City of Las Vegas

Agenda Item No. 91

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT GENZER ☐ CONSENT ☒ DISCUSSION

SUBJECT:
SPECIAL USE PERMIT

SUP-5065 - PUBLIC HEARING - APPLICANT: SHADOW MOUNTAIN MARKETPLACE, LIMITED LIABILITY COMPANY - OWNER: GEORGE FILIOS TRUST R-501 - Request for a Special Use Permit FOR A PROPOSED SERVICE STATION WITH GAS PUMPS adjacent to the southwest corner of Decatur Boulevard and Rome Boulevard (APN 125-24-802-010), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Backup referenced from the 10/7/2004 Planning Commission Item 55

MOTION:
MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:
MAYOR GOODMAN declared the Public Hearing open for Item 91 [SUP-5065], Item 92 [VAC-0569] and Item 93 [SDR-5050].

DARRYL WRIGHT, 1096 Coast Village Road, Santa Barbara, California, appeared on behalf of the applicant and recognized LENI SKAAR, Council Liaison, and GARY LEOBOLD, Planning Supervisor, for their instrumental work. He concurred with all conditions, reflecting amendments to Conditions 14 and 22 as previously modified.

COUNCILMAN MACK asked if renderings were available to demonstrate the caliber of the building. He remarked on the high standards and architectural elements planned to mirror the Costco in Summerlin. He thanked the representative for their outstanding effort to create a beautiful facility, which will greatly benefit the Northwest area as well as North Las Vegas. MR. WRIGHT described the elevation and pointed out revisions implemented to the plan. Amendments to Condition 14 and Condition 22 were then read into the record for Item 93 [SDR-5050].

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed for Item 91 [SUP-5065], Item 92 [VAC-0569] and Item 93 [SDR-5050].

MINUTES - Continued:

(1:49 - 1:56)
3-1541

CONDITIONS:

Planning and Development

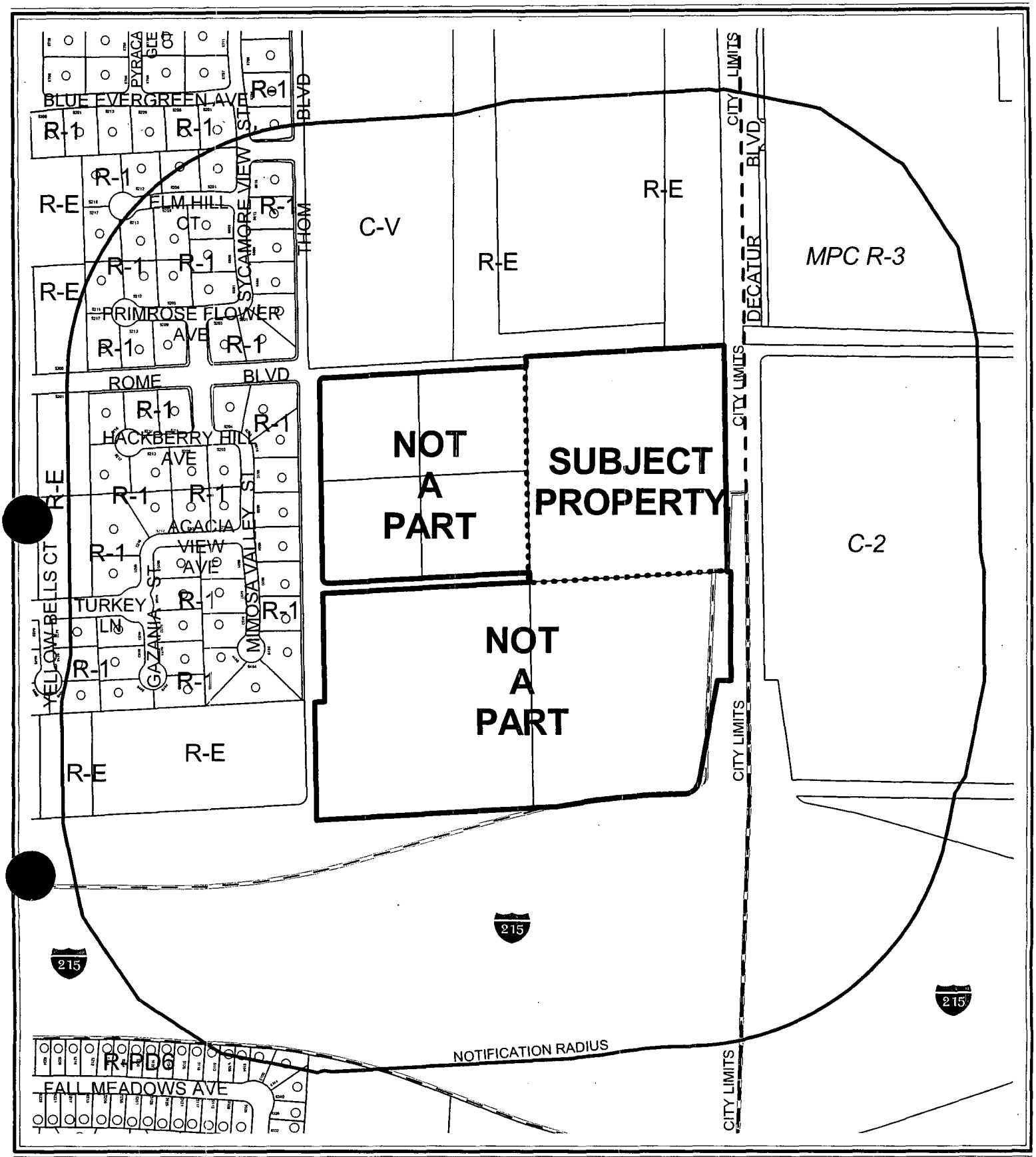
1. Conformance to all Minimum Requirements under Title 19.04.050 for a Service Station with gas pumps use.

2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0019-01) and Site Development Plan Review (SDR-5050).

3. If this Special Use Permit is not exercised within two years after the approval, the Special Use Permit shall be void unless an Extension of Time is granted.

4. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.

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



CASE: **SUP-5065**

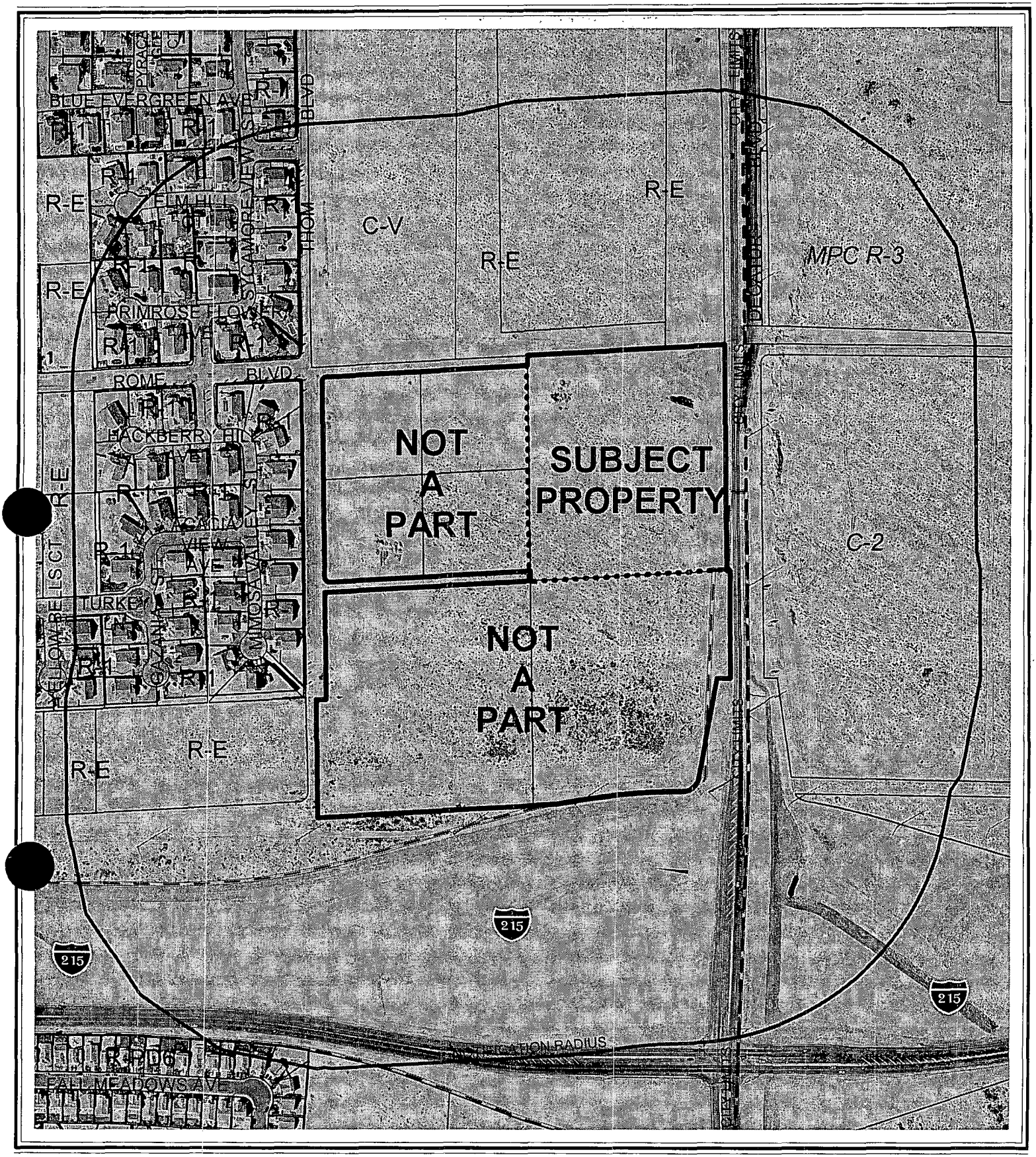
RADIUS: 750 FT

0 300 600 Feet

N

ZONING OF SUBJECT PROPERTY:

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



0 300 600 Feet

N

CASE: **SUP-5065**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5065 - APPLICANT: SHADOW MOUNTAIN MARKETPLACE, LIMITED LIABILITY COMPANY - OWNER: GEORGE FILIOS TRUST R-501

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Service Station with gas pumps use.

2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0019-01) and Site Development Plan Review (SDR-5050).

3. If this Special Use Permit is not exercised within two years after the approval, the Special Use Permit shall be void unless an Extension of Time is granted.

4. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

08/25/97 The City Council approved a General Plan Amendment (GPA-0027-97) application to amend the Centennial Hills Sector Plan of the General Plan on a 30-acre portion property located on the northwest corner of Centennial Parkway and Decatur Boulevard from DR (Desert Rural) to SC (Service Commercial). The Planning Commission and Staff both recommended approval.

08/25/97 The City Council approved a Rezoning and Site Development Plan Review (Z-0062-97) application for the reclassification of property located on the northwest corner of Centennial Parkway and Decatur Boulevard from R-E (Residence Estates) to C-1 (Limited Commercial) for a proposed 330,500 square foot commercial center. The Planning Commission and Staff both recommended approval.

06/20/01 The City Council approved a Rezoning (Z-0019-01) application for the reclassification 31.7 acres of property located on the northwest corner of Centennial Parkway and Decatur Boulevard from R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) to C-1 (Limited Commercial). The Resolution of Intent was set to expire on 06/20/03. The prior Rezoning approvals Z-0062-97 and Z-0107-00 were expunged. The Planning Commission and Staff both recommended approval.

07/16/03 The City Council approved an Extension of Time (EOT-2267) application for a Reinstatement and Extension of Time of an approved Rezoning (Z-0019-01) application for the reclassification 31.7 acres of property located on the northwest corner of Centennial Parkway and Decatur Boulevard from R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) to C-1 (Limited Commercial). The Planning Commission and Staff both recommended approval.

10/07/04 The Planning Commission recommended approval of related items (SDR-5050 andVAC-5069) applications as part of this agenda.

10/07/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #55/pl).

B) Pre-Application Meeting

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

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

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

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

Multi-Use Transportation Trail

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

INTERAGENCY ISSUES

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

1) Any Special Use Permit within 500 feet of Clark County or the City of North Las Vegas.

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

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

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

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

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

A2) Minimum Distance Separation Requirements

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

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

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

B) General Analysis and Discussion

- Zoning

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

- Use

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

- Conditions

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

i. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:
    a. The dispensing of petroleum products, water and air from pump islands.
    b. The provision of emergency service of a minor nature
    c. The sale of items via vending machines that shall be located next to the main structure.
ii. Pump islands shall be located a minimum of 20 feet from a street right-of-way line. A canopy or roof structure over a pump island may be located no closer than 10 feet from the street right-of-way line.
iii. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.
iv. No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.
v. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
vi. The installation of LPG tanks shall only be permitted as allowed in Section 19.04.060(B)

The proposed Service Station with gas pumps meet the requirements set forth by the Title 19.04.050.

FINDINGS

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

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

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

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

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

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

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

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

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

PLANNING COMMISSION ACTION

There was one speaker in favor of the project at the Planning Commission hearing.

NOTICES MAILED 88 by City Clerk

APPROVALS 1

PROTESTS 1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5065 APN: 125-24-802-010

Name of Property Owner: George Filios Trust R-501

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

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Nitsa Filios, Trustee

George Filios, Trustee

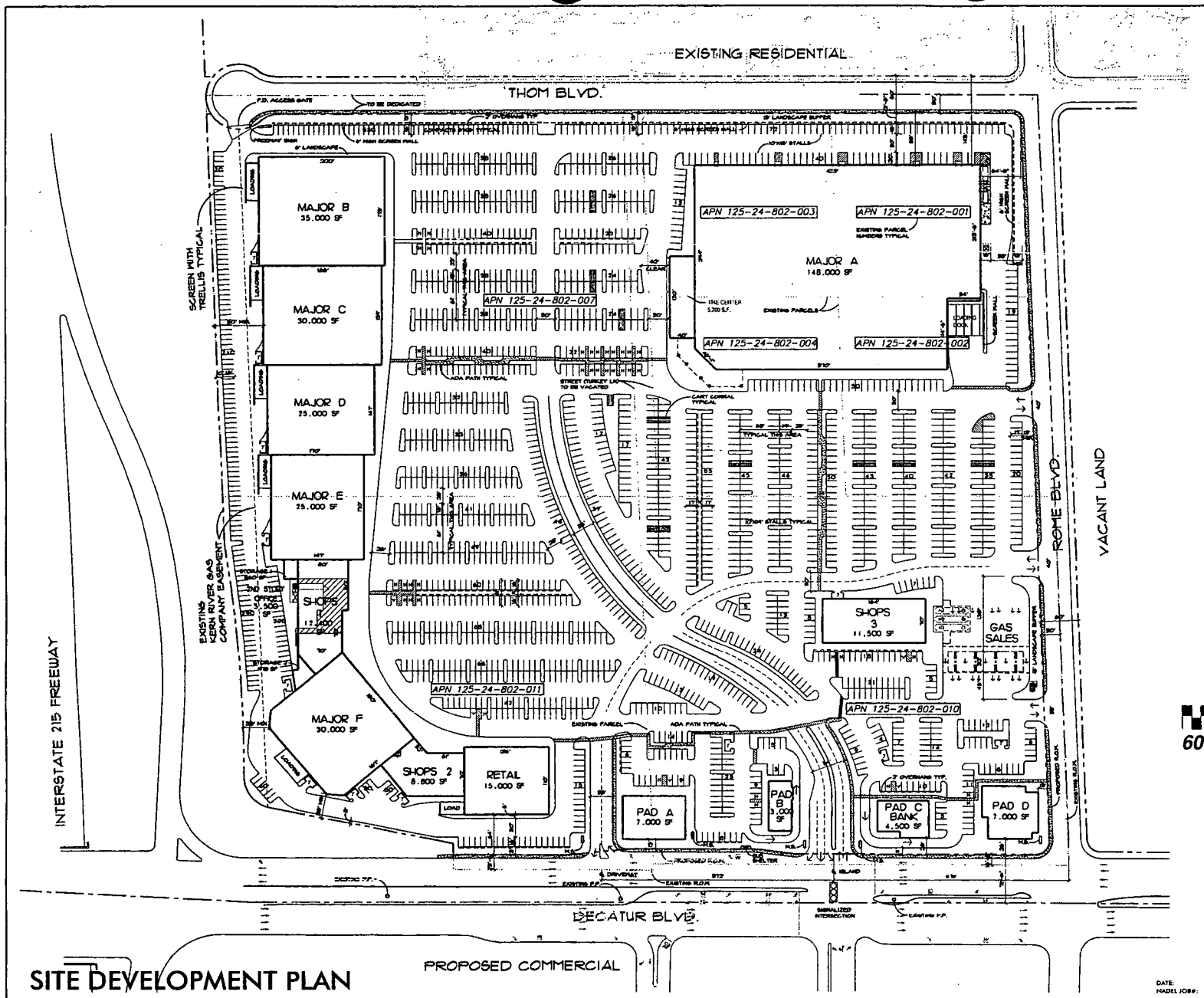
Subscribed and sworn before me

This 2 day of August, 2004

_____

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
KENDRA L. KELLEY
My Appointment Expires
February 17, 200
No: 99-35659-1



CONSULTANTS

ARCHITECTS (Except Costco)	NADEL ARCHITECTS, INC. 7180 INDUSTRIAL RD., SUITE 800 LAS VEGAS, NV. 89118 T:702.896.2000 F:702.896.7170
ARCHITECTS (Costco Only)	MULVANNY ARCHITECTURE 1110 112TH AVE., SUITE 500 BELLEVUE, WA. 98004 T:425.463.2000 F:425.463.2002
CIVIL ENGINEER	G.C.WALLACE, INC. 1555 S. RAINBOW BLVD. LAS VEGAS, NV. 89146 T:702.804.2000 F:702.896.2299
LANDSCAPE ARCHITECT	SOUTHWICK LANDSCAPE ARCHITECTS 6352 McLEOD DR., SUITE 3 LAS VEGAS, NV. 89120 T:702.597.3108 F:702.597.3177

Summary

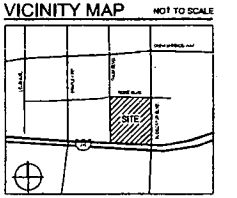
Land	±35.0 AC	±1,524,843 SF
Building		365,700 SF
Land-to-Bldg Ratio		3.17/1
Coverage		24.0%

Parking Required	
Retail: (337,700 sf @ 1/250)	1,351 stalls
Rest: (20,000 sf @ 1/100)	200 stalls
Bank: (4,500 sf @ 1/200)	23 stalls
Office: (3,500 sf @ 1/300)	12 stalls
Total Parking Required	1,586 stalls
Parking Provided	2,040 stalls
Standard	1,762 stalls
Compact	194 stalls (10%)
Handicap Provided	48 stalls
Handicap Required 20 + 1/100 stalls req'd)	36 stalls
Parking Ratio	5.58/1000

60

north

VICINITY MAP NOT TO SCALE



ALL BUILDINGS, IMPROVEMENTS, THEIR OCCUPANTS AND THE USES AS SHOWN ON THIS PLAN ARE PRELIMINARY AND SUBJECT TO MODIFICATION AT THE OWNER'S DISCRETION WITHOUT NOTICE.

THIS PRELIMINARY SITE PLAN IS BASED ON INFORMATION FURNISHED TO NADEL ARCHITECTS INC AND IS SUBJECT TO VERIFICATION BY LEGALS, SURVEYS AND GOVERNING AGENCIES ETC. THIS EXHIBIT IS NOT NECESSARILY A REPRESENTATION AS TO IDENTITY, TYPE, SIZE, LOCATION, TIMING OR OCCUPANCY OF ANY BUILDING WITHIN THIS CENTER.

SITE DEVELOPMENT PLAN

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

SHADOW MOUNTAIN MARKETPLACE
LAS VEGAS, NV.

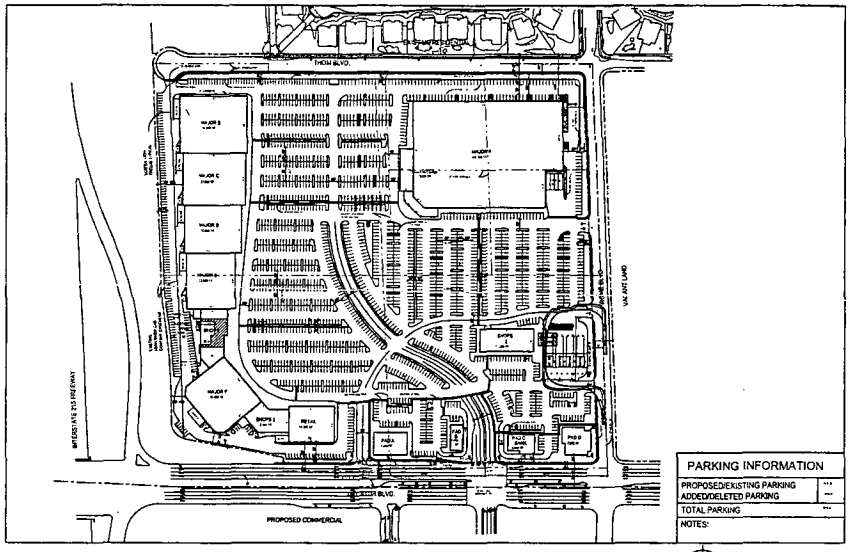
Owner: Shadow Mountain Marketplace LLC
5330 Debbie Road, Suite 100
Santa Barbara, Ca. 93111
(805) 967-6040

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

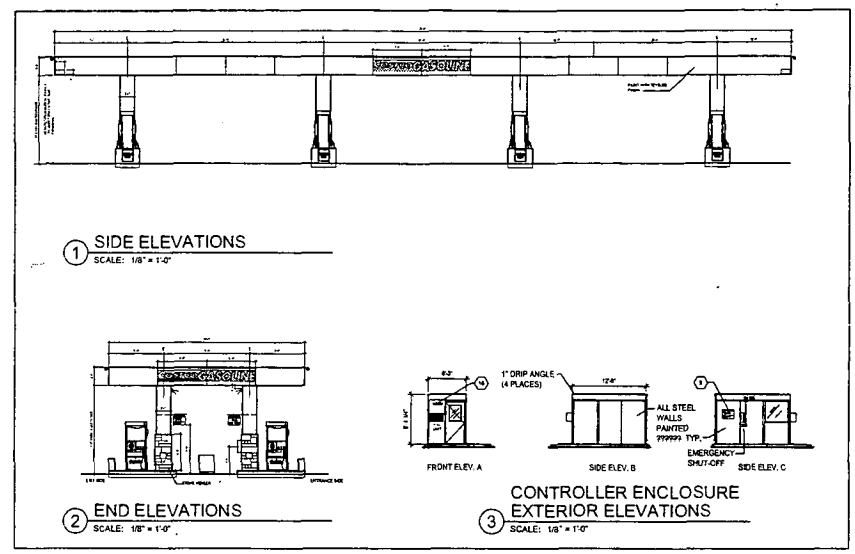
7180 INDUSTRIAL RD., SUITE 800
LAS VEGAS, NV. 89118
T:702.894.2000 F:702.896.7170
WWW.NADELARC.COM

Nadel Retail Architects Inc

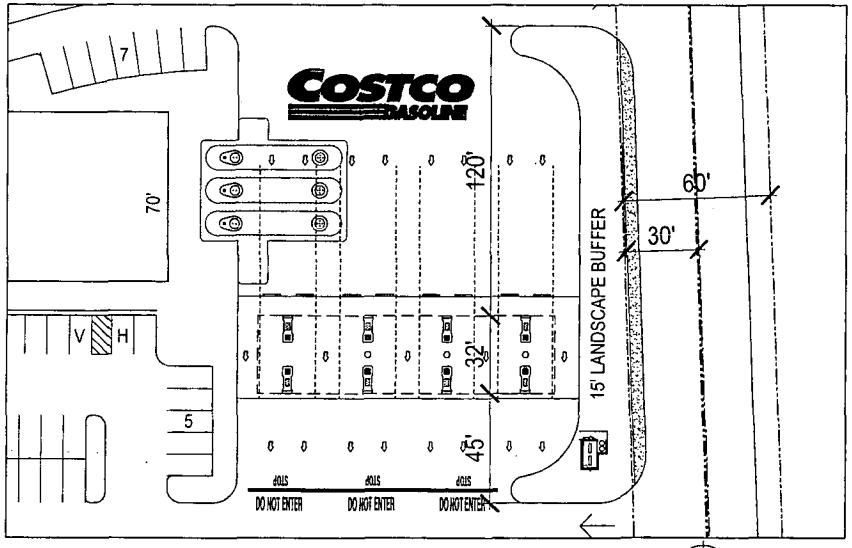
ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORK OF THE ARCHITECT AND THE SAME MAY NOT BE DUPLICATED, USED OR DISCLOSED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. COPYRIGHT NADEL ARCHITECTS, INC. ALL RIGHTS RESERVED



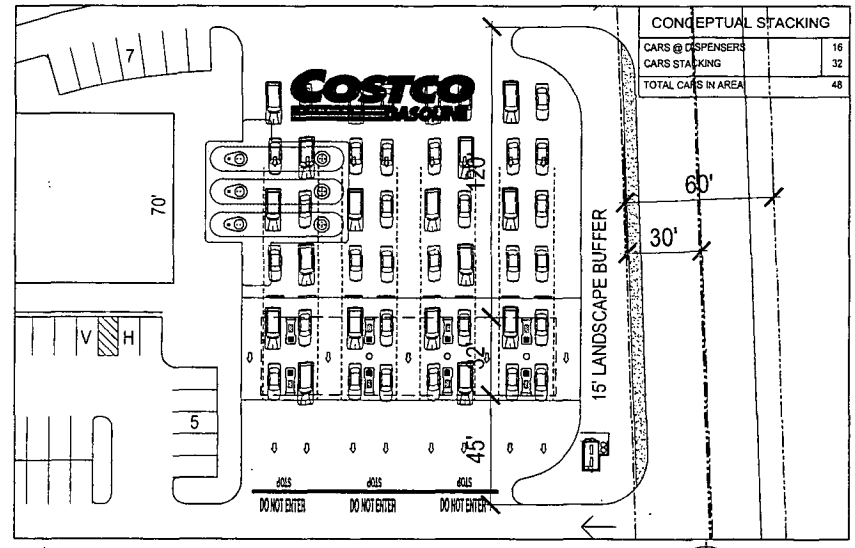
CONCEPT FUEL TRUCK ROUTE



CONCEPT ELEVATIONS



DETAIL SITE PLAN



STACKING PLAN

COSTCO WHOLESALE

LAS VEGAS, NEVADA

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

CONCEPT GAS STATION PLAN

AUGUST 13, 2004

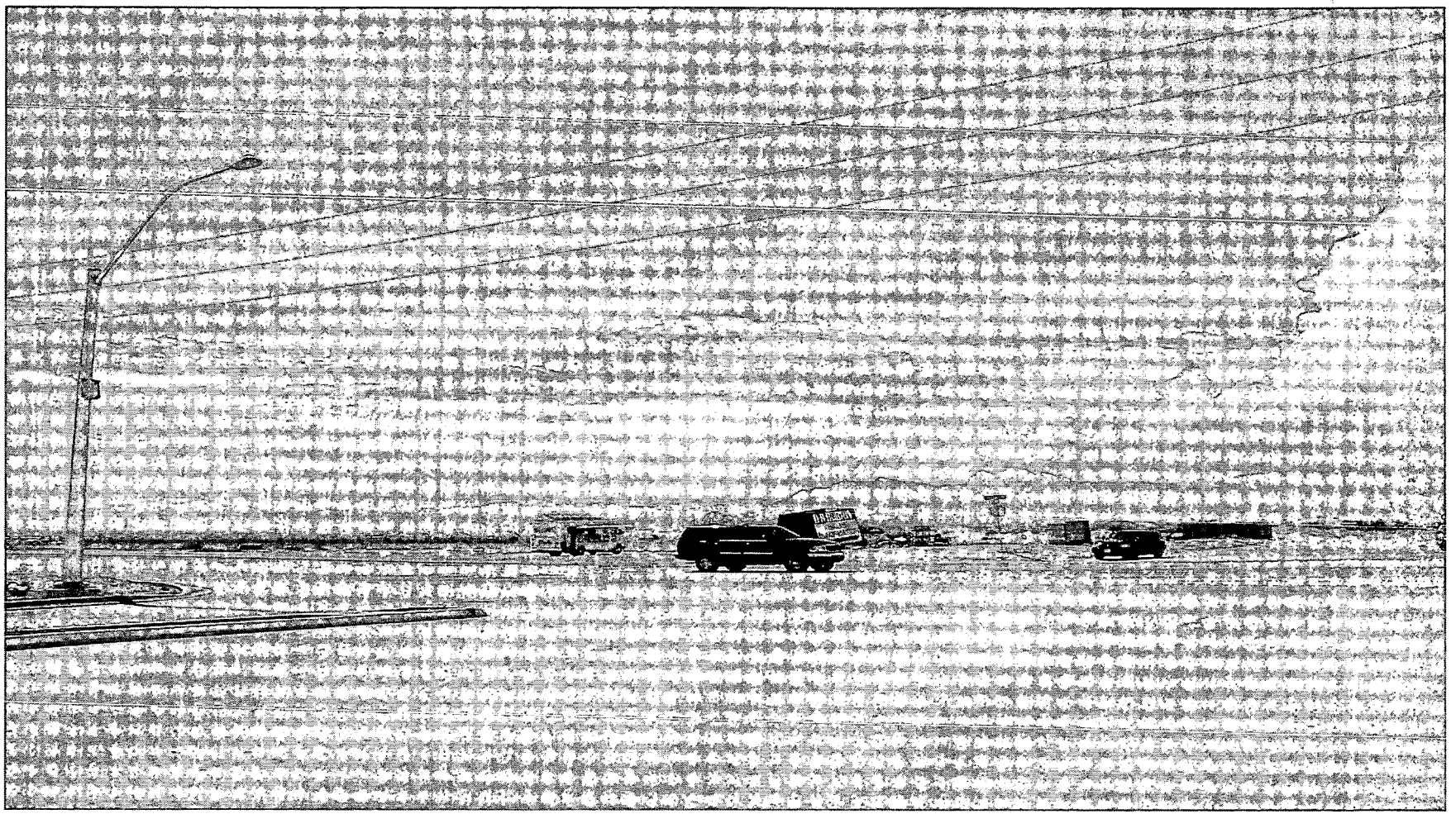
COSTCO WHOLESALE

LAS VEGAS, NV

MULVANNY G2

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

DD4.1-01



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

09/17/04

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

Telephone Protest/ Approval Log

Meeting Date: 10/7/04 **Case Number:** SUP-5005

Date: 9/27/04
Name: Patricia Klapperick
Address: 5308 Rome Blvd
Las Vegas NV 89131
Phone: 655-2544

☑ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:

☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:

☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
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Date:
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Date:
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☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:

Phone:

☐ **PROTEST** ☐ **APPROVE**

SUP-5005
#35

City of Las Vegas

Agenda Item No. 92

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

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

SUBJECT:
VACATION RELATED TO SUP-5065

VAC-5069 - PUBLIC HEARING - APPLICANT: SHADOW MOUNTAIN MARKETPLACE, LIMITED LIABILITY COMPANY - OWNER: NAMCO FINANCIAL, INC., ET AL - Petition to Vacate Turkey Lane between Thom Boulevard and Decatur Boulevard, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:
NOTE: See Item 91 [SUP-5065] for related discussion.
(1:49 - 1:56)
3-1541

CONDITIONS:
1. This Petition of Vacation shall include the north 30 feet of Turkey Lane located east of Thom Boulevard.

2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Site Development Plan Review SDR-5050 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.

3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

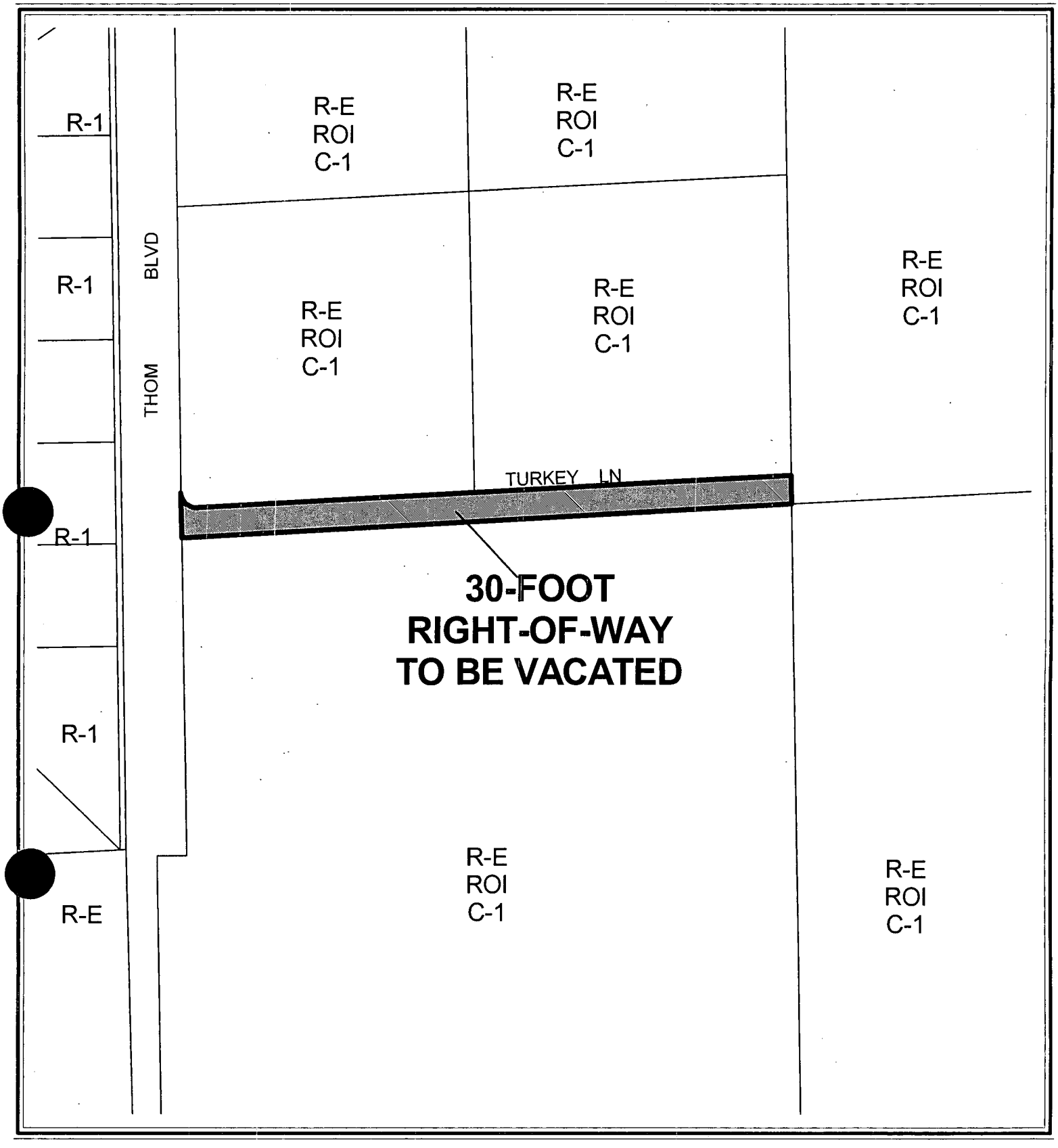
4. All development shall be in conformance with code requirements and design standards of all City Departments.

5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with

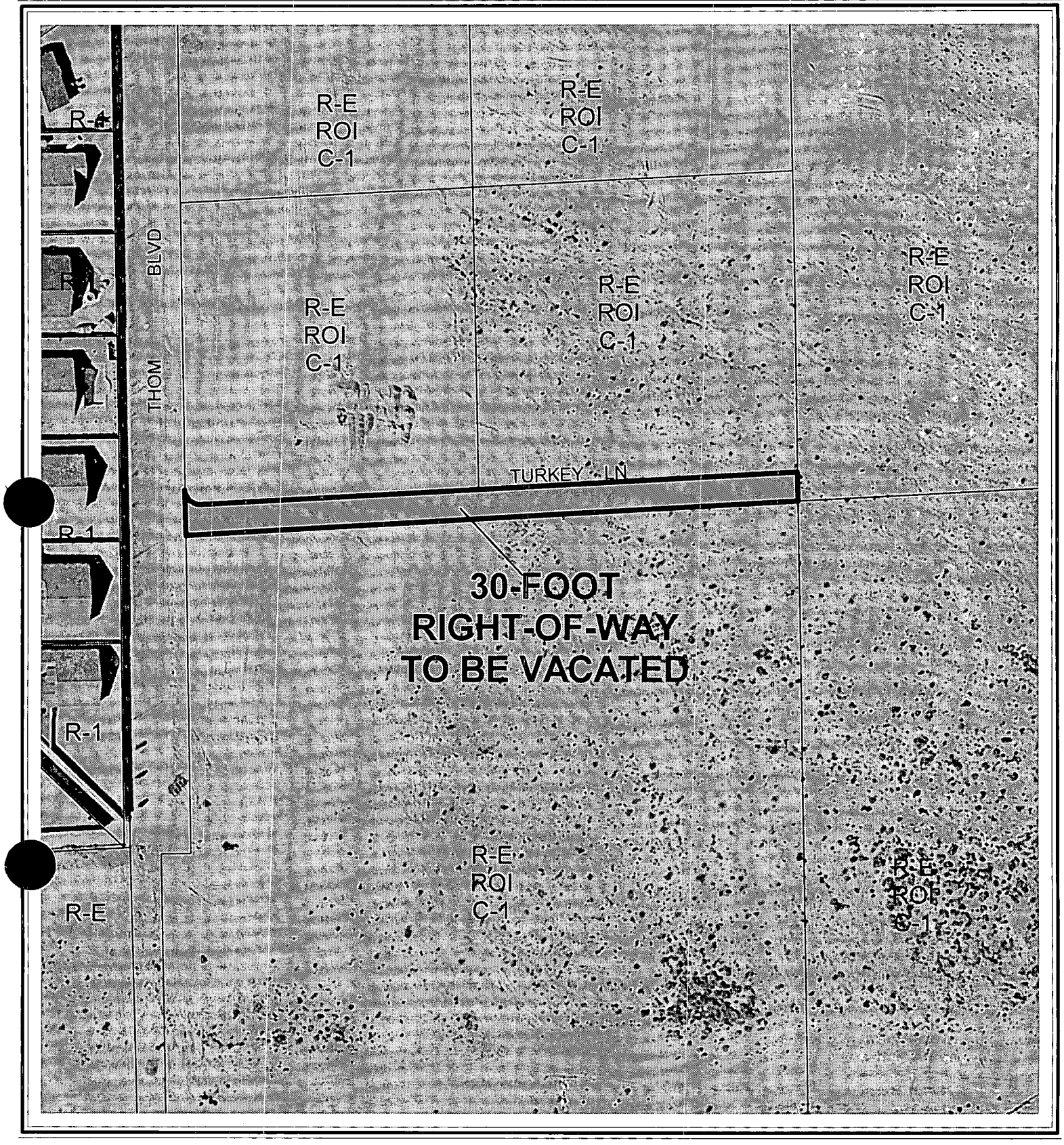
CONDITIONS - Continued:

the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right of way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right of way or easement being vacated must be retained.

6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



CASE: VAC-5069



CASE: VAC-5069

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-5069 - APPLICANT: SHADOW MOUNTAIN MARKETPLACE, LIMITED LIABILITY COMPANY – OWNER: NAMCO FINANCIAL, INC., ET AL

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

1. This Petition of Vacation shall include the north 30 feet of Turkey Lane located east of Thom Boulevard.

2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Site Development Plan Review SDR-5050 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.

3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

4. All development shall be in conformance with code requirements and design standards of all City Departments.

5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

08/25/97 The City Council approved a General Plan Amendment (GPA-0027-97) application to amend the Centennial Hills Sector Plan of the General Plan on a 30-acre portion property located on the northwest corner of Centennial Parkway and Decatur Boulevard from DR (Desert Rural) to SC (Service Commercial). The Planning Commission and staff both recommended approval.

08/25/97 The City Council approved a Rezoning and Site Development Plan Review (Z-0062-97) application for the reclassification of property located on the northwest corner of Centennial Parkway and Decatur Boulevard from R-E (Residence Estates) to C-1 (Limited Commercial) for a proposed 330,500 square foot commercial center. The Planning Commission and staff both recommended approval.

01/17/01 The City Council approved a Rezoning and Site Development Plan Review (Z-0107-00) application for the reclassification of a five-acre portion of property located on the southeast corner of Thom Boulevard and Rome Boulevard from R-E (Residence Estates) to C-1 (Limited Commercial) for a proposed commercial center. The Planning Commission and staff both recommended approval.

06/20/01 The City Council approved a Rezoning (Z-0019-01) application for the reclassification 31.7 acres of property located on the northwest corner of Centennial Parkway and Decatur Boulevard from R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) to C-1 (Limited Commercial). The Resolution of Intent was set to expire on 06/20/03. The prior Rezoning approvals Z-0062-97 and Z-0107-00 were expunged. The Planning Commission and staff both recommended approval.

07/16/03 The City Council approved an Extension of Time (EOT-2267) application for a Reinstatement and Extension of Time of an approved Rezoning (Z-0019-01) application for the reclassification 31.7 acres of property located on the northwest corner of Centennial Parkway and Decatur Boulevard from R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) to C-1 (Limited Commercial). The Planning Commission and staff both recommended approval.

05/05/04 The City Council approved a Rezoning (ZON-3976) application for the reclassification 3.88 acres of property adjacent to the southeast corner of Thom Boulevard and Rome Boulevard from R-E (Residence Estates) to C-1 (Limited Commercial). The previous Resolution of Intent based upon Rezoning (Z-0107-00) application expired on 06/20/03. The Planning Commission recommended denial. Staff recommended approval.

10/07/04 The Planning Commission recommended approval of a related Site Development Plan Review (SDR-5050) and Special Use Permit (SUP-5065) applications for the development of a proposed 365,700 square foot shopping center with a gas pump service station on 35.00 acres adjacent to the northwest corner of Centennial Parkway and Decatur Boulevard. Staff is recommending approval.

10/07/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #56/pl).

DETAILS OF APPLICATION REQUEST

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

ANALYSIS

A) Planning discussion

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

B) Public Works discussion

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

A. Does this vacation request result in uniform or non-uniform right-of-way widths? *Neither as it is to vacate a portion of a public right-of-way not currently used.*

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since it is not currently used as a roadway.*

C. Does it appear that the vacation request involves only excess right-of-way? *No, it is to vacate a portion of a street that will no longer serve a public purpose.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, Site Development Plan Review SDR-5050.*

E. Does this vacation request eliminate public street access to any abutting parcel? *No.*

F. Does this vacation request result in a conflict with any existing City requirements? *No.*

G. Does the Department of Public Works have an objection to this vacation request? *No.*

NOTICES MAILED 3 by City Clerk

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-5069 APN: 125-24-802-007

Name of Property Owner: Albert Flangas, A Single Man

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

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer 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, Planning Commission or Hearings Officer 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]

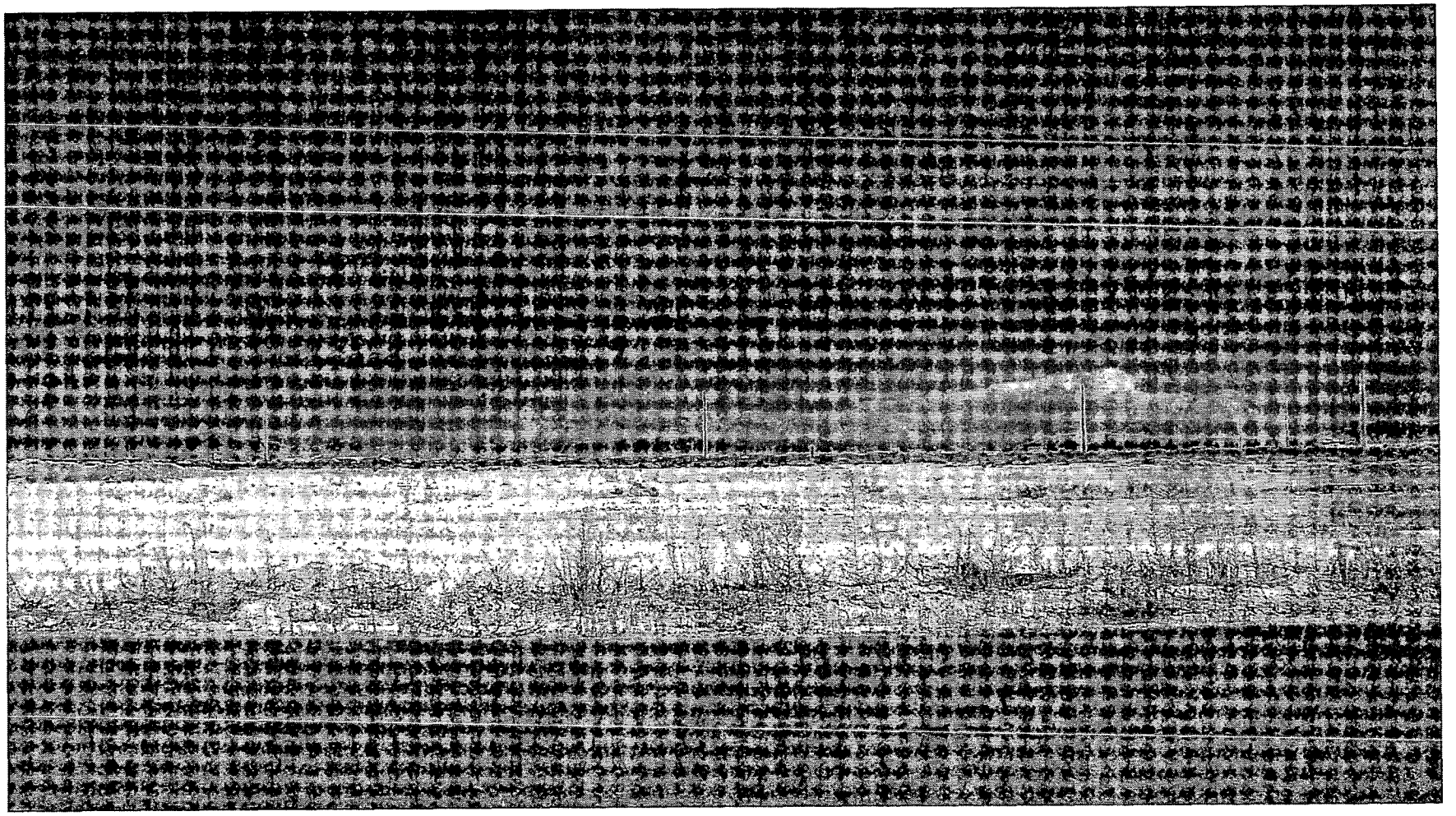
Subscribed and sworn before me

This 23rd day of August, 2004

Eileen M. Kennedy

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
EILEEN M. KENNEDY
Appt. No. 99-37370-1
My Appt. Expires July 10, 2007



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

09/17/04

City of Las Vegas

Agenda Item No. 93

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5065 AND VAC-5069

SDR-5050 - PUBLIC HEARING - APPLICANT: SHADOW MOUNTAIN MARKETPLACE, LIMITED LIABILITY COMPANY - OWNER: NAMCO FINANCIAL, INC., ET AL - Request for a Site Development Plan Review and Waivers of Building Placement and Foundation Landscaping Standards FOR A PROPOSED 365,700 SQUARE-FOOT SHOPPING CENTER on 35.00 acres adjacent to the northwest corner of Decatur Boulevard and the Las Vegas Beltway (APN 125-24-802-001, 002, 003, 004, 007, 010 and 011), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions and amending Conditions 14 and 22 to read:

14. Parking lot lighting standards along the perimeter of the site shall be no more than 20 feet in height; interior parking light lighting standards shall be no more than 30 feet in height. All standards shall utilize the 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened and shall not create fugitive lighting on adjacent properties.

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

- UNANIMOUS

MINUTES:

NOTE: See Item 91 [SUP-5065] for related discussion.

(1:49 - 1:56)

3-1541

CONDITIONS:

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations, date stamped August 23, 2004, except as amended by conditions herein.

3. The elevations for building Major A (Costco) shall be revised and approved by staff, prior to the time application is made for a building permit, with the replacement of the metal exterior element with architectural materials that conform to the preferred material as defined by Title 19.08.045 F2a.

4. The site plan shall be revised and approved by Planning and Development Department prior to the time application is made for a building permit, to depict the proper striping of handicap parking spaces within the proposed development, as well as the subsequent adjusted parking analysis.

5. The site plan shall be revised and approved by Planning and Development Department prior to the time application is made for a building permit for the controller enclosure of the gas pump service station, to depict the mechanical equipment outside of the 15-foot landscape buffer along Rome Boulevard.

6. An updated parking analysis is to be submitted with any building permits for a Certificate of Occupancy.

7. The perimeter screen wall along Thom Boulevard and a portion of Rome Boulevard is to be constructed at a height of eight feet to reduce the effect of noise and light pollution on adjacent residential uses.

8. A Master Sign Plan shall be approved submitted prior to the issuance of a Certificate of Occupancy for any building on the site.

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

10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

11. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.

12. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

CONDITIONS - Continued:

[Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

13. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

14. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

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

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

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

Public Works

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

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

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

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

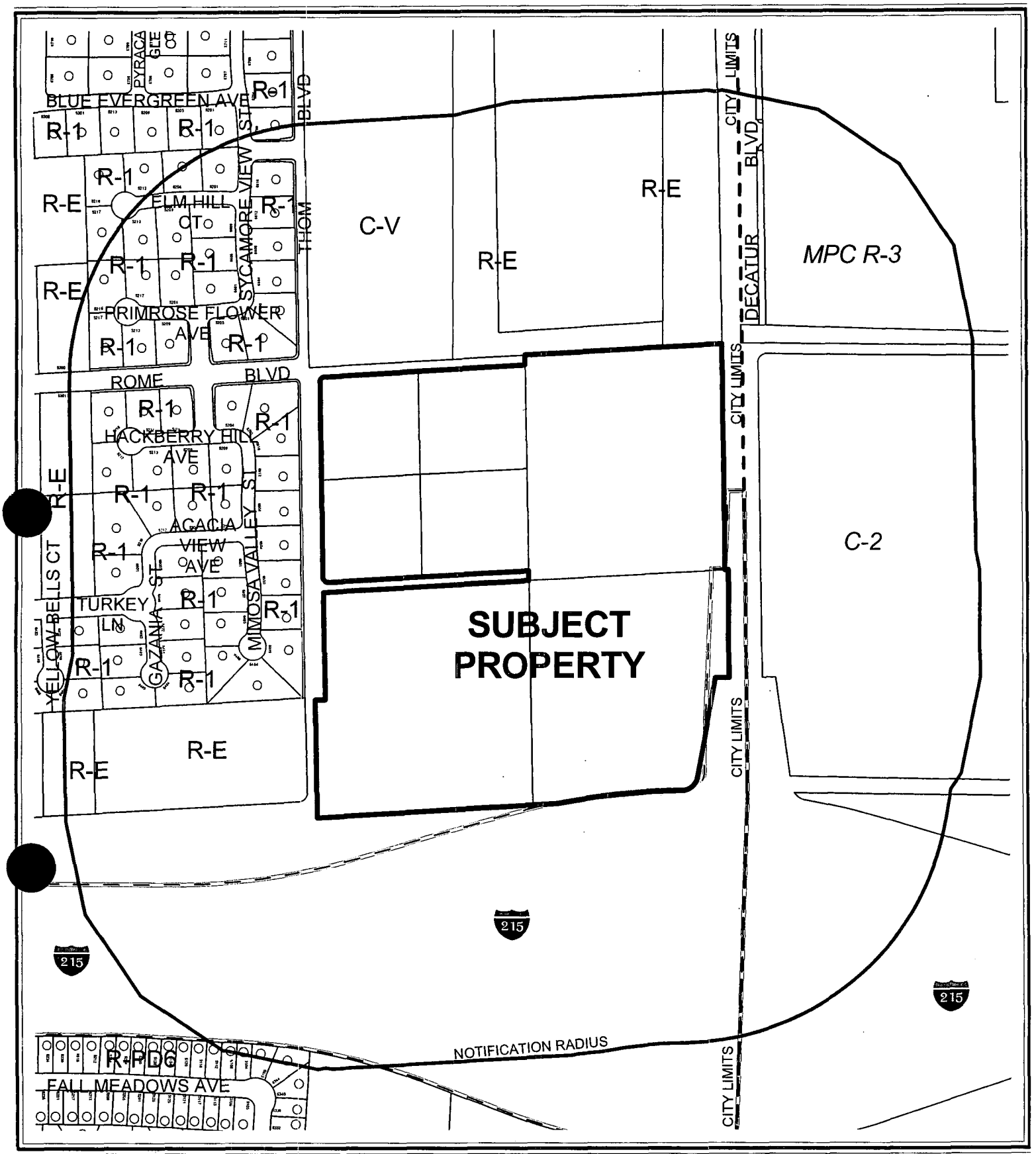
23. Coordinate with the Traffic Engineering Division and the City of North Las Vegas to determine

CONDITIONS - Continued:

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

24. Extend public sewer to the southwest corner of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

25. Site development to comply with all applicable conditions of approval for Zoning Reclassifications Z-0019-01 and ZON-3976 and all other applicable site-related actions.

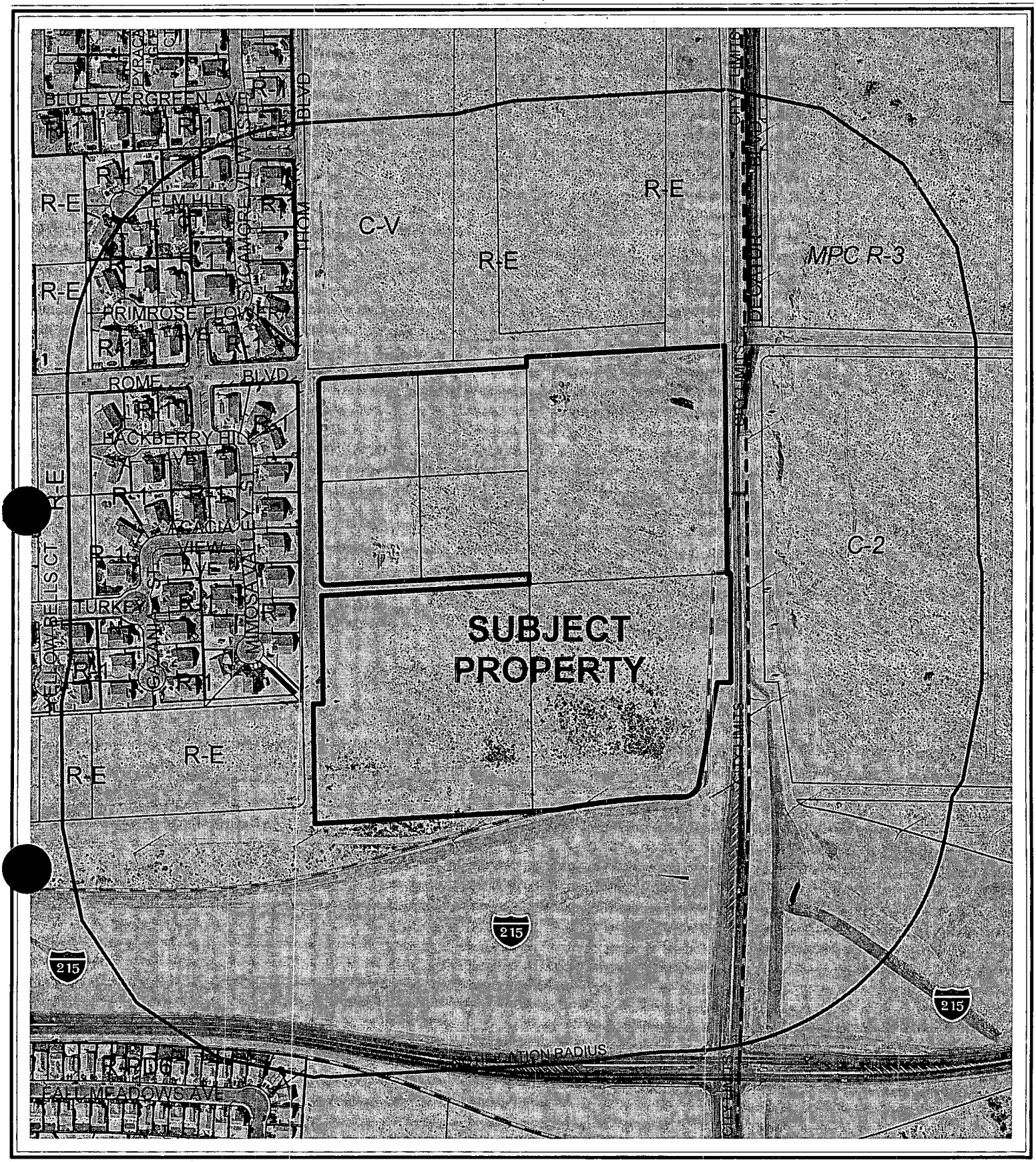


CASE: **SDR-5050**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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



0 300 600 Feet

CASE: **SDR-5050**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5050 - APPLICANT: SHADOW MOUNTAIN MARKETPLACE, LIMITED LIABILITY COMPANY - OWNER: NAMCO FINANCIAL, INC., ET AL

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations, date stamped August 23, 2004, except as amended by conditions herein.

3. The elevations for building Major A (Costco) shall be revised and approved by staff, prior to the time application is made for a building permit, with the replacement of the metal exterior element with architectural materials that conform to the preferred material as defined by Title 19.08.045 F2a.

4. The site plan shall be revised and approved by Planning and Development Department prior to the time application is made for a building permit, to depict the proper striping of handicap parking spaces within the proposed development, as well as the subsequent adjusted parking analysis.

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

10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

11. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.

12. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

13. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

14. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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

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

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

Public Works

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

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

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

24. Extend public sewer to the southwest corner of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

25. Site development to comply with all applicable conditions of approval for Zoning Reclassifications Z-0019-01 and ZON-3976 and all other applicable site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

08/25/97 The City Council approved a General Plan Amendment (GPA-0027-97) application to amend the Centennial Hills Sector Plan of the General Plan on a 30-acre portion property located on the northwest corner of Centennial Parkway and Decatur Boulevard from DR (Desert Rural) to SC (Service Commercial). The Planning Commission and Staff both recommended approval.

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05/05/04 The City Council approved a Rezoning (ZON-3976) application for the reclassification 3.88 acres of property adjacent to the southeast corner of Thom Boulevard and Rome Boulevard from R-E (Residence Estates) to C-1 (Limited Commercial). The previous Resolution of Intent based upon Rezoning (Z-0107-00) application expired on 06/20/03. The Planning Commission recommended denial. Staff recommended approval.

05/05/04 The City Council accepted the Withdrawal Without Prejudice for a Special Use Permit (SUP-3980) application for a proposed mini-warehouse facility adjacent to the southeast corner of Thom Boulevard and Rome Boulevard. The Planning Commission recommended denial. Staff Recommended approval.

05/05/04 The City Council accepted the Withdrawal Without Prejudice for a Site Development Plan Review (SDR-3979) application for a proposed mini-warehouse facility adjacent to the southeast corner of Thom Boulevard and Rome Boulevard. The Planning Commission recommended denial. Staff Recommended approval.

10/07/04 The Planning Commission recommended approval of related items Special Use Permit (SUP-5065) and Vacation (VAC-5069) applications as part of this agenda.

10/07/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #57/pl).

B) Pre-Application Meeting

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

1. Special Use Permit required for gasoline sales.
2. The site will be required to comply with internal pedestrian standards, including ADA standards and internal walkways.

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 35.0

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

Multi-Use Transportation Trail

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

INTERAGENCY ISSUES

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

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

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

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

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

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

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

PROJECT DESCRIPTION

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

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

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

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

A2) Residential Adjacency Standards

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

a) Proximity slope.

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

b) Building setback.

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

A3) Parking and Traffic Standards

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

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
General Retail Store, Other Than Listed (25,000 SF. or Greater) (COSTCO)	148,000 SF.	1 Space / 250 SF. GFA	592	12	592	12
General Retail Store, Other Than Listed (25,000 SF. or Greater)	189,700 SF.	1 Space / 250 SF. GFA	759	16	759	16
Restaurant	17,000 SF.	1 space / 50 SF. GFA of public seating and waiting area plus 1 space / 200 GFA of remaining area	To Be Determined	TBD	169	6

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

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

A4) Landscape and Open Space Standards

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

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

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

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

A5) Sign Standards

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

B) General Analysis and Discussion

- Zoning

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

- Site Plan

The proposed anchor store, aka Major A (Costco), is located on the north west corner of the site and has access from Rome Boulevard and via internal drive aisles accessed from Decatur Boulevard. A drive through restaurant, as well as a bank with a drive through, front on Decatur Boulevard. Additionally, a gas pump service station is proposed on the northeast section of the site with access from Rome Boulevard. The proposed controller enclosure for the service station is located on the edge of the 15-foot landscape buffer along Rome Boulevard. The enclosure itself is not problematic, but the mechanical equipment located to the north of the enclosure is due to the fact that it encroaches into the required 15-foot landscape buffer. Therefore the application has been conditioned to have a revised site plan submitted with the relocation of the proposed mechanical equipment to be located outside of the 15-foot landscape buffer.

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

- Waivers

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

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

- Landscape Plan

A six-foot perimeter screen wall is proposed along part of Rome Boulevard along the northwest corner of the site and the full length of Thom Boulevard. Since the trash compactors are located

along the northern elevation of Major A (Costco), it is recommended that the wall height be increased to the full eight feet to further mitigate noise pollution. A condition has been added to reflect the above mentioned recommendation.

- Elevation

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

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

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

- Floor Plan

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

PLANNING COMMISSION ACTION

There was one speaker in favor of the project at Planning Commission where Condition #19 was amended as shown.

NOTICES MAILED 83 by Planning Department

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5050 APN: 125-24-802-001 & 002

Name of Property Owner: Namco Financial, Inc. as Qualified Intermediary for ~~Joseph Golshan~~

Name of Applicant: Shadow Mountain Marketplace

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: Val Muraoka

Subscribed and sworn before me

This 17 day of June, 2004

_____

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

HUNTER MARR
Comm. # 1343251
NOTARY PUBLIC - CALIFORNIA
Los Angeles County
My Comm. Expires Feb. 14, 2006

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5050 APN: 125-24-802- ,003,004

Name of Property Owner: Amanda L. Flangas

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

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Amanda L. Flangas

Print Name: Amanda L. Flangas

Subscribed and sworn before me

This 17th day of June, 2004

Eileen M. Kennedy

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
EILEEN M. KENNEDY
Appt. No. 99-37370-1
My Appt. Expires July 10, 2007

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: W/M Living Trust

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

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

_____ Yes 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: William G. Flangas

Print Name: William G. Flangas, Trustee

Subscribed and sworn before me

This 17th day of June, 2004

Eileen M. Kennedy

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
EILEEN M. KENNEDY
Appt. No. 99-37370-1
My Appt. Expires July 10, 2007

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5050 APN: 125-24-802-010

Name of Property Owner: George Filios Trust R-501

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

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

_____ Yes __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: George Filios, Trustee

Subscribed and sworn before me

This 17th day of June, 2004

Eileen M. Kennedy

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
EILEEN M. KENNEDY
Appt. No. 99-37370-1
My Appt. Expires July 10, 2007

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5050 APN: 125-24-802-_____,011

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

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

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

_____ Yes __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: Al F

Print Name: Albert Flangas, General Partner

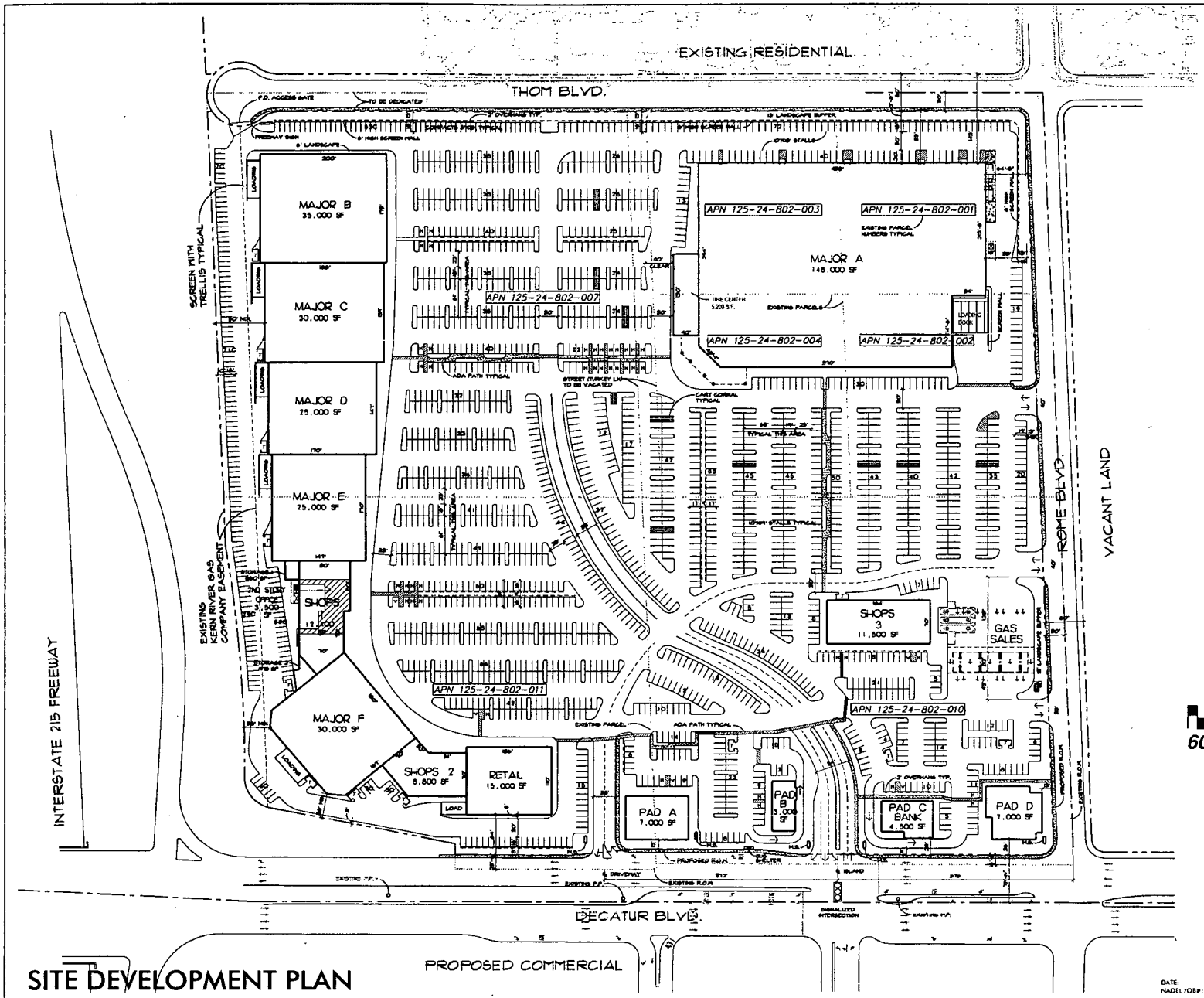
Subscribed and sworn before me

This 17th day of June, 2004

Eileen M. Kennedy

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
EILEEN M. KENNEDY
Appt. No. 99-37370-1
My Appt. Expires July 10, 2007



CONSULTANTS

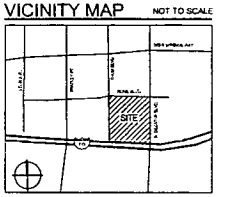
ARCHITECTS (Except Costco)	NADEL ARCHITECTS, INC. 7180 INDUSTRIAL RD., SUITE 800 LAS VEGAS, NV. 89118 T:702.896.2000 F:702.896.7170
ARCHITECTS (Costco Only)	MULVANNY ARCHITECTURE 1110 112TH AVE., SUITE 500 BELLEVUE, WA. 98004 T:425.463.2000 F:425.463.2002
CIVIL ENGINEER	G.C.WALLACE, INC. 1555 S. RAINBOW BLVD. LAS VEGAS, NV. 89146 T:702.804.2000 F:702.896.2299
LANDSCAPE ARCHITECT	SOUTHWICK LANDSCAPE ARCHITECTS 6362 McLEOD DR., SUITE 3 LAS VEGAS, NV. 89120 T:702.597.3108 F:702.597.3177

Summary

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

Parking Required	
Retail: (337,700 sf @ 1/250)	1,351 stalls
Rest: (20,000 sf @ 1/100)	200 stalls
Bank: (4,500 sf @ 1/200)	23 stalls
Office: (3,500 sf @ 1/300)	12 stalls
Total Parking Required	1,586 stalls
Parking Provided	2,040 stalls
Standard	1,762 stalls
Compact	194 stalls (10%)
Handicap Provided	48 stalls
Handicap Required 20 + 1/100 stalls req'd)	36 stalls
Parking Ratio	5.58/1000

VICINITY MAP NOT TO SCALE



ALL BUILDINGS, IMPROVEMENTS, THEIR OCCUPANTS AND THE USES AS SHOWN ON THIS PLAN ARE PRELIMINARY AND SUBJECT TO MODIFICATION AT THE OWNERS DISCRETION WITHOUT NOTICE.

THIS PRELIMINARY SITE PLAN IS BASED ON INFORMATION FURNISHED TO NADEL ARCHITECTS INC AND IS SUBJECT TO VERIFICATION BY LEGALS, SURVEYS AND GOVERNING AGENCIES OC. THIS EXHIBIT IS NOT NECESSARILY A REPRESENTATION AS TO IDENTITY, TYPE, SIZE, LOCATION, TIMING OR OCCUPANCY OF ANY BUILDING WITHIN THIS CENTER.

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

SITE DEVELOPMENT PLAN

SHADOW MOUNTAIN MARKETPLACE
LAS VEGAS, NV.

