 942-5333 FAX: (702) 942-5339 WWW.JMAARCH.COM

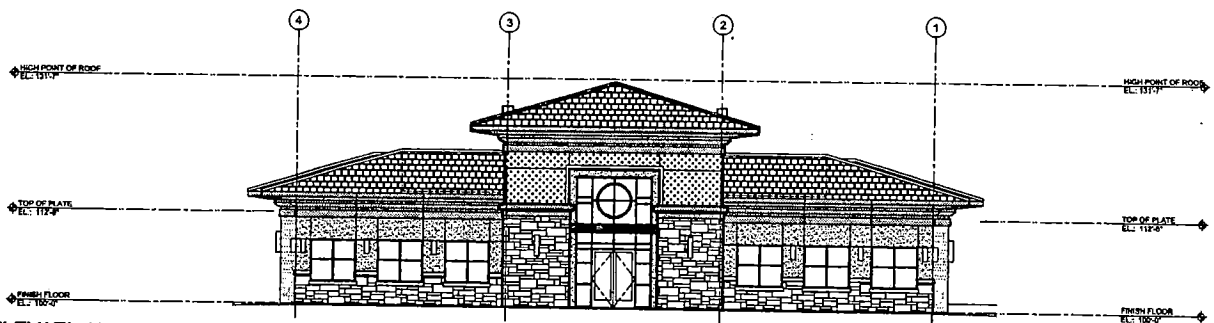
PROJECT NO: 2003630
DATE: August 13, 2004

0 4' 8' 16'
SCALE: 1/8" = 1'-0"
NORTH

TYPICAL FLOOR PLAN 30,000 S.F. BUILDING

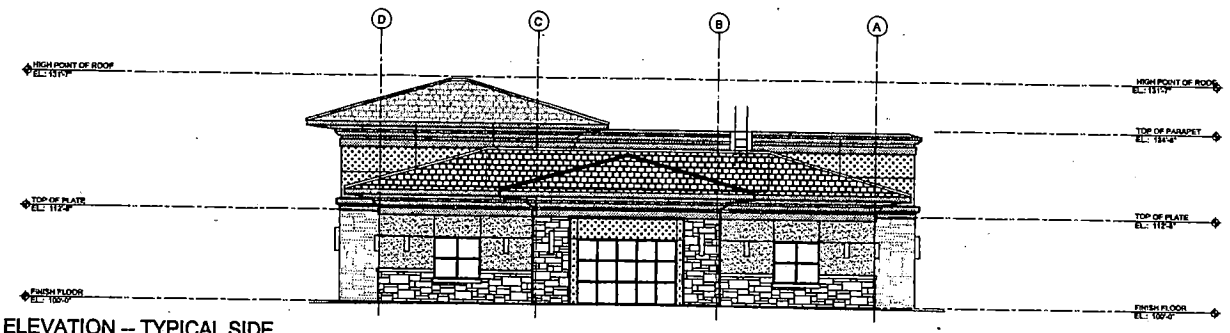
OFFICE PARK . @ MONTECITO PKWY / DURANGO DR.

JMA ARCHITECTURE STUDIOS



A EXTERIOR ELEVATION – FRONT

1/8"=1'-0"



B EXTERIOR ELEVATION – TYPICAL SIDE

1/8"=1'-0"

ZON-4991
10/21/04 PC

TYPICAL EXTERIOR ELEVATIONS

OFFICE PARK . @ MONTECITO PKWY / DURANGO DR.

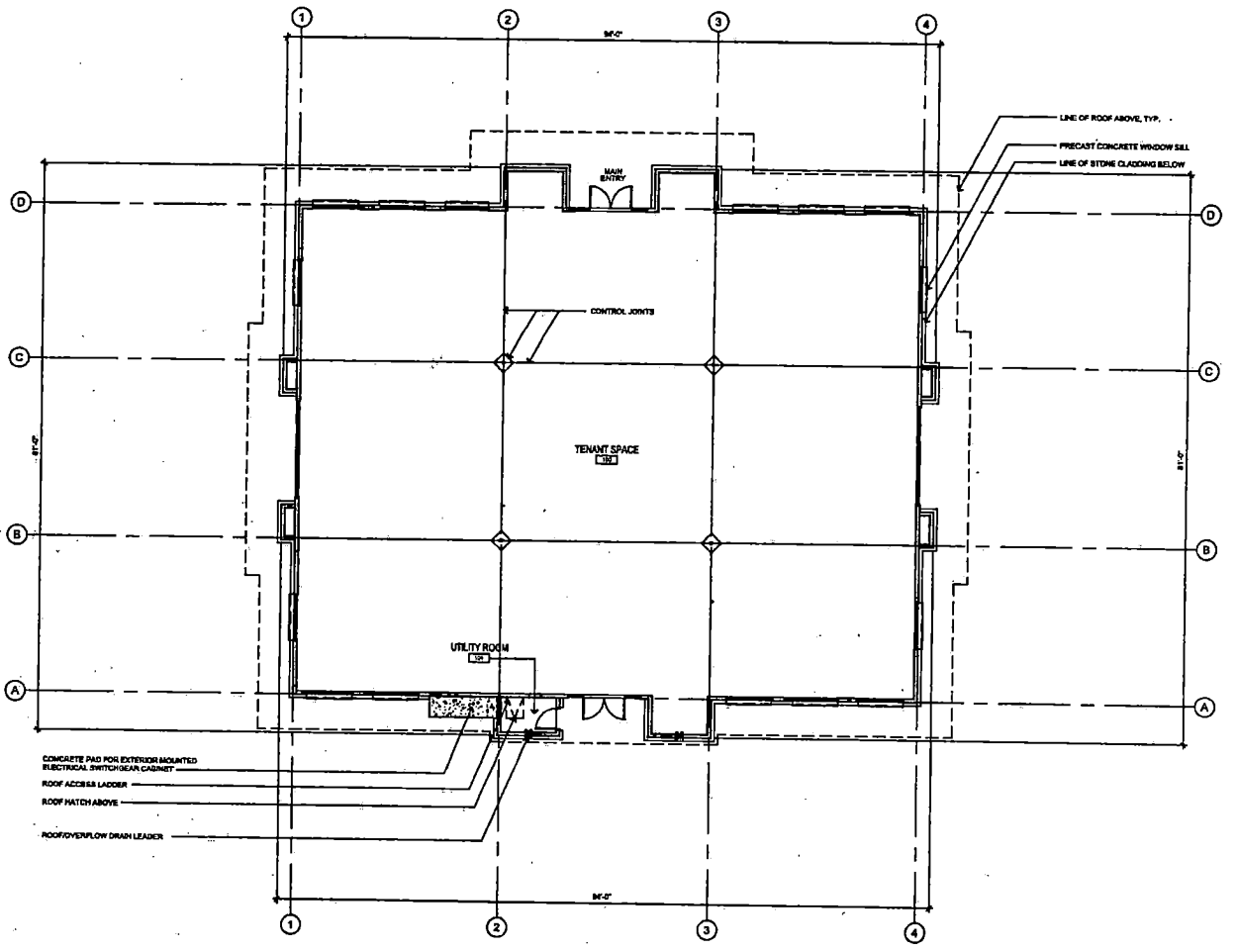
10150 COVINGTON CROSS DRIVE LAS VEGAS, NEVADA 89144
PHONE: (702) 731-2333 FAX: (702) 731-2338 WWW.JMAARCH.COM

PROJECT NO: 2003630
DATE: August 13, 2004

0 4' 8' 16'
SCALE: 1/8" = 1'-0"

NORTH

JMA ARCHITECTURE STUDIOS



ZON-4991
10/21/04 PC

TYPICAL FLOOR PLAN 6,000 S.F. BUILDING

OFFICE PARK . @ MONTECITO PKWY / DURANGO DR.

3275 CORPORATE CIRCLE, SUITE 280 HENDERSON, NEVADA 89074
PHONE: (702) 845-8333 FAX: (702) 862-3839 WWW.JMARCH.COM

PROJECT NO: 2003830
DATE: August 13, 2004

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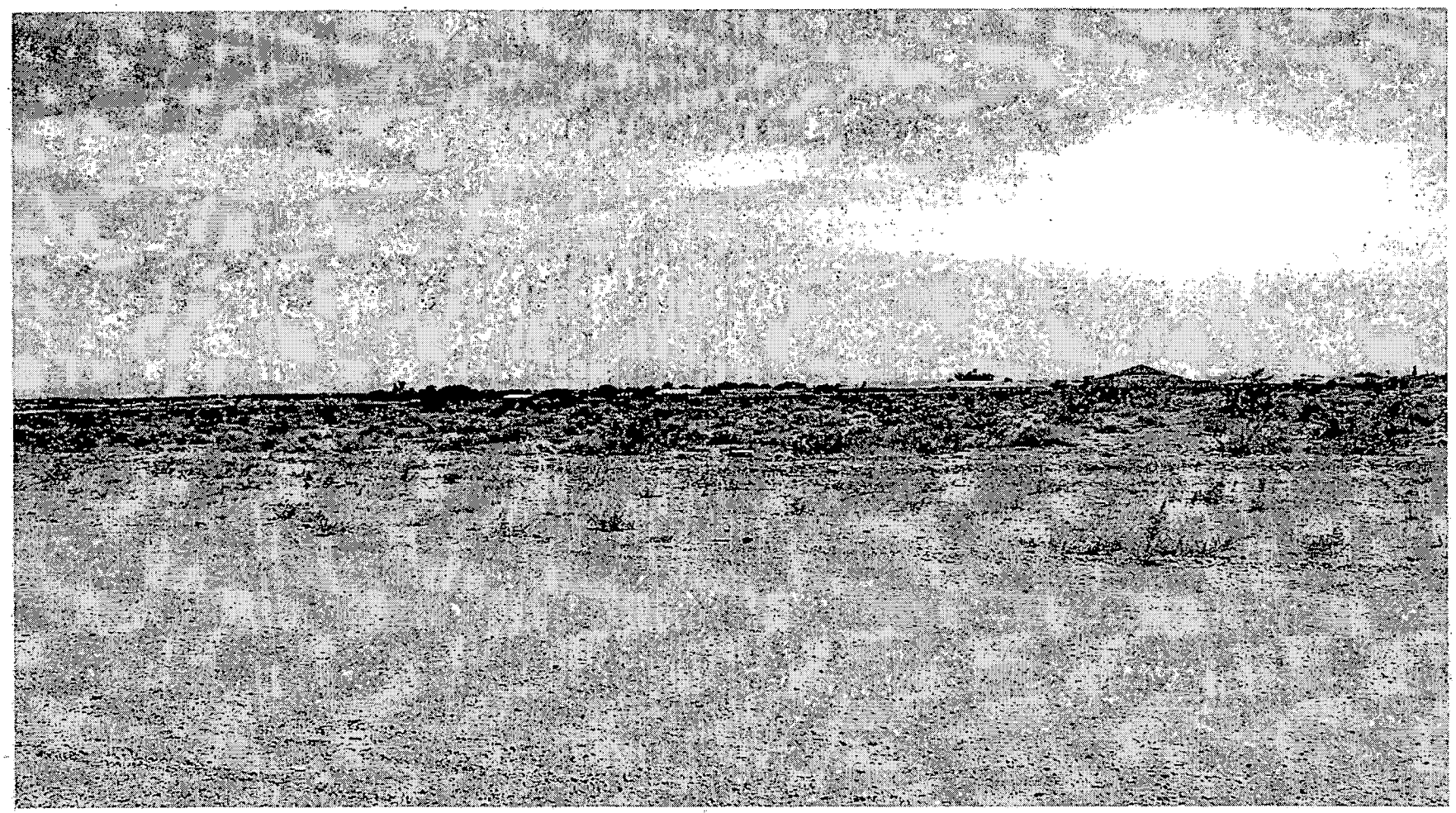
SCALE: 1/8" = 1'-0"
NORTH



ZON-4991 - APPLICANT: RANDY BLACK, JR. - OWNER: DURANGO TOWN CENTER, LLC AND JIM MARSH AMERICAN CORPORATION
SOUTHEAST CORNER OF REGENA AVENUE AND RILEY STREET
OCTOBER 21, 2004 PLANNING COMMISSION

8/24/04

City of Las Vegas

Agenda Item No.: 19

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
ABEYANCE - SDR-4985 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4991 - PUBLIC HEARING - APPLICANT: RANDY BLACK, JR. - OWNER: DURANGO TOWN CENTER, LLC AND JIM MARSH AMERICAN CORPORATION - Request for a Site Development Plan Review FOR A MEDICAL/PROFESSIONAL/RETAIL DEVELOPMENT on 22.31 acres adjacent to the southeast corner of Regena Avenue and Riley Street (APN 125-29-502-010 and 125-29-510-006, 125-29-601-002 and 020), U (Undeveloped) Zone [T-C (Town Center) General Plan Designation] and TC (Town Center) [PROPOSED: T-C (Town Center)] Ward 6 (Mack).

C.C.: 11/17/04

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED subject to conditions and amending the following condition:

21. ***The only allowed private driveway to Durango Drive as presented on the Site Plan dated October 15, 2004 from this site will be designed with a deceleration lane and bus stop per Standard Drawing 234.3.***

and adding the following conditions:

- ***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***

MOTION – Continued:

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.

- ***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.***

– UNANIMOUS

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

MINUTES:

See Item 18 [ZON-4991] for related discussion on Item 18 [ZON-4991] and Item 19 [SDR-4985].

(6:59-7:13)

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 19 – SDR-4985

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-4991] to a T-C (Town Center) Zoning District approved by the City Council.

2. The applicant shall meet with staff to develop an address plan prior to permits. A copy of the approved address plan shall be submitted with any future building permit applications relayed to the site.

3 Prior to the issuance of building permits of non-residential projects, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf. This revised plan shall also demonstrate conformance to all landscape, wall and buffer standards of the Code as well as the Town Center Development Standards.

4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

5. All development shall be in conformance with the site plan and building elevations, date stamped October 15, 2004, except as amended by conditions herein, including the required median on Durango Drive.

6. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.

7. Air conditioning units shall not be mounted on rooftops.

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. Wall height shall be limited to 8 feet.

10. All City Code requirements and design standards of all City departments must be satisfied. The applicant shall demonstrate conformance to all handicapped parking standards of the City.

CONDITIONS – Continued:

Public Works

11. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

12. All pads comprising this overall site must always allow for the perpetual common access between the various parcels/owners within the proposed commercial subdivision area.

13. Show and annotate the existing eight inch sewer main and the 20 foot wide public sewer easement in which it is located, along the Azure Drive alignment, within this site.

14. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4991 and all other subsequent site-related actions.

16. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

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

18. Dedicate 50 feet of half street right-of-way adjacent to this site for Grand Montecito Parkway where such does not exist, 30 feet of right-of-way for Regena Avenue, 30 feet of right-of-way for Riley Street a 15 foot radius at the southeast corner of Regena Avenue and Riley Street, and dedicate or obtain appropriate right-of-way of the entire cul-de-sac for the proposed termination of Regena Avenue. Dedicate or obtain dedication of the area needed to connect Riley Street to the Durango Drive alignment at a ninety degree angle and dedicate or obtain dedication of the area needed to connect Grand Montecito Parkway

CONDITIONS – Continued::

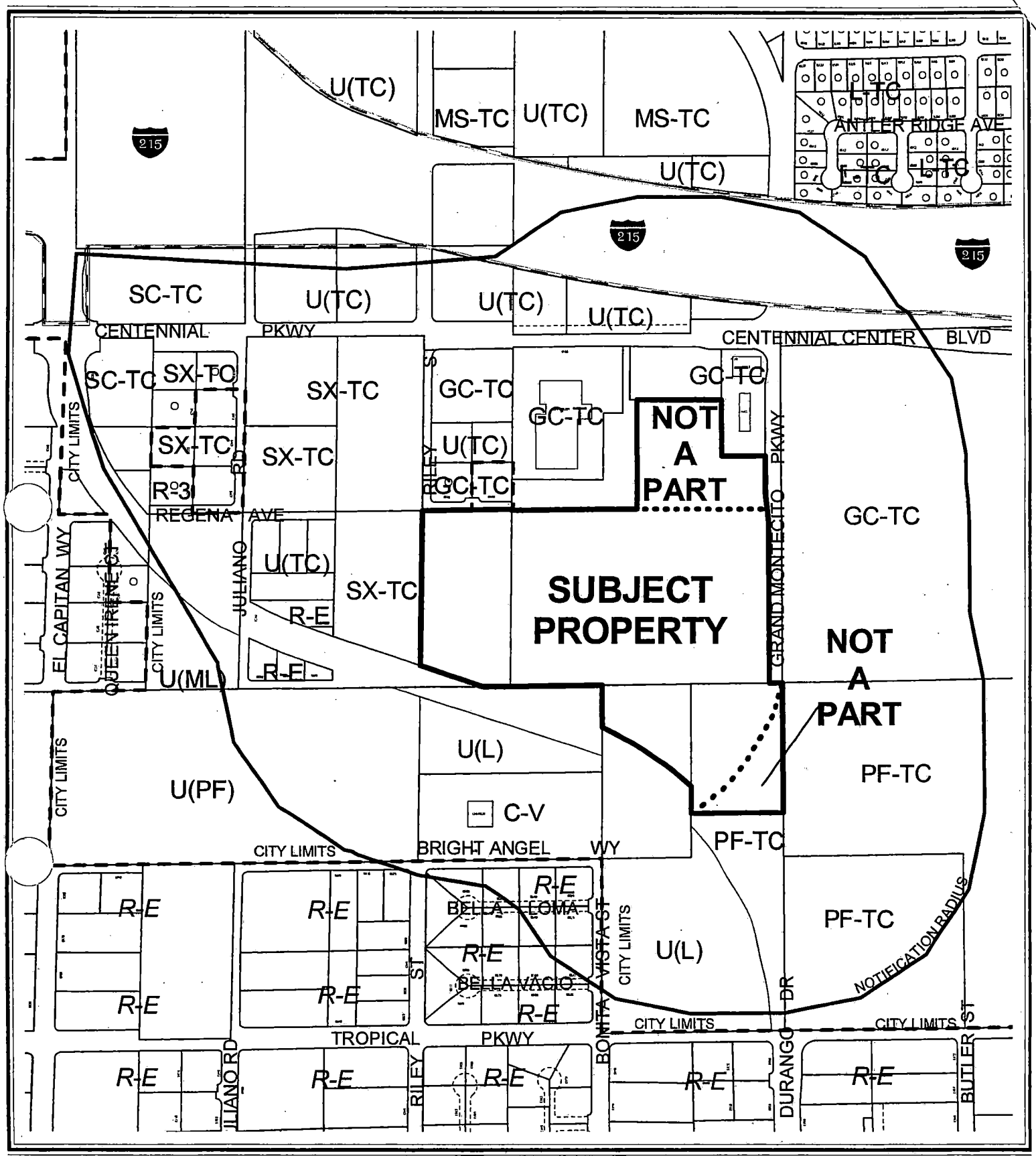
to the Durango Drive alignment at a ninety degree angle with all radii and designs meeting American Association of State Highway and Transportation Officials (AASHTO) criteria for a normal crowned street. Also dedicate all additional rights-of-way required by Standard Drawing #201.1 for turning lanes and #234.1 or 234.3 and #234.2 for bus turnouts at the intersection of Grand Montecito Parkway and Durango Drive prior to or concurrent with the commencement of on-site development activities.

19. Dedicate portions of the BLM right-of-way grant N-74262 recorded as 20030529-01737 for Durango Drive as required by the Department of Public Works prior to the issuance of any permits.

20 Construct half-street improvements including appropriate overpaving on Regena Avenue, Riley Street and Grand Montecito Parkway adjacent to this site concurrent with development. Also construct turning lanes and bus turnouts adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). This site shall be responsible for all, if any, half-street improvements on Durango Drive that are not constructed by a special or capital improvement project.

21. No private driveways will be allowed access to Durango Drive from this site.

22. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision 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.



CASE: **SDR-4985**

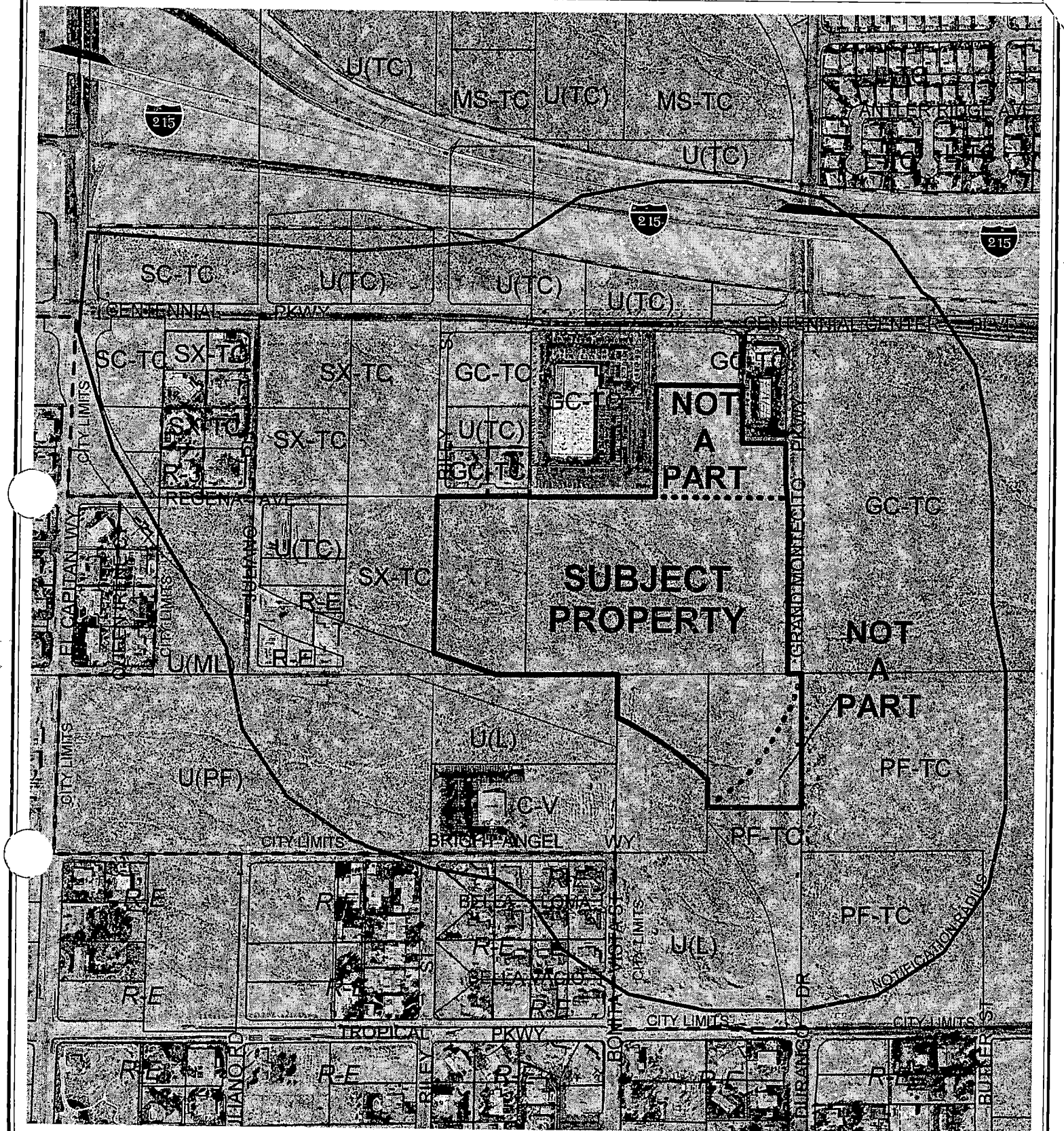
RADIUS: 750 + SPECIAL

0 400 800 Feet

ZONING OF SUBJECT PROPERTY:

U(UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN LAND USE DESIGNATION] AND T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL) TOWN CENTER LAND USE DESIGNATION]

N



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N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SDR-4985 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: RANDY BLACK, JR. - OWNER: DURANGO TOWN CENTER, LLC AND JIM MARSH AMERICAN CORPORATION

** CONDITIONS **

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

Planning and Development

1. A Rezoning [ZON-4991] to a T-C (Town Center) Zoning District approved by the City Council.

2. The applicant shall meet with staff to develop an address plan prior to permits. A copy of the approved address plan shall be submitted with any future building permit applications relayed to the site.

3 Prior to the issuance of building permits of non-residential projects, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf. This revised plan shall also demonstrate conformance to all landscape, wall and buffer standards of the Code as well as the Town Center Development Standards.

4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

5. All development shall be in conformance with the site plan and building elevations, date stamped October 15, 2004, except as amended by conditions herein, including the required median on Durango Drive.

6. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.

7. Air conditioning units shall not be mounted on rooftops.

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. Wall height shall be limited to 8 feet.

10. All City Code requirements and design standards of all City departments must be satisfied. The applicant shall demonstrate conformance to all handicapped parking standards of the City.

Public Works

11. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

12. All pads comprising this overall site must always allow for the perpetual common access between the various parcels/owners within the proposed commercial subdivision area.

13. Show and annotate the existing eight inch sewer main and the 20 foot wide public sewer easement in which it is located, along the Azure Drive alignment, within this site.

14. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4991 and all other subsequent site-related actions.

16. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

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

18. Dedicate 50 feet of half street right-of-way adjacent to this site for Grand Montecito Parkway where such does not exist, 30 feet of right-of-way for Regena Avenue, 30 feet of right-of-way for Riley Street a 15 foot radius at the southeast corner of Regena Avenue and Riley Street, and dedicate or obtain appropriate right-of-way of the entire cul-de-sac for the proposed termination of Regena Avenue. Dedicate or obtain dedication of the area needed to connect Riley Street to the Durango Drive alignment at a ninety degree angle and dedicate or obtain dedication of the area needed to connect Grand Montecito Parkway to the Durango Drive alignment at a ninety degree angle with all radii and designs meeting American Association of State Highway and Transportation Officials (AASHTO) criteria for a normal crowned street. Also dedicate all additional rights-of-way required by Standard Drawing #201.1 for turning lanes and #234.1 or 234.3 and #234.2 for bus turnouts at the intersection of Grand Montecito Parkway and Durango Drive prior to or concurrent with the commencement of on-site development activities.

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21. No private driveways will be allowed access to Durango Drive from this site.

22. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision 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.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a medical/ office/ retail development on 22.31 acres located at the southeast corner of Regena Avenue and Riley Street.

On October 15, 2004, the applicant submitted a revised site development plan, showing the following changes:

1. The number of driveways to the Durango Drive "S" curve was reduced from two to one.
2. The square footage of the project was increased to 260,120 square feet of office and 33,823 square feet of retail.
3. Five of the buildings along the north side of the property have been re-oriented and replaced with parking.
4. A layout of the vacant retail directly at the intersection of Durango Drive and Grand Montecito Parkway is depicted.

B) Applicant's Justification

The new development will be compatible with the adjacent uses, and will upgrade the neighborhood with attractive, functional office space that will serve the local community. The proposed development will not have a substantial adverse effect on public facilities and services, and the proposed zoning conforms to the current land use plan.