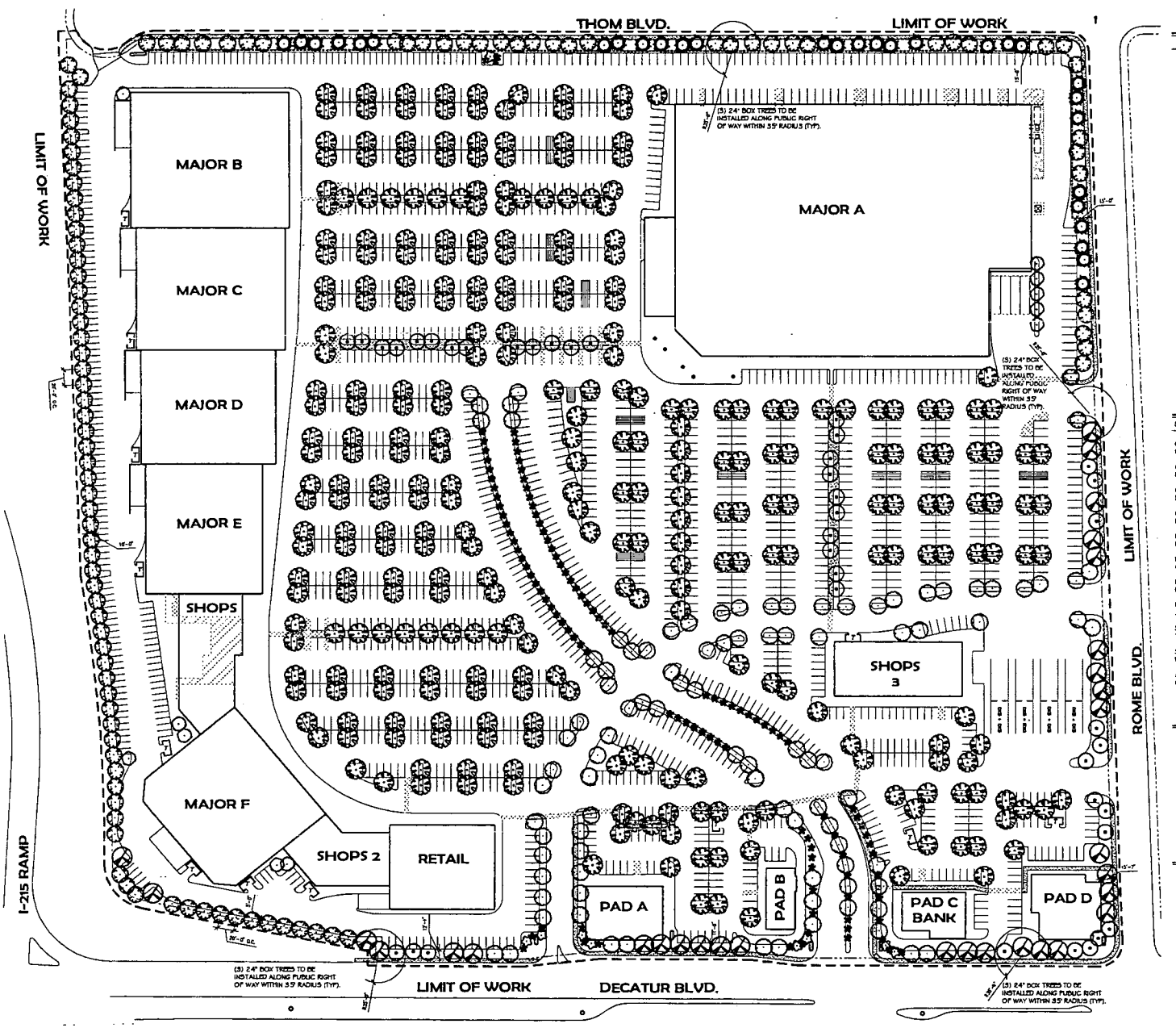
Owner: Shadow Mountain Marketplace LLC
5330 Debbie Road, Suite 100
Santa Barbara, Ca. 93111
(805) 967-6040

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

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

Nadel Architects Inc

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PLANTING LEGEND

SYMBOL	BOTANICAL NAME/COMMON NAME	SIZE	QTY.	SPACING
	PYRUS KAWAKAMI EVERGREEN PEAR	24" BOX	40	20' O.C.
	PISTACIA X 'RED PUSH' RED PUSH CHINESE PISTACHE - STD.	24" BOX	311	20' O.C.
	BAUHINIA CONGESTA ANACACHO ORCHID TREE - MULTI	24" BOX	0	15' O.C.
	FRAXINUS VELUTINA 'RIO GRANDE' RIO GRANDE FAN-TEX ASH - STD.	24" BOX	31	20' O.C.
	FRAXINUS OXYCARPA 'RAYWOOD' RAYWOOD ASH - STD.	24" BOX	107	20' O.C.
	CHITALPA TASHKENTENSIS 'PINK DAWN' PINK DAWN CHITALPA - STD.	24" BOX	96	20' O.C.
	PINUS ELDARICA MONDEL PINE - STD.	24" BOX	30	20' O.C.
	ACACIA STENOPHYLLA SHOE-STRING ACACIA - STD.	24" BOX	11	20' O.C.
	SOPHORA SECUNDIFLORA MEXICAN BEAN - MULTI	24" BOX	0	15' O.C.
	PHOENIX DACTYLIFERA DATE PALM - DIAMOND CUT	25' BTH	9	20' O.C.
	WASHINGTONIA ROBUSTA MEXICAN FAN PALM - SKINNED	18' BTH	110	12' O.C.

SUGGESTED SHRUB LEGEND

BOTANICAL NAME/COMMON NAME	SIZE	BOTANICAL NAME/COMMON NAME	SIZE
CHAMAEROPS HUMILIS MEDITERRANEAN FAN PALM	15 GAL.	DIETES VEGETA FORTNIGHT LILY	5 GAL.
CAESALPINIA PULCHERRIMA RED BIRD OF PARADISE	5 GAL.	HESPERALOE PARVIFLORA RED HESPERALOE	5 GAL.
CHRYSACTINIA MEXICANA DAMIANITA	5 GAL.	YUCCA RECURVIFOLIA PENDULOUS YUCCA	5 GAL.
COTONEASTER GLAUCOPHYLLUS BRIGHT-BEAD COTONEASTER	5 GAL.	PENSTEMON PARRYI PARRY'S PENSTEMON	1 GAL.
DALEA PRUTESCENS 'SIERRA NEGRA' BLACK DALEA	5 GAL.	MUHLENBERGIA CAPILLARIS 'REGAL MIST' REGAL MIST DEER GRASS	5 GAL.
LEUCOPHYLLUM LAEVIGATUM CHIHUAHUAN SAGE	5 GAL.	DALEA CAPITATA 'SIERRA GOLD' SIERRA GOLD DALEA	5 GAL.
NERIUM OLEANDER 'LITTLE RED' DWARF RED OLEANDER	5 GAL.	ROSMARINUS OFFICINALIS 'PROSTRATUS' PROSTRATE ROSEMARY	5 GAL.
RAPHIOLEPIS INDICA 'JACK EVANS' JACK EVANS HAWTHORN	5 GAL.	TEUCRIUM CHAMAEDRYS GERMANDER	5 GAL.
SALVIA X 'TRIDENT' TRIDENT SAGE	5 GAL.	TRACHELOSPERMUM JASMINOIDES STAR JASMINE	5 GAL.
SPHAERALCEA AMBIGUA 'PAPAGO PINK' PINK GLOBE MALLOW	5 GAL.	HYMENOXYS ACAULIS ANGELITA DAISY	1 GAL.
AGAVE VILMORINIANA OCTOPUS AGAVE	5 GAL.	MACFADYENA UNGUIS-CATI CAT'S CLAW VINE	5 GAL.

NOTES:

1) DECOMPOSED GRANITE (DG) - INSTALL A 2" LAYER OF 3/4" SCREENED ROCK MULCH CONTINUOUS IN ALL PLANTERS, WITHIN LIMIT OF LANDSCAPE, UNDER ALL TREES AND SHRUBS. COLOR: TBD. BEFORE PLACING GRANITE, COMPACT SUB-GRADE TO 85 % AND APPLY A PRE-EMERGENT HERBICIDE TO SOIL. AFTER PLACING GRANITE, RAKE SMOOTH, WET TO ENTIRE DEPTH, ALLOW TO DRY, THEN LIGHTLY SCARIFY SURFACE WITH A LEAF RAKE. APPLY A SECONDARY APPLICATION OF PRE-EMERGENT HERBICIDE TO TOP OF GRANITE. KEEP TOP OF GRANITE 1" BELOW ADJACENT WALKS AND CURBS. DO NOT ALLOW GRANITE TO TOUCH THE TRUNK OF ANY PLANT. INSTALL AFTER INSTALLATION OF PLANT MATERIAL. CONTRACTOR TO PROVIDE SAMPLE OF ROCK FOR APPROVAL BY OWNER PRIOR TO INSTALLATION.

2) ALL LANDSCAPE AND IRRIGATION SHALL COMPLY WITH CITY OF LAS VEGAS URBAN DESIGN GUIDELINES & STANDARDS, TITLE 19, ADOPTED MARCH 17, 1957.

OWNER:

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

SCALE: 1" = 60'-0"

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

SOUTHWICK LANDSCAPE ARCHITECTS
6362 McLeod Drive
Suite 3
Las Vegas, NV 89120
Phone 702 597 3908
Fax 702 597 3977

STAMP:

CONSULTANT:

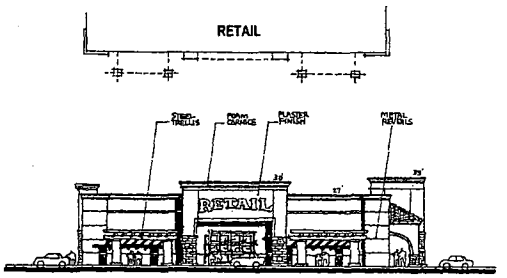
SHADOW MOUNTAIN MARKETPLACE
DECATUR AND ROME
LAS VEGAS, NEVADA

REVISIONS:

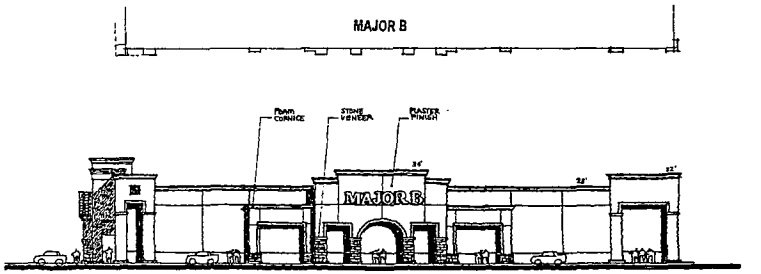
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PLANTING PLAN

DRAWN BY: LAS
REVIEWED BY: SSS
DATE: AUGUST 16, 2004
PROJECT NO.: 04-048

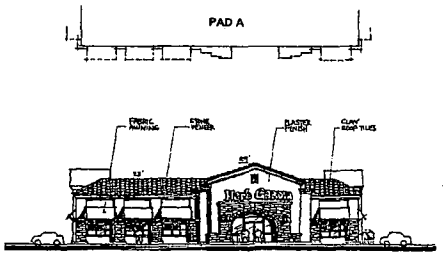
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L1.00



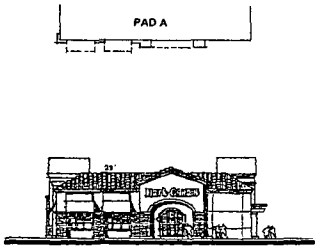
NORTH ELEVATION



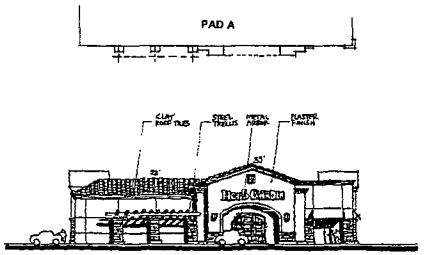
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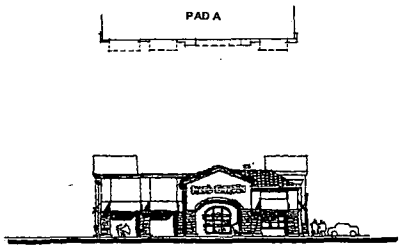
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION (FACING DECATUR BLVD.)



NORTH ELEVATION

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

DATE: AUGUST 19, 2004
MADEL JOB#: JULY 23, 2004
04-077

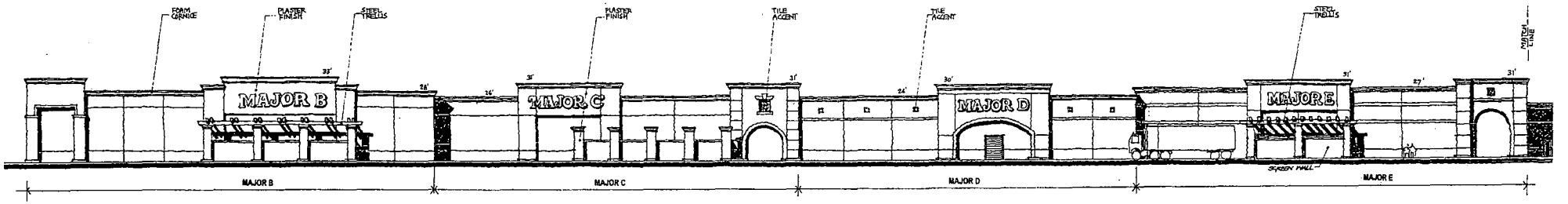
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SHADOW MOUNTAIN MARKETPLACE
LAS VEGAS, NEVADA

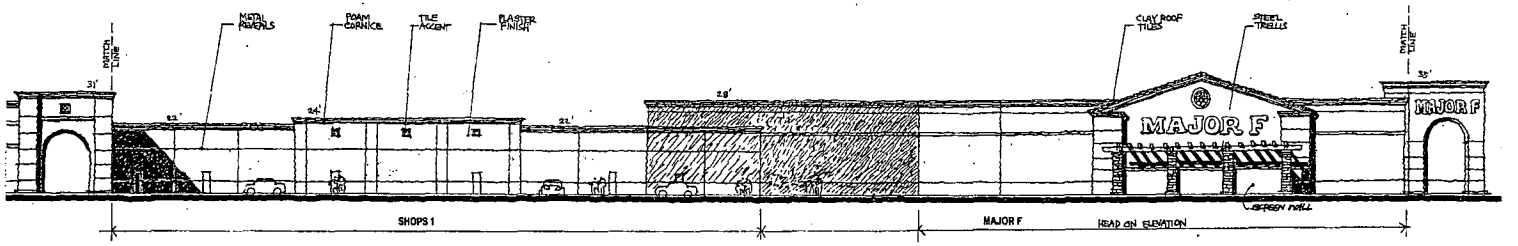
Owner: Shadow Mountain Marketplace LLC
5330 Debbie Road, Suite 100
Santa Barbara, Ca. 93111
(805) 967-6040

7160 S. INDUSTRIAL RD., SUITE 600
LAS VEGAS, NV 89118
T:702.896.2000 F:702.896.7179
WWW.MADELARC.COM

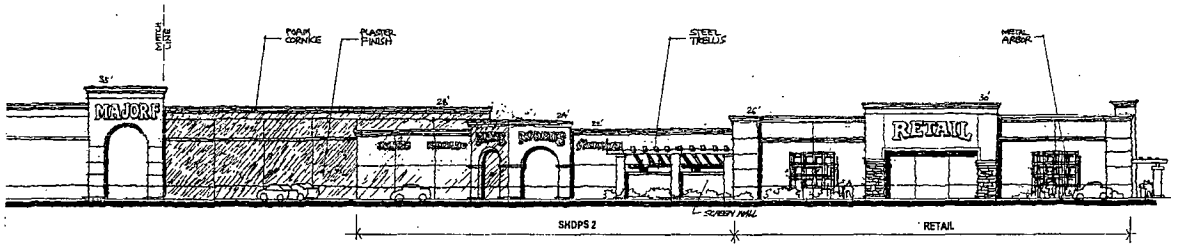
Madel Architects Inc



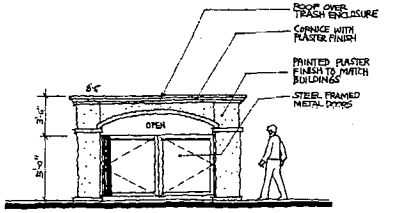
SOUTH ELEVATION (FACING FREEWAY)



SOUTH ELEVATION (CONTINUATION)



EAST ELEVATION (FACING DECATUR BLVD.)



TYPICAL TRASH ENCLOSURE
SCALE 1/4"=1'-0"

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

4

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

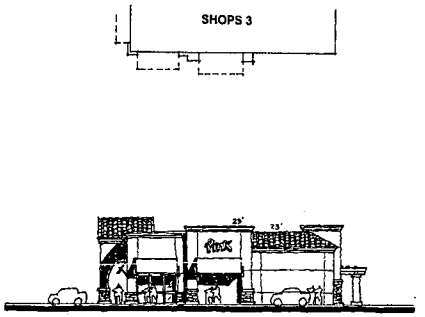
DATE: AUGUST 18, 2004
NADEL JOB#: 04-077

SHADOW MOUNTAIN MARKETPLACE
LAS VEGAS, NEVADA

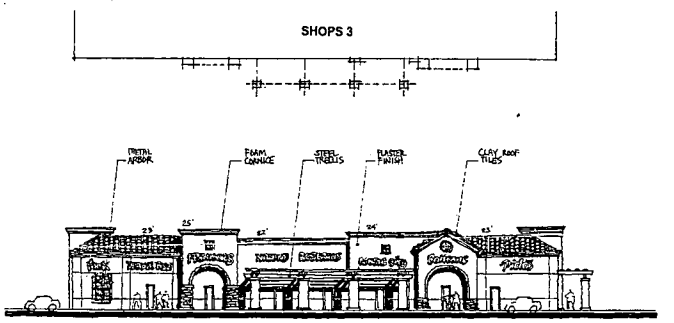
Owner: Shadow Mountain Marketplace LLC
5330 Debbie Road, Suite 100
Santa Barbara, Ca. 93111
(805) 967-6040

7180 S. INDUSTRIAL RD. SUITE 600
LAS VEGAS, NV 89118
T:702.896.2000 F:702.896.7170
WWW.NADELARC.COM

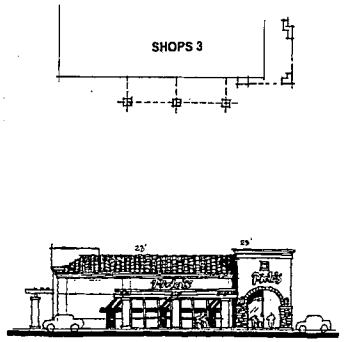
Nadel Architects Inc



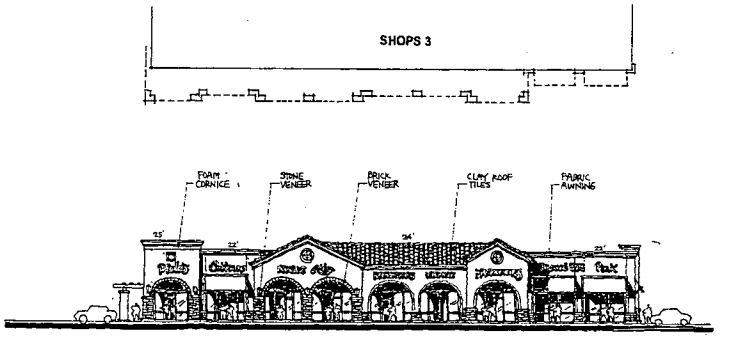
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

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

DATE: AUGUST 10, 2004
JULY 23, 2004
NADEL JOB#: 04-077

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

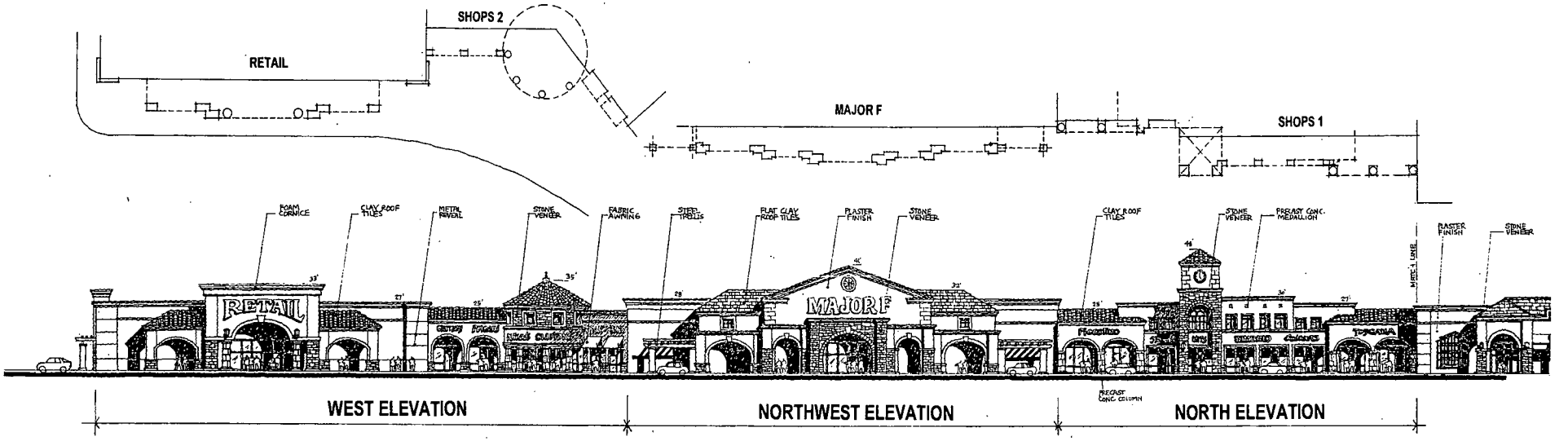
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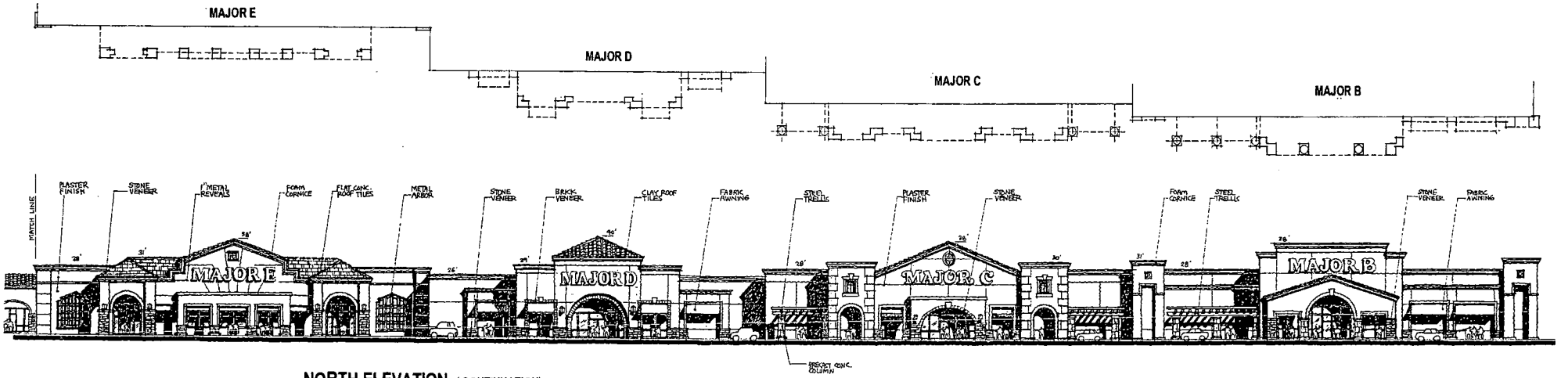
SHADOW MOUNTAIN MARKETPLACE
LAS VEGAS, NEVADA

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

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

Nadel Architects Inc





NORTH ELEVATION (CONTINUATION)

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

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

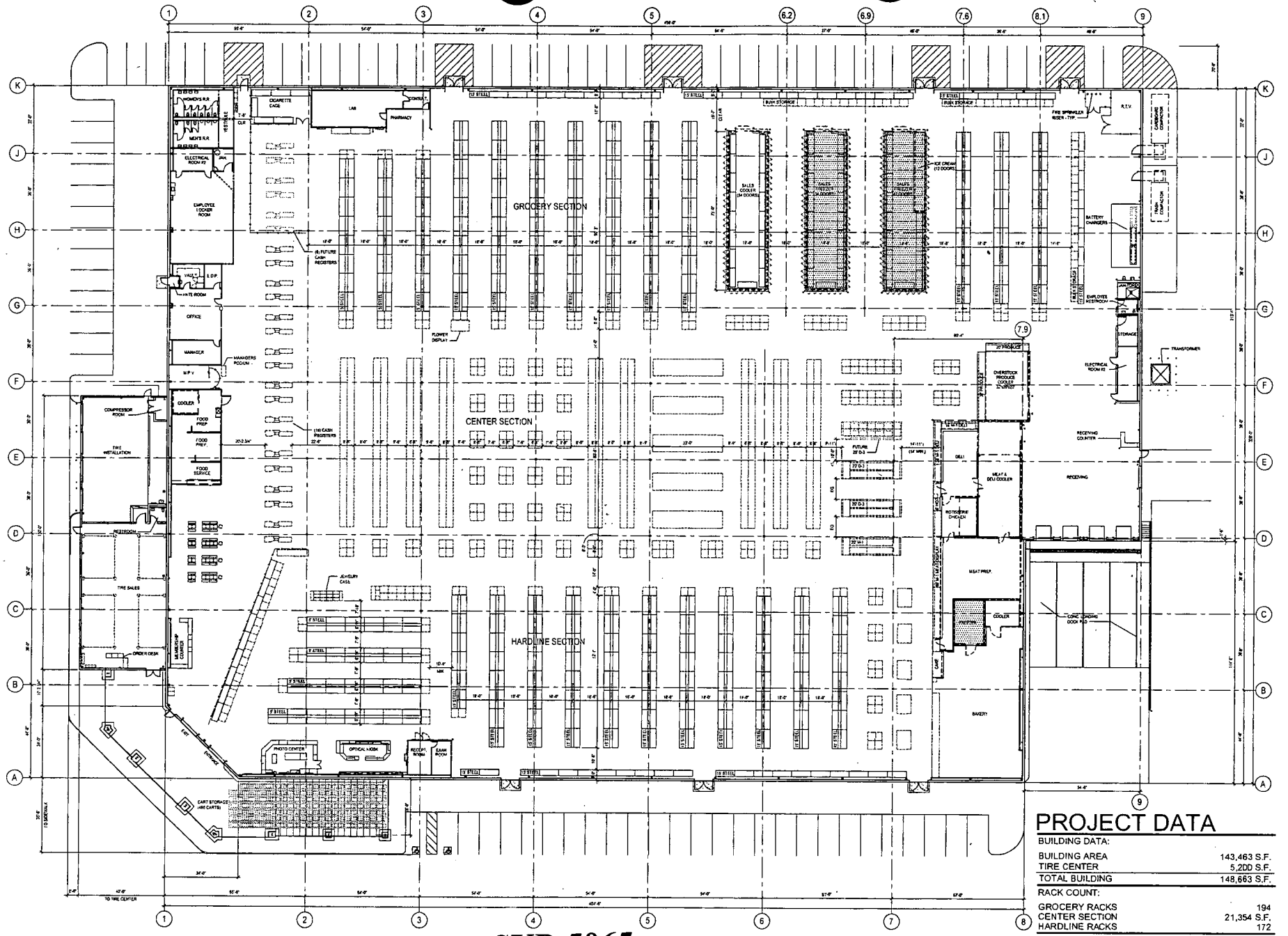
DATE: AUGUST 10, 2004
NADEL JOB#: 04-077

SHADOW MOUNTAIN MARKETPLACE
LAS VEGAS, NEVADA

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

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

Nadel Architects Inc



RECEIVED
AUG 23 RECD

PROJECT DATA

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

COSTCO WHOLESALE

LAS VEGAS, NV

MULVANNY G2

1119 12TH AVE, NE | SUITE 300
BELLEVUE, WA | 98004
t 425.453.2000 | f 425.453.2002
mulvannyG2.com

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

DD2.1-01

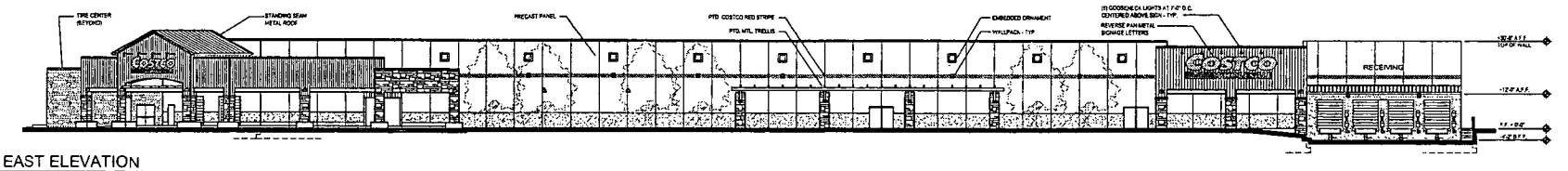
COSTCO WHOLESALE

LAS VEGAS, NEVADA

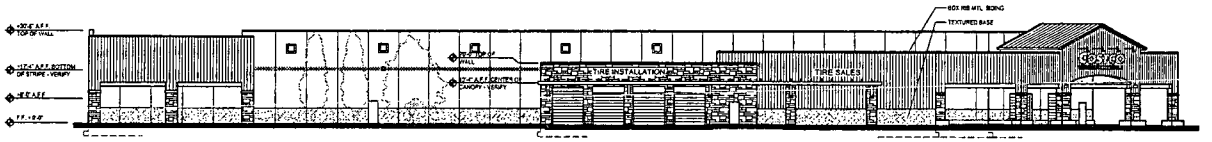
SUP-5065
SDR-5050
10-07-04 PC

PRELIMINARY FLOOR PLAN

JUNE 18, 2004



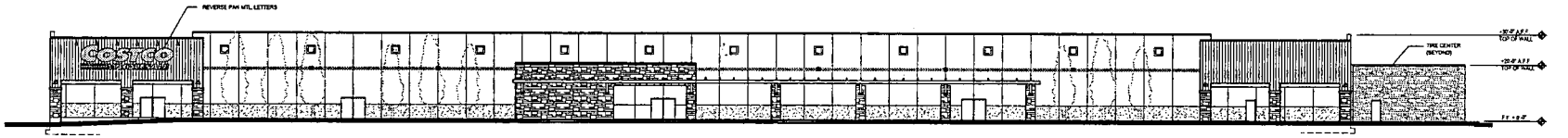
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SCALE: 1/16" = 1'-0"



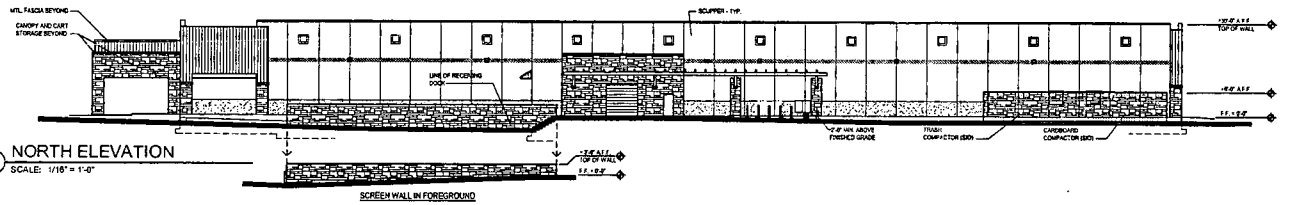
2 SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



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



4 WEST ELEVATION
SCALE: 1/16" = 1'-0"



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

RECEIVED
AUG 23 REC'D

COSTCO WHOLESALE

04-1126-01
JULY 26, 2004
CONCEPT ELEVATIONS

DD3.1-01

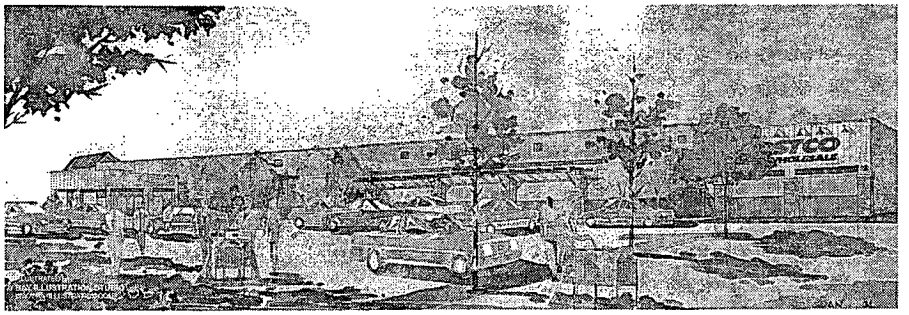
COSTCO WHOLESALE

LAS VEGAS, NEVADA

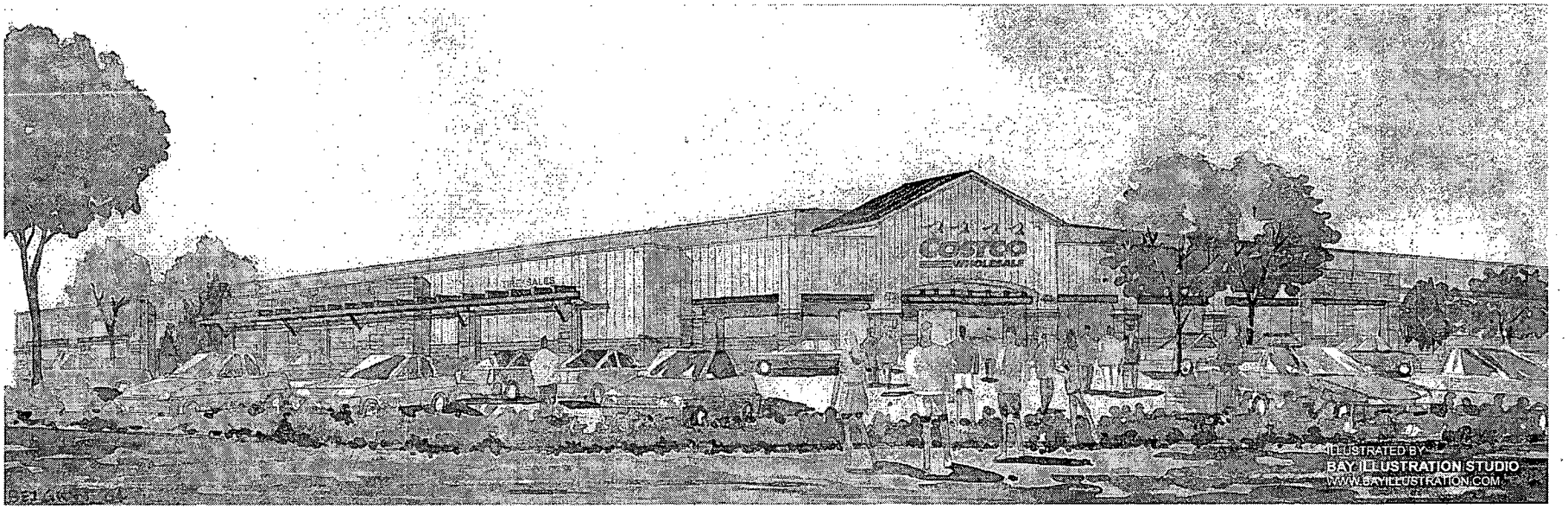
SUP-5065
SDR-5050
10-07-04 PC

CONCEPT ELEVATIONS

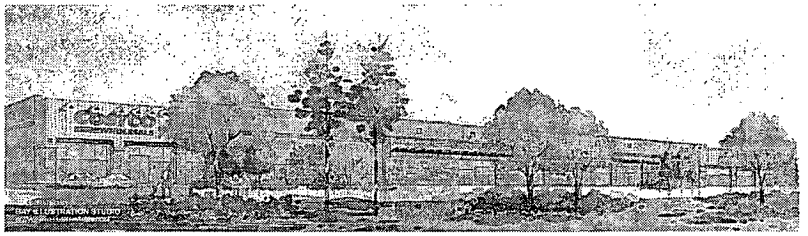
JULY 26, 2004



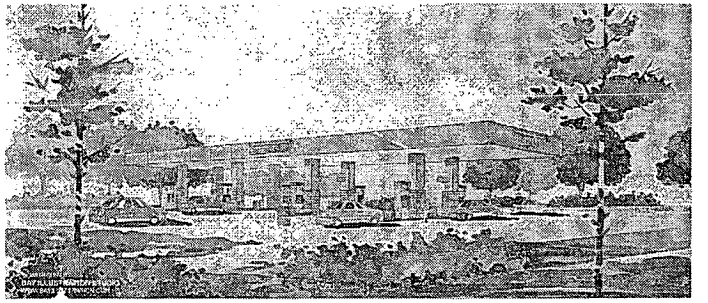
VIEW FROM THOM BLVD.



VIEW OF MAIN ENTRY CANOPY



VIEW FROM INTERSECTION OF THOM BLVD. & ROME BLVD.



VIEW OF GAS STATION

COSTCO WHOLESALE
LAS VEGAS, NEVADA

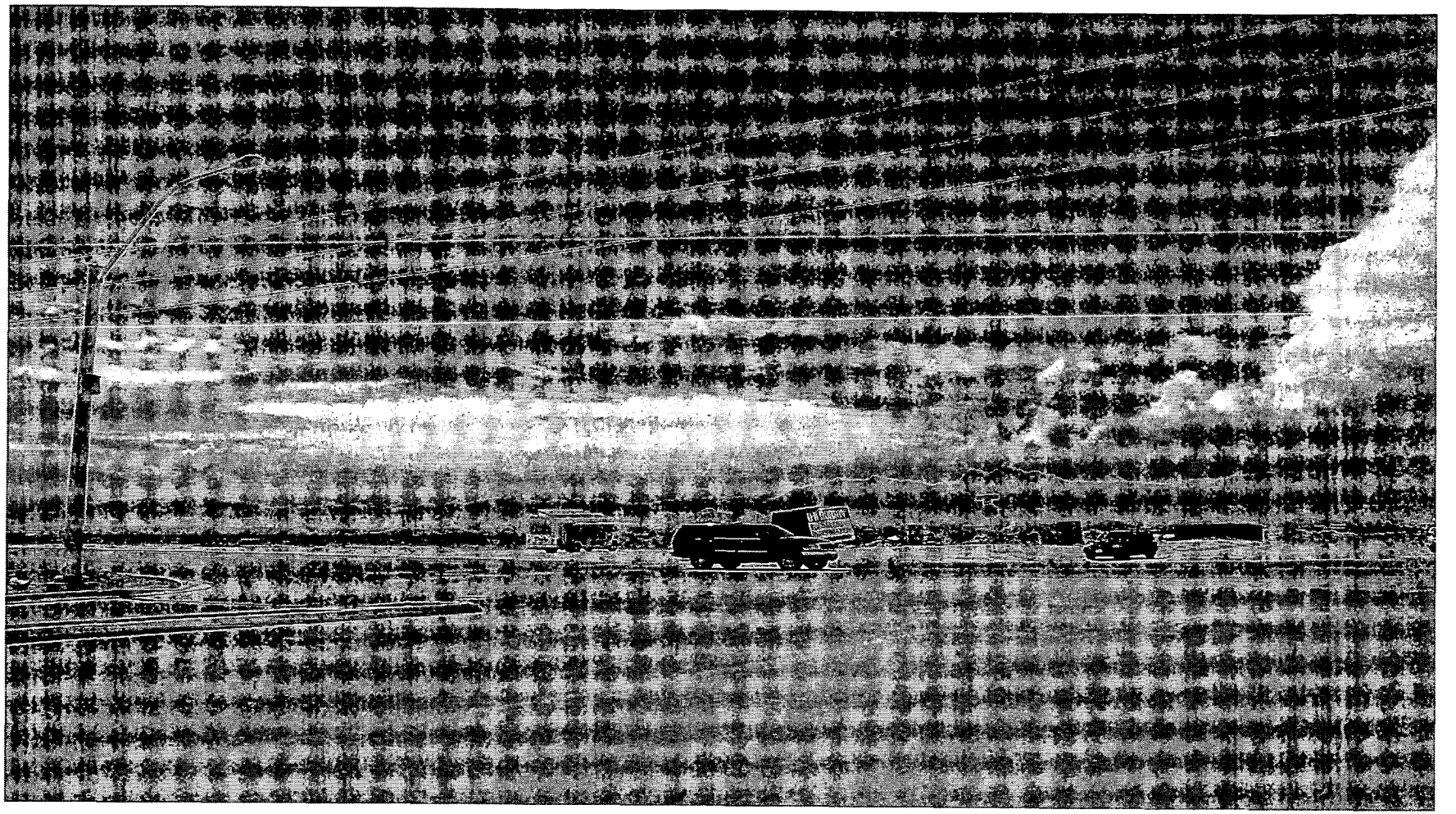
SUP-5065
SDR-5050
10-07-04 PC

PERSPECTIVE SKETCHES
AUGUST 9, 2004

COSTCO WHOLESALE
LAS VEGAS, NV
INTERSECTION OF DECATUR BLVD. & INTERSTATE 215

MULVANNY G2
1100 112TH AVE. NE | SUITE 500
BELLEVUE, WA | 98004
t 425.455.2000 | f 425.455.2672

04-1126-01
AUGUST 9, 2004
PERSPECTIVE SKETCHES



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

09/17/04

City of Las Vegas

Agenda Item No. 94

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SPECIAL USE PERMIT

SUP-5067 - PUBLIC HEARING - APPLICANT: PDC AUTO TITLE LOAN - OWNER: GWHC OF NEVADA, LLC - Request for a Special Use Permit and Waivers of Separation Distance Standards, to allow a 780-foot distance from a parcel with a similar use where 1,000 feet is the minimum required, to allow a zero-foot distance from residential uses where 200 feet is the minimum required; and a Waiver of floor area standards, to allow 1,482 square feet where 1,500 square feet is the minimum required FOR A PROPOSED AUTO TITLE LOAN BUSINESS at 8450 West Sahara Avenue, Suite 114 (APN 163-04-406-004), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

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

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Backup referenced from the 10/7/2004 Planning Commission Item 60

MOTION:

MONCRIEF - DENIED - UNANIMOUS with MACK abstaining because his brother STEVEN MACK owns a SuperPawn, which offers the same type of service as Item 94 [SUP-5067] and Item 95 [SUP-5072]

MINUTES:

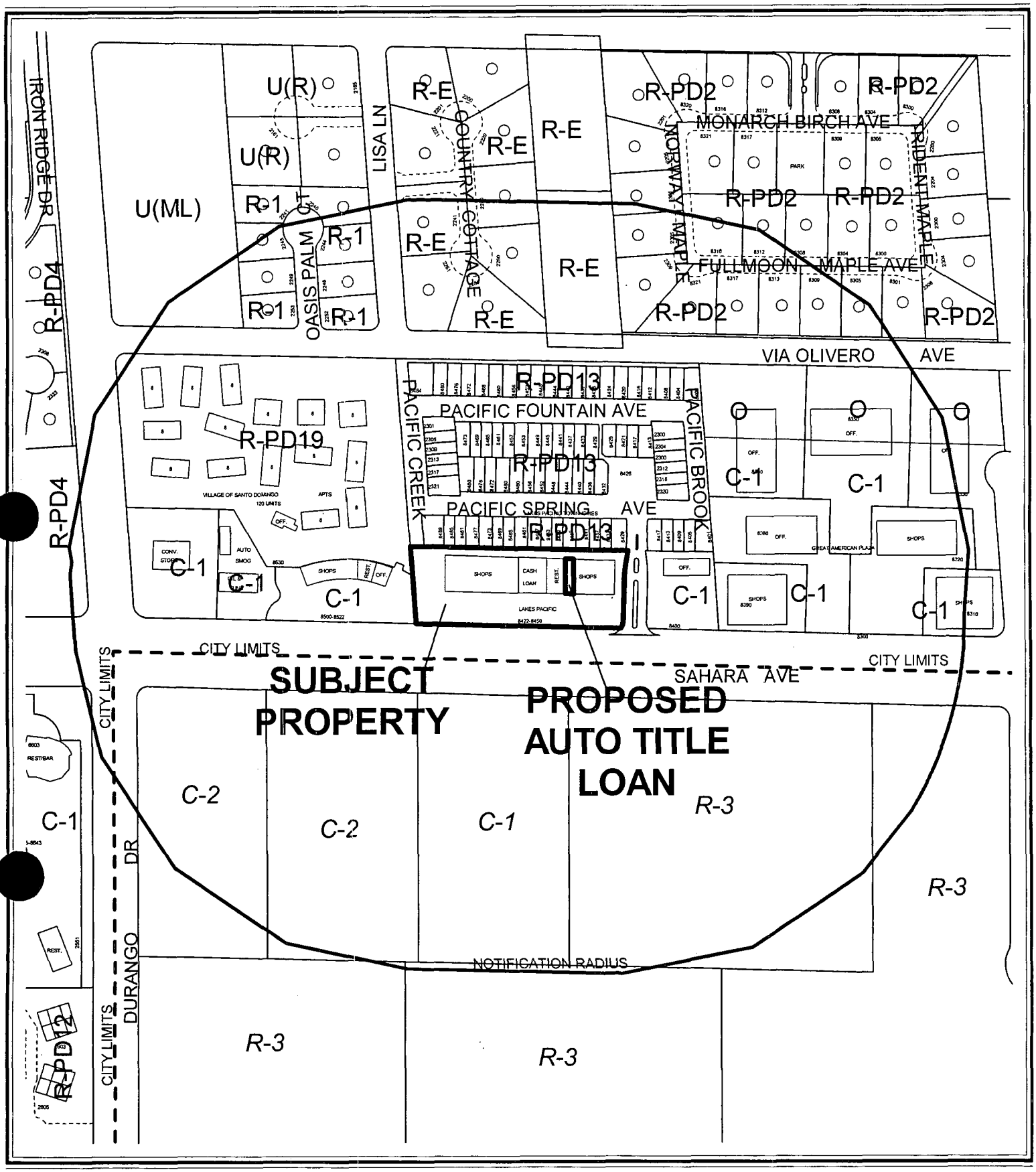
MAYOR GOODMAN declared the Public Hearing open.

GARY FORBES, 8450 West Sahara Avenue, appeared to request a waiver for the separation distance between the standard floor area and permit zero-foot distance from residential property. COUNCILWOMAN MONCRIEF questioned why staff had recommended denial, and ROBERT GENZER, Director, Planning and Development, explained that the location of a business of a similar type is right on the line. He then confirmed there are residential properties to the north of this particular site. The property front is Sahara Avenue with no direct access between that proposed and the residential area. COUNCILWOMAN MONCRIEF mentioned a meeting held with the president of a homeowner's association representing 81 homes directly behind the property. She indicated that in the past, the previous council member prevented businesses of that nature from being developed here. Because numerous constituents opposed the project, she motioned to deny the request.

No one appeared in opposition.

MINUTES - Continued:

MAYOR GOODMAN declared the Public Hearing closed.
(2:18 - 2:21)
3-2800



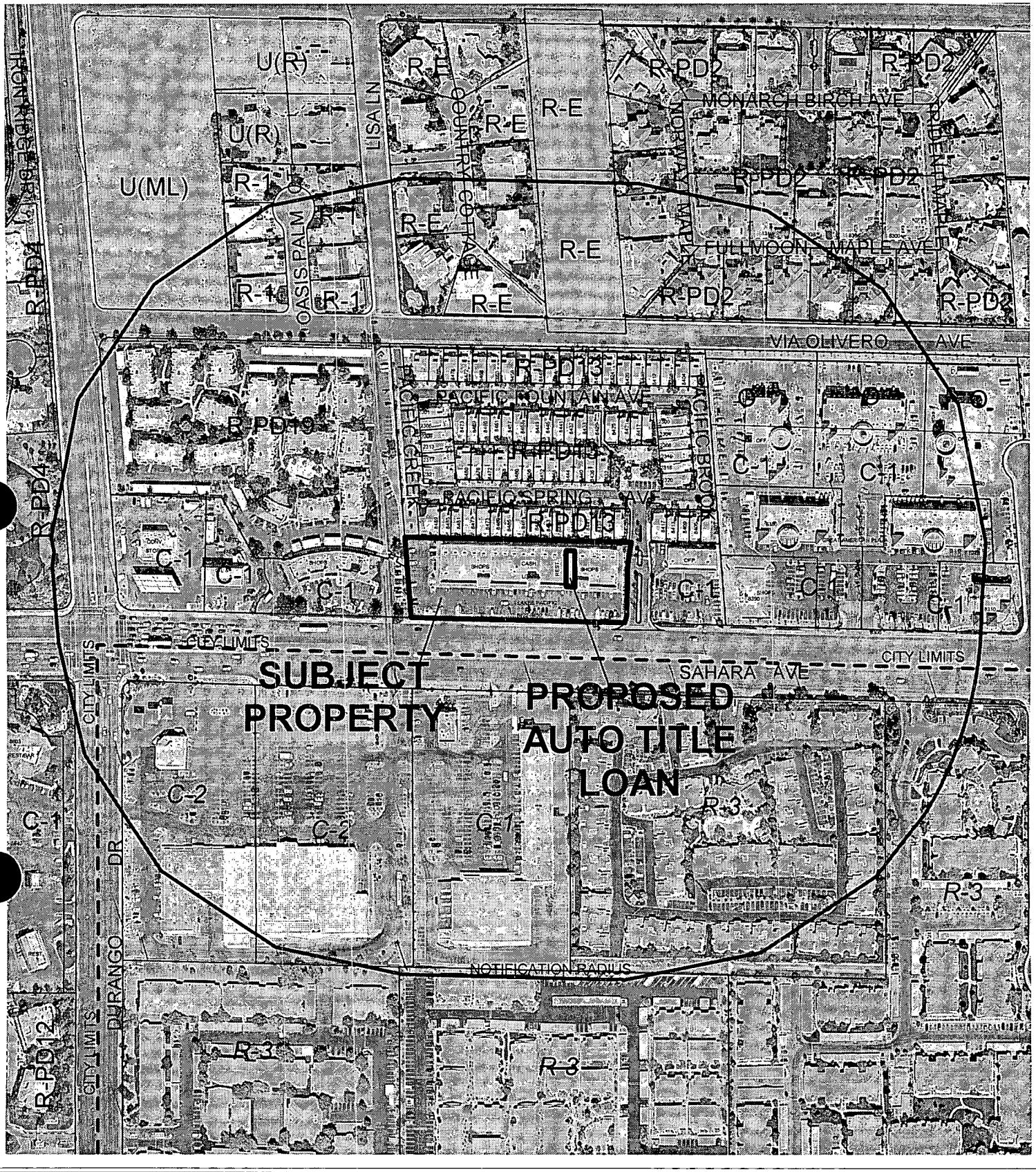
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CASE: **SUP-5067**

RADIUS: 750 FT

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

N



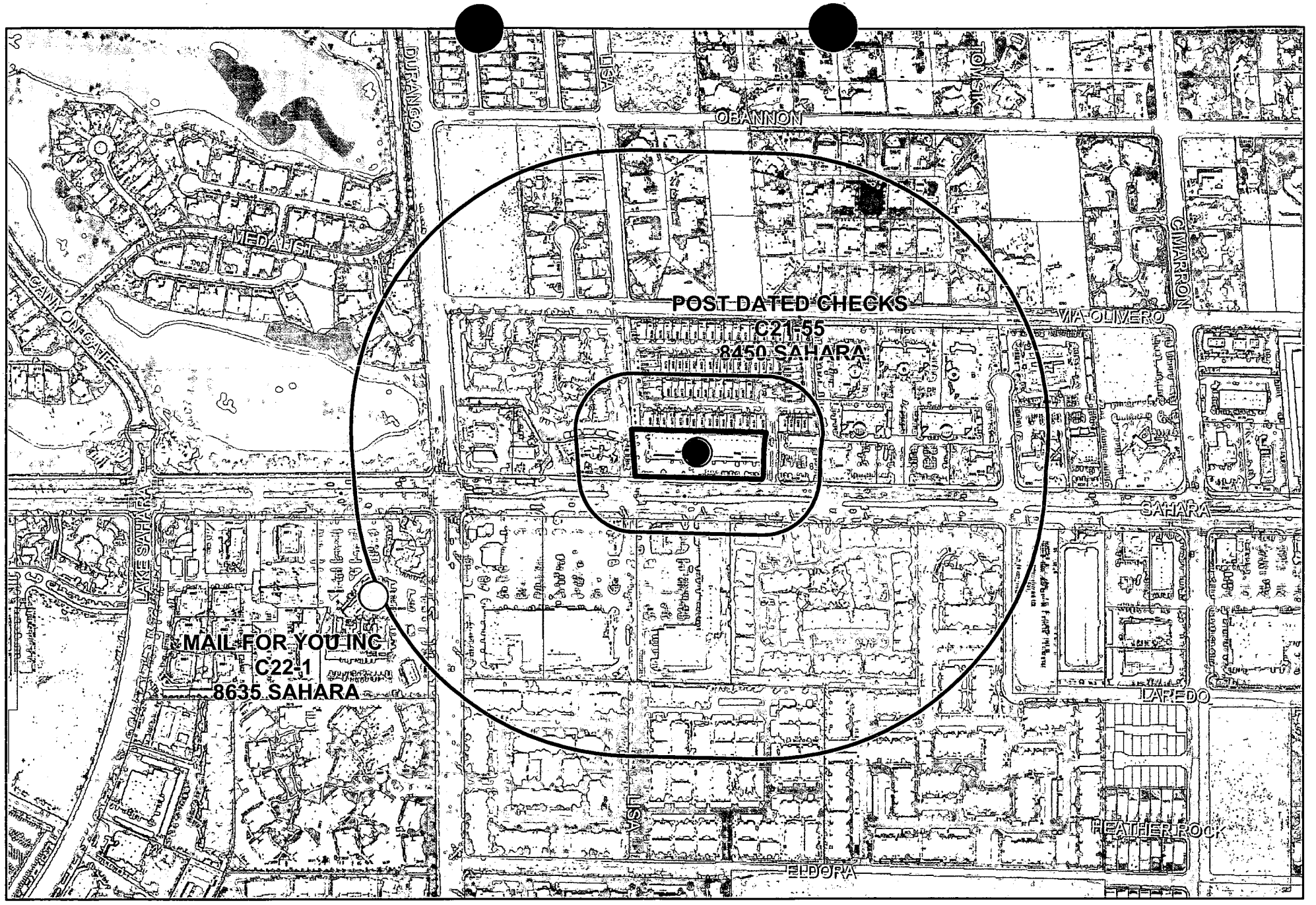
0 200 400 Feet

CASE: **SUP-5067**

RADIUS: 750 FT

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

N



SUP-5067 **Financial Business Locations**

- Financial Institution, Specified *(Check Cashing Service)*
- Financial Institution, Specified *(Check Cashing Service with Gross)*
- Finance Company
- Automobile Title Loan
- Subject Property
- Residential Property
- Buffer

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5067 - APPLICANT: PDC AUTO TITLE LOAN - OWNER: GWHC OF NEVADA, LLC

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for the Auto Title Loan use.

2. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

01/03/90	The City Council approved a Rezoning and Site Development Plan Review (Z-0128-89) application for the reclassification of property located on the northwest corner of Sahara Avenue and Al Carrison Street from N-U (Non-Urban) to C-1 (Limited Commercial) for the proposed use of retail commercial and an indoor/outdoor sports facility. The Planning Commission and staff both recommended approval.
02/08/96	The Planning Commission approved a Site Development Plan Review [Z-0128-89(6)] for proposed retail stores on property located on the north side of Sahara Avenue, east of Durango Drive. The action by the Planning Commission was final. Staff recommended approval.
07/18/01	The City Council approved a Special Use Permit (U-0063-01) application for secondhand sales in conjunction with a proposed children's apparel store (Kid to Kid) at 8450 West Sahara Avenue. The Planning Commission and staff both recommended approval.
10/07/04	The Planning Commission voted 6-1 to recommend APPROVAL (PC Agenda Item #60/pl).

B) Pre-Application Meeting

08/04/04 A pre-application conference was held resulting in the following comments:

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

C) Neighborhood Meetings

This type of application does not require a neighborhood meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.79

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R-PD13 (Residential Planned Development – 13 Units per Acre)
South:	[Clark County: C-1 (Local Business); R-3 (Multiple-Family Residential - 18 Units per Acre)]
East:	C-1 (Limited Commercial); R-PD19 (Residential Planned Development – 19 Units per Acre)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

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

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

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

Project of Regional Significance

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

INTERAGENCY ISSUES

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

1) Any Special Use Permit within 500 feet of Clark County or the City of North Las Vegas.

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

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

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution	1,482 SF.	1 Space / 200 GFA	7	1	7	1

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

A2) Minimum Distance Separation Requirements

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

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

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

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

A3) Financial Institution, Specified Building Size

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

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

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

B) General Analysis and Discussion

- Zoning

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

- Use

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

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

- Conditions

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

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

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

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

(4) Window signs shall not:

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

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

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

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

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

FINDINGS

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

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

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

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

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

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

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

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

   The public health, safety, and welfare and the objectives of the General Plan would not be compromised as a result of the approval of a Special Use Permit, because the proposed Auto Title Loan business would be subject to inspections for a Certificate of Occupancy.

PLANNING COMMISSION ACTION

The Planning Commission believed that the proposed project would not be a detriment to the neighborhood.

NOTICES MAILED 312 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5067 APN: 163-04-446-004

Name of Property Owner: GWHC of Nevada LLC

Name of Applicant: FDC Nat'l Title Loans

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: ROBINSON LEUNG

Subscribed and sworn before me

This 19th day of AUG, 2004

[signature]

Notary Public in and for said County and State

California, San Mateo.

GOPAL C. PATEL
Commission # 1352304
Notary Public - California
San Mateo County
My Comm. Expires Apr 19, 2006

RECEIVED

AUG 23 2004

CONSTRUCTION DATA

OCCUPANCY (MIXED)	— GROUP B & GROUP M
CONSTRUCTION TYPE	— V-N WITH AUTOMATIC FIRE EXINGUISHING SPRINKLERS
ALLOWABLE AREA ONE STORY BUILDING	— 8,000 S.F. + 2 SIDES @ 2-1/2% x20' = 50 % OR 12,000 S.F. x3 (AUTOMATIC SPRINKLER SYSTEM) = 36,000 S.F. ALLOWABLE AREA
BUILDING AREA PROVIDED =	— 29,250 S.F.

NO SEPARATION REQIRED FOR MIXED OCCUPANCY GROUP B AND GROUP M AS PER TABLE 3-B, 1994 U.B.C.

PLANS FOR FIRE HYDRANTS, FIRE EXTINGUISHING SYSTEMS, FIRE ALARM SYSTEMS, MEDICAL GAS SYSTEMS, OR GITE FIRE WATER, AND FUEL TANKS MUST BE APPROVED BY THE [redacted] BEFORE INSTALLATION! CLV FIRE

SITE DATA

ZONING	— C-1
LOT AREA	— 80,160 S.F. NET
BUILDING AREA	— 29,250 S.F.
LOT COVERAGE	— 36%
PARKING PROVIDED	— 29,250 S.F. @ 295 S.F./CAR = 99 PARKING SPACES

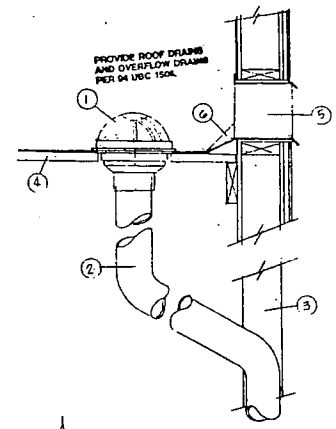
CLV Zoning Ordinance, Chapter 19A.18.010(K3):
Wheel Stops / Curbing:
Concrete wheel stops or curbing at least six inches high and six inches wide shall be provided to prevent vehicles overhanging abutting sidewalks, properties or public rights-of-way, to protect landscaped areas, and to protect adjacent properties. Such curbing shall be located at least three feet from any adjacent wall, fence, property line, walkway, or structure where parking and or drive aisles are located

GENERAL NOTE:

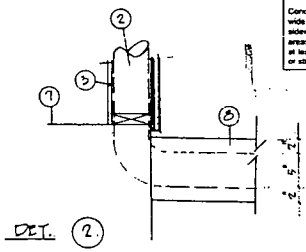
1. DETAILS 1, 2 & 3 ARE ALTERNATE TO ROOF OVERFLOW DRAINAGE AS SHOWN IN DETAIL 8/A-9.
2. SEE DETAIL 8/A-9 FOR GENERAL WALL NOTES & CONDITIONS (SIMILAR).

KEY NOTES:

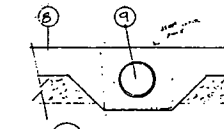
1. ROOF DRAIN (BEEHIVE DOME) SERIES 2700 5"ø
2. 5" ø ABS. ROOF DRAIN LEADER
3. 2x6 STUD WALL @ 16" o.c.
4. 5/8" PLYWOOD ROOF SHEATHING
5. 12" x 5" 26 GA. G.I. OVERFLOW SCUPPER
6. GAUT
7. FINISH FLOOR
8. CONC. WALK
9. ROOF DRAIN LEADER TO DAYLIGHT AT EDGE OF CONC. WALK



DET. (1)



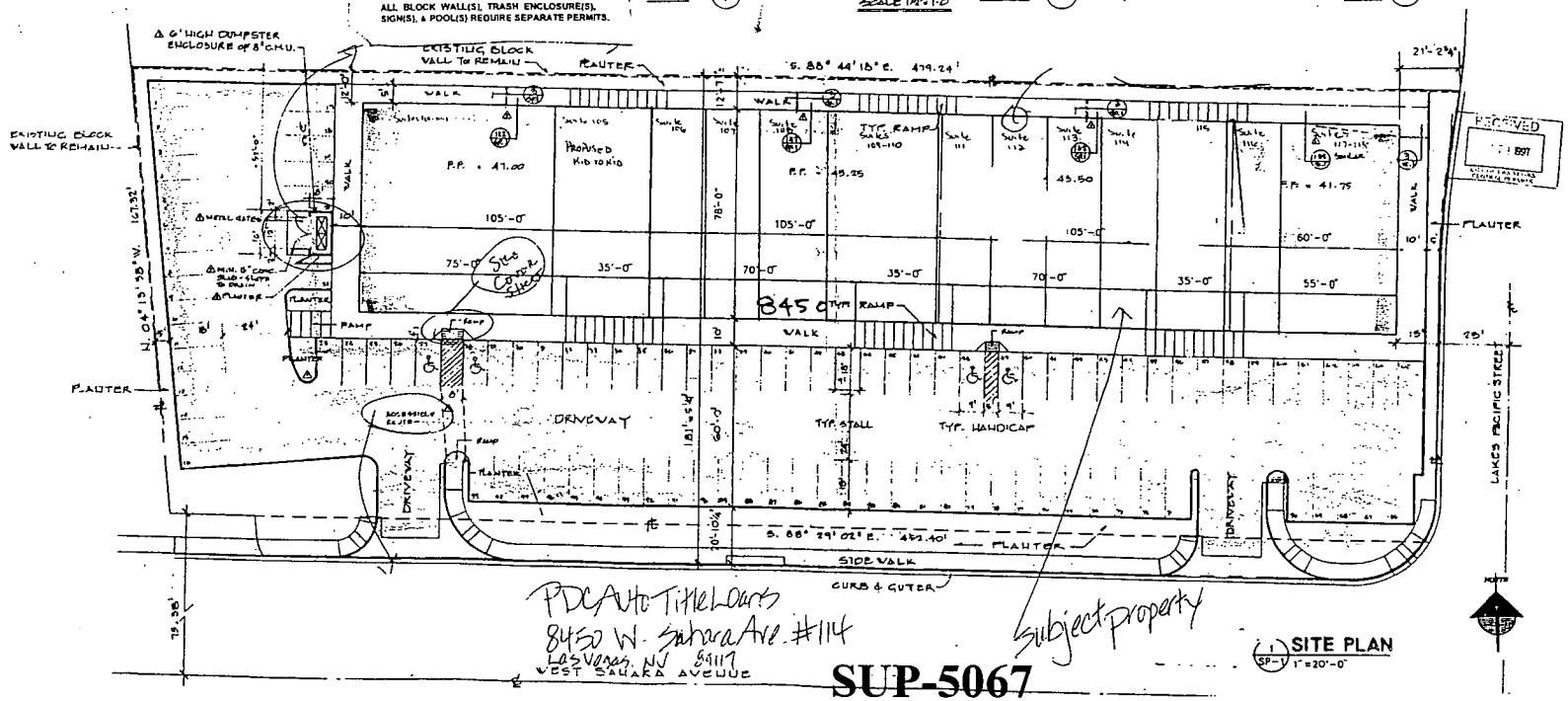
DET. (2)



DET. (3)

scale 1/8"=1'-0"

ALL BLOCK WALL(S), TRASH ENCLOSURE(S), SIGN(S), & POOL(S) REQUIRE SEPARATE PERMITS.



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

Subject property

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

NORTH

RECEIVED
[illegible]

ROBERT B. BALL, ARCHITECT
2700 NORTH 3rd STREET, STE. 2010
PHOENIX, ARIZONA 85004
PH. (602) 265-8045

PACIFIC LAKES BUSINESS CENTER

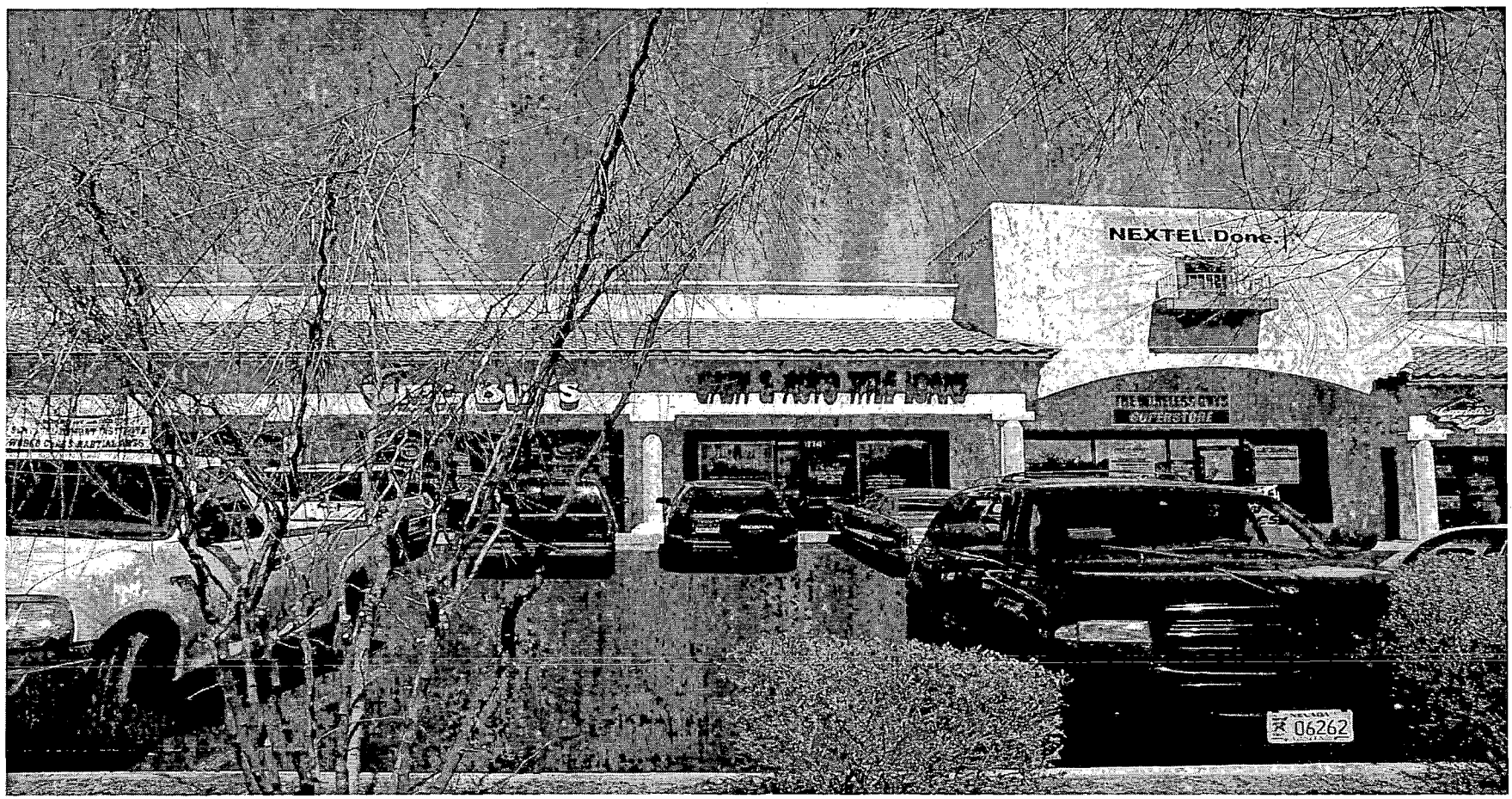
LAS VEGAS, NEVADA

SITE PLAN
1" = 20'-0"

JOB NUMBER
1994
DRAWING DATE
10/10/95
REVISIONS
10/9/96
11/15/96
Δ 7/15/97

SHEET NUMBER
SP-1

SUP-5067
10-07-04 PC



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

09/17/04

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

Lakes Pacific Townhomes
Robert Walker President
Lakes Pacific HOA
Las Vegas, NV 8911?
702-?75-1252

October 5, 2004

SUP-5067... Thursday 10/7/2004 at 6:00 P.M.

For the Planning Commission,

I currently represent our homeowner association as it's President. There are 81 homes in our community which are directly behind the commercial area in question. I have personally lived here since November 1994. The homeowners of this community purchased their homes in this location based upon the zoning regulations that are in place. Those regulations are what makes our community a nice place to live. These small variances to the zoning law are what begins to eat away at the fabric of this location. Some years ago the owner's of that commercial property wanted to put a Super Pawn there, but with Councilman McDonald's help that never occurred.

We oppose any zoning variance for the proposed auto title loan business. They are entitiled to place their business in an appropriately zoned location, and we request that you, as our community representative, see that they do that. If you need signatures from this community and the surrounding area that can also be provided.

Sincerely,

Robert Walker

SUP-5067
#60

City of Las Vegas

Agenda Item No. 95

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SPECIAL USE PERMIT

SUP-5072 - PUBLIC HEARING - APPLICANT: PDC AUTO TITLE LOAN - OWNER: CHARLESTON HEIGHTS DEVELOPMENT COMPANY - Request for a Special Use Permit and Waivers of the Separation Distance Standards to allow a zero-foot distance from a parcel with a similar use where 1,000 feet is the minimum required; to allow a zero-foot distance from residential uses where 200 feet is the minimum required; and a Waiver of floor area standards to allow 800 square feet where 1,500 square feet is the minimum required FOR A PROPOSED AUTO TITLE LOAN BUSINESS at 6708 West Cheyenne Avenue (APN 138-10-816-007), C-1 (Limited Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-2-1 vote) recommends APPROVAL

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

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-2-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN - ABEYANCE to 11/17/2004 - UNANIMOUS with MACK abstaining because his brother STEVEN MACK owns a SuperPawn, which offers the same type of service as Item 94 [SUP-5067] and Item 95 [SUP-5072]

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

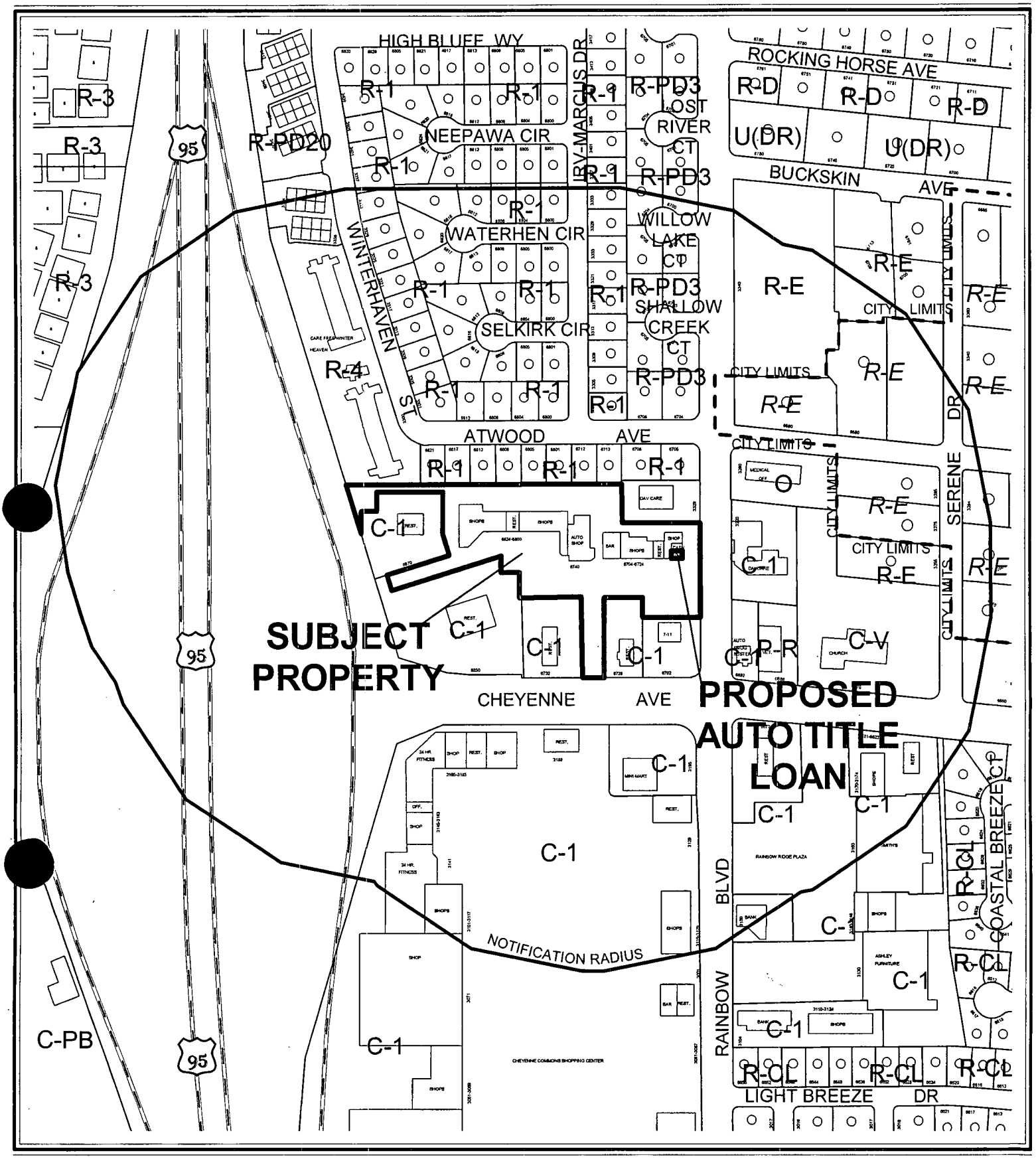
GARY FORBES, 8450 West Sahara Avenue, appeared on behalf of the application. COUNCILMAN BROWN informed the Council that he had not been briefed by staff on the item and requested a two-week abeyance to be appropriately educated.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:22 - 2:23)

3-2973

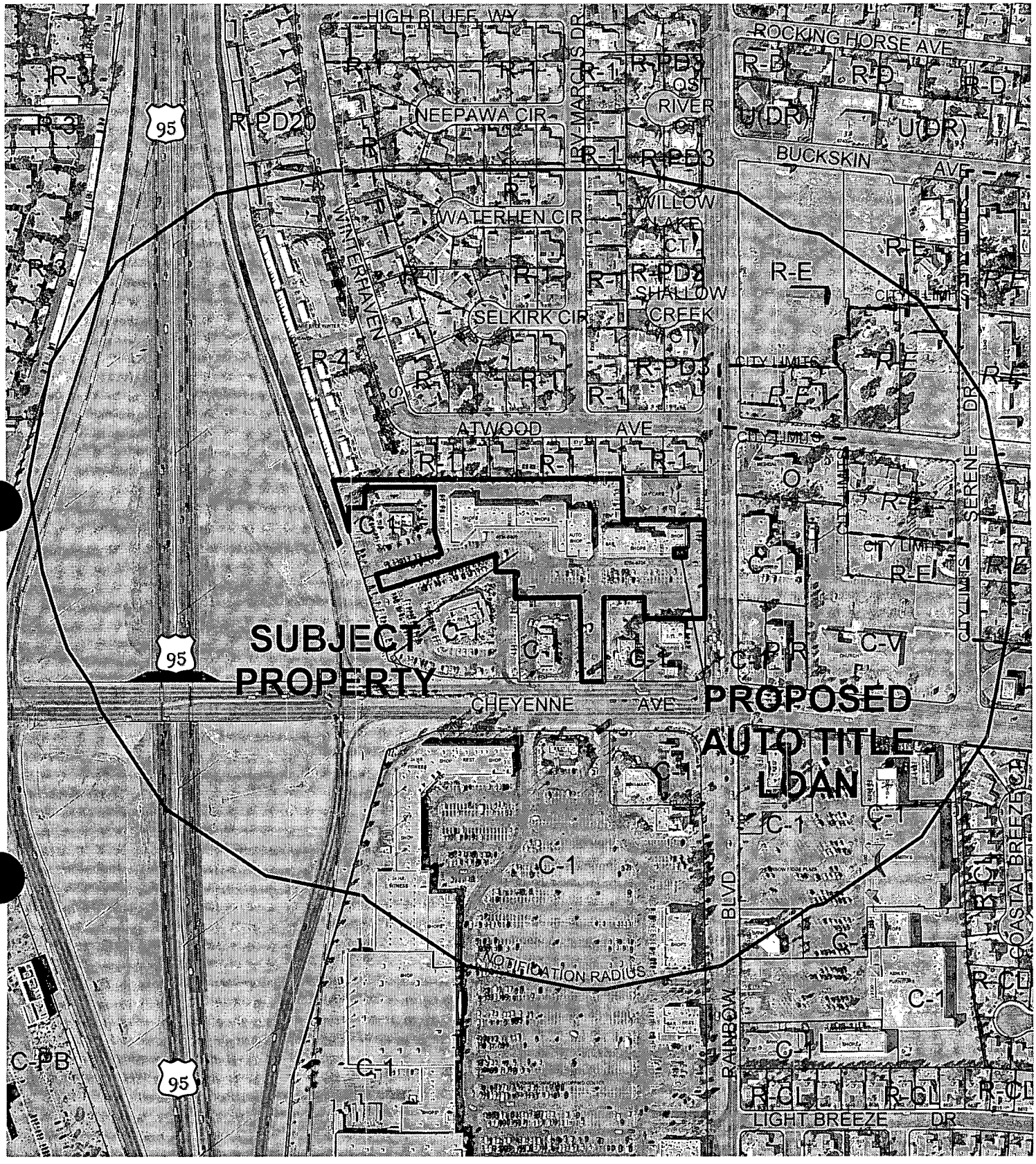


0 300 600 Feet

CASE: **SUP-5072**

RADIUS: 750 FT

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



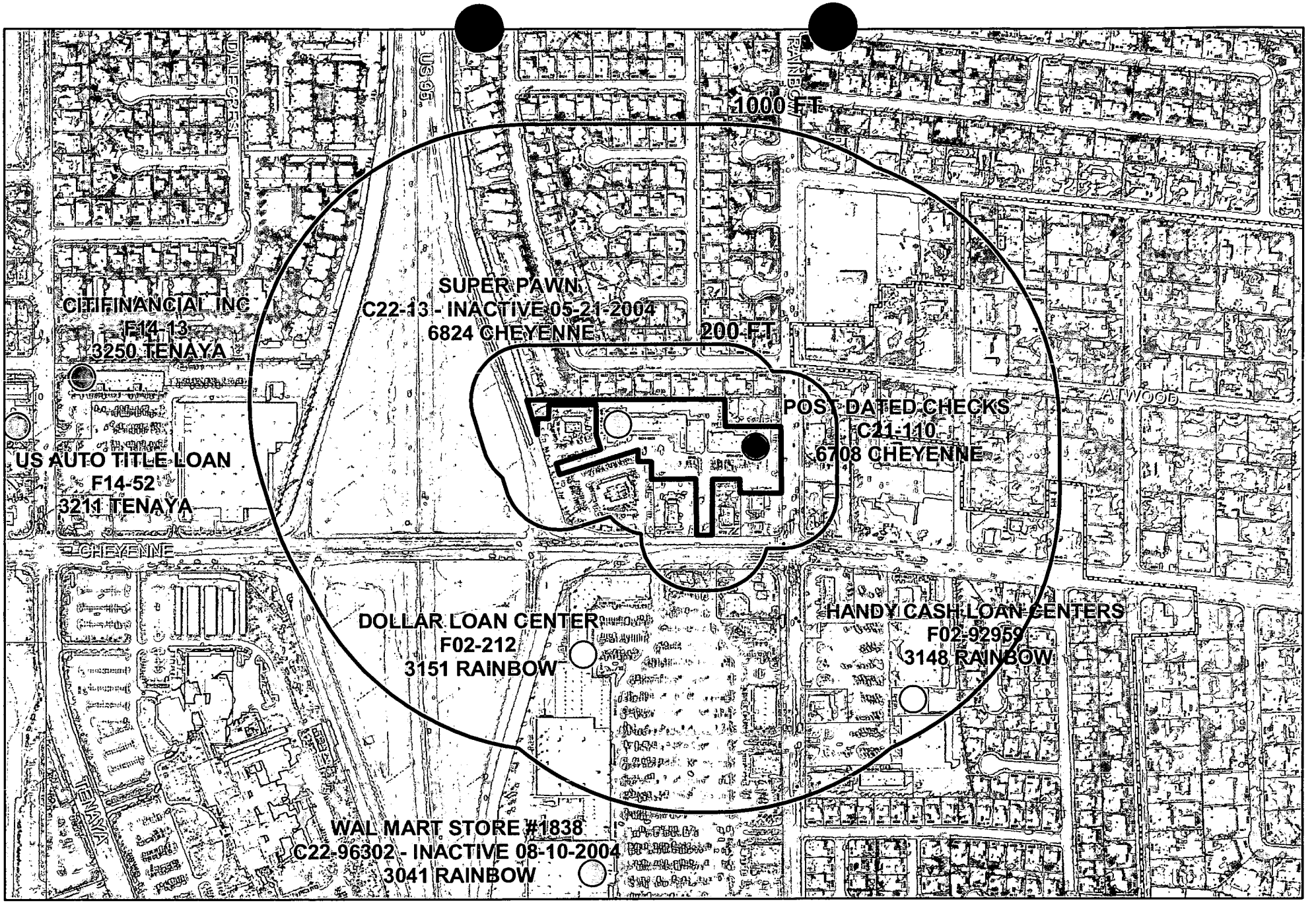
0 300 600 Feet

CASE: **SUP-5072**

RADIUS: 750 FT

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

N



SUP-5072 **Financial Business Locations**

- Financial Institution, Specified *(Check Cashing Service)*
- Financial Institution, Specified *(Check Cashing Service with Gross)*
- Finance Company
- Automobile Title Loan
- Subject Property
- Residential Property
- Buffer
- N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5072 - APPLICANT: PDC AUTO TITLE LOAN - OWNER: CHARLESTON HEIGHTS DEVELOPMENT COMPANY

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (4-2-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for the Auto Title Loan use.

2. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

12/06/78 The City Council approved a request to rezone the subject site from N-U (Non-Urban) to C-1 (Limited Commercial) as part of a larger request (Z-0071-78). The Planning Commission recommended approval.

04/17/85 The City Council approved a request for a Plot Plan Review [Z-0071-78(2)] for a retail center, tavern, and convenience store on the subject property. The Planning Commission and staff recommended approval on 03/26/85.

10/23/90 The Planning Commission approved a request for a Plot Plan Review [Z-0071-78(5)] for a 38,000 square foot addition to an existing shopping center on the subject site. Staff recommended approval.

11/20/90 The Board of Zoning Adjustment approved a Variance (V-0129-90) application to allow a 466 square foot shopping center identification sign where 400 square feet is the maximum size allowed, on property located on the north side of Cheyenne Avenue between Oran K. Gragson Highway and Lorenzi Boulevard. Staff recommended denial.

11/12/91 The Board of Zoning Adjustment approved a Variance (V-0015-91) application to allow 140 parking spaces where the proposed uses require 212 parking spaces on property located on the northwest corner of Cheyenne Avenue and Rainbow Boulevard. Staff recommended denial.

03/17/93 The City Council approved a Variance (V-0004-93) application to allow the secondhand sales of women's clothing and apparel where secondhand dealerships are not permitted on property located at 6718 West Cheyenne Avenue. The Board of Zoning Adjustment recommended approval. Staff recommended denial.

07/17/96 The City Council approved a request for a Plot Plan and Building Elevation Review [Z-0071-78(8)] for a proposed 70-foot high on-premise sign on property located at 6824 West Cheyenne Avenue. The Planning Commission recommended approval on 06/27/96.

03/10/97 The City Council approved an appeal of the Board of Zoning Adjustment denial of a Variance (V-0155-96) application to allow a proposed off-premise sign 50 feet from an "R" designated zone where 300 feet is the minimum required distance separation at 6704 West Cheyenne Avenue. Staff had no objection.

05/12/97 The City Council approved a request for a Special Use Permit (U-0147-96) application for a 55-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 6704 West Cheyenne Avenue. The Board of Zoning Adjustment recommended denial on 01/28/97. Staff had no objection.

01/12/98 The City Council approved a Variance (V-0087-97) application on property located at 6740 West Cheyenne Avenue to allow a proposed 2,346 square-foot freestanding six bay automotive service building on the side property line and 20 feet from the rear property line where 10 feet and 60 feet are the minimum setbacks required in conjunction with an existing tire store (Goodyear Tire Center). The Board of Zoning Adjustment recommended approval. Staff recommended denial.

01/26/98 The City Council approved a Special Use Permit (U-0126-97) application on property located at 6810 West Cheyenne Avenue for a minor auto repair (glass) business. The Planning Commission and Staff both recommended approval.

01/07/04 The City Council approved the appeal filed by Cingular Wireless from the denial by the Planning Commission of a request for a Special Use Permit (SUP-3237) for a proposed 73-foot tall slim-line wireless communications facility (non-stealth). Staff recommended denial.

10/07/04 The Planning Commission voted 4-2-1 to recommend APPROVAL (PC Agenda Item #61/pl).

B) Pre-Application Meeting

08/04/04 A pre-application conference was held resulting in the following comments:

1. The applicant currently operates a payday loan business and has been doing so prior to the requirement for a Special Use Permit.

2. A Special Use Permit is now required for the addition of the Auto Title Loan use.
3. Required a waiver of the 1,000-foot minimum distance separation from similar uses condition.
4. Requires a waiver of the 200-foot minimum distance separation from residential uses condition.
5. The store is less than 1,500 square feet in size.
6. This application is a Project of Regional Significance and will require an Environmental Impact Assessment.

C) Neighborhood Meetings

This type of application does not require a neighborhood meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 4.44

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

Airport Overlay District

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

Project of Regional Significance

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

INTERAGENCY ISSUES

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

1) Any Special Use Permit within 500 feet from Clark County or the City of North Las Vegas.

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

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

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution	800 SF.	1 Space / 200 SF. GFA	3	1	3	1

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

A2) Minimum Distance Separation Requirements

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

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

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

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

A3) Financial Institution, Specified Building Size

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

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

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

B) General Analysis and Discussion

- Zoning

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

- Use

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

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

- Conditions

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

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

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

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

(4) Window signs shall not:

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

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

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

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

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

FINDINGS

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

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

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

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

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

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

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

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

The public health, safety, and welfare and the objectives of the General Plan would not be compromised as a result of the approval of a Special Use Permit, because the proposed Auto Title Loan business would be subject to inspections for a Certificate of Occupancy.

PLANNING COMMISSION ACTION

A majority of the Planning Commission believe that this project as an addition to an existing payday loan business was acceptable.

NOTICES MAILED 116 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5072 APN: 138-10-816-007

Name of Property Owner: Charleston Heights Development Co.

Name of Applicant: PDC Auto Title Loans

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Ernest A. Becker, Jr.

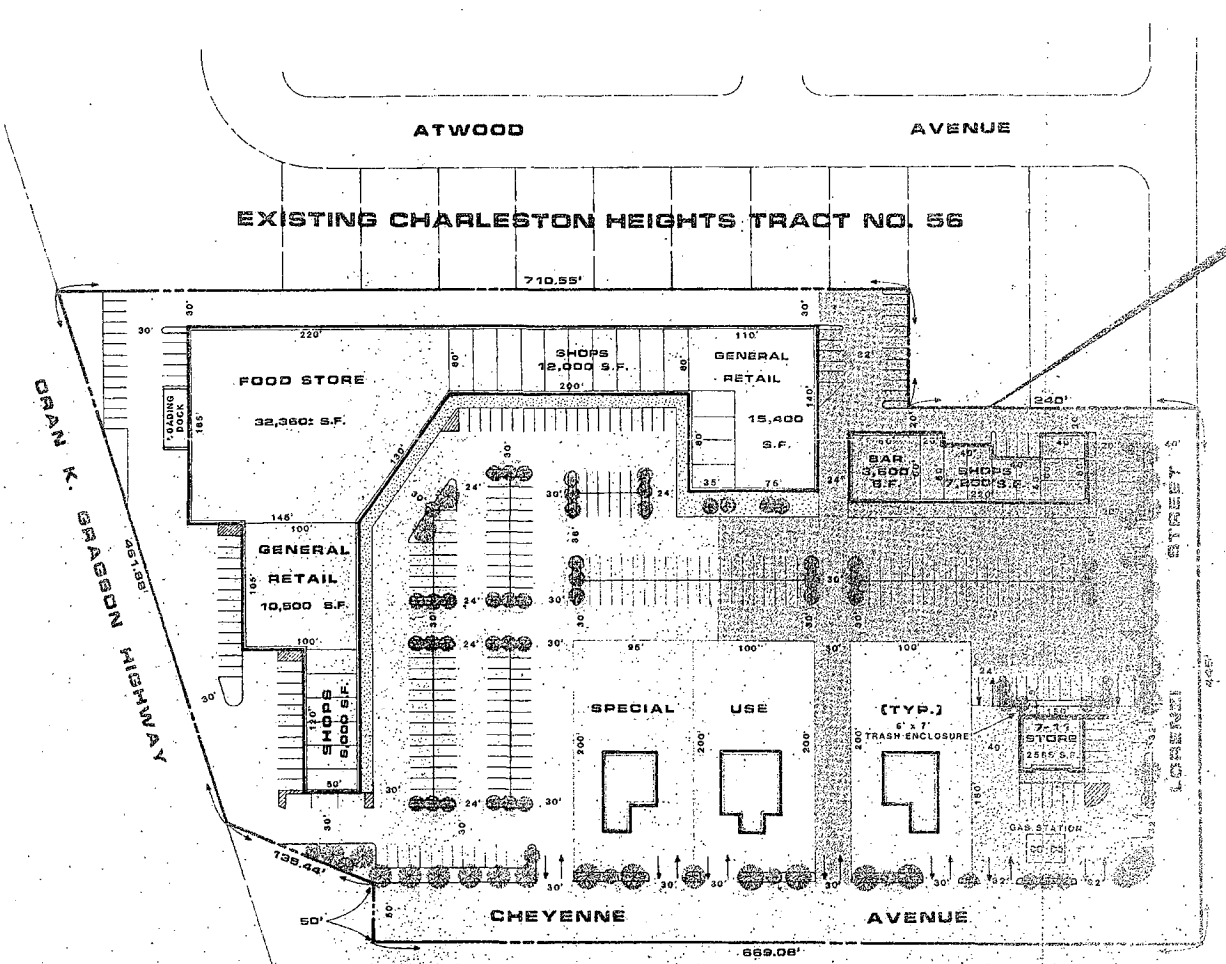
Subscribed and sworn before me

This 18th day of August, 2004

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DEBRA S. ALSTON
Appt. No. 03-84766-1
My Appt. Expires Oct. 10, 2007



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

PARKING SPACE TABULATION

BUILDING	AREA (S.F.)	PARKING SPACES REQUIRED	PARKING SPACES PROVIDED
FOOD STORE	32,360	130	319
BAR	3,600	76	
7-11 STORE	2,685	11	
SHOPS/GENERAL RETAIL	51,100	102	
TOTALS	89,645	319	319

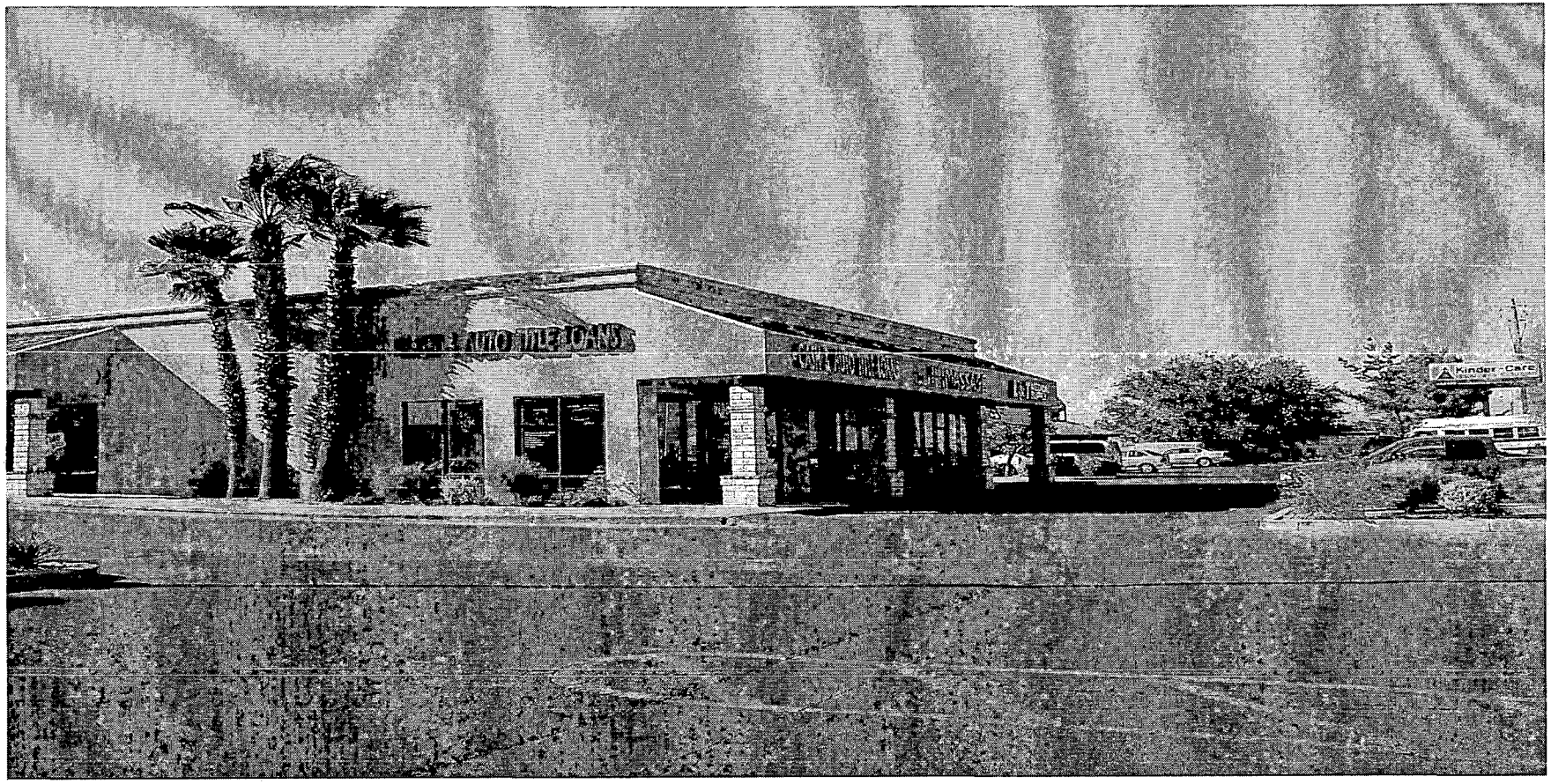
CHEYENNE VILLAGE

SHOPPING CENTER NO. 1

RECEIVED

AUG 23 2004

SUP-5072
10-07-04 PC



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

09/17/04

City of Las Vegas

Agenda Item No. 96

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ CONSENT ☒ DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-5105 - PUBLIC HEARING - APPLICANT: HEADLIFTERS MINISTRIES - OWNER: DELUXE INVESTMENTS, INC. - Appeal filed by the Applicant from the Denial by the Planning Commission of a request for a Special Use Permit and a Waiver of the 6,500 square-foot minimum lot requirement FOR A PROPOSED TRANSITIONAL LIVING GROUP HOME on 0.14 acres at 2805 Howard Drive (APN 162-01-710-014) R-1 (Single-Family Residential) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	6	Planning Commission Mtg.	1
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Headlifters Ministries
5. Support letter from Steve Hutcherson with support petition (7 signatures/property owners & 8 signatures/residents of 2805 Howard Drive)
6. Submitted after final agenda - 2 Protest letters
7. Submitted at meeting - cover, 2 support letters & Vision/Mission Statement from Ernest Brooks & 2 protest letters
8. Backup referenced from the 10/7/2004 Planning Commission Item 62

MOTION:

REESE - DENIED - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ERNEST BROOKS and DOLORES BROOKS appeared on behalf of Headlifters Ministries, operator of the transitional living group home. DAVE ANSON represented Vietnam Veterans of America and confirmed a partnership with the ministry in a program called Going Home Prepared. He stated that transitional housing is vital for the program and attested to the extensive screening done before transitional housing becomes an option. MR. ANSON communicated that the transitional home will give individuals an opportunity to be a part of a residential area, under supervision, whereas a location in a homeless corridor would potentially contribute to the same challenges that are found on the streets.

MAYOR GOODMAN clarified that the question of location was discussed in a manager's briefing and staff has been directed to find areas appropriate for transitional housing. He acknowledged need for group homes, but stated that no community has ever been before the Council requesting such in their

MINUTES - Continued:

neighborhood. He voiced disagreement with the amount of money given to a person when released from jail and commented on how that could drive a person back to the streets.

COUNCILMAN WEEKLY conveyed his assumption that Headlifters Ministries has the best of intentions and mentioned many transitional homes have been before Council offering the same assistance. He then commented on his discovery that many of those transitional homes failed to disclose that a fee is required and enforced for any who receive help, and, if not maintained, those individuals face terrible consequences that ultimately become the Council's concern. He stated oftentimes people fail to understand the Council's position of having to accept responsibility for allowing such a home and the need to inform their constituents of exactly what may become part of the neighborhood. Because COUNCILMAN WEEKLY has experienced similar requests, he expressed his understanding for the need of the homes but stressed that responsibility is crucial for all counselors. Therefore, research must be completed with full understanding of the entire spectrum of any transitional home before such is allowed. MAYOR GOODMAN was grateful for COUNCILMAN WEEKLY'S comments.

MS. BROOKS agreed with COUNCILMAN WEEKLY but stated each home should be judged on their own merits. There are residents in the home now who are unable to pay rent and are available to be questioned. Letters were turned into the City Clerk indicating upgrades to the home done by the Ministry. They would like the home to be for six women who need assistance to get their lives back on track. When considering people who have an interest, they are presented with information that states on the cover of their application the house is no-nonsense. They must arrive with a goal and a time limit for that goal that will be subject to review. There will be a licensed clinical social worker to assist in case management. She shared her personal experiences to emphasize her struggles and to assure the Council of their intent to implement time-set goals.

COUNCILMAN REESE confirmed with MS. BROOKS that she does have people in her home, but they are not required to pay rent and they are not currently operating as a transitional home. COUNCILMAN WOLFSON suggested having a neighborhood meeting to inform the people what is planned. MS. BROOKS stated they attempted to do so, even providing information in Spanish, but no one attended. On a different occasion, she said they have walked the neighborhood with friends who speak Spanish just to talk with and obtain signatures of support. They have been working on the house for five months, so the neighborhood is aware of their presence and has yet to complain of any disturbances.

CATHY KEFNER, 2800 Howard Drive, spoke in opposition to the project because the home is not appropriate for the neighborhood. There are 25-30 children in the neighborhood who should not be subject to the traffic the home will generate.

HOWARD PHILLIPS, 2917 Howard Drive, a long-time resident addressed the Council in opposition on behalf of himself and four neighbors. The home built in the late 50's is not built for the needs of the project and is not even equipped with an air conditioning unit. He questioned whether anyone was affiliated with a church, if anyone has a degree in psychology or psychiatry or if a doctor would be available, given the caliber of the project. He pointed out that two other homes were rezoned nearby for elderly people group care, both caught fire, one burned down and an elderly resident was killed.

ANDREA ROBINSON, 2805 Howard Drive, a current resident of the proposed project, spoke in support

MINUTES - Continued:

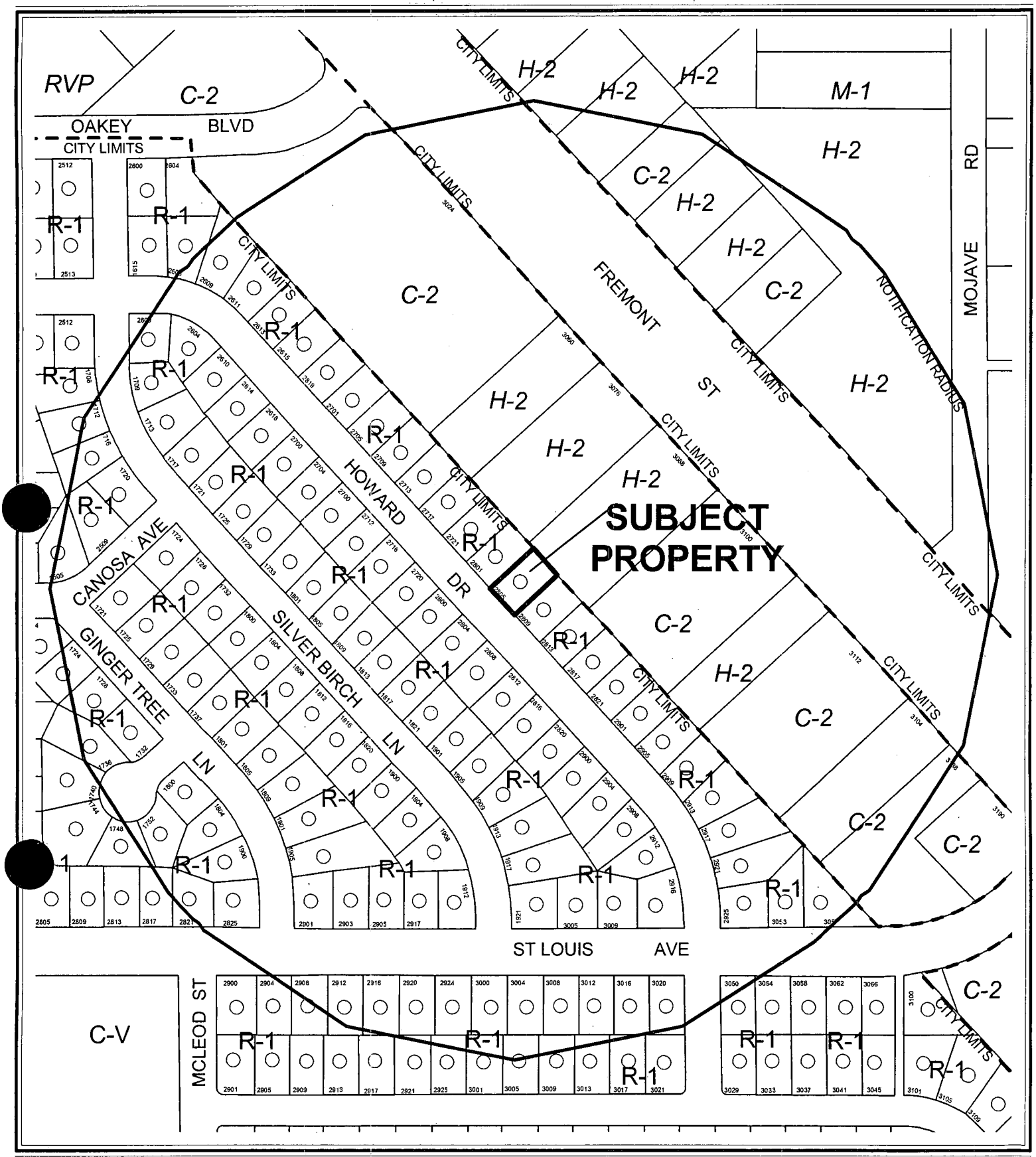
of the Brooks' vision. She confirmed they want to help women by providing basic training for the work industry.

LATOYA DOUGLAS, 1672 Ettingham Court, voiced her support for the location of the transitional house. As an ex-prison inmate, she spoke about wanting to be a part of a community where it is safe for children to play outside instead of being in an uneasy environment. She commended the Brooks for taking on the challenge of assisting these people and would rather the community see the home as a benefit.

ERNEST BROOKS finalized the presentation by confirming that they are ordained pastors of Headlifters Ministries International and have ministered in a lot of different places. He stated that people could change if given the opportunity.

COUNCILMAN REESE concluded by stating that residential homes should stay compatible and harmonious with one another. He acknowledged new residents in the area trying to invest their money by rebuild and redirect homes. As an experienced council member, he addressed the ability to drastically impact a neighborhood and, therefore, chooses to be extremely cautious. He confirmed there are places for people to go to so as not to sleep outside but motioned for denial because the use is not harmonious with the neighborhood. MAYOR GOODMAN again announced that the City is looking for different areas that will be appropriate for these types of housing. He requested all interested parties to stay in touch and assist in finding a resolution.

MAYOR GOODMAN declared the Public Hearing closed.
(2:25 - 2:50)
3-3082



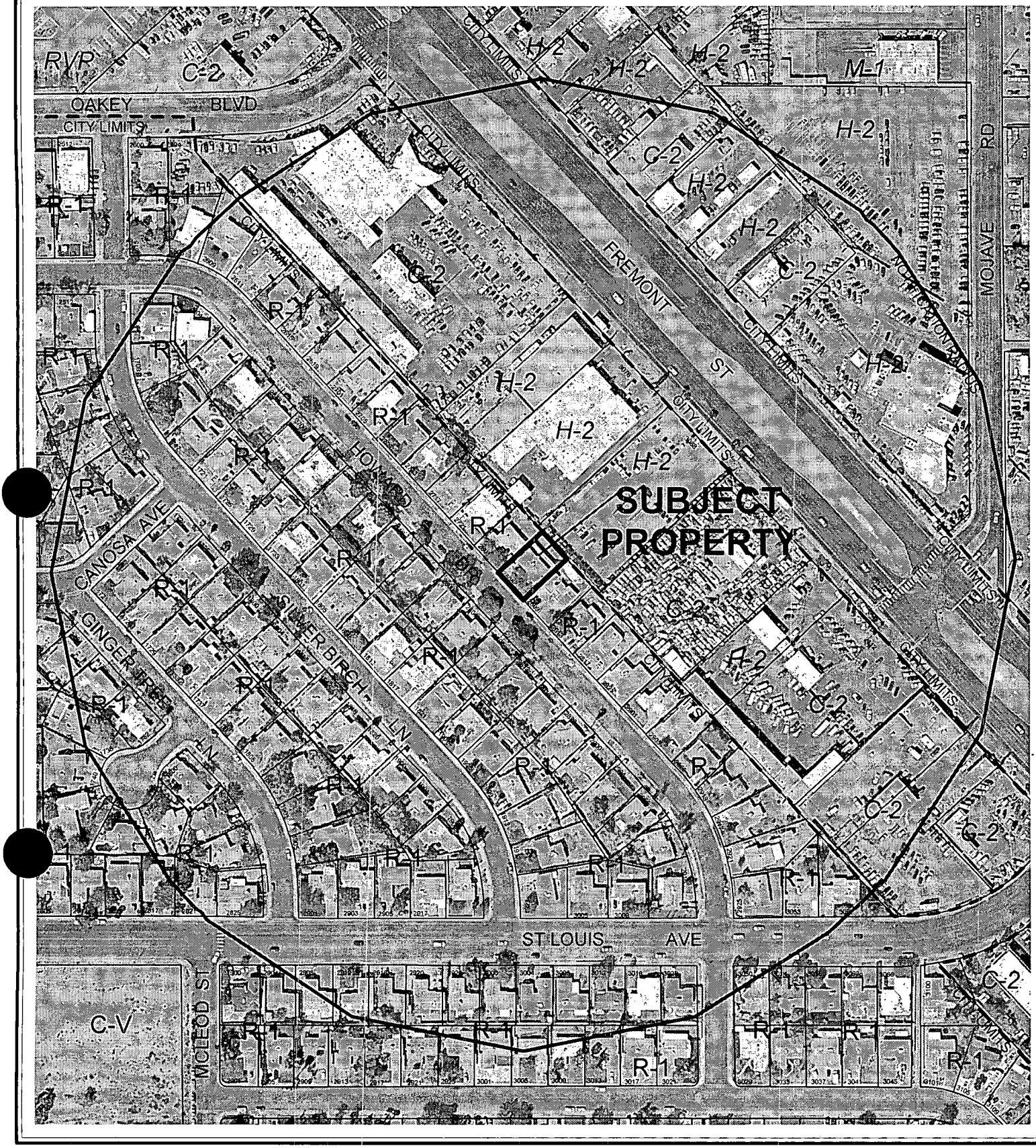
0 200 400 Feet

CASE: **SUP-5105**

RADIUS: 750 FT

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

CCC 96



0 200 400 Feet

CASE: **SUP-5105**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5105 - APPLICANT: HEADLIFTERS MINISTRIES - OWNER: DELUXE INVESTMENTS, INC.

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in six (6) months at which time the City Council will review the results of code enforcement inspections during the six months and may require the Transitional Living Group Home to cease all operations. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Transitional Living Group Home cease and desist all activity.

2. Conformance to all Minimum Requirements under Title 19.04.050.B for Transitional Living Group Home.

3. This Special Use Permit shall expire one (1) year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

Public Works

5. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to the issuance of a business license for this site.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit application for a Transitional Living Group Home and a waiver of the 6,500 square foot minimum lot requirement on 0.14 acres (6,093 square feet) at 2805 Howard Drive.

B) Applicant's Justification

The applicant justifies this application by stating, "The purpose of this project is to provide a temporary family orientated housing environment for a period of four to six months, for individuals who are at imminent risk of becoming homeless." The applicant further states, "Programs and activities include: (1) Outreach services, (2) supportive and supervisory services in a residential setting, (3) referrals for primary health services, job training, educational services, and relevant housing services."

BACKGROUND INFORMATION

A) Previous Actions

There is no previous case history associated with the subject parcel.

10/07/04 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #62/pl).

B) Pre-Application Meeting

08/06/04 A pre-application conference was held resulting in the following comments:

1. A maximum of six residents will be housed.
2. A waiver of the minimum lot size requirement per Title 19.04.05 will be required.
3. Waiver to be requested within the justification letter.
4. The proposed application is a Project of Regional Significance.
5. No signage is proposed.
6. Floor plans for the first and second floors will be required, as well as all rooms are labeled with their associated used.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.14

B) Existing Land Use

Subject Property:	Single-Family Residential Dwelling
North:	Commercial Enterprise
South:	Single-Family Residential Dwelling
East:	Single-Family Residential Dwelling
West:	Single-Family Residential Dwelling

C) Planned Land Use

Subject Property:	L (Low Density Residential)
North:	Clark County Unincorporated
South:	L (Low Density Residential)
East:	L (Low Density Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	R-1 (Single Family Residential)
North:	Clark County [General Highway Frontage (H-2)]
South:	R-1 (Single Family Residential)
East:	R-1 (Single Family Residential)
West:	R-1 (Single Family Residential)

E) General Plan Compliance

The subject site is designated L (Low Density Residential) within the Southeast Sector Land Use Map of the General Plan. The subject parcel is within a R-1 (Single Family Residential) zoning district, which is in conformance with the General Plan.

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

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

Project of Regional Significance

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

INTERAGENCY ISSUES

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

1) Any Special Use Permit within 500 feet of Clark County or the City of North Las Vegas.

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

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

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Transitional Living Group Home	3,057 SF.	1 Space / 6 Residents + 1	1	1	2+	Zero

The proposed site for a Transitional Living Group Home fails to meets the parking standards required, since no handicap parking is provided.

A2) Minimum Lot Size Requirements

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

Standards	Code Requirement	Provided
Transitional Living Group Home	6,500 SF Minimum Lot Size	6,093 SF*

The proposed Transitional Living Group Home fails to meet the required minimum lot size of 6,500 square feet; therefore, this request will have to include a waiver of condition #1 of Title 19.04.050 to be in compliance.

A3) Common Area

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

"Common area shall be provided on the basis of 15 square feet per resident"

The applicant has supplied a floor plan depicting the layout of the dwelling with approximately 528 square feet of common area available to the occupants. The requirement of 90 square feet minimum of common area is satisfied.

B) General Analysis and Discussion

- Zoning

A Transitional Living Group Home is a permitted use within a R-1 (Single Family Residential) zoning district by mean of an approved Special Use Permit.

- Use

Transitional Living Group Home

A Transitional Living Group Home means a dwelling of a residential character which is operated under an appropriate State or County license and which provides housing and related assistance for six or fewer persons who are in need of transitional living arrangements. The term does not include an individual residential care facility, group residential care facility, convalescent care facility, nursing home, hospital, special care facility or any facility which:

(1) Provides surgical medical, psychiatric or other specialized treatment on a regular basis;

(2) Provides housing and care to persons who have a chronic illness, disease, injury or other medical condition; or

(3) Provides housing, care or treatment to persons whose occupancy would constitute a direct threat to the health or safety of other individuals or their property.

The applicant has supplied floor plans for the proposed Transitional Living Group Home depicting six bedrooms, an office room, a laundry room, a computer room, a kitchen with breakfast nook and two common areas located on both the first and second floor. The subject building has a total of 3,216 square feet, with approximately 528 square feet dedicated towards common space.

- Conditions

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

TRANSITIONAL LIVING GROUP HOME

(1) The home must be located on a parcel with a minimum size of six thousand five hundred square feet.

(2) Off-street parking shall be provided on the basis of at least one space per six residents, plus an additional space for the administrator.

(3) Common area shall be provided on the basis of a minimum of fifteen square feet per resident.

(4) The facility must comply on an ongoing basis with all governmental licensing requirements.

The proposal fails to meet Condition #1, requiring a minimum 6,500 square foot lot size and will require a waiver of the condition to be in conformance with the approved standards for this use.

FINDINGS

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

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

   The proposed land use is to be situated in a residential neighborhood composed of single-family residences that is part of the General Plan's Neighborhood Revitalization area. The General Plan calls for the "halting and reversing the decline of some older areas of the city, which have been affected a range of social ills or impacted by a shift in the land use base." "The Master Plan seeks to stabilize and improve" such neighborhoods by protecting them from the intrusion of land uses of increased intensity. The proposed Transitional Living Group Home would constitute an increase in land use intensity within the subject neighborhood. It appears the proposed use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses.

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

   The subject site is not physically suitable for the intensity of land use associated with a Transitional Living Group Home. The subject parcel fails to the meet the required minimum square footage requirement for Transitional Living Group Homes therefore further impacting the surrounding community by intensifying the impact the use will have on the streets and sewers. Additionally, the existing structure does not conform to the R-4 (Residential Group R – 4) of the 2003 International Building Code, which requires accessible features to be provided within the house, as well as, the house being fitted with a fire sprinkler system. Subsequently, the proposed Transitional Living Group Home will have to conform to the above mentioned regulations prior to obtaining a Certificate of Occupancy.

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

   The site will have adequate access from Howard Drive, a 60-foot residential collector.

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

   Both the County health department and other code enforcement agencies will monitor the Transitional Living Group Home; therefore public health and safety will be protected. Additionally, any future redevelopment of the subject site will be subject to the 2003 International Building Code, therefore future development will not compromise the public health, safety or welfare.

PLANNING COMMISSION ACTION

There were four speakers at the Planning Commission meeting in opposition to this project.

NOTICES MAILED 157 by City Clerk

APPROVALS 1

PROTESTS 6

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5105 APN: 162-01-710-014

Name of Property Owner: Steve Hutcherson

Name of Applicant: HeadLifters Ministries

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

____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Steve Hutcherson

Print Name: Steve Hutcherson

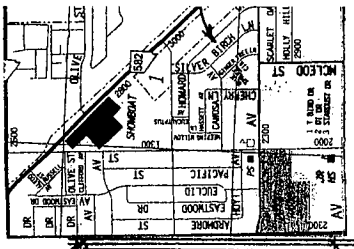
Subscribed and sworn before me

This 24 day of Aug, 2004

Lisa Silon

Notary Public in and for said County and State

LISA SILON
Notary Public, State of Nevada
Appointment No. 88-32303-1
My Appt. Expires June 4, 2007



FREMONT ST. COMMERCIAL

60° PROPERTY LINE

CONCRETE MASONRY UNIT WALLS

27°

27°

ELECTRICAL METER

100° ± PROPERTY LINE

6°

48°

6°

GAS METER

38°

EXISTING RESIDENCE

49°

STAIR TO BE DEMOLISHED

6°

19°6"

28°6"

9"

5°6"

35°

25°

SINGLE-FAMILY RESIDENTIAL

SINGLE-FAMILY RESIDENTIAL

OAKEY

SAINT LOUIS AVE.

SIDEWALK

DRIVEWAY PARKING 19°6" X 35°

CURB CUT

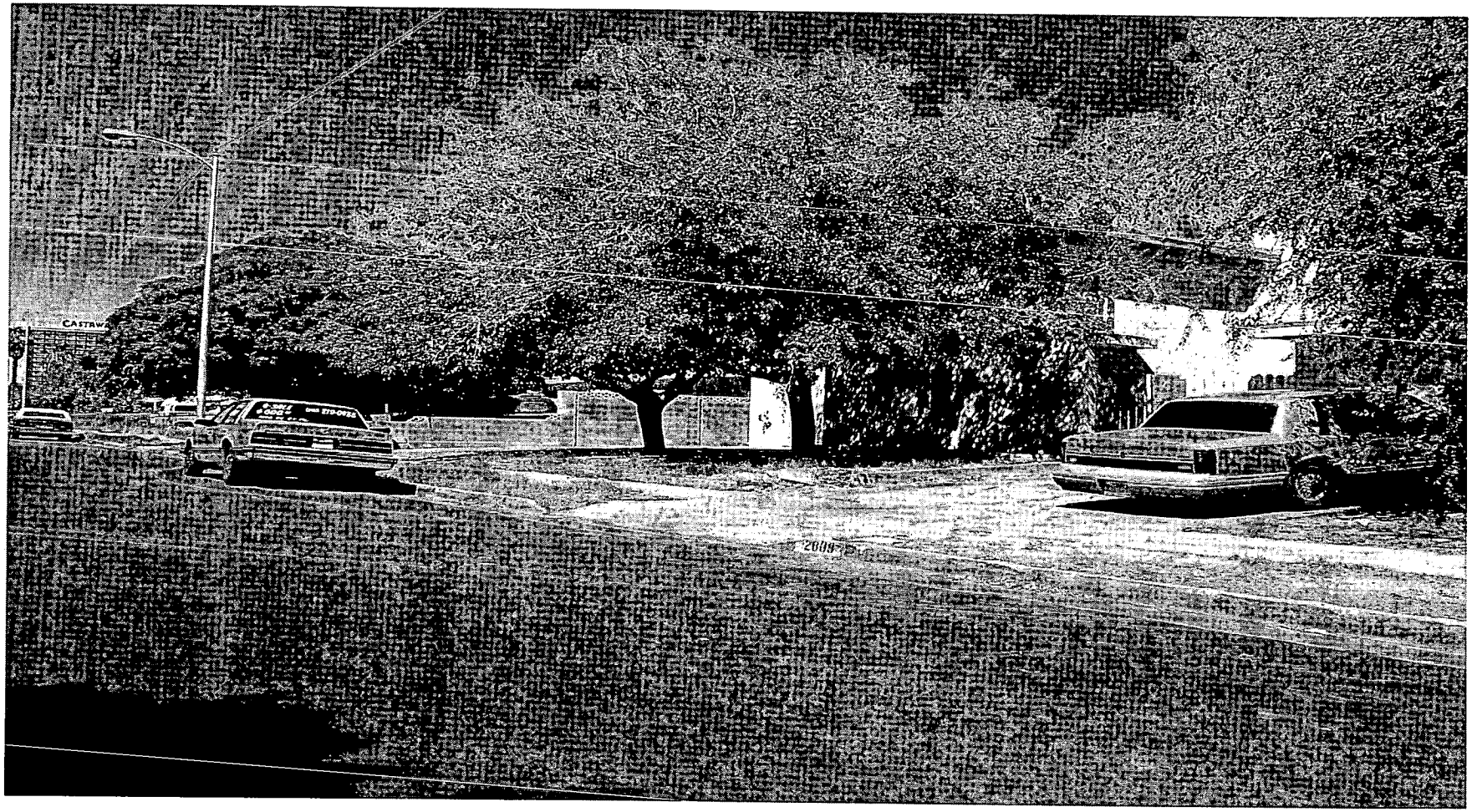
SCALE: 1/8 = 1'-0"

HOWARD DRIVE

NORTH

RECEIVED
AUG 24 2004

SUP-5105
10-07-04 PC



SUP-5105 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HEADLIFTERS MINISTRIES - OWNER: DELUXE INVESTMENTS, INC.
2805 HOWARD DRIVE
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

Las Vegas City Clerk
400 Stewart Ave
Las Vegas, NV 89101

RECEIVED
CITY CLERK

2004 OCT 15 P 3:10

October 15, 2004

Appeal For Denial Of Special Use Permit SUP-5105

We are appealing the denial for a Special Use Permit and a Waiver of the 6,500 square-foot minimum lot requirement For A Proposed Transitional Living Group Home on a 6,093 square-foot lot with existing residence at 2805 Howard Drive (APN 162-01-710-014) R-1 (Single -Family Residential).zone, Ward 3 (Reese)

We are appealing this denial because we do not believe the recommendation was based upon evidence that was appropriate for the denial of our application.

Additional reasons for our appeal of this denial are listed below

1. Lack of time to present information about ourselves our mission, goals, purposes and even those who we partner with to offer these women the help and support they need.

2. Speaking with our neighbors after meeting with the Planning Commission we realized that they thought we were asking for rezoning and not a waiver. We believe that we can prove support of our neighbors.

3. The draft sent to us stated that we did not conform to the R-4 (Residential Group R-4) of the 2003 International Building Code. We contacted building and safety at (702) 229-6251 and was told that a sprinkler system is not required in R-1 area where we are located. This house is a single family residence with six or fewer persons residing in it.

4. The land use purposes for R-1 zoning is appropriate for a Transitional Living Group Home as stated in the
General Plan.

5. Our application met the Conditions for approval recommendation according to Title 19.04.050 B for Transitional Living Group Home except for the waiver on minimum lot size.

Sincerely

Pastor Ernest Ray Brooks
Headlifters Ministries
9101 West Sahara Avenue Suite 150-A30
Las Vegas, Nevada 89117

ERB: db

Cc: Mr. Steve Hutcherson
2564 Wigwam Parkway, Suite #251
Henderson, Nevada 89074

October 18, 2004

Support

Steve Hutcherson
3564 Wigwam Parkway #251
Henderson, NV 89074

To Whom It May Concern:

I am the property owner of 2805 Howard Drive Las Vegas, NV 89104 and I have received a letter RE: SUP-5105 – SPECIAL USE PERMIT telling me that Mr. Ernest Brooks of Headlifters Ministries was Denied the Special Use Permit he applied for the use of the property he rents from me.

It is in my opinion that the Brooks have kept my property clean and have increased the value of it as well. This is the first time in a very very long time that I have been able to get quality people to rent the Howard house. I am sure that the neighbors have to be appreciative of the fact that we finally have someone in there that takes pride in the property and keeps it clean and neat.

I only ask that upon their appeal you reconsider your decision not to Give Headlifters the Permit they seek and grant it to them as they have been excellent tenants and I know they will continue to respect the property, neighborhood and boundaries of their commitment.

Thank you,

Steve Hutcherson

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CITY CLERK
2004 OCT 25 P 2:57

PETICION DE VECINDAD

2805 Howard Drive Las Vegas, Nevada 89117

Su Firma Indica Su Aprovacion De Este Projecto

	Nombre	Domicillio	Firma
1	Manuel Figueroa	2804 HOWARD DR 89104	Manuel Figueroa
2	Alejandro Reyna	2801 Howard Dr 89104	Alejandro Reyna
3	Miguel Angel Ramirez	2611 Howard Dr 89104	[illegible]
4	Patricia McClone	2610 Howard Dr 89104	Patricia McClone
5	Eduardo Hernandez	2716 Howard Dr 89104	Eduardo Hernandez
6	ANDON ZHAKA	2805 Howard Dr 89104	Andon Zhaka
7	ERNEST BROOKS	2805 HOWARD DR 89104	Ernest Brooks
8	DELORIS BROOKS	2805 HOWARD DR 89104	Deloris Brooks
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12			**Support**
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2004 OCT 25 P 2:57

NEIGHBORHOOD PETITION

2805 Howard Drive Las Vegas, Nevada 89117

Your Signature Below Indicates Your Approval For This Project

	Name	Address	Signature
1	DANIEL PALACIOS	2804 HOWARD DR LV NV 89104	
2	Maria D. Reyna	2801 Howard Dr. LV NV 89104	
3	Tim Cassella	2717 Howard Dr	
4	Melanie J. Parkwell	2709 Howard Dr.	
5	Shalonda Boatner	2805 Howard Dr	
6	JAVIER GONZALEZ	2805 HOWARD DR	
7	Reyna Gonzalez	2805 Howard Dr.	
8	Ramos Sandoval	2809 Howard DR	
9	LATOYIA DOUGLAS	2805 HOWARD DR/1672 EDDINGHAM CT	
10	Andrea Roberson	2805 Howard Drive	
11			
12			**Support**
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2004 OCT 25 P 2:57

To Whom it may concern

We the undersigned ask the city council to reject the appeal of Headlifters ministries to rezone 0.14 acres at 2805 Howard Drive for a transitional living group.

Howard A. Phillips 2917 Howard Dr
Gerald Asil 2912 Howard DR
Luciano L Iannetta 2921 Howard Dr

Protest

Submitted at City Council
Date 11/3/04 Item 96

Oct 23, 04

To Whom it May Concern,

I am opposed to SUP5105 transitional living group home on .14 acres at 2805 Howard Drive.

Sincerely,
Etha Allen

Telephone: 317-2039
2909 HOWARD DR.

Protest

Submitted at City Council
Date 11/3/04 Item 96.

"KEEPERS HOUSE, A NO NONSENSE FAITH BASE FACILITY"

2805 HOWARD DR. LAS VEGAS, NV 89104
(702) 207- 0518

APPLICATION TO BECOME A KEEPERS HOUSE RESIDENT

NAME: DRIVERS LICENCE NO.

_____ _____

REASON FOR REQUEST
Using action words to maximize the impact, describe how your background and strengths would make you a strong candidate for residency at **KEEPERS HOUSE.**

Support

EDUCATION:

HIGH SCHOOL_____

COLLEGE_____

RELIGIOUS STATUS_____

Submitted at City Council

Date 11/3/04 Item # 96

Minister Elois Lombert
546 South Fairfax Avenue
Los Angeles, California 90036
(323) 939-3469

To whom it may concern:

It is an honored opportunity to be able to recommend Pastors Ernest Ray and Deloris Brooks. They are the founders and leaders of Headlifters Ministries International, a nonprofit organization in the State of Nevada. Their ministries provides counseling to families, training and teaching to youth and adults to assist them in setting and achieving their goals for success in all areas of their lives.

During the years I have been privileged to know and interact with Pastors Brooks, I have found them to be of good character and principles. A definitive characterization of Ernest Ray and Deloris Brooks is seen through their wisdom and clear direction for living, their creativity, vision, ability, self-control, self-discipline, family, friends, compassion, gentleness, understanding hearts, humbleness, kindness, patience, loving ways, peaceful attitude, and positive outlook on life. Their hearts toward those they encounter are ones of compassion and genuine concern.

Pastors Brooks have a willingness to help the helpless. They have consistently exhibited great initiative in performing the role in which pastors are responsible - to care for, train and lead their 'sheep.' They truly do stand among the few who really want to make a change in the lives of many hurting people, and others who have not sincerely had their challenges and disadvantages properly addressed. what an asset it would be to any community to have them as contributors, to help those in need. Thank you in advance for your consideration to them and their ministries.

Respectfully submitted,

Minister Elois Lombert

Minister Elois Lombert

To Whom It May Concern:

This letter is in support of the "Headlifters Ministry International" under the direction of Chaplin's Ernest and Deloris Brooks. I have known Ernest and Deloris since 1979. They are people of good character and integrity. They are mission driven individuals and have a compassion for people and what's happening in their local communities. In the world that we live in people don't want to get involved in the lives of others, and in their communities in hope to bring about restoration, healing and new directives for people. It takes time, energy, commitment and compassion to make this happen. I commend these two people because they have made such a great investment. They've given up their lives to help make their surroundings a better place live. If they can help to restore people it can definitely make a better community.

I am excited about, "The Keepers Transitional Living Group Home". This program will assist youth and adults in developing meaning and goals for their lives. It will create an atmosphere of caring and love that many of residents could never receive outside of this controlled environment. It will teach discipline and integrity. This is very much needed in the lives of people living around us. I think that everyone deserves a chance to have a life worth living change. Many people don't, and that's why we are challenged by so much crime in our country. I believe that no one should complain about what's happening in America and in our local communities unless they are willing to help in bringing about change.

Chaplin's Ernest and Deloris Brooks have committed themselves to this great challenge. The group resident home in question would be an excellent start for life changing experiences. It would be such a lost if they were unable to make this happen.

The question is..... Are we our brother's keeper? Yes we certainly are! Creating a positive living environment would benefit everyone. It starts with helping to change lives, and that starts with us. Please assist the Brooks' in whatever they need to fulfill what I believe to be a God given mandate for the community.

Sincerely,

Beverly Lewis
New Life Ministries, International
Chester, PA

KEEPERS HOUSE

VISION

The Vision of Keepers House is to establish and operate faith-based transitional living group homes. These homes will have resident managers and a family orientated environment where tenants are strongly encouraged to attend and participate in the special faith-based services offered. Our group living will assist our tenants in developing the living skills necessary to overcome problems such as low wages, lack of affordable housing and difficulty in obtaining immediate full-time employment.

MISSION

The Mission of Keepers House is to provide housing and related assistance for six or fewer persons who are in need of transitional living arrangements at each home. Our primary goals are designed to help them utilize other community services such as employment agencies, medical, etc. Our ultimate goal will help remove the obstacles, which impacts, our tenants abilities to remain stable, and self-sufficient.

RECEIVED
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2004 OCT 27 A 10:21

October 25, 2004

To: City Council, City Clerk

Regard: SUP-5105

From: Herbert J. and Nancy L. Thames
1900 Silver Birch Ln
Las Vegas, NV 89104

We **OBJECT** to the SUP-5105 Headlifters Ministries for a proposed Transitional Living Group AT 2805 Howard Drive (APN 162-01-710-014) R-1 (single-family residential) zone.

Herbert J. Thames
Herbert J. Thames

Protest

Nancy L. Thames
Nancy L. Thames

Submitted after final agenda
Date 10/27/04 Item #96

LETTER OF OBJECTION

TO: Barbara Jo Ronemus
City Clerk
400 Stewart Avenue
Las Vegas, Nevada

RECEIVED
CITY CLERK
2004 OCT 28 A 7:45

VIA FACSIMILE

RE: Notice of Public Hearing
November 3, 2004
1:00 P.M.
Special Use Permit SUP-5105

Protest

As a resident of 1813 Silver Birch Lane and Neighborhood Watch Captain, I formally OBJECT to this request in our residential area. This property is within 200 feet of my property and I do not want or need a corporation to open a Transitional Living Group Home at 2805 Howard Drive. This is a R-1 residential area and needs to remain single family units. We are getting too many problems in the area with gangs, drugs, etc., and do not need anything else to crop up. We have enough problems in the neighborhood now and do not desire any additional group homes that may cause other problems.

Robert N. Herrell
1813 Silver Birch Lane

Submitted after final agenda
Date 10/28/04 Item #96

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

Telephone Protest/ Approval Log

Meeting Date: PC 10-7-04 **Case Number:** SUP-5105

Date: 9-27-04
Name: NANCY THAMES
Address: 1900 SILVERBIRCH AVE
Phone: 457-1882
☑ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

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Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

SUP-5105
#63

Carole Combs

From: Bob Herrell [radarbob@cox.net]
Sent: Tuesday, September 28, 2004 5:09 PM
To: ccombs@lasvegasnevada.gov
Subject: SUP-5105

My name is Bob Herrell and I reside at 1813 Silver Birch Lane, Las Vegas, NV 89104. My residence is within 200 feet of the subject property at 2805 Howard Drive.
I am not able to attend the Planning Commission Meeting in person and would like to voice my OBJECTION to this propsed SUP. This is a residential area and we are getting too much going on without adding possible additional problems with a transitional living group home.

Please enter this e-mail into the official record of this hearing to record my OBJECTION.

Thank you
Bob Herrell
641-6682
radarbob@cox.net

SUP-5105
P

City of Las Vegas

Agenda Item No. 97

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SPECIAL USE PERMIT

SUP-5228 - PUBLIC HEARING - APPLICANT: GARTH W. LAMB - OWNER: GARTH W. LAMB AND SHARI L. HUMBLE-LAMB - Request for a Special Use Permit FOR AN EXISTING ANIMAL HOSPITAL, CLINIC, OR SHELTER WITH OUTSIDE PENS AND A PROPOSED ADDITION TO THE HOSPITAL at 5000 North Jones Boulevard (APN 125-36-302-005), R-E (Residence Estates), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

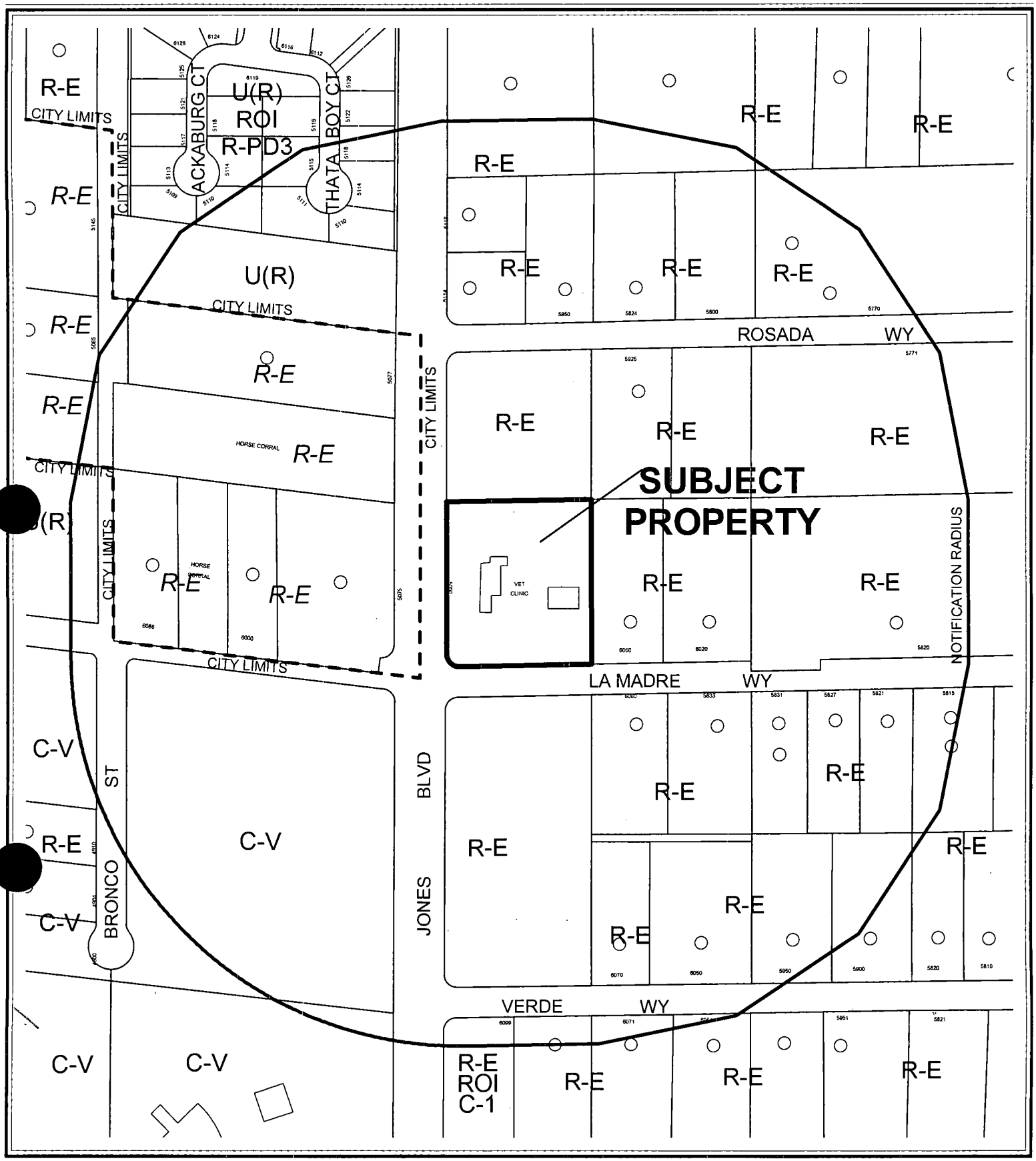
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - 1 Protest and 1 support letter
5. Submitted after final agenda - Abeyance letter from Garth Lamb and Kimn Morey for Item 97 [SUP-5228] and Item 98 [SDR-5094] filed under Item 97 [SUP-5228]
6. Backup referenced from the 10/7/2004 Planning Commission Item 97

MOTION:

REESE - Motion to TABLE Item 101 [GPA-5264] and HOLD IN ABEYANCE Item 87 [SUP-4830], Item 97 [SUP-5228], Item 98 [SDR-5094], Item 111 [GPA-5120], Item 112 [ZON-5121], Item 113 [VAR-5124], and Item 114 [SDR-5122] to 11/17/2004, and Item 105 [GPS-5082] and Item 106 [VAC-5101] to 2/16/2005 - UNANIMOUS with MACK not voting and GOODMAN abstaining on Item 87 [SUP-4830] becase JAY BROWN, with whom he is in a partnership, represents the applicant

MINUTES:

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



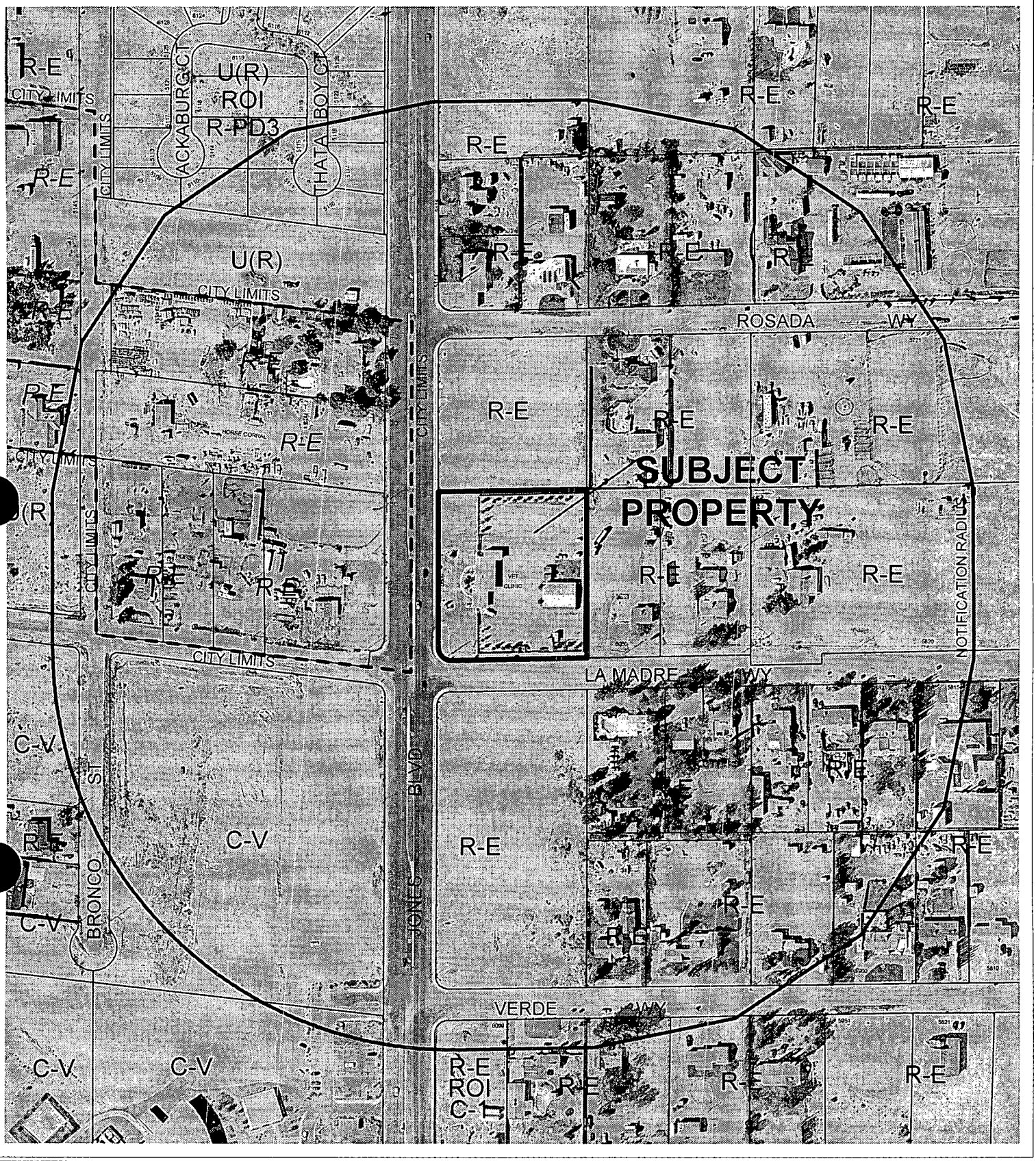
0 200 400 Feet

CASE: **SUP-5228**

RADIUS: 750 FT

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

97



0 200 400 Feet

CASE: **SUP-5228**

RADIUS: 750 FT

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

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City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5228 - APPLICANT: GARTH W. LAMB - OWNER: GARTH W. LAMB AND SHARI L.HUMBLE-LAMB

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance with all the conditions established for the original Variance (V-0096-96) that established the use, the conditions of approval for the Site Development Plan Review (SDR-5094), and the conditions herein.

2. This Special Use Permit for the building addition 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. No expansion of the use may occur without the submittal of a new Special Use Permit.

3. Open pens shall be limited to the care of large animals such as horses, screened from view of adjacent streets and adjoining properties, and located no closer than 50 feet from a lot on which a residential use exists or is permitted.

4. The buildings shall be designed to provide complete sound barriers and odor protection for adjacent properties.

5. Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls facing properties on which a residential use exists or is permitted.

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 request for a Special Use Permit for an existing Animal Hospital, Clinic, or Shelter with Outside Pens and an addition to the Animal Hospital, Clinic, or Shelter at 5000 North Jones Boulevard. An application for a Site Development Plan Review (SDR-5094) has been submitted in conjunction with this application.

B) Applicant's Justification

The applicant states in a letter attached to the application that an additional building is proposed for the existing facility, "...a veterinary medicine practice specifying in horses only and has been in operation since 1998." It goes on to say: "The growth of the practice has developed to the point that additional office space and hospital/treatment room space is needed."

BACKGROUND INFORMATION

A) Previous Actions

08/27/96	The Board of Zoning Adjustment approved a Variance (V-0096-96) to allow an equine veterinary clinic where such a use on the subject site is not otherwise allowed.
10/29/03	The City Council accepted the withdrawal of a request for a Special Use Permit (SUP-2664) for a proposed 60-foot high non-stealth cellular communication tower. The Planning Commission and staff denied the request on 09/11/03.
10/29/03	The City Council accepted the withdrawal of a request for a Variance (VAR-2839) to allow a 60-foot high non-stealth cellular communication tower 53-feet from a residential property line where Residential Adjacency Standards require a 180-foot setback. The Planning Commission and staff recommended.
10/07/04	The Planning Commission recommended approval of a related Site Development Plan Review (SDR-5094) on this agenda.
10/07/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #44/dds).

B) Pre-Application Meeting

08/05/04 The staff reviewed with the prospective applicant the proposed addition of a building to the existing Animal Hospital, Clinic, or Shelter. The following details were mentioned:

- A van accessible space should be provided.
- Sufficient parking would be needed for an animal hospital.
- Development standards for a building in the R-E zone apply.
- Proposed building should have a cohesive architectural design with other buildings on the property.
- A six-foot landscaped buffer is required around the perimeter
- A flood study will be required.
- Minor details such as square footage, heights, and floor plans will be required with the site plan.
- A variance would be needed because of the buildings size and height (earlier thought to be an accessory building).