BACKGROUND INFORMATION

A) Previous Actions

08/21/02	The City Council approved a General Plan Amendment (GPA-0019-02) for area along the north side of the Durango S-Curve of which the subject parcel is a part.
02/05/03	The City Council approved a Petition to Annex the subject property (A-0038-02) located at the southeast corner of Regena Avenue and Riley Street. The effective date was February 14, 2003. The Planning Commission and staff recommended approval on October 24, 2002.

09/23/04 The Planning Commission held this and the related Rezoning ZON-4991 in abeyance to allow the applicant time to address issues pertaining to direct access to Durango Drive.

B) Pre-Application Meeting

07/30/04 The discussion at the pre-application conference was about the following.

- Grand Montecito is a frontage road
- Durango is a Parkway (120 foot right-of-way)
- Riley is a Town Center Collector
- 15 foot setback is required in SC-TC for landscape planter
- Sidewalk per page 110
- Street lighting per page 115
- Buildings should be located at the front setback line with parking to the side or rear per page 73, 116-117.
- Parking lots shall be screened by buildings and/ or landscaping per page 117
- 1 tree/ 6 parking lot spaces
- Architectural features/ glazing/ materials per pages 72-75
- Revised Master Sign plan required- CH-10-03
- Parking- Medical: 1/200 square feet plus 1/175 square feet for all additional
- General Office: 1/300 square feet

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: 22.31

B) Existing Land Use

Subject Property:	Undeveloped
North:	Residential
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	SC-TC (Service Commercial – Town Center)
North:	GC-TC (General Commercial – Town Center)
South:	L (Low Density Residential)
	PROS (Park Recreation Open Space)
East:	SC-TC (Service Commercial – Town Center)
	GC-TC (General Commercial – Town Center)
	PF-TC (Public Facility– Town Center)
West:	SX-TC (Suburban Mixed Use – Town Center)

D) Existing Zoning

Subject Property:	U (Undeveloped) [TC (Town Center) General Plan Designation]
North:	U (Undeveloped) [TC (Town Center) General Plan Designation]
	Clark County
South:	U (Undeveloped) [L (Low Density Residential) General Plan Designation]
	U (Undeveloped) [PF (Public Facility) General Plan Designation]
East:	TC (Town Center)
West:	TC (Town Center)

E) General Plan Compliance: Centennial Hills General Plan

The site is designated as TC (Town Center) on the Centennial Hills Sector map of the General Plan. Within Town Center, land use is more specifically described by special land use designations as set out in the Town Center Development Standards Manual. The Manual designated this site as SC-TC (Service Commercial - Town Center). The request for T-C (Town Center) zoning conforms to the SC-TC (Service Commercial – Town Center) special land use designation.

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

DC

Trails – There are two trail segments adjacent to the site as identified on Map 6 (Town Center Multi-Use Trail Alignments) of the Transportation Trails Element. One is a Town Center Parkway Trail along Durango Road to the south of the site and a Multi-use Transportation Trail also along Durango Drive. The Town Center Parkway Trail is detailed in the street cross-sections in the Town Center Development Standards Manual and represents the sidewalks along these streets.

PROJECT DESCRIPTION

The proposed development consists of 26 buildings around the perimeter of the 22.31-acre site with six more clustered in the center. Three sides of the perimeter are streets: Grand Montecito Parkway to the east, Durango Drive to the south, and Riley Street to the west. The northern perimeter is the Regena Avenue cul-de-sac and the northern property line. This design facilitates access from the development to east, south, and west. Primary access is to Grand Montecito Parkway. The access drive to Durango Drive is contrary to the arrangements that were the result of the many neighborhood meetings that were part of the planning process that resulted in the inclusion of the properties north of Durango into the Centennial Hills Town Center.

The open space provided with this project is 214,320 square feet within landscaped amenity zones, open spaces, and landscaped areas. The total amount of open space provided is approximately a half an acre in excess of that required by Town Center open space standards as outlined in the Town Center Development Standards Manual.

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	22.31 Acres	Y
Min. Lot Width	N/A	1060 Feet	Y
Min. Setbacks			
• Front	15 Feet	15 Feet	Y
• Side	15 Feet	15 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	10 Feet	10 Feet	Y
Max. Lot Coverage	N/A	22%	Y

DC

Max. Building Height	2 Stories / 35 Feet	2 Stories	Y
Trash Enclosure	Y	Shown	Y
Loading Zone	Y	Shown	Y
Mech. Equipment	Y	Not shown	Not Shown

The proposal meets the development requirements of Title 19 and the Town Center Development Standards.

A2) Residential Adjacency Standards

The Residential Adjacency Standards of Title 19.08 do not apply to the subject proposal.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Medical Office: ¼ of area	260,120 S.F of medical and general office	1/200 up to 2000 SF plus 1/175 GFA				
General Office: ¾ of area General Retail	33,823 S.F.	1/300 GFA				
TOTALS	211,500 S.F.		1,182		1,195	

The revised site plan shows that the total number of parking spaces required by Code is provided. However, a more detailed plan will be required prior to the issuance of building permits showing handicapped parking spaces. The project will be monitored as it is built out to ensure conformance to parking standards of the Code. The provided parking accounts for allowance of approximately 25% of the square footage for medical office uses.

DC

A4a) Landscape

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

Standards	**Required**		**Provided**
	Ratio	Trees	
Parking Area	6 Trees/ 1 Space	1,095/ 6 = 191 Trees	Not Shown
Buffer: • Min. Trees	1 Trees/ 20 Linear Feet	600/ 20= 30 Trees	35 Trees
• Min. Zone Width	8 Feet		8 Feet
• Wall height	8 Feet		Not Shown

The revised site development plan did not show any landscaped finger islands in the parking lot. The applicant will be required to demonstrate conformance to this standard of the Code. The proposal exceeds the landscaping requirements of Title 19.12 for the perimeter landscaped planters.

A4b) Open Space Standards

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

Total Acreage	**Required**		**Provided**	
	Percent	Area	Percent	Area
22.31 acres	20 %	196,020 SF	22.1%	214,320 SF

The proposal exceeds the requirements of Title 19.06 for open space in a Town Center development.

A5) Sign Standards

The signs of the proposed development will be subject to a separate review by the Centennial Hills Architectural Review Committee (CHARC).

DC

B) General Analysis and Discussion

- Zoning

With the approval of companion Rezoning application (ZON-4991), the portion of the subject site not already zoned will be rezoned as T-C (Town Center). The proposed Site Development Plan conforms to the proposed zoning for the site.

- Site Plan

The revised site plan can meet all standards of Title 18 and the Town Center Development Standards Manual. The applicant will be required to demonstrate conformance to all standards prior to the issuance of any building permit.

- Waivers

No waivers have been requested with respect to this application.

- Landscape Plan

A revised landscaping plan will be required to ensure that the revised layout for this project conforms to all landscape, wall and buffer standards as well as the Town Center Development Standards.

- Elevation

The proposed stucco exterior with a rectangular stone wainscot is typical of commercial development of today. The hipped roof, instead vertical parapets, is an attractive variation from typical designs.

- Floor Plan

The floor plans show the typical multiple suite designs of commercial development.

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 will be consistent with the existing and proposed development around the site.

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 site plan conforms to both the General Plan and the Town Center land use designations for the site. The proposed site plan conforms to other city policies and standards.

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

   The site will be accessed from Grand Montecito Parkway, a 90 foot Town Center Frontage Road, to the east of the site, Durango Drive, a 120 foot Town Center Parkway Arterial, to the south, and Riley Street, a 80 foot Town Center Collector. These streets will be adequate for allowable development under the proposed T-C (Town Center) zoning district. Access to Durango Drive, however, is inconsistent with the results of the planning process that was associated with the planning of the Durango S-Curve neighborhood.

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

   The building and landscape materials are appropriate for this type of development in this portion of the City.

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

   The building elevations are typical of commercial development and will be compatible with existing and planned development around the site.

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

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

NOTICES MAILED 42 [Mailed with ZON-4991]

APPROVALS 0

PROTESTS 0

DC

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-4985** APN: 125-29-601-002

Name of Property Owner: Jim MARSH AMERICAN CORPORATION

Name of Applicant: _____

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

_____ Yes _X_ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: JAMES R. MARSH

Subscribed and sworn before me

This 21 day of JULY, 2004

_____
Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
JAMES W. ROZZI
No. 92-1582-1 My Appointment Expires Oct. 24, 2004

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-4985** APN: 125-29-502-010

Name of Property Owner: DURANGO TOWN CENTER, LLC

Name of Applicant: _____

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

_____ Yes _____X_____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Ramon Black Jr

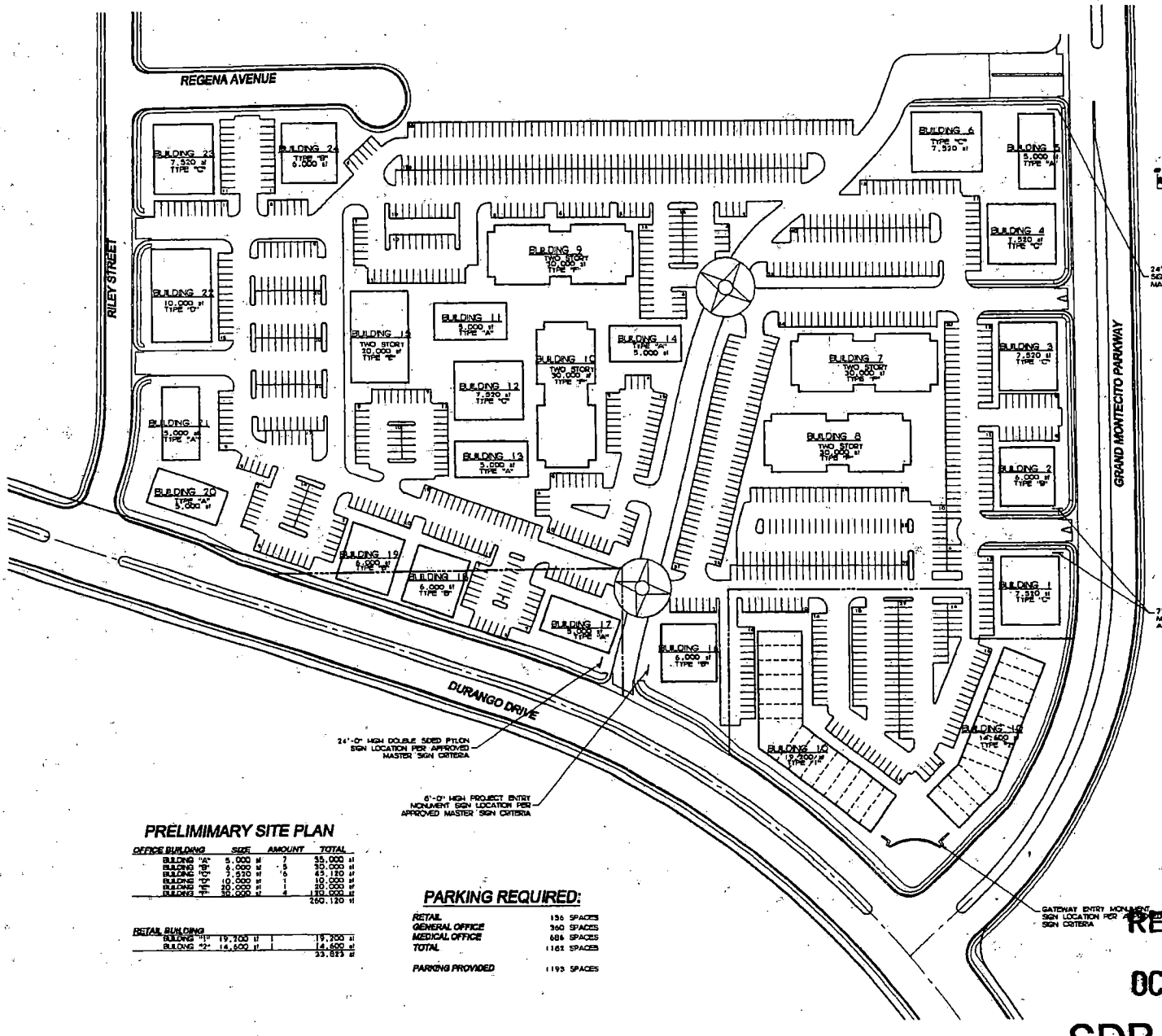
Subscribed and sworn before me

This 21st day of July, 2004

Lesley Fernandez

Notary Public in and for said County and State

LESLEY FERNANDEZ
Notary Public State of Nevada
No. 03-83173-1
My appt. exp. July 23, 2007



GRAPHIC SCALE

(IN FEET)
1 inch = 60 ft.

PRELIMIMARY SITE PLAN

OFFICE BUILDING	SIZE	AMOUNT	TOTAL
BUILDING "A"	5,000 sf	7	35,000 sf
BUILDING "B"	6,000 sf	5	30,000 sf
BUILDING "C"	7,520 sf	6	45,120 sf
BUILDING "D"	10,000 sf	1	10,000 sf
BUILDING "E"	20,000 sf	1	20,000 sf
BUILDING "F"	30,000 sf	4	120,000 sf
			260,120 sf

RETAIL BUILDING			
BUILDING "1"	19,700 sf	1	19,200 sf
BUILDING "2"	14,600 sf	1	14,600 sf
			33,800 sf

PARKING REQUIRED:

RETAIL	136 SPACES
GENERAL OFFICE	360 SPACES
MEDICAL OFFICE	686 SPACES
TOTAL	1182 SPACES
PARKING PROVIDED	1193 SPACES

KWM construction
contractor lic. #0036303
4550 south arville suite c
las vegas, nevada 89102
p 702.365.6668 f 702.871.8888

HUFFMAN BUILDERS WEST
7201 W. Lake Mead Blvd.
Suite 9103
Las Vegas, Nevada
89128
office 702.341.5809
fax 702.360.3819
www.huffmanwest.com

GRAND MONTECITO
DURANGO DRIVE

SHEET TITLE

NAME DATE

SIGN ABOVE TO INDICATE CLIENT DRAWING APPROVAL
☐ APPROVED AS IS
☐ APPROVED AS NOTED

PRELIMINARY DRAWING
NOT FOR CONSTRUCTION

REVISION	DATE

SHEET NAME

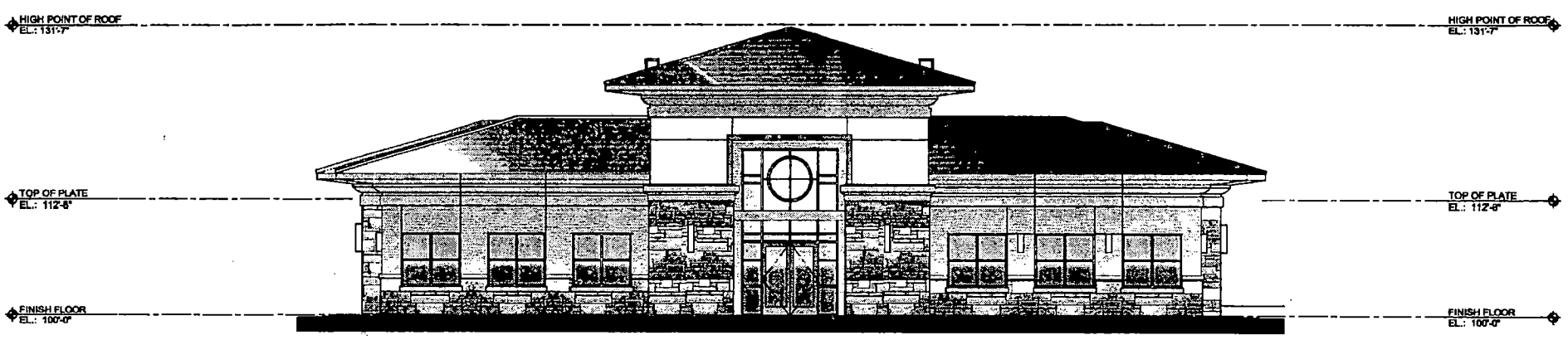
JOB NO.
RELEASE DATE

RECEIVED
OCT 15 2004
SDR-4985
10\21\04 PC
REVISED
10.15.04

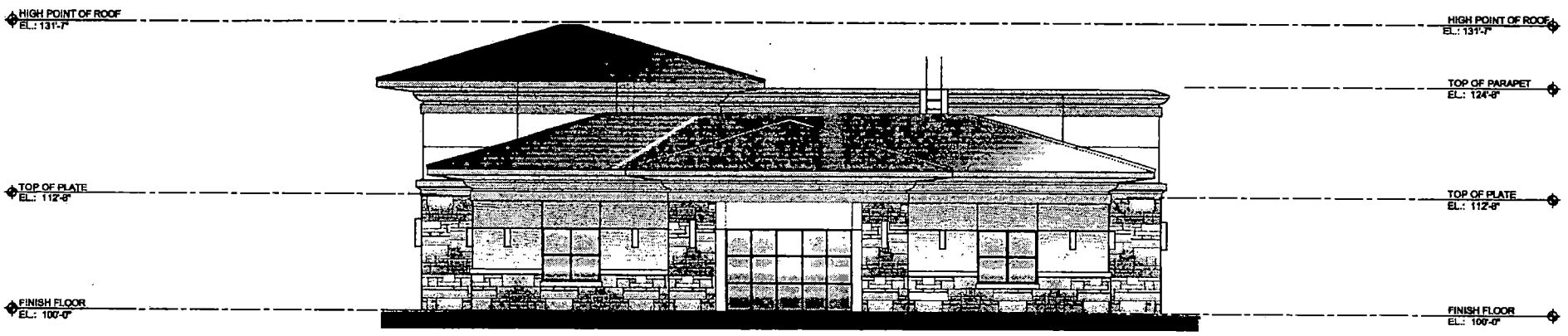
2 STORY 30,000 SF BUILDING . FRONT ELEVATION

JMA ARCHITECTURE STUDIOS

SDR-4985
10/21/04 PC



TYPICAL 6000 SF BUILDING . FRONT ELEVATION

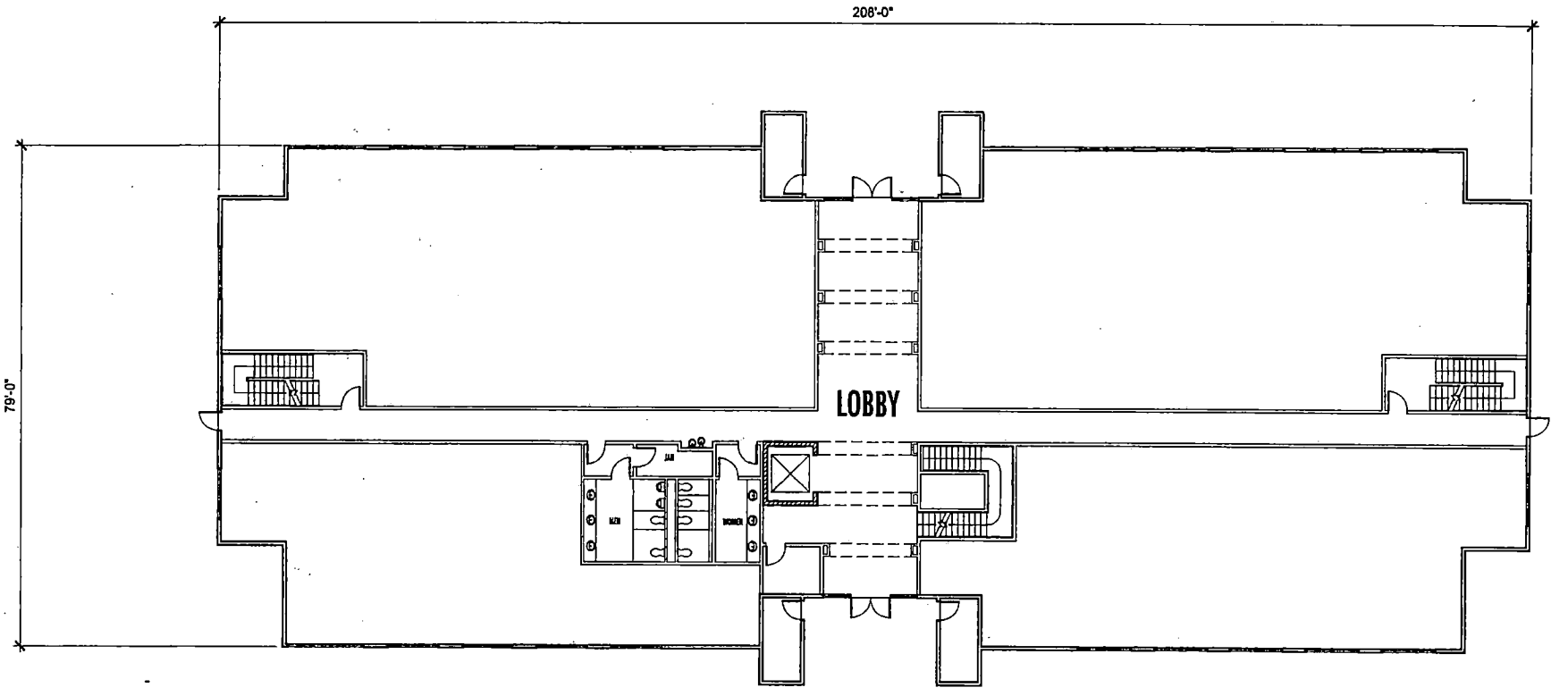


TYPICAL 6000 SF BUILDING . SIDE ELEVATION

JMA ARCHITECTURE STUDIOS

SDR-4985
10/21/04 PC

JMA ARCHITECTURE STUDIOS



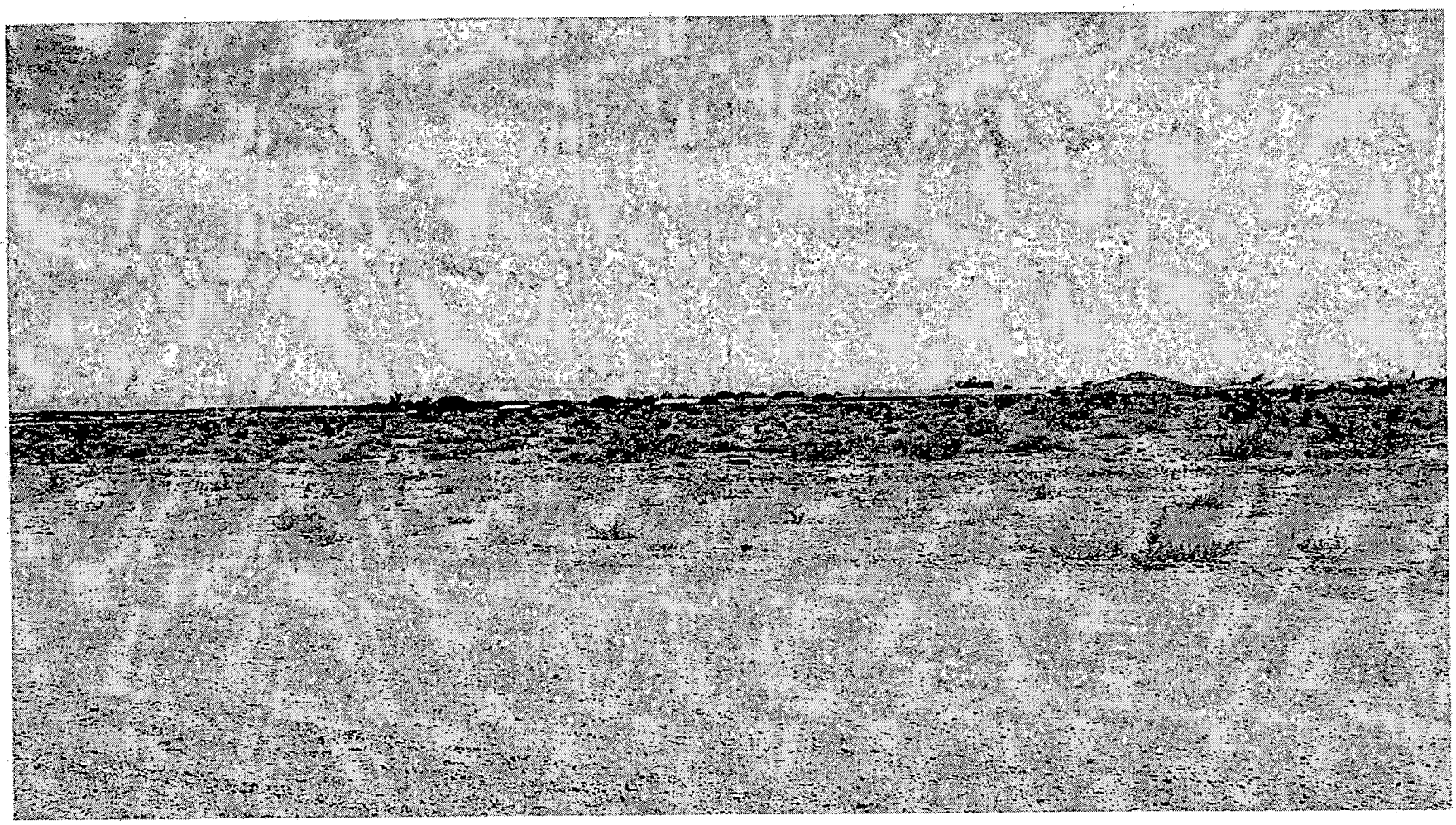
TYPICAL FLOOR PLAN 30,000 S.F. BUILDING

OFFICE PARK . @ MONTECITO PKWY / DURANGO DR.

SDR-4985
10/21/04 PC

2205 CORPORATE CIRCLE, SUITE 250 HENDERSON, NEVADA 89074
PHONE: (702) 943-2033 FAX: (702) 943-2038 WWW.JMAARCH.COM

PROJECT NO: 2003830
DATE: August 13, 2004
0 4' 8' 16'
SCALE: 1/8" = 1'-0"
NORTH



SDR-4985 - APPLICANT: RANDY BLACK, JR. - OWNER: DURANGO TOWN CENTER, LLC AND JIM MARSH AMERICAN CORPORATION
SOUTHEAST CORNER OF REGENA AVENUE AND RILEY STREET
OCTOBER 21, 2004 PLANNING COMMISSION

8/24/04

City of Las Vegas

Agenda Item No.: 20

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
ABEYANCE - SDR-4978 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: LAS TUNIS, LLC - OWNER: CLARK COUNTY DEVELOPMENT CORPORATION - Request for a Site Development Plan Review FOR A 5,660 SQUARE FOOT MEDICAL OFFICE BUILDING AND WAIVERS OF TRASH ENCLOSURE SEPARATION, FRONT YARD SETBACK, AND WIDTH OF PERIMETER LANDSCAPING on 0.45 acres on James Bilbray Drive, approximately 120 feet south of Smoke Ranch Road (APN 138-23-110-032), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking), Ward 6 (Mack).

C.C.: 11/17/04

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting		**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 with DAVENPORT abstaining because he had previously met with MR. JONES and had conversations with him about a possible business relationship that would involve this item

MINUTES:
VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, indicated this item was abeyed from the 9/23/2004 meeting so the applicant could make some changes to the Site Plan to address concerns that were noted. The building has been reduced from 5,660 square feet to 5,165 square feet and it now complies with all setback requirements. The trash enclosure has been moved away from residential properties and the perimeter landscaping complies with Code

MINUTES – Continued:
except for the area along the north property line. The applicant is requesting a waiver for the 5-foot planter and staff is supportive of the waiver due to the addition of trees. The applicant is proposing adequate landscaping.