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres	2.18

B) Existing Land Use

Subject Property:	Veterinary clinic
North:	Undeveloped
South:	Undeveloped
East:	Single family dwelling
West:	Horse corral/single family dwelling

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Residence Estates)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	Clark County [R-E (Rural Estates Residential)]

E) General Plan Compliance

The site is designated R (Rural Density Residential) on the Centennial Hills Sector Plan Map of the General Plan. The existing R-E (Residence Estates) Zoning designation is in conformance with the General Plan. An Animal Hospital, Clinic, or Shelter with Outside Pens is permitted as a Special Use in the R-E zoning district.

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	

Some adjacent sites within the notification area fall within the unincorporated area of Clark County. Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" because of the request for a Special Use Permit within 500 feet of the unincorporated property. In such cases, the County is required to be notified of the request for a Special Use as was done for this use. To date no comments have been received.

A) Zoning Code Compliance

An Animal Hospital, Clinic, or Shelter with Outside Pens is permitted as a Special Use in the R-E (Residence Estates) Zone. However, there are no requirements specified for this use in Title 19 beyond the requirements for an R-E Zone. Recommended requirements are addressed as conditions of approval for this application and discussed below. Development standards are presented with the Site Development Plan Review (SDR-5094) that accompanies this application.

B) General Analysis and Discussion

a. Zoning

The Animal Hospital, Clinic, or Shelter with Outside Pens use is permitted in the R-E (Residence Estates) zoning district with the approval of a Special Use Permit.

b. Use

Title 19.04.050 establishes the criteria for the approval of an Animal Hospital, Clinic, or Shelter with Outside Pens within the city. The primary concern with such a facility is the noise and smells caused by the animals. For this reason, sound attenuation measures should be used. In particular, the buildings should be designed to provide complete sound barriers; and rooms that contain animals should not be permitted to have windows, doors or other openings in exterior walls that would face adjacent residences.

Equally important is the control of smells from animals in outside pens. For this reason, it is important that pens be well maintained and located a distance from the location of properties on which residences could be built. As is required for outside pens associated with such uses in other districts, it is recommended that the establishment of future outside pens be located a minimum of 50 feet from properties on which residences exist or could be built.

Provided the existing buildings and proposed new building for the Animal Hospital, Clinic, or Shelter with Outside Pens are designed to reduce sound transmission and existing and any future pens are well maintained, the use should be compatible with adjacent properties.

c. Conditions

Title 19.04.050 lists conditions for an Animal Hospital, Clinic, or Shelter without Outside Pens, but there are no conditions listed for such use WITH outside pens. Nevertheless, a Variance was approved for the original use in 1969 with the following conditions:

1. All surgical procedures shall be done within the enclosed building area and meet all applicable health code requirements.

2. Provide minimum 24-inch box trees 40 feet on center with shrubs, groundcover and boulders in all landscape planter areas, as required by the planning and development department. The use of drought tolerant landscape is encouraged.

3. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the northeast corner of Jones Boulevard and La Madre Way prior to the issuance of any permits as required by the Department of Public Works.

4. Construct half-street improvements including appropriate over paving on Jones Boulevard and La Madre Way adjacent to this site concurrent with development of this site as required by the Department of Public Works. All existing over paving damaged or removed by this development shall be restored to its original location and to its original width concurrent with development of this site as required by the Department of Public Works.

5. Contribute $2,500.00 to partially fund the future upgrading of the existing traffic signal system at the intersection of Jones Boulevard and Lone Mountain Road prior to the issuance of building or off-site permits as required by the Department of Public Works. The City reserves the right to utilize the contributed traffic signal monies for the installation or upgrading of traffic signals at any other intersection within this general vicinity which is impacted by this development and which has a more immediate need for signalization.

6. Meet with the Traffic Engineer for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with standard drawing #222A as required by the Department of Public Works.

7. 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, whichever may occur first, as required by the Department of Public Works.

8. All development must be in conformance with the plat plan and elevations. Landscaping and a permanent underground sprinkler system shall be provided as required by the Board of Zoning Adjustment and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.

9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, license, or prior to occupancy, whichever occurs first.

10. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.

11. City code requirements and design standards of all city departments must be satisfied.

12. Parking and driveway plans must first be approved by the traffic engineer.

13. Any damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.

14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures, as required by the department of Fire Services.

Certain conditions of Title 19.04.050 for an Animal Hospital, Clinic, or Shelter with and without Outside Pens should also be applied to the subject use and include the following:

1. Open pens shall be screened from view of adjacent streets and adjoining properties and located no closer than 50 feet from a lot with a residential use.

3. The building shall be designed to provide complete sound barriers and odor protection for adjacent properties.

4. Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls adjacent to residences.

5. Noise levels must comply with the applicable provisions of LVCM Title 7.

These conditions are listed as recommended conditions of approval for this application.

FINDINGS

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

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

   The subject property and the area surrounding it are zoned R-E (Residence Estates), a zone that is permitted within the designated R (Rural Density Residential) land use classification established for the area. This classification reflects the current rural characteristics that are prevalent in the area. The existing equine Animal Hospital, Clinic, or Shelter with Outside Pens is a use that is closely associated with this rural area. Consequently, the present animal hospital and proposed addition to it are compatible uses.

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

   The subject site contains 2.18 acres, which is large enough for the existing use and the proposed building addition.

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 property fronts on Jones Boulevard, a Primary Arterial Street (100-foot right-of-way width), according to the Master Plan of Streets and Highways. The street is adequate for the existing and proposed use.

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

   The proposed Animal Hospital, Clinic, or Shelter will be subject to periodic inspection and would, therefore, not compromise the public health, safety and welfare.

NOTICES MAILED 45 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5228 APN: 125-36-302-005

Name of Property Owner: Garth W. Lamb

Name of Applicant: Kima Morey

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: Garth W Lamb

Print Name: GARTH W. LAMB

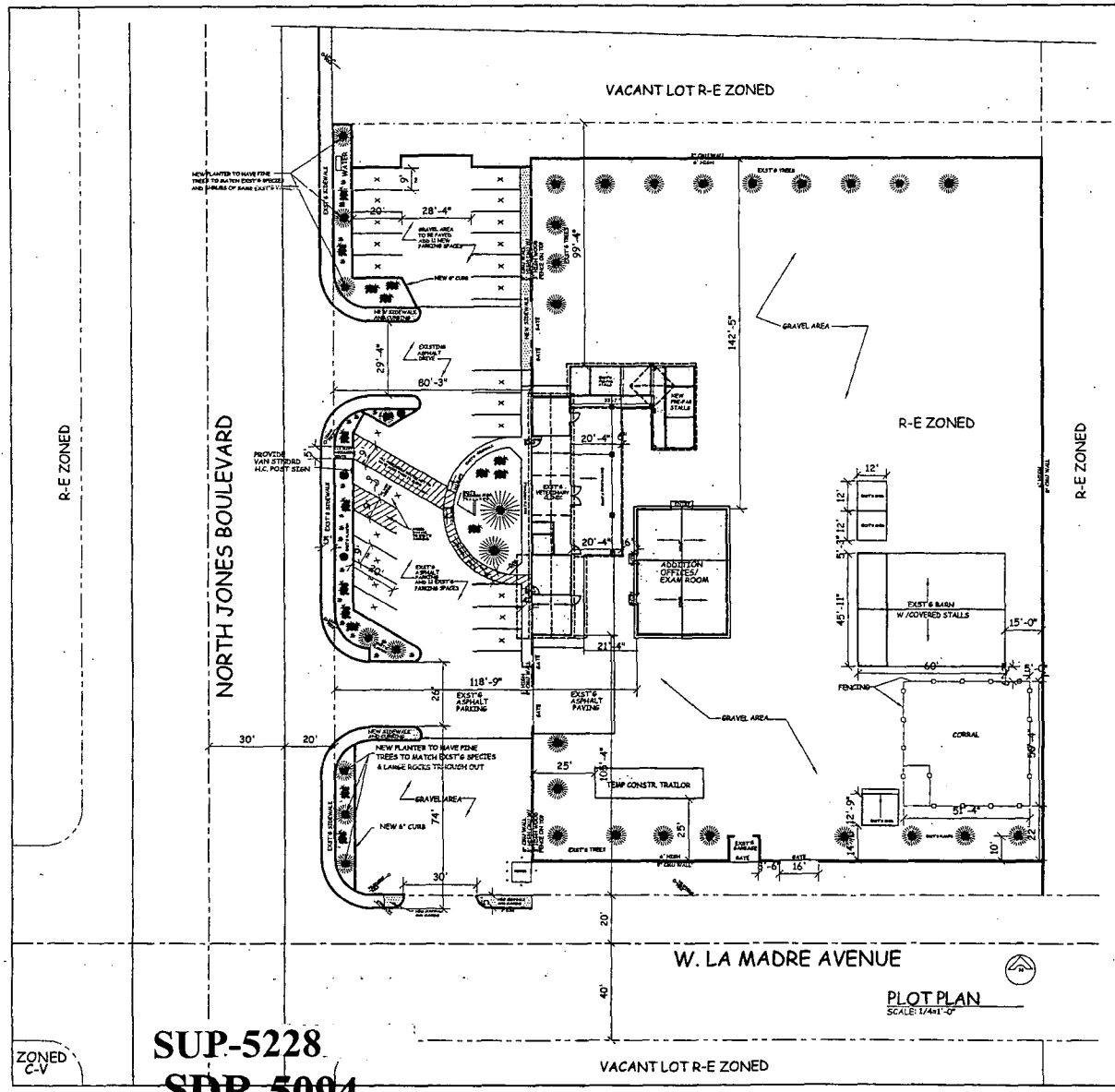
Subscribed and sworn before me

This 11 day of August, 2004

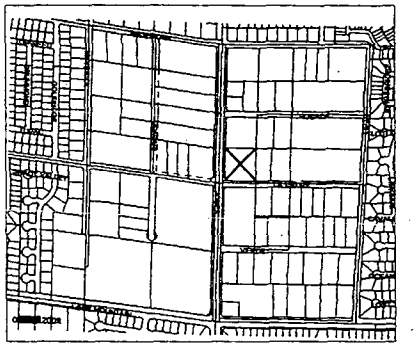
Michelle Cody

Notary Public in and for said County and State

MICHELLE CODY
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 04-87830-1
MY APPT. EXPIRES FEB. 26, 2008



PLOT PLAN
SCALE: 1/4"=1'-0"



VICINITY MAP
SCALE: NONE

PROJECT DATA:

PROJECT ADDRESS:	5000 N. JONES BLVD. LAS VEGAS, NV 89130
ZONING:	R-E
BUILDING AREA:	1,906 USEABLE SF 1ST FLOOR 984 USEABLE SF 2ND FLOOR
PARKING SPACES:	18 SPACES REQUIRED 22 SPACES PROVIDED
PRIMARY OCCUPANCY:	VETERINARY CLINIC
CONSTRUCTION TYPE:	WOOD FRAMED SPRINKLED - NO
STRUCTURAL SYSTEM:	2 X 6 EXTERIOR BEARING WALLS WOOD TRUSS ROOF STRUCTURE BUILDING HEIGHT 25' STORIES 2 BUILDING AREA 2890 OCCUPANCY LOAD 19
APPLICABLE CODES:	2003 INTERNATIONAL BUILDING CODE 2003 INTERNATIONAL RESIDENTIAL CODE 2000 UNIFORM PLUMBING CODE 2000 UNIFORM MECHANICAL CODE 2002 NATIONAL ELECTRICAL CODE 1992 NATIONAL ELECTRICAL CODE SOUTHERN NEVADA AMENDMENTS

PARKING REQT'S:

VETERINARY CLINIC REQ. PARKING

7 EMPLOYEES @ 2 SPACE FOR EA. = 14 STAND. SIZE
4 DOCTORS @ 1 SPACE FOR EA = 4 STAND. SIZE
SPACES NEEDED: 18 STAND. SIZE

PARKING SPACES REQ'D:	
70% REQ'D @ STANDARD SIZE	18
30% ALLOWABLE COMPACT SIZE	0
HANDICAP SPACES:	1
EXISTING PARKING SHOWN:	
STANDARD SPACES	22
HANDICAP SPACES	1

MOUNTAIN CONTRACTING & DEVELOPEMENT
7495 ROBEL AVENUE
LAS VEGAS, NV 89124
645-5942
CONTACT: KIMN MOREY

PLOT/LANDSCAPING PLAN

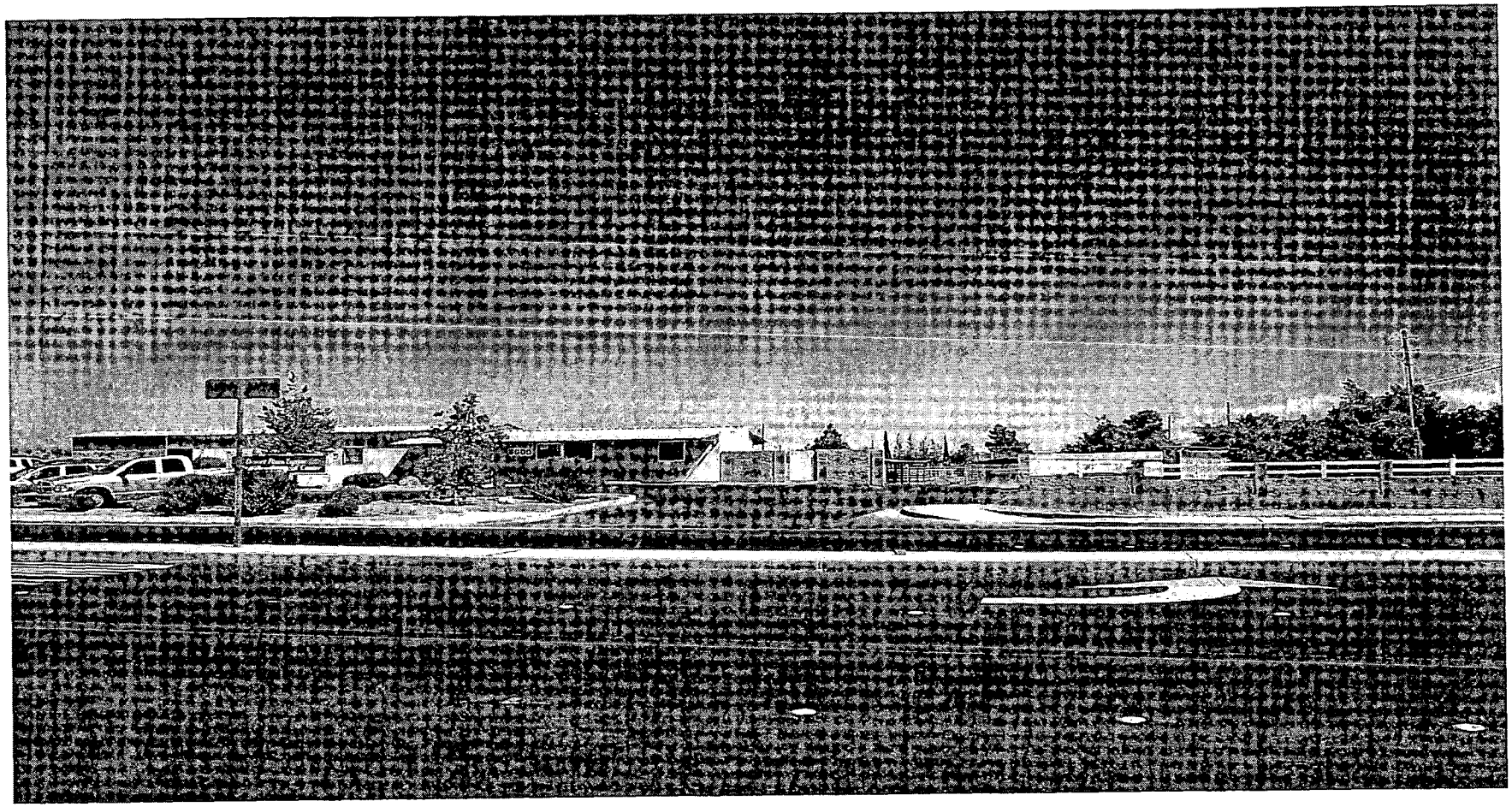
SCALE: 1" = 20'-0"	5000 N. JONES BLVD.
DATE: 07-30-04	LAS VEGAS, NV 89120

FOR TITLE:
LAMB VETERINARY CLINIC ADDITION

SHEET(S): 1

CARTH LAMB

SUP-5228
SDR-5094
10-07-04 PC



SUP-5228 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GARTH W. LAMB - OWNER: GARTH W. LAMB AND SHARI L. HUMBLE-LAMB
5000 NORTH JONES BOULEVARD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

RECEIVED
CITY CLERK

2004 NOV -1 A 10:59

Jane Tarmu
6427 button Quail St
N Las Vegas, NV 89084

City clerk
1st floor
City Hall
400 Stewart Ave
Las Vegas, NV 89101

October 25, 2004

Re: SUP-5228

Dear Sirs:
I own the neighboring piece of property and I still maintain my position that outside pens are not suitable in this area. I have no objection to expansion where animals are contained inside the property.

Sincerely,

Jane Tarmu

Protest

Submitted after final agenda

Date 11/1/04 Item #97

Frank Martin
3030 South Highland Drive • Las Vegas, Nevada 89109
(702) 385-5257



RECEIVED
CITY CLERK
2004 NOV -1 A 10:59

October 27, 2004

City Clerk
1st Floor
City Hall
400 Steward Avenue
Las Vegas, NV 89101

RE: SUP-5228

To Whom It May Concern:

I give my support and approval to the above reference special use permit.

Sincerely,

Frank Martin

Support

Submitted after final agenda

Date 11/1/04 Item #97

November 02, 2004

City of Las Vegas,

We are requesting SDR-5094 and SUP-5228 scheduled for November 3, 2004 be moved to November 17, 2004 for City Council review.

Mr. Garth W. Lamb
5000 N. Jones Blvd.
Las Vegas, NV

Mr. Kimn Morey
Mountain Contracting & Dev.
7495 Robel Ave.
Las Vegas, NV

RECEIVED
CITY CLERK
2004 NOV -2 P 4:59

Submitted after final agenda
Date 11/2/04 Item #97 & #98

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

11-3CC

Zamir Tarmu
6427 Button Quail Street
N Las Vegas, NV 89084

Planning Commission
731 South Fourth St
Las Vegas, NV 89101

October 6th 2004

Re: SUP-5228 and SDR-5094 OCTOBER 7th 6pm - objection

Dear Sirs,
We own the adjacent property to this Animal Hospital and ask that you reject the request to add outside pens or stables.

We accept that Mr. and Mrs. Lamb wish to expand their hospital and we have no objection to expansion as long as this is done inside a sealed animal hospital building. However, we strongly oppose the idea of adding outside pens or stables of any nature. This will bring more flies to the area. The location is in the center of residential housing in a busy neighborhood and would be unpleasant with a very negative impact on the homes in the immediate area.

Sincerely,

Zamir Tarmu (50% owner of adjacent property)

Jane Tarmu, trustee for Jane Tarmu Family Trust (50% owner of adjacent property)

City of Las Vegas

Agenda Item No. 98

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5228

SDR-5094 - PUBLIC HEARING - APPLICANT: GARTH W. LAMB - OWNER: GARTH W. LAMB AND SHARI L. HUMBLE-LAMB - Request for a Site Development Plan Review and a Waiver of perimeter landscaping standards FOR A PROPOSED 2,890 SQUARE-FOOT ADDITION TO AN EXISTING ANIMAL HOSPITAL WITH OUTSIDE PENS on 2.18 acres at 5000 North Jones Boulevard (APN 125-36-302-005), R-E (Residence Estates), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

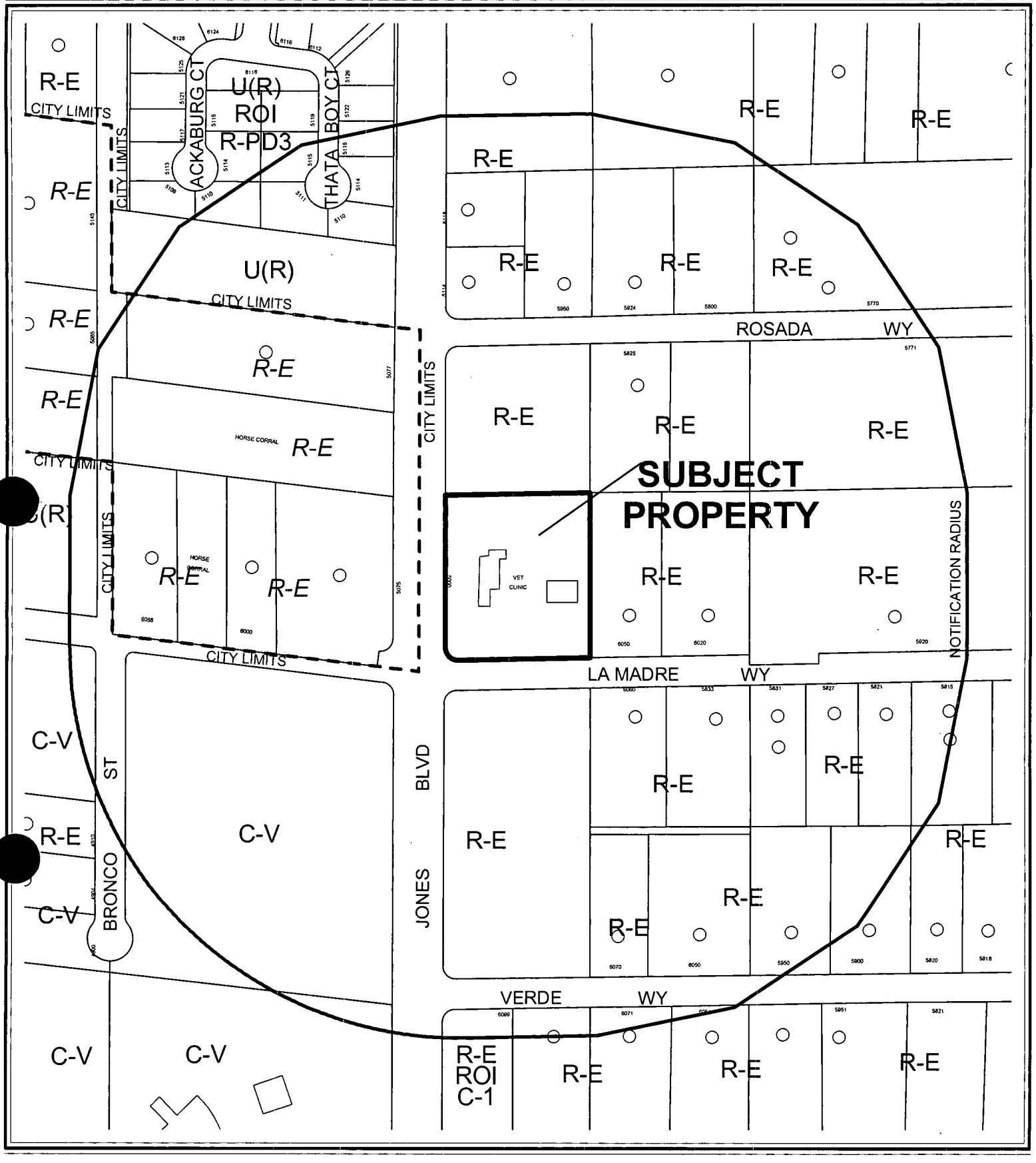
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Abeyance letter from Garth Lamb and Kimn Morey for Item 97 [SUP-5228] and Item 98 [SDR-5094] filed under Item 97 [SUP-5228]
5. Backup referenced from the 10/7/2004 Planning Commission Item 97

MOTION:

REESE - Motion to TABLE Item 101 [GPA-5264] and HOLD IN ABEYANCE Item 87 [SUP-4830], Item 97 [SUP-5228], Item 98 [SDR-5094], Item 111 [GPA-5120], Item 112 [ZON-5121], Item 113 [VAR-5124], and Item 114 [SDR-5122] to 11/17/2004, and Item 105 [GPS-5082] and Item 106 [VAC-5101] to 2/16/2005 - UNANIMOUS with MACK not voting and GOODMAN abstaining on Item 87 [SUP-4830] becase JAY BROWN, with whom he is in a partnership, represents the applicant

MINUTES:

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



0 200 400 Feet

CASE: **SDR-5094**

RADIUS: 750 FT

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5094 - APPLICANT: GARTH W. LAMB - OWNER: GARTH W. LAMB AND SHARI L.HUMBLE-LAMB

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Special Use Permit (SUP-5228) approved by the City Council.

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

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

4. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time the application is reviewed by the City Council to address the conditions and concerns of this report.

5. The parking and loading area for the front (west) of the building shall be fully paved, including the area at the southwest corner of the site.

6. The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time the application is reviewed by the City Council to illustrate closer compliance with the Landscape, Wall and Buffer Standards of Title 19 as addressed in this report.

7. 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 shall be cause for revocation of a business license.

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. Lighting shall be directed away from abutting 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 additions or changes to existing perimeter walls shall be with a decorative block wall, with at least 20 percent contrasting materials. No wood shall be used as a material.

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.

Public Works

15. Construct half-street improvements, including appropriate overpaving, on La Madre Way adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

16. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

17. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for an existing Animal Hospital, Clinic, or Shelter with Outside Pens and an addition to the Animal Hospital, Clinic, or Shelter on 2.18 acres at 5000 North Jones Boulevard. Waivers are requested in the Landscape, Wall and Buffer Standards of Title 19.

B) Applicant's Justification

The applicant states in a letter attached to the application that an additional building is proposed for the existing facility, "...a veterinary medicine practice specifying in horses only and has been in operation since 1998." It goes on to say: "The growth of the practice has developed to the point that additional office space and hospital/treatment room space is needed."

BACKGROUND INFORMATION

A) Previous Actions

08/27/96 The Board of Zoning Adjustment approved a Variance (V-0096-96) to allow an equine veterinary clinic where such a use on the subject site is not otherwise allowed.

10/29/03 The City Council accepted the withdrawal of a request for a Special Use Permit (SUP-2664) for a proposed 60-foot high non-stealth cellular communication tower. The Planning Commission denied the request on 09/11/03 and the staff recommended denial on 08/14/03.

10/29/03 The City Council accepted the withdrawal of a request for a Variance (VAR-2839) to allow a 60-foot high non-stealth cellular communication tower 53-feet from a residential property line where Residential Adjacency Standards require a 180-foot setback. The Planning Commission denied the request on 09/11/03 and the staff recommended denial on 08/14/03.

10/07/04 The Planning Commission recommended approval of an accompanying application for a Special Use Permit (SUP-5228) for the existing use and proposed addition. The staff recommends approval of that application.

10/07/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #45/dds).

B) Pre-Application Meeting

08/05/04 The staff reviewed with the prospective applicant the proposed addition of a building to the existing Animal Hospital, Clinic, or Shelter. The following details were mentioned:

- A van accessible space should be provided.
- Sufficient parking would be needed for an animal hospital.
- Development standards for a building in the R-E zone apply.
- Proposed building should have a cohesive architectural design with other buildings on the property.
- A six-foot landscaped buffer is required around the perimeter
- A flood study will be required.
- Minor details such as square footage, heights, and floor plans will be required with the site plan.
- A variance would be needed because of the buildings size and height (earlier thought to be an accessory building).

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	2.18

B) Existing Land Use

Subject Property:	Veterinary clinic
North:	Undeveloped
South:	Undeveloped
East:	Single family dwelling
West:	Horse corral/single family dwelling

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Residence Estates)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	Clark County [R-E (Rural Estates Residential)]

E) General Plan Compliance

The site is designated R (Rural Density Residential) on the Centennial Hills Sector Plan Map of the General Plan. The existing R-E (Residence Estates) Zoning designation is in conformance with the General Plan. An Animal Hospital, Clinic, or Shelter with Outside Pens is permitted as a Special Use in the R-E zoning district.

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	

Some adjacent sites within the notification area fall within the unincorporated area of Clark County. Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" because of the accompanying request for a Special Use Permit within 500 feet of the unincorporated area.

PROJECT DESCRIPTION

An Animal Hospital, Clinic, or Shelter with Outside Pens presently exists on the subject property. The applicant proposes to construct an additional 2,890 square foot detached building which would contain office space and hospital/treatment room space. In addition to the building, pre-fabricated stalls with a roof covering attached to the existing building is also proposed.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	20,000 square feet	94,961	Y
Min. Lot Width	100 feet	283 feet	Y
Min. Setbacks			
• Front	50 feet	115/14 feet	Y/N
• Side	10 feet	15 feet	Y
• Corner	15 feet	119 feet	Y
• Rear	35 feet	99 feet	Y
Max. Building Height	2 Stories / 35 feet	25 feet	Y

Although the property is addressed off Jones Boulevard, the property fronts on La Madre Way. Consequently, a front yard of 50 feet along La Madre Way is required. An existing shed is located within the front yard setback. All other buildings and the proposed new building are located beyond this required setback.

Many details were not shown/included with the site plan. Accordingly, a detailed set of plans should be submitted that include the following:

- Property lines fully dimensioned.
- Correct street name (La Madre Way not La Madre Avenue).
- Parking spaces and dimensions.
- Existing perimeter wall detail.
- Adjacent land uses.
- Existing building area and height.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the Residential Adjacency Standards require that a commercial building be set back from property intended for a residential use by a distance equal to three times its height. The proposed building is 25 feet high, requiring a Residential Adjacency separation of 75 feet. The closest distance between the building and adjacent residential properties is 99 feet, which complies with the adjacency standards.

A3) Parking and Traffic Standards

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

Uses	**Required**			**Provided**	
	Ratio	Parking		Parking	
		Regular	Handicap	Regular	Handicap
Animal Hospital	1 space per 2 employees plus 1 space per doctor and examining room	9	1	22	1

The number of examining rooms is not indicated for the existing building. One examining room is proposed for the new building. Four doctors will occupy the premises along with seven employees. A minimum of nine regular parking spaces and one handicapped space are required plus one additional parking space for each additional examining room within the existing building. A total of 22 regular spaces and one handicapped space is provided, which exceeds the required number of spaces.

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	4 trees	None
Buffer	1 tree/20 linear feet	36 trees	17 trees
Streets	1 tree/20 linear feet	19 trees	6 trees

The property is presently developed with an Animal Hospital, Clinic, or Shelter with Outside Pens. A building, barn with covered stalls, shed, parking area, a six-foot perimeter wall, and a number of existing plant materials are present on the site. The existing use does not comply with the Landscape, Wall and Buffer Standards of Title 19. The new proposed addition was also reviewed for compliance, and a number of discrepancies were noted.

The discrepancies in the Landscape, Wall and Buffer Standards of Title 19 include the following:

- For the new parking areas, four trees are required and none are proposed.
- For the buffer areas, there is 720 feet of distance around the perimeter of the lot for which 36 trees, tree islands, and shrubbery are required. Only 17 trees exist with no more proposed. All tree islands should be fully dimensioned.
- Street trees, tree islands and shrubbery are required along Jones Boulevard and La Madre Way. For both streets, 19 trees are required and only six trees are proposed. All street tree islands should be fully dimensioned.
- Street tree islands are required to be 15 feet wide; approximately eight-foot wide islands are shown along Jones Boulevard.
- The number and type of trees existing and proposed should be indicated on the site plan.
- No foundation landscaping is shown for either the existing or proposed building. If provided, it should be shown and landscape islands fully dimensioned.
- A gravel area is proposed at the corner of La Madre Way and Jones Boulevard. The purpose of this area is not designated on the plan. If the area is not to have some utilitarian purpose, it is recommended that the space be landscaped and improved aesthetically.

B) General Analysis and Discussion

- Zoning

The present zoning of the property is R-E (Residence Estates). Although the present use is permitted in an R-E (Residence Estates) Zone with a Special Use Permit, a Variance (V-0096-96) approved by the Board of Zoning Adjustment in 1996 permitted it. With the new building addition, the property owner is subject to the provisions established for a Special Use Permit as well as those for this Site Development Plan Review.

- Site Plan

The site plan lacks many details required to ascertain full compliance with Title 19 Standards. Accordingly, a revised site plan should be submitted that shows compliance and is addressed as a condition of approval with this report.

- Landscape Plan

The existing use does not comply with the Landscape, Wall and Buffer Standards of Title 19 and include the following:

- For the new parking areas, four trees are required and none are proposed.
- For the buffer areas, there is 720 feet of distance around the perimeter of the lot for which 36 trees, tree islands, and shrubbery are required. Only 17 trees exist with no more proposed. All tree islands should be fully dimensioned.
- Street trees, tree islands and shrubbery are required along Jones Boulevard and La Madre Way. For both streets, 19 trees are required and only six trees are proposed. All street tree islands should be fully dimensioned.
- Street tree islands are required to be 15 feet wide; approximately eight-foot wide islands are shown along Jones Boulevard.
- The number and type of trees existing and proposed should be indicated on the site plan.
- No foundation landscaping is shown for either the existing or proposed building. If provided, it should be shown and landscape islands fully dimensioned.

A gravel area is proposed at the corner of La Madre Way and Jones Boulevard. The purpose of this area is not designated on the plan. If the area is not to have some utilitarian purpose, it is recommended that the space be landscaped and improved aesthetically.

- Waivers

Waivers are requested in the parking, buffer and streetscape standards noted above. However, it is recommended that a revised landscape plan be submitted that shows compliance with as many of the requirements as possible.

- Elevation

The proposed building is to consist of stucco walls colored to match the existing building. The trim and fascia color is also to match the trim color on the existing building. The roof will consist of concrete tiles. A metal roof is proposed for the new pre-fabricated stalls.

- Floor Plan

Floor plans have been submitted that show 2,890 square feet of space for offices and hospital/treatment rooms.

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 subject property and the area surrounding it are zoned R-E (Residence Estates), a zone that is permitted within the designated R (Rural Density Residential) land use classification established for the area. This classification reflects the current rural characteristics that are prevalent in the area. The existing equine Animal Hospital, Clinic, or Shelter with Outside Pens is a use that is closely associated with this rural area. Consequently, the present animal hospital and proposed addition to it are compatible uses.

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

   As noted above in the analysis section, the proposed development is not consistent with the Design Standards Manual, the Landscape, and Wall and Buffer Standards. Although waivers of these standards have been requested, it is recommended that a revised landscape plan be submitted that illustrates compliance with as many of the requirements as possible.

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

   The property fronts on Jones Boulevard, which according to the Master Plan of Streets and Highways is a Primary Arterial Street (100-foot right-of-way width). Access to the development would be from Jones Boulevard. This street provides adequate access to the property and would not be impacted by the limited traffic from this site.

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

   The building materials will consist of materials and colors that match the existing building and are appropriate for the area. Landscape materials are not noted.

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 will consist of materials and colors that match the present building. The overall premises is devoid of many of the required landscape provision, and the perimeter wall is a common concrete masonry unit (CMU) block wall that also does not meet the Landscape, Wall and Buffer Standards of Title 19. While the use is compatible with the existing rural area that surrounds it, the property could be immensely improved aesthetically by the provision of substantially more landscaping.

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.

PLANNING COMMISSION ACTION

The Planning Commission added Condition #5 as shown.

NOTICES MAILED 43 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5094 APN: 125-36-302-005

Name of Property Owner: GARTH LAMB

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: Garth W. Lamb

Print Name: GARTH W. LAMB

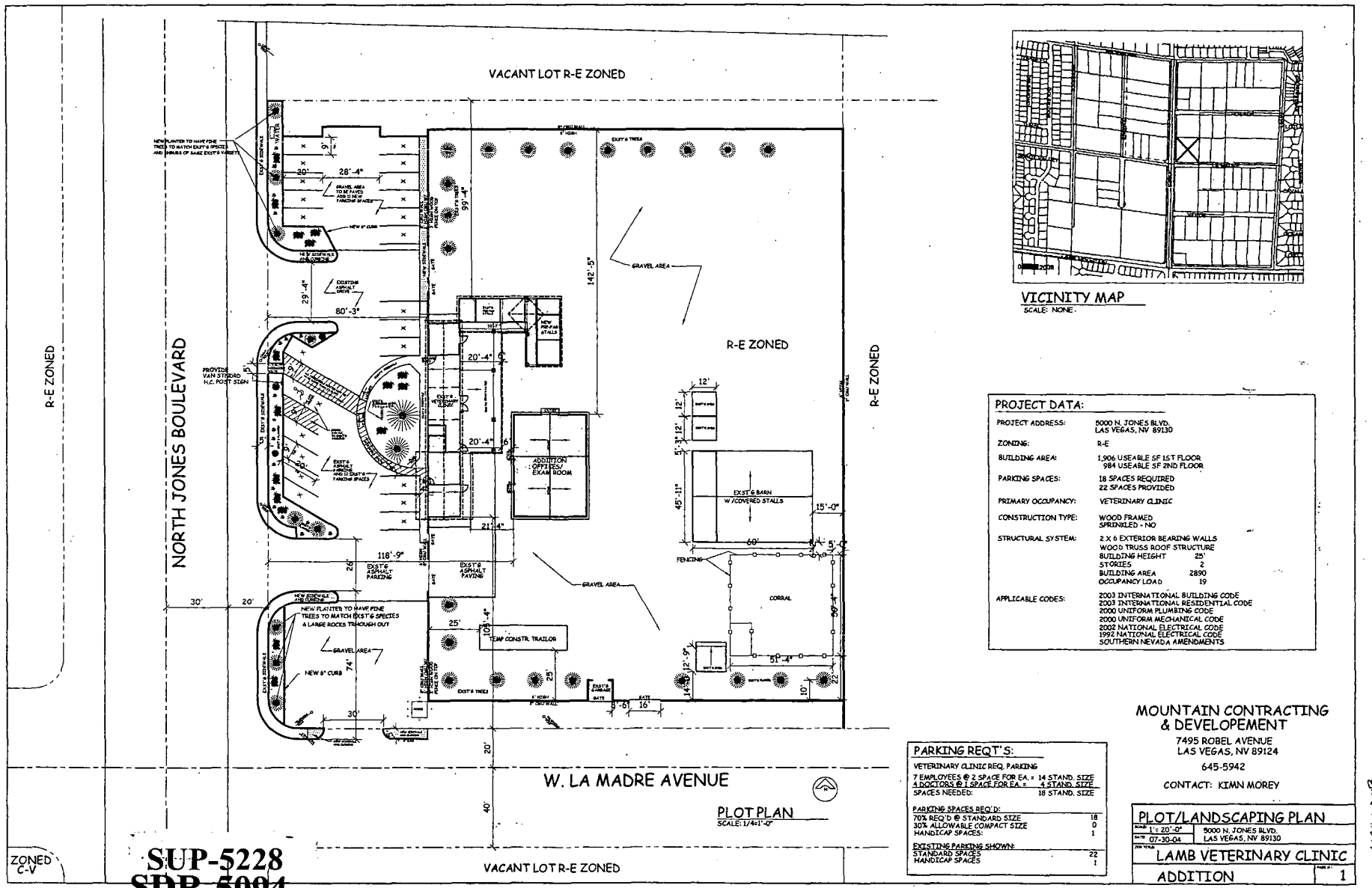
Subscribed and sworn before me

This 11 day of August, 2004

Michelle Cody

Notary Public in and for said County and State

MICHELLE CODY
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 04-87830-1
MY APPT. EXPIRES FEB. 26, 2008



PLOT PLAN
SCALE: 1/4=1'-0"

VICINITY MAP
SCALE: NONE

PROJECT DATA:	
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STRUCTURAL SYSTEM:	2 X 6 EXTERIOR BEARING WALLS WOOD TRUSS ROOF STRUCTURE BUILDING HEIGHT 25' STORIES 2 BUILDING AREA 2890 OCCUPANCY LOAD 19
APPLICABLE CODES:	2003 INTERNATIONAL BUILDING CODE 2003 INTERNATIONAL RESIDENTIAL CODE 2000 UNIFORM PLUMBING CODE 2000 UNIFORM MECHANICAL CODE 2002 NATIONAL ELECTRICAL CODE 1992 NATIONAL ELECTRICAL CODE SOUTHERN NEVADA AMENDMENTS

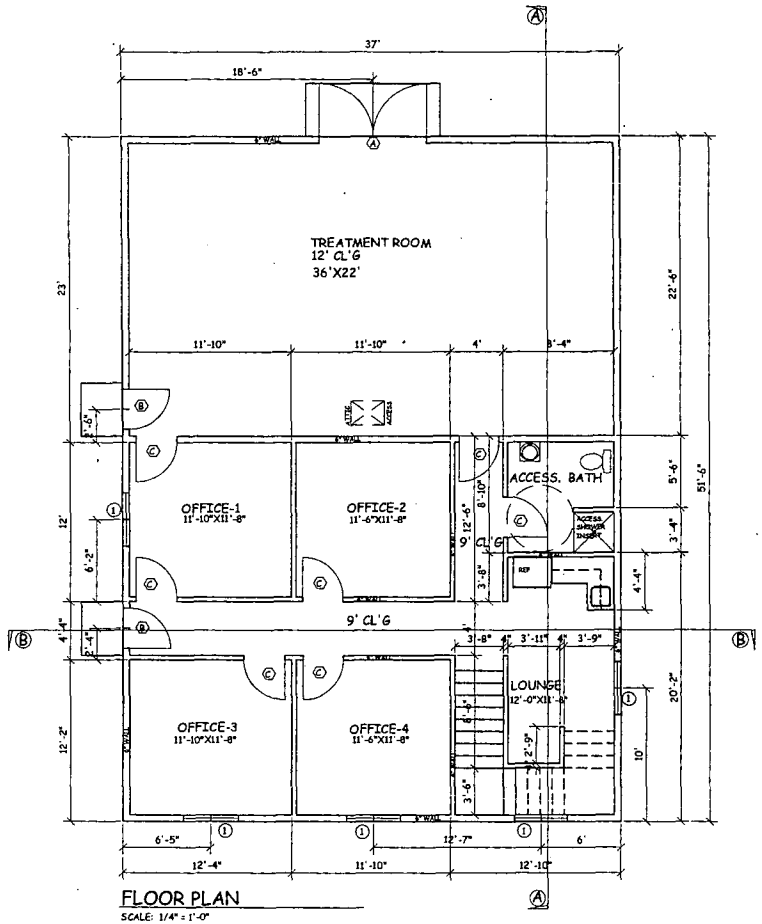
PARKING REQ'T'S:	
VETERINARY CLINIC REQ. PARKING	
7 EMPLOYEES @ 2 SPACE FOR EA. =	14 STAND. SIZE
4 DOCTORS @ 1 SPACE FOR EA. =	4 STAND. SIZE
SPACES NEEDED:	18 STAND. SIZE
PARKING SPACES REQ'D:	
70% REQ'D @ STANDARD SIZE	18
30% ALLOWABLE COMPACT SIZE	0
HANDICAP SPACES:	1
EXISTING PARKING SHOWN:	
STANDARD SPACES	22
HANDICAP SPACES	1

MOUNTAIN CONTRACTING & DEVELOPEMENT
7495 ROBEL AVENUE
LAS VEGAS, NV 89124
645-5942
CONTACT: KIMN MOREY

PLOT/LANDSCAPING PLAN	
SCALE: 1" = 20'-0"	5000 N. JONES BLVD.
DATE: 07-30-04	LAS VEGAS, NV 89130
JOB TITLE: LAMB VETERINARY CLINIC ADDITION	SHEET #: 1

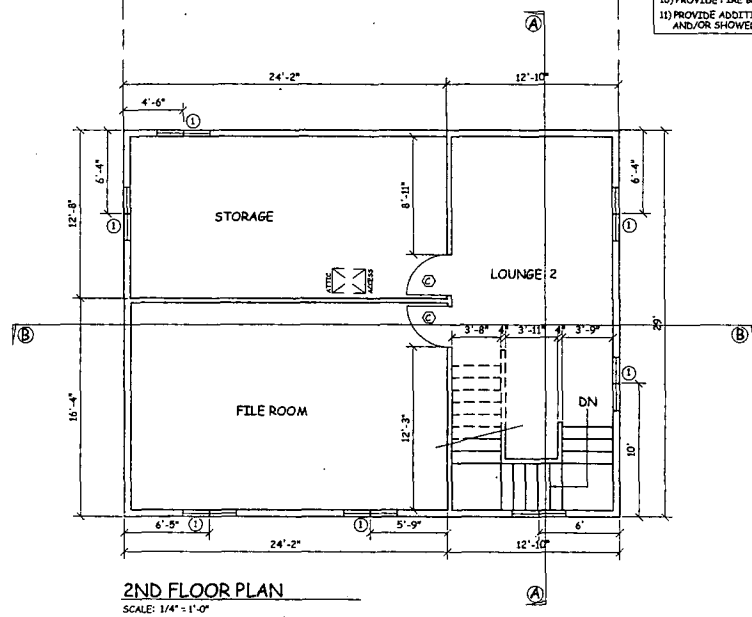
CLARK L DAVIS

SUP-5228
SDR-5094
10-07-04 PC



FLOOR PLAN

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



2ND FLOOR PLAN

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

GENERAL NOTES:

1) ALL FRAMING LUMBER TO BE DFL#2, DFS#2, OR LP#1
2) ALL EXTERIOR WALLS TO BE 2X6 AT 16" O.C.
3) ALL EXTERIOR SHEATHING TO BE 3/8" APA RATED STRUCTURAL SHEATHING NAILED WITH 8d @ 6" O.C. EDGES, 12" O.C. FIELD-U.N.O. IN SHEAR SCHED
4) ALL FRAMING CONNECTORS TO BE SIMPSON COMPANY OR EQUIVALENT
5) 1/2" W.P. GYP BRD UNDER ALL TUBS, SHOWERS, AND BEHIND LAVS AND SINKS
6) VENT ALL EXHAUST FANS TO OUTSIDE AIR
7) PROVIDE 22" X 30" ATTIC & CRAWL ACCESS AS REQ (30" MIN HEADROOM) FURNACE SHALL NOT EXCEED 20' FROM ACCESS OPENING
8) THE DISTANCE FROM THE ATTIC ACCESS TO THE FURNACE SHALL NOT EXCEED 20 FEET. (SECTION 908 UMC)
9) NAILING TO BE PER 2003 IBC NAILING SCHEDULE.
10) PROVIDE FIRE BLOCKING PER SEC. R602.8
11) PROVIDE ADDITIONAL SAFETY GLAZING FOR ALL TUB AND/OR SHOWER ENCLOSURES.

WINDOW SCHEDULE

MK	QA	SIZE	REMARKS - @ 6'-8" AFF (UNO)
(1)	11	4'0"	DBL PN/VNYL FRM SLIDER

DOOR SCHEDULE

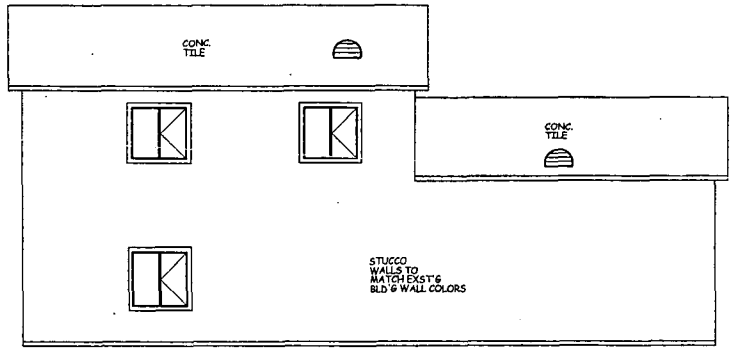
MK	QA	SIZE	REMARKS
(A)	1	8'7"	EXT INSUL METAL
(B)	2	3'6"	EXT INSUL METAL
(C)	8	3'8"	INT PASSAGE

MOUNTAIN CONTRACTING & DEVELOPEMENT
7495 ROBEL AVENUE
LAS VEGAS, NV 89124
645-5942
CONTACT: KIMN MOREY

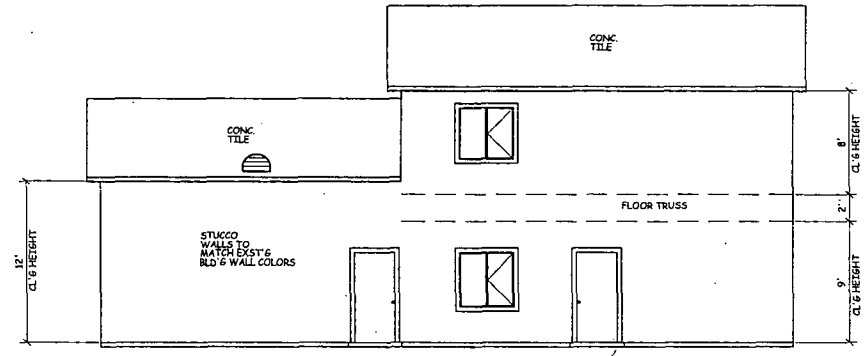
VERIFY ALL MEASUREMENTS

FLOOR PLANS ADDITION	
DATE: 07-30-04	5000 N. JONES BLVD.
SCALE: 1/4" - 1'-0"	LAS VEGAS, NV 89130
JOB TITLE: LAMB VETERINARY CLINIC	
ADDITION	SHEET #: 2

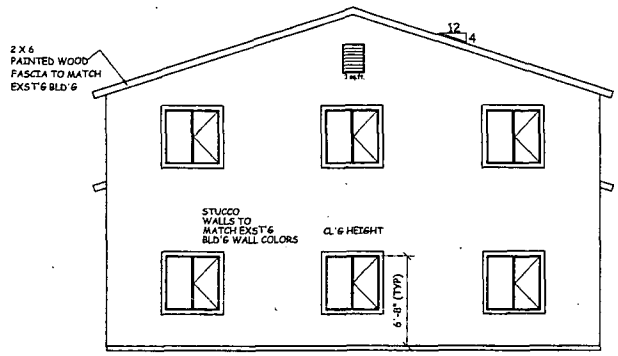
SUP-5228
SDR-5094
10-07-04 PC



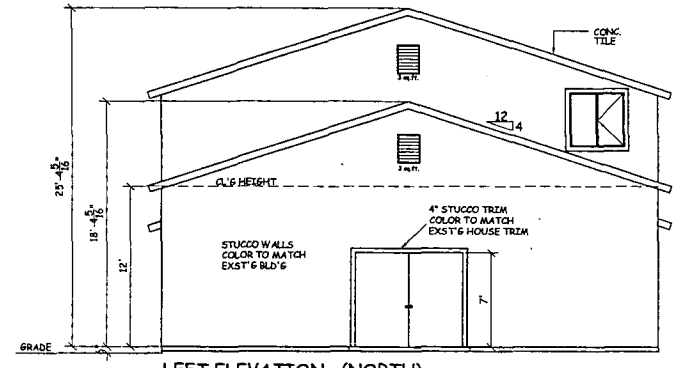
REAR ELEVATION (EAST)
SCALE: 1/4"=1'-0"



FRONT ELEVATION (WEST)
SCALE: 1/4"=1'-0"



RIGHT ELEVATION (SOUTH)
SCALE: 1/4"=1'-0"



LEFT ELEVATION (NORTH)
SCALE: 1/4"=1'-0"

NOTES:

1) ALL EXTERIOR WALLS TO BE STUCCO -CLR TO MATCH EXST'G BLDG
   EAVES & TRIM TO BE PAINTED WOOD TO MATCH EXST'G BLDG
2) ALL FASCIA TO BE 2" X 6" PAINTED WOOD TO MATCH EXST'G BLDG
3) ROOF TO BE CONC TILE W/PITCH OF 4:12
4) ATTIC VENTS TO BE DORMER, EAVE OR GABLE W/1/4" MESH & A NET FREE MIN AREA AS NOTED

DENOTES VENT OF 2.08 sq.ft.(UNO) NET FREE VENTILATION AREA W/1/4" MESH.

UPPER ROOF:
1073 sq.ft. X 150 = 7.15 sq.ft. NET FREE VENTILATION REQ'D
2 GABLE END VENTS @ 6 sq.ft. + 1 DORMER VENTS @ 2.08 sq.ft.
FOR TOTAL 8.08 sq.ft. NET FREE VENTILATION PROVIDED

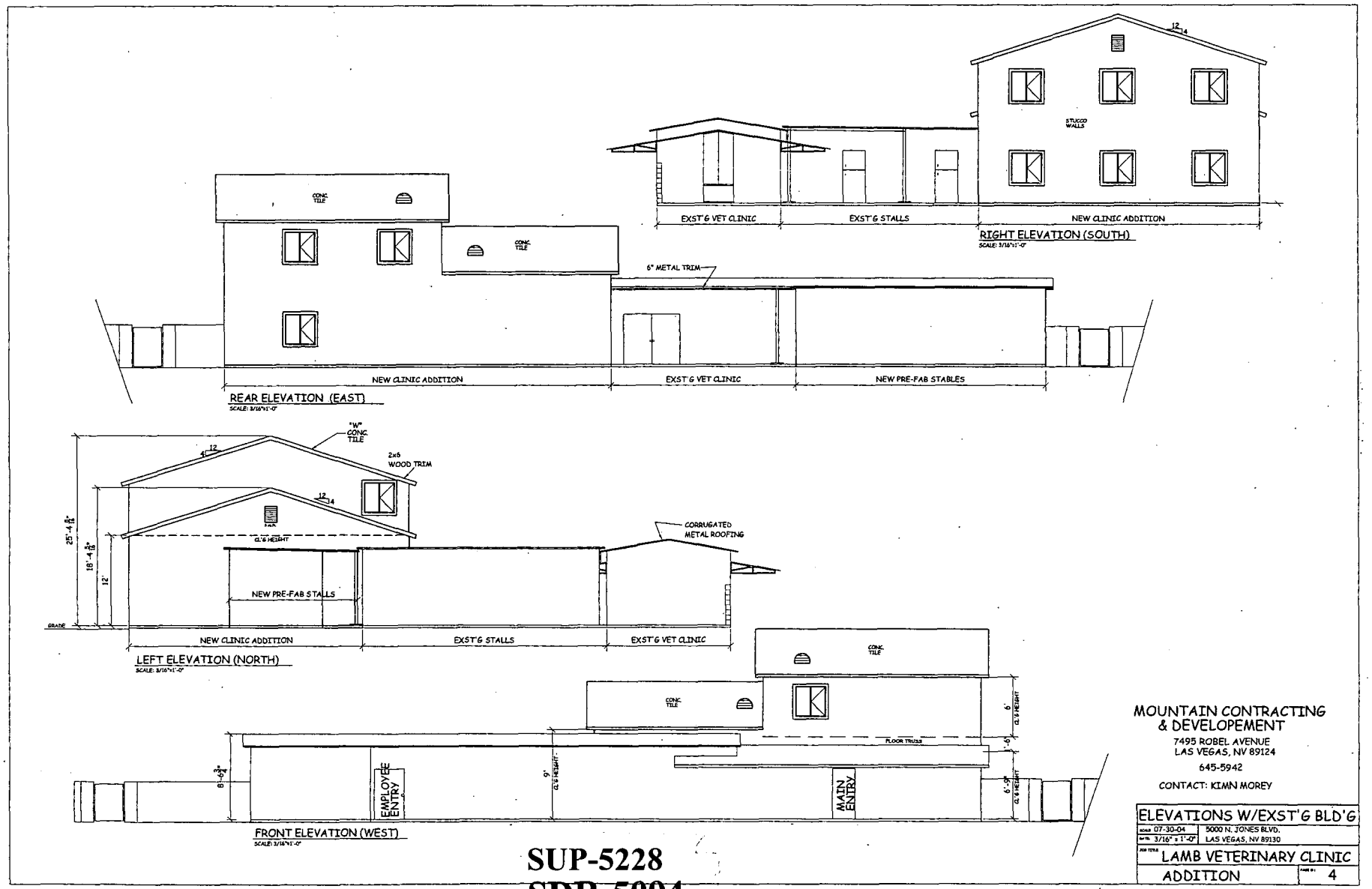
LOWER ROOF:
833 sq.ft. X 150 = 5.55 sq.ft. NET FREE VENTILATION REQ'D
1 GABLE END VENTS @ 3 sq.ft. + 2 DORMER VENTS @ 4.16 sq.ft.
FOR TOTAL 7.16 sq.ft. NET FREE VENTILATION PROVIDED

1073 SQ. FT. UPPER CL'G
833 SQ. FT. LOWER CL'G

MOUNTAIN CONTRACTING & DEVELOPEMENT
7495 ROBEL AVENUE
LAS VEGAS, NV 89124
645-5942
CONTACT: KIMN MOREY

ELEVATIONS	
SCALE: 07-30-04	5000 N. JONES BLVD.
DATE: 1/4" - 1'-0"	LAS VEGAS, NV 89130
JOB TITLE: LAMB VETERINARY CLINIC	
ADDITION	PAGE #: 3

SUP-5228
SDR-5094
10-07-04 PC



MOUNTAIN CONTRACTING
& DEVELOPEMENT
7495 ROBEL AVENUE
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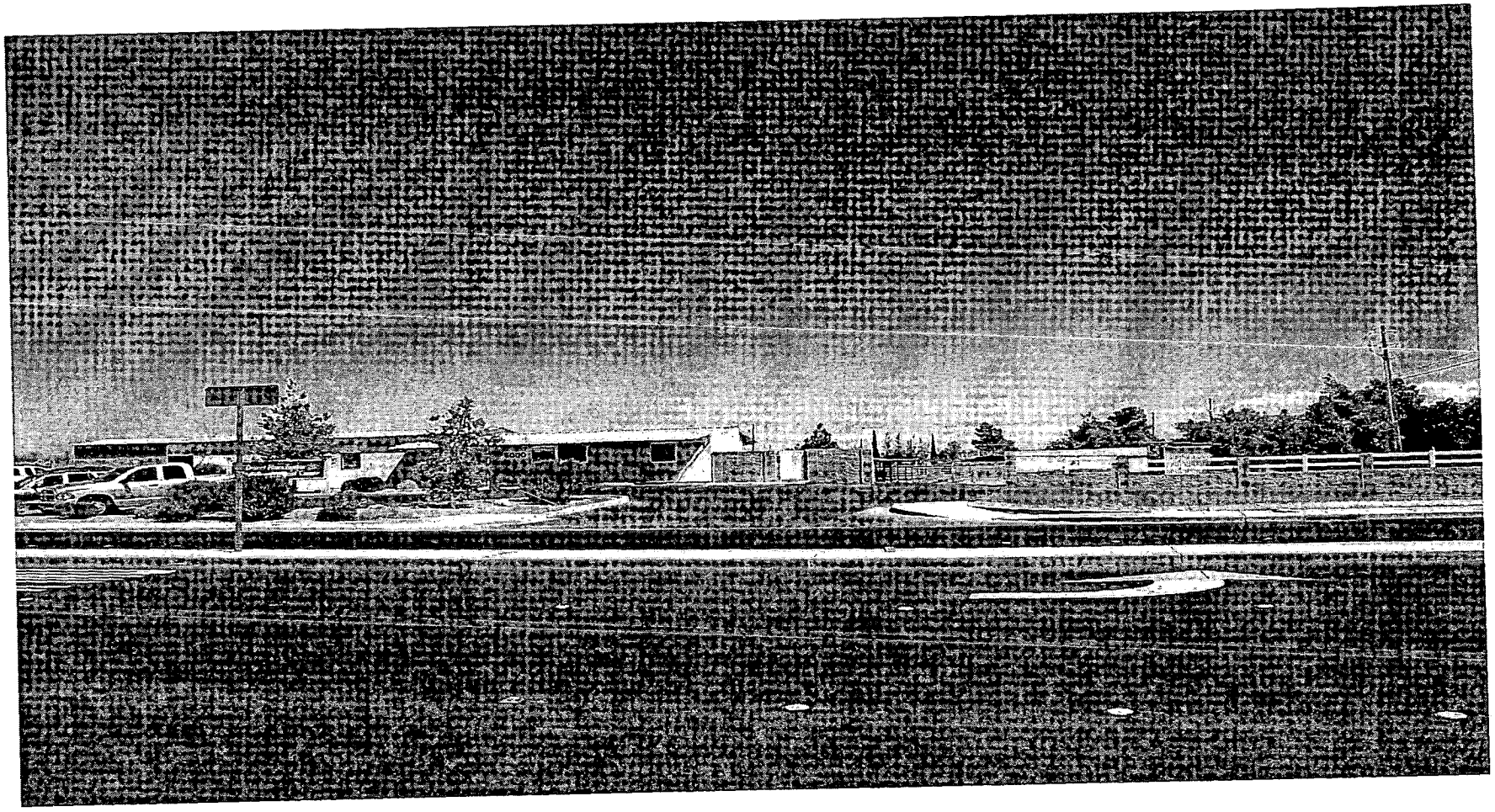
ELEVATIONS W/EXST'G BLD'G

SCALE 07-30-04	5000 N. JONES BLVD.
SHEETS 3/16" = 1'-0"	LAS VEGAS, NV 89130

JOB TITLE LAMB VETERINARY CLINIC ADDITION

SHEET NO. 4

SUP-5228
SDR-5094
10-07-04 PC



SDR-5094 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: GARTH W. LAMB
- OWNER: GARTH W. LAMB AND SHARI L. HUMBLE-LAMB
5000 NORTH JONES BOULEVARD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

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

11-3CC

Zamir Tarmu
6427 Button Quail Street
N Las Vegas, NV 89084

Planning Commission
731 South Fourth St
Las Vegas, NV 89101

October 6th 2004

Re: SUP-5228 and SDR-5094 OCTOBER 7th 6pm - objection

Dear Sirs,
We own the adjacent property to this Animal Hospital and ask that you reject the request to add outside pens or stables.

We accept that Mr. and Mrs. Lamb wish to expand their hospital and we have no objection to expansion as long as this is done inside a sealed animal hospital building. However, we strongly oppose the idea of adding outside pens or stables of any nature. This will bring more flies to the area. The location is in the center of residential housing in a busy neighborhood and would be unpleasant with a very negative impact on the homes in the immediate area.

Sincerely,

Zamir Tarmu (50% owner of adjacent property)

Jane Tarmu, trustee for Jane Tarmu Family Trust (50% owner of adjacent property)

City of Las Vegas

Agenda Item No. 99

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

REZONING

ZON-5087 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SANDCASTLE ENTERPRISES, INC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) AND U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE) on 6.3 acres adjacent to the southeast corner of Farm Road and Tule Springs Road (APN 125-16-301-004, 008 and a portion of 125-16-301-001, 002), Ward 6 (Mack). The Planning Commission (5-1-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Protest letter from Patrick and Rhonda Bergsrud for Item 99 (ZON-5087) and Item 100 (SDR-5089) filed under Item 99 (ZON-5087)
5. Backup referenced from the 10/7/2004 Planning Commission Item 42

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 99 [ZON-5087] and Item 100 [SDR-5089].

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She pointed out that an existing R-E house located nearby would be converted to a child day care facility, the owner of which has requested two conditions. The conditions would include an eight-foot block wall and a second pedestrian access gate on the northern most street that would offer access to Tule Springs Road without having to go to Farm Road. She asked that the two conditions be incorporated. COUNCILMAN MACK thanked the applicant for working with the resident. He mentioned that the area is happy to see this infill development, especially after previous attempts for commercial zoning.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed for Item 99 [ZON-5087] and Item 100 [SDR-5089].

MINUTES - Continued:
(2:57 - 3:02)
4-803

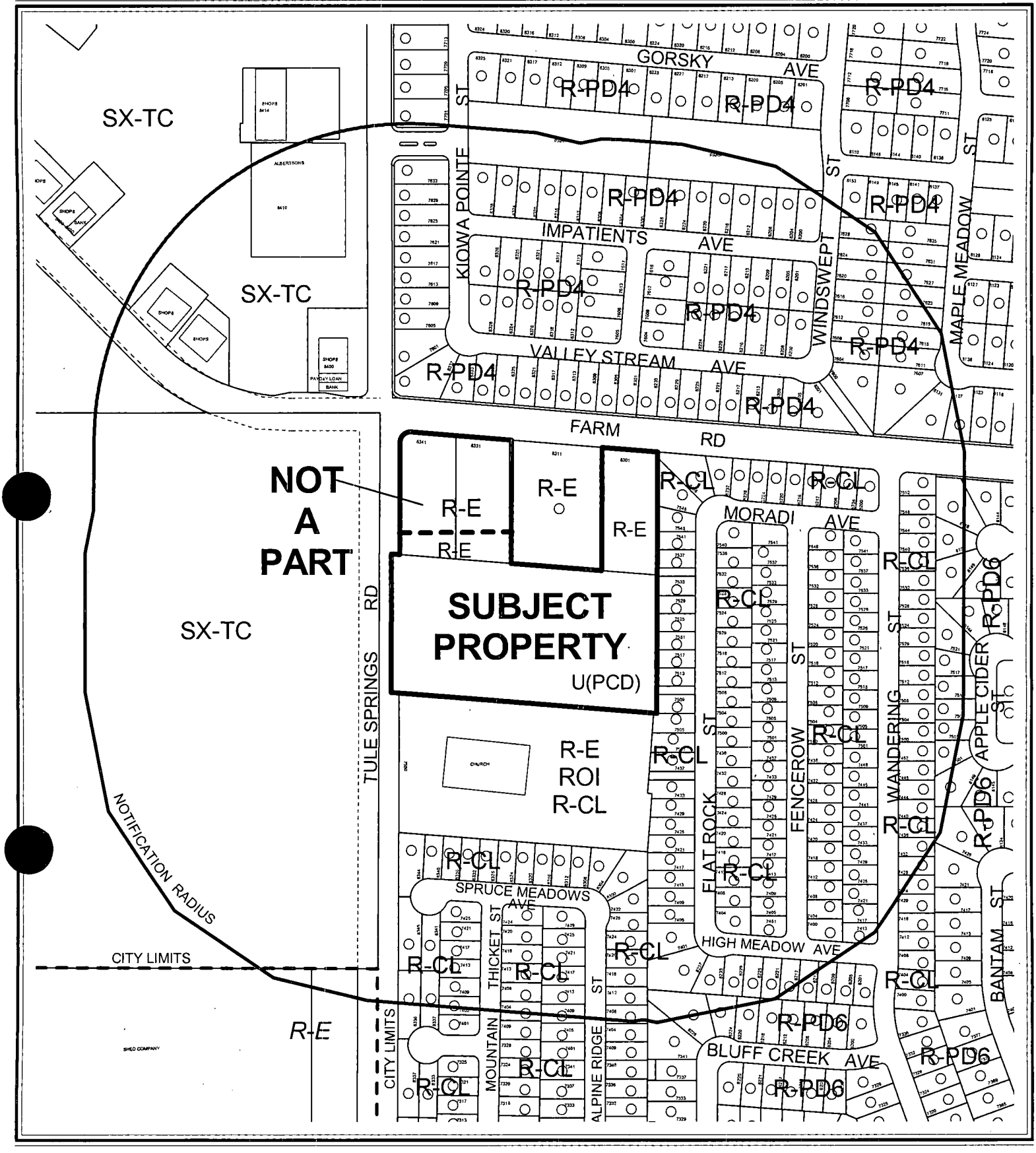
CONDITIONS:
Planning and Development
1. A Resolution of Intent with a two-year time limit.

2. Approval of Site Development Plan Review (SDR-5089) by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works
3. Dedicate an additional 20 feet of right-of-way for a total half-street width of 50 feet where such does not currently exist on Tule Springs Road adjacent to this site.

4. Construct half-street improvements on Tule Springs Road and Farm Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



CASE: **ZON-5087**

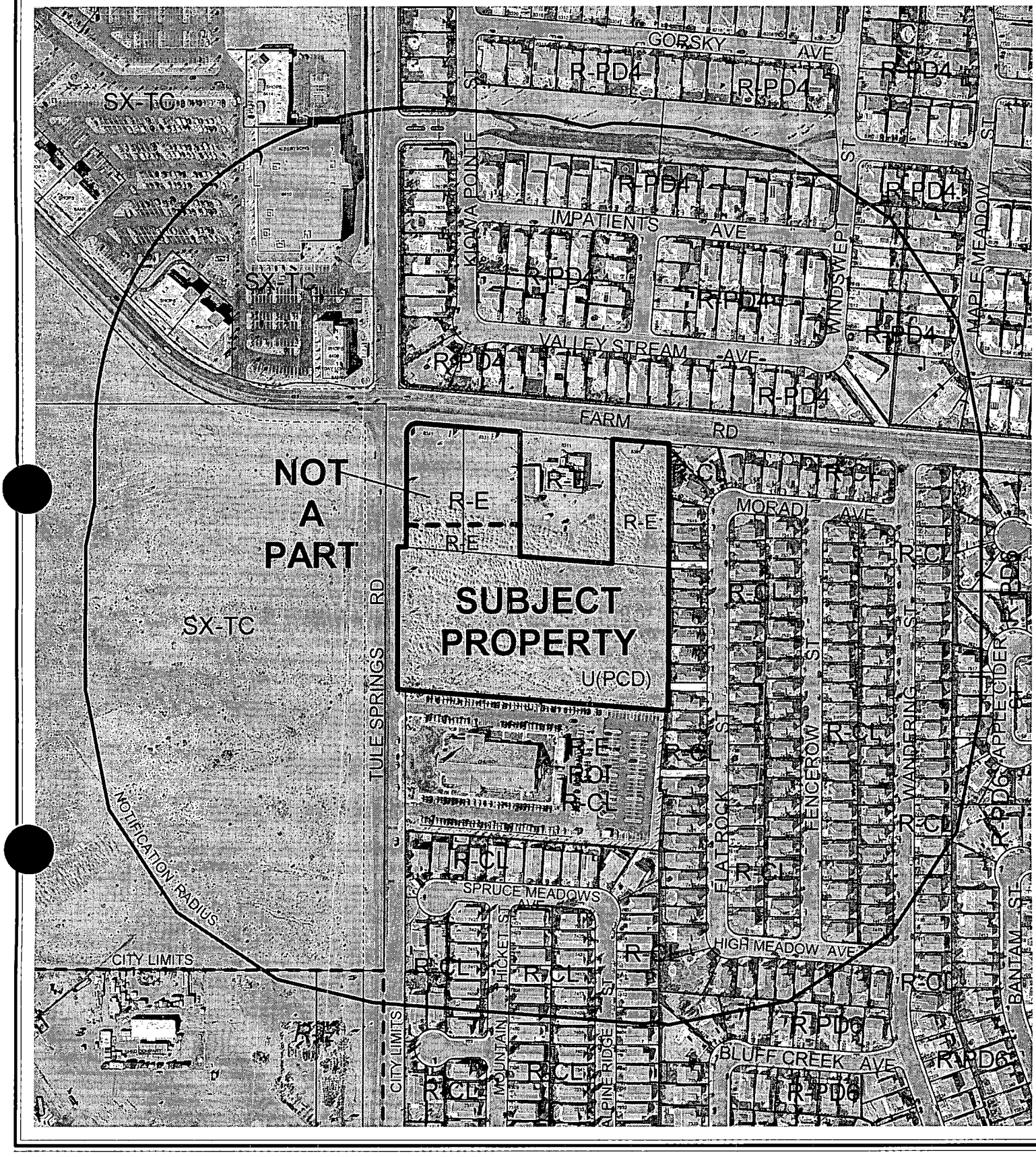
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] AND R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)


NOT A PART
SUBJECT PROPERTY
U(PCD)
SX-TC
SX-TC
SX-TC
R-E
R-E
R-E
R-E
R-CL
R-CL
R-CL

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-5087 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SANDCASTLE ENTERPRISES, INC

** CONDITIONS **

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

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. Approval of Site Development Plan Review (SDR-5089) by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate an additional 20 feet of right-of-way for a total half-street width of 50 feet where such does not currently exist on Tule Springs Road adjacent to this site.

4. Construct half-street improvements on Tule Springs Road and Farm Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for Rezoning from R-E (Residence Estates) and U (Undeveloped) [PCD (Planned Community Development) General plan designation] to R-PD8 (Residential Planned Development – 8 Units per Acre) on 6.3 acres adjacent to the southeast corner of Farm Road and Tule Springs Road (Durango Drive).

B) Applicant's Justification

The applicant indicates in a letter attached to the application that the property is located at the intersection of two major streets where the area is developing at residential densities that are consistent with the subject rezoning proposal. The applicant states: "Our proposed plan meets the requirements and densities of the PCD land use category and we feel this project will be a welcome addition to the City of Las Vegas and the surrounding community."

BACKGROUND INFORMATION

A) Actions

10/07/04 The Planning Commission recommended approval of a related item (SDR-5089).

10/07/04 The Planning Commission voted 5-1-1 to recommend APPROVAL (PC Agenda Item #42/dds).

B) Pre-Application Meeting

08/11/04 The prospective applicant met with staff and discussed the various details of the proposed development. It was noted that the property would have to be rezoned to R-PD8 to support a 51-lot single-family residential development. The open space being provided would meet or exceed the requirements of the R-PD district requirement. Private streets 37 feet wide are proposed for the development.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Rezoning application and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 6.3

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single-family residential
South:	Non-profit organization (church)
East:	Single-family residential
West:	Undeveloped

C) Planned Land Use

Subject Property:	PCD (Planned Community Development)
North:	PCD (Planned Community Development) and L (Low Density Residential)
South:	PCD (Planned Community Development)
East:	PCD (Planned Community Development)
West:	SX-TC (Suburban Mixed Use)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) and U (Undeveloped)
North:	R-E (Residence Estates) and R-PD4 (Residential Planned Development – 4 Units per Acre)
South:	R-E (Residence Estates) ROI R-CL (Single-Family Compact-Lot)
East:	R-CL (Single-Family Compact-Lot)
West:	T-C (Town Center)

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The property is presently classified the PCD (Planned Community Development) land use category. The property is zoned U (Undeveloped). The proposed development of 51 single-family lots on 6.3 acres, which generates a density of development of 8.0 dwelling units per acre, is permitted within the PCD land use category but not in the present U (Undeveloped) Zone. Therefore, the applicant is requesting approval of an application for Rezoning to R-PD8 (Residential Planned Development – 8 Units per Acre) that would permit up to 8.49 dwelling units per acre.

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

There are no special plans, study areas or overlays that affect the subject site.

ANALYSIS

A) Zoning Code Compliance

The development standards are presented with the Site Development Plan Review (SDR-4545) that accompanies this application.

B) General Analysis and Discussion

The proposed development of 51 single-family lots on 6.3 acres would generate a density of development of 8.0 dwelling units per acre. This density is permitted within the present PCD (Planned Community Development) land use category but not in the present U (Undeveloped) Zone. Therefore, the applicant is requesting approval of an application for Rezoning to R-PD8 (Residential Planned Development – 8 Units per Acre) that would permit up to 8.49 dwelling units per acre.

Property to the west of the subject property is located in Town Center and zoned SX-TC (Suburban Mixed Use), a zone that encourages commercial and medium density residential development. Across Farm Road to the north, property is zoned and developed for single-family use at four dwelling units per acre. To the east, the density of single-family residential development is 6.3 dwelling units per acre. South of the property there exists a church. The adjacent properties have existing or proposed land uses at densities of development that are compatible to the proposed development.

FINDINGS

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 proposal would be permitted in the PCD (Planned Community Development) land use classification.

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."**

   Property to the west of the subject property is located in Town Center and zoned SX-TC (Suburban Mixed Use), a zone that encourages commercial and medium density residential development. Across Farm Road to the north, property is zoned and developed for single-family use at four dwelling units per acre. To the east, the density of single-family residential development is 6.3 dwelling units per acre. South of the property there exists a church. The adjacent properties have existing or proposed land uses at densities of development that are compatible to the proposed development.

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

   Except for the church to the south, the subject property is encompassed by existing and proposed land uses that do not complement the present RE (Residence Estates) Zone. The vicinity is developing at a much higher density that is more consistent with the subject proposal.

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

   The subject site abuts Tule Springs Road (Durango Drive) a Primary Arterial (100-foot wide) street and Farm Road, a Secondary Collector (80-foot wide) street, according to the Master Plan of Streets and Highways. Access to the development would be from Farm Road. These streets provide adequate access to the property.

PLANNING COMMISSION ACTION

There was one speaker at Planning Commission protesting this matter.

NOTICES MAILED 310 by Planning Department

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: Zon-5087 APN: _____

Name of Property Owner: Sandcastle Enterprises, Inc

Name of Applicant: Richmond American Homes

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

_____ Yes ____✓____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Carol Levins

Print Name: CAROL LEVINS

Subscribed and sworn before me

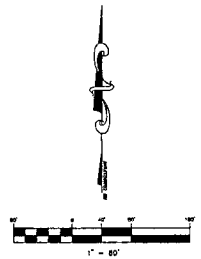
This 6th day of August, 2004

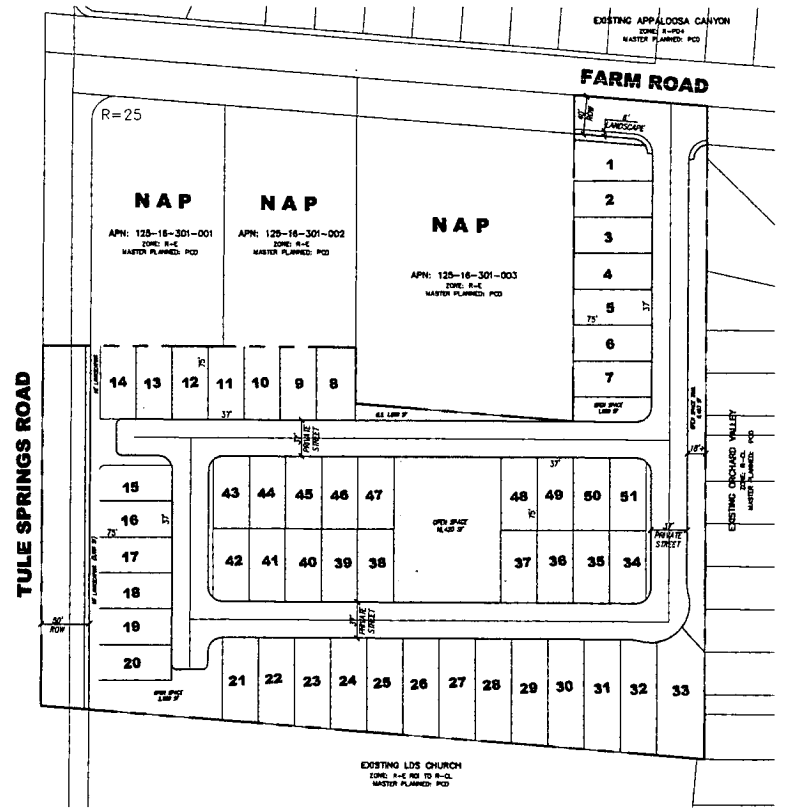
Wanda Faye Meyer

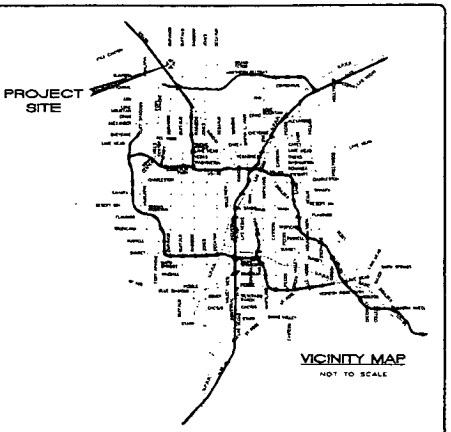
Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
WANDA FAYE MEYER
My Appointment Expires
No: 94-3001-1 May 20, 2006

FARM / TULE SPRINGS







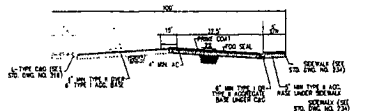
DEVELOPER
RICHMOND AMERICAN HOMES
2250 WEST PEAK DRIVE
SUITE #212
LAS VEGAS, NEVADA

OWNER
SANDCASTLE ENTERPRISES INC.
P.O. BOX 90237
LAS VEGAS, NEVADA 89180

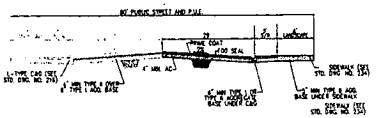
ASSESSORS PARCEL NUMBER:
POR. OF 125-16-301-001,002
& 125-16-301-004,008

OVERALL TABULATIONS

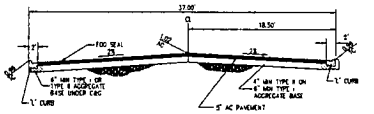
EXISTING ZONING	R-E / U(PCD)
PROPOSED ZONING	RPD-8
EXISTING LAND USE	PD
# OF UNITS	51
GROSS ACREAGE	6.3 ACRES +/-
DENSITY	8.0
OPEN SPACE REQUIRED	34,848 SF
OPEN SPACE PROVIDED	40,401 SF



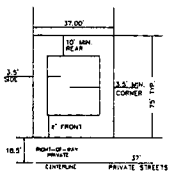
100' PUBLIC STREET HALF-SECTION SECTION (TULE SPRINGS RD.)
NOT TO SCALE



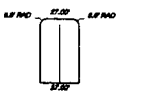
80' PUBLIC STREET HALF-SECTION (FARM RD.)
NOT TO SCALE



37' PRIVATE STREET SECTION (INTERIOR)
NOT TO SCALE



LOT DETAIL (TYPICAL)
NOT TO SCALE
(MINIMUM LOT SIZE 2,775 SQ. FT. +/-)



TYPICAL 37' PRIVATE DRIVE
(NOT GREATER THAN 150' IN LENGTH)

NOTE: THIS PLAN WAS PREPARED USING RECORD INFORMATION. IT IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED

PROJECT OWNER:
RICHMOND AMERICAN HOMES
2250 WEST PEAK DRIVE, SUITE 212
LAS VEGAS, NEVADA
(702) 240-7900

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7535 Hickam Avenue Las Vegas, NV 89129 Office: 702-384-7701 Fax: 702-384-7702

SHEET: SITE PLAN TO ACCOMPANY ZONE CHANGE / SITE DEVELOPMENT REVIEW

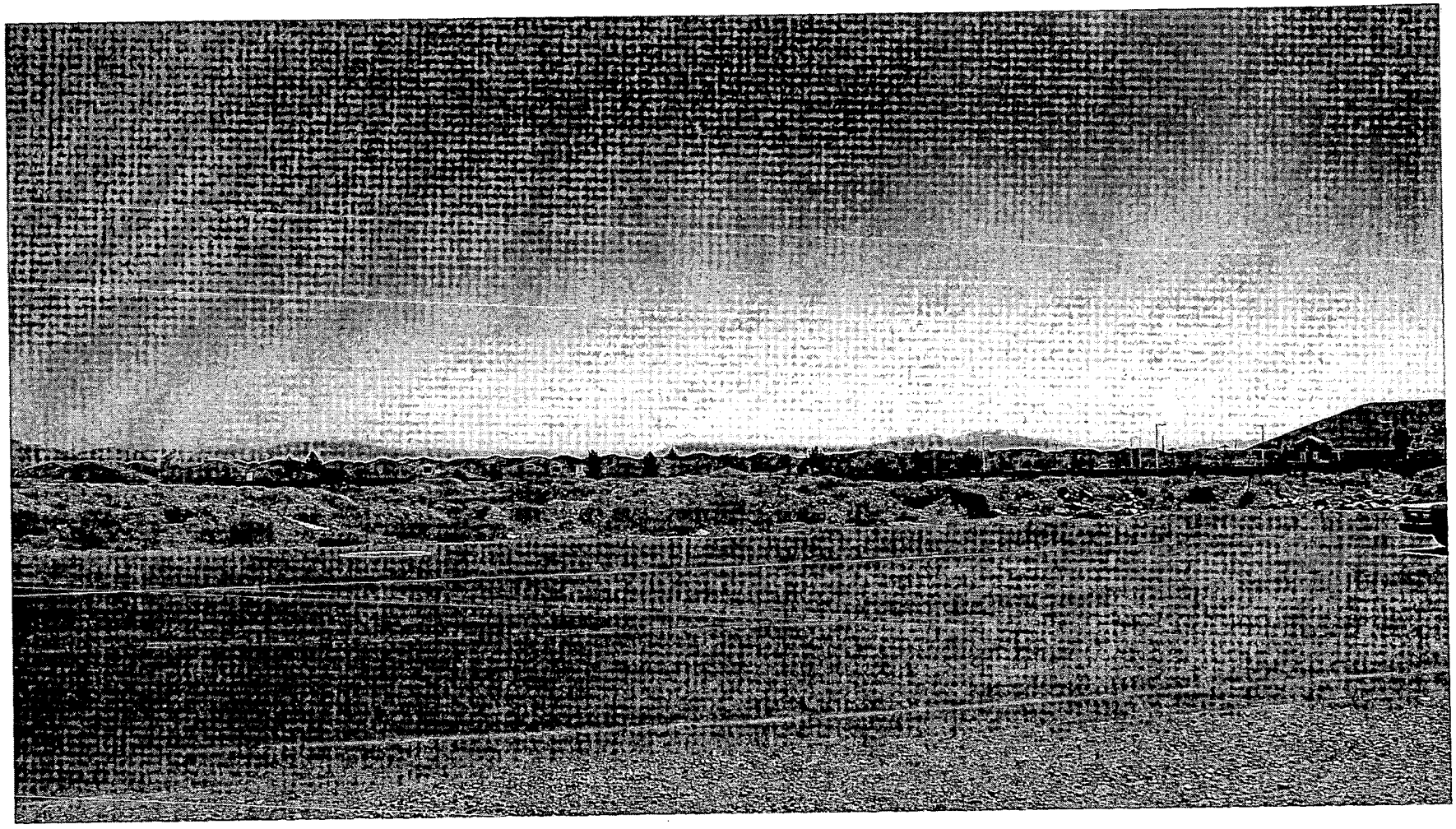
TITLE: FARM / TULE SPRINGS
CITY OF LAS VEGAS, NEVADA

DATE: AUGUST 23, 2004
DRAWN BY: R. SHUSE
DESIGNED BY: R. SHUSE
CHECKED BY: R. SHUSE
SCALE: 1" = 80'
PROJECT NO. RA-0069
ENGINEERING SEAL

SHEET 1 OF 1
DRAWING NO.

ZON-5087
SDR-5089
10-07-04 PC

RECEIVED
AUG 24 2004



ZON-5087 - REZONING - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SANDCASTLE ENTERPRISES, INC
SOUTHEAST CORNER OF FARM ROAD AND TULE SPRINGS ROAD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

We are opposed to items, ZON-5087 SDR 5089 10/14/04

Please consider these points of concern regarding the request to rezone ZON-5087 @ the southeast corner of Tule Springs & Farm Rd **Protest**

1) Why was there no neighborhood meeting prior to this going to the planning commission? This project will have a significant impact to the overall feel of the area as it sits on entrance to Farm Rd one of the main collector roads for the entire area.

2) Why do we need these homes? Where's the benefit? Currently the resale market is flooded with similar homes. Also in development in the immediate area Richmond American the applicant is building 146 similar homes at Elkhorn and Tule Springs and seeking to rezone 10 acres at the southeast corner of Grand Teton & Durango to R-PD8. At the northeast corner of Durango & Grand Teton there is over 25 acres being developed residential up to R-PD 7. Directly across Tule Springs the 40-acre Centennial Springs development with mixed use will provide lofts, town homes, and single family detached. This proposed nonconforming project is 51 homes in an area were resale homes are at a stand still and developers are requesting that all available land be rezoned to R-PD8 and more intense residential when the schools are already over crowded.

3) The PCD Zoning allows for other uses including "Village Center, some business parks, public facilities, and office development." Several times in the Centennial Hills sector plan it states that single story office space should be used as a buffer to low density residential. We are existing low density residential and situated in the center of the rezoning request (8311 Farm Rd zoned R-E a single family home with an 8600 sqft footprint on 1.5 acres).

4) In "Staff Conditions" *Existing zoning* ignores that our property is also to the east & west of this request, as well as to the north. The request should reflect R-E Zoning adjacent to the proposed rezoning east, west, & north

5) In "Staff Conditions" *General Plan Compliance* does not address that the Centennial Hills sector plan which includes on Page 29 "When abutting existing development, new compatible projects shall be no greater in density than the next more intense residential land use category."

6) Applicant's lack of home elevations and wall elevations for review made it impossible for us to meet with our neighbors in the notification area and discuss what's being planned.

7) Under *project description* it stated that, "Each lot would access a 37-foot wide private street that forms an interior loop and intersects with Farm Rd 850 feet east of its intersection with Tule Springs Rd." If you add up the distance from the east edge of the subject property heading west to the future center of Tule Springs it's only 654 feet. Subtracting the 37-foot wide private road and the 18 foot landscape easement it's only 599 feet. Which is less than the required 660 feet.

8) The proposed project clearly does not have enough parking with 6-foot set backs and no other off street parking. The set backs and lot sizes are not consistent with surrounding developments even the R-CL to the east, which has parking available in the driveways and 51-foot wide streets.

9) These parcels would be more suited for single story office or public facilities, which is needed in the area. Office use would eliminate the parking problem the church currently has on the weekends.

RECEIVED
2004 OCT 11 P 2:15
CITY CLERK

Patrick & Rhonda Bergsrud
8311 Farm Rd, Las Vegas, NV 89131
(702)-327-8411 Fax (702)-658-9429

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

We are opposed to items, ZON-5087 SDR 5089 10/14/04

Please consider these points of concern regarding the request to rezone ZON-5087 @ the southeast corner of Tule Springs & Farm Rd **Protest**

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CITY CLERK

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8311 Farm Rd, Las Vegas, NV 89131
(702)-327-8411 Fax (702)-658-9429

City of Las Vegas

Agenda Item No. 100

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SITE DEVELOPMENT REVIEW RELATED TO ZON-5087

SDR-5089 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SANDCASTLE ENTERPRISES, INC - Request for a Site Development Review FOR A PROPOSED 51-LOT SINGLE-FAMILY DEVELOPMENT on 6.3 acres adjacent to the southeast corner of Farm Road and Tule Springs Road (APN 125-16-301-004, 008 and a portion of 125-16-301-001, 002), R-E (Residence Estates) and U (Undeveloped) Zones [PCD (Planned Community Development)] [PROPOSED: R-PD8 (Residential Planned Development - 8 Units per Acre)], Ward 6 (Mack). The Planning Commission (5-1-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Protest letter from Patrick and Rhonda Bergsrud for Item 99 (ZON-5087) and Item 100 (SDR-5089) filed under Item 99 (ZON-5087)
5. Backup referenced from the 10/7/2004 Planning Commission Item 43

MOTION:

MACK - APPROVED subject to conditions and the following added conditions as read for the record as follows:

- A required eight-foot wall adjacent to the existing residence at 8311 Farm Road.

- A required pedestrian access gate on Tule Springs Road from the northernmost east/west street within the subdivision.

- UNANIMOUS

MINUTES:

NOTE: See Item 99 [ZON-5087] for related discussion.
(1:37 - 1:39)
3-1237

CONDITIONS:

Planning and Development

1. An application for Rezoning (ZON-5087) to an R-PD8 (Residential Planned Development - 8 Units per Acre) Zoning District approved by the City Council.

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

CONDITIONS - Continued:

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

4. The standards for this development shall include the following: minimum lot sizes of 2,775 square feet, minimum distances between buildings of seven feet, and building heights not exceeding two stories or 35 feet, whichever is less.

5. The setbacks for this development shall be a maximum of six feet to the front of the house/garage as measured from the back of sidewalk or from the back of curb if no sidewalk is provided, 3.5 feet on the side, 3.5 feet on the corner side, and 10 feet in the rear. Homes on corner lots shall be situated with the side yard opposite the corner side yard at 3.5 feet.

6. The site plan shall be revised or corrected and approved by the Planning and Development Department staff to reflect the deficiencies noted in these conditions prior to the time application is made for a Tentative Map.

7. A detailed landscape plan shall be provided and approved by Planning and Development Department staff, prior to the time application is made for a Tentative Map to reflect an additional 1,367 square feet of open space; a minimum of 30-foot spacing of street trees along streetscapes; and the design, location, height, and type of materials of all perimeter walls. At a minimum, the perimeter walls shall be decorative block walls, 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.

8. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner.

9. Air conditioning units shall not be mounted on rooftops.

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

15. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and

CONDITIONS - Continued:

maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

16. Private streets and private drives must be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.

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

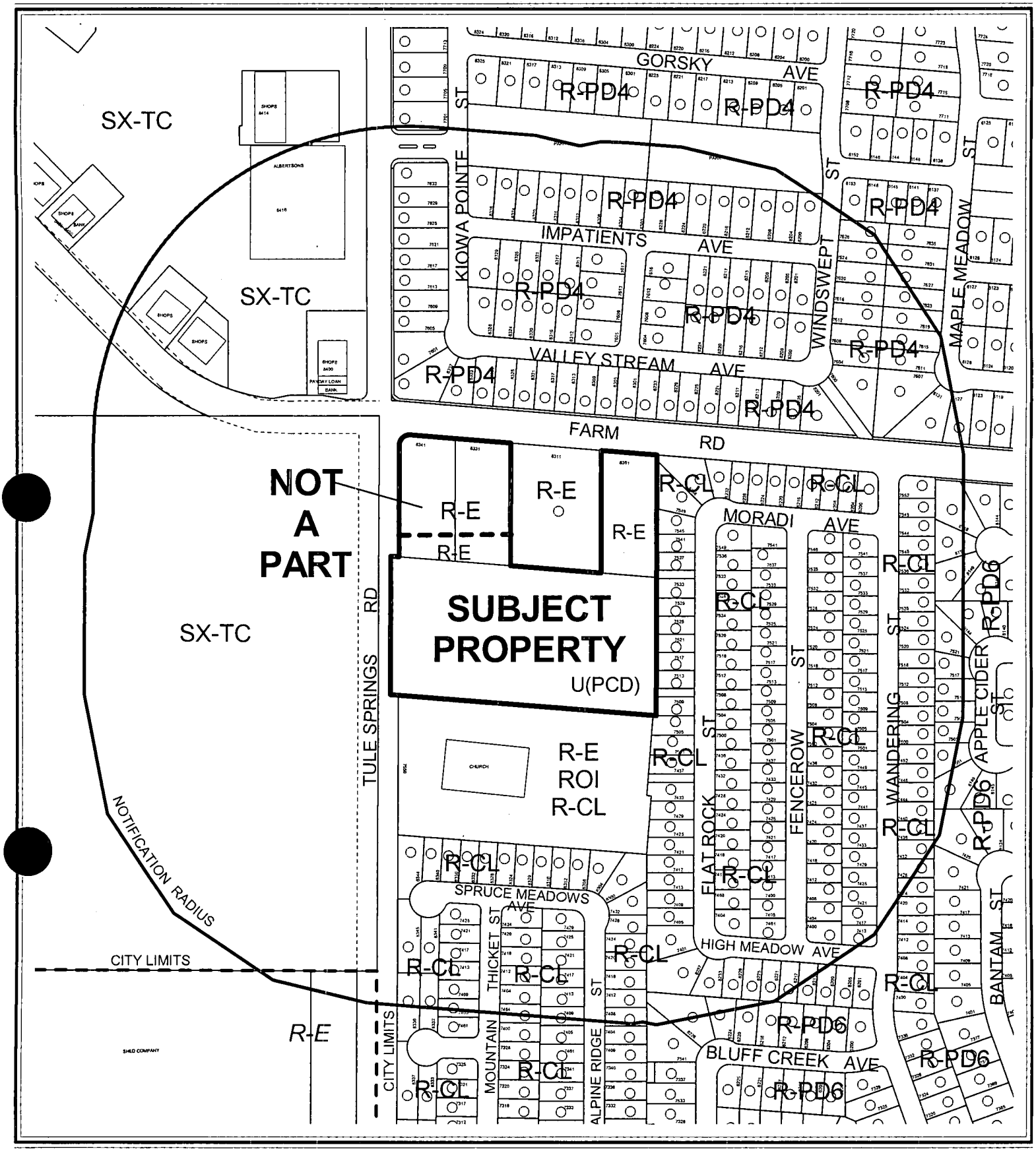
18. Submit an Encroachment Agreement for all landscaping and private improvements located in the public rights-of-way adjacent to this site prior to occupancy of this site.

19. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

20. Site development to comply with all applicable conditions of approval for ZON-5087 and all other subsequent site-related actions.

21. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

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



0 200 400 Feet

CASE: **SDR-5089**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] AND R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

100

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5089 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SANDCASTLE ENTERPRISES, INC

** CONDITIONS **

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

Planning and Development

1. An application for Rezoning (ZON-5087) to an R-PD8 (Residential Planned Development – 8 Units per Acre) Zoning District approved by the City Council.

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

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

4. The standards for this development shall include the following: minimum lot sizes of 2,775 square feet, minimum distances between buildings of seven feet, and building heights not exceeding two stories or 35 feet, whichever is less.

5. The setbacks for this development shall be a maximum of six feet to the front of the house/garage as measured from the back of sidewalk or from the back of curb if no sidewalk is provided, 3.5 feet on the side, 3.5 feet on the corner side, and 10 feet in the rear. Homes on corner lots shall be situated with the side yard opposite the corner side yard at 3.5 feet.

6. The site plan shall be revised or corrected and approved by the Planning and Development Department staff to reflect the deficiencies noted in these conditions prior to the time application is made for a Tentative Map.

7. A detailed landscape plan shall be provided and approved by Planning and Development Department staff, prior to the time application is made for a Tentative Map to reflect an additional 1,367 square feet of open space; a minimum of 30-foot spacing of street trees along streetscapes; and the design, location, height, and type of materials of all perimeter walls. At a minimum, the perimeter walls shall be decorative block walls, 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.

8. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner.

9. Air conditioning units shall not be mounted on rooftops.

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

15. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

16. Private streets and private drives must be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.

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

18. Submit an Encroachment Agreement for all landscaping and private improvements located in the public rights-of-way adjacent to this site prior to occupancy of this site.

19. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 51-lot single-family residential development on 6.3 acres adjacent to the southeast corner of Farm Road and Tule Springs Road (Durango Drive).

B) Applicant's Justification

The applicant indicates in a letter attached to the application that the property is located at the intersection of two major streets where the area is developing at residential densities that are consistent with the subject proposal. The applicant states: "Our proposed plan meets the requirements and densities of the PCD land use category and we feel this project will be a welcome addition to the City of Las Vegas and the surrounding community."

BACKGROUND INFORMATION

A) Actions

10/07/04 The Planning Commission recommended approval of a related application for Rezoning (ZON-5087) to rezone the site to R-PD8 (Residential Planned Development – 8 Units per Acre).

10/07/04 The Planning Commission voted 5-1-1 to recommend APPROVAL (PC Agenda Item #43/dds).

B) Pre-Application Meeting

08/11/04 The prospective applicant met with staff and discussed the various details of the proposed development. It was noted that the property must be rezoned to R-PD8 to support a 51-lot single-family residential development. The open space being provided would meet or exceed the requirements of the R-PD district. Private streets 37 feet wide are proposed for the development.

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: 6.3

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single-family residential
South:	Non-profit organization (church)
East:	Single-family residential
West:	Undeveloped

C) Planned Land Use

Subject Property:	PCD (Planned Community Development)
North:	PCD (Planned Community Development) and L (Low Density Residential)
South:	PCD (Planned Community Development)
East:	PCD (Planned Community Development)
West:	SX-TC (Suburban Mixed Use)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) and U (Undeveloped)
North:	R-E (Residence Estates) and R-PD4 (Residential Planned Development – 4 Units per Acre)
South:	R-E (Residence Estates) ROI R-CL (Single-Family Compact-Lot)
East:	R-CL (Single-Family Compact-Lot)
West:	T-C (Town Center)

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The property is presently classified in the PCD (Planned Community Development) land use category. The property is zoned U (Undeveloped). The proposed development of 51 single-family lots on 6.3 acres, which generates a density of development of 8.0 dwelling units per acre, is permitted within the PCD land use category but not in the present U (Undeveloped) Zone. For this reason, the applicant is requesting approval of an application for Rezoning to R-PD8 (Residential Planned Development – 8 Units per Acre) that would permit up to 8.49 dwelling units per acre.

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

There are no special plans or overlays that affect the subject site.

PROJECT DESCRIPTION

The proposed project would consist of 51 single-family residential lots on 6.3 gross acres, resulting in a density of development of eight dwelling units per acre. Each lot would access a 37-foot wide private street that forms an interior loop and intersects with Farm Road approximately 850 feet east of its intersection with Tule Springs Road (Durango Drive). The lots are a minimum of 2,775 square feet in size.

Seven home models are proposed with three variations of each. The homes range in size from 1,419 square feet, including garage, to 2,661 square feet. All would be two stories in height.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06.40, the Site Development Plan establishes the Development Standards for an R-PD zoning district. The proposed standards are as shown in the following table:

Standards	Provided
Min. Lot Size	2,775
Min. Lot Width	37 feet
Min. Setbacks • Front • Side • Corner • Rear	 6 feet 3.5 feet 3.5 feet 10 feet
Max. Building Height	25.3 feet

The minimum lot size proposed is 2,775 square feet. A corner side yard of 3.5 feet is extremely narrow. Homes on corner lots should be situated with the side yard opposite the corner side yard at 3.5 feet to allow as much corner side yard as possible. Other applicable development standards include the following:

A2) Landscape and Open Space Standards

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

Standard	Distance (lin. ft.)		Required		Trees Provided
			Ratio	Trees	
Buffer:	Buffer	421	1 tree/20 lin. ft.	21	21
Perimeter	Perimeter	712	1 tree/30 lin. ft.	24	27

The development is provided with the required number of perimeter trees; however, there is a 185-foot section of streetscape along the north side of the private street that is not provided with the required number of trees. This discrepancy is addressed in the Conditions of Approval for this application.

No perimeter walls are shown on the plan. According to the applicant, a perimeter wall is to be provided at least along Tule Springs Road (Durango Drive). The location, size and materials of all proposed walls should be indicated on the plan. These details are addressed in the Conditions of Approval for this application.

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	**Required**			**Provided**	
		Ratio	Percent	Area (sf)	Percent	Area (sf)
6.3 acres	8.1	1.65	13.4	36,677	12.9	35,310

The site is deficient in the amount of open space by 1,367 square feet. The applicant has provided 5,091 square feet of open space along Tule Springs Road (Durango Drive), but according to Title 19.06.040G.2, "Landscape planters located along major thoroughfares or collector streets..." may not count as open space. Tule Springs Road (Durango Drive) is a Primary Arterial Street (100-foot right-of-way) according to the Master Plan of Streets and Highways. Consequently, an additional amount of open space will be required to comply with the requirement. This is addressed in the Conditions of Approval for this application.

B) General Analysis and Discussion

- Zoning

The proposed development of 51 single-family lots on 6.3 acres generates a density of development of 8.0 dwelling units per acre. This density is not permitted within the U (Undeveloped) Zone established for the site. For this reason, the applicant is requesting approval of an application for Rezoning (ZON-5087) to R-PD8 (Residential Planned Development – 8 Units per Acre) that would permit up to 8.49 dwelling units per acre.

- Site Plan

Perimeter walls are proposed for the development; however, none are shown on the site plan. The location, height, design and type of materials for the perimeter walls need to be illustrated.

- Landscape Plan

The preliminary landscape plan submitted for the site does not comply with the open space and tree spacing provision of Title 19. The minimum amount of open space required for the site is deficient by approximately 1,370 square feet. A section of streetscape is also deficient in the required number of trees along the frontage.

- Elevation

Seven home models are proposed with three variations of each. The homes range in size from 1,419 square feet, including garage, to 2,661 square feet. All would be two stories in height. Overall, the homes have an aesthetic appearance that will be harmonious and compatible with other residences in the area.

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;"**

   Property to the west of the subject property is located in Town Center and zoned SX-TC (Suburban Mixed Use), a zone that encourages commercial and medium density residential development. Across Farm Road to the north, property is zoned and developed for single-family use at four dwelling units per acre. To the east, the density of single-family residential development is 6.3 dwelling units per acre. South of the property there exists a church. The adjacent properties have existing or proposed land uses at densities of development that are compatible to the proposed development.

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 site does not comply with the open space and tree spacing provision of the Title 19. The minimum amount of open space required for the site is deficient by approximately 1,370 square feet. A section of streetscape is also deficient in the required number of trees along the frontage. Perimeter walls are proposed for the development; however, none are shown on the site plan. The location, height, design and type of materials for the perimeter walls need to be illustrated.

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

   The subject site abuts Tule Springs Road (Durango Drive) a Primary Arterial (100-foot wide) street and Farm Road, a Secondary Collector (80-foot wide) street, according to the Master Plan of Streets and Highways. Access to the development would be from Farm Road. These streets provide adequate access to the property and would not be impacted by the limited traffic from this site.

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

   The building and landscape materials are appropriate for the 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;"**

Seven home models are proposed with three variations of each. The homes range in size from 1,419 square feet, including garage, to 2,661 square feet. All would be two stories in height. Overall, the homes have an aesthetic appearance that will be harmonious and compatible with other residences 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 310 by Planning Department

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5089 APN: _____

Name of Property Owner: Sandcastle Enterprises, Inc

Name of Applicant: Richmond American Homes

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

_____ Yes _____✓_____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Carol Levins

Print Name: Carol Levins

Subscribed and sworn before me

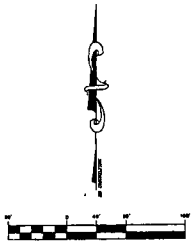
This 6th day of August, 2004

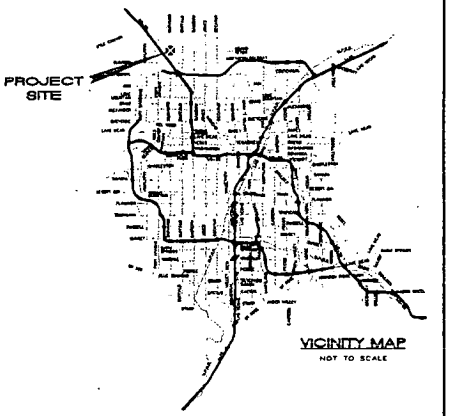
Wanda Faye Meyer

Notary Public in and for said County and State

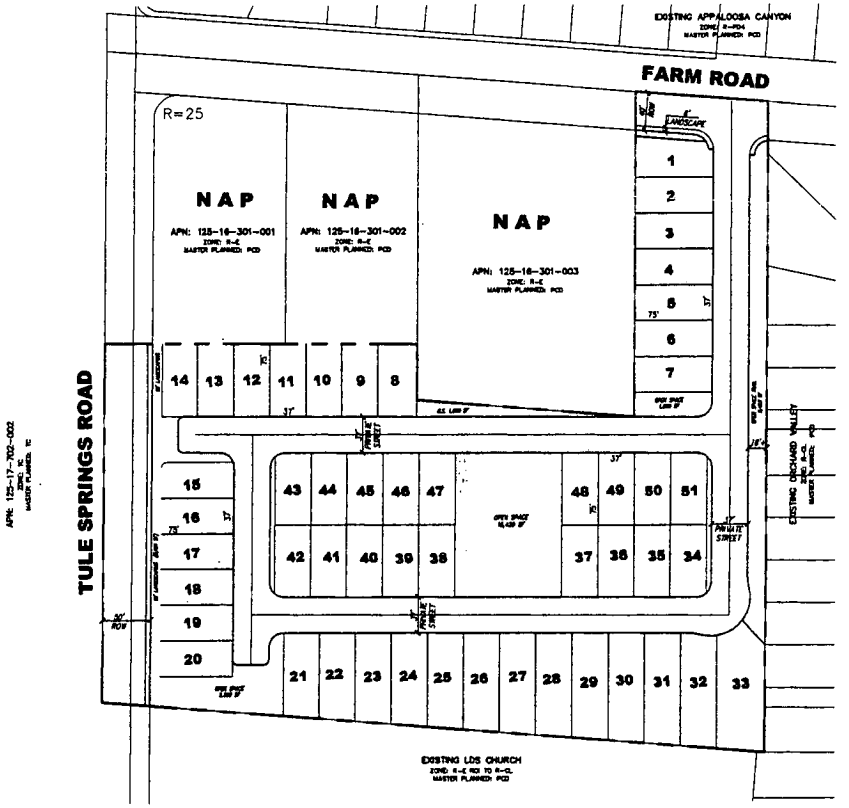
Notary Public - State of Nevada
County of Clark
WANDA FAYE MEYER
My Appointment Expires
May 20, 2006
No: 94-3001-1

FARM / TULE SPRINGS





VICINITY MAP
NOT TO SCALE



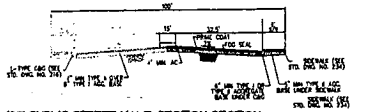
DEVELOPER
RICHMOND AMERICAN HOMES
2250 WEST PEAK DRIVE
SUITE #212
LAS VEGAS, NEVADA

OWNER
SANDCASTLE ENTERPRISES INC.
P.O. BOX 90237
LAS VEGAS, NEVADA 89180

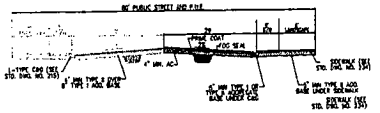
ASSESSORS PARCEL NUMBER:
POR. OF 125-16-301-001,002
& 125-16-301-004,005

OVERALL TABULATIONS

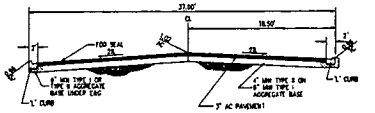
EXISTING ZONING —— R-E / U(PCD)
PROPOSED ZONING —— RPD-8
EXISTING LAND USE —— PD
OF UNITS —— 51
GROSS ACREAGE —— 6.3 ACRES +/-
DENSITY —— 8.0
OPEN SPACE REQUIRED — 34,848 SF
OPEN SPACE PROVIDED — 40,401 SF



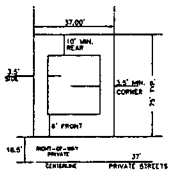
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(TULE SPRINGS RD.)
NOT TO SCALE



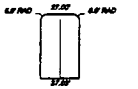
80' PUBLIC STREET HALF-SECTION (FARM RD.)
NOT TO SCALE



37' PRIVATE STREET SECTION (INTERIOR)
NOT TO SCALE



LOT DETAIL (TYPICAL)
NOT TO SCALE
(MINIMUM LOT SIZE 2,775 SQ. FT. +/-)



TYPICAL 37' PRIVATE DRIVE
(NOT GREATER THAN 150' IN LENGTH)

NOTE: THIS PLAN WAS PREPARED USING RECORD INFORMATION. IT IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED

PROJECT OWNER:
RICHMOND AMERICAN HOMES
2250 WEST PEAK DRIVE, SUITE 212
LAS VEGAS, NEVADA
(702) 240-5500

PLANNER:
RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7325 Hillshire Avenue Las Vegas, NV 89129 Office: 702.304.7701 Fax: 702.304.7702

SHEET: SITE PLAN TO ACCOMPANY ZONE CHANGE / SITE DEVELOPMENT REVIEW

TITLE: FARM / TULE SPRINGS
CITY OF LAS VEGAS, NEVADA

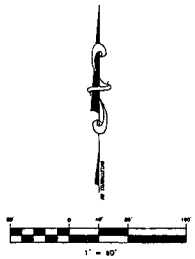
DATE: AUGUST 23, 2004
DRAWN BY: R. SKUSE
DESIGNED BY: R. SKUSE
CHECKED BY: R. SKUSE
SCALE: 1" = 80'
PROJECT NO: RA-0069
ENGINEERING SEAL

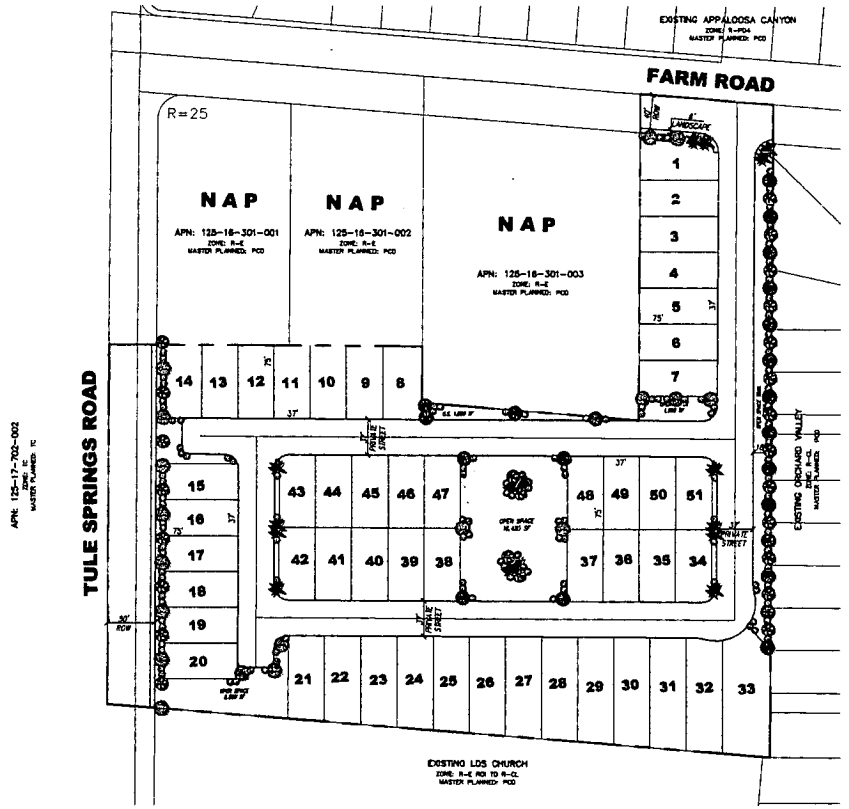
SHEET 1 OF 1
DRAWING NO. 1

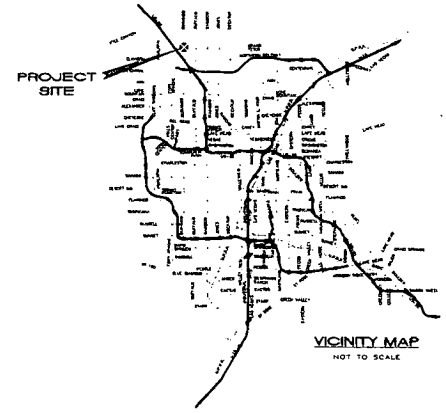
ZON-5087
SDR-5089
10-07-04 PC

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AUG 24 2004

FARM / TULE SPRINGS







DEVELOPER
RICHMOND AMERICAN HOMES
2250 WEST PEAK DRIVE
SUITE #212
LAS VEGAS, NEVADA

OWNER
SANDCASTLE ENTERPRISES INC.
P.O. BOX 90237
LAS VEGAS, NEVADA 89180

ASSESSORS PARCEL NUMBER:
POR. OF 125-16-301-001,002
& 125-16-301-004,008

OVERALL TABULATIONS

EXISTING ZONING ——— R-E / U(PCD)
PROPOSED ZONING ——— RPD-8
EXISTING LAND USE ——— PD

OF UNITS ——— 51
GROSS ACREAGE ——— 6.3 ACRES +/-
DENSITY ——— 8.0

OPEN SPACE REQUIRED — 34,848 SF
OPEN SPACE PROVIDED — 40,401 SF

TREE LEGEND

SYMBOL	BOTANICAL/COMMON NAME	SIZE
	CHITALPA TASHKENTENSIS CHITALPA	24" BOX
	PROSOPIS GLANDULOSA 'MAVERICK' THORNLESS TEXAS HONEY MESQUITE	24" BOX
	QUERCUS VIRGINIANA 'HERITAGE' HERITAGE LIVE OAK	24" BOX
	WASHINGTON ROBUSTA HYBRID MEXICAN FAN PALM	25' HIGH

SUGGESTED SHRUB LIST

BOTANICAL/COMMON NAME	SIZE
ACACIA REDOLENS – CREEPING ACACIA	1 GALLON
CASSIA ARTEMISIOIDES – FEATHERY CASSIA	5 GALLON
CALLIANDRA ERIOPHYLLA – FAIRY DUSTER	5 GALLON
CONVOLVULUS CNEORUM – BUSH MORNING GLORY	5 GALLON
GALEA CREGGII – INDIGO BUSH	5 GALLON
ENCELIA FARINOSA – BRITTLEBUSH	5 GALLON
HESPERALOE PARVIFLORA – RED YUCCA	5 GALLON
LANTANA MONTEVIDENSIS – TRAILING LANTANA	1 GALLON
LEUCOPHYLLUM LAEVIGATUM – CHIHUAHUAN SAGE	5 GALLON
MUHLENBERGIA CAPILLARIS 'REGAL MIST' – REGAL MIST DEER GRASS	5 GALLON
ROSMARINUS OFFICINALIS – ROSEMARY	5 GALLON
SALVIA CLEVELANDII – CHAPARRAL SAGE	5 GALLON
SALVIA GREGGII – AUTUMN SAGE	5 GALLON
TEUCRIUM CHAMAEDRYS	5 GALLON
VERBENA RIGIDA – RIGID VERBENA	1 GALLON

*NOTE: THIS LANDSCAPE PLAN IS CONCEPTUAL IN NATURE. ALL FINAL LANDSCAPING WILL MEET OR EXCEED TITLE 19 REQUIREMENTS.

NOTE: THIS PLAN WAS PREPARED USING RECORD INFORMATION. IT IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED

PROJECT OWNER:
RICHMOND AMERICAN HOMES
2250 WEST PEAK DRIVE, SUITE 212
LAS VEGAS, NEVADA
(702) 240-5600

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7325 Hickam Avenue Las Vegas, NV 89129 Office: 702.384.7701 Fax: 702.384.7702

SHEET
SITE PLAN TO ACCOMPANY
ZONE CHANGE / SITE DEVELOPMENT REVIEW

TITLE
FARM / TULE SPRINGS
CITY OF LAS VEGAS, NEVADA

DATE: AUGUST 23, 2004
DRAWN BY: P. SKUSE
DESIGNED BY: P. SKUSE
CHECKED BY: P. SKUSE
SCALE: 1" = 80'
PROJECT NO. RA-0069
ENGINEERING SEAL

SHEET 1 OF 1
DRAWING NO. 1

ZON-5087
SDR-5089
10-07-04 PC

RECEIVED
AUG 24 2004



SDR-5089 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SANDCASTLE ENTERPRISES, INC
SOUTHEAST CORNER OF FARM ROAD AND TULE SPRINGS ROAD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

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

We are opposed to items, ZON-5087 SDR 5089 10/14/04

Please consider these points of concern regarding the request to rezone ZON-5087 @ the southeast corner of Tule Springs & Farm Rd **Protest**

1) Why was there no neighborhood meeting prior to this going to the planning commission? This project will have a significant impact to the overall feel of the area as it sits on entrance to Farm Rd one of the main collector roads for the entire area.

2) Why do we need these homes? Where's the benefit? Currently the resale market is flooded with similar homes. Also in development in the immediate area Richmond American the applicant is building 146 similar homes at Elkhorn and Tule Springs and seeking to rezone 10 acres at the southeast corner of Grand Teton & Durango to R-PD8. At the northeast corner of Durango & Grand Teton there is over 25 acres being developed residential up to R-PD 7. Directly across Tule Springs the 40-acre Centennial Springs development with mixed use will provide lofts, town homes, and single family detached. This proposed nonconforming project is 51 homes in an area were resale homes are at a stand still and developers are requesting that all available land be rezoned to R-PD8 and more intense residential when the schools are already over crowded.

3) The PCD Zoning allows for other uses including "Village Center, some business parks, public facilities, and office development." Several times in the Centennial Hills sector plan it states that single story office space should be used as a buffer to low density residential. We are existing low density residential and situated in the center of the rezoning request (8311 Farm Rd zoned R-E a single family home with an 8600 sqft footprint on 1.5 acres).

4) In "Staff Conditions" *Existing zoning* ignores that our property is also to the east & west of this request, as well as to the north. The request should reflect R-E Zoning adjacent to the proposed rezoning east, west, & north

5) In "Staff Conditions" *General Plan Compliance* does not address that the Centennial Hills sector plan which includes on Page 29 "When abutting existing development, new compatible projects shall be no greater in density than the next more intense residential land use category."

6) Applicant's lack of home elevations and wall elevations for review made it impossible for us to meet with our neighbors in the notification area and discuss what's being planned.

7) Under *project description* it stated that, "Each lot would access a 37-foot wide private street that forms an interior loop and intersects with Farm Rd 850 feet east of its intersection with Tule Springs Rd." If you add up the distance from the east edge of the subject property heading west to the future center of Tule Springs it's only 654 feet. Subtracting the 37-foot wide private road and the 18 foot landscape easement it's only 599 feet. Which is less than the required 660 feet.

8) The proposed project clearly does not have enough parking with 6-foot set backs and no other off street parking. The set backs and lot sizes are not consistent with surrounding developments even the R-CL to the east, which has parking available in the driveways and 51-foot wide streets.

9) These parcels would be more suited for single story office or public facilities, which is needed in the area. Office use would eliminate the parking problem the church currently has on the weekends.

RECEIVED
2004 OCT 11 P 2:15
CITY CLERK

Patrick & Rhonda Bergsrud
8311 Farm Rd, Las Vegas, NV 89131
(702)-327-8411 Fax (702)-658-9429

City of Las Vegas

Agenda Item No. 101

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-5264 - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - Request to Amend the Land Use Classifications of the Las Vegas 2020 Master Plan to include mixed-use development in the SC (Service Commercial), GC (General Commercial) and LI/R (Light Industry/Research) categories, All Wards. The Planning Commission (5-1-1 vote) and staff recommend DENIAL

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

RECOMMENDATION:

The Planning Commission (5-1-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - Motion to TABLE Item 101 [GPA-5264] and HOLD IN ABEYANCE Item 87 [SUP-4830], Item 97 [SUP-5228], Item 98 [SDR-5094], Item 111 [GPA-5120], Item 112 [ZON-5121], Item 113 [VAR-5124], and Item 114 [SDR-5122] to 11/17/2004, and Item 105 [GPS-5082] and Item 106 [VAC-5101] to 2/16/2005 - UNANIMOUS with MACK not voting and GOODMAN abstaining on Item 87 [SUP-4830] becase JAY BROWN, with whom he is in a partnership, represents the applicant

MINUTES:

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-5264 - CITY OF LAS VEGAS

** CONDITIONS **

The Planning Commission (5-1-1 vote) and staff recommend DENIAL. If Approved, subject to:

The "Land Use Classifications" of the Las Vegas 2020 Master Plan are hereby amended as follows:

SERVICE COMMERCIAL (SC)

The Service Commercial category allows low to medium intensity retail, office or other commercial uses that serve primarily local patrons, and that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers and areas, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The Service Commercial category may also allow mixed-use development with a residential component where appropriate.

GENERAL COMMERCIAL (GC)

General commercial allows retail, service, wholesale office and other general business uses of a more intense commercial character. These uses commonly include outdoor storage or display of products or parts, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas without significant transition. Examples include new and used care sales, recreational vehicle and boat sales, care body and engine repair shops, mortuaries, and other highway uses such as hotels, motels, apartment hotels and similar uses. The General Commercial category allows Service Commercial uses, and may also allow mixed-use development with a residential component, where appropriate.

LIGHT INDUSTRY/RESEARCH (LI/R)

This Light Industry/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. This category may also allow mixed-use development with a residential component as a transition to less-intense uses where appropriate.

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to amend the Land Use Classifications of the Las Vegas 2020 Master Plan to include mixed-use development in the SC (Service Commercial), GC (General Commercial) and LI/R Light Industry/Research categories.

BACKGROUND DATA:

09/06/00	The City Council approved the Las Vegas 2020 Master Plan.
1/04	The City Council approved the expansion of the Mixed-Use Overlay District to include all of the area included in the Neighborhood Revitalization Areas of the 2020 Master Plan.
10/07/04	The Planning Commission voted 5-1-1 to recommend DENIAL (PC Agenda Item #38/llm).

DEFINITIONS FOR AFFECTED LAND USE CLASSIFICATIONS

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.

GC (General Commercial)
General Commercial allows retail, service, wholesale, office, and other general business uses of a more intense commercial character. These uses include limited outdoor storage or display of products, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas with significant transition. Examples of General Commercial uses include: new and used car sales; recreational vehicles and boat sales; mortuaries; and other vehicle-oriented uses such as hotels, motels, apartment hotels, and similar uses. This category includes the Village and Town Center concept areas.

LI/R (Light Industry / Research)
This Light Industry / Research category allows for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, development and testing laboratories. Typical supporting and ancillary general uses are also allowed.

ANALYSIS

The following text is proposed for addition to each of these land use classifications:

Service Commercial:

"The Service Commercial category may also allow mixed-use development with a residential component where appropriate."

General Commercial

"and may also allow mixed-use development with a residential component where appropriate." This text would be placed at the end of the description.

Light Industrial/Research

"This category may also allow mixed-use development with a residential component as a transition to less-intense uses where appropriate."

ANALYSIS

Staff has several concerns regarding expansion of mixed-use development into all areas in the city with these classifications. They are:

1. Allowing expansion of mixed-use developments is contrary to 2020 Master Plan policies established to revitalizing urban neighborhood experiencing decay and greater amounts of noise and trough traffic than in the past. For example, policy 2.1.1 states:

   > "That mixed-use residential/commercial developments occur on sites current occupied by declining commercial centers or vacant land."

   The only way to ensure implementation of this policy is to limit mixed-use development to the neighborhood revitalization areas is to prevent such projects in newly developing areas of the City.

2. Approval is contrary to the recently adopted expansion of the mixed-use overlay district to include all of the properties in the Neighborhood Revitalization Area. The intent of this action was to limit mixed-use development to these areas of the City.

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": There is no single parcel associated with this General Plan Amendment.

In regard to "2": There is a related text amendment to Title 19 to allow mixed-use developments in the C-1 (Limited Commercial), C-2 (General Commercial) and C-PB (Planned Business Park) zoning districts. This amendment also defines standards for mixed-use projects and permits increased height for mixed-use developments in the C-PB district. Allowing mixed-use projects in these zoning districts could create land use conflicts in developing areas of the City, where these uses were never intended to be located. It could also lead to incompatibility of land uses in developing areas.

In regard to "3": This is not applicable.

In regard to "4": The proposed amendment does not conform to established policies of the Las Vegas 2020 Master Plan. Expansion of mixed-use developments into the newly developing areas of the City would be contrary to encouraging redevelopment in the Neighborhood Revitalization areas.

Also, it is contrary to the recently adopted amendment to the Mixed-Use Overlay District, which limited mixed-used projects to those areas designated for Neighborhood Revitalization in the 2020 Master Plan.

NOTICES MAILED: Newspaper Only

APPROVALS: 0

PROTESTS: 0

City of Las Vegas

Agenda Item No. 102

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

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

SUBJECT:
GENERAL PLAN AMENDMENT

GPA-5060 - PUBLIC HEARING - APPLICANT: GREYMOUTH HOLDINGS, LIMITED LIABILITY COMPANY - OWNER: MARX FAMILY TRUST - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: M (MEDIUM DENSITY RESIDENTIAL) on 2.48 acres adjacent to the northeast corner of Searles Avenue and 23rd Street (APN 139-26-508-016), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

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

MOTION:
WEEKLY - APPROVED - UNANIMOUS

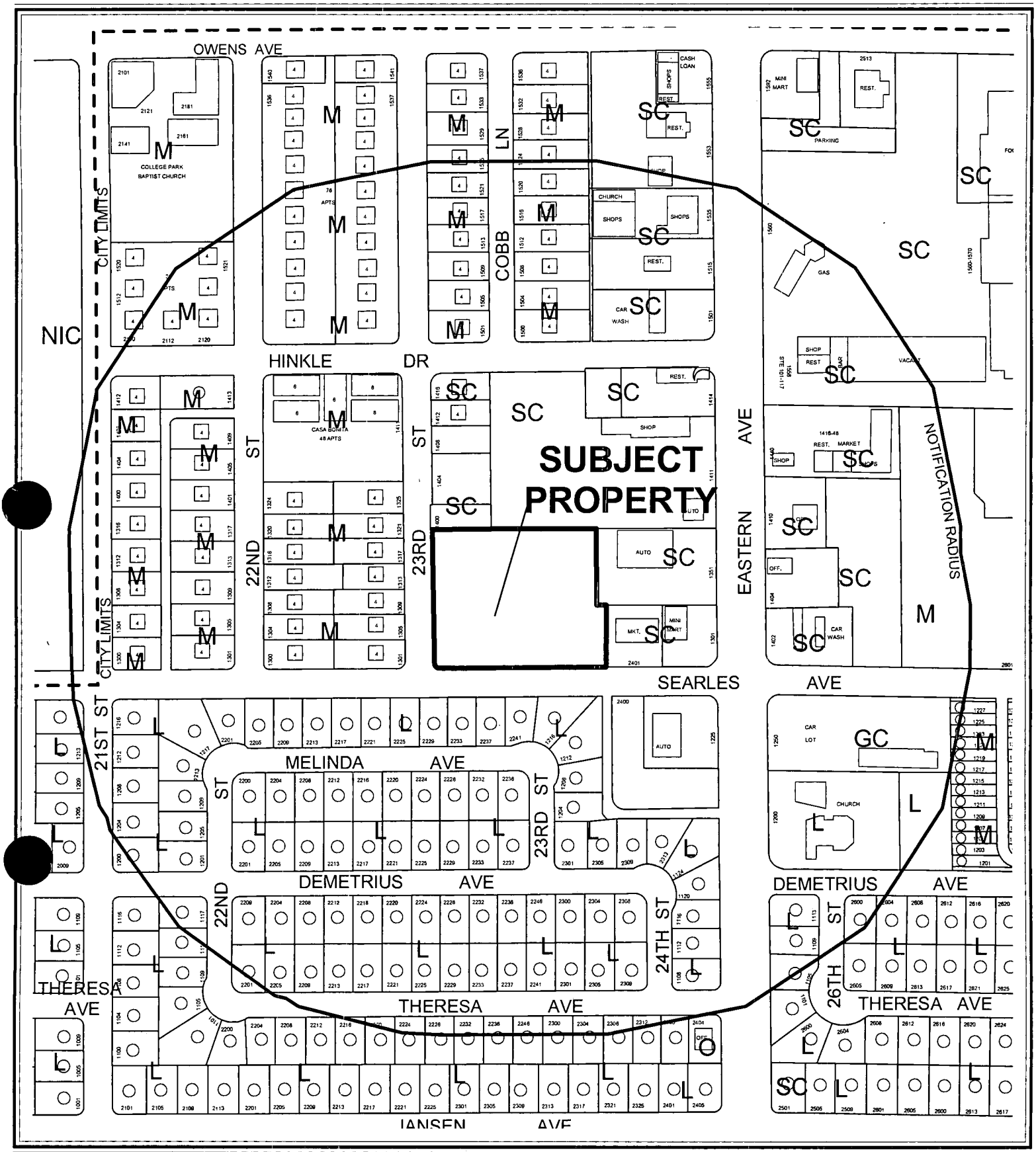
MINUTES:
MAYOR GOODMAN declared the Public Hearing open for Item 102 [GPA-5060], Item 103 [ZON-0562] and Item 104 [SDR-5063].

JEFF ROBINS, 2261 Rosanna Street, appeared on behalf of the applicant, concurred with staff recommendations and requested to work with staff regarding installation of balconies onto the buildings.

In regards to Item 104 [SDR-5063], COUNCILMAN WEEKLY requested a condition be added to require a discussion about the final selection of colors used. MR. ROBINS agreed to negotiate colors at the appropriate stage.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed for Item 102 [GPA-5060], Item 103 [ZON-0562] and Item 104 [SDR-5063].
(3:02 - 3:05)
4-944

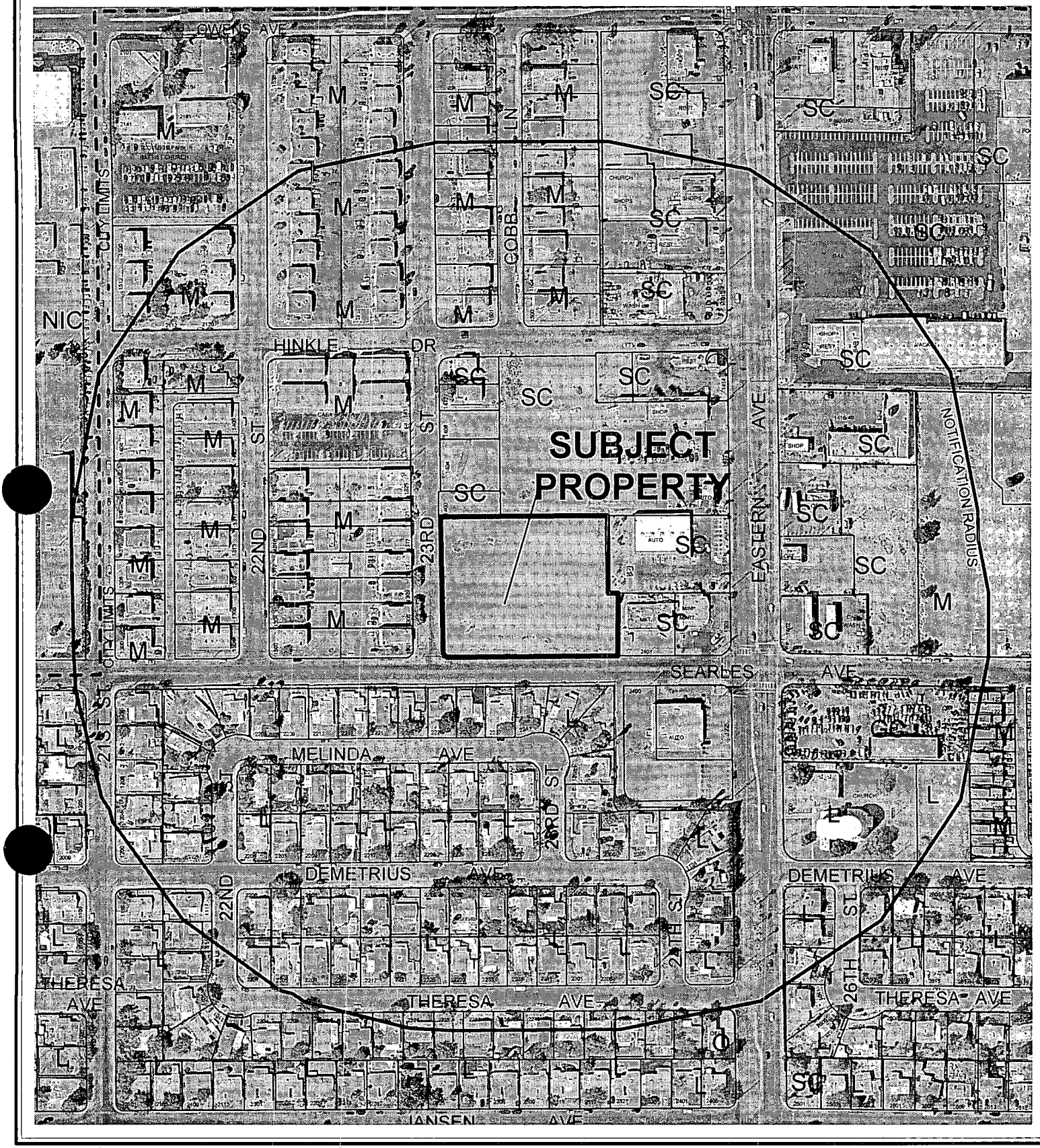


CASE: **GPA-5060**

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL)

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



0 200 400 Feet

CASE: **GPA-5060**

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL)

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-5060 - APPLICANT: GREYMOUTH HOLDINGS, LIMITED LIABILITY COMPANY - OWNER: MARX FAMILY TRUST

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL.

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to amend a portion of the Southeast Sector Plan of the General Plan from SC (Service Commercial) to M (Medium Density Residential) on 2.48 acres adjacent to the northeast corner of Searles Avenue and 23rd Street.

The justification letter states considering that the existing frontage exposure of this site is all residential, a commercial zone seems inconsistent with this entirely residential neighborhood and probably would not be considered a desirable planning practice. The letter further states that traffic generated by commercial development would be substantially greater as to volume and duration of the traffic volume, especially during the evening/early night periods.

BACKGROUND DATA:

08/07/85	The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Medium Residential land uses with a maximum density of 12-20 dwelling units per acre.
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-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre.
09/06/99	The City Council approved GPA-10-00 to amend portions of the Southeast 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 Neighborhood Revitalization Area as described in the Plan.
10/7/04	The Planning Commission recommended approval of the following related items: A Rezoning (ZON-5062) from C-2 (General Commercial) to R-3 (Medium Density Residential); and Site Development Plan Review (SDR-5063) for a 52 unit apartment complex.
10/07/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #18/llm).

DETAILS OF APPLICATION REQUEST

Site Area: 2.48 Acres

EXISTING LAND USE

Subject Property	Undeveloped
North	Undeveloped
South	Single Family Residential
East	Commercial
West	Multi-Family Residential

PLANNED LAND USE

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

EXISTING ZONING

Subject Property	C-2 (General Commercial)
North	R-1 (Single Family Residential); C-2 (General Commercial)
South	R-1 (Single Family Residential)
East	C-2 (General Commercial)
West	R-3 (Medium Density Residential)

	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

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.

INTERAGENCY ISSUES

PROJECTS OF REGIONAL SIGNIFICANCE IMPACT REPORT

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

ANALYSIS

To the north is undeveloped property and to the east is a developed commercial center, both designated with a Service Commercial land use designation. To west and south are residential developments, designated as Medium Density Residential and Low Density Residential, respectively. This request would serve as a buffer between the commercial uses to the north and east and the residential uses to the west and south. 1

FINDINGS

Title Section 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 proposed M (Medium Density Residential) Plan designation for the 52-unit multi-family residential apartment project 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. As stated above, the proposed M (Medium Density Residential) designation serves as a transition from the SC (Service Commercial) designations located to the north and east; and to the M (Medium Density Residential) land use to the west and the L (Low Density Residential) land use to the south; therefore is an acceptable proposal.

In regard to "2": The proposed zoning of R-3 (Medium Density Residential) would permit the proposed 52-unit apartment complex. This zoning designation will serve as a transition zone between the C-2 (General Commercial) to the north and east and the R-3 (Medium Density Residential) to the west and the R-1 (Single Family Residential) to the south.

In regard to "3": There are adequate transportation, recreation, utility, and other facilities to accommodate the proposed office project. The Northeast Area Command of the Las Vegas Metropolitan Police Department services the site with a substation at the 831 North Mojave Road. (located south of Washington Avenue). Fire Station #8, located near Bonanza Road and Mojave Road is the closest city facility to the site.

In regard to "4": There are no other adopted plans or policies that apply to this application.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on September 8, 2004 a neighborhood meeting sponsored by the applicant. No residents were in attendance.