ADRIAN JONES, 4750 West Flamingo Road, appeared on behalf of the applicant and concurred with all conditions.

VICE CHAIRMAN NIGRO declared the Public Hearing open.
(7:13-7:15)
1-2597

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. The trash enclosure shall be covered as required by the Commercial Development Standards.

3. The applicant shall revise the landscape plan to provide 24-inch box trees 20 feet on center along James Bilbray Drive. The plan shall also be revised to provide one 24-inch box tree for every six spaces in the parking lot area. The revised plan shall be submitted to and approved by the Planning and Development Department prior to the approval of any building permits for this site.

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. All development shall be in conformance with the submitted plans, date stamped August 9, 2004, except as amended by the recommended conditions.

Public Works

6. Dedicate an additional 10 feet of right-of-way for a total half-street width of 30 feet on James Bilbray Drive adjacent to this site prior to the issuance of any permits.

CONDITIONS – Continued:

7. Construct all incomplete half-street improvements on James Bilbray Drive adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

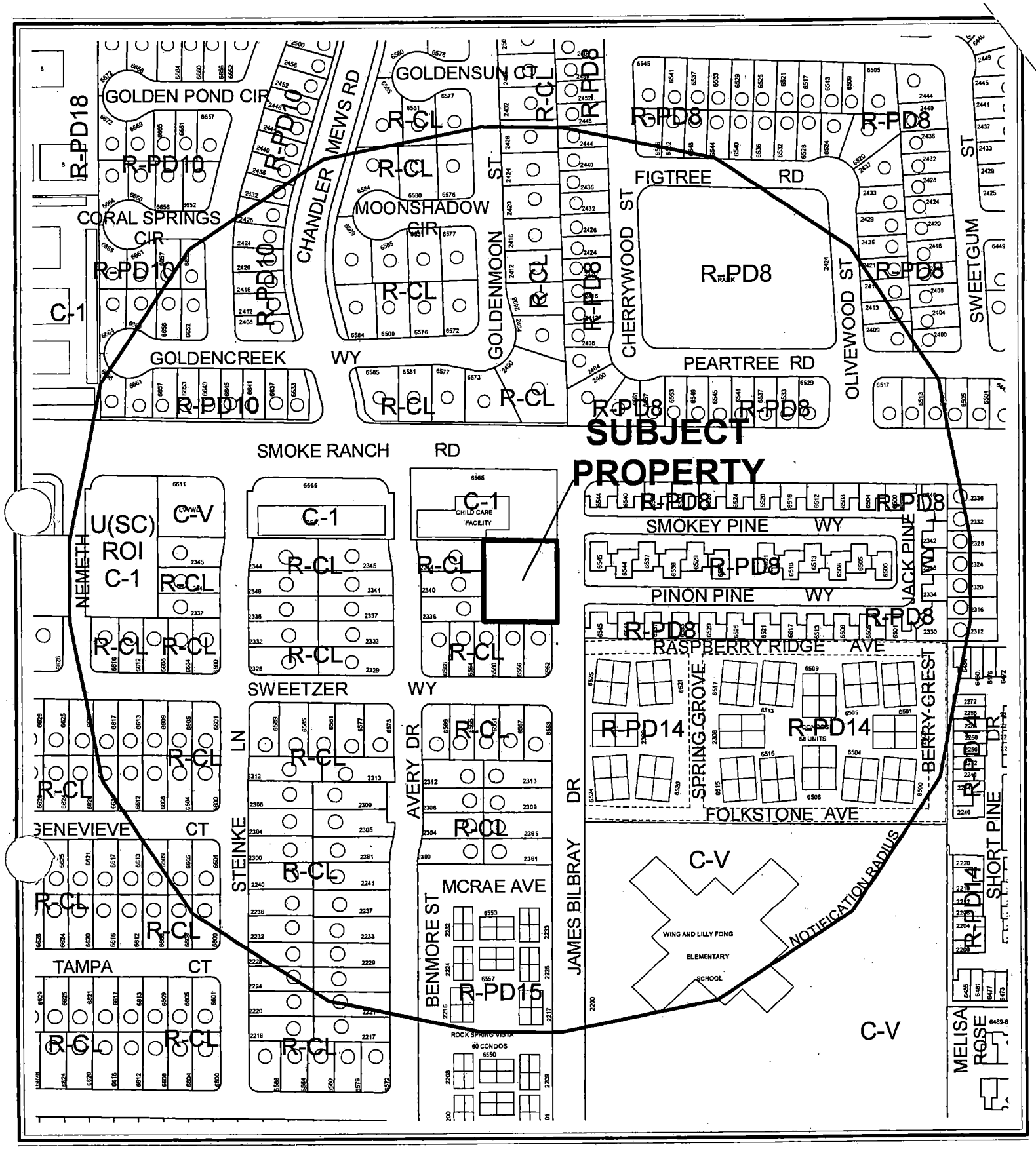
8. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

9. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

10. 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.

11. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

12. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of construction drawings. 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 construction drawings.



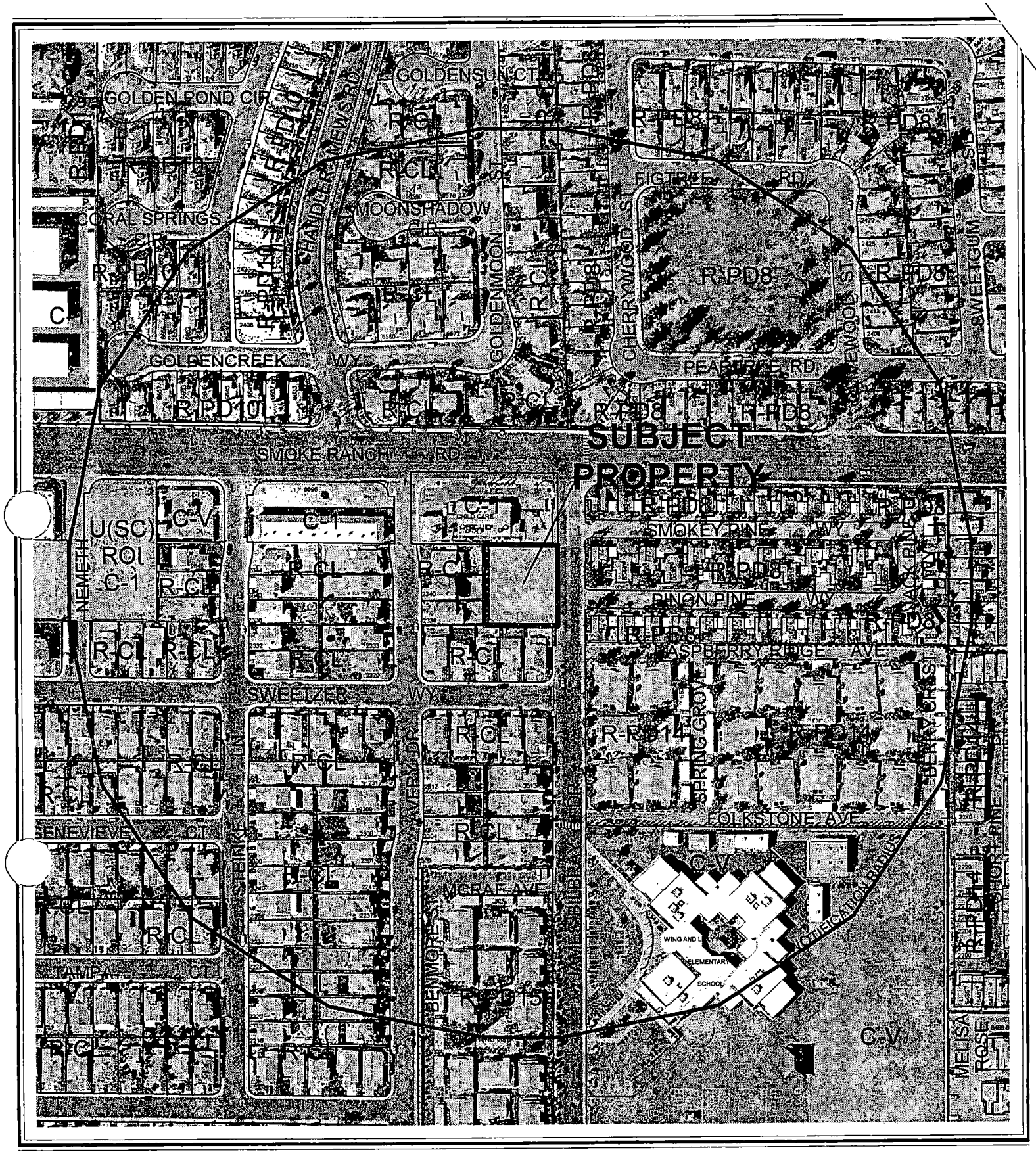
CASE: **SDR-4978**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO P-R (PROFESSIONAL OFFICE AND PARKING)

N



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U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO P-R (PROFESSIONAL OFFICE AND PARKING)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SDR-4978 - APPLICANT: LAS TUNIS, LLC - OWNER: CLARK COUNTY DEVELOPMENT CORPORATION

** 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. The trash enclosure shall be covered as required by the Commercial Development Standards.

3. Landscaping shall be provided in accordance with Code standards along the south, east and west property lines. A waiver is approved along the north property line to provide a five foot wide planter along the north property line, with 24 inch box trees 15 feet on center. A revised plan shall be submitted to and approved by the Planning and Development Department prior to the approval of any building permits for this site.

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. All development shall be in conformance with the submitted plans date stamped October 12, 2004, except as amended by the recommended conditions.

Public Works

6. Dedicate an additional 10 feet of right-of-way for a total half-street width of 30 feet on James Bilbray Drive adjacent to this site prior to the issuance of any permits.

7. Construct all incomplete half-street improvements on James Bilbray Drive adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

8. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

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10. 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.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review of a 5,660 square foot office building and waivers of the trash enclosure separation, front yard setback and width of perimeter landscaping on 0.45 acres adjacent to the west side of James Bilbray Drive, approximately 120 feet south of Smoke Ranch Road.

Since the last Planning Commission meeting, the applicant has submitted a revised site development plan, showing the following changes:

1) The location of the trash enclosure has been changed so it now conforms to Title 19 standards. Therefore, a waiver is no longer required.

2) The front yard setback standard of 20 feet is now met, therefore a waiver is no longer required. Two of the sub-level parking spaces have been eliminated and the building has been reduced in size.

3) The landscape planter widths have been amended to show the required eight foot width along all property lines, except for the five foot width along the north property line. Therefore, the only landscaping waiver is along the north property line.

B) Applicant's Justification

The applicant's justification letter indicates they are requesting the waivers to the trash enclosure separation, front setback and perimeter landscape width due to the small size of the site.

BACKGROUND INFORMATION

A) Previous Actions

04/17/96 The City Council approved a General Plan Amendment (GPA-11-96) to SC (Service Commercial) and a Rezoning (Z-20-96) to P-R (Professional Office and Parking) on this site. The Planning Commission and staff recommended denial on March 28, 1996.

DC

06/23/97 The City Council approved an Extension of Time [Z-20-96(1)] for the approved Rezoning (Z-20-96) to P-R (Professional Office and Parking) on this site with no expiration date. The Planning Commission and staff recommended approval on May 22, 1997.

09/23/04 The Planning Commission held this item in abeyance to allow the applicant time to redesign the site.

B) Pre-Application Meeting

07/09/04 The applicant was advised of the requirements of a Site Development Plan Review and that waivers would be necessary to allow the proposed project to deviate from required standards.

C) Neighborhood Meetings

A neighborhood meeting is not required for this request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.45

B) Existing Land Use

Subject Property:	Undeveloped
North:	Retail Commercial
South:	Single Family Residences
East:	Townhouses
West:	Single Family Residences

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	ML (Medium Low Density Residential)
East:	MLA (Medium Low Attached Density Residential)
West:	ML (Medium Low Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking)
North:	C-1 (Limited Commercial)
South:	R-CL (Single Family Compact-Lot)
East:	R-PD8 (Residential Planned Development – 8 Units Per Acre)
West:	R-CL (Single Family Compact-Lot)

E) General Plan Compliance

The site is designated SC (Service Commercial) on the Southwest Sector Plan Map of the General Plan. The existing P-R (Professional Office and Parking) Zoning designation is in conformance with the General Plan designation of SC (Service Commercial).

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

PROJECT DESCRIPTION

The applicant is proposing to construct a 5,165 square foot, two story medical office building on the subject site. The building is located towards the north portion of the site near the existing commercial development on Smoke Ranch Road. Parking is located to south of the building and in a sub-grade parking garage beneath building. A minimum 15 foot wide landscaped planter is provided along James Bilbray Drive, with eight foot wide planters along the south and west property line. The trash enclosure is proposed along the south side of the building, in accordance with Title 19 separation distance standards. The building elevations depict a stucco and masonry exterior with a flat roof and aluminum mullion accents. The floor plans depict three suites will be located on the first floor, with two executive offices on the second floor.

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 Square Feet	0.45 Acres	Y
Min. Lot Width	60 Feet	147 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	 20 Feet 5 Feet 15 Feet 15 Feet	 20 Feet 5 Feet N/A 15 Feet	 Y Y N/A Y
Max. Lot Coverage	50 %	29 %	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories / 29.5 Feet	Y
Trash Enclosure	Must be covered and 50 from residential	Meets distance separation, must be covered	Y
Mech. Equipment	Must be screened	Shown screened on the roof of the building	Y

The revised site development plan now conforms to Title 19 standards in terms of setbacks and trash enclosure distance separation standards. No waivers are required from these standards.

A2) Residential Adjacency Standards

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

a) Proximity slope. The submitted plans indicate the portion of the building closest to the residences is only 15 feet high with the 29.5 foot (2 story portion) towards the east of the site where it is within the required proximity slope.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Office, Medical and Dental	5,165 SF.	1 space for each 200 square feet of gross floor area up to 2,000 square feet, plus one space for each additional 175 square feet	26	3	26	3

The submitted plan is in compliance with the parking requirements of the Code.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1 Tree/6 Spaces	3 Trees	3
Buffer: • Min. Trees	1 Tree/20 Linear Feet along James Bilbray Drive and the south and west property lines; 1 Tree/30 Linear Feet along the north property line	31 Trees	31
• Min. Zone Width	15 Feet along James Bilbray Drive; 8 Feet around the remaining perimeter		Minimum 15 Feet along James Bilbray Drive; 8 along the south and west; 5 along the north property line.

The submitted landscape plan meets the standards along the east, south and west sides of the site. A waiver from the standard is requested along the north property line, where the applicant is requesting a five foot planter where eight is required.

A5) Sign Standards

No signs are shown on the proposed plans. All signage shall conform to the standards set forth in Title 19.14 for the P-R (Professional Office and Parking) zoning district.

B) General Analysis and Discussion

- Zoning

The proposed medical office building is an allowed use in the P-R (Professional Office and Parking) zoning district.

- Site Plan

The proposed development meets the minimum code requirements with regards to lot size, parking, building height and Residential Adjacency Standards.

- Waivers

The applicant's request for a waiver to allow a five foot planter in lieu of an eight foot planter along the north property line is recommended for the following reasons:

1. This property line is adjacent to an establish commercial use which has adequate landscaping on its property;
2. The applicant has committed to providing additional landscaping in this planter and an additional landscaped parking landscaped islands to mitigate the impacts of the reduced planter width.

- Landscape Plan

A revised landscaped plan will be necessary showing conformance to all Code standards, with the exception of the north property line landscaped planter. Additional parking finger islands and enhanced landscaping in the five foot wide buffer will be required.

DC

- Elevation

The proposed elevations are appropriate for the proposed use and are compatible with other development in the area.

- Floor Plan

The submitted floor plans depict a layout that is appropriate for the proposed medical office use.

FINDINGS

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

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

   The proposed office use is appropriate along this segment of James Bilbray Drive and is compatible with adjacent development in the area.

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

   The proposed project is not consistent with the General Plan, Title 19 and the Commercial Development Standards with regards to required, trash enclosure separation, landscaping and building setbacks. The only waiver is for the landscaped planter along the north property line, which is appropriate given its location adjacent to commercial property and the enhanced landscaping proposed by the applicant.

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

   Access is provided via a drive from James Bilbray Drive, a 60 foot wide collector street, which connects to Smoke Ranch Road, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. The street facilities are adequate in size to meet the requirements of the proposed uses.

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

   The proposed elevations are appropriate for an office development of this type and are compatible with the surrounding 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;"**

   The proposed elevations are appropriate for the proposed use and present a building that will be compatible with the surrounding development.

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

   The proposed use will be subject to regular City and County inspections and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 237

APPROVALS 0

PROTESTS 0

DC

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4978 APN: 138-23-110-032

Name of Property Owner: Clark County Development Corp.

Name of Applicant: Land Titles 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 ✓ 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: Clark County Dev. Corp. [signature] President/Trustee

Print Name: Larry Holmes

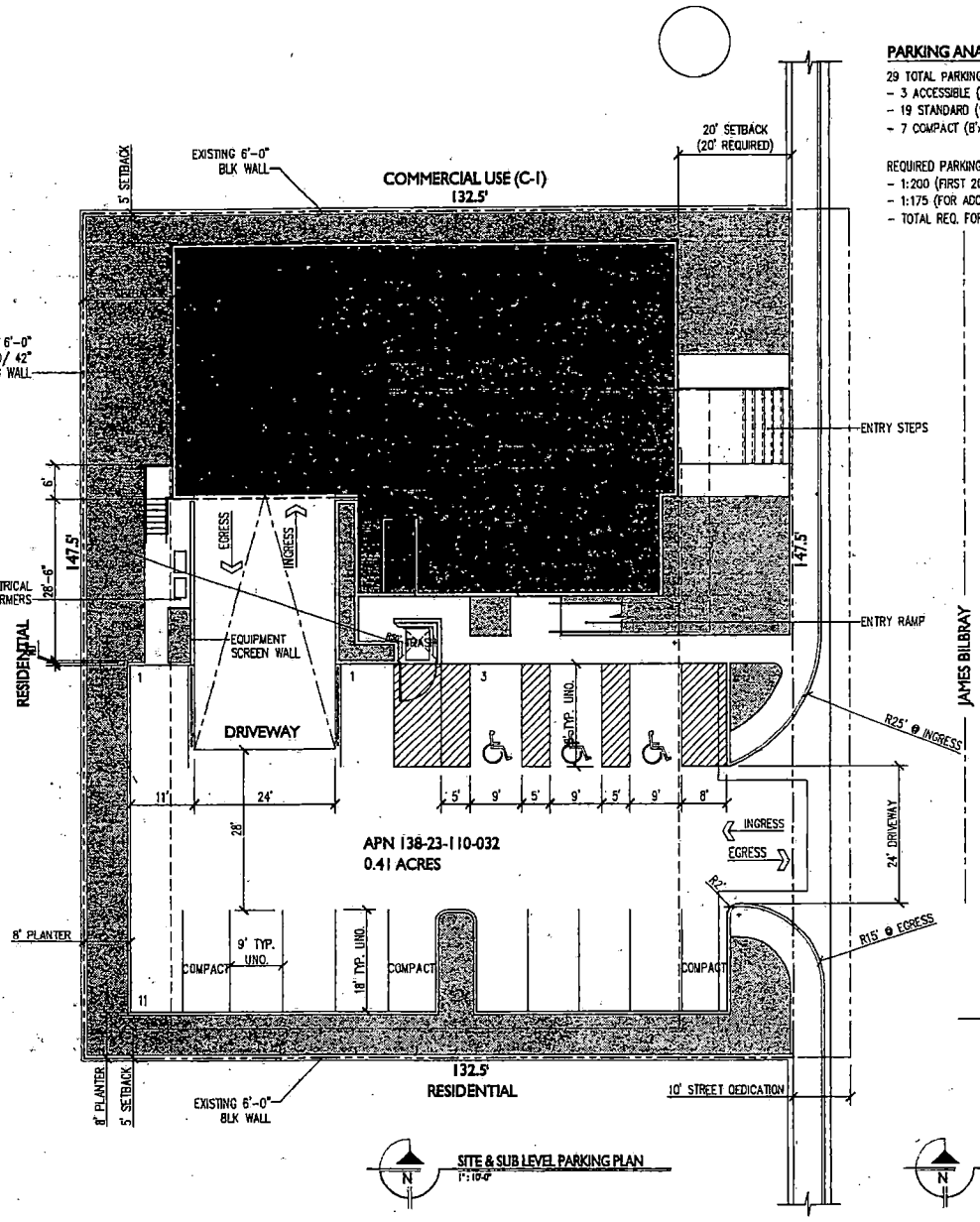
Subscribed and sworn before me

This 27 day of July, 2004

[signature]

Notary Public in and for said County and State

MELISSA G. HENEGAN
Notary Public State of Nevada
No. 01-67489-1
My appl. exp. Dec. 7, 2004

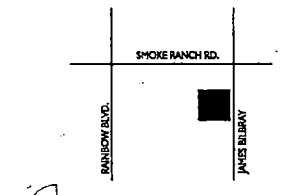


SITE & SUB LEVEL PARKING PLAN
1":10'-0"

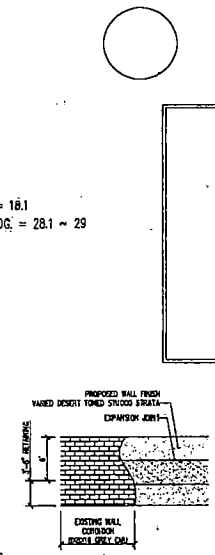
PARKING ANALYSIS

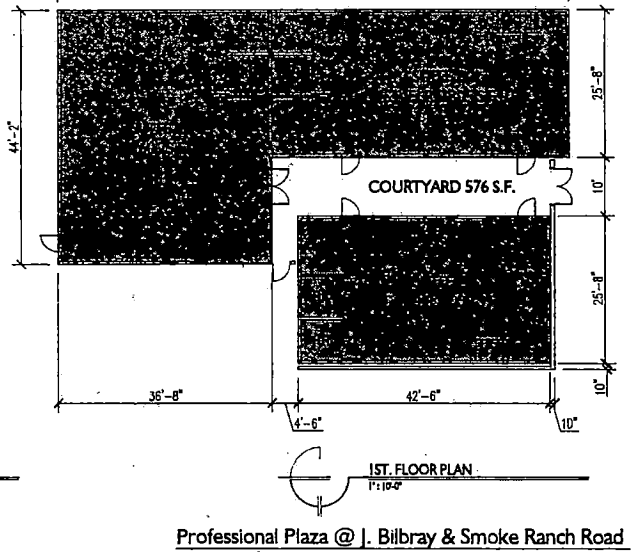
29 TOTAL PARKING SPACES
- 3 ACCESSIBLE (1 VAN) = 10%
- 19 STANDARD (9'x18') = 66%
- 7 COMPACT (8'x18') = 24%

REQUIRED PARKING
- 1:200 (FIRST 2000 SF.) = 10
- 1:175 (FOR ADDITIONAL 3165 SF.) = 18.1
- TOTAL REQ. FOR 5165 SF. MED. BLDG. = 28.1 ~ 29



VICINITY MAP
NTS





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www.arcnj.com | email: designer@arcnj.com
phone 702.491.4913 | fax 702.733.1253

Professional Plaza @ J. Bilbray & Smoke Ranch Road

PR ZONING - PROFESSIONAL MEDICAL OFFICE PROPOSAL — DES. REVIEW SUBMITTAL
APN 138.23.110.032 — DRAWN BY AJ
LAS VEGAS, NEVADA — DATE - 07.27.04 | REVISED - 10.07.04

REVISED 10.12.04

SDR-4978
10/21/04 PC

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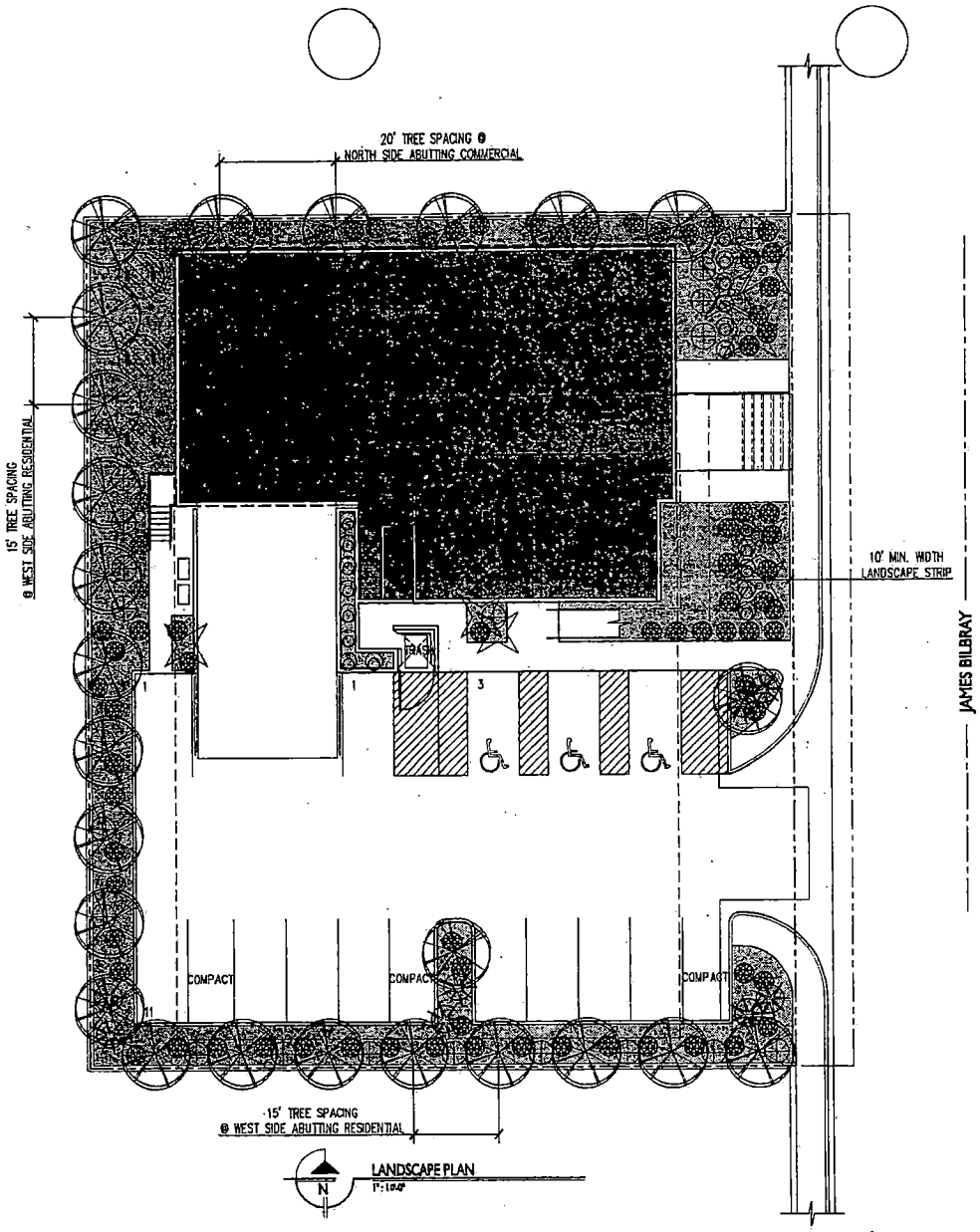
OCT 12 2004



PLANTING GENERAL NOTES

1. ALL PLANT AND INGROUND LIGHTING LOCATIONS ARE TO BE FIELD LOCATED AND APPROVED W/ DESIGNER, PRIOR TO FINAL DESIGN IMPLEMENTATION.