NOTICES MAILED: 187 by Planning Department

APPROVALS: 0

PROTESTS: 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-5060 APN: 139-26-508-016

Name of Property Owner: STEVEN MARX

Name of Applicant: GREYMOUTH HOLDINGS 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: Steven Marx

Print Name: Steven Marx

Subscribed and sworn before me

This 12 day of August, 20 04

Diana M. Hartman

Notary Public in and for said County and State

County of Clark
DIANA M. HARTMAN
My Appointment Expires
No: 01-70382-1 August 14, 2005

52 UNIT APARTMENTS

AT 23 RD STREET & SEARLES AVE — LAS VEGAS, NEVADA

GREYMOUTH HOLDING LLC — **OWNER**

3320 SUNRISE AVE SUITE 101 — LAS VEGAS, NEVADA 89101

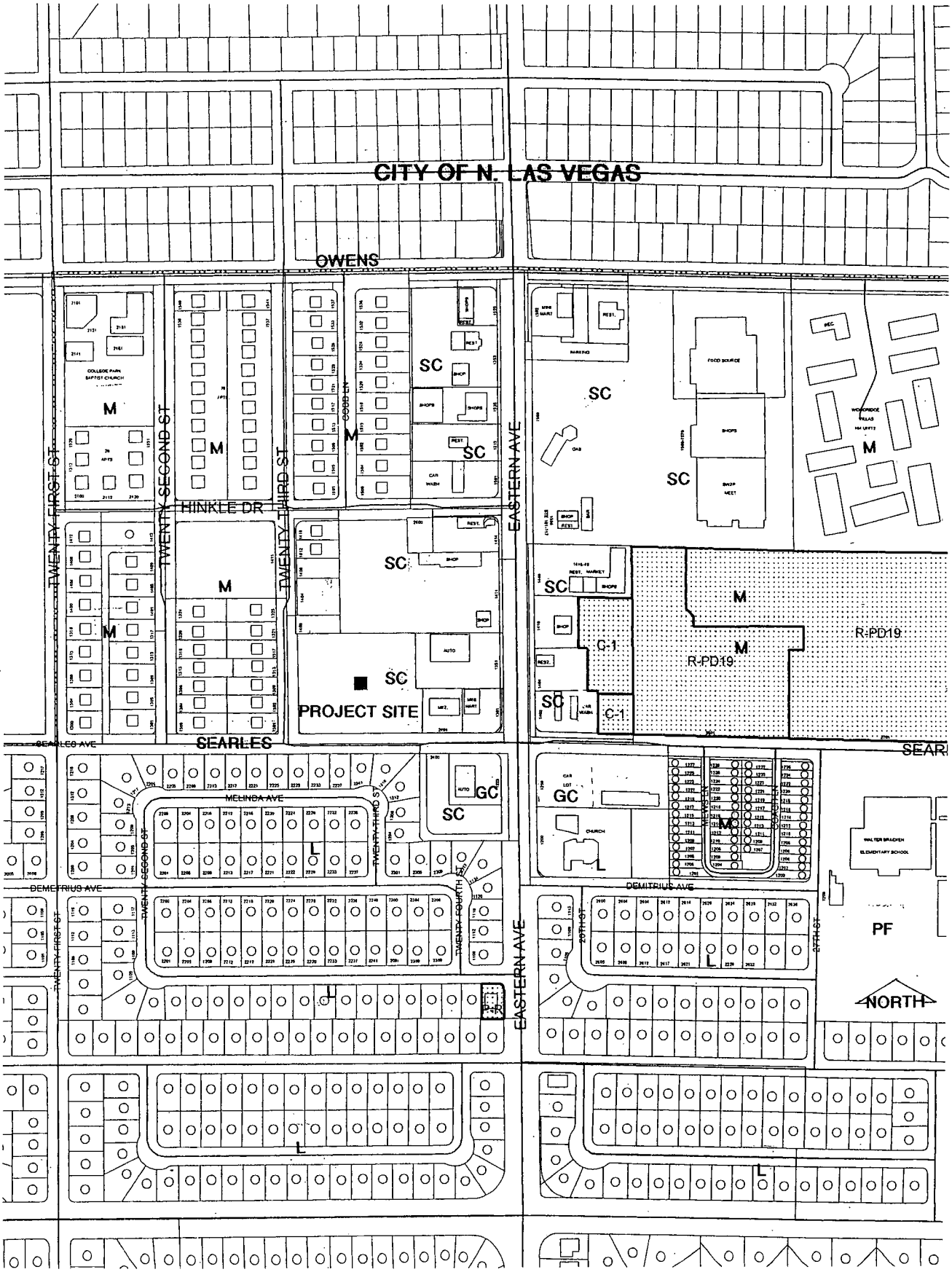
ERROL HILL ARCHITECT LTD. — ARCHITECT

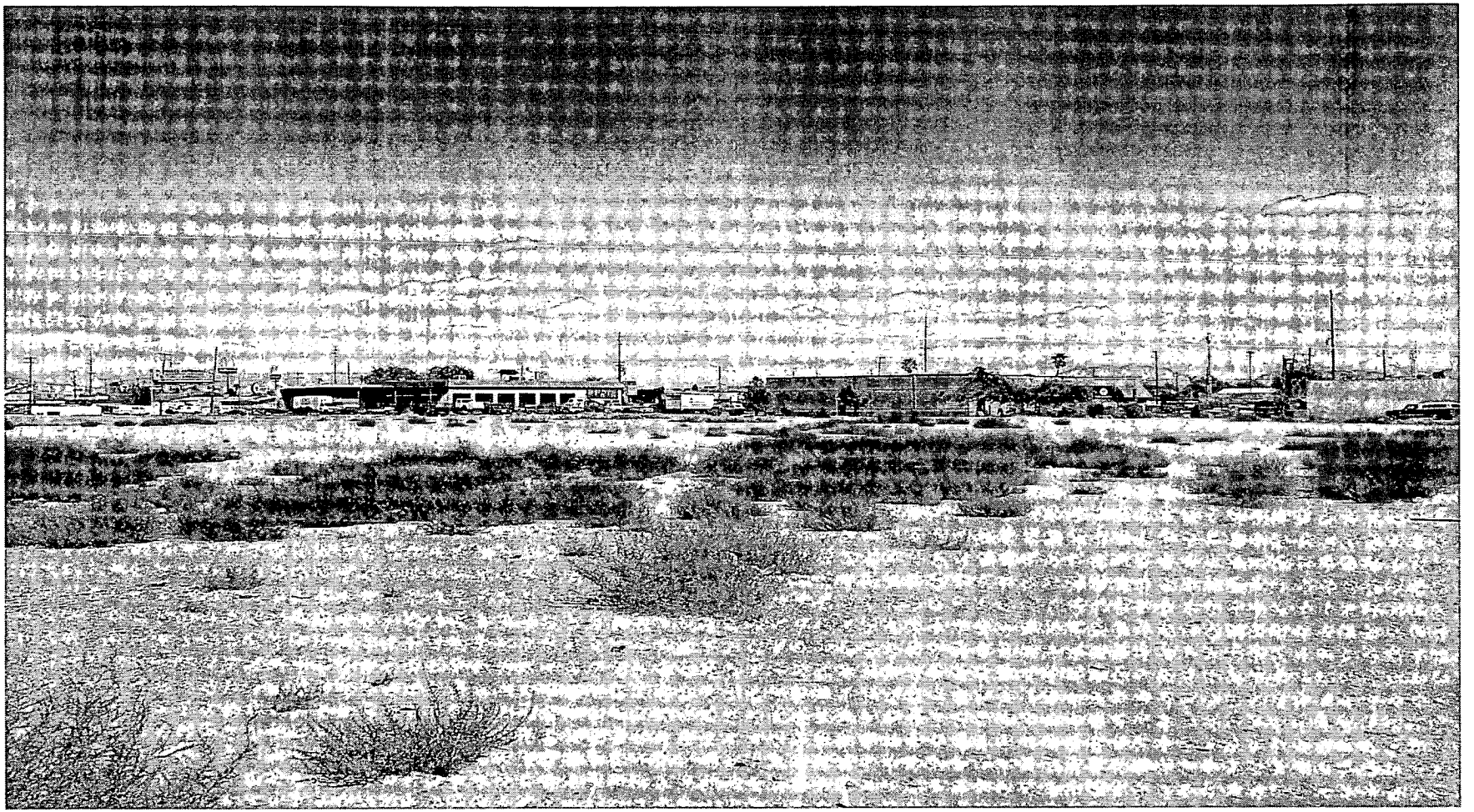
1614 MARYLAND PARKWAY — LAS VEGS , NEVADA 89104

GPA-5060
10-07-04 PC

LOCATION MAP

NO SCALE





GPA-5060 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: GREYMOUTH HOLDINGS, LIMITED LIABILITY COMPANY - OWNER: MARX FAMILY TRUST
NORTHEAST CORNER OF SEARLES AVENUE AND 23RD STREET
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No. 103

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

REZONING RELATED TO GPA-5060

ZON-5062 - PUBLIC HEARING - APPLICANT: GREYMOUTH HOLDINGS, LIMITED LIABILITY COMPANY - OWNER: MARX FAMILY TRUST - Request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 2.48 acres adjacent to the northeast corner of Searles Avenue and 23rd Street (APN 139-26-508-016), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 102 [GPA-5060] for related discussion.
(3:02 - 3:05)
4-944

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-5060) 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-5063) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

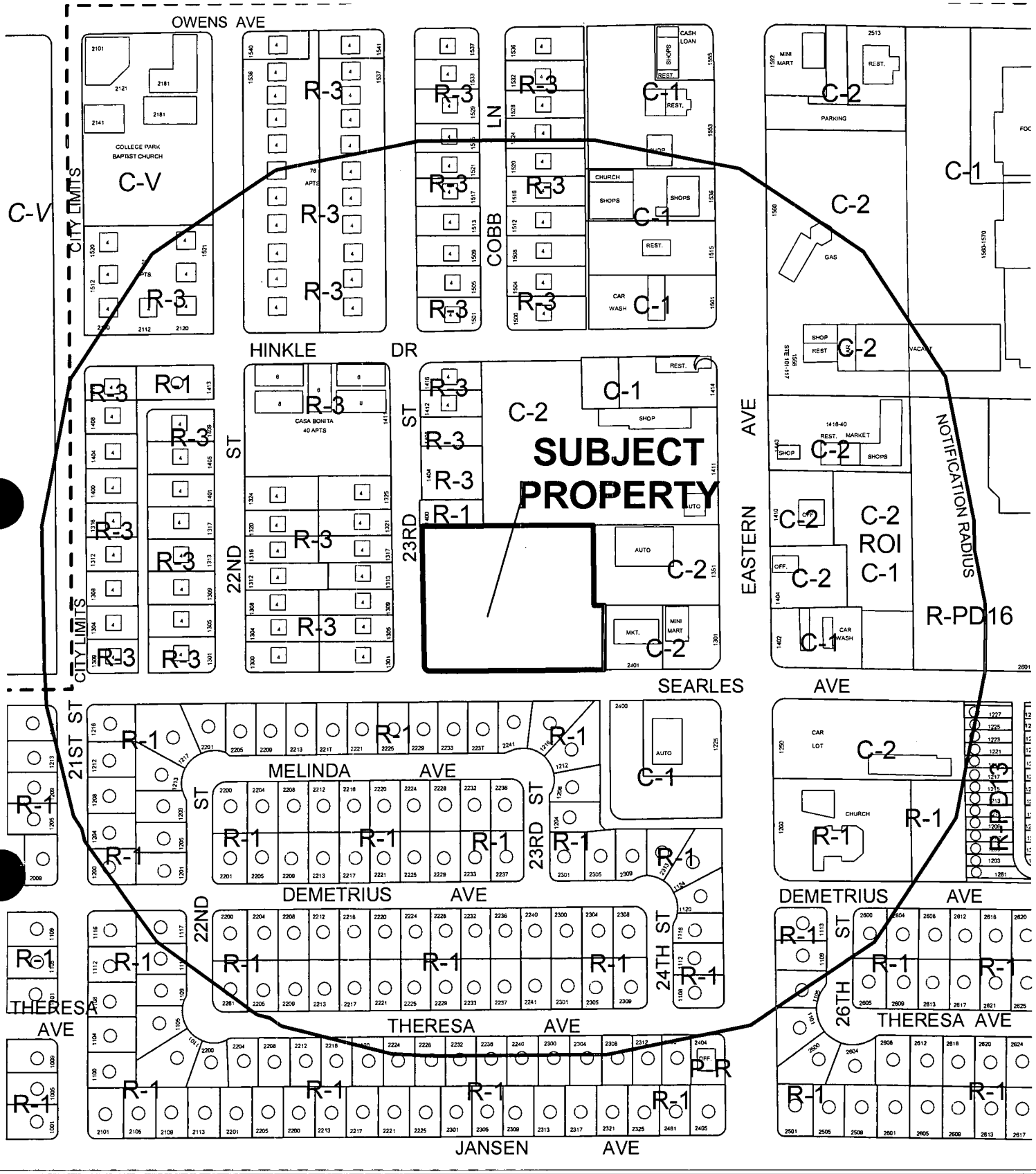
Public Works

4. Construct all incomplete half-street improvements on Searles Avenue and 23rd Street 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).

5. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

CONDITIONS - Continued:

6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



CASE: **ZON-5062**

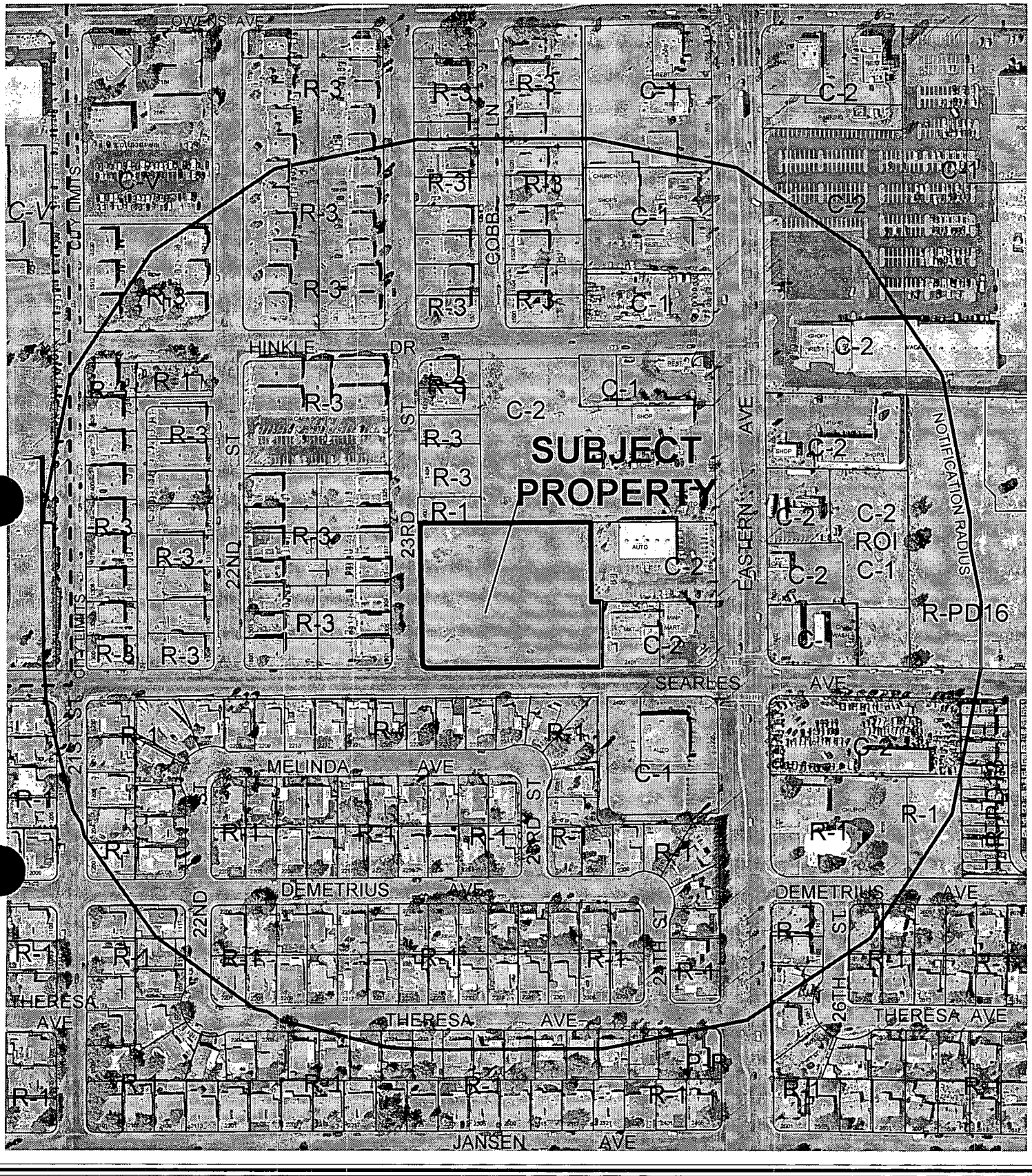
RADIUS: 750 FT

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

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

0 200 400 Feet

N



0 200 400 Feet

CASE: **ZON-5062**

RADIUS: 750 FT

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

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-5062 - APPLICANT: GREYMOUTH HOLDINGS, LIMITED LIABILITY COMPANY - OWNER: MARX FAMILY TRUST

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-5060) 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-5063) 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. Construct all incomplete half-street improvements on Searles Avenue and 23rd Street 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).

5. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from C-2 (General Commercial) to R-3 (Medium Density Residential) on 2.48 acres adjacent to the northeast corner of Searles Avenue and 23rd Street.

B) Applicant's Justification

According to the applicant's justification letter, a commercial district seems inconsistent with this entirely residential neighborhood and probably would not be considered a desirable planning practice, considering that the existing frontage exposure of this site is all residential. The letter further states that traffic generated by commercial development would be substantially greater as to volume and duration of the traffic volume, especially during the evening and early night periods.

BACKGROUND INFORMATION

A) Previous Actions

08/18/99	The City Council approved a General Plan Amendment (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 eight dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. The subject site is within the Neighborhood Revitalization Area as described in the Plan.
10/7/04	The Planning Commission recommended approval of the following related items: A General Plan Amendment (GPA-5060) to change a portion of the Southeast Sector Plan of the General Plan from SC (Service Commercial) to M (Medium Density Residential) and a Site Development Plan Review (SDR-5063) for a proposed 52-unit apartment complex.
10/07/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #19/ss).

B) Pre-Application Meeting

08/04/04	The applicant expressed a desire to rezone the property to R-PD21 (Residential Planned Development – 21 Units per Acre), but was advised by staff to apply for R-3 (Medium Density Residential) to avoid unnecessary variances for an R-PD

development of less than five acres and for the lack of open space. Additional trees need to be included within the parking lot. Staff noted that the required minimum perimeter landscape buffers are of different sizes.

C) Neighborhood Meetings

09/08/04 The applicant sponsored a neighborhood meeting for property owners surrounding the subject site. No residents attended the meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	2.48
Net Acres:	2.25

B) Existing Land Use

Subject Property:	Vacant
North:	Vacant and Major Auto Repair Garage
South:	Single-Family Residential
East:	Auto Parts (New & Rebuilt/Accessory Sales Service)
West:	Multi-Family Residential

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	R-1 (Single-Family Residential) and C-2 (General Commercial)
South:	R-1 (Single-Family Residential)
East:	C-2 (General Commercial)
West:	R-3 (Medium Density Residential)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Southeast Sector Land Use Map of the General Plan. This category allows low to medium intensity retail, office, or other commercial uses that do not include more intense general commercial characteristics. However, the current zoning on the property is C-2 (General Commercial), which does allow for these more intense uses. The applicant proposes to amend the General Plan to M (Medium Density Residential), which would allow for residential densities up to 25 dwelling units per acre. The proposed rezoning to R-3 (Medium Density Residential) would be compatible with the M (Medium Density Residential) category, if approved.

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

The subject site is within the Las Vegas Redevelopment Plan Area, as established by ordinance in 1996. It is also located within the Neighborhood Revitalization Area as established by the Las Vegas Master Plan 2020. The Plan identifies neighborhoods that may contain declining infrastructure, increasing traffic and noise, and increases in property crimes and vandalism, so that they may be stabilized and protected from further deterioration.

ANALYSIS

A) General Analysis and Discussion

A total of 52 units are proposed on 2.48 gross acres for a gross density of 20.97 units per acre; this density is within the range permitted by the M (Medium Density Residential) General Plan Designation and R-3 (Medium Density Residential) zoning classification. The current C-2 (General Commercial) zoning district on the subject site is inconsistent with the uses permitted by the General Plan. The proposed rezoning to R-3 (Medium Density Residential) and companion General Plan Amendment (GPA-5060), if approved, would re-establish consistency with the General Plan and further reinforce the residential character of this neighborhood. It is unlikely that commercial enterprises would flourish at this location, which is much less visible and accessible to traffic than commercial properties to the east.

The proposed R-3 (Medium Density Residential) zoning district would serve as a transition zone between the existing C-2 (General Commercial) designation to the north and east and the R-3 (Medium Density Residential) and R-1 (Single-Family Residential) zones to the west and south. The subject property and surrounding infrastructure can accommodate the 52-unit apartment complex proposed for the site. For all these reasons, the request to rezone to R-3 (Medium Density Residential) is appropriate.

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 proposed Rezoning to R-3 (Medium Density Residential) on the subject site conforms to the density range allowed by the proposed M (Medium Density Residential) General Plan Designation. Properties to the west of the subject property are already designated M (Medium Density Residential) by the Southeast Sector Map of the General Plan.

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

   The 52-unit apartment complex proposed for the subject site will create an acceptable transition between retail and auto-related uses to the north and east and residential properties to the west and south. There is a remnant parcel zoned R-1 (Single-Family Residential) to the north; however, this site is vacant and will probably be rezoned when redeveloped.

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

   The Las Vegas Redevelopment Plan and Las Vegas 2020 Master Plan identify this area for redevelopment and protection from deterioration. The current commercial zoning on the site is less appropriate than would be residential uses, which dominate the area. The Rezoning to R-3 (Medium Density Residential) is therefore appropriate.

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."**

   Searles Avenue and 23rd Street, both 60-foot rights-of-way, are adequate in size to accommodate multi-family uses, such as the ones proposed for this site.

NOTICES MAILED 187 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5062 APN: 139-26-508-016

Name of Property Owner: STEVEN MARX

Name of Applicant: GREYMOUTH HOLDINGS 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: Steven Marx

Print Name: Steven Marx

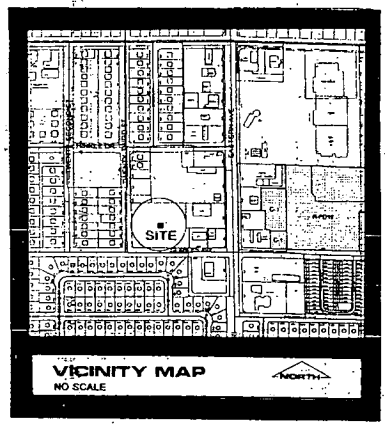
Subscribed and sworn before me

This 12 day of August, 2004

Diana M. Hartman

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
DIANA M. HARTMAN
My Appointment Expires
No: 01-70392-1 August 14, 2005

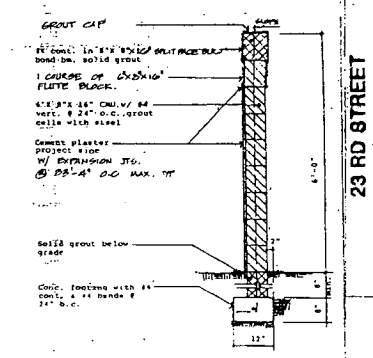


R-3 ZONE

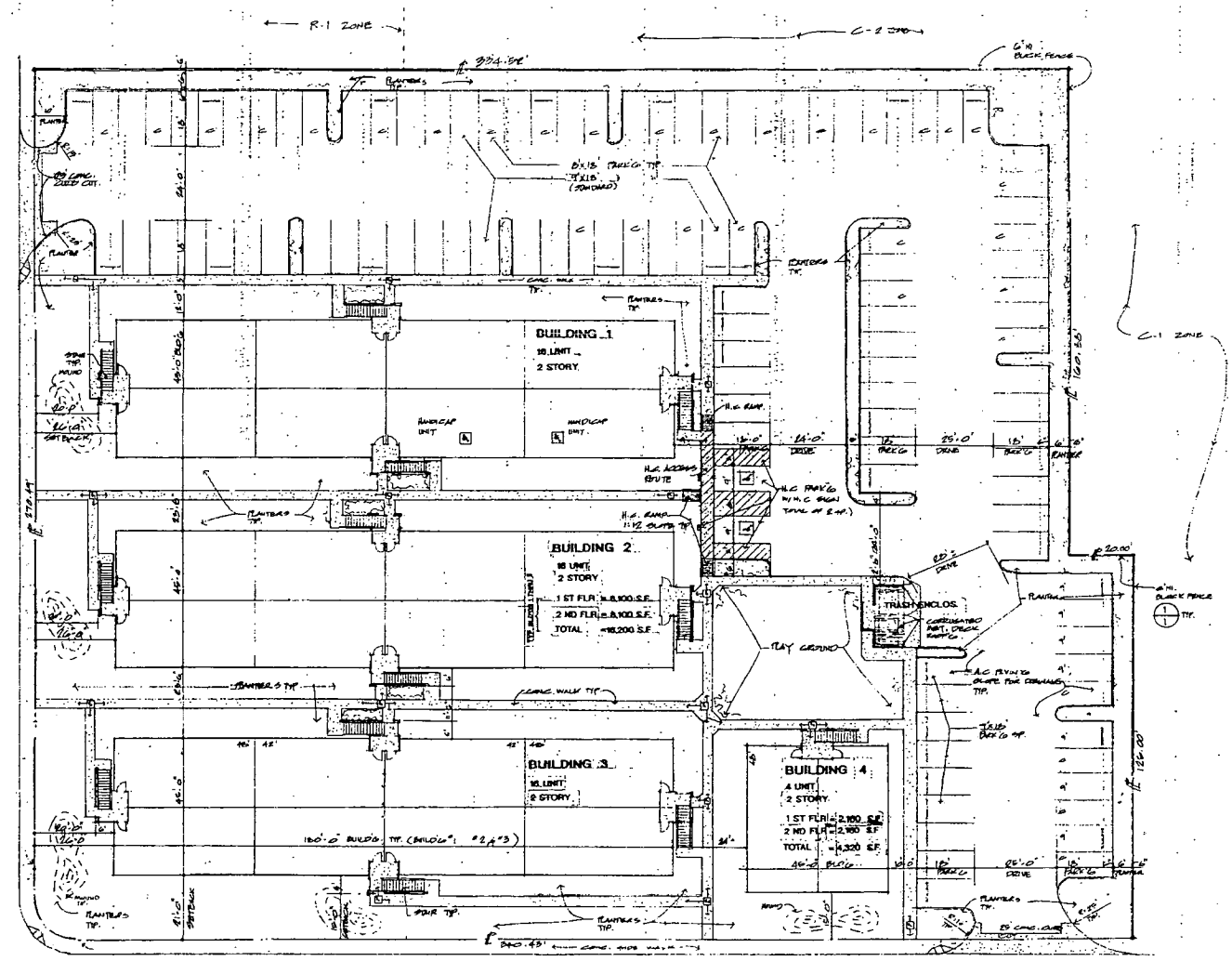
52 UNIT APARTMENTS
AT 23 RD STREET & SEARLES AVE LAS VEGAS, NEVADA

GREYMOUTH HOLDING LLC OWNER
3320 SUNRISE AVE SUITE 101 LAS VEGAS, NEVADA 89101

ERROL HILL ARCHITECT LTD. ARCHITECT
1614 MARYLAND PARKWAY LAS VEGS, NEVADA 89104



CMU WALL
Scale 1/4" = 1'-0"



PARKING REQUIREMENT RECAP.

1 REQUIRED PARKING

32 THREE BEDROOM UNITS @	2/UNIT	=	64
GUEST PARKING @	1/6 UNITS	=	5
24 TWO BEDROOM UNITS @	1.75/UNIT	=	42
GUEST PARKING @	1/6 UNITS	=	4
TOTAL REQUIRED PARKING		=	115 SPACES

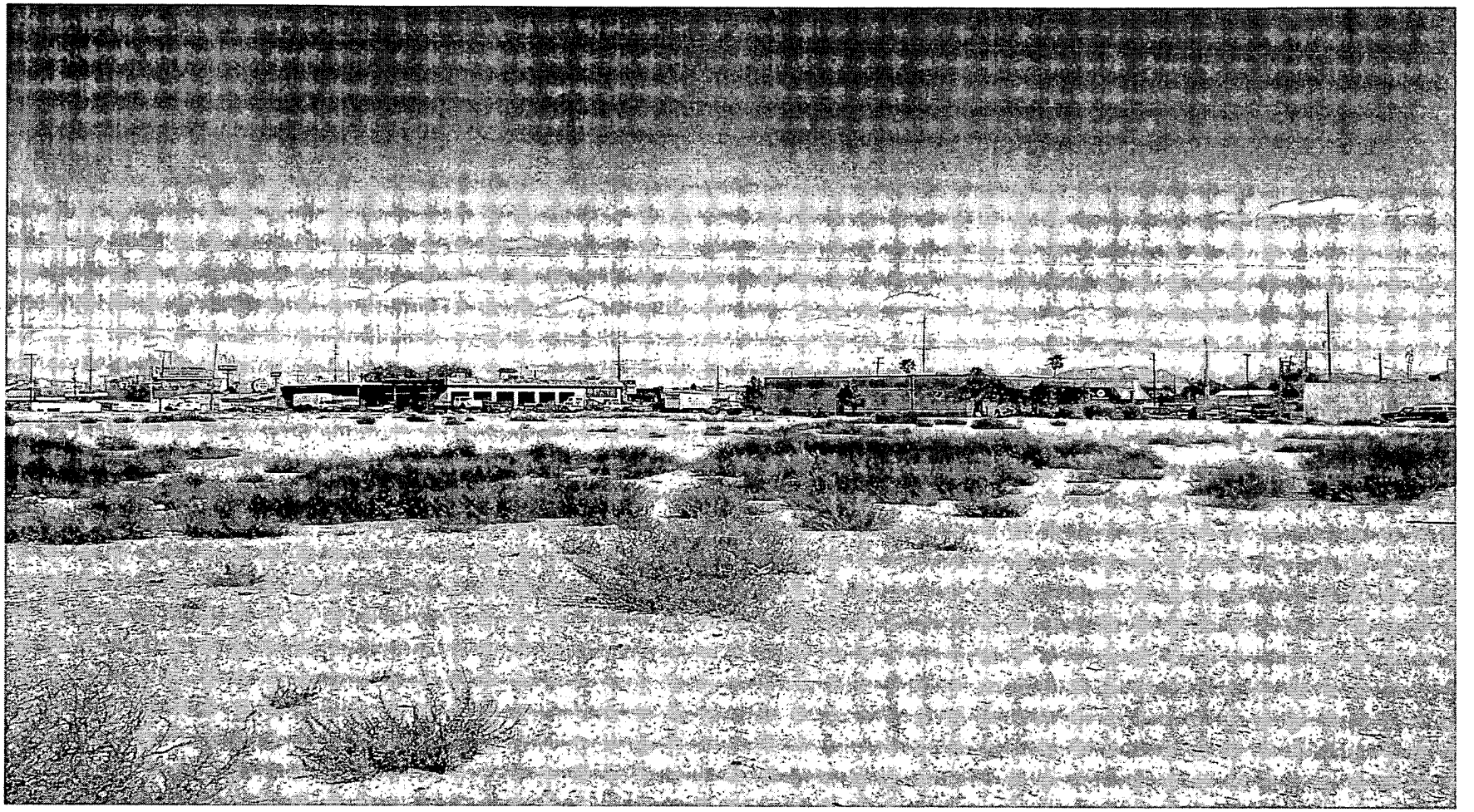
2 PROVIDED PARKING

9'x18' SPACES (STANDARD)		76
8'x18' " (COMPACT)		32
9'x18' HANDICAP SPACE		2
TOTAL PROVIDED PARKING		110 SPACES

SITE PLAN
SCALE 1/16" = 1'-0"
APN 139-26-506-016
NET SITE 2.25 A

ZON-5062
SDR-5063
10-07-04 PC

SHEET 1 OF 7
7/22/04



ZON-5062 - REZONING - PUBLIC HEARING - APPLICANT: GREYMOUTH HOLDINGS, LIMITED LIABILITY COMPANY - OWNER: MARX FAMILY TRUST
NORTHEAST CORNER OF SEARLES AVENUE AND 23RD STREET
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No. 104

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5060 AND ZON-5062

SDR-5063 - PUBLIC HEARING - APPLICANT: GREYMOUTH HOLDINGS, LIMITED LIABILITY COMPANY - OWNER: MARX FAMILY TRUST - Request for a Site Development Plan Review FOR A PROPOSED 52-UNIT APARTMENT COMPLEX on 2.48 acres adjacent to the northeast corner of Searles Avenue and 23rd Street (APN 139-26-508-016), C-2 (General Commercial) Zone [PROPOSED: R-3 (Medium Density Residential)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions and an added condition that Councilman Weekly's office be consulted on the color of the finished project - UNANIMOUS

MINUTES:

NOTE: See Item 102 [GPA-5060] for related discussion.
(3:02 - 3:05)
4-944

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-5062) to an R-3 (Medium Density Residential) Zoning District and a General Plan Amendment from SC (Service Commercial) to M (Medium Density Residential) approved by the City Council.

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

3. All development shall be in conformance with the site plan and building elevations date stamped 08/23/04, except as amended by conditions herein.

4. The standards for this development shall include the following: minimum lot size of 6,500 square feet, minimum distance between buildings of 10 feet, and building height shall not exceed two stories or 35 feet, whichever is less.

CONDITIONS - Continued:

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. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones, in this development.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.

9. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings.

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.

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.

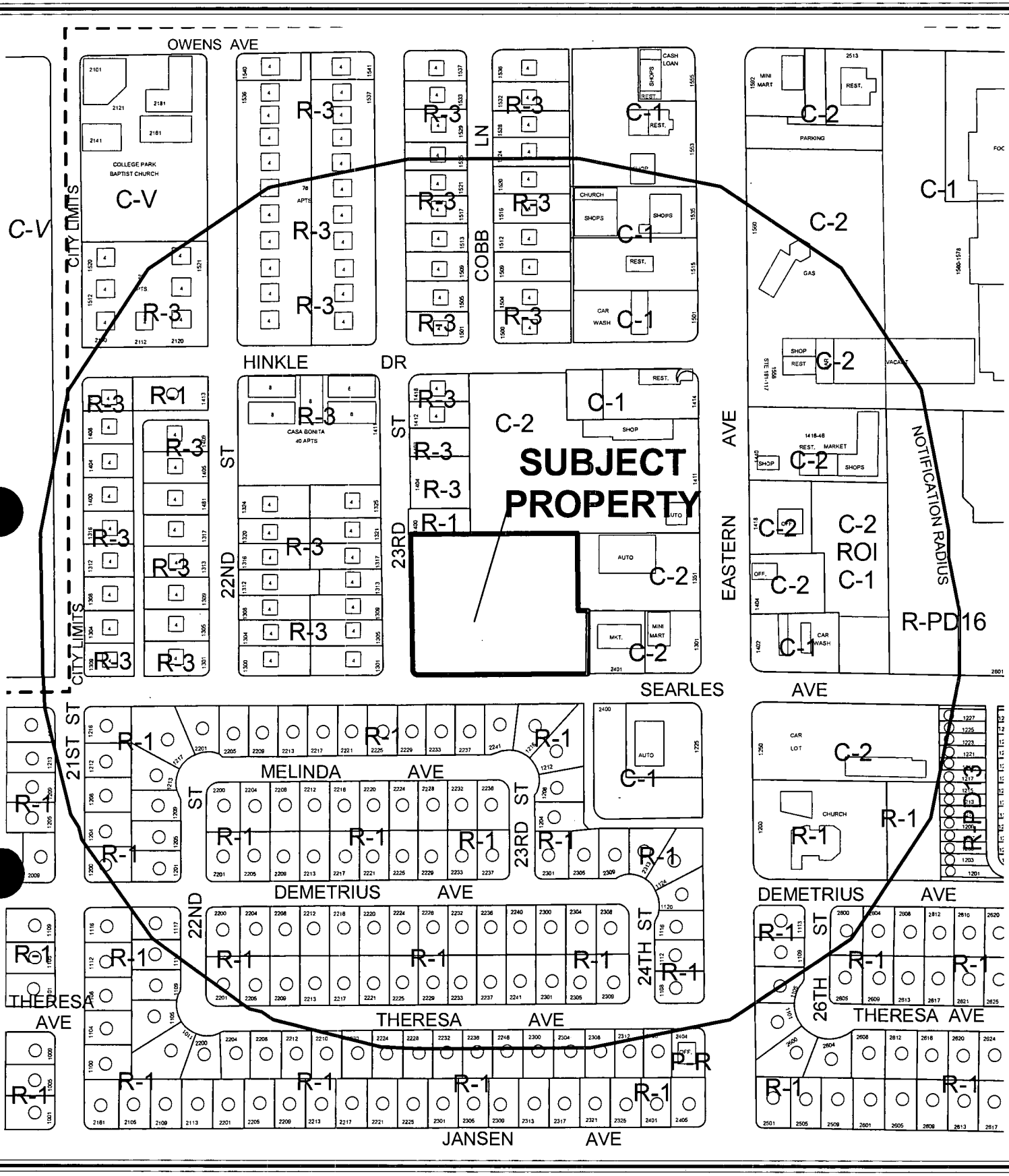
13. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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

Public Works

15. Site development to comply with all applicable conditions of approval for ZON-5062 and all other subsequent site-related actions.

16. 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.



0 200 400 Feet

CASE: **SDR-5063**

RADIUS: 750 FT

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

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5063 - APPLICANT: GREYMOUTH HOLDINGS, LIMITED LIABILITY COMPANY - OWNER: MARX FAMILY TRUST

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Rezoning (ZON-5062) to an R-3 (Medium Density Residential) Zoning District and a General Plan Amendment from SC (Service Commercial) to M (Medium Density Residential) approved by the City Council.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 52-unit apartment complex on 2.48 acres adjacent to the northeast corner of Searles Avenue and 23rd Street.

B) Applicant's Justification

According to the applicant's justification letter, a commercial district seems inconsistent with this entirely residential neighborhood and probably would not be considered a desirable planning practice, considering that the existing frontage exposure of this site is all residential. The letter further states that traffic generated by commercial development would be substantially greater as to volume and duration of the traffic volume, especially during the evening and early night periods.

BACKGROUND INFORMATION

A) Previous Actions

08/18/99	The City Council approved a General Plan Amendment (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 eight dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. The subject site is within the Neighborhood Revitalization Area as described in the Plan.
10/7/04	The Planning Commission recommended approval of the following related items: A General Plan Amendment (GPA-5060) to change a portion of the Southeast Sector Plan of the General Plan from SC (Service Commercial) to M (Medium Density Residential) and a Rezoning (ZON-5062) from C-2 (General Commercial) to R-3 (Medium Density Residential).
10/07/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #20/ss).

B) Pre-Application Meeting

08/04/04	The applicant expressed a desire to rezone the property to R-PD21 (Residential Planned Development – 21 Units per Acre), but was advised by staff to apply for R-3 (Medium Density Residential) to avoid unnecessary variances for an R-PD

development of less than five acres and for the lack of open space. Additional trees need to be included within the parking lot. Staff noted that the required minimum perimeter landscape buffers are of different sizes.

C) Neighborhood Meetings

09/08/04 The applicant sponsored a neighborhood meeting for property owners surrounding the subject site. No residents attended the meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	2.48
Net Acres:	2.25

B) Existing Land Use

Subject Property:	Vacant
North:	Vacant and Major Auto Repair Garage
South:	Single-Family Residential
East:	Auto Parts (New & Rebuilt/Accessory Sales Service)
West:	Multi-Family Residential

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	R-1 (Single-Family Residential) and C-2 (General Commercial)
South:	R-1 (Single-Family Residential)
East:	C-2 (General Commercial)
West:	R-3 (Medium Density Residential)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Southeast Sector Land Use Map of the General Plan. This category allows low to medium intensity retail, office, or other commercial uses that do not include more intense general commercial characteristics. However, the current zoning on the property is C-2 (General Commercial), which does allow for these more intense uses. The applicant proposes to amend the General Plan to M (Medium Density Residential), which would allow for residential densities up to 25 dwelling units per acre. The proposed rezoning to R-3 (Medium Density Residential) would be compatible with the M (Medium Density Residential) category, if approved.

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

The subject site is included within the Las Vegas Redevelopment Plan Area, as established by ordinance in 1996. It is also located within the Neighborhood Revitalization Area as established by the Las Vegas Master Plan 2020. The Plan identifies neighborhoods that may contain declining infrastructure, increasing traffic and noise, and increases in property crimes and vandalism, so that they may be stabilized and protected from further deterioration.

PROJECT DESCRIPTION

The proposed 52-unit apartment project will consist of 24 two-bedroom units and 28 three-bedroom units. There are four (4) two-story buildings; three of the buildings consist of sixteen units each and one building consists of four units. Access is provided via Searles Avenue and Twenty-Third Street. To the north is vacant property and to the east is a developed commercial center, both designated with a Service Commercial land use designation. To the west and south are residential developments, designated as Medium Density Residential and Low Density Residential, respectively. Landscaping is provided along the perimeter of the project site, between the apartment buildings, and within the parking lot area. Based on the number of bedrooms in each unit, 107 parking spaces are required; the site provides 110 parking spaces. The elevations depict two-story stucco buildings with tiled roofs; ornamental columns and arches break up the building façade.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	6,500 Square Feet	2.25 Acres	Y
Min. Lot Width	N/A	270 Feet	N/A

Min. Setbacks • Front • Side • Corner • Rear	 20 Feet 5 Feet 5 Feet 20 Feet	 20 Feet 76 Feet 15 Feet 78 Feet	 Y Y Y Y
Min. Distance Between Buildings	10 Feet	12 Feet	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories/25 Feet	Y
Trash Enclosure	Walled, gated, screened, roofed	Walled, gated, screened, roofed	Y
Mech. Equipment	Screened	Not Shown	---

All Code standards are met. All mechanical equipment must comply with restrictions set forth in Title 19.08.040.B.

A2) Residential Adjacency Standards

Pursuant to Title 19.08.060, the proposed apartment complex is not subject to Residential Adjacency Standards because it is on property located within the boundaries of the Las Vegas Redevelopment Area.

A3) Parking and Traffic Standards

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

Uses	No. of Units	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Multi-Family Residential, Two bedroom units	24	1.75 spaces/unit + 1 guest space/6 units	46	N/A		
Multi-Family Residential, Three-bedroom units	28	2 spaces/unit + 1 guest space/6 units	61	N/A		
TOTAL	52		107	N/A	108	2

The proposed project complies with Title 19 parking requirements.

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	18 Trees	18 Trees
Buffer: • Min. Trees	1 - 24" Box Tree/30 Linear Feet + 1 Tree	38 Trees	39 Trees
• Min. Zone Width (Searles Avenue)	15 Feet		15 Feet
• Min. Zone Width (23rd Street)	10 Feet		20 Feet
• Min. Zone Width (side/rear)	6 Feet		6 Feet
• Min. Wall Height	6 Feet on north and east perimeter		6 Feet on north and east P.L.

The proposed conceptual landscape plan indicates that the site will meet or exceed the landscaping requirements of Title 19.12.

A5) Sign Standards

No signage was indicated on the submitted site plan or elevations. All signage must comply with the criteria outlined in Title 19.14.060 for the R-3 (Medium Density Residential) zoning district.

B) General Analysis and Discussion

- Zoning

The site is currently zoned C-2 (General Commercial). With approval of companion item ZON-5062, it will be under a Resolution of Intent to R-3 (Medium Density Residential), which will allow for the proposed residential density of 20.97 dwelling units per gross acre.

- Site Plan

The site plan represents a logical layout of buildings and parking areas. Circulation around the site is adequate, and multiple paths are provided for pedestrians. A potential problem is the paucity of trash enclosures. Only one is indicated on the site plan, servicing 52 units. Two other enclosures could possibly be located adjacent to the north side of Building #1. Parking appears to be entirely uncovered.

- Waivers

No waivers are requested as part of this application.

- Landscape Plan

Parking lot landscaping and perimeter buffer planters and materials, including shrubs and groundcover, are in compliance with Title 19 and the Landscape, Wall and Buffer Standards.

The parking area and frontages feature primarily 24- to 36-inch Red Leaf Plum, while the north and east buffer areas show 24-inch Mondel Pines for screening from existing commercially zoned property. Spaces between buildings are abundantly landscaped and also include a mixture of Red Leaf Plum and Mondel Pine trees.

- Elevations

The proposed elevations are harmonious and compatible with development in the area and are not undesirable in appearance. The cement plaster and tile roofing materials are typical of residential buildings across the area. Buildings 1 through 3 contain 16 units each, with exits on both ends and in the center of the structure. Building 4 contains four units, also with exits on both ends and in the center of the structure.

- Floor Plans

The development features both two-bedroom and three-bedroom plans.

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 52-unit apartment project is compatible with existing for-rent multi-family dwellings to the west and provides a transition between more intense general commercial uses to the north and east and the less-intense single-family uses to the south.

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

   The proposed apartment complex will be consistent with the General Plan, Title 19, and the Landscape, Wall and Buffer Standards, pending approval of the companion General Plan Amendment (GPA-5060) to M (Medium Density Residential) and Rezoning (ZON-5062) to R-3 (Medium Density Residential).

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

   The proposed site access and on-site circulation will minimize impacts to adjacent roadways. Searles Avenue and 23rd Street, both 60-foot rights-of-way, are adequate in size to accommodate multi-family uses, such as the ones proposed for this site.

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

The proposed building and landscape materials are generally appropriate for the area and are substantially in compliance with the City's requirements.

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 harmonious and compatible with development in the area and are not undesirable in appearance.

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

The proposed apartment complex will be subject to inspections for building permits, and will therefore not compromise the public health, safety and welfare.

NOTICES MAILED 187 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5063 APN: 139-26-508-016

Name of Property Owner: STEVEN MARX

Name of Applicant: GREYMOUTH HOLDINGS 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: Steven Marx

Print Name: Steven Marx

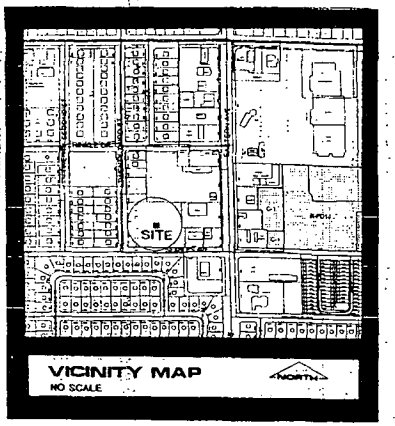
Subscribed and sworn before me

This 12 day of August, 2004

Diana M. Hartman

Notary Public in and for said County and State

County of Clark
DIANA M. HARTMAN
My Appointment Expires
August 14, 2005
No: 01-70092-1



R-3 ZONE

52 UNIT APARTMENTS

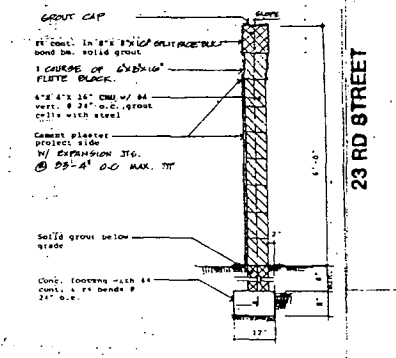
AT 23 RD STREET & SEARLES AVE — LAS VEGAS, NEVADA

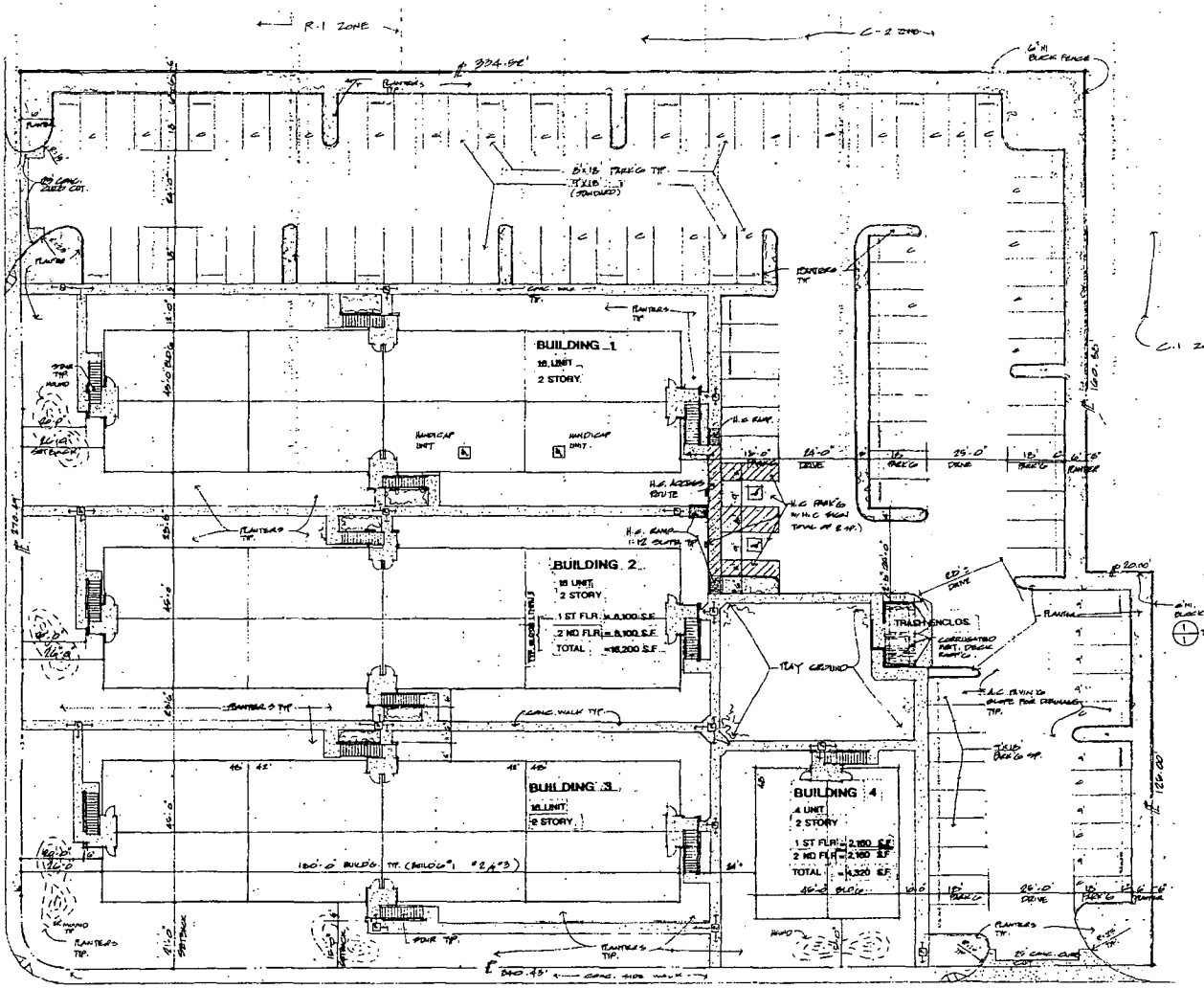
GREYMOUTH HOLDING LLC — OWNER

3320 SUNRISE AVE SUITE 101 — LAS VEGAS, NEVADA 89101

ERROL HILL ARCHITECT LTD. — ARCHITECT

1614 MARYLAND PARKWAY — LAS VEGS , NEVADA 89104





PARKING REQUIREMENT RECAP

1 REQUIRED PARKING

25 THREE BEDROOM UNITS	@ 2/UNIT	=	50
GUEST PARKING	@ 1/6 UNITS	=	9
23 TWO BEDROOM UNITS	@ 1.75/UNIT	=	41
GUEST PARKING	@ 1/6 UNITS	=	4
TOTAL REQUIRED PARKING		=	104 SPACES

2 PROVIDED PARKING

9'x 18' SPACES (STANDARD)	76
8'x 18' " (SM.C.O. 7 OF 16 UNITS)	32
9'x 18' HANDICAP SPACE	2
TOTAL PROVIDED PARKING	110 SPACES

SITE PLAN

APN: 139 - 26 -506 - 016

NET SITE 2.25 A '

SCALE 1/16" = 1'-0"

NORTH

SHEET 1 OF 7

7 / 22 / 04

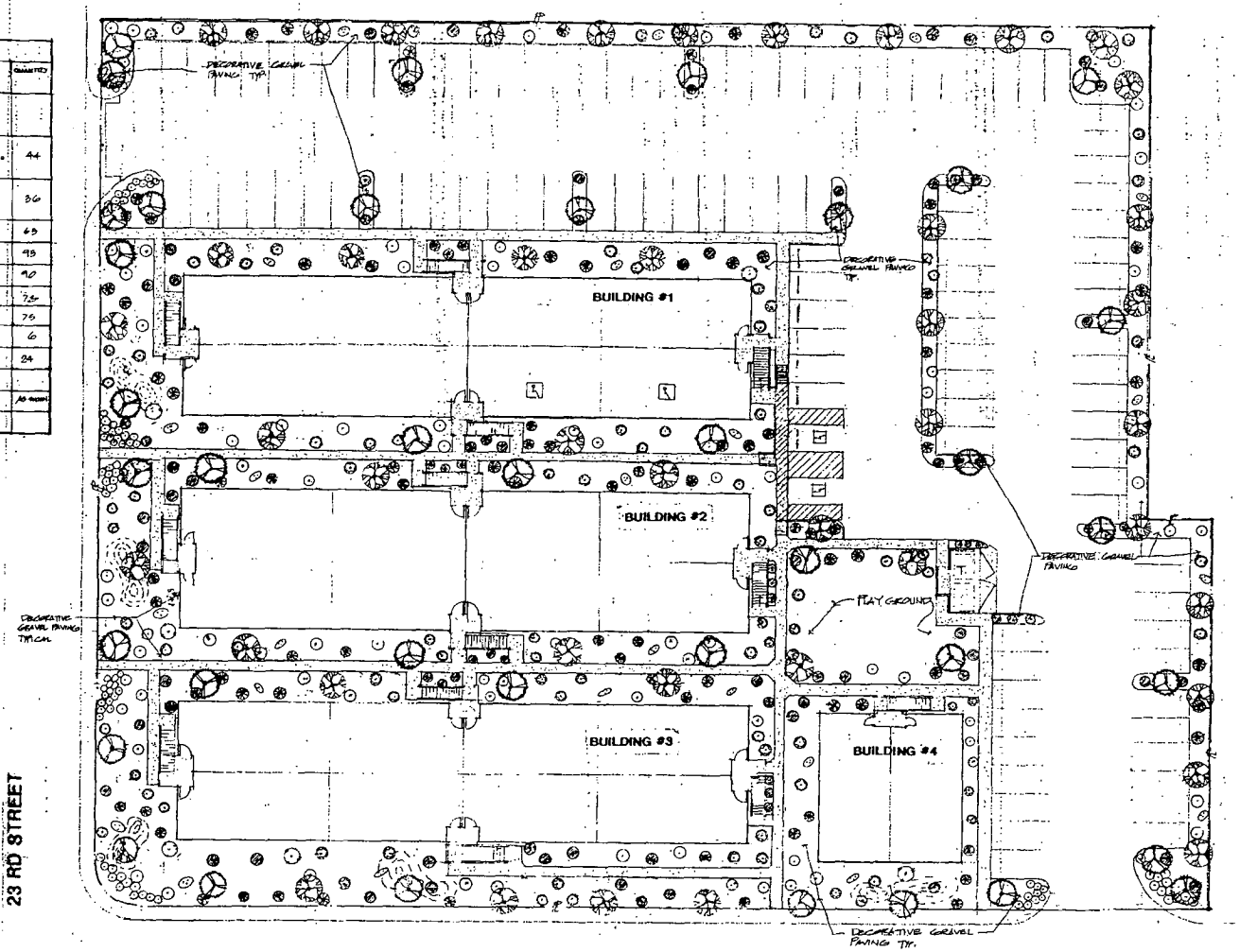
ZON-5062

SDR-5063

10-07-04 PC

LANDSCAPING LEGEND

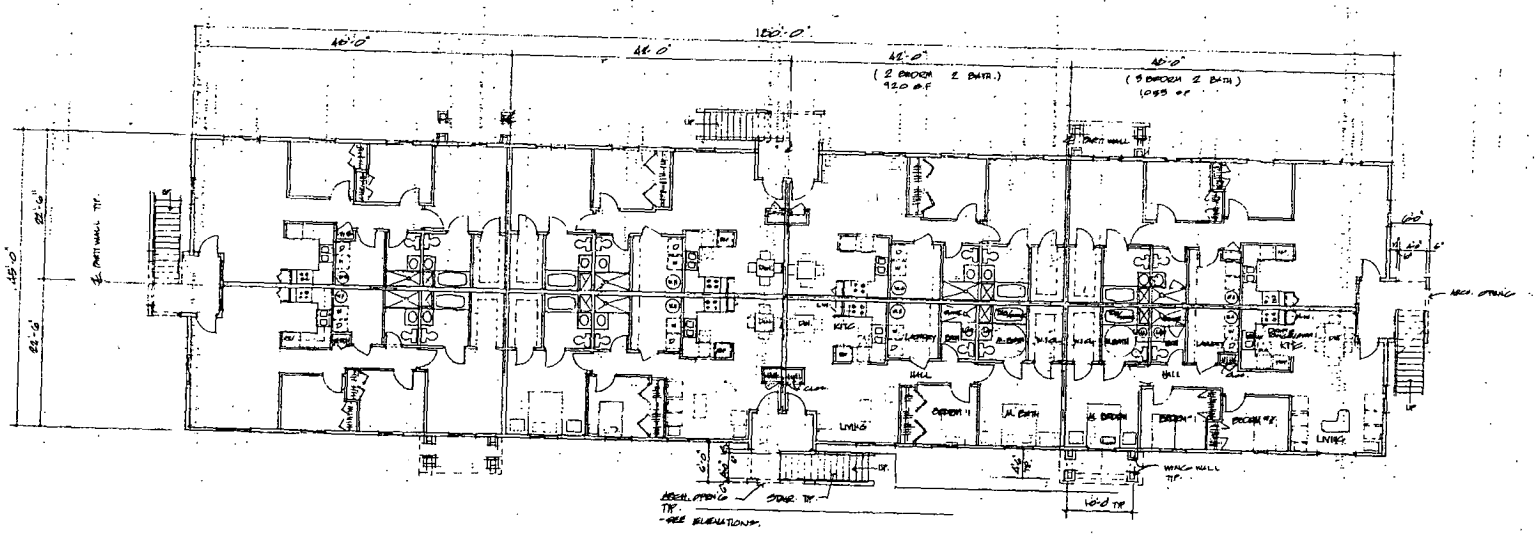
SYMBOL	DESIGNATION	SIZE	QUANTITY
			44
			36
			65
			98
			90
			75
			76
			6
			24
	DECORATIVE GRAVEL PAVING SEE LANDSCAPE NOTES		
			AS SHOWN



LANDSCAPE PLAN

ZON-5062
SDR-5063
10-07-04 PC

SHEET 2 OF 7
7 / 22 / 04



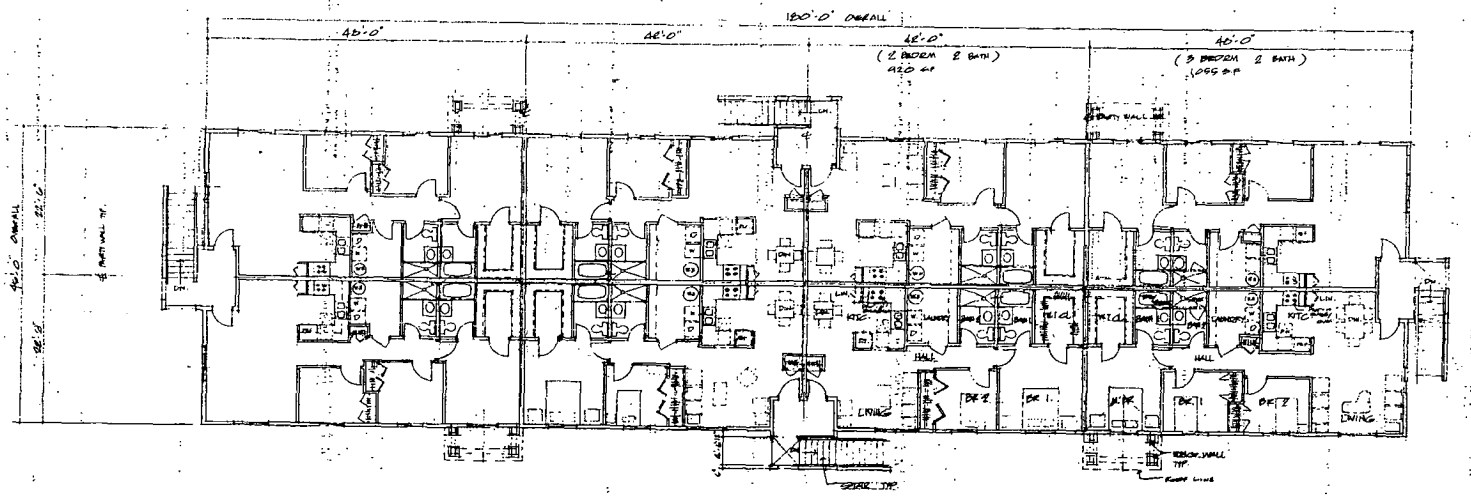
BUILD' #1 THRU BUILD'G #3
1 ST FLOOR PLAN
8,100 S.F.

SCALE 1/8" = 1'-0"

NORTH

ZON-5062
SDR-5063
10-07-04 PC

SHEET 3
OF 7
7 / 22 / 04



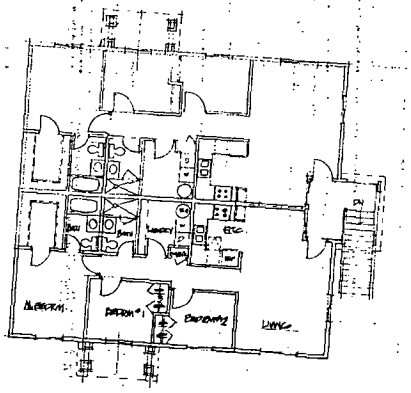
BUILD' #1 THRU BUILD'G #3
2 ND FLOOR PLAN
8,100 S.F.

SCALE 1/8" = 1'-0"

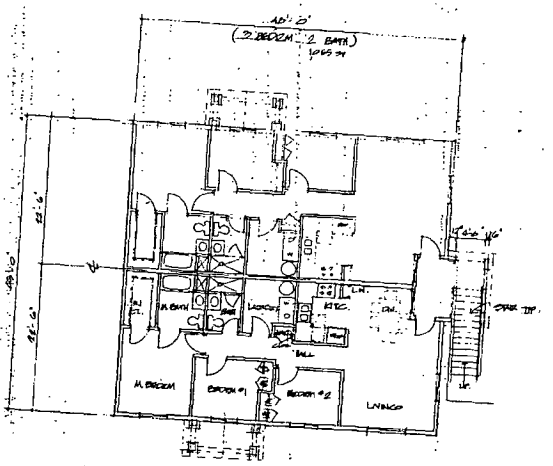
NORTH

ZON-5062
SDR-5063
10-07-04 PC

SHEET 4
OF 7
7 / 22 / 04



2.ND



1 ST

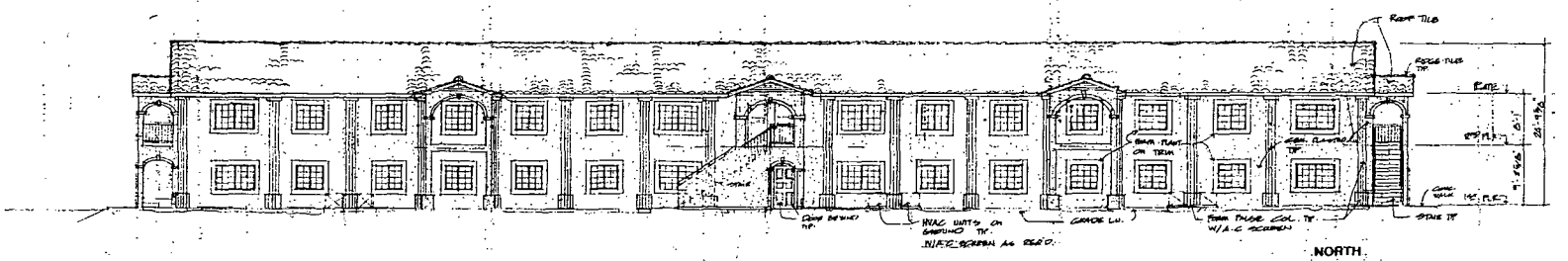
BUILD'G #4
FLOOR PLANS
3 BEDRM 2 BATH

SCALE 1/8" = 1'-0"

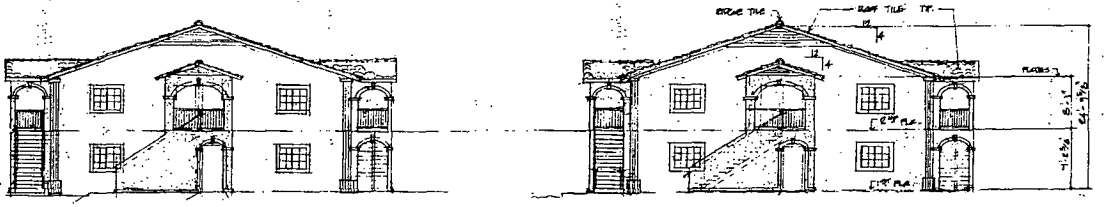
NORTH

ZON-5062
SDR-5063
10-07-04 PC

SHEET 5
OF 7
7 / 22 / 04

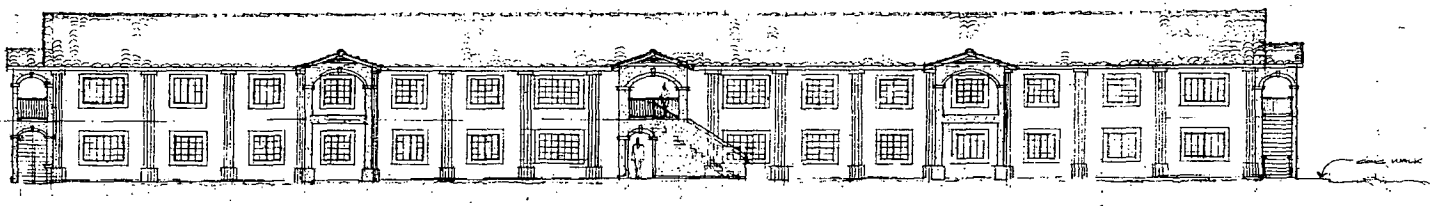


NORTH



WEST

EAST



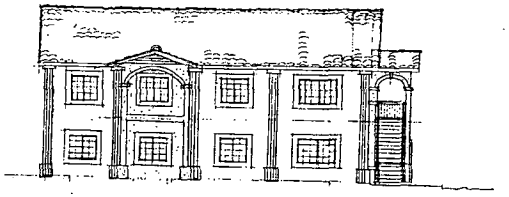
SOUTH

BUILD'G #1 THRU BUILD'G #3
EXTERIOR ELEVATIONS

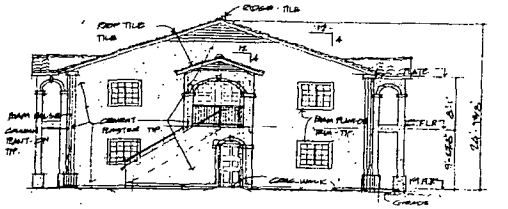
SCALE 1/8" = 1'-0"

ZON-5062
SDR-5063
10-07-04 PC

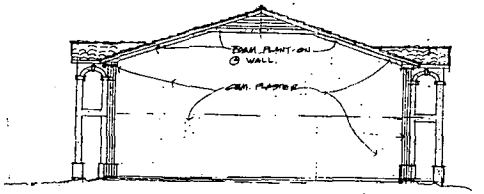
SHEET 6
OF 7
7 / 22 / 04



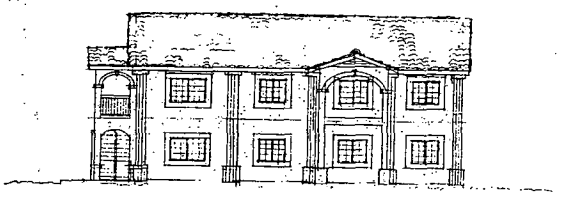
EAST



NORTH



SOUTH



WEST

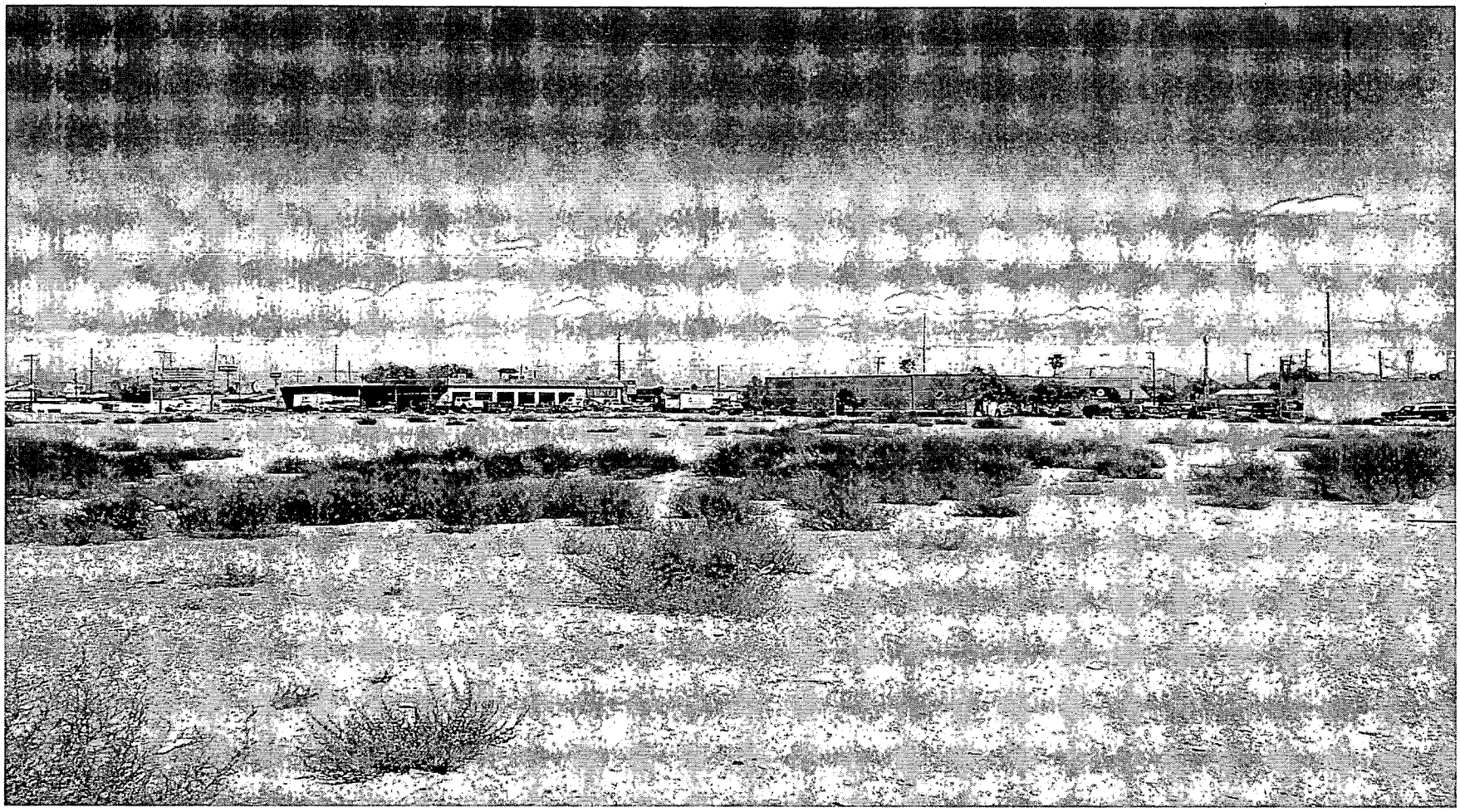
BUILD'G #4

EXTERIOR ELEVATION

SCALE 1/8" = 1'-0"

SHEET 7
OF 7
7 / 22 / 04

ZON-5062
SDR-5063
10-07-04 PC



SDR-5063 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: GREYMOUTH HOLDINGS, LIMITED LIABILITY COMPANY - OWNER: MARX FAMILY TRUST
NORTHEAST CORNER OF SEARLES AVENUE AND 23RD STREET
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No. 105

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-5082 - PUBLIC HEARING - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 1.58 acres and TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 4.4 acres south of Bonanza Road and east of Pecos Road (APN 140-31-121-003), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	3	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

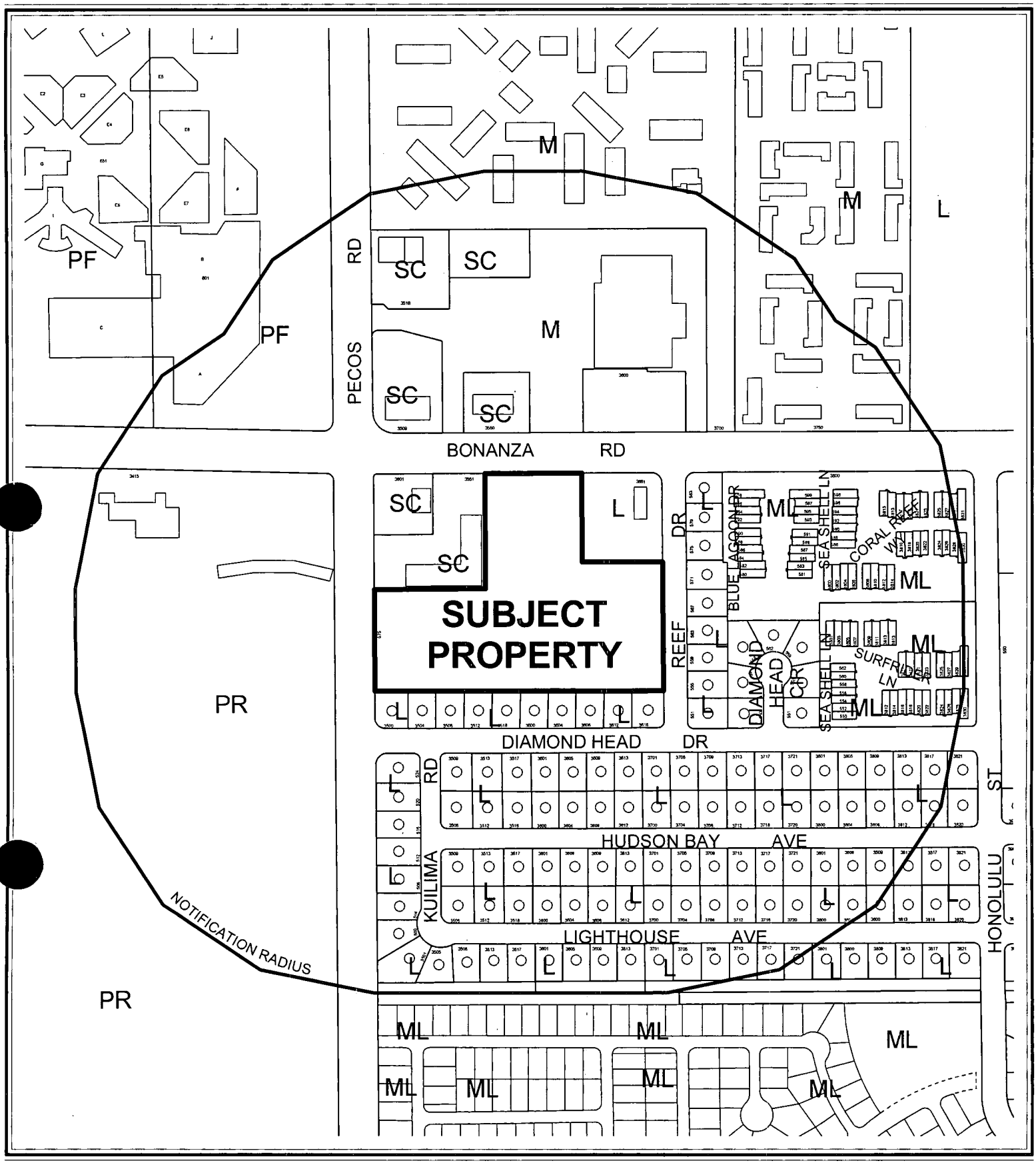
1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Submitted after final agenda - Abeyance letter from Bonnie Cisneros for Item 105 [GPA-5082] and Item 106 [VAC-5101] filed under Item 105 [GPA-5082]
5. Backup referenced from the 10/7/2004 Planning Commission Item 25

MOTION:

REESE - Motion to TABLE Item 101 [GPA-5264] and HOLD IN ABEYANCE Item 87 [SUP-4830], Item 97 [SUP-5228], Item 98 [SDR-5094], Item 111 [GPA-5120], Item 112 [ZON-5121], Item 113 [VAR-5124], and Item 114 [SDR-5122] to 11/17/2004, and Item 105 [GPS-5082] and Item 106 [VAC-5101] to 2/16/2005 - UNANIMOUS with MACK not voting and GOODMAN abstaining on Item 87 [SUP-4830] becase JAY BROWN, with whom he is in a partnership, represents the applicant

MINUTES:

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



0 300 600 Feet

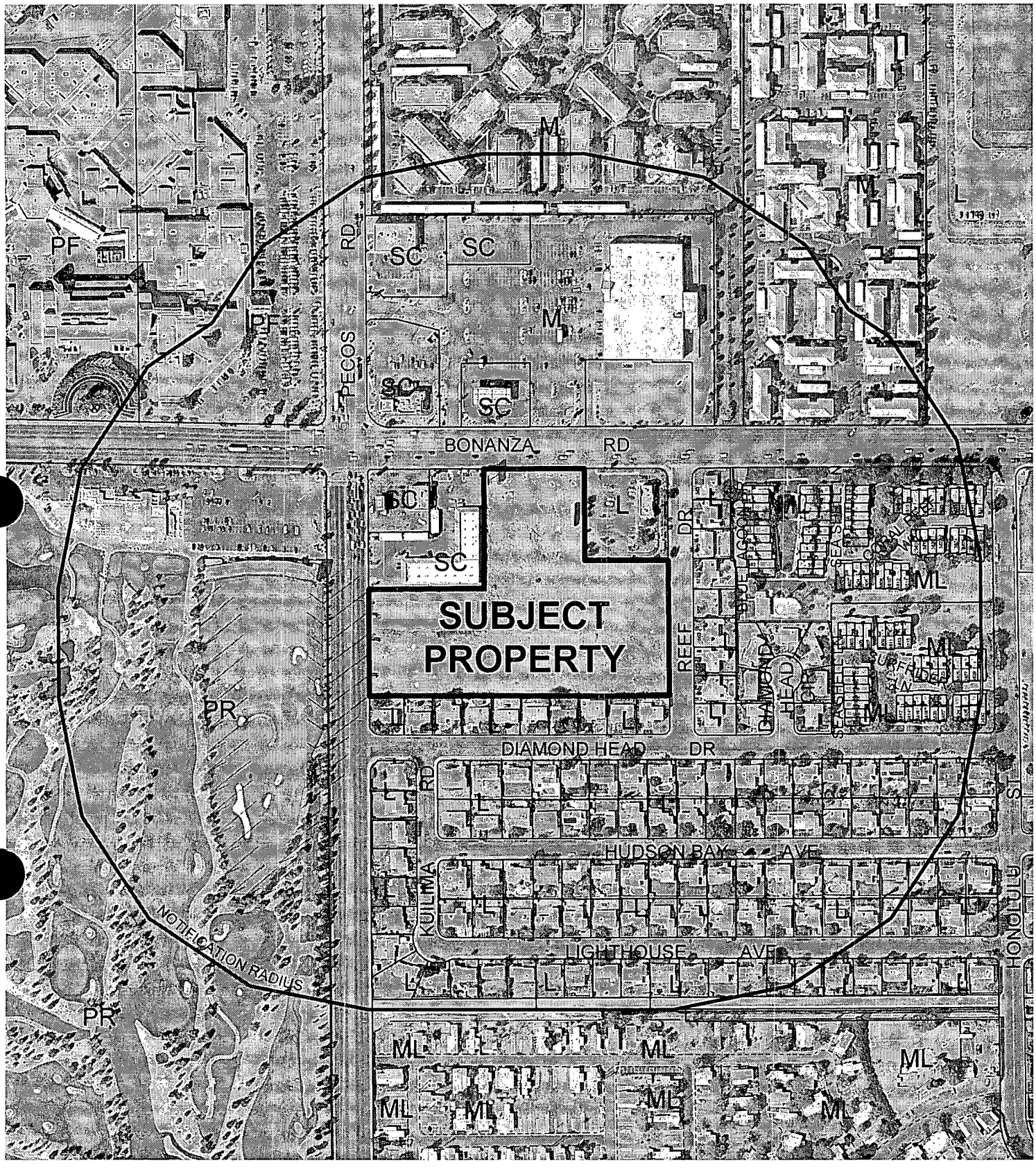
CASE: **GPA-5082**

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
M (MEDIUM DENSITY RESIDENTIAL) AND SC (SERVICE COMMERCIAL)

N



0 300 600 Feet

CASE: **GPA-5082**

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
M (MEDIUM DENSITY RESIDENTIAL) AND SC (SERVICE COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-5082 - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: THE KENNEY FAMILY DECLARATION OF TRUST

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL.