2. LANDSCAPE CONTRACTOR TO COORDINATE WITH EXCAVATION CONTRACTOR WHERE MOD, FOR PLANTER AREAS TO ENSURE POSITIVE DRAINAGE IN CONFORMANCE WITH CIVIL ENGINEER REQUIREMENTS. KEEP ALL PLANTING A MINIMUM OF 5'-0" FROM BUILDING FOUNDATIONS AND UNDERGROUND SEWER. ENSURE POSITIVE DRAINAGE AWAY FROM STRUCTURES.

3. PROVIDE MIN. OF 3" DG (DECOMPOSED GRANITE - TYPE AS SPECIFIED IN PLANTING SCHEDULE) AT ALL PLANTER LOCATIONS U.N.O. TO WITHIN 1" OF TOP OF ADJACENT CURBS & SIDEWALKS.

4. DG INSTALL/PREP - PROVIDE PRE-EMERGENT HERBICIDE TO PLANTER SOILS, INSTALL DG, RAKE SMOOTH AND WATER TO FULL DEPTH OF DG, LET DRY AND LIGHTLY SCARIFY SURFACE RELEASING FINE LOOSE GRANULALS ON TOP LAYER.

5. REFER TO L&I FOR IRRIGATION SPECIFICATIONS

6. KEEP TREE PLANTING A MIN. OF 5'-0" FROM ALL SIDEWALKS. PLANTING WHICH EXCEEDS 24" IN HEIGHT ARE NOT PERMITTED WITHIN SIGHT VISIBILITY ZONES.

PLANT MATERIAL SCHEDULE

EQUIP REF	COMMON NAME / BOTANICAL NAME	QUANTITY	SIZE
	-	-	-
	-	-	-
	CHILEAN MESQUITE (THORNLESS) PROSOPIS CHILENSIS	25	24" BOX
	-	-	-
	MEXICAN FAN PALM (UNSKINNED) WASHINGTONIA ROBUSTA	6	10' BTH
	-	-	-
	JAPANESE BLOOD GRASS IMPERATA CYLINDRICA	19	5 GALLON
	-	-	-
	FOUNTAIN GRASS PENNISETUM SETACEUM	21	5 GALLON
	-	-	-
	LANTANA LANTANA CAMARA	80	1 GALLON
	PAMPAS GRASS CORTADERIA SELLOANA	3	5 GALLON
	-	-	-
	RED YUCCA HESPERALOE PARVIFLORA	8	5 GALLON
	ROCK OUTCROPPING FIELD LOCATION TBD W/ DESIGNER	-	TBD
	-	-	-

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www.arcglo.com | email: designfarm@aol.com
phone 702.491.4913 | fax 702.733.1253

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REVISED
10.12.04

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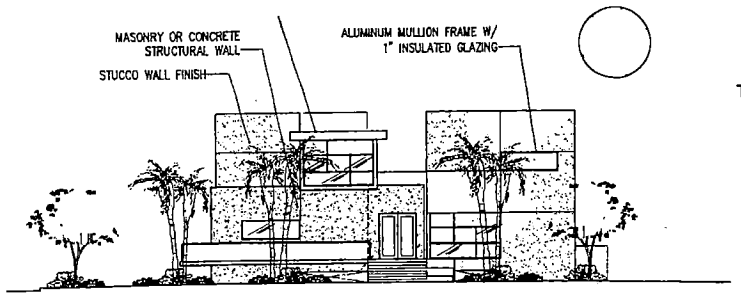
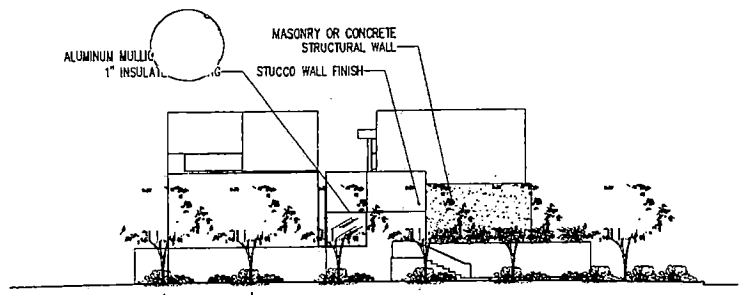


E JAMES BILBRAY ELEVATION
1" : 10'-0"

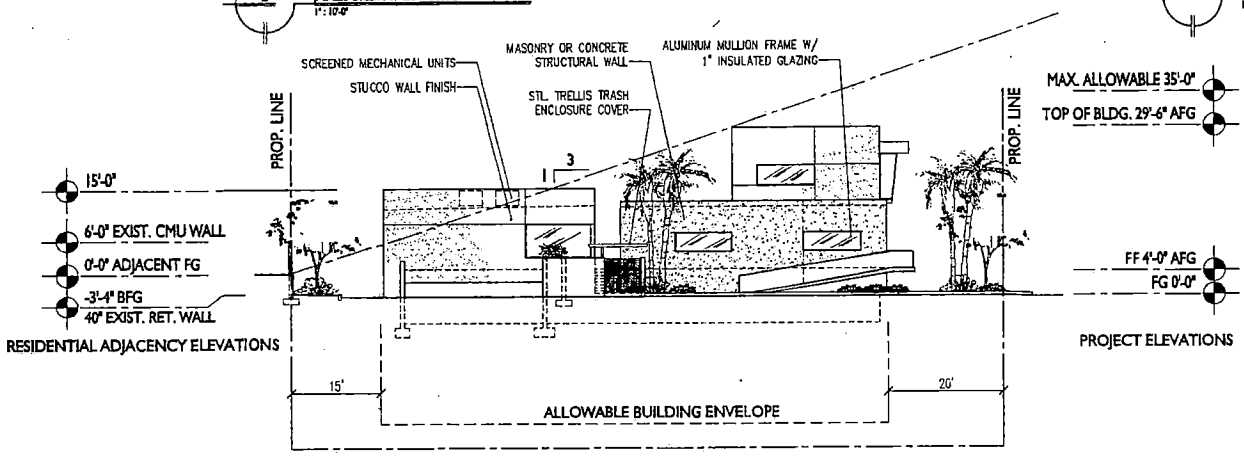
TOP OF BLDG. 30'-6" AFG

ALL PAINT COLORS TO BE DESERT PALLETTE AS RECOMMENDED BY CLV PLANNING & DEVELOPMENT

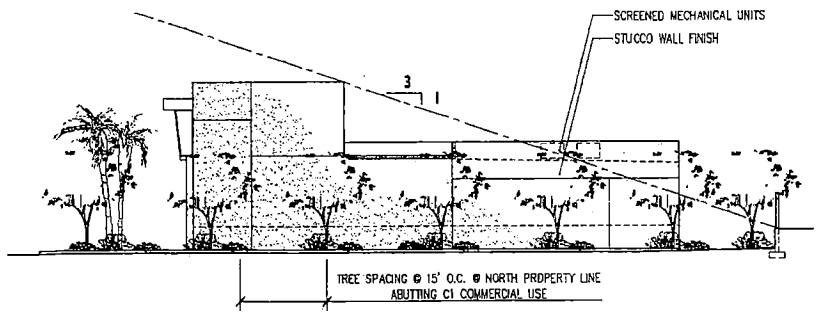
FF 4'-0" AFG
FG 0'-0"



W ELEVATION FROM RESIDENTIAL
1" : 10'-0"



S PARKING LOT ELEVATION
1" : 10'-0"



N ELEVATION @ COMMERCIAL SIDE
1" : 10'-0"

RECEIVED
OCT 12 2004

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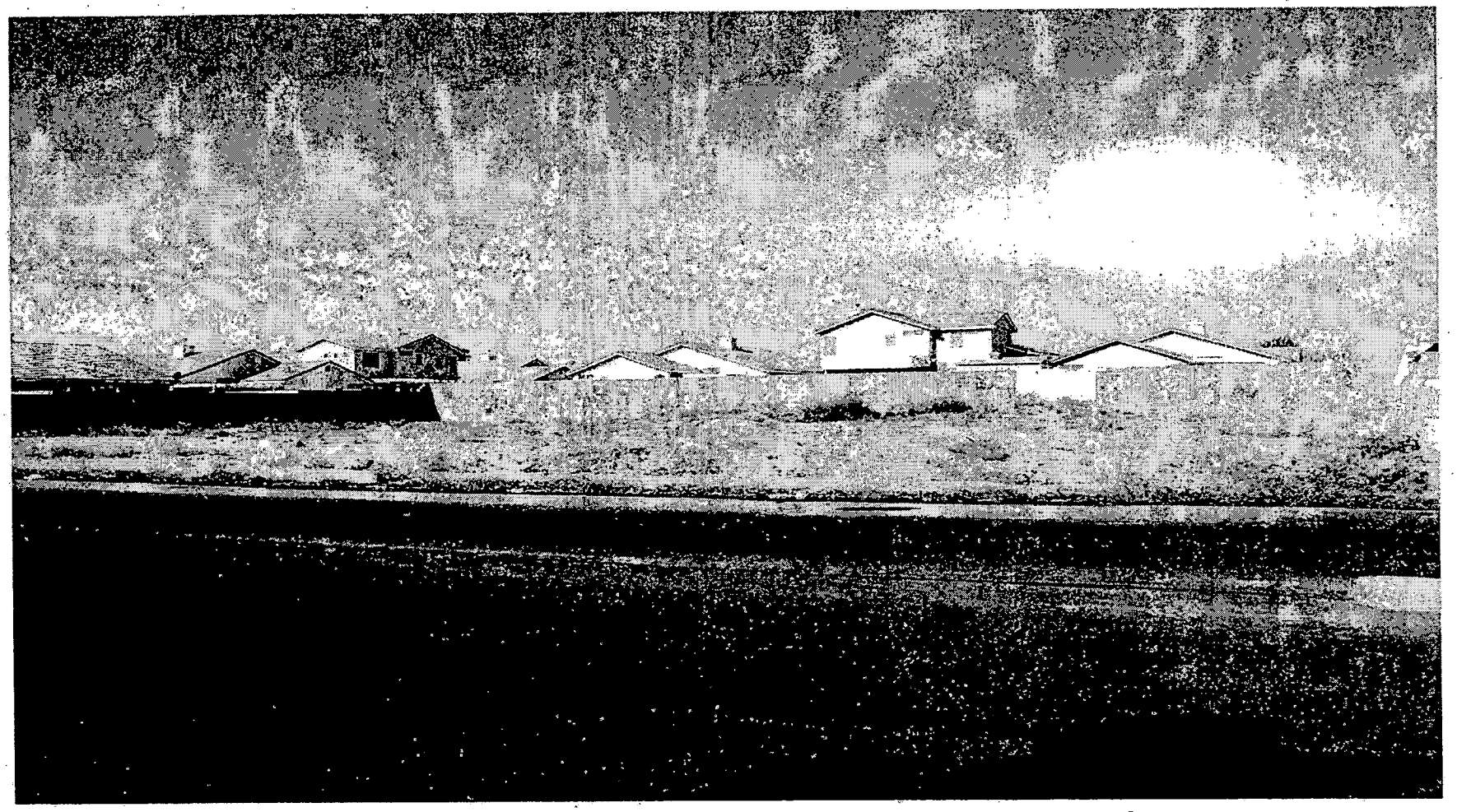
10/21/04 PC

REVISED
10.12.04



SDR-4978 - APPLICANT: LAS TUNIS, LLC - OWNER: CLARK COUNTY DEVELOPMENT CORPORATION
JAMES BILBRAY DRIVE APPROXIMATELY 120 FEET SOUTH OF SMOKE RANCH ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

8/26/04

City of Las Vegas

Agenda Item No.: 21

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:

ABEYANCE - GPA-5075 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGEMENT - Request to amend a portion of the Southwest Sector of the General Plan FROM: SC (SERVICE COMMERCIAL) AND ML (MEDIUM-LOW DENSITY RESIDENTIAL) TO M (MEDIUM DENSITY RESIDENTIAL) on 10.16 acres at 8324 West Charleston Boulevard (APN 138-33-401-015), Ward 2 (Wolfson).

C.C.: 11/17/04

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

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

To be heard by City Council 11/17/2004

MINUTES
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 21 [GPA-5075], Item 22 [ZON-5076], Item 23 [SDR-5077] and Item 24 [VAR-5336].

GARY LEOBOLD, Planning and Development, requested that the Commission vote on the Variance (Item 24) prior to the Site Development Plan Review (Item 23), so the order of motion was Item 21 [GPA-5075], Item 22 [ZON-5076], Item 24 [VAR-5336] and then Item 23 [SDR-5077]. CHAIRMAN TRUESDELL concurred.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 21 – GPA-5075

MINUTES – Continued:

MR. LEOBOLD then stated that the request is to amend a portion of the Southwest Sector of the General Plan from SC (Service Commercial) and ML (Medium Low Density Residential) to M (Medium Density Residential). The change will allow a residential density of up to 25 dwelling units per acre. The request is appropriate for this site because it is adjacent to other designated M parcels to the north and west.

Eight residents attended a neighborhood meeting and expressed concerns with traffic and having a traffic study done and potentially having the proposed residential homes end up as rental units. Since then, the applicant has revised the Site Plan.

The zoning request is for a RPD-14 that would allow for the development of 140 apartment units in 20 buildings across a 10-acre site. RPD-14 is within the 25 unit per acre density range permitted by the Medium Density Residential Land Use Designation and the proposed rezoning is appropriate for this site as it is adjacent to existing apartment and commercial developments. The rezoning would allow for this infill site to be appropriately redeveloped.

Regarding the Variance, the applicant designed the site in such a way that it moved several of the buildings back from the R-CL (Residential - Compact Lot) area of single family development that is in the northwest quadrant of the site. However, Building 7 did not meet the Residential Adjacency Standards. In addition, residents did not want a pool and recreation area behind their block wall so the plan was revised to replace it with parking and move the pool to the central portion of the site. As a result, two other buildings have been moved closer and it is not a minimum of 90 feet away. Although staff appreciated the applicant's efforts on redesigning the Site Plan, staff still recommended denial. A single gated entry to Charleston Boulevard provides access to the site with significant amounts of perimeter landscaping. The applicant has made efforts to ensure that potential visual impact on adjacent low density residential areas would be mitigated.

CHRIS KAEMPFER, Attorney, Kummer, Kaempfer, Bonner and Renshaw, appeared on behalf of the applicant. ATTORNEY KAEMPFER stated that a meeting was held with the residents; thereafter, he met with some of those neighbors to discuss their concerns regarding the Site Plan. He showed photos of the Site Plan and what the revisions were, i.e. the relocation of the pool, open space. He then met with the developer and changes on the Site Plan were implemented, which he showed photos to the Commission. He then concurred with staff's recommendations. In addition, he requested the addition of several conditions, which included no trash dumpsters on the premises; Mondale pines would be planted 20 feet on center along the north side adjacent to the single family homes; addition of trees within the parking stalls along the north side; the project would be a For Sale product only with no investor sales; and the parking on the north side would not be covered parking. ATTORNEY KAEMPFER pointed out that after agreeing with

MINUTES – Continued:

the residents to withdraw the Variance, he was informed by staff that the Variance would still be required in order for the set backs to meet the residential adjacency standards. He then apologized to the residents and asked for a condition requiring the set backs to be that of those shown on the Site Plan. He wanted to ensure that the residents are accepting of the Site Plan that was shown to them at the meeting. ATTORNEY KAEMPFER continued by stating there was an elevation issue with regard to one owner's property, which was located on the corner. Some of the land was built up on the developer's side and it will be graded down as far as possible to create less elevation. In addition, the applicant has agreed to look into and address an issue with the abutting wall that leans into the developer's property. He then expressed appreciation for the residents and their efforts in working with them. Additionally, he gave high regards and thanked staff for their expedient efforts in processing the paperwork on the revised Site Plan and ensuring that it would go forward and be heard at this meeting.

MICHAEL RILEY, 8301 Boseck Street, Las Vegas, NV, appeared on behalf of the La Quinta Homeowner's Association. His property is located north of the proposed development. He expressed concern with the existing perimeter wall adjacent to his property and questioned if the developer would be constructing another wall. ATTORNEY KAEMPFER responded that the developer's intent was to use the existing wall, but MR. RILEY vehemently opposed this. MR. RILEY felt that if there were pre-teen children living within the proposed development, the children would have to walk all the way out to Charleston Boulevard, down to Cimarron Street and back to Alta Drive to get to school. As a result, the children would climb the wall onto his property as a shortcut and save time. There are other properties to the east and west of the proposed development that children are climbing the walls and coming onto his property, but they have been adamantly opposing this and working on alleviating the problem as well. He then pointed out, for COMMISSIONER DAVENPORT, his property on the map, which was located behind Building 6 and 7. His unit overlooks the proposed property. He then asked what the distance was between Building 6 and 7 to the existing wall. Lastly, he commented that he was not invited to the meeting.

KIM KOZLOWSKI, 8257 Ogee Drive, expressed her appreciation for the applicant revising the Site Plan, as she was very pleased with the changes.

KLAUSE and DENISE WALL **(BERTRUM)**, residing at 8229 Ogee Drive, and MRS. **BERTRUM** commented that there was a neighborhood meeting held, but ATTORNEY KAEMPFER was not in attendance. She was pleased with the Site Plan. MR. **BERTRUM** then requested clarification of the Variance relative to Building 8 and 9, as he was concerned with the set back footage. ATTORNEY KAEMPFER responded that when the pool was relocated to the center of the proposed project, the buildings moved closer to the homes. He then clarified that it would be 81 feet to Building 9 and 72 feet to Building 8.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 21 – GPA-5075

MINUTES – Continued:

ATTORNEY KAEMPFER reiterated his appreciation for the residents working with them. He requested clarification as to whether or not there would be two six-foott walls immediately adjacent to each other, as this would create additional spacing. ROBERT GENZER, Planning and Development, responded that Condition 11 on the Site Plan Review is a standard condition, which stipulates the six foot measurement is from the side with the higher finished grade, so the wall may not be an issue. ATTORNEY KAEMPFER concurred.

VICE CHAIRMAN NIGRO asked if ATTORNEY KAEMPFER'S request regarding the additional conditions was already a part of staff's conditions. MR. LEOBOLD responded that staff has reviewed the requested conditions and agreed to include them as conditions. VICE CHAIRMAN NIGRO then stated that the incorporated revisions to the Site Plan made it a better development for the entire neighborhood. In addition, the Variance regarding the residential adjacency standards would be acceptable because the plan meets the intent of the Code and works for the residents as well.

COMMISSIONER EVANS added that he would support the application and expressed gratitude for the applicant's efforts and concessions made in making this project work.

ATTORNEY KAEMPFER pointed out that the residents would not see a two-story building until they are at least approximately 90 feet within the project.

COMMISSIONER DAVENPORT attested MR. RILEY'S previous comment regarding children climbing the wall and using it as a shortcut to the school, as this is a problem in a neighborhood near his residence. He then stated he would support the proposed project and asked the applicant to work with the residents on finding a solution to this problem.

ATTORNEY KAEMPFER confirmed for MR GENZER that his client has assured him Republic Services would be responsible for picking up trash.

DAVID GUERRA, Public Works, confirmed for CHAIRMAN TRUESDELL that Public Works did not see any conflict with the alignment of the driveways because of the direction of the turns for left turns. In addition, the applicant would have to obtain approval from Nevada Department of Transportation (NDOT), in which NDOT would have control over the positioning and location of the driveways.

MR. LEOBOLD confirmed for VICE CHAIRMAN NIGRO that Condition 15 on Item 23 [SDR-5077] would be amended to reflect the correct date stamp of the site plan, which would be October 21, 2004.

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 21 – GPA-5075

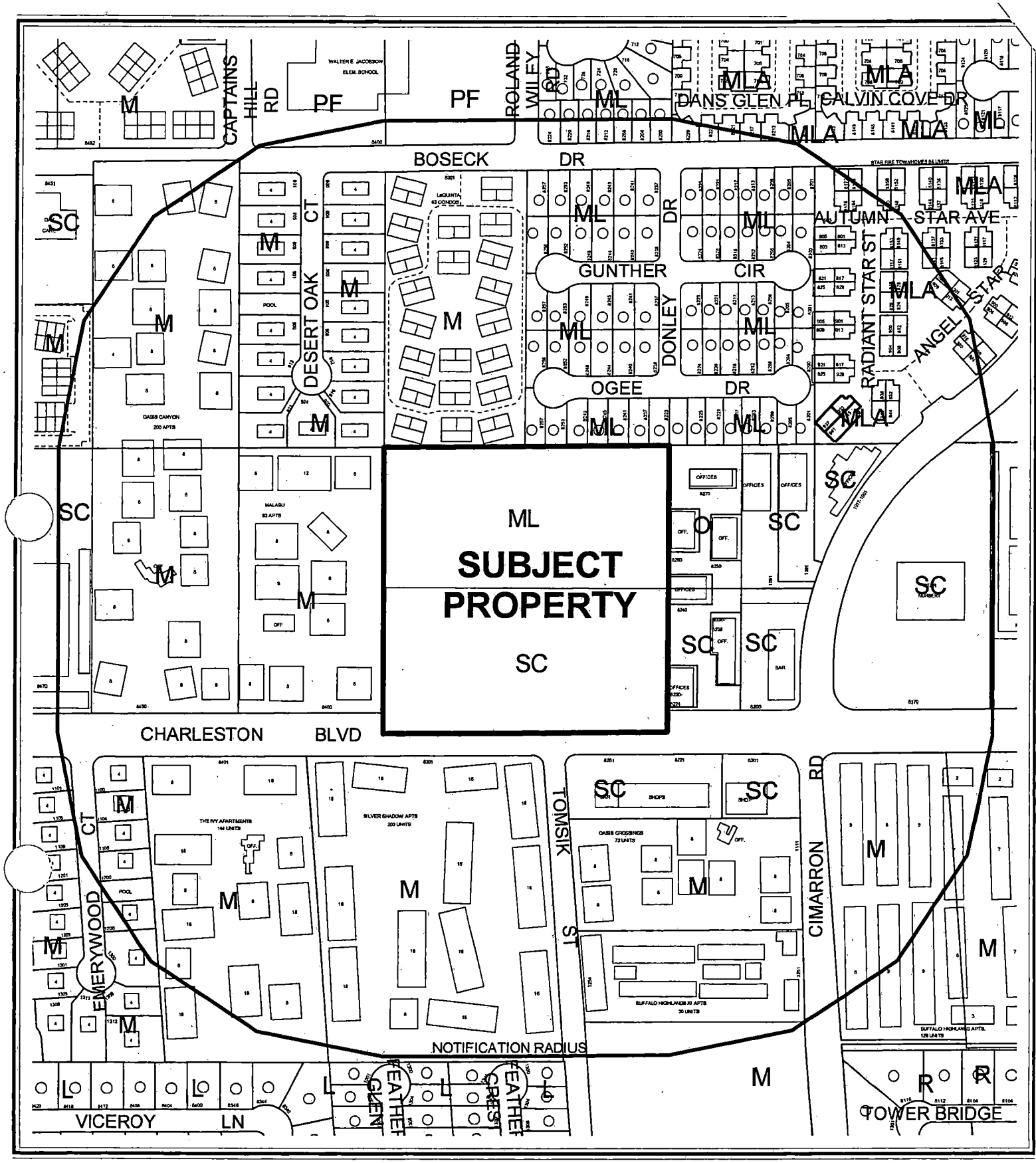
MINUTES – Continued:

CHAIRMAN TRUESDELL thanked the residents for working with the applicant in resolving their concerns and coming up with a project that is acceptable to everyone. ATTORNEY KAEMPFER concurred.

In light of the lateness of the meeting and the large number of individuals in the audience, COMMISSIONER EVANS asked that everyone would be considerate of each other's time and make their comments succinct and non-repetitive so the meeting could progress forward..

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 21 [GPA-5075], Item 22 [ZON-5076], Item 23 [SDR-5077] and Item 24 [VAR-5336].

(7:15 – 7:43)

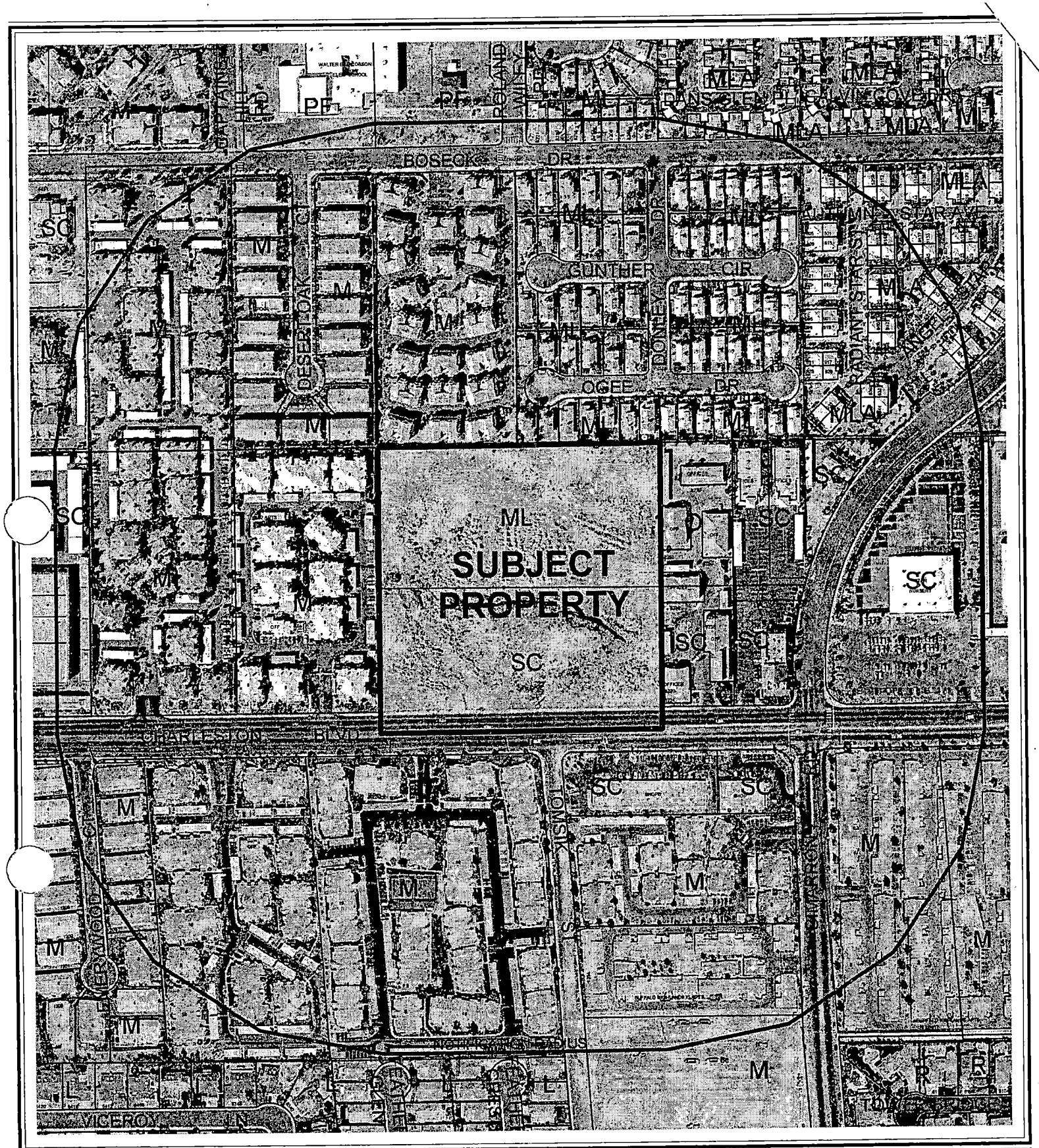


CASE: **GPA-5075**

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
ML (MEDIUM-LOW DENSITY RESIDENTIAL) AND SC (SERVICE COMMERCIAL)

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



CASE: **GPA-5075**

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
ML (MEDIUM-LOW DENSITY RESIDENTIAL) AND SC (SERVICE COMMERCIAL)

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - GPA-5075 - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGMENT

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located adjacent to the north side of Charleston Boulevard, approximately 330 feet west of Cimarron Road from SC (Service Commercial) and ML (Medium Low Density Residential) to M (Medium Density Residential).

BACKGROUND DATA:

03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.
08/18/99	The City Council approved GPA-0023-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre.
08/18/99	The City Council approved GPA-0014-99 to amend portions of the Southwest Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Southwest Sector Area as described in the Plan.
10/07/04	The Planning Commission voted to hold this item in abeyance to the October 21, 2004 Planning Commission meeting to allow the application to be heard with a companion Variance request (VAR-5336) regarding Residential Adjacency Standards. The related Rezoning (ZON-5076) and Site Development Plan Review (SDR-5077) were also held in abeyance. Special Use Permit (SUP-5078) was deemed unnecessary and was stricken from the agenda.

DETAILS OF APPLICATION REQUEST

Site Area: 10.16 Acres

EXISTING LAND USE

Subject Property	Undeveloped
North	Single-family Residential, Multi-family Residential
South	Commercial, Multi-family Residential
East	Office
West	Multi-family Residential

PLANNED LAND USE

Subject Property	SC (Service Commercial) ML (Medium Low Density Residential)
North	M (Medium Density Residential) ML (Medium Low Density Residential)
South	SC (Service Commercial) M (Medium Density Residential)
East	SC (Service Commercial O (Office)
West	M (Medium Density Residential)

EXISTING ZONING

Subject Property	U (Undeveloped) Zone [SC (Service Commercial) and ML (Medium-Low Density Residential) General Plan Designations]
North	R-PD12 (Residential Planned Development – 12 Units Per Acre), R-CL (Single-family Residential Compact-Lots)
South	R-3 (Medium Density Residential) C-1 (Limited Commercial)
East	P-R (Professional Office and Parking District) C-1 (Limited Commercial)
West	R-PD18 (Residential Planned Development – 18 Units Per Acre)

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

DEFINITIONS

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

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

SC (Service Commercial)
The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

ANALYSIS

The request is to amend a portion of the Southwest Sector of the General Plan from SC (Service Commercial) and ML (Medium Low Density Residential) to M (Medium Density Residential). The change will allow a residential density of up to 25 dwelling units per acre. The request is appropriate given the subject site's proximity to other M (Medium Density Residential) designated parcels to the north, south, and west. The subject property is currently undeveloped, and access is provided from Charleston Boulevard, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways.

FINDINGS

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

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations;

2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts;

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

4. The proposed amendment conforms to other applicable adopted plans and policies, which include approved neighborhood plans.

In regard to "1": The M (Medium Density Residential) land use designation is appropriate given the subject site's proximity to other parcels in the area which are developed with densities and uses compatible with the proposed General Plan Amendment.

In regard to "2": The zoning designations allowed by the proposed amendment are residential in nature, and will be compatible with the existing adjacent land uses and zoning districts in the area.

In regard to "3": There are adequate transportation, recreation, utility, and other facilities to accommodate the proposed residential project. The Southwest Area Command of the Las Vegas Metropolitan Police Department services the site with a substation at 5925 Spring Mountain Road (located east of Jones Boulevard). Fire Station #2, located at 900 South Durango Drive, is the closest city facility to the site.

In regard to "4": There are no other plans or policies that would be applicable.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

09/07/04 A neighborhood meeting was held and the eight persons who attended had the following comments:

- Expressed concern regarding the effect on traffic caused by the proposed development.
- Had a traffic study been conducted? The applicant stated that one had been completed, but had not been reviewed by the City as of yet.
- Expressed concern that similar developments in the area have been purchased by investors and then rented out.
- Asked if the Applicant could include additional language in their deed restrictions to further discourage purchase by investors.

NOTICES MAILED: 291 – Mailed with ZON-5076, SUP-5078 and SDR-5077

APPROVALS: 0

PROTESTS: 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-5075 APN: 138-33-401-015

Name of Property Owner: USA - Bureau of Land Management

Name of Applicant: PN II Inc. dba 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 ____XX____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: ~~Jeremy Fritz~~ Don Goetsche

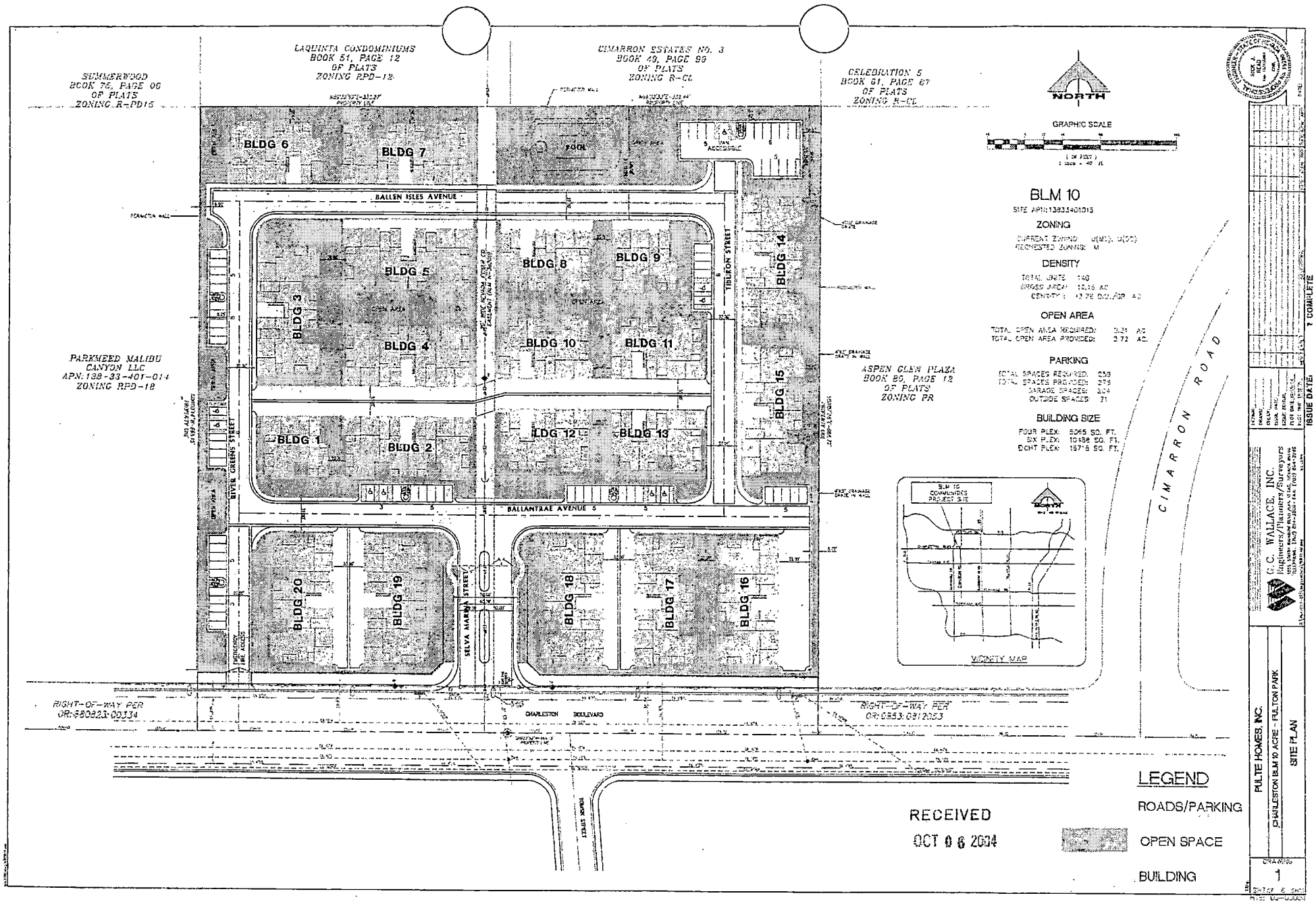
Subscribed and sworn before me

This 19th day of AUGUST, 2004

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
GINA R. BROWN
No: 93-4425-1
My Appointment Expires Aug. 26, 2005



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GPA-5075
ZON-5076
SDR-5077
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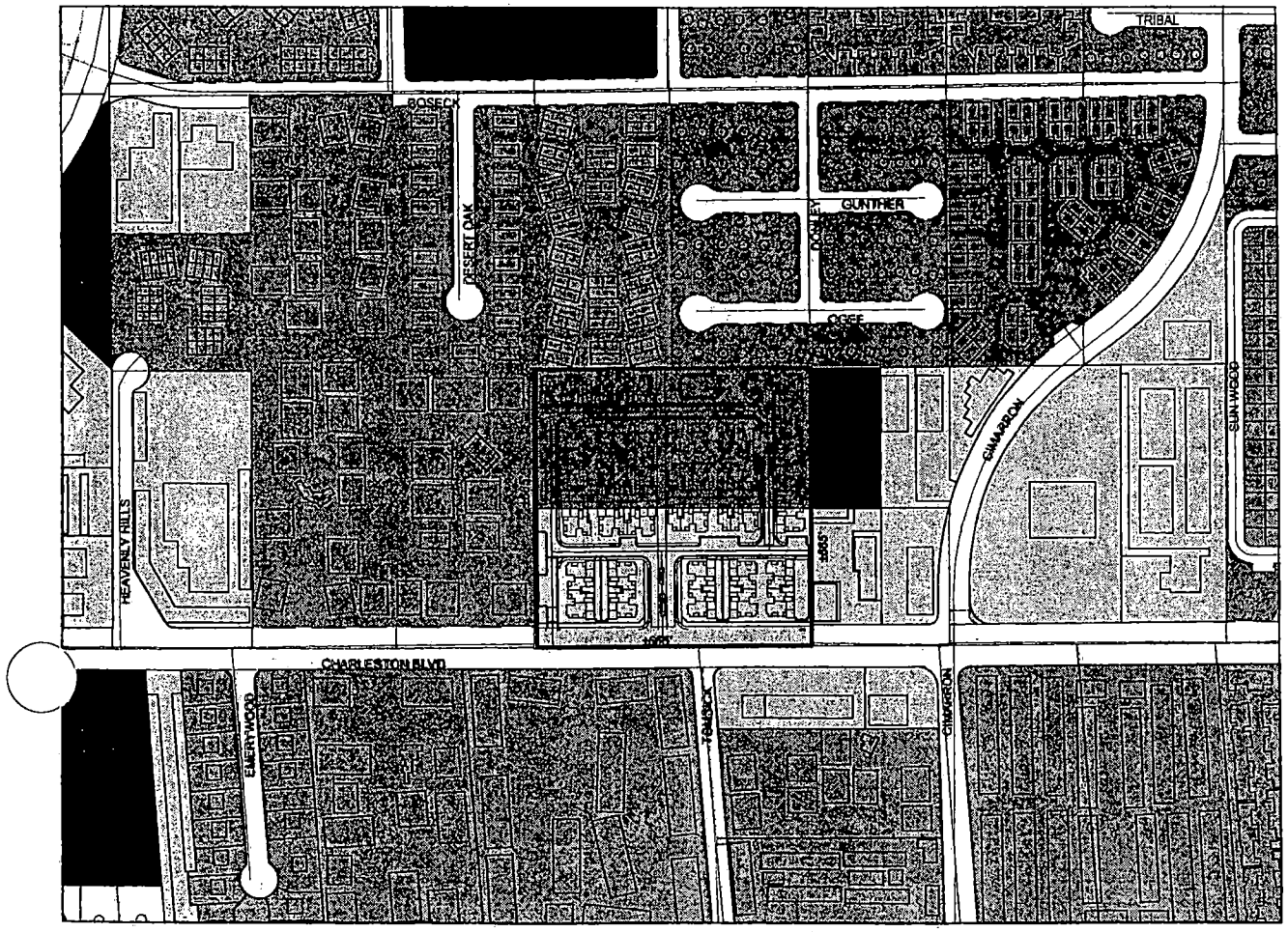

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FULTON PARK

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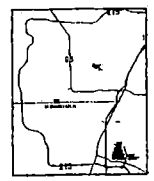
LOCATION INDEX



DISPLAY USE ONLY
G.C.Wallace assumes no liability for the accuracy of the data contained hereon.

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G.C. WALLACE, INC.

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GPA-5075
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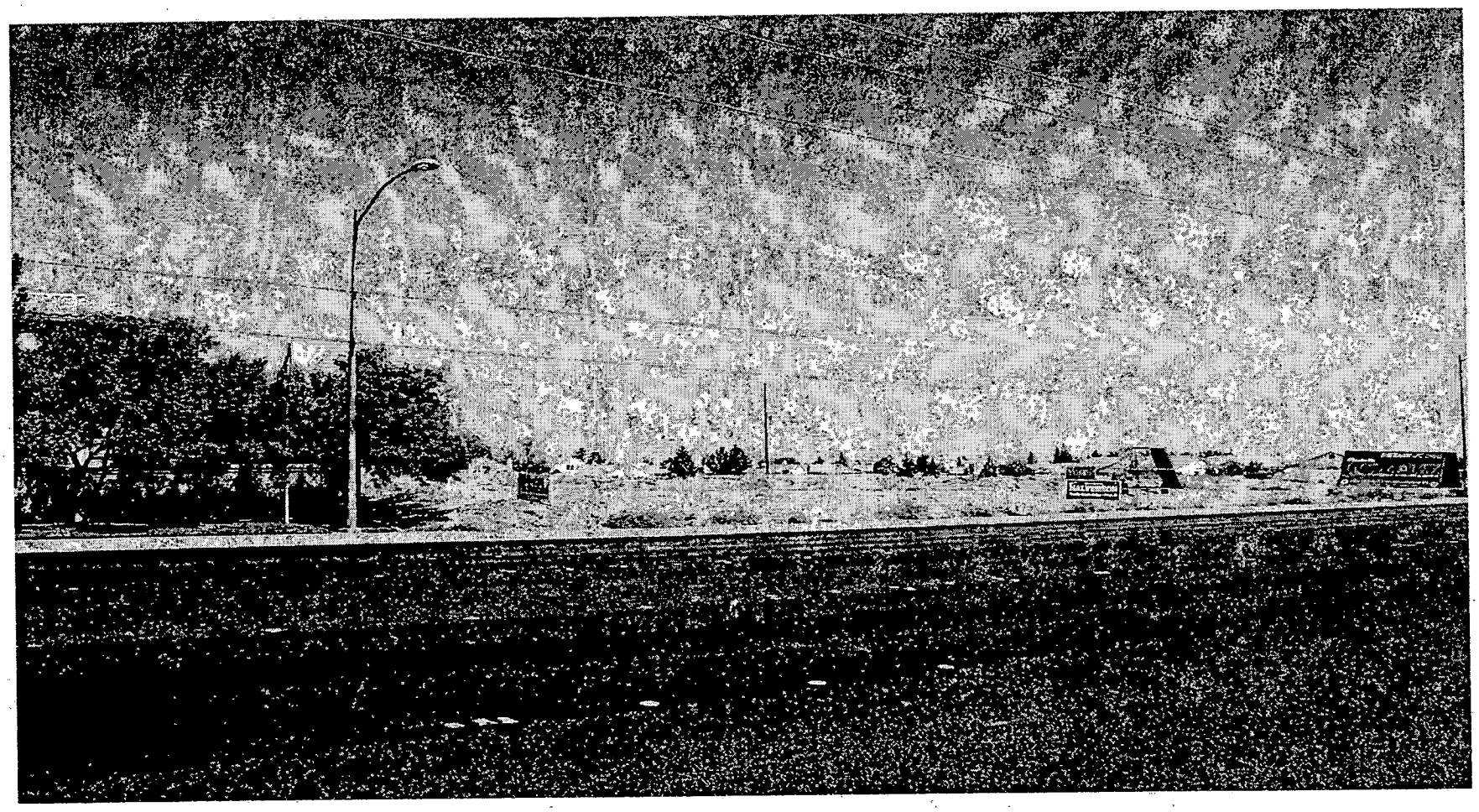


GPA-5075 - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGEMENT
8324 WEST CHARLESTON BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No.: 22

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
ABEYANCE - ZON-5076 – REZONING RELATED TO GPA-5075 - PUBLIC HEARING - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGEMENT - Request for a Rezoning FROM: U (UNDEVELOPED) [SC (SERVICE COMMERCIAL) AND ML (MEDIUM-LOW DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATIONS] TO: R-PD14 (RESIDENTIAL PLANNED DEVELOPMENT - 14 UNITS PER ACRE) on 10.16 acres at 8324 West Charleston Boulevard (APN 138-33-401-015), Ward 2 (Wolfson).

C.C.: 11/17/04

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

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

To be heard by City Council 11/17/2004

MINUTES:
See Item 21 [GPA-5075] for all related discussion on Item 21 [GPA-5075], Item 22 [ZON-5076], Item 23 [SDR-5077] and Item 24 [VAR-5336].

(7:15-7:43)

1-2707

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 22 – ZON-5076

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-5075) to an M (Medium Density Residential) land use designation approved by the City Council.

2. A Resolution of Intent with a two-year time limit.

3. A Site Development Plan Review application (SDR-5077) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate 50 feet of right-of-way adjacent to this site for Charleston Boulevard.

5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

6. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the public right-of-way adjacent to this site prior to the issuance of any permits.

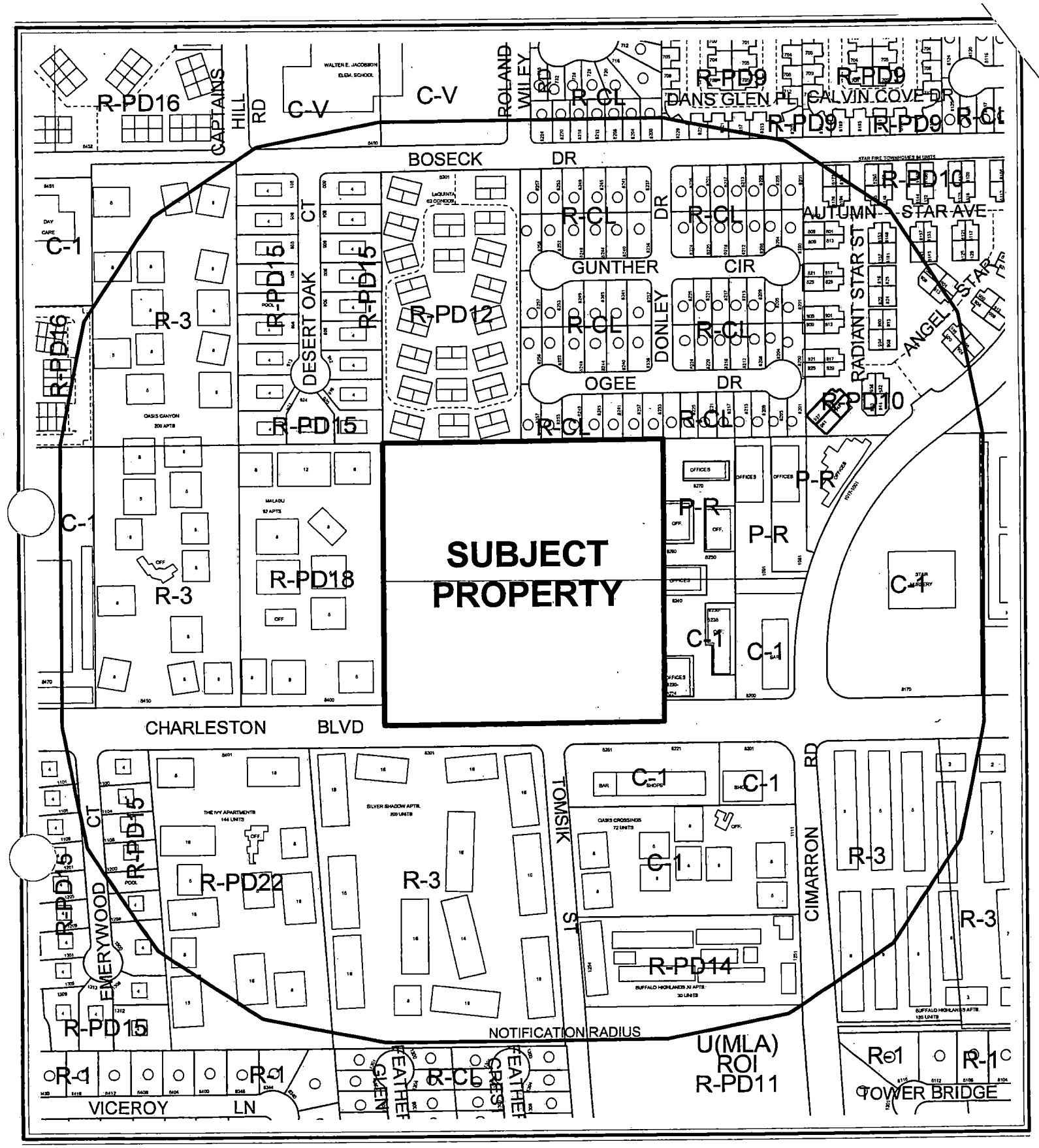
7. The submitted Traffic Impact Analysis must be approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. 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.

8. 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

PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 22 – ZON-5076

CONDITIONS – Continued:

determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

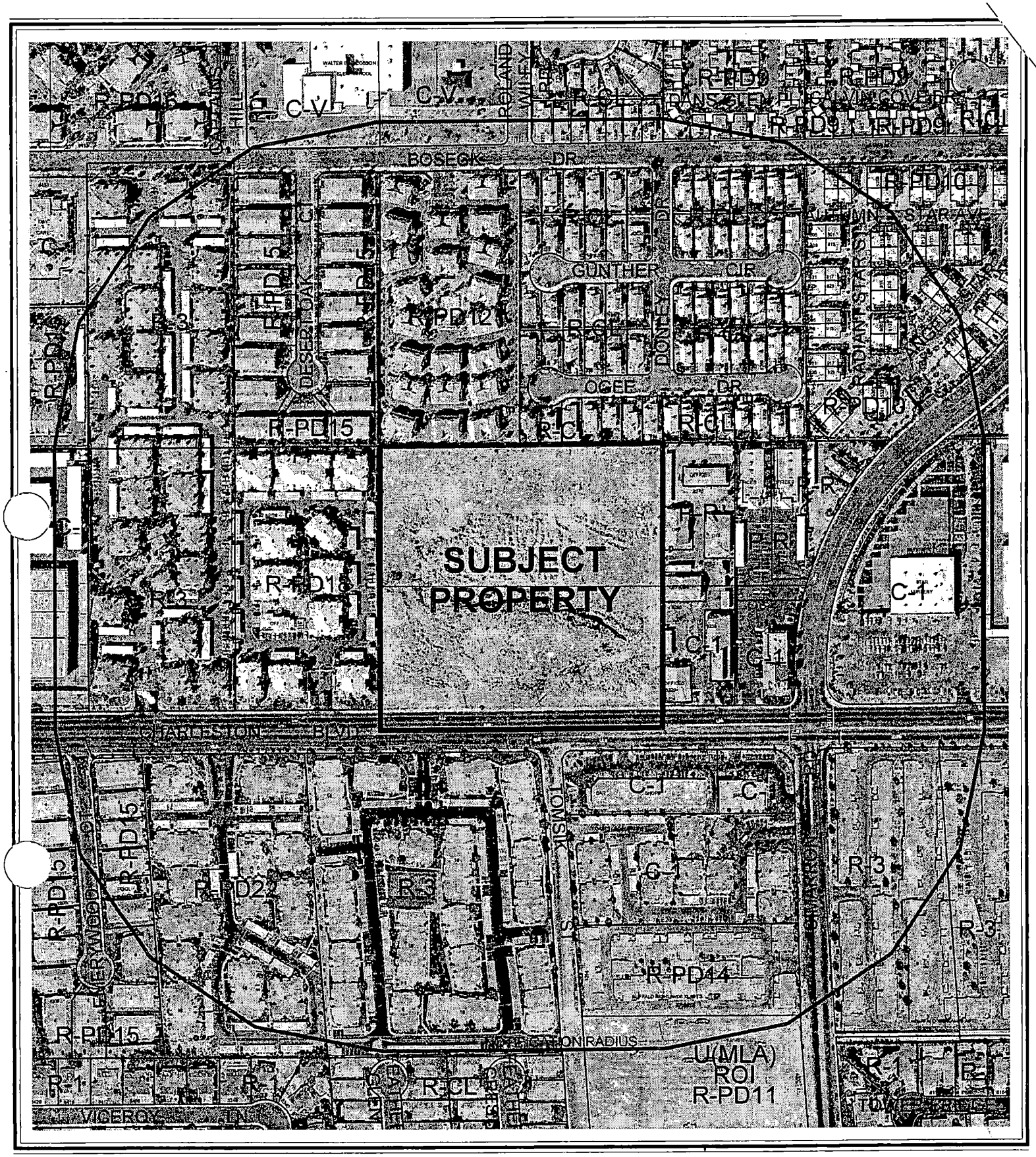


CASE: **ZON-5076**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) AND ML (MEDIUM-LOW DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD14 (RESIDENTIAL PLANNED DEVELOPMENT - 14 UNITS PER ACRE)



CASE: **ZON-5076**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) AND ML (MEDIUM-LOW DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD14 (RESIDENTIAL PLANNED DEVELOPMENT - 14 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - ZON-5076 - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGMENT

** CONDITIONS **

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

Planning and Development

1. A General Plan Amendment (GPA-5075) to an M (Medium Density Residential) land use designation approved by the City Council.

2. A Resolution of Intent with a two-year time limit.

3. A Site Development Plan Review application (SDR-5077) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate 50 feet of right-of-way adjacent to this site for Charleston Boulevard.

5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

6. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the public right-of-way adjacent to this site prior to the issuance of any permits.

7. The submitted Traffic Impact Analysis must be 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. 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.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Rezoning from U (Undeveloped) Zone [ML (Medium-Low Density Residential) and SC (Service Commercial) General Plan Designations] to R-PD14 (Residential Planned Development - 14 Units Per Acre) Zone on approximately 10 acres adjacent to Charleston Boulevard approximately 650 feet west of Cimarron Road.

B) Applicant's Justification

The applicant has justified this request by stating that this zoning district is compatible with the zoning of adjacent and nearby parcels, and would be compatible with the requested companion General Plan land use designation.

BACKGROUND INFORMATION

A) Previous Actions

10/03/84 The City Council approved a request to annex (A-0013-84) 365 acres of land including the subject site. The effective date was October 12, 1984.