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to amend a portion of the Southeast Sector Plan of the General Plan from L (Low Density Residential) to SC (Service Commercial) on 1.58 acres and to MLA (Medium-Low Attached Density Residential) on 4.4 acres south of Bonanza Road and east of Pecos Road.

The applicant's justification letter states the Amendment to the General Plan is appropriate for both planned projects (supper club and single family residential). The site is already zoned C-1, so the SC designation is consistent with that zoning. The M will provide a buffer between the office and commercial uses on the north and the medium-low density residential to the south.

BACKGROUND DATA:

08/07/85	The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Low Density Residential land uses with a maximum density of 3-6 dwelling units per acre.
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-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre.
09/06/99	The City Council approved GPA-10-00 to amend portions of the Southeast 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 Neighborhood Revitalization Area as described in the Plan.
10/07/04	The Planning Commission recommended approval of a related item (VAC-5101).
10/07/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #25/llm).

DETAILS OF APPLICATION REQUEST

Site Area: 1.58 Acres (Service Commercial proposed)
4.4 Acres (Medium Density Residential proposed)

Total Site Area: 5.98 Acres

EXISTING LAND USE

Subject Property	Undeveloped
North	Commercial
South	Single Family Residential
East	Single Family Residential; Restaurant
West	Desert Pines Golf Club

PLANNED LAND USE

Subject Property	L (Low Density Residential)
North	M (Medium Density Residential); SC (Service Commercial)
South	L (Low Density Residential)
East	L (Low Density Residential)
West	PR (Parks/Recreation); SC (Service Commercial)

EXISTING ZONING

Subject Property	C-1 (Limited Commercial)
North	C-1 (Limited Commercial)
South	R-1 (Single Family Residential)
East	R-1 (Single Family Residential); C-1 (Limited Commercial)
West	C-V (Civic)

	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

L (Low Density Residential)
(3.6 to 5.5 units/gross acre.) This category permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments, and planned community developments. 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.

INTERAGENCY ISSUES

PROJECTS OF REGIONAL SIGNIFICANCE IMPACT REPORT

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

ANALYSIS

The proposed Supper club will be located on an undeveloped parcel situated on the south side of Bonanza Road, approximately 300 feet east of Pecos Road. The supper club site is accessed via a drive from Bonanza Road. The east and west property lines of the project limits for the Supper club are adjacent to commercial uses such as a convenience store and a fast-food drive-through restaurant. Landscaping is provided along the perimeter of the project site with internal parking lot landscaping. 101 parking spaces are required and provided. The elevations depict a one-story stucco exterior building with ornamental columns facing the Bonanza Road frontage.

To the south of the Supper club site is the proposed 41-lot single-family residential development. Variances have been requested to allow an R-PD development on a site that is less than five acres in size and to allow for no open space where 0.68 acres is required. A Waiver is also requested of Title 18 standards to allow a public street to terminate without a circular cul-de-sac where one is required for streets terminating other than at an intersection with another public street. To the south and east of the project limits is Low Density Residential single family development and to the west is the Desert Pines Golf Club.

This request is for a General Plan Amendment from L (Low Density Residential) to SC (Service Commercial) on 1.58 acres and to MLA (Medium-Low Attached Density Residential) on 4.4 acres south of Bonanza Road and east of Pecos Road. The amendment consists of one parcel that will be split and utilized for two separate and distinct uses, a supper club and a residential development.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code 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 proposed SC (Service Commercial) General Plan designation for the supper club portion of the site 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. The MLA (Medium-Low Attached Density Residential) Plan designation for the 41-lot single family residential development portion of the site permits a maximum of 12 dwelling units per gross acre. This category includes a higher density variety of multifamily unit types, up to three stories in height. The proposed SC (Service Commercial) and MLA (Medium-Low Attached Density Residential) designations serve as a transition from the SC (Service Commercial) designations located along the Bonanza Road frontage to the L (Low Density Residential) land uses to the south and east and therefore is an acceptable proposal.

In regard to "2": The proposed zoning of R-PD9 (Residential Planned Development – 9 units per acres) would permit the proposed 41-lot residential development. This zoning designation will serve as a transition zone between the C-1 (Limited Commercial) to the north and the R-1 (Single Family Residential) to the south and east.

In regard to "3": There are adequate transportation, recreation, utility, and other facilities to accommodate the proposed office project. The Northeast Area Command of the Las Vegas Metropolitan Police Department services the site with a substation at the 831 North Mojave Road. (located south of Washington Avenue). Fire Station #8, located near Bonanza Road and Mojave Road is the closest city facility to the site.

In regard to "4": There are no other adopted plans or policies that apply to this application.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

09/20/04 A neighborhood meeting sponsored by the applicant was held. Seven persons attended and were unanimously in support of the project, and had no comment on the General Plan Amendment. They were adamant, however, that no apartments be built on this site. The consultant and owners assured the neighbors that they have no interest in building apartments.

NOTICES MAILED: 218 by Planning Department

APPROVALS: 0

PROTESTS: 3

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-5082 APN: 140-31-121-003

Name of Property Owner: John E. Kenny Jr Trustee of The Kenny Family Declaration of Trust Dated Feb. 10, 1992

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: John E Kenney Jr TRUSTEE

Print Name: JOHN E KENNEY JR TRUSTEE OF THE KENNEY FAMILY DECLARATION OF TRUST

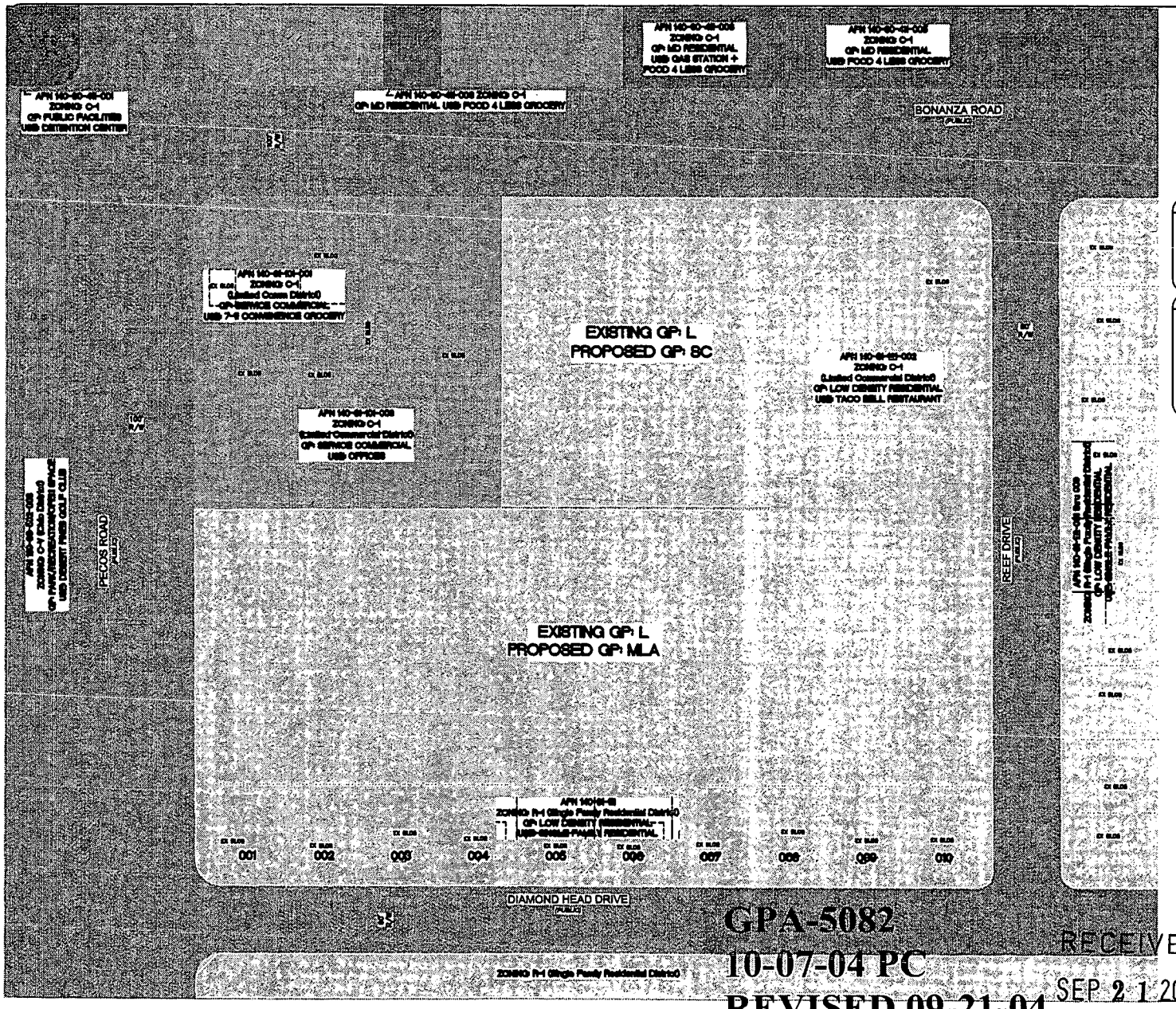
Subscribed and sworn before me

This 9 day of Aug., 2004

8/9/04

Notary Public in and for said County and State

G. A. MAROOFI
Comm. # 1388335
NOTARY PUBLIC - CALIFORNIA
Marin County
My Comm. Expires Dec. 3, 2006



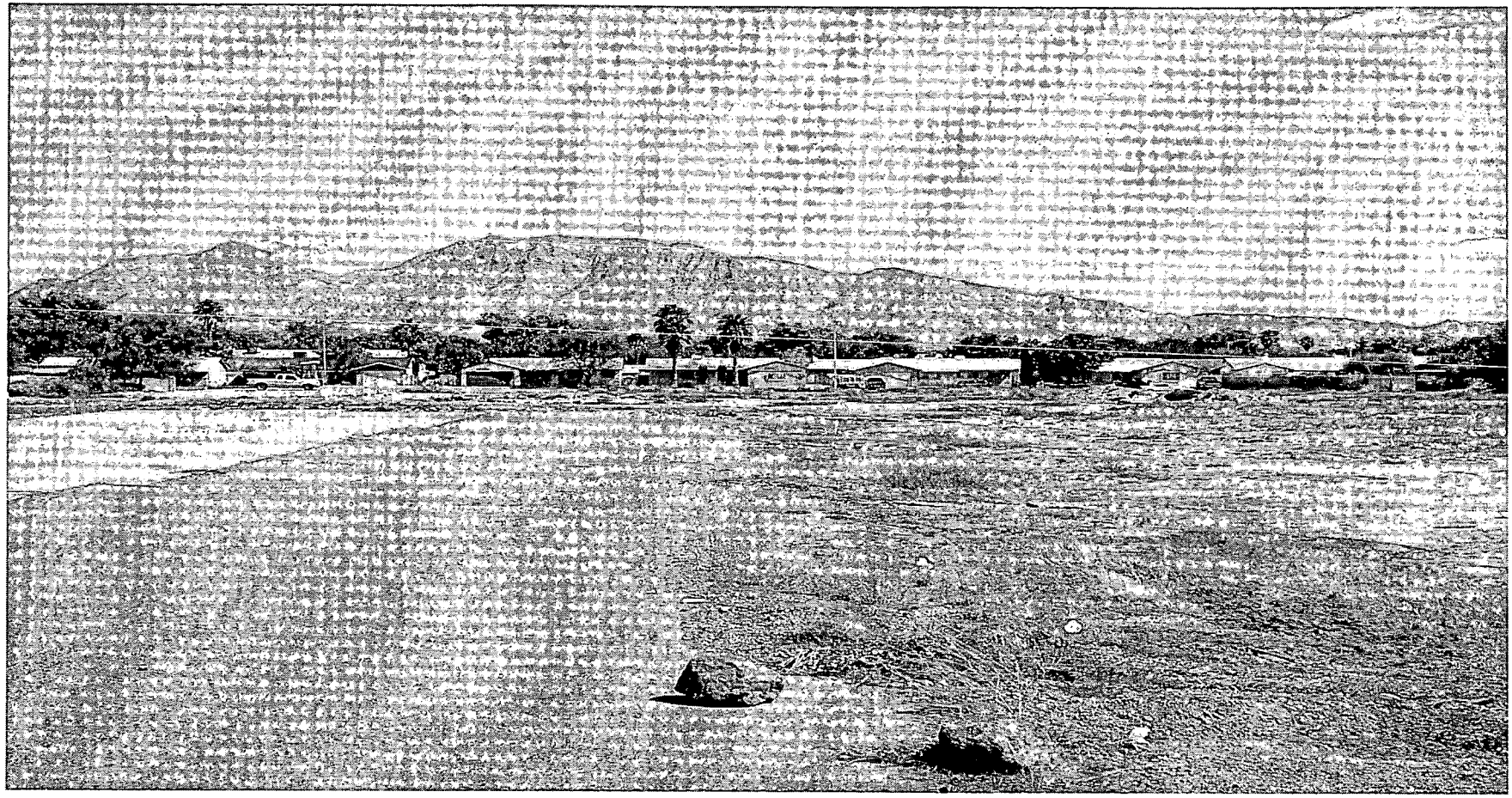
GPA-5082

10-07-04 PC

REVISED 09-21-04

RECEIVED

SEP 21 2004



GPA-5082 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC
SOUTH OF BONANZA ROAD AND EAST OF PECOS ROAD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

RECEIVED
CITY CLERK

2004 NOV -1 P 1:22

BONBON LLC
4550 W. Oakey - Suite 111
Las Vegas, NV 89102

October 28, 2004

City of Las Vegas
Mr. Steve Swanton
Current Planning Division
731 S. Fourth Street
Las Vegas, NV 89101
via fax 385-7268

Dear Steve:

This shall serve as our request to kindly abay our applications GPA 5082 & VAC 5101 from the November 3, 2004 City Council Meeting to the February 16, 2005 City Council Meeting as we are unable to have representation until that time.

Thank you.

Sincerely,

Bonnie Cisneros
Manager
367-6588

Submitted after final agenda
Date 11/1/04 Item #105 #106

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

Aldasoro Properties
PO Box 1768
Telluride, CO 81435
(970) 728-6001

Gary M. Leobold, Senior Planner
Planning and Development Department
Current Planning Division
~~400 Stewart Avenue~~ 731 South Fourth St
Las Vegas, NV
89101

CASE: GPA-5082

Gary,

We are opposed to the changing of the zoning from residential to service commercial.

To exchange residential property to give way for more commercial property will change the neighborhood dramatically.

When we purchased our property it was with the understanding that this property was zoned residential; which made the purchase a wise decision.

With the attempt to change to Service Commercial our concern also is the competing of businesses with already established service businesses in the notification radius.

Please make this part of the permanent record for this parcel of land.

Thank you for your attention,

Ang Pete 9/29/04

Angela Petersen
Paddle Creek Associates Inc.
Property Manager

GPA-5082
#25

City of Las Vegas

Agenda Item No. 106

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VACATION RELATED TO GPA-5082

VAC-5101 - PUBLIC HEARING - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC - Petition to Vacate a portion of a 10-foot wide public drainage easement and ingress/egress easements generally located south of Bonanza Road, east of Pecos Road, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	2	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

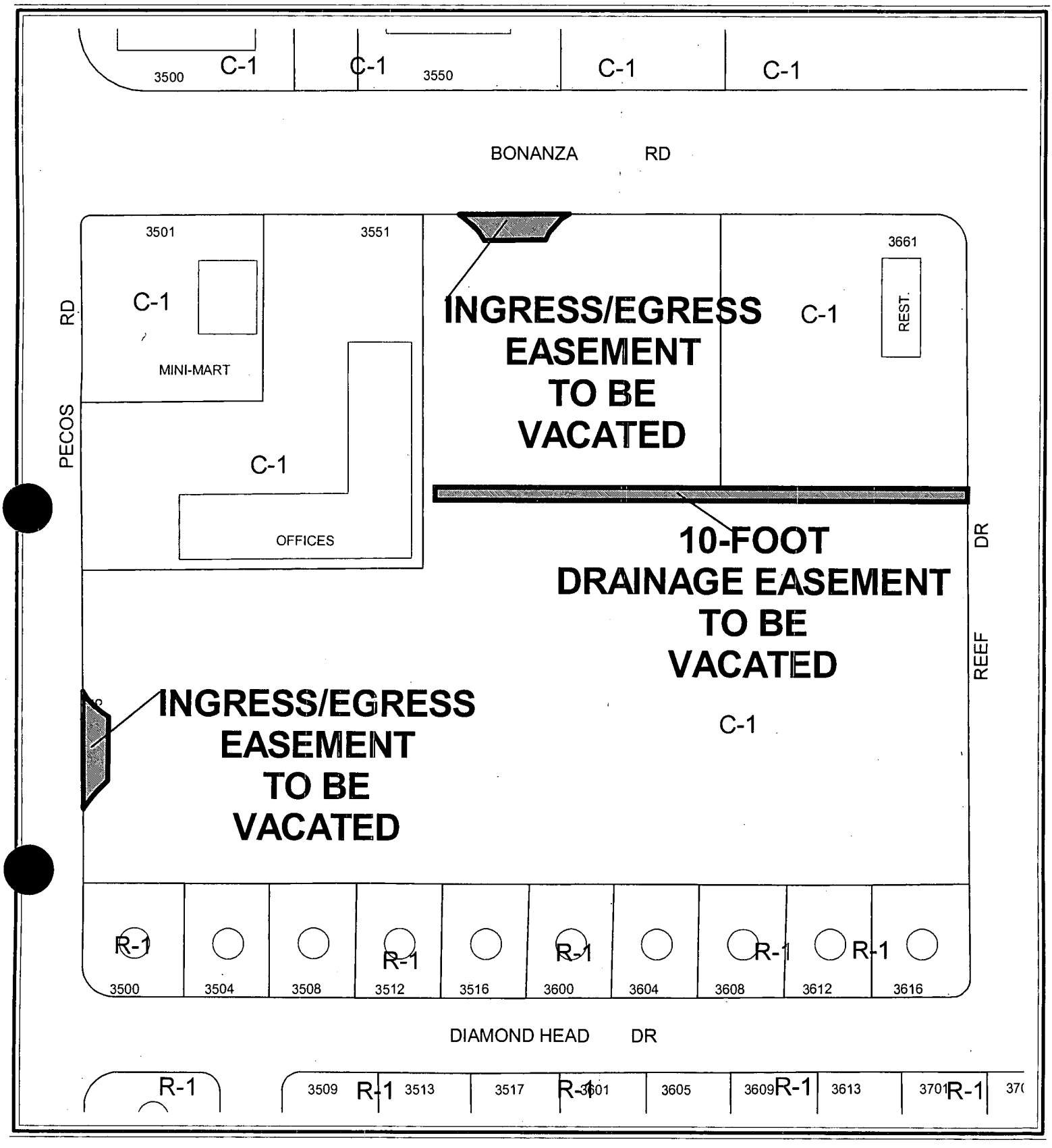
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Abeyance letter from Bonnie Cisneros for Item 105 [GPA-5082] and Item 106 [VAC-5101] filed under Item 105 [GPA-5082]

MOTION:

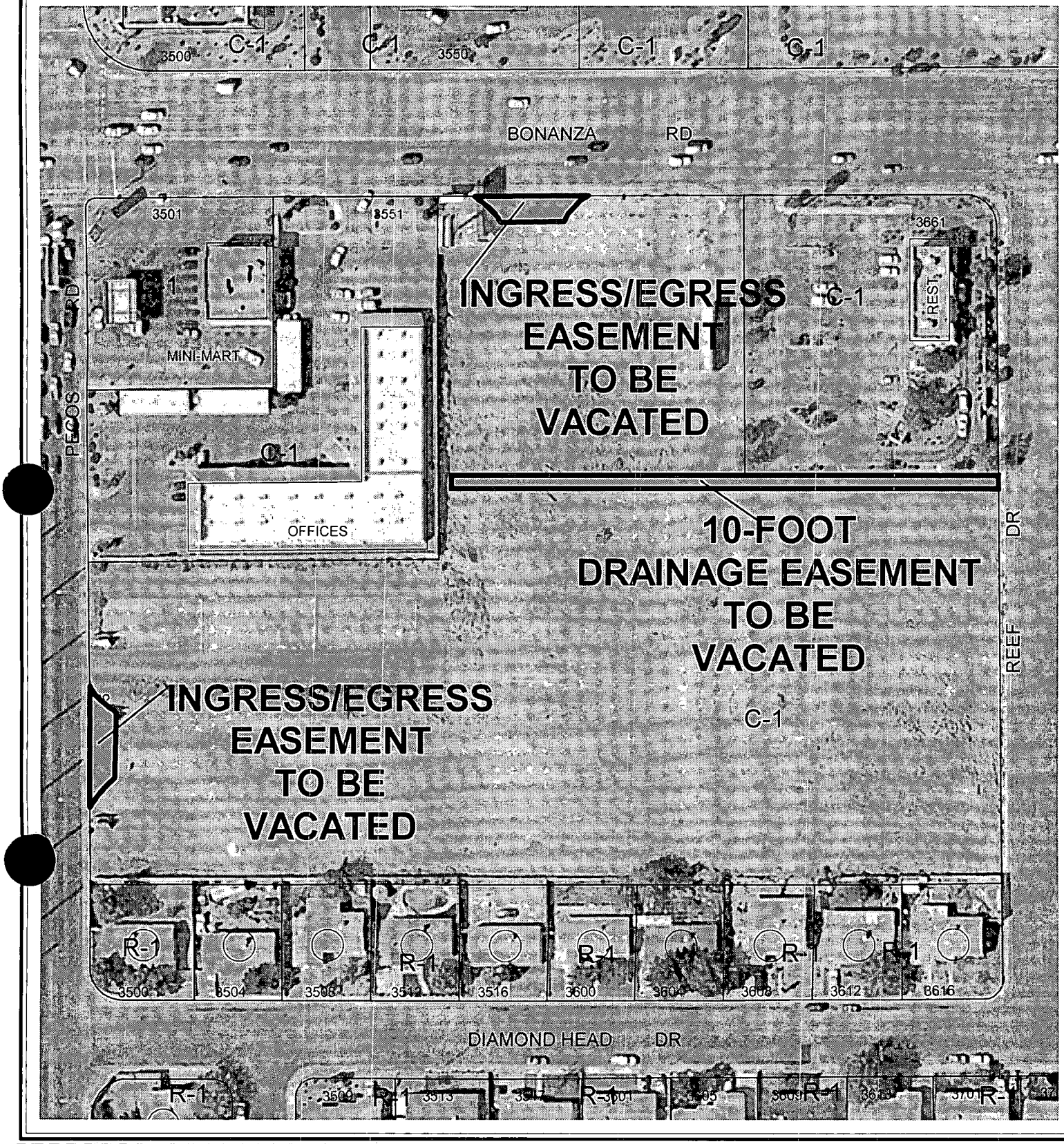
REESE - Motion to TABLE Item 101 [GPA-5264] and HOLD IN ABEYANCE Item 87 [SUP-4830], Item 97 [SUP-5228], Item 98 [SDR-5094], Item 111 [GPA-5120], Item 112 [ZON-5121], Item 113 [VAR-5124], and Item 114 [SDR-5122] to 11/17/2004, and Item 105 [GPS-5082] and Item 106 [VAC-5101] to 2/16/2005 - UNANIMOUS with MACK not voting and GOODMAN abstaining on Item 87 [SUP-4830] becase JAY BROWN, with whom he is in a partnership, represents the applicant

MINUTES:

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



CASE: VAC-5101



0 80 160 Feet

CASE: VAC-5101

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-5101 - APPLICANT: NESHAMINY CONSULTING, INC. – OWNER: THE KENNEY FAMILY DECLARATION OF TRUST

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend 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. The Drainage Study required with Zoning Reclassification ZON-5092 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.

2. Retain the existing City of Las Vegas Public Sewer Easement across the site.

3. 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.

4. The Order of Vacation 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 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 a portion of a 10-foot wide public drainage easement and ingress/egress easements generally located south of Bonanza Road, east of Pecos Road.

B) Applicant's Justification

Vacation of the easements is necessary to allow development of commercial and single-family residential uses on this site, subject to approval of a companion General Plan Amendment (GPA-5082) and other subsequent applications. The existing easements are no longer necessary.

BACKGROUND INFORMATION

A) Previous Actions

There is no relevant previous case history associated with this site.

10/07/04	The Planning Commission recommended approval of a companion application for a General Plan Amendment (GPA-5082) to amend a portion of the Southeast Sector Plan of the General Plan from L (Low Density Residential) to SC (Service Commercial) on 1.58 acres and to M (Medium Density Residential) on 4.4 acres south of Bonanza Road and east of Pecos Road, concurrently with this request.
10/07/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #26/gl).

DETAILS OF APPLICATION REQUEST

The subject Vacation request proposes to vacate a portion of a 10-foot wide public drainage easement and ingress/egress easements generally located south of Bonanza Road, east of Pecos Road, being a portion of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section 31, Township 20 South, Range 62 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate these easements because they are no longer needed in their current configuration. This will allow the development of commercial and single-family

residential uses on this site, subject to approval of a companion General Plan Amendment (GPA-5082) and other subsequent applications. This request is appropriate, as the subject easements are not needed and will not result in reduced access traffic handling capability for the area.

B) Public Works discussion

This Vacation application proposes to vacate only a City of Las Vegas drainage easement and ingress/egress easements. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this Vacation request to the utility companies and franchise holders, nor wait for their responses. Since only City easements are involved; any utility company interests will not be affected.

NOTICES MAILED 2 by City Clerk

APPROVALS 0

PROTESTS 2

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-5101 APN: 140-31-121-003

Name of Property Owner: John E. Kenny Je Trustee of The Kenny Family Declaration of Trust Dated Feb. 10, 1992

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: John E Kenney Jr TRUSTEE

Print Name: JOHN E KENNEY JR TRUSTEE OF THE KENNEY FAMILY DECLARATION OF TRUST

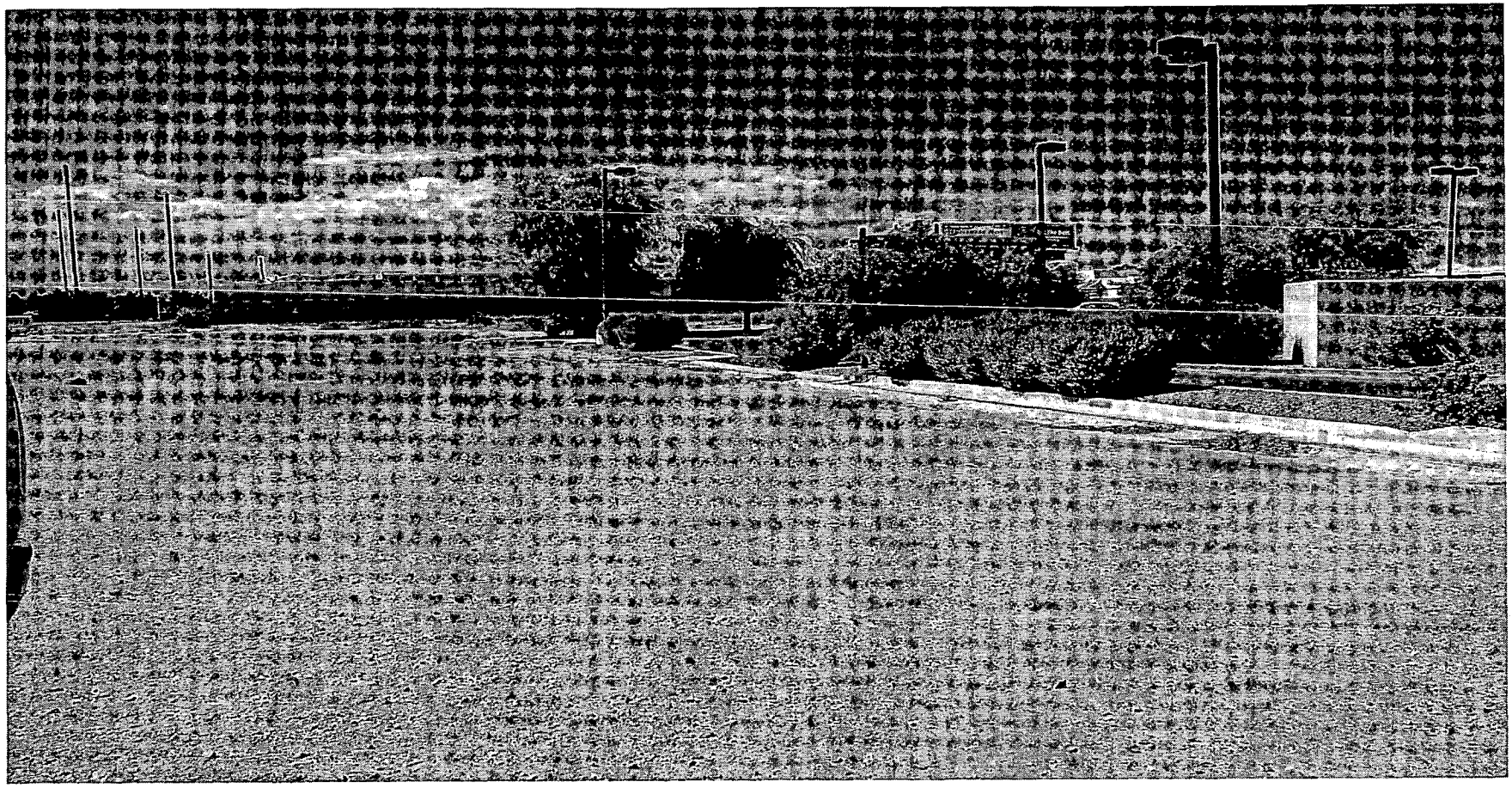
Subscribed and sworn before me

This 9 day of Aug., 2004

8/9/04

Notary Public in and for said County and State

G. A. MAROOFI
Comm. # 1388335
NOTARY PUBLIC - CALIFORNIA
Marin County
My Comm. Expires Dec. 3, 2006



VAC-5101 - VACATION RELATED TO GPA-5082 - PUBLIC HEARING - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC
SOUTH OF BONANZA ROAD, EAST OF PECOS ROAD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No. 107

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-5097 - PUBLIC HEARING - APPLICANT: HIGHRISE PARTNERS LIMITED LLC - OWNER: SCANDIA FAMILY FUN CENTERS - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: LI/R (LIGHT INDUSTRIAL/RESEARCH) TO: SC (SERVICE COMMERCIAL) on 5.25 acres adjacent to the northwest corner of Rancho Drive and Sirius Avenue (APN 162-08-702-002), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF - APPROVED - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 107 [GPA-5097], Item 108 [ZON-5103], Item 109 [SUP-5107] and Item 110 [SDR-5104].

ATTORNEY CHRIS KAEMPFER, Kummer Kaempfer Bonner and Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He began his presentation by informing the Council of the developers' true intent to complete the project. The project would be located where the Scandia Family Park is currently located, and he was happy to confirm that Scandia will relocate. The project will incorporate everything the City is looking for and will be situated so the building will overlook the Las Vegas Strip with unobstructed views.

MAYOR GOODMAN clarified that because a traffic study was not done his vote would be contingent on the traffic study's findings. If traffic would negatively impact the area, he ordered it to be fixed or brought back so that he may rescind his vote. ATTORNEY KAEMPFER agreed with the Mayor's comments and confirmed that the traffic study had been submitted, but then have not received final comments. MAYOR GOODMAN educated ATTORNEY KAEMPFER that the City has recently agreed to implement a procedure to have all traffic studies available before the matter is decided upon at the Planning Commission.

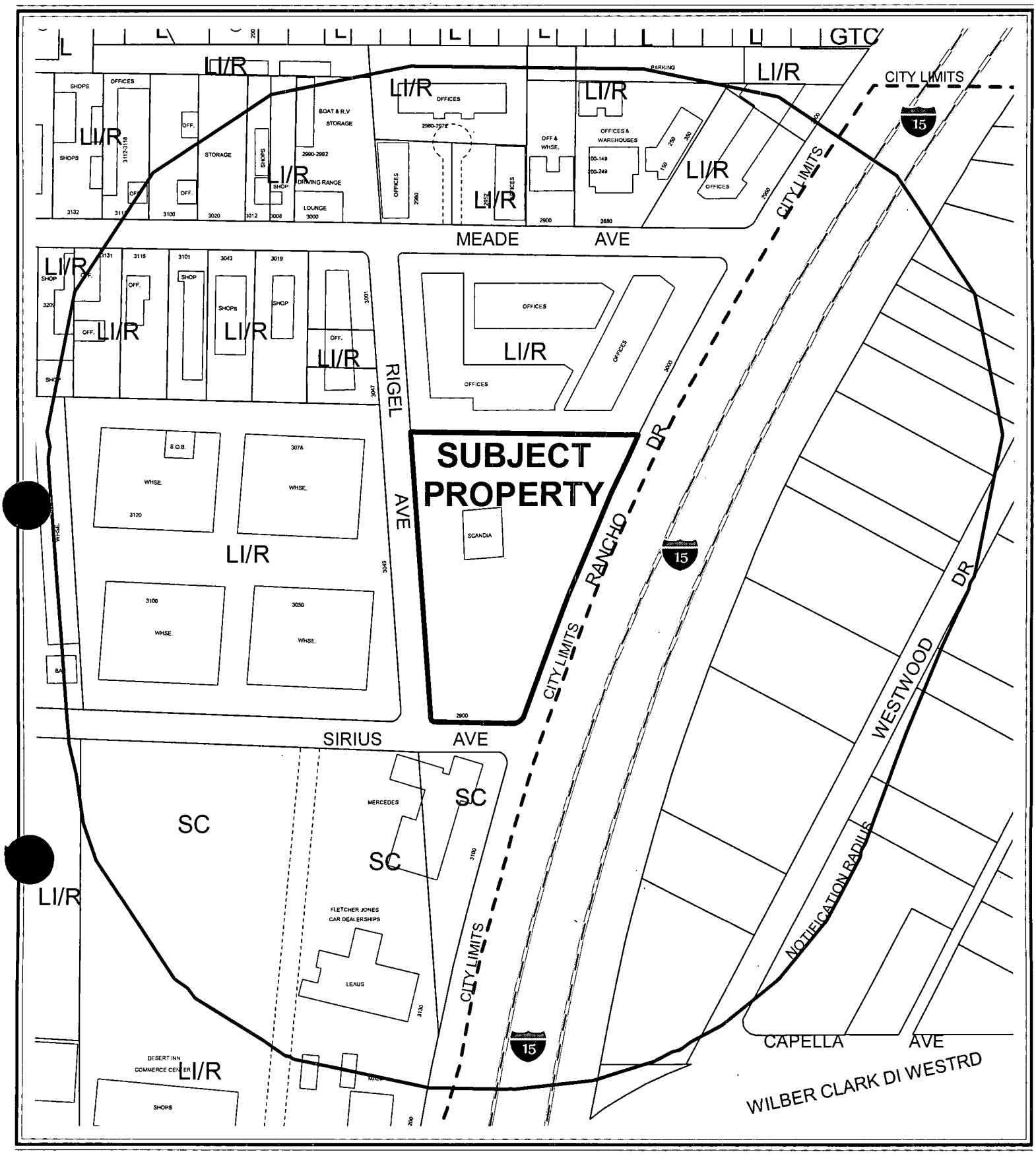
COUNCILWOMAN MONCRIEF expressed her excitement for the project being located in Ward 1. ATTORNEY KAEMPFER said the name of the towers was being considered and confirmed

MINUTES - Continued:

groundbreaking would be in the summer of 2005 and completion 18 months thereafter.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed for Item 107 [GPA-5097], Item 108 [ZON-5103], Item 109 [SUP-5107] and Item 110 [SDR-5104].
(2:51 - 2:57)
4-570



0 200 400 Feet

CASE: **GPA-5097**

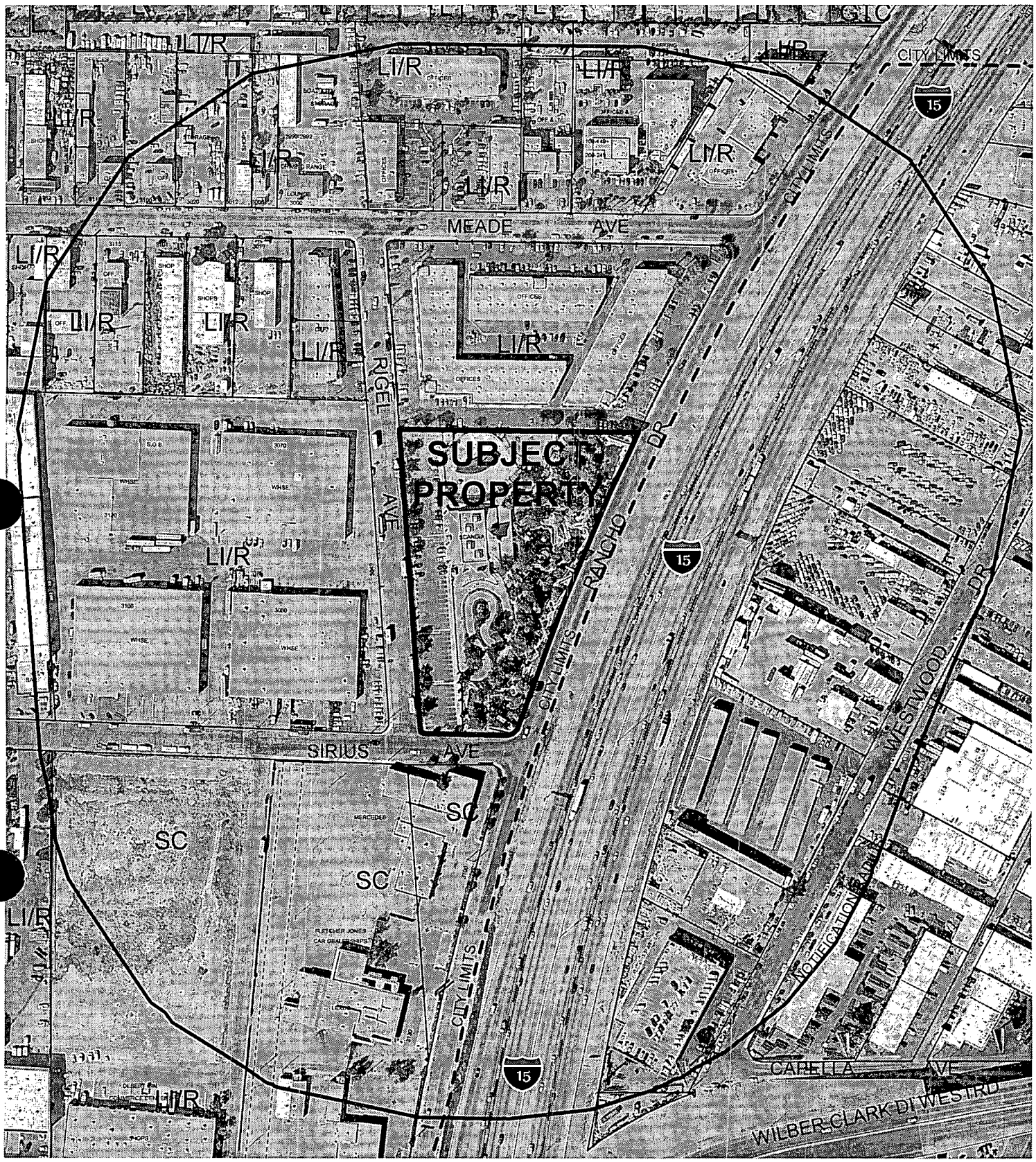
RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

LI/R (LIGHT INDUSTRIAL/ RESEARCH)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)



0 200 400 Feet

CASE: **GPA-5097**

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

LI/R (LIGHT INDUSTRIAL/ RESEARCH)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-5097 - APPLICANT: HIGHRISE PARTNERS LIMITED LLC - OWNER: SCANDIA FAMILY FUN CENTERS

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL.

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located at the northwest corner of Rancho Drive and Sirius Avenue from LI/R (Light Industrial/ Research) to SC (Service Commercial). The proposed development is a 50-story mixed-use condominium project with retail uses. Related applications for rezoning to C-1 (Limited Commercial) [ZON-5103], Site Development Plan Review [SDR-5104], and Special Use Permit [SUP-5107] have also been submitted.

BACKGROUND DATA:

08/07/85	The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for E (Employment) land uses.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan. The Southeast Sector Plan designated this parcel as LI/R (Light Industrial/Research).
09/16/92	The City Council approved a Special Use Permit for a billboard on this site subject to a 5-year review (U-0168-92).
06/15/94	The City Council approved a Variance to allow a billboard to be located 600 feet from another billboard where 750 feet is required (V-0058-94).
11/10/97	The City Council approved a required 5-year review for a billboard on this site subject to another 5-year review [U-0168-92 (1)].
09/06/99	The City Council approved GPA-10-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996. On this map the subject parcel was designated as LI/R (Light Industrial/ Research).
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Neighborhood Revitalization Area as described in the Plan.
10/07/04	The Planning Commission recommended approval of related items Rezoning (ZON-5103) from: M (Industrial) to C-1 (Limited Commercial); Special Use Permit (SUP-5107) for a mixed-use development and Site Development Plan Review (SDR-5104) for a mixed-use development.

10/07/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #27/sr).

DETAILS OF APPLICATION REQUEST

Site Area: 5.25 Acres

EXISTING LAND USE

Subject Property	Scandia Amusement Center
North	Offices
South	Auto Dealership (not currently in operation)
East	I-15
West	Warehouses

PLANNED LAND USE

Subject Property	LI/R (Light Industrial/ Research)
North	LI/R (Light Industrial/ Research)
South	SC (Service Commercial)
East	ROW (Right of Way)
West	LI/R (Light Industrial/ Research)

EXISTING ZONING

Subject Property	M (Industrial)
North	M (Industrial)
South	M (Industrial) under resolution of intent to C-1 (Limited Commercial)
East	no zoning (I-15)
West	M (Industrial)

	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

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.

LI/R (Light Industry / Research)
This Light Industry / Research category allows for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, development and testing laboratories. Typical supporting and ancillary general uses are also allowed.

INTERAGENCY ISSUES

PROJECTS OF REGIONAL SIGNIFICANCE IMPACT REPORT

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

The impact report prepared by the applicant addressed the impact of the proposed development on traffic, classroom size, emergency services, housing, mass transit, open space, and recreation facilities. It was determined that there are no significant impacts requiring mitigation.

ANALYSIS

The subject property is currently developed as the Scandia Family Fun Center. Adjacent land uses include offices to the north, warehouses to the west, a vacant car dealership to the south, and I-15 to the east. The current designation on the site is LI/R (Light Industrial/ Research), the most intensive land use designation defined in the Master Plan 2020. The applicant is proposing to re-designate the site as SC (Service Commercial) to provide for a 50-story mixed-use residential and retail development.

On October 21, 2004, the Planning Commission will consider the expansion of the Redevelopment Area. If approved, this property would be designated as SC (Service Commercial) as part of that request. This application is submitted to allow the related Rezoning, Site Development Plan Review, and Special Use Permit to move forward in the event that the Redevelopment Area expansion is abeyed or otherwise not approved in time.

The SC (Service Commercial) land use designation 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." The range of uses permitted by this designation are compatible with the uses permitted on all adjacent land. There are no residential properties that would be impacted by the associated noise, light, or traffic.

The subject site is within the Neighborhood Revitalization Area as defined by the Master Plan 2020. Provisions that apply to this area include Objective 2.1, which is "To focus residential reinvestment on transitional sites within the central city area at densities that support mass transit usage;" and Policy 2.1.1, which states, "That mixed-use residential/commercial developments occur on sites currently occupied by declining commercial centers or vacant land." Both the proposed land use designation and specific development are in accordance with this plan. Although the site is not vacant and the existing business may not be in decline, the current trend toward vertical high-density developments has rendered the parcel under utilized. The applicant indicates that while prospective residents will be of an income level not likely to use the existing mass transit system, the density will be great to support that system as it improves.

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 proposed SC (Service Commercial) designation is compatible with the adjacent properties which are designated as SC (Service Commercial) and LI/R (Light Industrial/ Research).

In regard to "2": The C-1 (Limited Commercial) zoning district allows uses which are compatible with both the existing adjacent uses of office and warehouse as well as the adjacent zoning districts of M (Industrial) and M (Industrial) under resolution of intent to C-1 (Limited Commercial).

In regard to "3": This parcel is in an area of the city where all utilities, fire and police services are currently in place and available to the site. The Southwest Area Command services this site with a substation approximately 2.8 miles away at Spring Mountain Road and Jones Boulevard. Fire Station #10, approximately one and a half miles away at Oakey Boulevard and Martin Luther King Boulevard, is the closest city facility to the site.

In regard to "4": There are no other adopted plans or policies that would be applicable to this request.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

09/02/04 A neighborhood meeting was held on Thursday, September 2. There were three applicant representatives and three members of the public in attendance. The members of the public had questions about traffic, parking, streetscape, security, and potential uses of the former Fletcher Jones Auto Dealership. The applicants indicated that primary access would be from Rancho Drive and that a traffic study would be completed prior to the Planning Commission meeting.

NOTICES MAILED: 37 by Planning Department

APPROVALS: 0

PROTESTS: 1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-5097 APN: 162-08-702-002

Name of Property Owner: Scandia Family Fun Center

Name of Applicant: Highrise Partners LTD. 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: by [signature]

Print Name: Michael Jabbia, Manager, Red Rock Partners, Ltd. member, Highrise Partners, Ltd

Subscribed and sworn before me

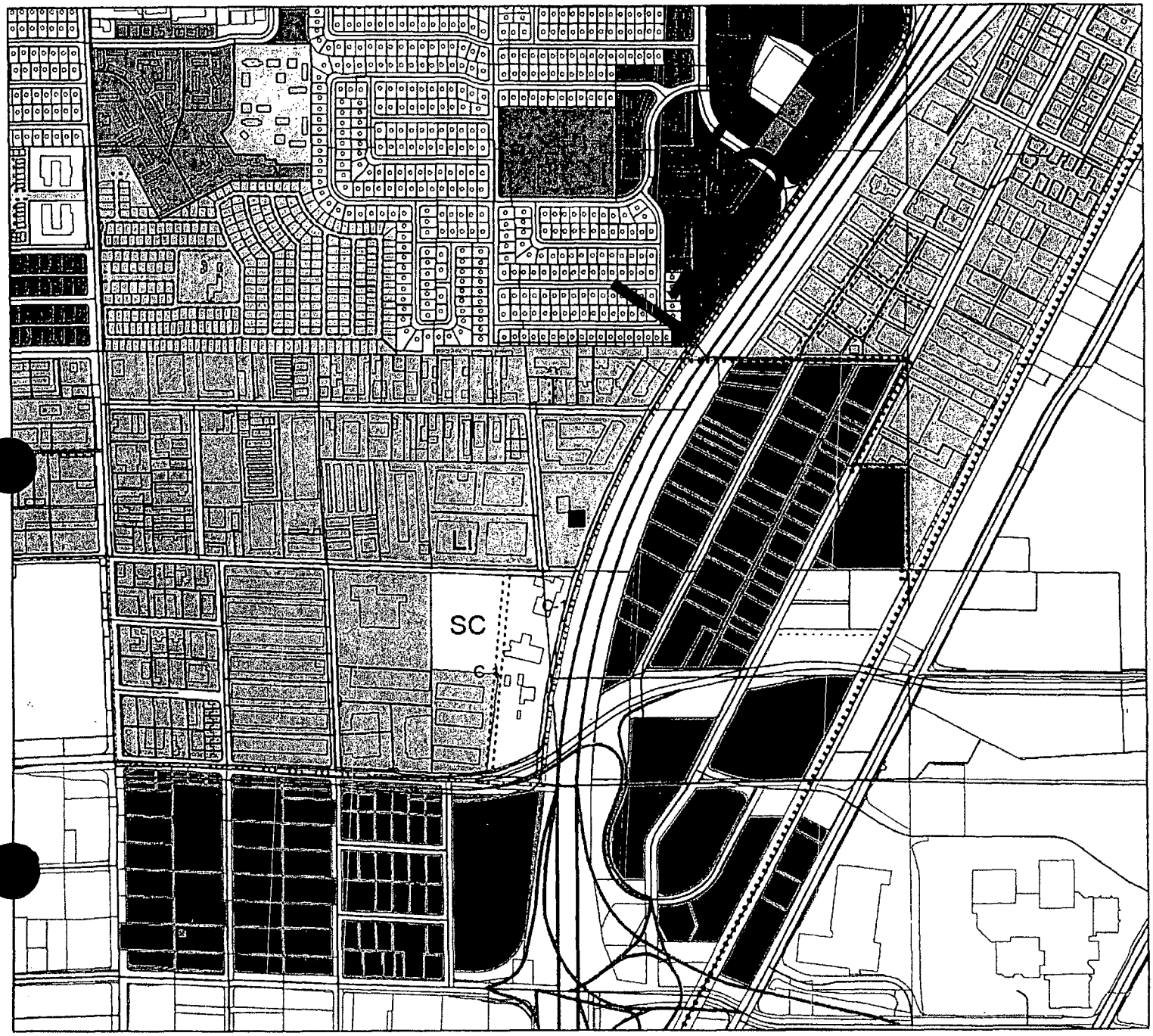
This 24th day of August, 2004

Susan Cowan

Notary Public in and for said County and State

SUSAN COWAN
Notary Public State of Nevada
No. 98-2694-1
My appt. exp. Mar. 5, 2006

General Plan Land Use Designations



Zoning

- Service Commercial
- Light Industrial
- Clark County Service Industrial

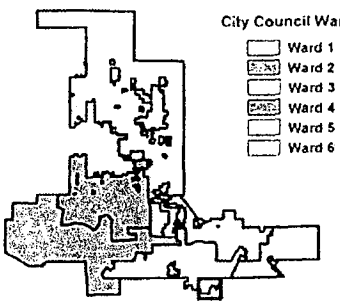
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Feet

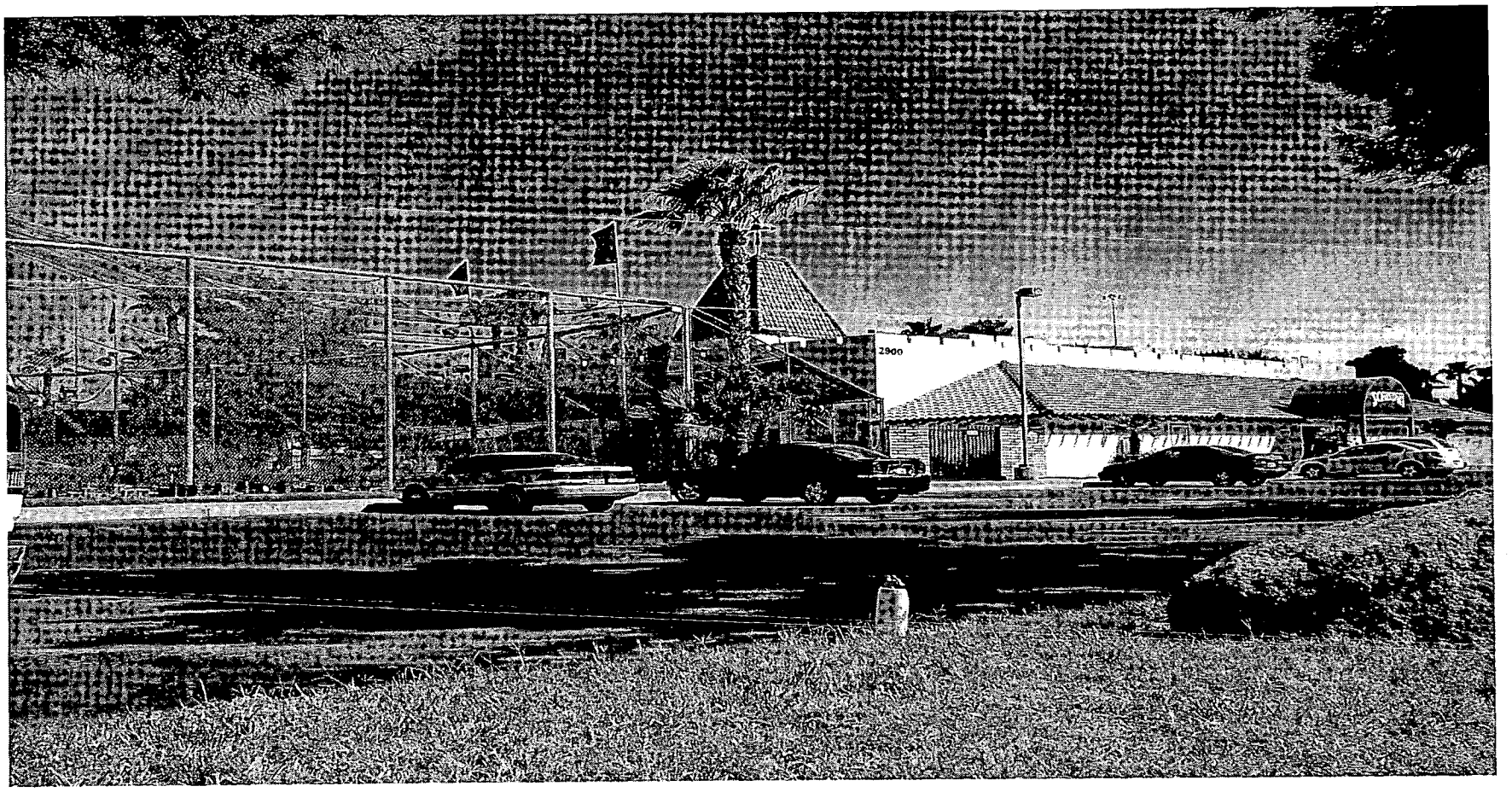
Information Technologies

Created by: Lauraeis on Aug 12 2004

Due to continuous development activity this map is for reference only.



GPA-5097
10-07-04 PC



GPA-5097 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: HIGHRISE PARTNERS LIMITED LLC - OWNER: SCANDIA FAMILY FUN CENTERS
NORTHWEST CORNER OF RANCHO DRIVE AND SIRIUS AVENUE
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No. 108

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

REZONING RELATED TO GPA-5097

ZON-5103 - PUBLIC HEARING - APPLICANT: HIGHRISE PARTNERS LIMITED, LLC - OWNER: SCANDIA FAMILY FUN CENTERS - Request for a Rezoning FROM: M (Industrial) TO: C-1 (Limited Commercial) on 5.25 acres adjacent to the northwest corner of Rancho Drive and Sirius Avenue (APN 162-08-702-002), Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 107 [GPA-5097] for related discussion.
(2:51 - 2:57)
4-570

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-5097) to a SC (Service Commercial) 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 (SDR-5104) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate an additional 5 feet of right-of-way for a total radius of 15 feet on the northwest corner of Rancho Drive and Sirius Avenue prior to the issuance of any permits.

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.

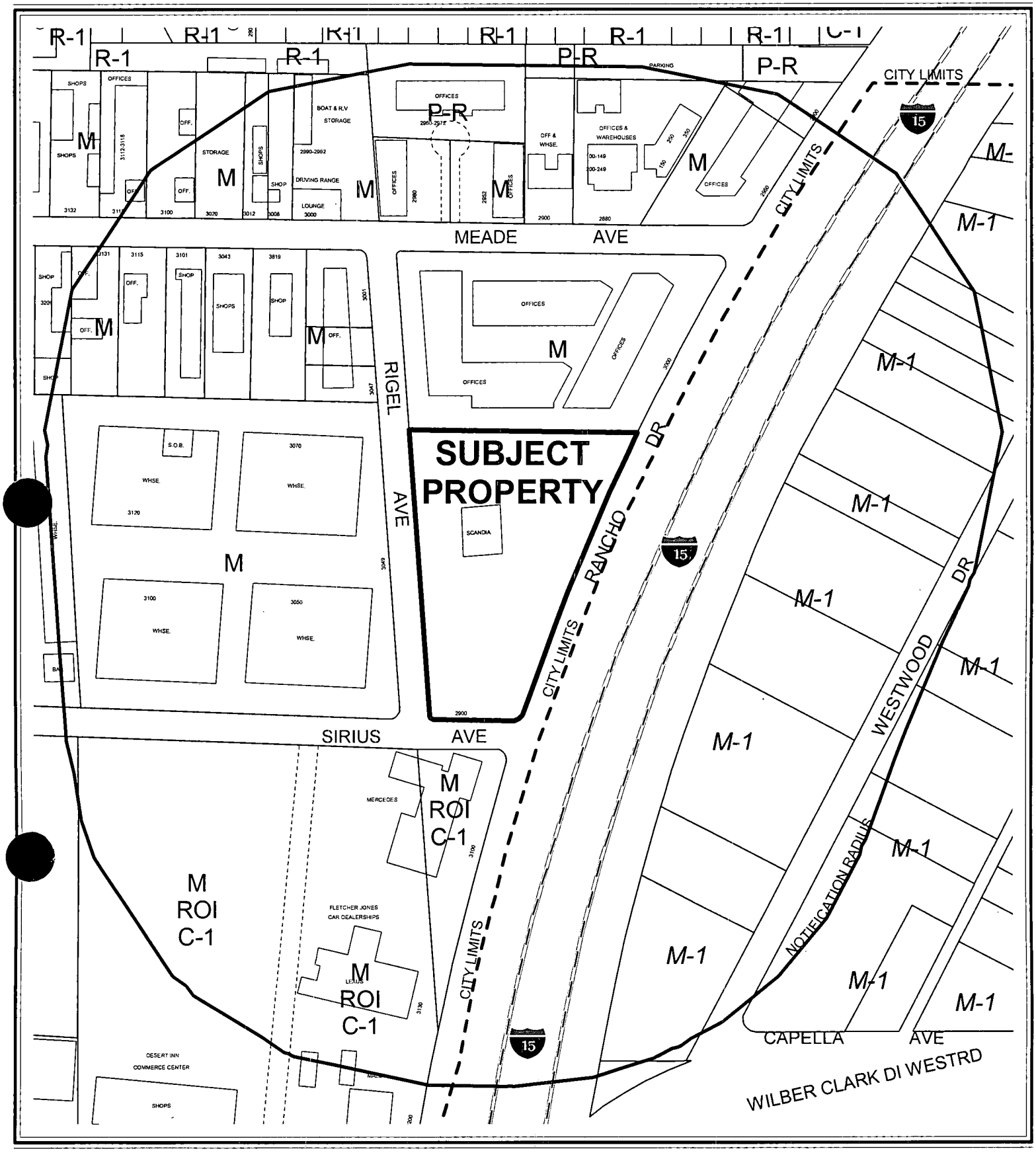
CONDITIONS - Continued:

6. Coordinate with the Clark County Water Reclamation District to ensure that sewer capacity is adequate for this proposed project. Comply with conditions recommended by the Clark County Water Reclamation District.

7. 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.

8. A Traffic Impact Analysis must be submitted to the Department of Public Works prior to City Council approval. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

9. Coordinate with the Clark County School District to determine the impact this zoning density has on the District's schools, and to identify possible methods to mitigate the impacts.

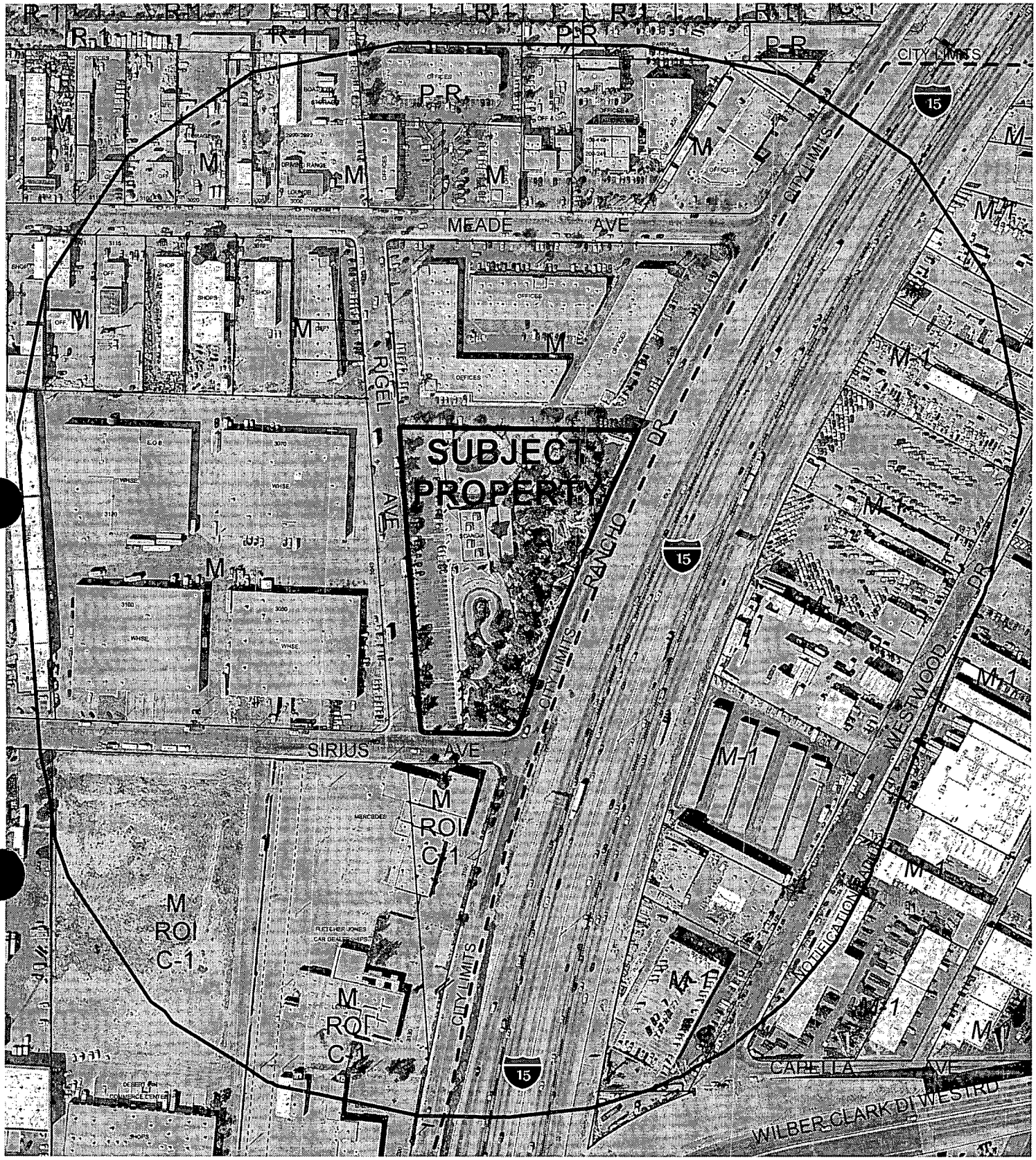


CASE: **ZON-5103**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

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



0 200 400 Feet

CASE: **ZON-5103**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-5103 - APPLICANT: HIGHRISE PARTNERS LIMITED, LLC - OWNER: SCANDIA FAMILY FUN CENTERS

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-5097) to a SC (Service Commercial) 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 (SDR-5104) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate an additional 5 feet of right-of-way for a total radius of 15 feet on the northwest corner of Rancho Drive and Sirius Avenue prior to the issuance of any permits.

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. Coordinate with the Clark County Water Reclamation District to ensure that sewer capacity is adequate for this proposed project. Comply with conditions recommended by the Clark County Water Reclamation District.

7. 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.

8. A Traffic Impact Analysis must be submitted to the Department of Public Works prior to City Council approval. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

9. Coordinate with the Clark County School District to determine the impact this zoning density has on the District's schools, and to identify possible methods to mitigate the impacts.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for the Rezoning from M (Industrial) to C-1 (Limited Commercial) on 5.25 acres at 2900 Sirius Avenue. The proposed development is a 50-story mixed-use condominium project with retail uses.

B) Applicant's Justification

The applicant justifies this rezoning application by stating the zone change is essential to permissibility of its mixed-use high-rise condominium project.

BACKGROUND INFORMATION

A) Previous Actions

09/16/92 The City Council approved a Special Use Permit (U-0168-92) application for a 14-foot x 48-foot off-premise advertising (billboard) sign, at 2900 Sirius Avenue subject to a 5-year review. The Board of Zoning Adjustment and staff both recommended approval.

06/15/94 The City Council approved a Variance (V-0058-94) application to allow an off-premise advertising (billboard) sign to be located 600 feet from another off-premise advertising (billboard) sign where 750 feet is required at 2900 Sirius Avenue. The Board of Zoning Adjustment recommended approval. Staff recommended denial.

11/10/97 The City Council approved a Required Five Year Review [U-0168-92 (1)] for 14-foot x 48-foot off-premise advertising (billboard) sign at 2900 Sirius Avenue, subject to another 5-year review. The Planning Commission and staff both recommended approval.

02/19/03 The City Council approved a Required Five Year Review (RQR-1143) of an approved Special Use Permit (U-0168-92), which allowed a 40-foot tall, 14-foot x 48-foot off-premise advertising (billboard) sign at 2900 Sirius Avenue. The Planning Commission and staff both recommended approval.

10/07/04 The Planning Commission recommended approval of a related General Plan Amendment (GPA-5097) application to amend a portion of the Southeast Sector Plan of the General Plan from LI/R (Light Industrial/Research) to SC (Service Commercial); Special Use Permit (SUP-5107) for a proposed 50-story mixed-use condominium project and a Site Development Plan Review (SDR-5104) for a 50-story mixed use condominium project with 20,000 square feet of retail uses adjacent to the northwest corner of Rancho Road and Sirius Avenue.

10/07/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #28/pl).

B) Pre-Application Meeting

08/13/04 A pre-application conference was held resulting in the following comments:

1. Composed of two towers, each with 350 condominium units.
2. Will contain 18,000 to 20,000 feet of retail.
3. The entrance will be off of Rancho Drive.
4. Project deemed to be a Project of Regional Significance.
5. There was concern over the intersection of Sahara Avenue and Teddy Drive.
6. The subject area will be incorporated into the Las Vegas Redevelopment Plan eventually.
7. The site's General Plan designation will change from LI/R (Light Industrial/Research) to SC (Service Commercial).
8. The site's zoning will change from M (Industrial) to C-1 (Limited Commercial).
9. A Special Use Permit is required for to allow a mixed-use development.
10. A waiver of the building setbacks and architectural glazing will be needed.
11. A color and material board is required.
12. Incorporate service and trash areas into the overall design of the site.
13. A comprehensive address plan for the condominiums will be required.