10/07/04 The Planning Commission will consider companion applications for a General Plan Amendment (GPA-5075) from ML (Medium-Low Density Residential) and SC (Service Commercial) to M (Medium Density Residential), a Variance (VAR-5336) to allow a reduction in Residential Adjacency Standards, and a Site Development Plan Review (SDR-5077) for a 140-unit apartment project on the subject site, concurrently with this request.

B) Pre-Application Meeting

08/11/04 At the pre-application meeting, the applicant was advised of the various submission requirements, including a number of Public Works issues, including the need to line the entrance up with Tomsik Street to the south, and the need to obtain access approval from the Nevada Department of Transportation.

GL

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 9.98

B) Existing Land Use

Subject Property:	Undeveloped
North:	Apartments
	Single Family Dwellings
South:	Apartments
East:	Office Park
West:	Apartments

C) Planned Land Use

Subject Property:	ML (Medium-Low Density Residential)
	SC (Service Commercial)
North:	ML (Medium-Low Density Residential)
	M (Medium Density Residential)
South:	SC (Service Commercial)
	M (Medium Density Residential)
East:	O (Office)
	SC (Service Commercial)
West:	M (Medium Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone [ML (Medium-Low Density Residential) and SC (Service Commercial) General Plan Designations]
North:	R-PD12 (Residential Planned Development - 12 Units Per Acre)
	R-CL (Single Family Compact Lot)
South:	C-1 (Limited Commercial)
	R-3 (Medium Density Residential)
East:	P-R (Professional Office and Parking)
	C-1 (Limited Commercial)
West:	R-PD18 (Residential Planned Development - 18 Units Per Acre)

E) General Plan Compliance

The Southwest Sector Plan Map of the General Plan designates this site as ML (Medium-Low Density Residential) and SC (Service Commercial). A companion General Plan Amendment (GPA-5075) will redesignate this site to M (Medium Density Residential), which allows a density range of up to 25 units per acre. The proposed zoning change to the R-PD14 (Residential Planned Development - 14 Units Per Acre), which allows up to 14.49 units per acre, is in conformance with the M (Medium Density Residential) land use 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**

There are no Special Area Plans, Overlay Districts, Trails, Rural Preservation Neighborhoods or other planning policies that affect this site.

FINDINGS

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

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

   The existing General Plan designations of the subject site are ML (Medium-Low Density Residential) and SC (Service Commercial). A companion General Plan Amendment (GPA-5075) will redesignate this site to M (Medium Density Residential), which allows a density range of up to 25 units per acre. The proposed zoning change to the R-PD14 (Residential Planned Development - 14 Units Per Acre), which allows up to 14.49 units per acre, is in conformance with the M (Medium Density Residential) land 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 proposed development that is shown on the companion Site Development Plan to this rezoning application (SDR-5077) is intended to comply with both the M (Medium Density Residential) land use designation and the proposed R-PD14 (Residential Planned Development – 14 Units Per Acre) zoning. The proposed project will be compatible with apartment development to the west, north and south of the site. Where single-family development is adjacent to the site to the northeast, the applicant is proposing to place the pool area and a parking area, to minimize any potential negative impact by the project on these single-family areas.

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

The subject site represents an infill parcel surrounded by a mix of apartment development to the west, north and south. The development of apartment uses on the site, with appropriate measures to mitigate any potential impact on the adjacent single-family uses, is a logical use of the site. Use of this site for apartment development will represent an extension of a significant concentration of apartment development along this portion of the Charleston Boulevard corridor.

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 subject site has access to Charleston Boulevard, designated as a Primary (100-foot) Arterial on the Master Plan of streets and Highways. Charleston Boulevard will be adequate to meet the requirements of the proposed zoning district.

NOTICES MAILED 291 [Mailed with GPA-5075, SDR-5077 and SUP-5078]

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5076 APN: 138-33-401-015

Name of Property Owner: USA - Bureau of Land Management

Name of Applicant: PN II Inc. dba 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 ____XX____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

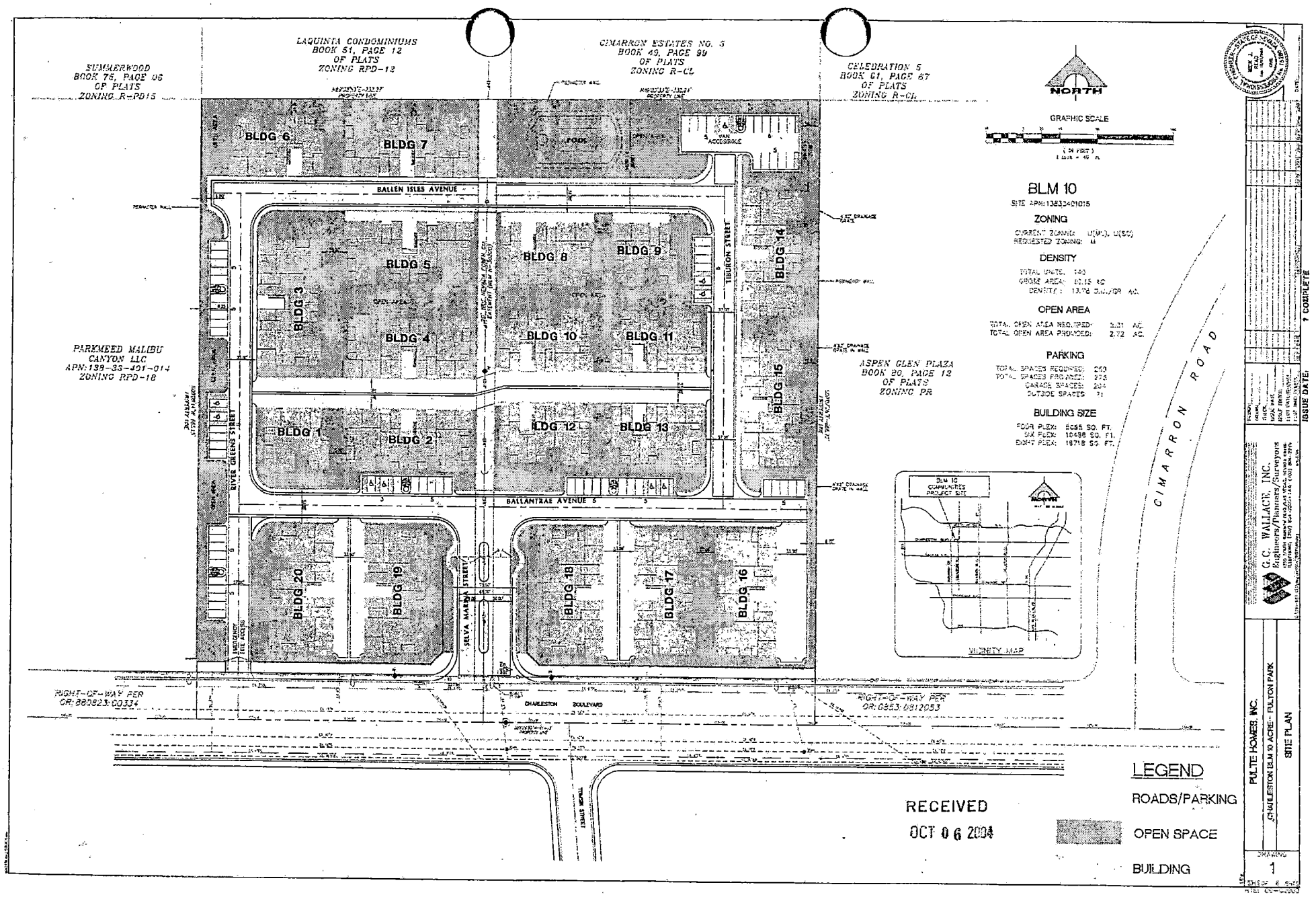
Print Name: ~~Jeremy Fritz~~ Don Bethurem

Subscribed and sworn before me

This 19th day of AUGUST, 2004

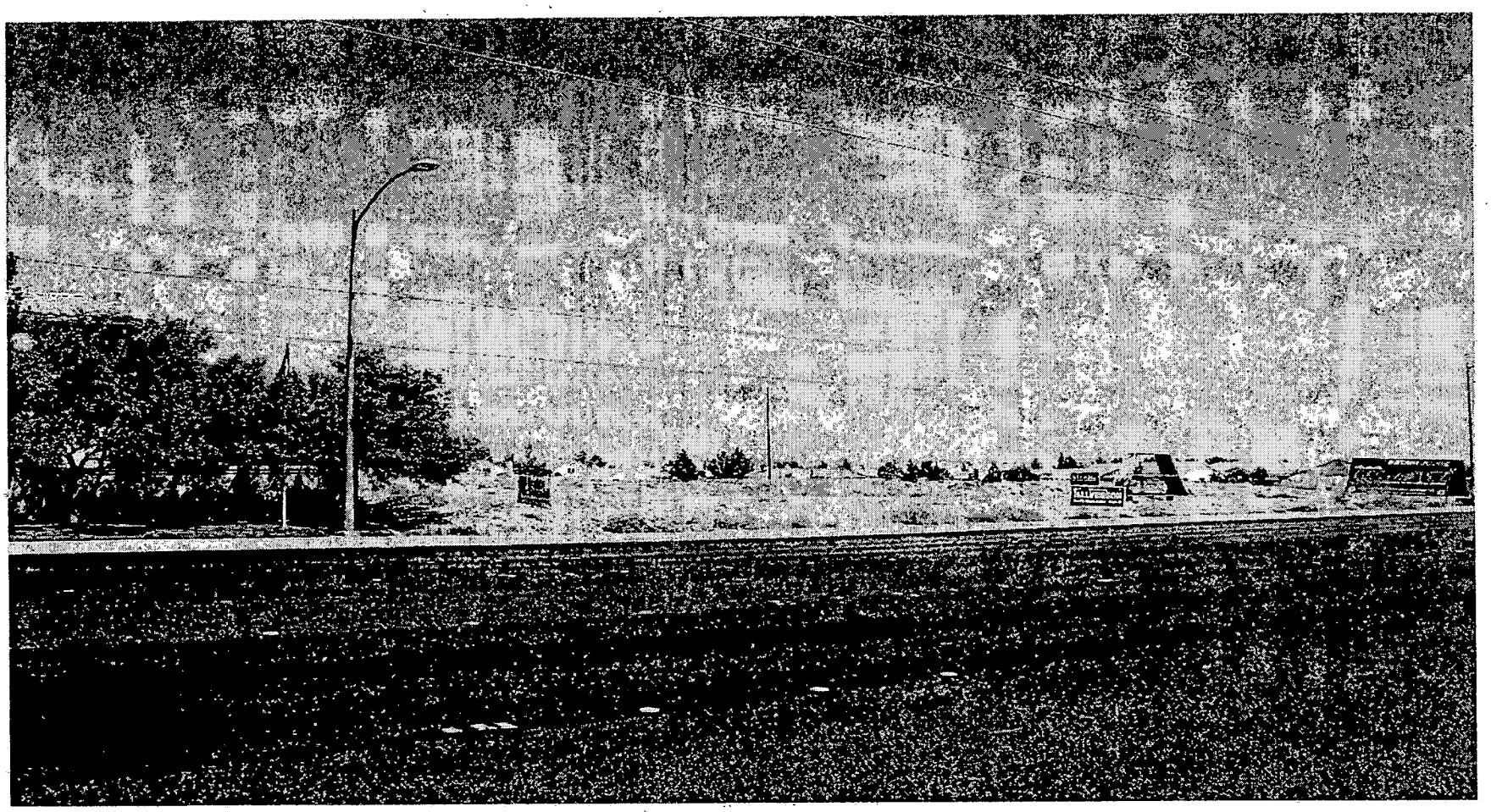
_____
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
GINA R. BROWN
93-4425-1
My Appointment Expires Aug. 28, 2005



REVISED
10.6.04

GPA-5075
ZON-5076
SDR-5077
10/21/04 PC



ZON-5076 - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGEMENT
8324 WEST CHARLESTON BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No.: 23

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-5077 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5075, ZON-5076 - PUBLIC HEARING - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGEMENT - Request for a Site Development Plan Review FOR A PROPOSED 140-UNIT CONDOMINIUM DEVELOPMENT on 10.16 acres at 8324 West Charleston Boulevard (APN 138-33-401-015), U (Undeveloped) Zone [SC (Service Commercial) and ML (Medium-Low Density Residential) General Plan Designations] [PROPOSED: R-PD14 (Residential Planned Development - 14 Units Per Acre)], Ward 2 (Wolfson).

C.C.: 11/17/04

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

RECOMMENDATION:
Staff recommends APPROVAL.

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

MOTION:
NIGRO – APPROVED subject to conditions, amending the following condition:

15. All development shall be in conformance with the site plan and building elevations, date stamped *October 21, 2004*, except as amended by conditions herein.

and adding the following conditions:

- ***No trash dumpsters will be allowed on the site.***
- ***Mondale pine trees will be planted 20 feet on center along the north side adjacent to the single family homes.***
- ***Additional trees will be placed within the parking stalls along the north side, as shown on the site plan.***
- ***No covered parking spaces on the north side.***
- ***The project will be a "For Sale" product only with no investor sales.***
- ***Set backs from the north property line will be maintained, as shown on the site plan.***

MINUTES – Continued:
See Item 21 [GPA-5075] for all related discussion on Item 21 [GPA-5075], Item 22 [ZON-5076], Item 23 [SDR-5077] and Item 24 [VAR-5336].

(7:15-7:43)
1-2707

CONDITIONS:
Planning and Development

1. A General Plan Amendment (GPA-5075) to M (Medium Density Residential), a Rezoning [ZON-5076] to an R-PD14 (Residential Planned Development - 14 Units per Acre) Zoning District, and a Variance (VAR-5336) to allow a reduction in Residential Adjacency Standards, 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, except as amended by conditions herein.

4. 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 redesign of Building 7, unless companion Variance (VAR-5336) is approved, and to illustrate how trash collection will be handled and where on-site collection points will be located.

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. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.

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.

CONDITIONS – Continued:

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 Title 19.12.050.

11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. Perimeter wall details for any proposed new walls shall be indicated by the applicant on the revised site plan.

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

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

14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

15. All development shall be in conformance with the site plan and building elevations, date stamped October 6, 2004, except as amended by conditions herein.

Public Works

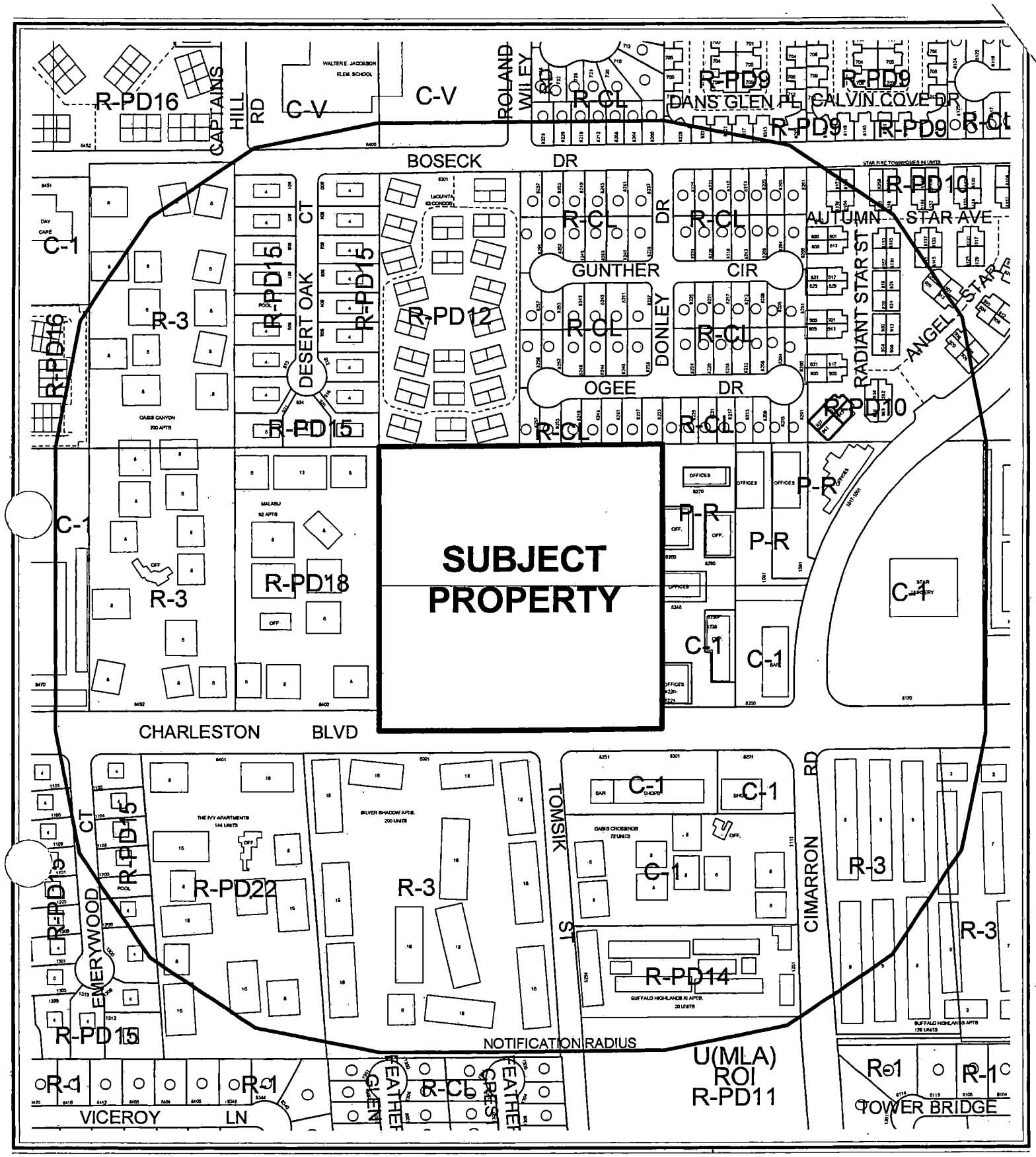
16. Site development to comply with all applicable conditions of approval for ZON-5076 and all other subsequent site-related actions.

17. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

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

CONDITIONS – Continued:

City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.



0 200 400 Feet

CASE: **SDR-5077**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) AND ML (MEDIUM-LOW DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD14 (RESIDENTIAL PLANNED DEVELOPMENT - 14 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SDR-5077 - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGMENT

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** Subject to:

Planning and Development

1. A General Plan Amendment (GPA-5075) to M (Medium Density Residential), a Rezoning [ZON-5076] to an R-PD14 (Residential Planned Development - 14 Units per Acre) Zoning District, and a Variance (VAR-5336) to allow a reduction in Residential Adjacency Standards, 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.

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4. 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 redesign of Building 7, unless companion Variance (VAR-5336) is approved, and to illustrate how trash collection will be handled and where on-site collection points will be located.

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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.

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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. Perimeter wall details for any proposed new walls shall be indicated by the applicant on the revised site plan.

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

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

14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

15. All development shall be in conformance with the site plan and building elevations, date stamped October 6, 2004, except as amended by conditions herein.

Public Works

16. Site development to comply with all applicable conditions of approval for ZON-5076 and all other subsequent site-related actions.

17. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review for a 140-unit apartment project on approximately 10 acres adjacent to Charleston Boulevard approximately 650 feet west of Cimarron Road.

B) Applicant's Justification

The applicant has justified this request by stating that this request will allow for the development of an apartment project that will be compatible with the existing apartment development of adjacent and nearby parcels.

BACKGROUND INFORMATION

A) Previous Actions

10/03/84 The City Council approved a request to annex (A-0013-84) 365 acres of land including the subject site. The effective date was 10/12/84.

10/07/04 The Planning Commission approved a request to abey an application for a General Plan Amendment (GPA-5075) from ML (Medium-Low Density Residential) and SC (Service Commercial) to M (Medium Density Residential), on the subject site, to its 10/21/04 meeting.

10/21/04 The Planning Commission will consider companion applications for a General Plan Amendment (GPA-5075) from ML (Medium-Low Density Residential) and SC (Service Commercial) to M (Medium Density Residential), a Rezoning (ZON-5076) from U (Undeveloped) Zone [ML (Medium-Low Density Residential) and SC (Service Commercial) General Plan Designations] to R-PD14 (Residential Planned Development - 14 Units Per Acre) Zone, a Site Development Plan Review (SDR-5077) for a 140-unit apartment project on the subject site, and a Variance (VAR-5336) to allow a reduction in Residential Adjacency Standards, concurrently with this request.

GL

B) Pre-Application Meeting

08/11/04 At the pre-application meeting, the applicant was advised of the various submission requirements, including a number of Public Works issues, including the need to line the entrance up with Tomsik Street to the south, and the need to obtain access approval from the Nevada Department of Transportation.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 9.98

B) Existing Land Use

Subject Property:	Undeveloped
North:	Apartments
	Single Family Dwellings
South:	Apartments
East:	Office Park
West:	Apartments

C) Planned Land Use

Subject Property:	ML (Medium-Low Density Residential)
	SC (Service Commercial)
North:	ML (Medium-Low Density Residential)
	M (Medium Density Residential)
South:	SC (Service Commercial)
	M (Medium Density Residential)
East:	O (Office)
	SC (Service Commercial)
West:	M (Medium Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone [ML (Medium-Low Density Residential) and SC (Service Commercial) General Plan Designations]
North:	R-PD12 (Residential Planned Development - 12 Units Per Acre)
	R-CL (Single Family Compact Lot)
South:	C-1 (Limited Commercial)
	R-3 (Medium Density Residential)
East:	P-R (Professional Office and Parking)
	C-1 (Limited Commercial)
West:	R-PD18 (Residential Planned Development - 18 Units Per Acre)

GL

E) General Plan Compliance

The Southwest Sector Plan Map of the General Plan designates this site as ML (Medium-Low Density Residential) and SC (Service Commercial). A companion General Plan Amendment (GPA-5075) will redesignate this site to M (Medium Density Residential), which allows a density range of up to 25 units per acre. The proposed use conforms to the allowable uses and density range within 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**

There are no Special Area Plans, Overlay Districts, Trails, Rural Preservation Neighborhoods or other planning policies that affect this site.

PROJECT DESCRIPTION

The project will consist of 140 apartment units in 20 buildings spread across the subject site. Twelve of these structures are proposed as eight-plexes, six are six-plexes, and two are four-plexes. These buildings are all two-story, with low-angle pitched tile roofs and recessed balconies. Of the 140 units, 38 are one-bedroom units, 64 are two-bedroom units and 38 are three-bedroom units. Access throughout the site is provided via 37-foot wide private streets and 33-foot wide private drives. A single gated entry to Charleston Boulevard provides access to the site.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06.040, the Development Standards within an R-PD District are established by the Site Development Plan. The Site Development Plan proposes 140 apartment units ranging in size from 859 square feet to 1,511 square feet. The proposed development complies with the standards of the proposed R-PD14 (Residential Planned Development – 14 Units Per Acre) District in the companion rezoning application (ZON-5076).

GL

The site plan does not illustrate how trash collection will be handled and where on-site collection points will be located. A condition of approval will require that a revised site plan address this issue. The receptacles must be gated, walled and roofed and must be 50 feet or more from properties protected under Residential Adjacency Standards, adjacent to the northeast corner of the site.

A2) Residential Adjacency Standards

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

a) *Proximity slope.* One of the proposed structures on the site is located 52 feet from an area zoned as R-CL (Residential - Compact Lot) to the immediate northeast of the subject site. As this structure is proposed at a height of 29.5 feet, the adjacency requirement would be 90 feet. As the distance is deficient with respect to this measurement, the applicant has requested a companion Variance to seek relief from this requirement.

b) *Building setback.* The closest proposed buildings to the property line are 15.42 feet on the east and 18.2 feet on the north. These setbacks must meet or exceed the required minimum setbacks established in the Zoning Code for the adjacent sites. On the east, these are the C-1 (Limited Commercial) and P-R (Professional Office and Parking) zones, with side setbacks of five and 10 feet respectively. On the north, these are R-CL (Residential - Compact Lot) district, which requires a 10-foot rear setback, and R-PD12 (Residential Planned Development - 12 Units Per Acre), in which the setback is established through the site plan. On that site, the existing buildings are closer than 18 feet to the property line; therefore, the project meets building setback requirements of the Code.

A3) Parking and Traffic Standards

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

Uses	Required Parking Ratio	Required Parking Regular	Required Parking Handicap	Provided Parking Regular	Provided Parking Handicap
One-bedroom apt	1.25 spaces/unit	57 spaces			
Two-bedroom apt	1.75 spaces/unit	112 spaces			
Three bedroom apt	2.0 spaces/unit	76 spaces			
Guest parking	1 space/6 units	24 spaces			
Totals		269 spaces	6 spaces	275 spaces	7 spaces

GL

The project as revised meets the Code with respect to required parking.

A4) Landscape and Open Space Standards

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

Standards	**Required**		**Provided**
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	10 Trees (59 outdoor spaces)	13 Trees
Buffer: • Min. Trees	1 Tree/30 Linear Feet	84 Trees 2,520 Feet perimeter)	89 Trees
• Min. Zone Width	10 Feet in front, 6 Feet on internal perimeters		Y
• Wall height	6 Feet and should include view fence component		Not indicated

The landscaping of the project as submitted meets or exceeds the requirements of the Code. Perimeter wall details where new walls will be constructed need to be indicated by the applicant.

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
9.98 acres	14.0 Units/Acre	1.65	23.14 %	100,624 sf (2.31 ac)	27.37%	117,612 sf (2.70 ac)

The site plan as presented meets the open space requirements of the Code.

B) General Analysis and Discussion

- Zoning

The companion rezoning request (ZON-5076) will rezone the site from U (Undeveloped) Zone [ML (Medium-Low Density Residential) and SC (Service Commercial) General Plan Designations] to R-PD14 (Residential Planned Development - 14 Units Per Acre) Zone. The proposed site plan will conform to the density guidelines, parking, landscaping and open space requirements of this zoning district, subject to conformance with the conditions of approval.

- Site Plan

The site plan consists of 140 condominium apartments in 20 two-story buildings. These units are attached in four, six and eight-plex buildings, with integrated garages. Access to the site will be through a gated entrance to Charleston Boulevard. The entrance is aligned with the 20-foot wide north/south existing Nevada Power easement, which transects the property, which is integrated with the development and will function as a portion of the open space area for the project. The site plan as proposed, with conformance to the listed conditions, will conform to the proposed companion R-PD14 (Residential Planned Development – 14 Units Per Acre) zoning district.

- Waivers

No waivers have been requested with this application, other than the companion Variance (VAR-5336) for Residential Adjacency Standards.

- Landscape Plan

The on-site and perimeter landscaping includes 66 24" box shade trees, in four different species; 112 24" box coniferous trees, also in four different species, and 55 24'box accent trees, again in four different species. Understory plantings include a total of approximately 1,200 plants in 12 species, in five-gallon containers.

- Elevation

The elevations depict three different building types; all are two-story apartment structures with four, six or eight units each. Some of the units contain enclosed garage space. The facades consist of a stucco finish with two different accent colors, and wrought-iron and shutters in a third complementary color. Three different types of stone veneer are used as accent features. The roof has a low-angle pitch, finished in both a full "S" roof tile and a flat slate roof tile.

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;"**

GL

The proposed development is similar in form and density to the condominium and apartment developments to the north and west, and is compatible with the office plaza to the east of the site. Where single-family development is adjacent to the site to the northeast, the applicant is proposing to place common recreational and parking components in this area, ensuring that the potential for impact from this development is minimized. The project is designed with a significant amount of perimeter landscaping, with no vehicular access to the adjacent single-family area. Although a Residential Adjacency Standards Variance is required, this is due to the location of only one of the 20 proposed buildings on the site, and this building is offset slightly from the location of the nearest single-family house.

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

   With the approval of the companion General Plan Amendment, Rezoning and Variance applications to this site plan, the proposed development will be consistent with the General Plan as well as Title 19 and other standards.

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

   The subject site has access to Charleston Boulevard, designated as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. Charleston Boulevard is adequate to meet the requirements of the proposed development. The location of the entrance point is slightly offset from the intersection of Tomsik Road with Charleston Boulevard, on the south side of Charleston Boulevard, at the request of the Nevada Department of Transportation, which will require a median on Charleston Boulevard at the proposed entrance location.

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

   The building and landscape materials are appropriate for this type of development.

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

   The building elevations are typical of two-story apartment developments in this vicinity and will be compatible with surrounding development. The development of the proposed perimeter wall with a significant amount of landscaping will improve compatibility with adjacent single-family residential development and will improve the aesthetics of development in the area.

GL

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

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

NOTICES MAILED 291 – Mailed with GPA-5075, ZON-5076 and SUP-5078

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5077 APN: 138-33-401-015

Name of Property Owner: USA - Bureau of Land Management

Name of Applicant: PN II Inc. dba 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 ____XX____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

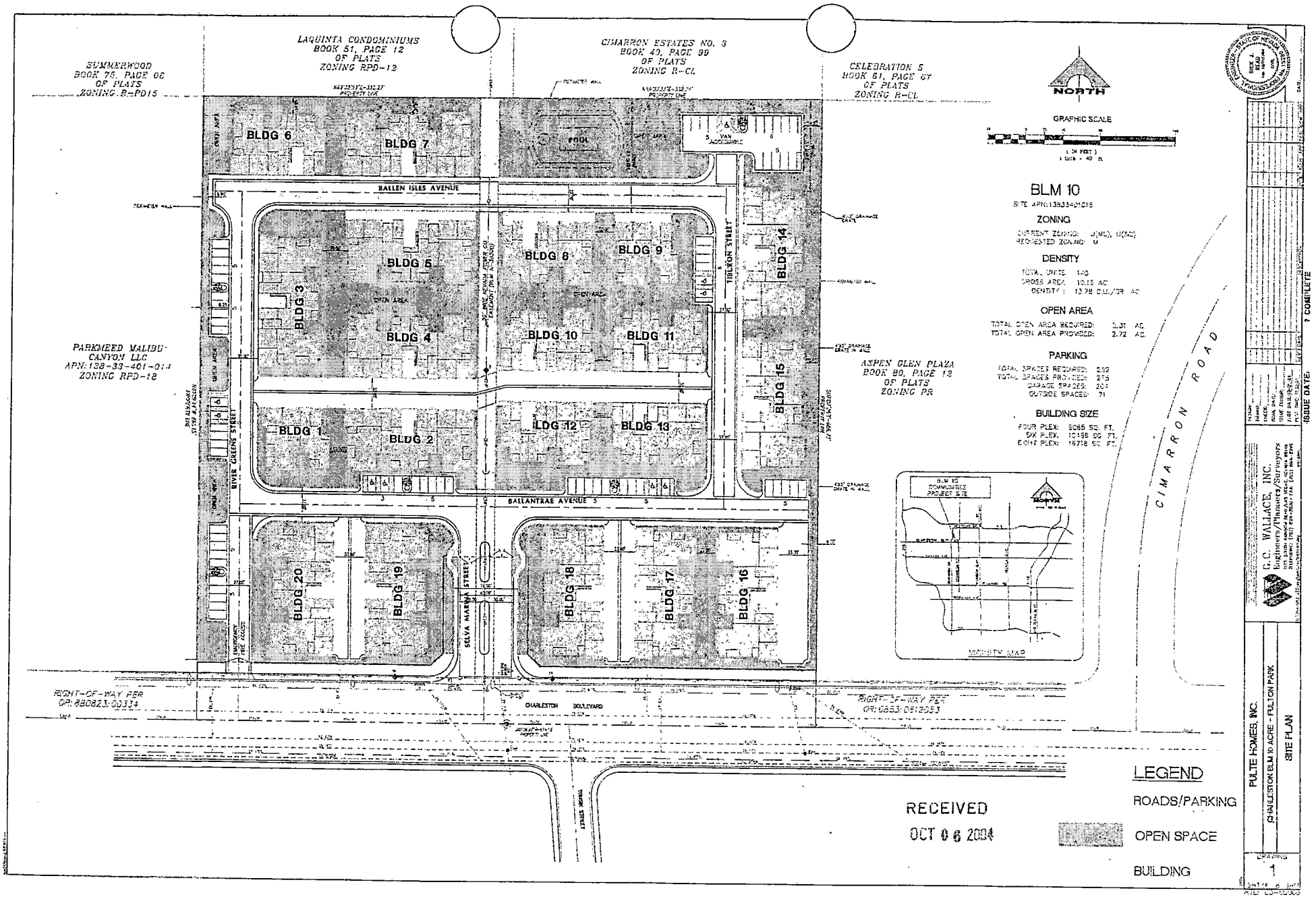
Print Name: ~~Jeramy Fritz~~ Jon Goettner

Subscribed and sworn before me

This 19th day of AUGUST, 2004

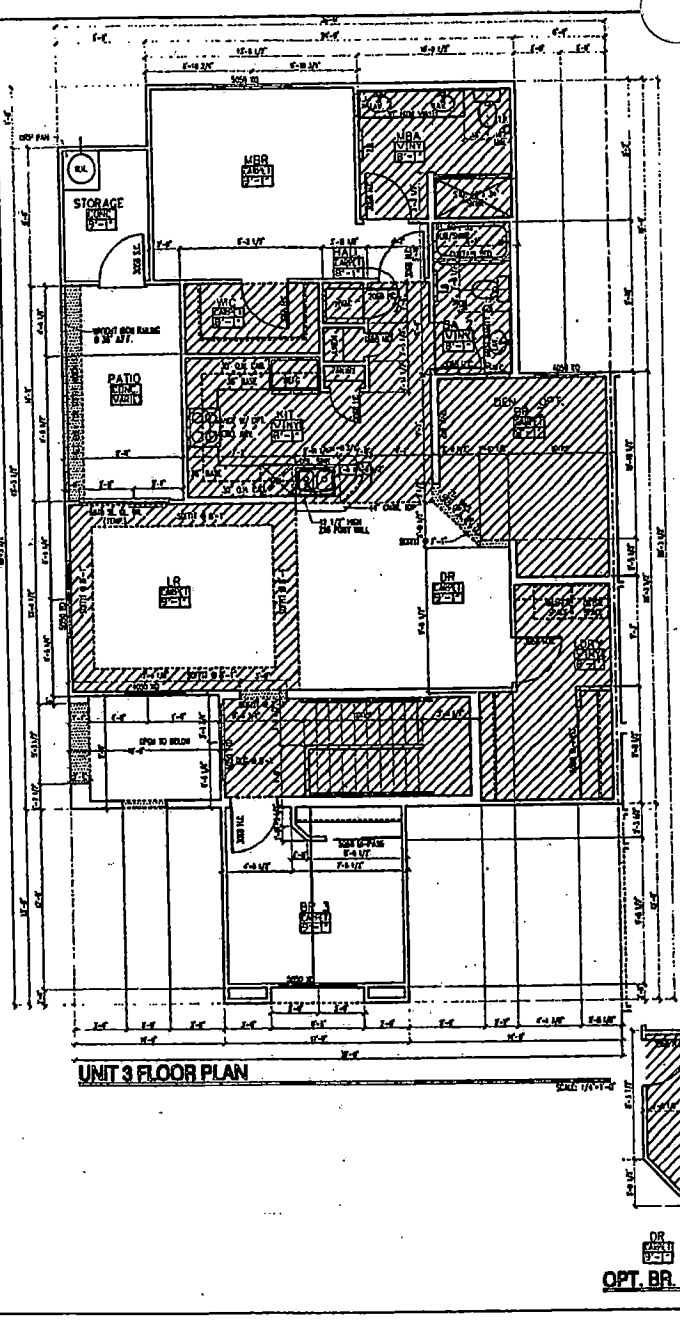
_____
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
GINA R. BROWN
No: 93-4423-1
My Appointment Expires Aug. 26, 2005

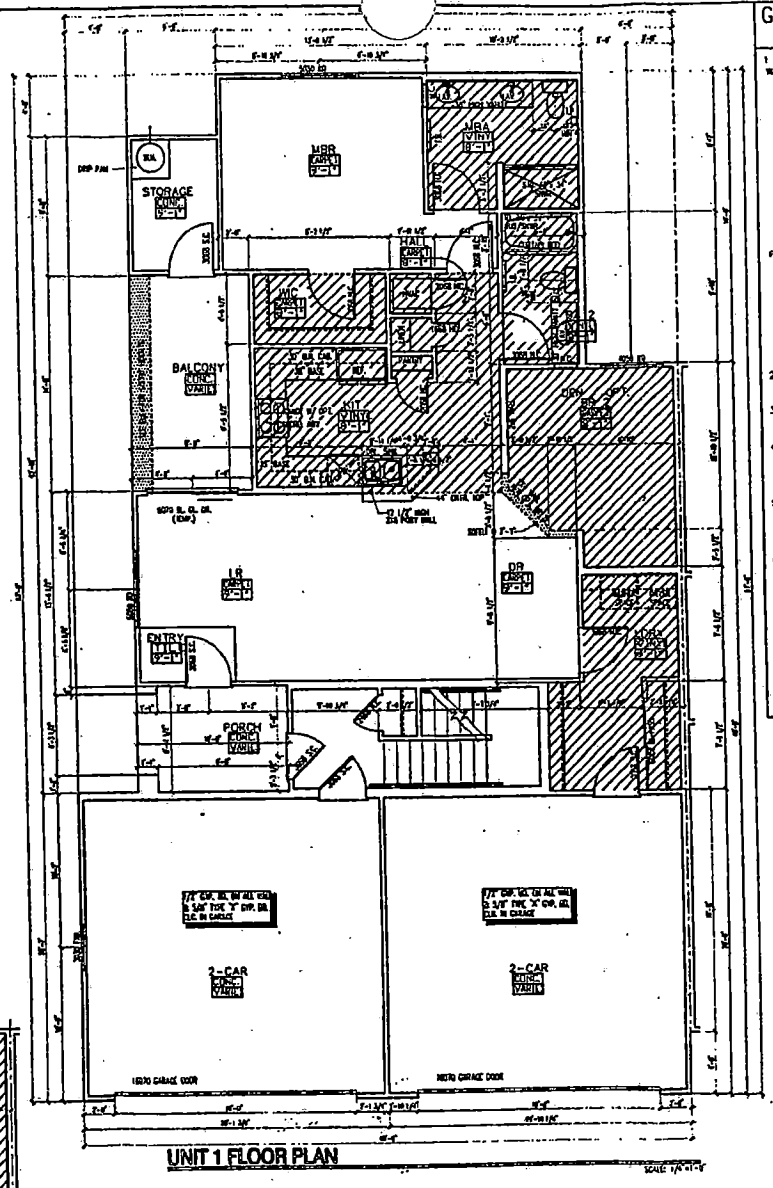


REVISED
10.6.04

GPA-5075
ZON-5076
SDR-5077
10/21/04 PC



UNIT 3 FLOOR PLAN



UNIT 1 FLOOR PLAN

GENERAL CONS. NOTES FLOOR PLAN

1. LEGEND
WALL SYSTEM
- 2x6 STUD WALL, SEE STRUCT. FOR SPECIFICATION
- 2x4 STUD WALL, SEE STRUCT FOR SPECIFICATION

EXTERIOR FINISH:
1 COAT STUCCO SYSTEM OVER FOAM BD. SEE GEN. SPEC. ON SHT. A-00

INTERIOR FINISH:
1/2" GYPSUM BOARD U.N.O., TAPED TEXTURED AND PAINTED. USE WATER RESISTANT GYP. BD. AROUND SHOWER AND TUB AREA. USE 5/8" TYPE 'X' FOR ALL WALLS INSIDE GARAGE.

PLAN LEGEND
- PLANT SHELF / SOFFIT SEE PLAN FOR HEIGHT.
- FURRED CEILING TYP. CLG (U.N.O.)

RM NAME—ROOM NAME
RC—FLOOR FINISHES
SC/ED—CEILING TYPE OR HEIGHT

2. ALL CEILINGS & WALLS OF GARAGE SHALL BE ONE LAYER 5/8" TYPE 'X' GYP. BD. (TAPED, TEXTURED AND PAINTED).
3. 4" DIA. DRYER VENT THRU WALL OR ROOF SHALL NOT EXCEED 14' & (2) 90° ELBOWS. W/ DAMPER @ END.
4. ALL DOOR AND WINDOW GLAZING SHALL MEET THE REQUIREMENTS OF THE 2003 IRC, SECTION R308 WHETHER SPECIFICALLY IDENTIFIED OR NOT ON THE PLANS. ALL GLAZING IN HAZARDOUS AREAS SHALL BE PER SECTION R308.4.
5. ALL EXTERIOR WALLS AROUND LIVABLE FLOOR SPACE AND SEPARATING WALL BETWEEN GARAGE AND LIVABLE FLOOR SPACE SHALL RECEIVE R-19 BLOWN INSUL. (U.N.O.).
6. ALL ROOF ATTIC SPACE OVER LIVABLE FLR. AREA SHALL RECEIVE R-30.41 BLOWN INSUL. (U.N.O.).
7. REFRIGERATOR SHALL BE PRE-PLUMBED FOR ICEMAKER.
8. CEILING AT COVERED ENTRY SHALL BE STUCCO (EMO) METAL LATH PER IRC 2003, SECTION R703.6 AND TABLE 702.1.
9. ALL FOUNDATION AND SOLE PLATES OR SILLS AND SLEEPERS ON MASONRY OR CONCRETE SLABS IN DIRECT CONTACT WITH EARTH SHALL BE ENCASED WOOD OR FOUNDATION GRADE REDWOOD.

LAS VEGAS DIVISION
1635 VILLAGE CENTER CIRCLE, SUITE 250
LAS VEGAS, NEVADA 89134 (702) 256-7900

Pulte Homes

FLOOR PLAN
UNITS 1 AND 3

DES. BY	DATE
DES. BY	1/16/03
CHK'D BY	1/16/04

CONDO
TERRASIN

U 1&3

A0.1

SDR-5077
10/21/04 PC

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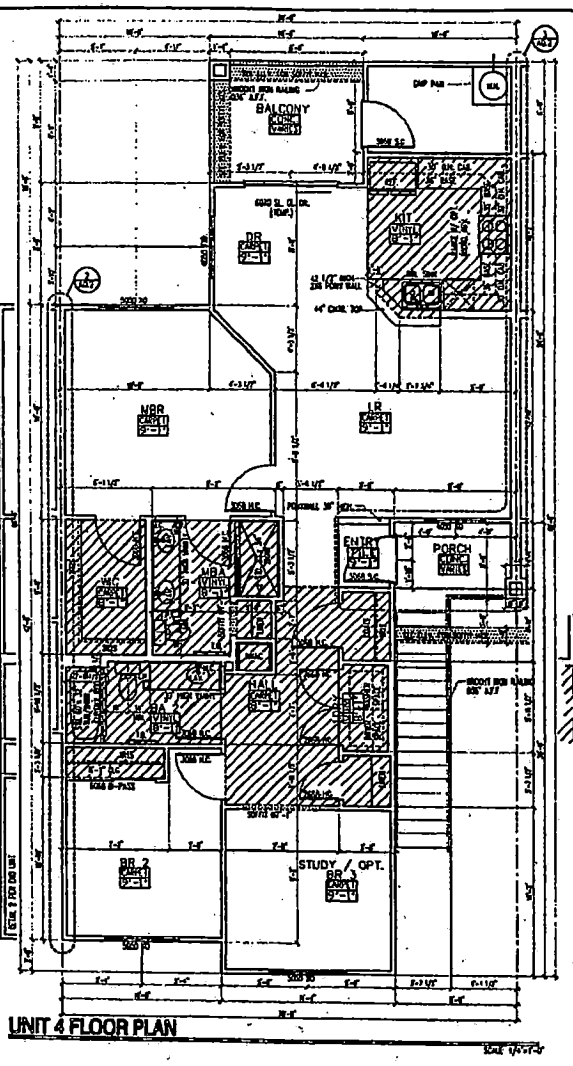
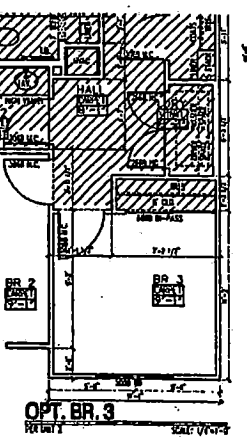
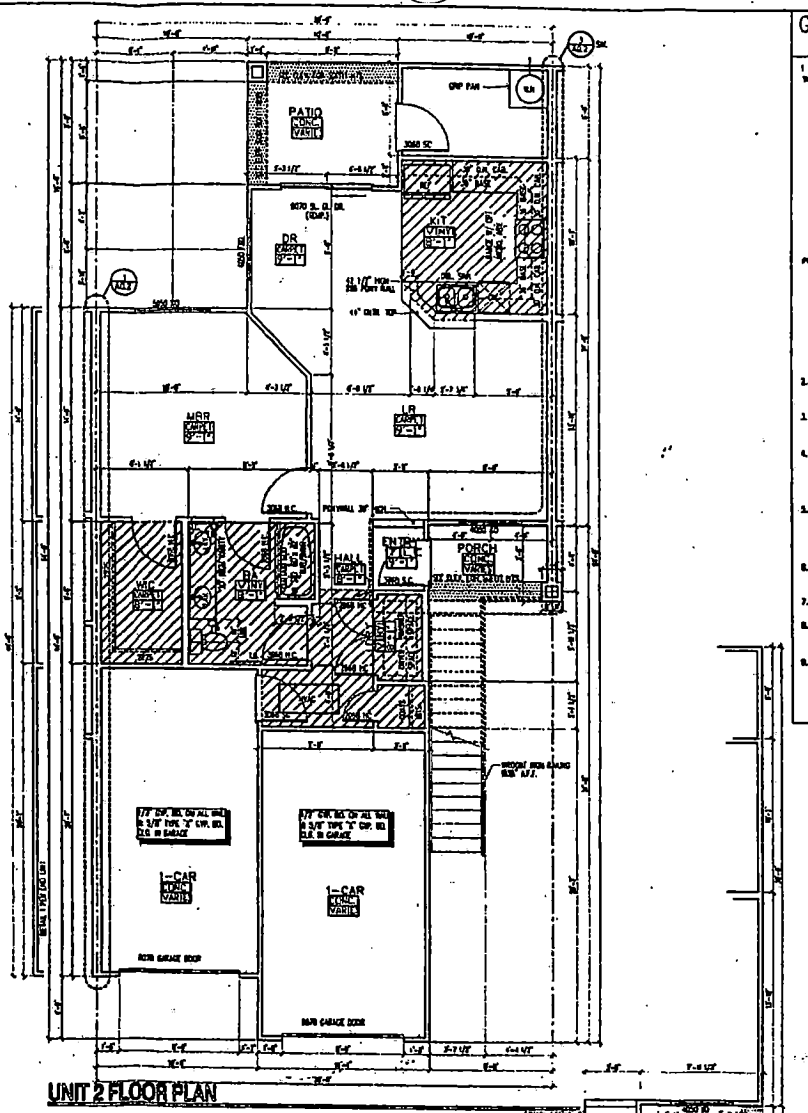


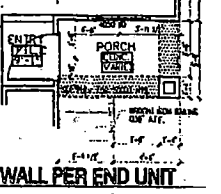
UNIT 4 FLOOR PLAN



OPT. BR. 3



UNIT 2 FLOOR PLAN



WALL PER END UNIT

GENERAL CONS. NOTES FLOOR PLAN

1. LEGEND
WALL SYSTEM:
2x0 STUD WALL, SEE STRUCT. FOR SPECIFICATION
2x4 STUD WALL, SEE STRUCT FOR SPECIFICATION

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PLAN LEGEND
PLANT SHELF / SOFFIT SEE PLAN FOR HEIGHT.
FURRED CEILING TYP. O.U.O. (U.N.O.)
RM NAME—ROOM NAME
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6. ALL ROOF ATTIC SPACE OVER LIVABLE FLR. AREA SHALL RECEIVE R-30 BLOWN INSUL. (U.N.O.).
7. REFRIGERATOR SHALL BE PRE-PLUMBED FOR ICEMAKER.
8. SOFFITS AT COVERED ENTRY SHALL BE STUCCO OVER METAL LATH PER IRC 2003, SECTION R703.6 AND TABLE 703.7.
9. ALL FOUNDATION AND SOLE PLATES OR SILLS AND SLEEPERS ON MASONRY OR CONCRETE SLABS IN DIRECT CONTACT WITH EARTH SHALL BE PRESSED WOOD OR FOUNDATION GRADE REDWOOD.

LAS VEGAS DIVISION
1635 VILLAGE CENTER CIRCLE, SUITE 210
LAS VEGAS, NEVADA 89134 (702) 256-7900

Pulte Homes

The FLOOR PLAN UNITS 2 AND 4

DTS 1/16/04
CDS 1/16/04

CONDO
TERRASIN

U2&4

SDR-5077
10/21/04 PC

RECEIVED
AUG 23 2004

Fulton Park

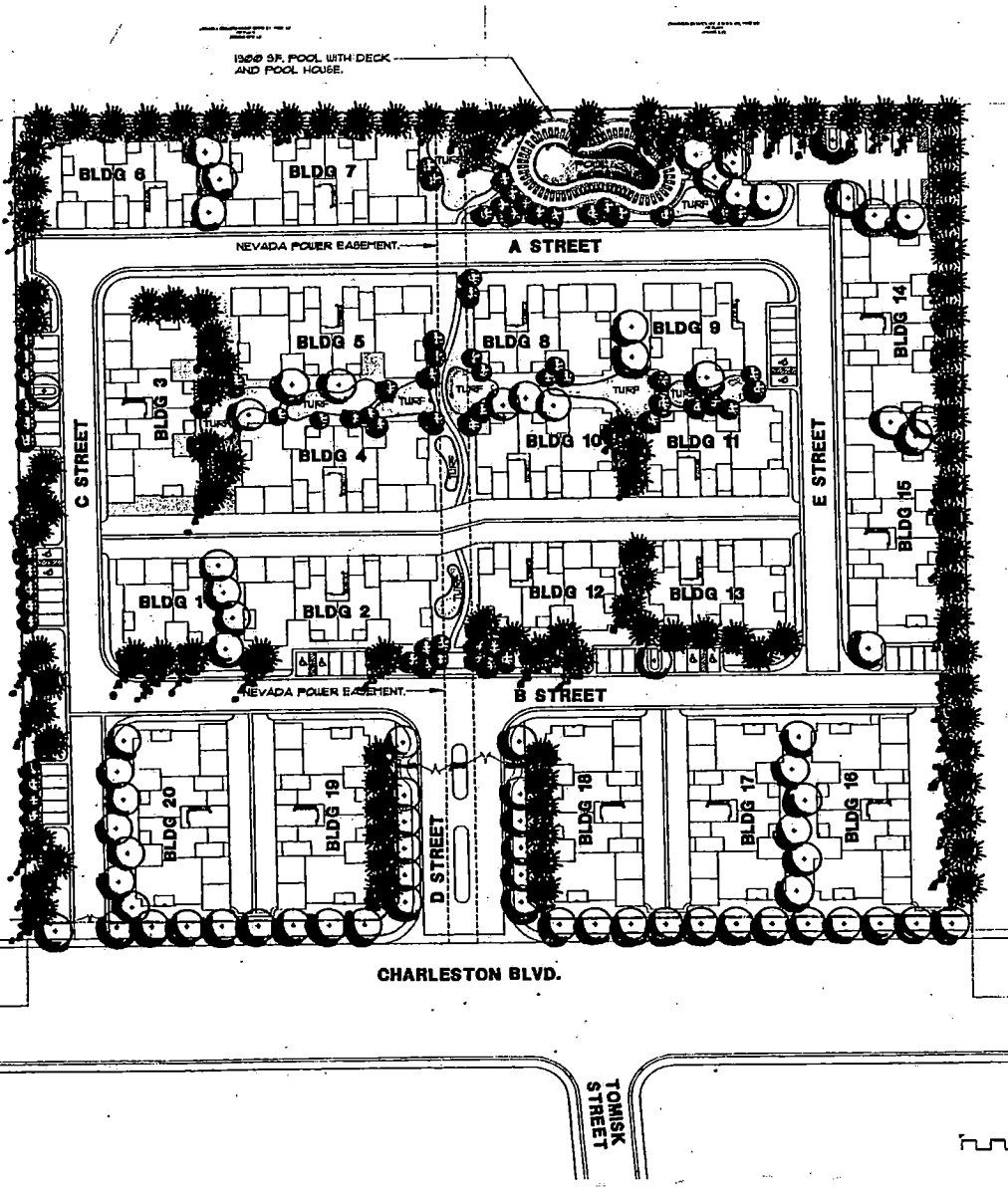
by Pulte Homes

PLANTING LEGEND

TYPE	BOTANICAL NAME	SIZE	QTY
	SHADE TREES:	24" BOX	66
	FRAXINUS VELUTINA		
	CHITALPA TASHKENTENSIS		
	PROSOPIS CHILENSIS		
	ULMUS PARVIFOLIA		
	CONIFER TREES:	24" BOX	112
	PINUS ELDARICA		
	PINUS HALEPENSIS		
	PINUS PINEA		
	PINUS ROXBURGHII		
	ACCENT TREES:	24" BOX	55
	LIGUSTRUM LUCIDUM		
	PYRUS KAWAKAMII		
	PRUNUS CERASIFERA		
	ARBUTUS UNEDO		
NOT SHOWN	SHRUBS:	5 GAL	1300
	CAESALPINIA MEXICANA		
	CASSIA PHYLLODENIA		
	CONVOLVULUS CNEORUM		
	EUONYMUS JAPONICA		
	EURYOPS PECTINATUS		
	LANTANA SP.		
	LEUCOPHYLLUM SP.		
	LIGUSTRUM JAPONICUM		
	PHOTINIA FRASERI		
	PITTOSPORUM TOBIRA		
	ROSMARINUS OFFICINALIS		
	XYLOSMA CONGESTUM		

HARDSCAPE LEGEND

- CONCRETE MOWCURB
- POOL HOUSE/RESTROOM
- LOUNGE CHAIR



SOUTHWICK LANDSCAPE ARCHITECTS

6362 McLeod Drive
Suite 3
Las Vegas, NV 89120

Phone: 702 897 3108
Fax: 702 597 3177

STAMP:

CONSULTANT:

FULTON PARK
BY PULTE HOMES
CIMARRON AND CHARLESTON
LAS VEGAS, NEVADA

REVISIONS:

SHEET CONTENTS:
CONCEPTUAL LAYOUT PLAN

DRAWN BY:
REVIEWED BY:
DATE: AUGUST 19, 2004
PROJECT NO.: 3904-1

SHEET:
L1.0

SDR-5077
10/21/04 PC

RECEIVED
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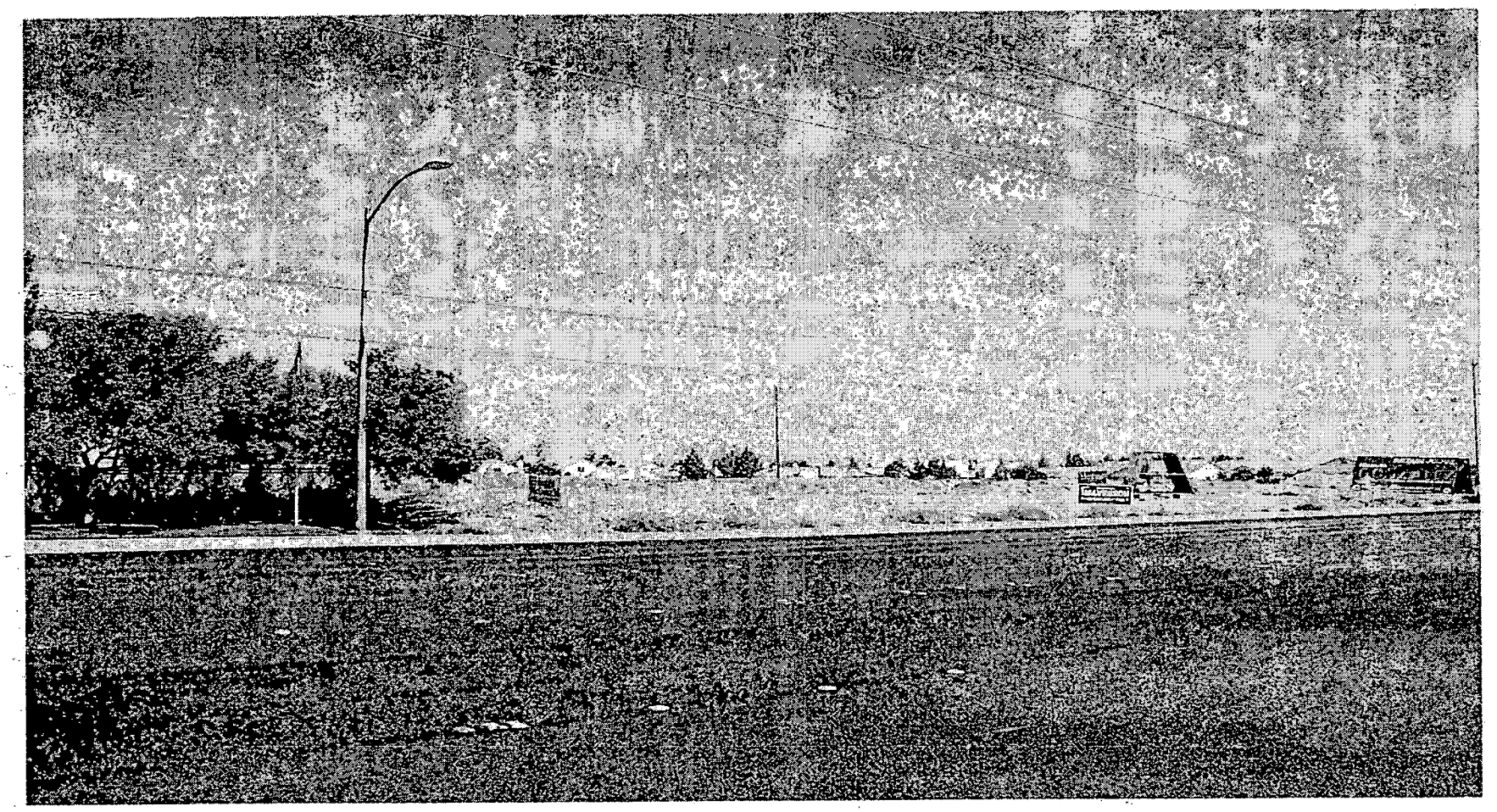


SDR-5077 - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGEMENT
8324 WEST CHARLESTON BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No.: 24

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 21, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

VAR-5336 - VARIANCE - PUBLIC HEARING - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGEMENT - Request for a Variance TO ALLOW A RESIDENTIAL ADJACENCY SEPARATION OF 52 FEET WHERE 90 FEET IS THE MINIMUM DISTANCE REQUIRED FROM SINGLE-FAMILY DEVELOPMENT FOR A PROPOSED 140-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 10.16 acres at 8324 West Charleston Boulevard (APN 138-33-401-015), U (Undeveloped) Zone [SC (Service Commercial) and ML (Medium-Low Density Residential) General Plan Designations] [PROPOSED: R-PD14 (Residential Planned Development - 14 Units Per Acre)], Ward 2 (Wolfson).

C.C.: 11/17/04

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

RECOMMENDATION:
Staff recommends DENIAL.

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

MOTION:
NIGRO – APPROVED subject to conditions and adding the following condition:
- **The building set backs shall be 72 feet on Building 8 and 81 feet on Building 9 from the north property line**

– UNANIMOUS with McSWAIN abstaining as her company is currently in litigation with a sister company of Pulte Homes

MINUTES:
See Item 21 [GPA-5075] for all related discussion on Item 21 [GPA-5075], Item 22 [ZON-5076], Item 23 [SDR-5077] and Item 24 [VAR-5336].

(7:15-7:43)

1-2707

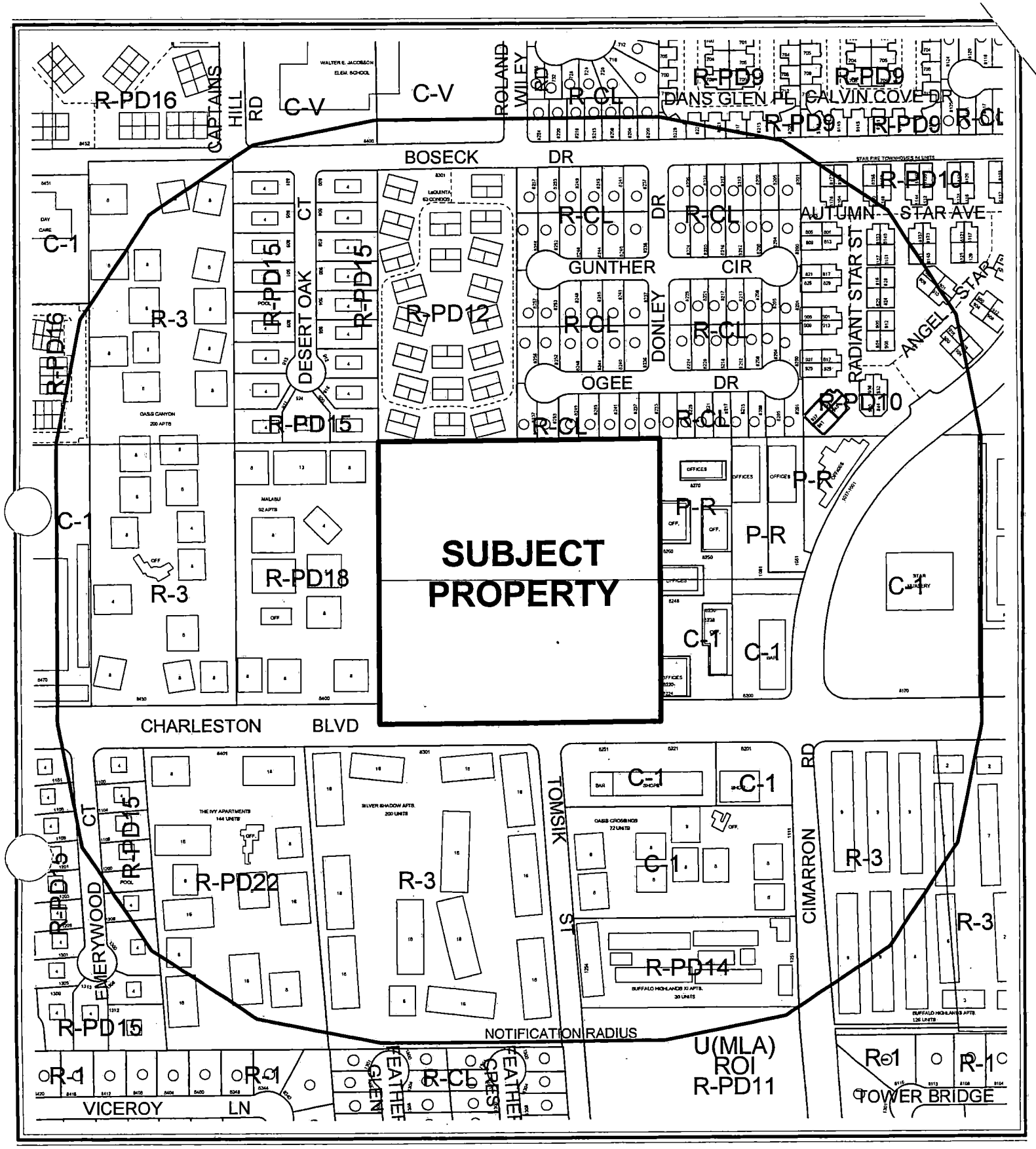
PLANNING COMMISSION MEETING OF OCTOBER 21, 2004
Planning and Development Department
Item 24 – VAR-5336

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5076), and Site Development Plan Review [SDR-5077].

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.



0 200 400 Feet

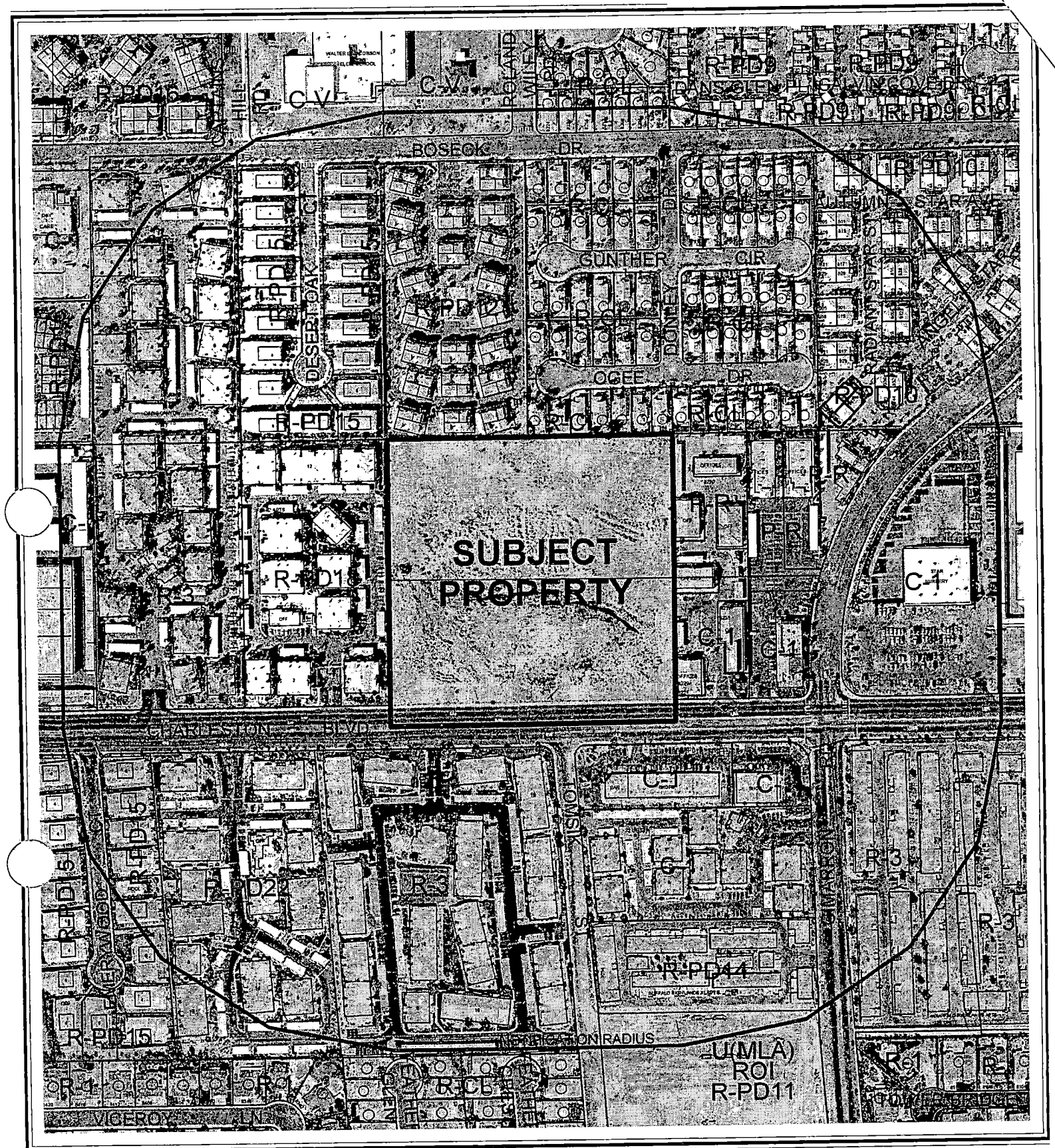
CASE: **VAR-5336**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) AND ML (MEDIUM-LOW DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD14 (RESIDENTIAL PLANNED DEVELOPMENT - 14 UNITS PER ACRE)

N



0 200 400 Feet

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ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) AND ML (MEDIUM-LOW DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD14 (RESIDENTIAL PLANNED DEVELOPMENT - 14 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5336 - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGEMENT

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5076), and Site Development Plan Review [SDR-5077].

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 application is a request for a Variance to allow a reduction in Residential Adjacency Standards on an approximately 10-acre site adjacent to Charleston Boulevard, approximately 650 feet west of Cimarron Road.

B) Applicant's Justification

The applicant has justified this request by stating that this request will allow for the development of an apartment project that will be compatible with the existing apartment development of adjacent and nearby parcels, and that the requested Variance is not significant in nature.

BACKGROUND INFORMATION

A) Previous Actions

10/03/84 The City Council approved a request to annex (A-0013-84) 365 acres of land including the subject site. The effective date was 10/12/84.

10/07/04 The Planning Commission approved a request to abey an application for a General Plan Amendment (GPA-5075) from ML (Medium-Low Density Residential) and SC (Service Commercial) to M (Medium Density Residential), on the subject site, to its 10/21/04 meeting.

10/21/04 The Planning Commission will consider companion applications for a General Plan Amendment (GPA-5075) from ML (Medium-Low Density Residential) and SC (Service Commercial) to M (Medium Density Residential), a Rezoning (ZON-5076) from U (Undeveloped) Zone [ML (Medium-Low Density Residential) and SC (Service Commercial) General Plan Designations] to R-PD14 (Residential Planned Development - 14 Units Per Acre) Zone, and a Site Development Plan Review (SDR-5077) for a 140-unit apartment project on the subject site, concurrently with this request.

B) Pre-Application Meeting

08/11/04 At the pre-application meeting, the applicant was advised of the various submission requirements, including a number of Public Works issues, including the need to line the entrance up with Tomsik Street to the south, and the need to obtain access approval from the Nevada Department of Transportation. Follow up discussions with the applicant indicated the need for this Variance.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 9.98

B) Existing Land Use

Subject Property:	Undeveloped
North:	Apartments and Single Family Dwellings
South:	Apartments
East:	Office Park
West:	Apartments

C) Planned Land Use

Subject Property:	ML (Medium-Low Density Residential) SC (Service Commercial)
North:	ML (Medium-Low Density Residential) M (Medium Density Residential)
South:	SC (Service Commercial) M (Medium Density Residential)
East:	O (Office) SC (Service Commercial)
West:	M (Medium Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) Zone [ML (Medium-Low Density Residential) and SC (Service Commercial) General Plan Designations]
North:	R-PD12 (Residential Planned Development - 12 Units Per Acre) R-CL (Single Family Compact Lot)

South:	C-1 (Limited Commercial)
	R-3 (Medium Density Residential)
East:	P-R (Professional Office and Parking)
	C-1 (Limited Commercial)
West:	R-PD18 (Residential Planned Development - 18 Units Per Acre)

E) General Plan Compliance

The Southwest Sector Plan Map of the General Plan designates this site as ML (Medium-Low Density Residential) and SC (Service Commercial). A companion General Plan Amendment (GPA-5075) will redesignate this site to M (Medium Density Residential), which allows a density range of up to 25 units per acre. The proposed use conforms to the allowable uses and density range within 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**

There are no Special Area Plans, Overlay Districts, Trails, Rural Preservation Neighborhoods or other planning policies that affect this site.

ANALYSIS

A) Zoning Code Compliance

A1) Residential Adjacency Standards

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

a) *Proximity slope.* One of the proposed structures on the site is located 52 feet from an area zoned as R-CL (Residential - Compact Lot) to the immediate northeast of the subject site. As this structure is proposed at a height of 29.5 feet, the adjacency requirement would be 90 feet. As the distance is deficient with respect to this measurement, the applicant has requested a companion Variance to seek relief from this requirement. This is a deviation of 58% with respect to one building on the site.

b) *Building setback.* The closest proposed buildings to the property line are 15.42 feet on the east and 18.2 feet on the north. These setbacks must meet or exceed the required minimum setbacks established in the Zoning Code for the adjacent sites. On the east, these are the C-1 (Limited Commercial) and P-R (Professional Office and Parking) zones, with side setbacks of five and 10 feet respectively. On the north, these are R-CL (Single Family - Compact Lot) district, which requires a 10-foot rear setback, and R-PD12 (Residential Planned Development - 12 Units per Acre), in which the setback is established through the site plan. On that site, the existing buildings are closer than 18 feet to the property line; therefore, the project meets building setback requirements of the Code.

B) General Analysis and Discussion

The overall 10-acre site is designed to contain 20 condominium apartment buildings. While the developer has planned the location of most of these structures to meet Residential Adjacency Standards, one of the 20 structures (Building 7) does not.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

Whether there exists a "hardship" depends upon whether the subject site cannot be developed with a project that meets the Residential Adjacency Standards. There is no basis to suggest that the property cannot be developed for the project with a revised Building 7 that would meet Code requirements. For this reason, it is recommended that the application for a Variance be denied.

The recommendation for denial is based on the following findings, only one of which is necessary to deny the request for a Variance:

- **No evidence is provided that a hardship exists to warrant a Variance in the required Residential Adjacency Standards.** The onus for presenting such evidence is placed on the applicant, the person allegedly aggrieved by the requirement. The applicant has presented reasons for the Variance, but none substantiate why a project could not be developed that meets the Residential Adjacency Standards.

- **The hardship is self-imposed.** Clearly, the hardship is of the applicant's own making, as the need for the reduced rear yard setback is based upon the manner in which the applicant chooses to development the property.

- **Use of the property is not denied.** The property has no exceptional narrowness, shallowness, shape, exceptional topographic conditions or other extraordinary and exceptional situation or conditions attributed to the property. The question is one of whether the property could be developed in a way that would not necessitate the reduction in the rear yard setback required by the Residential Adjacency Standards. It is believed that this area of the subject site could be developed in a way that would comply with the Standards.

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by placing Building 7 in the proposed location. Alternative design of Building 7 with a smaller building 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 291

APPROVALS 0

PROTESTS 0

GL

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5336 APN: 138-33-401-015

Name of Property Owner: USA – Bureau of Land Management

Name of Applicant: PN II Inc. dba 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 _____xx_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: ~~Jeremy Fritz~~ Don Bettler

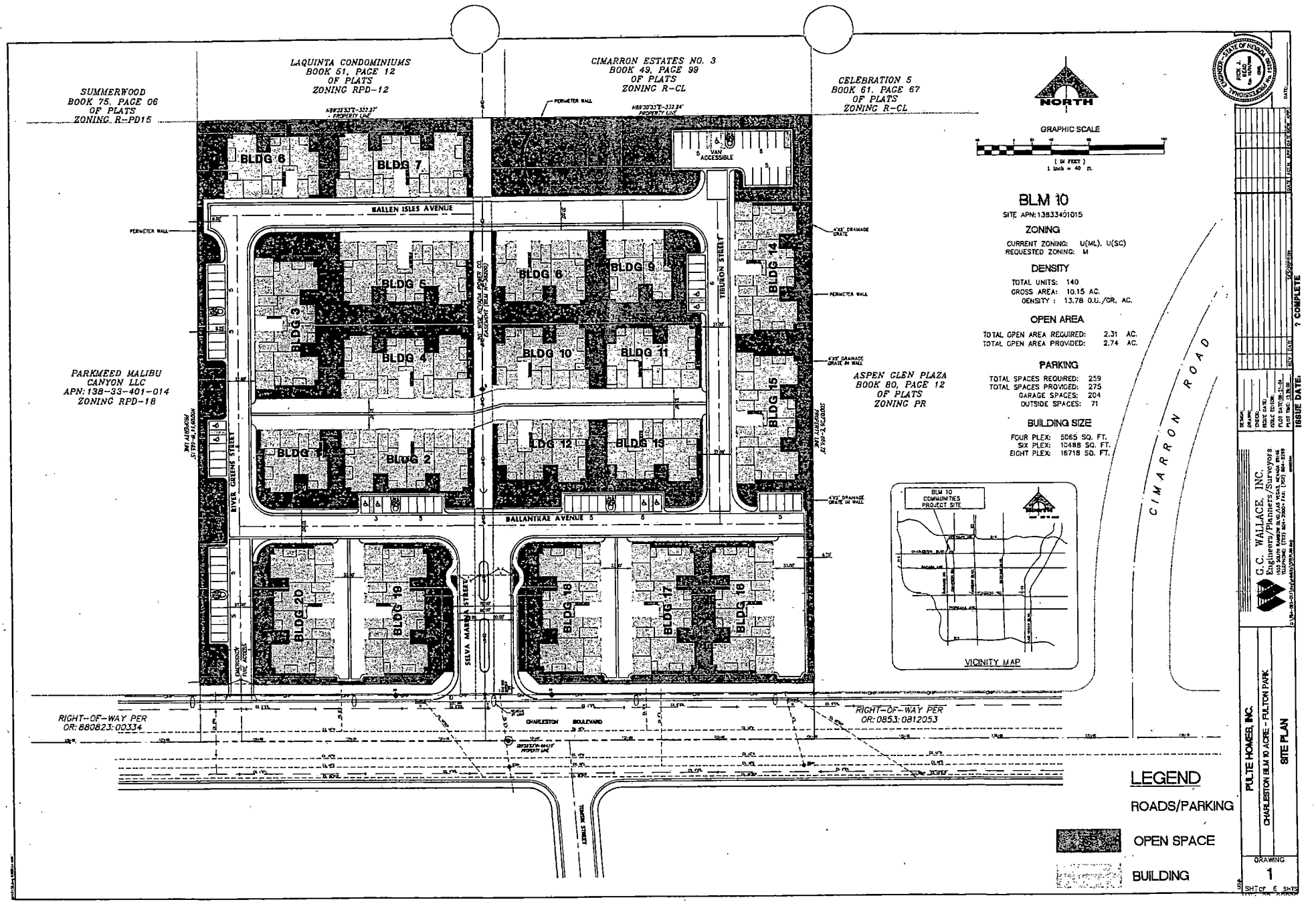
Subscribed and sworn before me

This 19th day of AUGUST, 2004

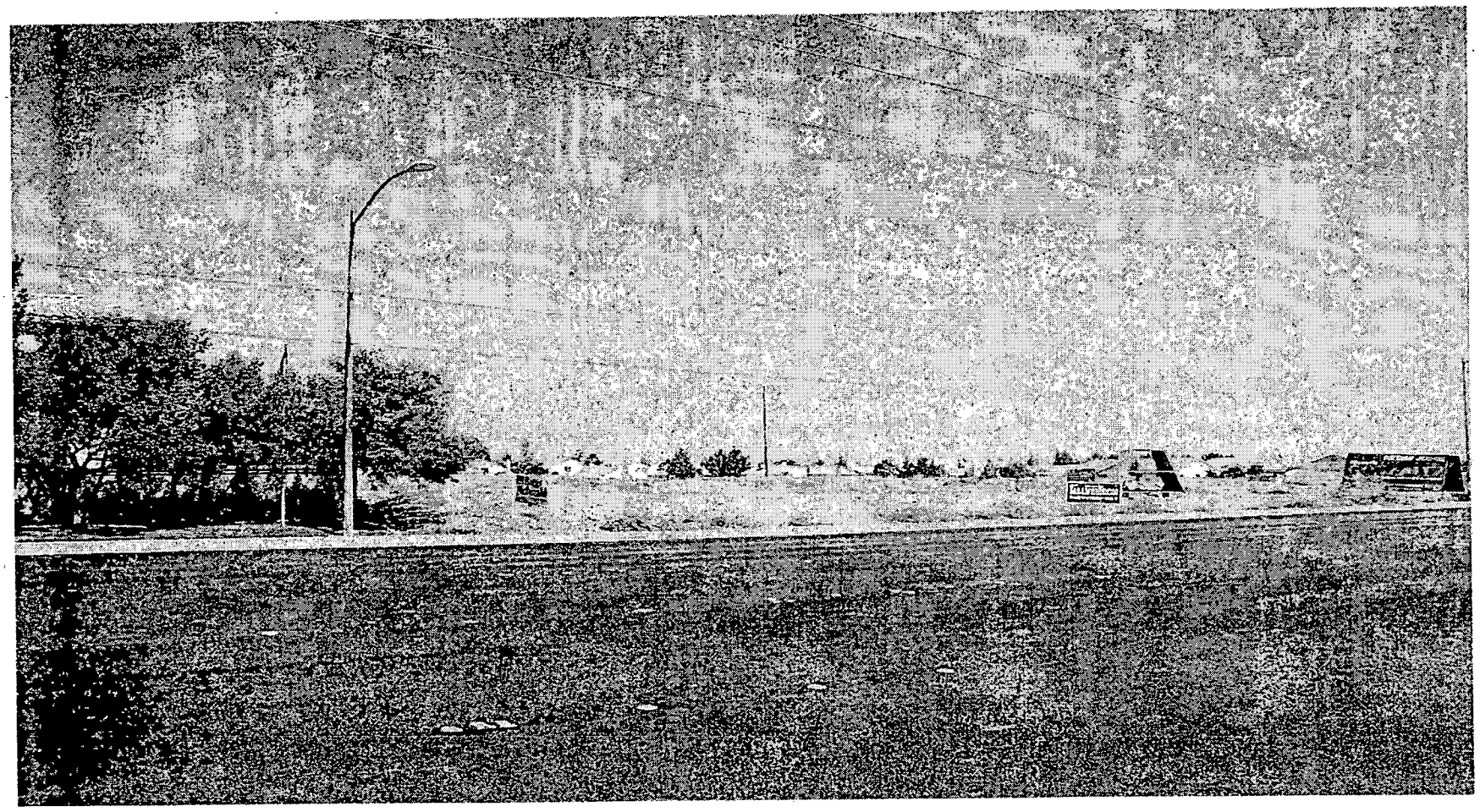
[signature]

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
GINA R. BROWN



VAR-5336
10/21/04 PC



VAR-5336 - APPLICANT: PN II INC. DBA PULTE HOMES - OWNER: USA - BUREAU OF LAND MANAGEMENT
8324 WEST CHARLESTON BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

09/17/04