C) Neighborhood Meetings

09/02/04 A neighborhood meeting was held with the surrounding property owners in conjunction with the accompanying request to amend the General Plan. Three applicant representatives and three members of the public were in attendance. The members of the public had questions about traffic, parking, streetscape, security, and potential uses of the former Fletcher Jones Auto Dealership. The applicants indicated that primary access would be from Rancho Drive and that a traffic study would be completed prior to the Planning Commission meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	5.25 (Includes dedicated streets)
Net Acres:	4.32

B) Existing Land Use

Subject Property:	Scandia Amusement Center
North:	Offices
South:	Auto Dealership (not currently in operation)
East:	I-15
West:	Industrial Warehouses

C) Planned Land Use

Subject Property:	LI/R (Light Industrial/ Research)
North:	LI/R (Light Industrial/ Research)
South:	SC (Service Commercial)
East:	ROW (Right of Way)
West:	LI/R (Light Industrial/ Research)

D) Existing Zoning

Subject Property:	M (Industrial)
North:	M (Industrial)
South:	M (Industrial) Under Resolution of Intent to C-1 (Limited Commercial)
East:	No Zoning (I-15)
West:	M (Industrial)

E) General Plan Compliance

The subject site is designated LI/R (Light Industry/ Research) on the Southeast Sector Land Use Map of the General Plan. The LI/R (Light Industry/Research) category allows for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, development and testing laboratories.

The applicant has requested a General Plan Amendment (GPA-5097) to change the designation to SC (Service Commercial). The Service Commercial category allows low to medium intensity retail, office or other commercial uses that primarily serve local patrons and do not include more intense general commercial characteristics. The proposed Rezoning to C-1 (Limited Commercial) conforms to the SC (Service Commercial) designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District	X	
Neighborhood Revitalization Area	X	
Airport Overlay District (175 Feet)	X	
Trails		X
County/North Las Vegas/HOA Notification	X	
Development Impact Notification Assessment		X
Project of Regional Significance	X	

Airport Overlay District

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

structures will stand 560 feet tall, well above the 175-foot height restriction imposed by the McCarran Airport Overlay District map. The applicant shall notify the FAA regional office and the Clark County Department of Aviation of the application and present any subsequent comments to the Planning Commission and City Council.

Neighborhood Revitalization Area

Neighborhood Revitalization embodies a strategy of halting and reversing the decline of some older areas, which have been affected by a range of social ills or impacted by a shift in the land use base. A key component of neighborhood revitalization is the redevelopment of declining commercial centers or vacant land into mixed-use urban hubs, creating a walkable and interesting urban environment.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	4.32 Acres	Yes
Min. Lot Width	100 Feet	204+ Feet	Yes
Min. Setbacks			
• Front	20 Feet	20 Feet	Yes
• Side	10 Feet	20 Feet	Yes
• Corner	15 Feet	20 Feet	Yes
• Rear	20 Feet	20 Feet	Yes
Max. Lot Coverage	50 %	75%	No*
Max. Building Height	N/A	560 Feet	Yes**

* The applicant has requested a Waiver of Commercial Development Standards because the development with the proposed parking garage included covers approximately 75 percent of the site.

** The proposed building height will conform to the proposed C-1 (Limited Commercial) zoning district; however, the subject site is within the Airport Overlay District, which maintains a height restriction of 175 feet for this area.

B) General Analysis and Discussion

This rezoning application is consistent with the proposed SC (Service Commercial) General Plan designation for the site. The proposed development will result in the construction of two 560-foot high-rise condominium towers. The total gross square footage for the residential units will be 1.5 million square feet, supported by 150,000 square feet of amenities and 20,000 square feet

of commercial retail. The 700 residential units will be located on 5.25 acres, resulting in a gross density of 133 dwelling units per acre. The site will have access off of Rancho Drive, a 50-foot public right-of-way, Sirius Avenue and Rigel Avenue, both of which are 60-foot public rights-of-way. The proposed development is in conformance with the intent of the neighborhood revitalization goals and is therefore compatible with the surrounding area, which contains clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, development and testing laboratories.

FINDINGS

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

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

   The existing General Plan designation of the subject site is LI/R (Light Industry/ Research). A companion General Plan Amendment (GPA-5097) will change the designation of this site to SC (Service Commercial), which allows for low to medium intensity retail, office or other commercial uses that primarily serve local patrons. The proposed zoning change to the C-1 (Limited Commercial), which allows for most retail shopping and personal services, is in conformance with the SC (Service Commercial) 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 redevelopment of the subject site into a mixed-use urban hub is in conformance with the goals set forth by the Las Vegas Master Plan 2020 Neighborhood Revitalization. The surrounding area consists of clean, low-intensity (non-polluting and non-nuisance) industrial uses. The proposed zone change would result in more restrictive controls over land use on the subject site than before. The uses allowed on the subject site, even though less intense, are permissible within the surround area as well. Therefore the subject site is compatible with the surrounding land uses and zoning districts.

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

   Policy 2.1.7 of the Housing Element of the 2020 Master Plan encourages higher density residential development in the central part of the City. Staff finds that the proposed rezoning supports this policy.

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 will have adequate access from Rancho Drive, a 50-foot public right-of-way, Sirius Avenue and Rigel Avenue, both of which are 60-foot public rights-of-way.

PLANNING COMMISSION ACTION

The Planning Commission emphasized the importance of having the traffic study approved and specific conditions proposed prior to City Council.

NOTICES MAILED 37 by Planning Department

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5103 APN: 162-08-702-002

Name of Property Owner: Scandia Family Fun Center

Name of Applicant: Highrise Partners LTD. 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: by [signature]

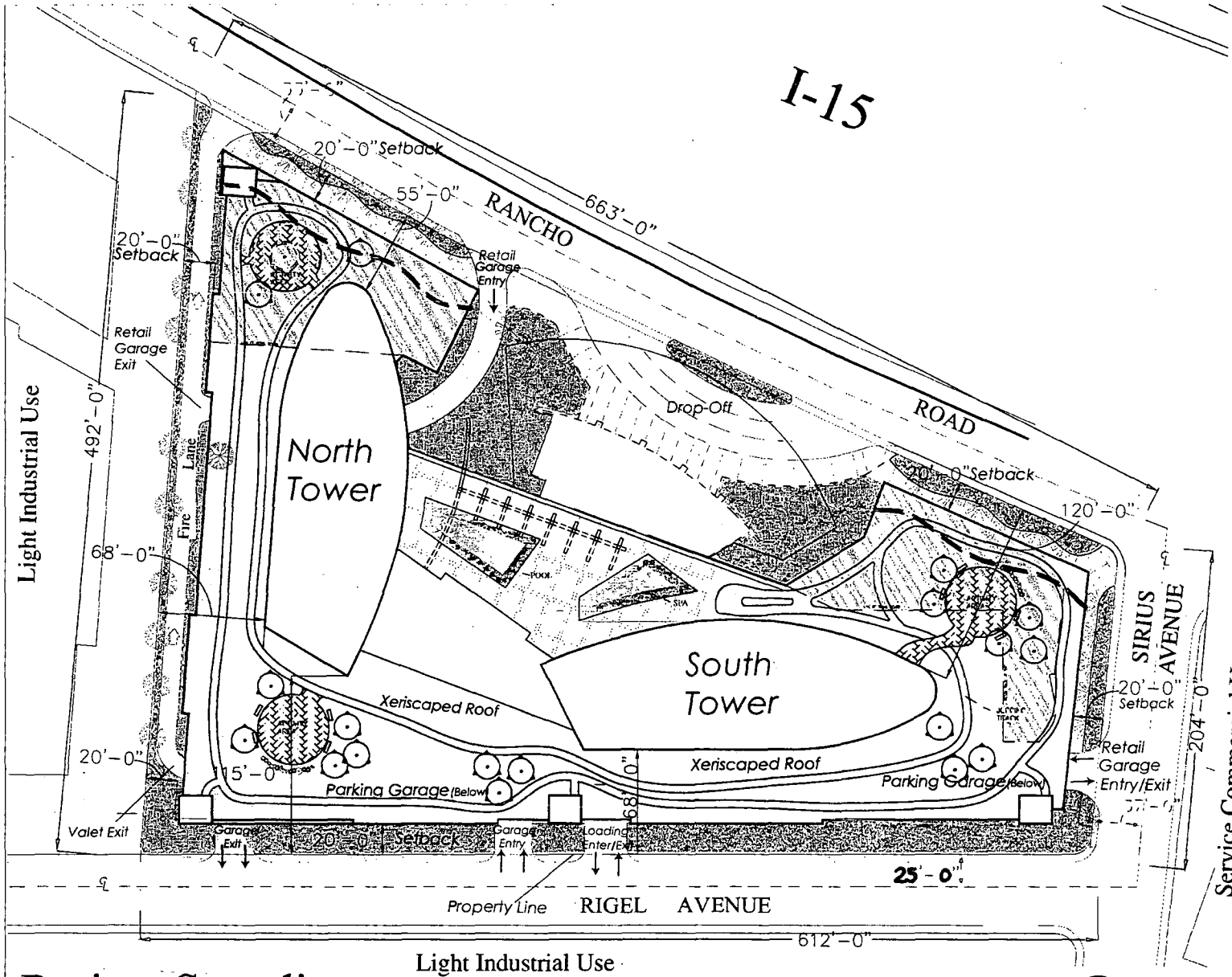
Print Name: Michael Jacobs, manager, Red Rock Partners, Llc
member, Highrise Partners, Ltd.

Subscribed and sworn before me

This 24th day of August, 2004

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

SUSAN COWAN
Notary Public State of Nevada
No. 98-2694-1
My appt. exp. Mar. 5, 2006



SITE INFORMATION

ZONING:
C,General Commercial

AREA (Approximate):
Net Area: 188,197 Square Feet (4.32 Acres)
Gross Area (Middle of Street): 228,710 Square Feet (5.25 Acres)

BUILDING DATA:

1. Residential

	Gross Area	Stories	Units
South Tower:	774,00 0 SF (from 8th to 50th)	50 (+Mech. PH)	350 (from 8th to 50th)
North Tower:	774,000 SF (from 8th to 50th)	50 (+Mech. PH)	350 (from 8th to 50th)
Common Areas:	42,000 SF	(at 7th Floor)	
Total 1:	1,590,000 SF		
2. Retail:	20,000 SF	1	
3. Garage/ Back of the House:	820,000 SF	6	(standard: 9'x 18' - 70%) (compact: 8' x 18' - 30%)
Total:	2,430,000 SF		

PARKING:

Required:
1. Residential
- lofts + 1BR: 132 units x 1.25 spaces/unit = 165 spaces
- 2BR: 510 units x 1.75 spaces/unit = 893 spaces
- 3BR: 56 units x 2.0 spaces/unit = 112 spaces
1,170 spaces
- visitors: 1 space / 6 units= 117 spaces
Total: 1,287 spaces
(including 24 accessible +2 van accessible spaces)
2. Retail: 80 spaces
(including 2 accessible spaces)
Total: 1,387 spaces

Provided:
1. Residential: 1,330 spaces
2. Retail: 59 spaces
Total: 1,389 spaces

SETBACKS :

	Provided	Required
Front:	20'	20'
Side:	20'	10'
Rear:	20'	15'
Corner:	20'	20'

BUILDING HEIGHT:
Maximum Allowed: No Height Restrictions
Provided: 50 Stories = 560 Feet

BUILDING COVERAGE:
Maximum Allowed: No Height Restrictions
Provided: –
F.A.R: 12.71
Density: 700 Units / 4.39 acres= 160 Units / Acre

Highrise Partners, Ltd. A Nevada Limited Liability Company
3800 Howard Huges Parkway - 7th Floor
Las Vegas, NV 89109-0907 P:702-735-7600

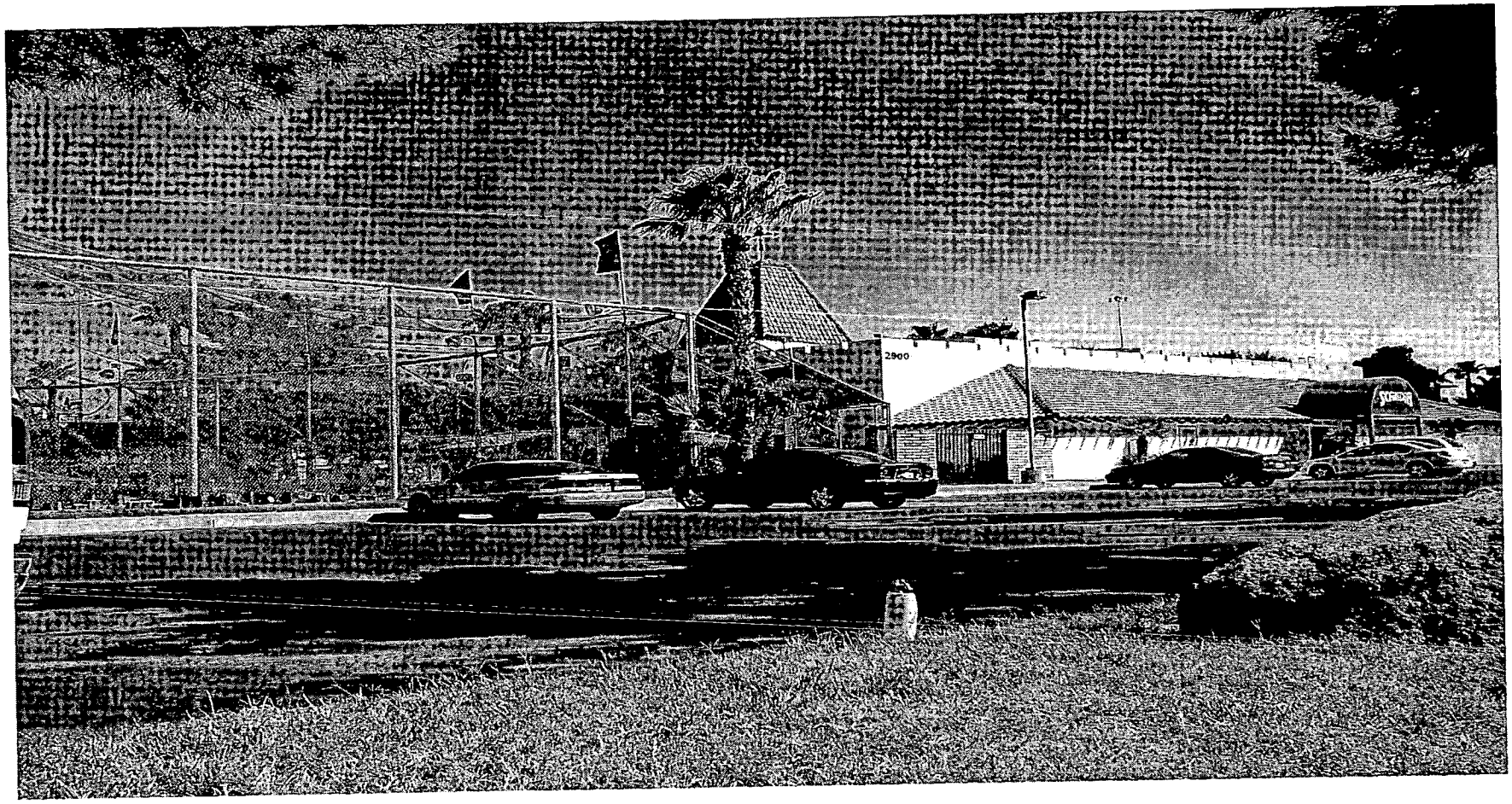
Project Scandia

Proposed Site Plan

2900 Sirius Avenue Las Vegas , Nevada 89102

ZON-5103
SUP-5107
SDR-5104
10-07-04 PC

Sheet: 3
Date: August 20, 2004
Project Number: 2581



ZON-5103 - REZONING - PUBLIC HEARING - APPLICANT: HIGHRISE PARTNERS LIMITED LLC - OWNER: SCANDIA FAMILY FUN CENTERS
NORTHWEST CORNER OF RANCHO DRIVE AND SIRIUS AVENUE
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No. 109

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SPECIAL USE PERMIT RELATED TO GPA-5097 AND ZON-5103

SUP-5107 - PUBLIC HEARING - APPLICANT: HIGHRISE PARTNERS LIMITED, LLC - OWNER: SCANDIA FAMILY FUN CENTERS - Request for a Special Use Permit FOR A PROPOSED 50-STORY, 560-FOOT TALL MIXED-USE DEVELOPMENT adjacent to the northwest corner of Rancho Drive and Sirius Avenue (APN 162-08-702-002), M (Industrial) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 107 [GPA-5097] for related discussion.
(2:51 - 2:57)
4-570

CONDITIONS:

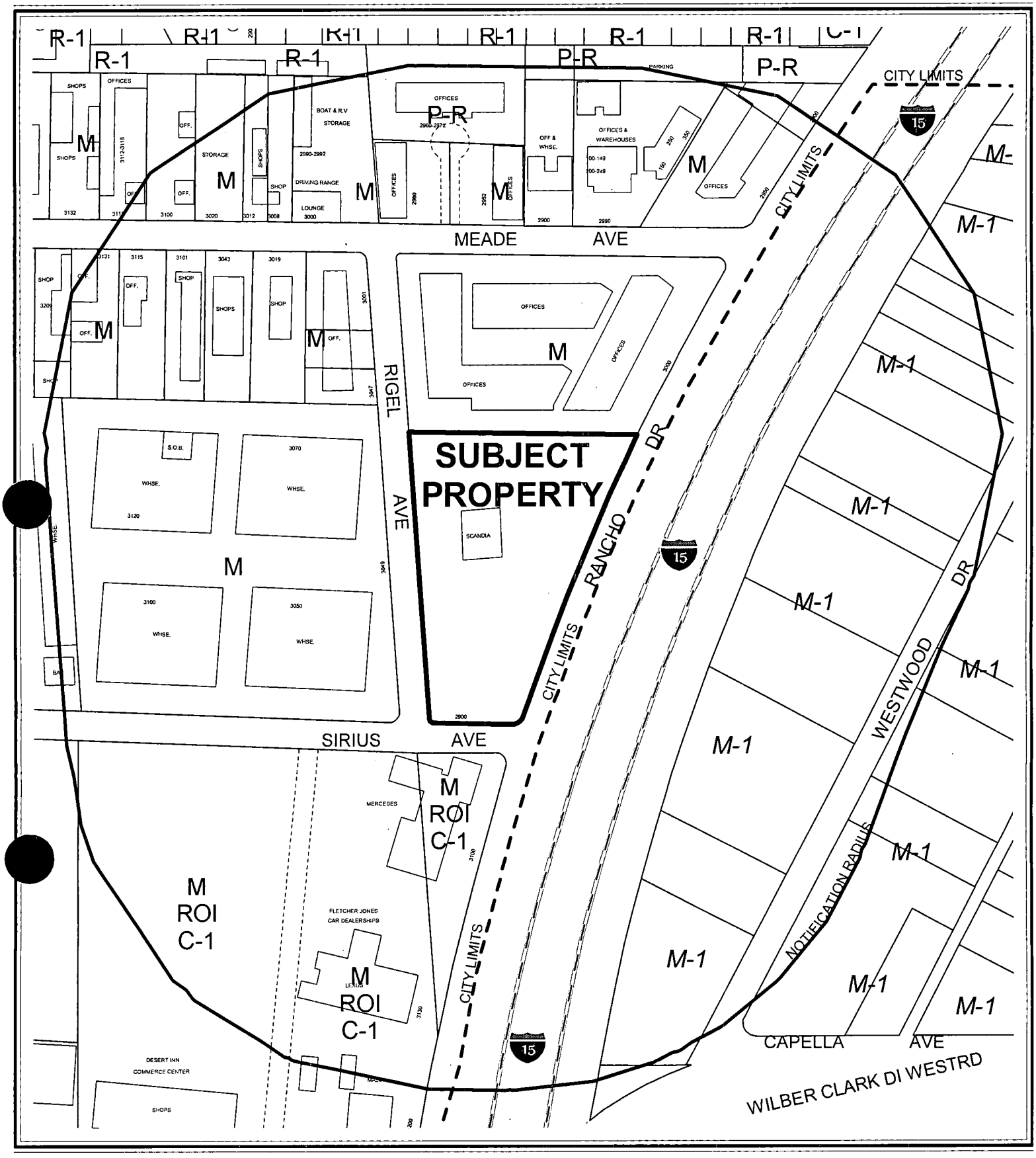
Planning and Development

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

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5104).

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

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



CASE: **SUP-5107**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5107 - APPLICANT: HIGHRISE PARTNERS LIMITED, LLC - OWNER: SCANDIA FAMILY FUN CENTERS

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5104).

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed 50-story, 560-foot tall Mixed-Use Development at 2900 Sirius Avenue.

B) Applicant's Justification

The mixed-use nature of this development is compatible with the area. It offers a level of amenities far greater than found at ground level in any multi-family development; the retail amenities will be available to the public. Over half of the site area consists of open space. In addition, there are 42,000 square feet of recreational amenities inside the towers. These amenities compensate for the size of the garage, which, although below ground level, covers 75 percent of the site.

BACKGROUND INFORMATION

A) Previous Actions

09/16/92 The City Council approved a Special Use Permit (U-0168-92) application for a 14-foot by 48-foot off-premise advertising (billboard) sign, at 2900 Sirius Avenue subject to a 5-year review. The Board of Zoning Adjustment and staff both recommended approval.

06/15/94 The City Council approved a Variance (V-0058-94) application to allow an off-premise advertising (billboard) sign to be located 600 feet from another off-premise advertising (billboard) sign where 750 feet is required at 2900 Sirius Avenue. The Board of Zoning Adjustment recommended approval. Staff recommended denial.

11/10/97 The City Council approved a Required Five Year Review [U-0168-92 (1)] for 14-foot by 48-foot off-premise advertising (billboard) sign at 2900 Sirius Avenue, subject to another 5-year review. The Planning Commission and staff both recommended approval.

02/19/03 The City Council approved a Required Five Year Review (RQR-1143) of an approved Special Use Permit (U-0168-92), which allowed a 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 2900 Sirius Avenue. The Planning Commission and staff both recommended approval.

10/07/04 The Planning Commission recommended approval a related General Plan Amendment (GPA-5097) to amend a portion of the Southeast Sector Plan of the General Plan from LI/R (Light Industrial/Research) to SC (Service Commercial); a Rezoning (ZON-5103) from M (Industrial) to C-1 (Limited Commercial) and a Site Development Plan Review (SDR-5104) and a Waiver to allow 75 percent lot coverage area where 50 percent is the maximum allowed for a proposed 50-story, 560-foot tall mixed-use development containing 700 residential units and 20,000 square feet of retail uses on the site.

10/07/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #29/ss).

B) Pre-Application Meeting

08/13/04 A pre-application conference was held resulting in the following comments:

- Composed of two towers, each with 350 condominium units.
- Will contain 18,000 to 20,000 feet of retail.
- The entrance will be off of Rancho Drive.
- Project deemed to be a Project of Regional Significance.
- There was concern over the intersection of Sahara Avenue and Teddy Drive.
- The subject area will be incorporated into the Las Vegas Redevelopment Plan eventually.
- The site's General Plan designation will change from LI/R (Light Industrial/Research) to SC (Service Commercial).
- The site's zoning will change from M (Industrial) to C-1 (Limited Commercial).
- A Special Use Permit is required for to allow a mixed-use development.
- A waiver of the building setbacks and architectural glazing will be needed.
- A color and material board is required.
- Incorporate service and trash areas into the overall design of the site.
- A comprehensive address plan for the condominiums will be required.

C) Neighborhood Meetings

09/02/04 A neighborhood meeting was held with the surrounding property owners in conjunction with the accompanying request to amend the General Plan. Three applicant representatives and three members of the public were in attendance. The members of the public had questions about traffic, parking, streetscape, security, and potential uses of the former Fletcher Jones Auto Dealership. The applicants indicated that primary access would be from Rancho Drive and that a traffic study would be completed prior to the Planning Commission meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.25
Net Acres: 4.32

B) Existing Land Use

Subject Property: Scandia Amusement Center
North: Offices
South: Auto Dealership (not currently in operation)
East: I-15
West: Industrial Warehouses

C) Planned Land Use

Subject Property: LI/R (Light Industrial/ Research)
North: LI/R (Light Industrial/ Research)
South: SC (Service Commercial)
East: ROW (Right of Way)
West: LI/R (Light Industrial/ Research)

D) Existing Zoning

Subject Property: M (Industrial)
North: M (Industrial)
South: M (Industrial) Under Resolution of Intent to C-1 (Limited Commercial)
East: No Zoning (I-15)
West: M (Industrial)

E) General Plan Compliance

The subject site is designated LI/R (Light Industry/ Research) on the Southeast Sector Land Use Map of the General Plan. The LI/R (Light Industry/Research) category allows for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, development and testing laboratories.

The applicant has requested a General Plan Amendment (GPA-5097) to change the designation to SC (Service Commercial). The Service Commercial category allows low to medium intensity retail, office or other commercial uses that primarily serve local patrons and do not include more intense general commercial characteristics. The proposed Rezoning to C-1 (Limited Commercial) conforms to the SC (Service Commercial) designation.

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

Trails		**X**
County/North Las Vegas/HOA Notification	**X**	
Development Impact Notification Assessment		**X**
Project of Regional Significance	**X**	

Airport Overlay District

The Airport Overlay District constitutes a planned area in which no structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations depicted in the maps adopted by Title 19. All development within the airspace above the height of thirty-five feet above the surface of the land, lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces, shall be subject to the height standards established on the Airport Overlay Maps. The proposed structures will stand 560 feet tall, well above the 175-foot height restriction imposed by the McCarran Airport Overlay District map. The applicant shall notify the FAA regional office and the Clark County Department of Aviation of the application and present any subsequent comments to the Planning Commission and City Council.

Neighborhood Revitalization Area

Neighborhood Revitalization embodies a strategy of halting and reversing the decline of some older areas, which have been affected by a range of social ills or impacted by a shift in the land use base. A key component of neighborhood revitalization is the redevelopment of declining commercial centers or vacant land into mixed-use urban hubs, creating a walkable and interesting urban environment.

INTERAGENCY ISSUES

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

1) This project requires a Special Use Permit for a Mixed-Use Development. The property is located within 500 feet of unincorporated Clark County.
2) This project is located within one half-mile of the City's boundary with unincorporated Clark County and will result in a Tentative Map including in excess of 500 condominium units.

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

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

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

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

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

B) General Analysis and Discussion

- Zoning

The site is currently zoned M (Industrial) with a LI/R (Light Industry/Research) General Plan Designation. The accompanying General Plan Amendment (GPA-5097) to change the land use classification to SC (Service Commercial) and Rezoning (ZON-5103) to C-1 (Limited Commercial) will allow for the construction of the proposed mixed-use project on the site. The proposed commercial uses are permitted in the C-1 (Limited Commercial) zoning district by right; the residential component is permitted upon approval of a Special Use Permit for a Mixed-Use Development.

- Use

Within the Neighborhood Revitalization Area, as defined by the General Plan, residential uses permitted by right in the R-3 (Medium Density Residential) and R-4 (High Density Residential) zoning districts are permitted in the C-1 (Limited Commercial) district by means of an approved Special Use Permit. Commercial uses are permitted by right in the C-1 (General Commercial) district. The development will include a total of 700 residential units and approximately 20,000 square feet of commercial space.

- Conditions

The following base conditions of Title 19.04.050 must be met in order to approve a Special Use Permit:

1. The nonresidential use shall be located at ground level fronting the primary public right-of-way, and the primary entryway to that use shall be directly from and oriented to a street; and

2. 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.

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

FINDINGS

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

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

   The design of the development adequately separates the commercial and residential components, and will not be significantly impacted by the adjacent land uses.

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

   The proposed development will result in a residential density of approximately 133 units per acre, which is appropriate for an urban area. The site has frontage on three public rights-of-way, which provides excellent access to the site and adequate separation from adjacent properties. In addition, the site is adjacent to Interstate 15, which provides further buffering on the east side of the development.

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

   Rancho Drive, a 50-foot public right-of-way and Sirius Avenue and Rigel Avenue, both of which are 60-foot public rights-of-way, will provide adequate access to the site.

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

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

PLANNING COMMISSION ACTION

There was one speaker in opposition at the Planning Commission hearing.

NOTICES MAILED 40 by City Clerk

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5107 APN: 162-08-702-002

Name of Property Owner: Scandia Family Fun Center

Name of Applicant: Highrise Partners LTD. 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: by _____

Print Name: Michael Jabbo, Manager, Redrock Partners, Member, Highrise Partners, Ltd. Ltd.)

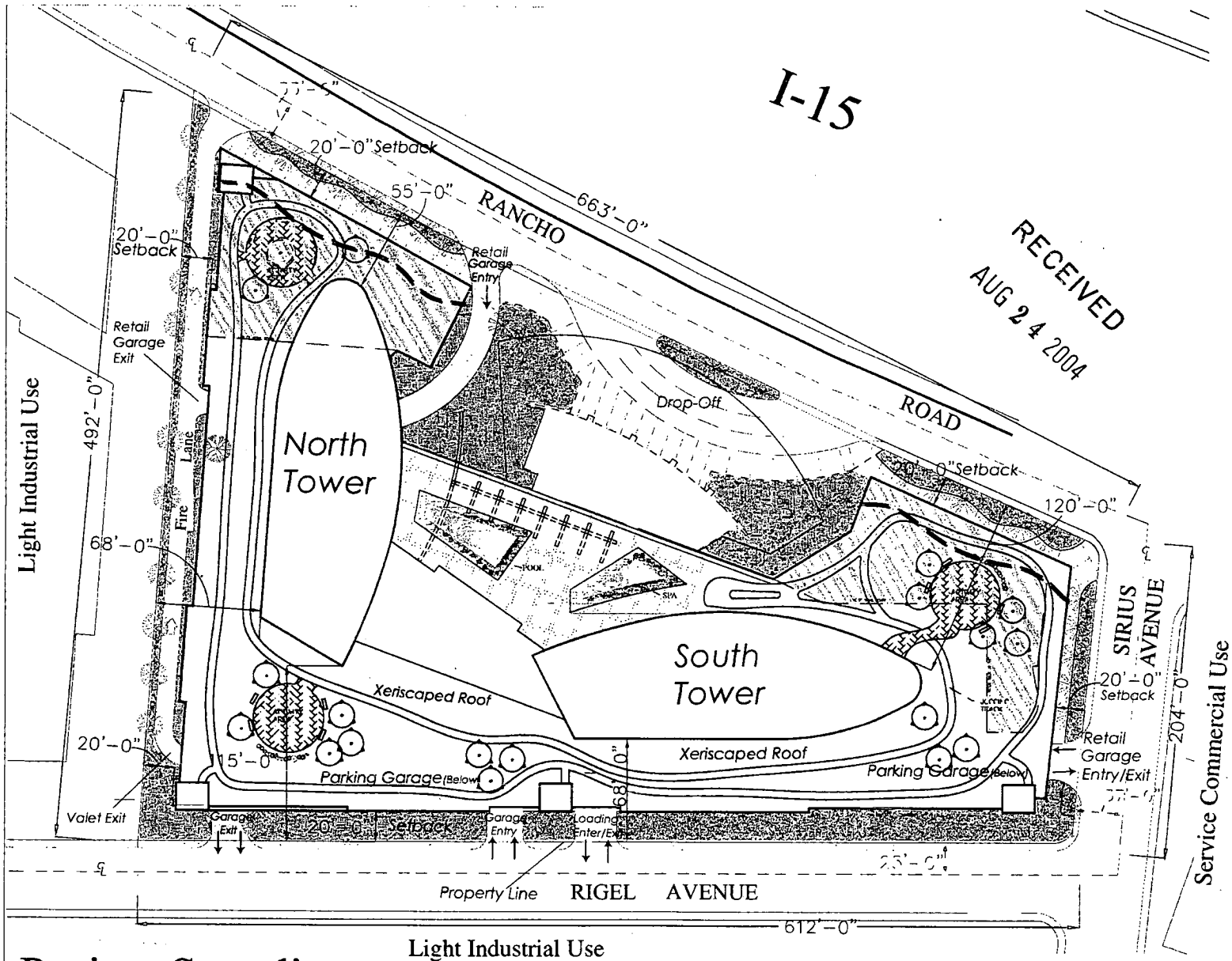
Subscribed and sworn before me

This 24th day of August, 2004

Susan Cowan

Notary Public in and for said County and State

SUSAN COWAN
Notary Public State of Nevada
No. 98-2694-1
My appt. exp. Mar. 5, 2006



Project Scandia

Proposed Site Plan

SITE INFORMATION

ZONING:
C,General Commercial

AREA (Approximate):
Net Area: 188,197 Square Feet (4.32 Acres)
Gross Area (Middle of Street): 228,710 Square Feet (5.25 Acres)

BUILDING DATA:

1. Residential

	Gross Area	Stories	Units
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3. Garage/ Back of the House:	820,000 SF	6	(standard: 9'x 18' - 70%) (compact: 8' x 18' - 30%)
Total:	2,430,000 SF		

PARKING:
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- 2BR: 510 units x 1.75 spaces/unit = 893 spaces
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1,170 spaces
- visitors: 1 space / 6 units= 117 spaces
Total: 1,287 spaces
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2. Retail: 80 spaces
(including 2 accessible spaces)
Total: 1,387 spaces

Provided:
1. Residential: 1,330 spaces
2. Retail: 59 spaces
Total: 1,389 spaces

SETBACKS :

	Provided	Required
Front:	20'	20'
Side:	20'	10'
Rear:	20'	15'
Corner:	20'	20'

BUILDING HEIGHT:
Maximum Allowed: No Height Restrictions
Provided: 50 Stories = 560 Feet

BUILDING COVERAGE:
Maximum Allowed: No Height Restrictions
Provided: –
F.A.R: 12.71
Density: 700 Units / 4.39 acres= 160 Units / Acre

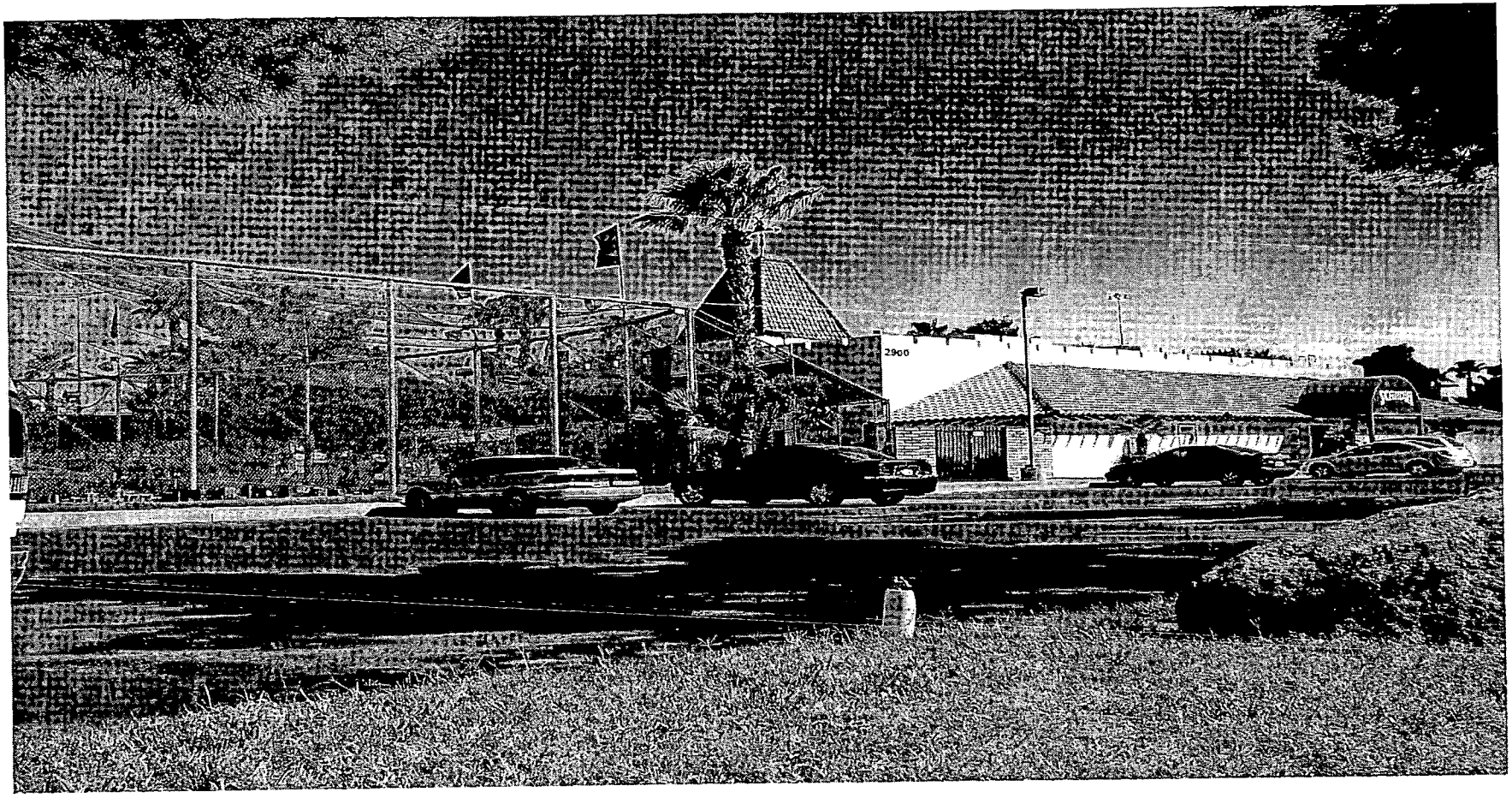
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ZON-5103
SUP-5107
SDR-5104
10-07-04 PC

Sheet: 3

Date: August 20, 2004
Project Number: 2581



SUP-5107 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HIGHRISE PARTNERS LIMITED LLC - OWNER: SCANDIA FAMILY FUN CENTERS
NORTHWEST CORNER OF RANCHO DRIVE AND SIRIUS AVENUE
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No. 110

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5097, ZON-5103 AND SUP-5107

SDR-5104 - PUBLIC HEARING - APPLICANT: HIGHRISE PARTNERS LIMITED, LLC - OWNER: SCANDIA FAMILY FUN CENTER - Request for a Site Development Plan Review and a Waiver to allow 75 percent lot coverage area where 50 percent is the maximum allowed FOR A PROPOSED 50-STORY, 560-FOOT TALL MIXED-USE DEVELOPMENT CONTAINING 700 RESIDENTIAL UNITS AND 20,000 SQUARE FEET OF RETAIL USES adjacent to the northwest corner of Rancho Drive and Sirius Avenue (APN 162-08-702-002), M (Industrial) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 107 [GPA-5097] for related discussion.
(2:51 - 2:57)
4-570

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-5097) to SC (Service Commercial), a Rezoning (ZON-5103) to a C-1 (Limited Commercial) Zoning District and a Special Use Permit (SUP-5107) for a proposed Mixed-Use Development approved by the City Council.

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

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

4. The Waiver of the 50 percent maximum lot coverage standard is hereby approved.

5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development

CONDITIONS - Continued:

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 minimum 15-foot wide planters adjacent to Rancho Drive.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

9. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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

Public Works

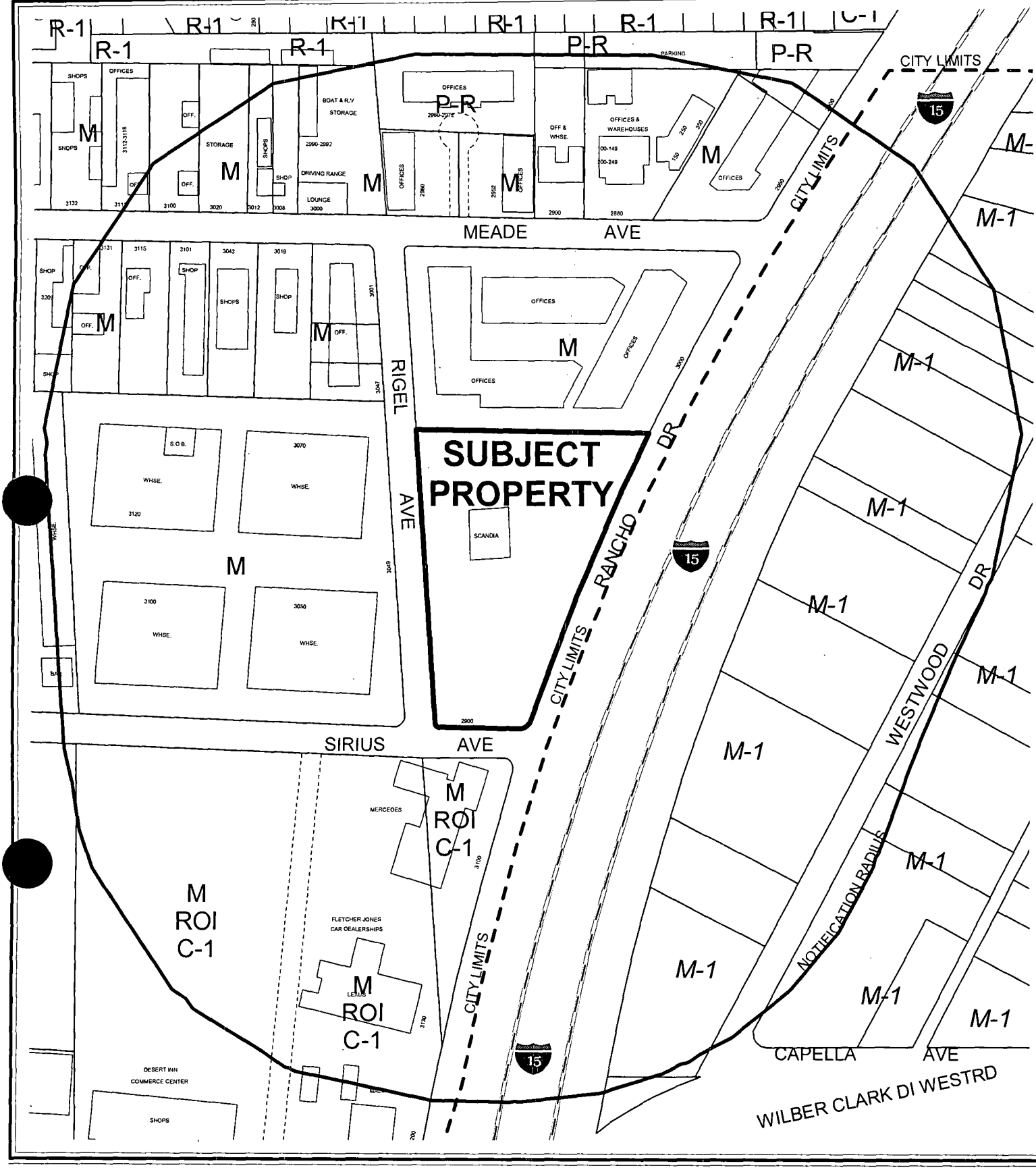
11. Landscape and maintain all unimproved right-of-way adjacent to this site.

12. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.

13. Site development to comply with all applicable conditions of approval for ZON-5103 and all other subsequent site-related actions.

14. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

15. 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.



0 200 400 Feet

CASE: **SDR-5104**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5104 - APPLICANT: HIGHRISE PARTNERS LIMITED, LLC - OWNER: SCANDIA FAMILY FUN CENTER

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-5097) to SC (Service Commercial), a Rezoning (ZON-5103) to a C-1 (Limited Commercial) Zoning District and a Special Use Permit (SUP-5107) for a proposed Mixed-Use Development approved by the City Council.

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

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

4. The Waiver of the 50 percent maximum lot coverage standard is hereby approved.

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 minimum 15-foot wide planters adjacent to Rancho Drive.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

9. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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

Public Works

11. Landscape and maintain all unimproved right-of-way adjacent to this site.

12. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review and a Waiver to allow 75 percent lot coverage area where 50 percent is the maximum allowed for a proposed 50-story, 560-foot tall mixed-use development containing 700 residential units and 20,000 square feet of retail uses at 2900 Sirius Avenue.

B) Applicant's Justification

The mixed-use nature of this development is compatible with the area. It offers a level of amenities far greater than found at ground level in any multi-family development; the retail amenities will be available to the public. Over half of the site area consists of open space. In addition, there are 42,000 square feet of recreational amenities inside the towers. These amenities compensate for the size of the garage, which, although below ground level, covers 75 percent of the site.

BACKGROUND INFORMATION

A) Previous Actions

09/16/92 The City Council approved a Special Use Permit (U-0168-92) application for a 14-foot by 48-foot off-premise advertising (billboard) sign, at 2900 Sirius Avenue subject to a 5-year review. The Board of Zoning Adjustment and staff both recommended approval.

06/15/94 The City Council approved a Variance (V-0058-94) application to allow an off-premise advertising (billboard) sign to be located 600 feet from another off-premise advertising (billboard) sign where 750 feet is required at 2900 Sirius Avenue. The Board of Zoning Adjustment recommended approval. Staff recommended denial.

11/10/97 The City Council approved a Required Five Year Review [U-0168-92 (1)] for 14-foot by 48-foot off-premise advertising (billboard) sign at 2900 Sirius Avenue, subject to another 5-year review. The Planning Commission and staff both recommended approval.

02/19/03 The City Council approved a Required Five Year Review (RQR-1143) of an approved Special Use Permit (U-0168-92), which allowed a 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 2900 Sirius Avenue. The Planning Commission and staff both recommended approval.

10/07/04 The Planning Commission recommended approval of a related General Plan Amendment (GPA-5097) to amend a portion of the Southeast Sector Plan of the General Plan from LI/R (Light Industrial/Research) to SC (Service Commercial); a Rezoning (ZON-5103) from M (Industrial) to C-1 (Limited Commercial) and a Special Use Permit (SUP-5107) application for a proposed 50-story, 560-foot tall mixed-use development on the subject site.

10/07/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #30/ss).

B) Pre-Application Meeting

08/13/04 A pre-application conference was held resulting in the following comments:

- Composed of two towers, each with 350 condominium units.
- Will contain 18,000 to 20,000 feet of retail.
- The entrance will be off of Rancho Drive.
- Project deemed to be a Project of Regional Significance.
- There was concern over the intersection of Sahara Avenue and Teddy Drive.
- The subject area will be incorporated into the Las Vegas Redevelopment Plan eventually.
- The site's General Plan designation will change from LI/R (Light Industrial/Research) to SC (Service Commercial).
- The site's zoning will change from M (Industrial) to C-1 (Limited Commercial).
- A Special Use Permit is required for to allow a mixed-use development.
- A waiver of the building setbacks and architectural glazing will be needed.
- A color and material board is required.
- Incorporate service and trash areas into the overall design of the site.
- A comprehensive address plan for the condominiums will be required.

C) Neighborhood Meeting

09/02/04 A neighborhood meeting was held with the surrounding property owners in conjunction with the accompanying request to amend the General Plan. Three applicant representatives and three members of the public were in attendance. The members of the public had questions about traffic, parking, streetscape, security, and potential uses of the former Fletcher Jones Auto Dealership. The applicants indicated that primary access would be from Rancho Drive and that a traffic study would be completed prior to the Planning Commission meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	5.25
Net Acres:	4.32

B) Existing Land Use

Subject Property:	Scandia Amusement Center
North:	Offices
South:	Auto Dealership (not currently in operation)
East:	I-15
West:	Industrial Warehouses

C) Planned Land Use

Subject Property:	LI/R (Light Industrial/ Research)
North:	LI/R (Light Industrial/ Research)
South:	SC (Service Commercial)
East:	ROW (Right of Way)
West:	LI/R (Light Industrial/ Research)

D) Existing Zoning

Subject Property:	M (Industrial)
North:	M (Industrial)
South:	M (Industrial) Under Resolution of Intent to C-1 (Limited Commercial)
East:	No Zoning (I-15)
West:	M (Industrial)

E) General Plan Compliance

The subject site is designated LI/R (Light Industry/ Research) on the Southeast Sector Land Use Map of the General Plan. The LI/R (Light Industry/Research) category allows for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, development and testing laboratories.

The applicant has requested a General Plan Amendment (GPA-5097) to change the designation to SC (Service Commercial). The Service Commercial category allows low to medium intensity retail, office or other commercial uses that primarily serve local patrons and do not include more intense general commercial characteristics. The proposed Rezoning to C-1 (Limited Commercial) conforms to the SC (Service Commercial) designation.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance." A summary of the comments received from various agencies regarding the impacts of this project is included with the companion Special Use Permit (SUP-5107).

PROJECT DESCRIPTION

The project involves the removal of the existing outdoor commercial recreation facility and the construction of two proposed 50-story mixed-use buildings, each containing 350 units for a total of 700 residential condominium units. The structures will include approximately 20,000 square

feet of ground-floor commercial space that will be available to residents and the public. The retail portions will be located at the northeast and southeast corners of the development. Parking will occupy Levels 1 through 6 of a parking structure surrounding the towers; residential units will occupy Levels 8 through 50. Level 7, the top deck of the parking structure, will contain 98,000 square feet of landscaped amenities, including jogging trails, a viewing area, benches, and a pool and spa. Additional amenities are located within the towers. A total of 1,389 parking spaces will be provided within the parking structure. The exteriors will utilize a metal panel system with non-reflective glass and metallic meshing at the ground level. Tower units will feature 22% reflective glass in a curtain wall system.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required C-1	Provided	Compliance
Min. Lot Size	N/A	4.32 Acres	Yes
Min. Lot Width	100 Feet	204+ Feet	Yes
Min. Setbacks			
• Front	20 Feet	20 Feet	Yes
• Side	10 Feet	20 Feet	Yes
• Corner	15 Feet	20 Feet	Yes
• Rear	20 Feet	20 Feet	Yes
Max. Lot Coverage	50 %	75%	No*
Max. Building Height	N/A	560 Feet	Yes**
Trash Enclosure	Walled, roofed	Interior	Yes
Loading Zone	2 for retail	3 total	Yes
Mech. Equipment	Screened	Screened	Yes

* The applicant has requested a Waiver of Commercial Development Standards because the development with the proposed parking garage included covers approximately 75 percent of the site.

** The proposed building height will conform to the proposed C-1 (Limited Commercial) zoning district; however, the subject site is within the Airport Overlay District, which maintains a height restriction of 175 feet for this area.

Trash areas are located on Level 1 adjacent to mechanical equipment storage areas.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, Residential Adjacency standards 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
General Retail (less than 25,000)	20,000 SF	1/175 SF GFA	110	5		
Condominium units (1 BR/lofts)	132 units	1.25/unit	165	--		
Condominium units (2 BR)	510 units	1.75/unit	893	--		
Condominium units (3 BR)	56 units	2/unit	112	--		
Guest spaces	--	1/6 units	117	--		
TOTAL	**698**		**1,397**	**5**	**1,361**	**28**

The proposed combination of retail and residential uses requires 1,402 parking spaces. The applicant will provide 1,389 spaces, a 1% deficiency. Up to 30% of the spaces provided will be eight-foot by 18-foot compact spaces. A loading ramp is provided at the rear of the development along Rigel Avenue, and two loading zones are provided on the first floor to accommodate retail uses. It is assumed that fewer parking spaces are required because of the mixed-use nature of the project.

The applicant has indicated that a traffic study would be completed prior to the City Council meeting.

A4) Landscape and Open Space Standards

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

Standards	**Minimum Required** Ratio	Trees	**Provided**
Parking Area (enclosed)	Not required	0	0
Buffer:			
• Min. Trees (Rancho Dr.)	1 – 24" Box Tree/20 Linear Feet	23	17
Min. Trees (all other sides)	1 – 24" Box Tree/30 Linear Feet	40	43
• Min. Zone Width (Rigel Avenue, Sirius Avenue)	10 Feet		10 Feet
• Min. Zone Width (Rancho Drive)	15 Feet		5-23 Feet
• Min Zone Width (north)	6 Feet		7 Feet
• Wall height	Not required		not indicated

Parking area trees are not required because all parking is enclosed within a parking garage. A minimum 10-foot wide planter is required along Rigel and Sirius Avenues, while a 15-foot wide planter is required adjacent to Rancho Drive, where the retail portion of the development will be facing. The conceptual landscape plan is deficient in the number of trees required by the Landscape, Wall and Buffer Standards. In addition, the perimeter buffer planter along Rancho Drive is less than the required 15 feet in some places. A condition of approval addresses these deficiencies.

A5) Sign Standards

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

Signage locations were depicted in part with the proposed plans; however, no dimensions were provided. Conformance with all signage standards for the C-1 (Limited Commercial) zoning district is required.

B) General Analysis and Discussion

- Zoning

The site is currently zoned M (Industrial) with a LI/R (Light Industry/Research) General Plan Designation. The accompanying General Plan Amendment (GPA-5097) to change the land use classification to SC (Service Commercial) and Rezoning (ZON-5103) to C-1 (Limited Commercial) will allow for the construction of the proposed mixed-use project on the site. The proposed commercial uses are permitted in the C-1 (Limited Commercial) zoning district by right; the residential component is permitted upon approval of a Special Use Permit for a Mixed-Use Development. A separate Special Use Permit application (SUP-5107) has been filed concurrently with this Site Development Plan Review application.

- Site Plan

The structure generally conforms with the development standards of Title 19; a Waiver has been requested from the Commercial Development Standards in regard to maximum lot coverage, which is addressed below. The site plan depicts retail space along the Rancho Drive frontage. While the parking provided is slightly less than the Title 19 requirements for the individual uses, it is assumed that many of the amenities will be used by the onsite residents, thereby reducing the need for parking. Access to retail parking will be from Rancho Drive, with full access from Rigel Avenue in the rear.

- Waivers

The applicant has requested a Waiver of the Commercial Development Standards for the maximum lot coverage, which is 50 percent within the C-1 (Limited Commercial) zoning district. Inclusion of the parking garage yields 75 percent coverage. The intent of the lot coverage standard is to provide sufficient open space for setbacks and a visual buffer from streets. In this case, the roof deck of the parking structure provides 98,000 square feet of "open

space" through park-like amenities such as trails, pools and benches. In addition, the bulk of the structure faces industrial-type uses in an area not well-traveled by the public. The east side of the development facing Rancho Drive has a greater setback and contains two open areas, giving the appearance of covering less area. For these reasons, the Waiver request can be supported.

- Landscape Plan

The conceptual landscape plan is deficient in the number of trees required by the Landscape, Wall and Buffer Standards. In addition, the perimeter buffer planter along Rancho Drive is less than the required 15 feet in some places. A condition of approval addresses these deficiencies. Mexican Fan Palms are proposed for the Rancho Drive buffer, which is the most visible frontage. These are acceptable as long as they will be comparable to deciduous 24-inch box trees both in size and height.

- Elevation

The elevations meet the Commercial Development Standards by featuring non-reflective glass at the ground level and no more than 22% reflective glass on the upper floors. Each tower is 560 feet tall, with the parking garage structure rising approximately 75 feet. Facades at the ground level consist primarily of metal paneling and glass, with columns and a marquee to provide visual interest on the east and south elevations. The parking structure, mostly visible from the north and west elevations, features a stainless steel mesh broken up in intervals by pre-cast metal panels. Residential units feature large windows with balconies. A portion of these units will contain low-reflective glass.

- Floor Plan

Retail areas are located on the Rancho Drive frontage at the corners of the development. A lobby area is located on Level 1 behind the retail area with elevators on either side of the lobby Each of the residential floors will contain between four to ten units. Amenities for the residents include a lap pool, dining room, conference room, and solarium.

FINDINGS

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

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

   The proposed Mixed-Use project is adjacent to Interstate 15 on the east, offices on the north, and an auto dealership on the south. The western portion of the site is dominated by a large parking structure, which faces large warehouse buildings across Rigel Avenue. The twin towers will allow for spectacular views of the Las Vegas skyline. The nearest residential properties are approximately 800 feet to the northwest; they also abut industrial-type uses.

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

   The proposed development will be consistent with the General Plan and with most standards of Title 19 and the Landscape, Wall and Buffer Standards with the approval of a General Plan Amendment to SC (Service Commercial), a Rezoning to C-1 (Limited Commercial), and a Special Use Permit for a Mixed-Use Development on the site. A Waiver has been requested from the lot coverage requirement specified in the Commercial Development Standards; the design and context of the structure within a primarily industrial area meets the intent of the requirement.

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

   A traffic study has been commissioned by the applicant showing that the development will not negatively impact traffic flows in the area. Primary access to the retail portion of the development will be from Rancho Drive. This street and Rigel Avenue will be able to accommodate the amount of traffic generated by the development.

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

   The proposed building and landscape materials are appropriate for the area and are consistent with the City's requirements, with implementation of the conditions of approval.

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 and design of the structures create an orderly and pleasing environment, creating some visual interest in this neighborhood filled primarily with monolithic industrial buildings. As is required for mixed-use developments, the design of the development adequately separates the commercial and residential components. Its location next to an interstate highway and away from single-family residences makes this site compatible with development in the area.

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

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

NOTICES MAILED 37 by Planning Department

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5104 APN: 162-08-702-002

Name of Property Owner: Scandia Family Fun Center

Name of Applicant: Highrise Partners LTD. 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: by [signature]

Print Name: Michael Jarca, manager, Red Rock Partners, LLC member, Highrise Partners, Ltd.

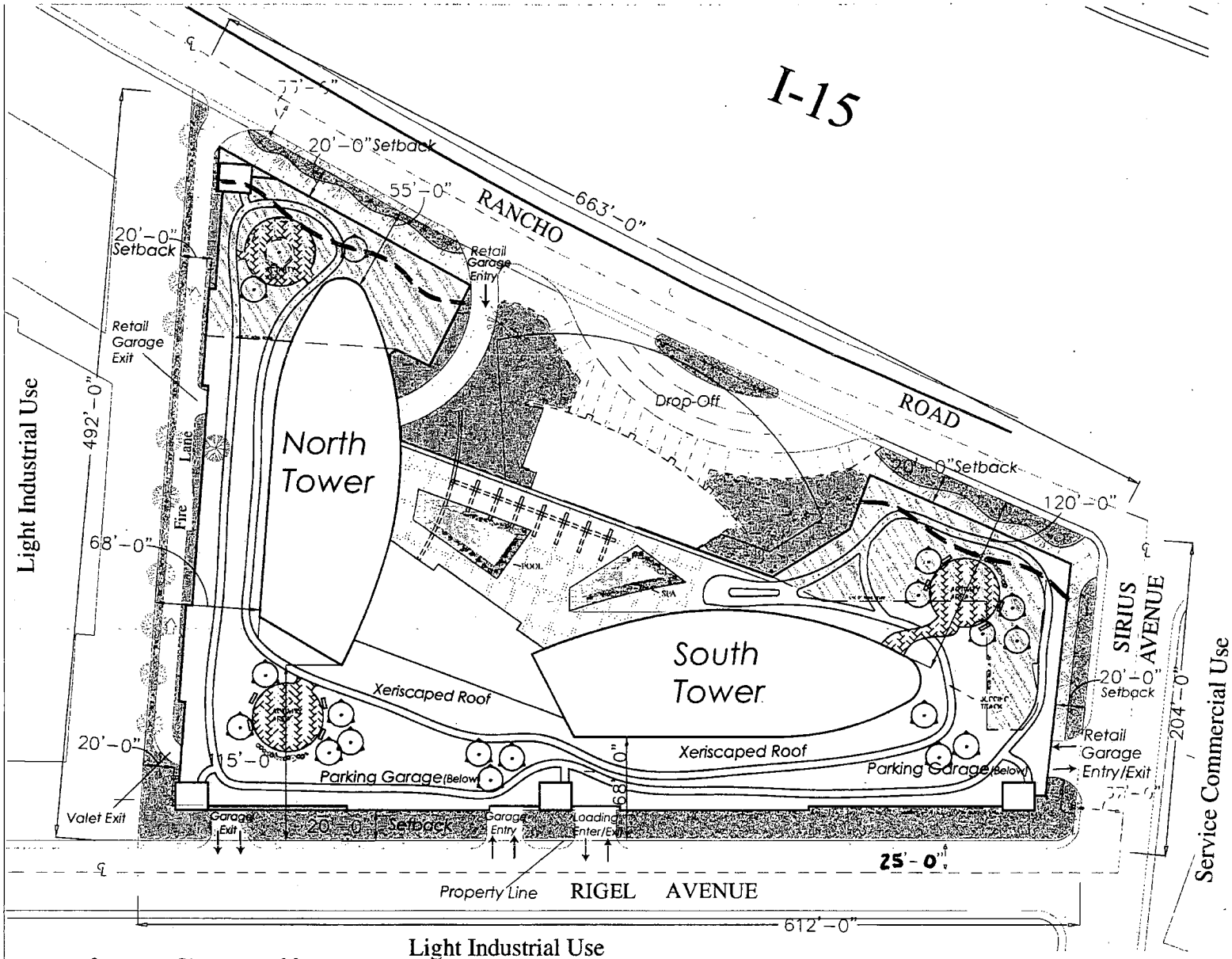
Subscribed and sworn before me

This 24th day of August, 2004

[signature]

Notary Public in and for said County and State

SUSAN COWAN
Notary Public State of Nevada
No. 98-2694-1
My appt. exp. Mar. 5, 2006



SITE INFORMATION

ZONING:
C,General Commercial

AREA (Approximate):
Net Area: 188,197 Square Feet (4.32 Acres)
Gross Area (Middle of Street): 228,710 Square Feet (5.25 Acres)

BUILDING DATA:

1. Residential

	Gross Area	Stories	Units
South Tower:	774,00 0 SF (from 8th to 50th)	50 (+Mech. PH)	350 (from 8th to 50th)
North Tower:	774,000 SF (from 8th to 50th)	50 (+Mech. PH)	350 (from 8th to 50th)
Common Areas:	42,000 SF	(at 7th Floor)	
Total 1:	1,590,000 SF		
2. Retail:	20,000 SF	1	
3. Garage/ Back of the House:	820,000 SF	6	(standard: 9'x 18' - 70%) (compact: 8' x 18' - 30%)
Total:	2,430,000 SF		

PARKING:
Required:
1. Residential
- lofts + 1BR: 132 units x 1.25 spaces/unit = 165 spaces
- 2BR: 510 units x 1.75 spaces/unit = 893 spaces
- 3BR: 56 units x 2.0 spaces/unit = 112 spaces
1,170 spaces
- visitors: 1 space / 6 units= 117 spaces
Total: 1,287 spaces
(including 24 accessible +2 van accessible spaces)
2. Retail: 80 spaces
(including 2 accessible spaces)
Total: 1,387 spaces

Provided:
1. Residential: 1,330 spaces
2. Retail: 59 spaces
Total: 1,389 spaces

SETBACKS :

	Provided	Required
Front:	20'	20'
Side:	20'	10'
Rear:	20'	15'
Corner:	20'	20'

BUILDING HEIGHT:
Maximum Allowed: No Height Restrictions
Provided: 50 Stories = 560 Feet

BUILDING COVERAGE:
Maximum Allowed: No Height Restrictions
Provided: --
F.A.R: 12.71
Density: 700 Units / 4.39 acres= 160 Units / Acre

Highrise Partners, Ltd. A Nevada Limited Liability Company
3800 Howard Huges Parkway - 7th Floor
Las Vegas, NV 89109-0907 P:702-735-7600

Project Scandia

2900 Sirius Avenue Las Vegas , Nevada 89102

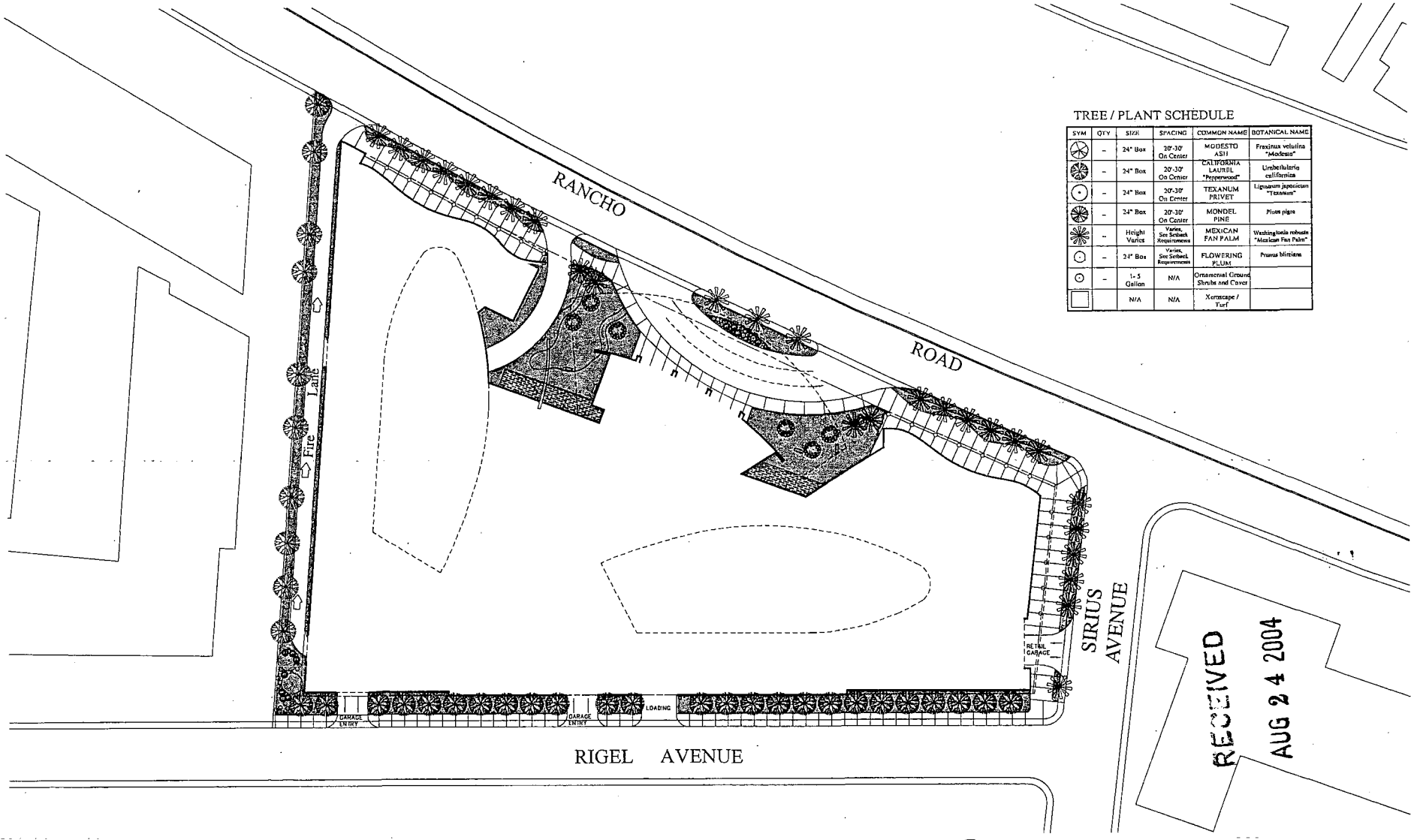
Proposed Site Plan

ZON-5103
SUP-5107
SDR-5104
10-07-04 PC

RECEIVED
AUG 2 4 2004

Sheet:	Date:	Project Number:
3	August 20, 2004	2581

ZON-5103
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TREE / PLANT SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
	-	24" Box	20'-30' On Center	MODESTO ASH	Fraxinus velutina "Modesto"
	-	24" Box	20'-30' On Center	CALIFORNIA LAUREL "Peppenwood"	Umbellularia californica
	-	24" Box	20'-30' On Center	TEXANUM PRIVET	Ligustrum japonicum "Texanum"
	-	24" Box	20'-30' On Center	MONDEL PINE	Pinus pigra
	-	Height Varies	Varies, See Setback Requirements	MEXICAN FAN PALM	Washingtonia robusta "Mexican Fan Palm"
	-	24" Box	Varies, See Setback Requirements	FLOWERING PLUM	Prunus blireiana
	-	1-5 Gallon	N/A	Ornamental Ground Shrubs and Cover	
		N/A	N/A	Xeroscape / Turf	

Project Scandia

Proposed Landscape Site Plan

0 15' 30' 60' 90'

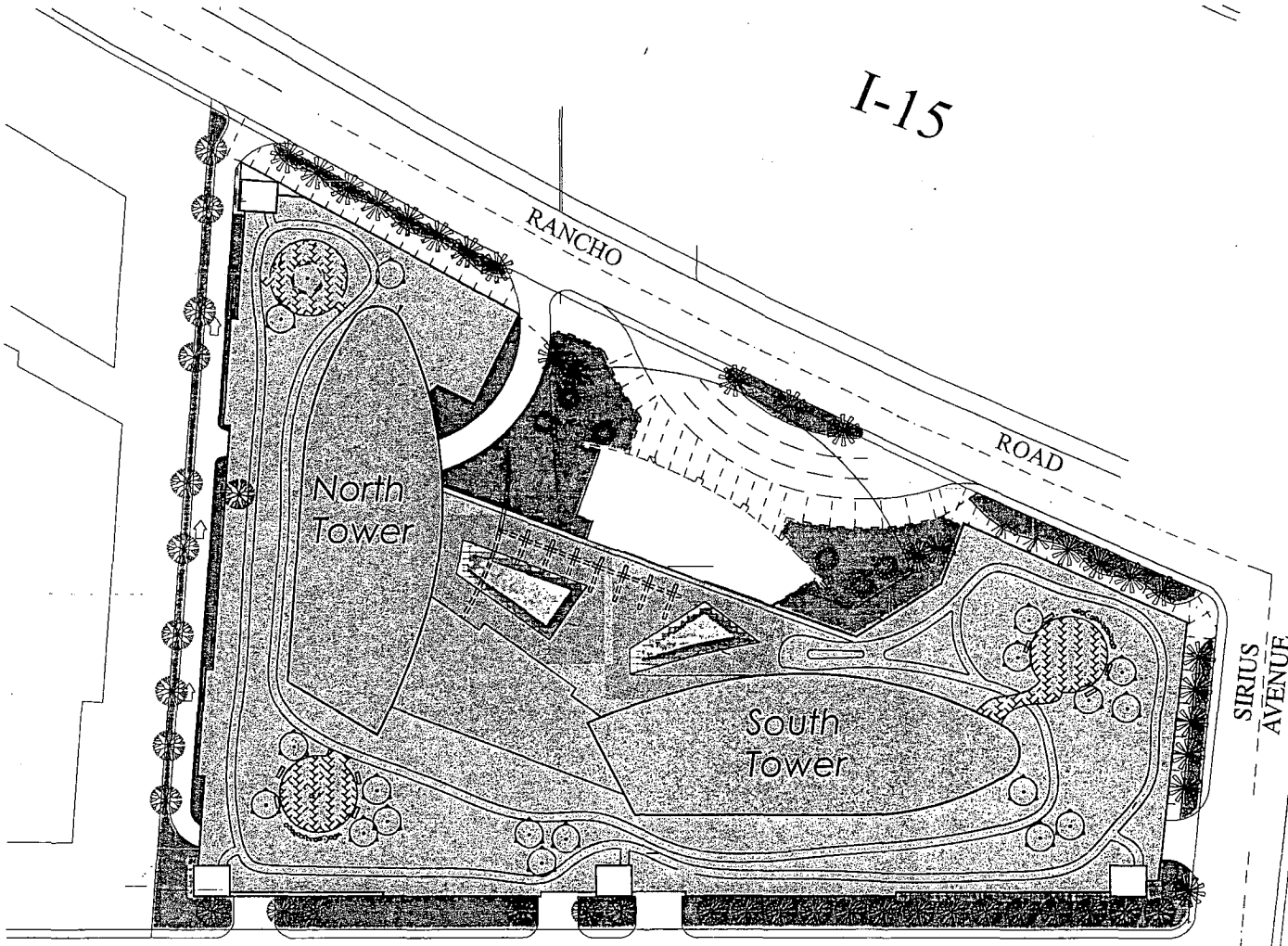
Highrise Partners, Ltd. A Nevada Limited Liability Company
3800 Howard Huges Parkway - 7th Floor
Las Vegas, NV 89109-0907 P:702-735-7600

2900 Sirius Avenue Las Vegas , Nevada 89102

Sheet: 4

Date: August 20, 2004

Project Number: 2581



ZON-5103
SUP-5107
SDR-5104
10-07-04 PC

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Project Scandia

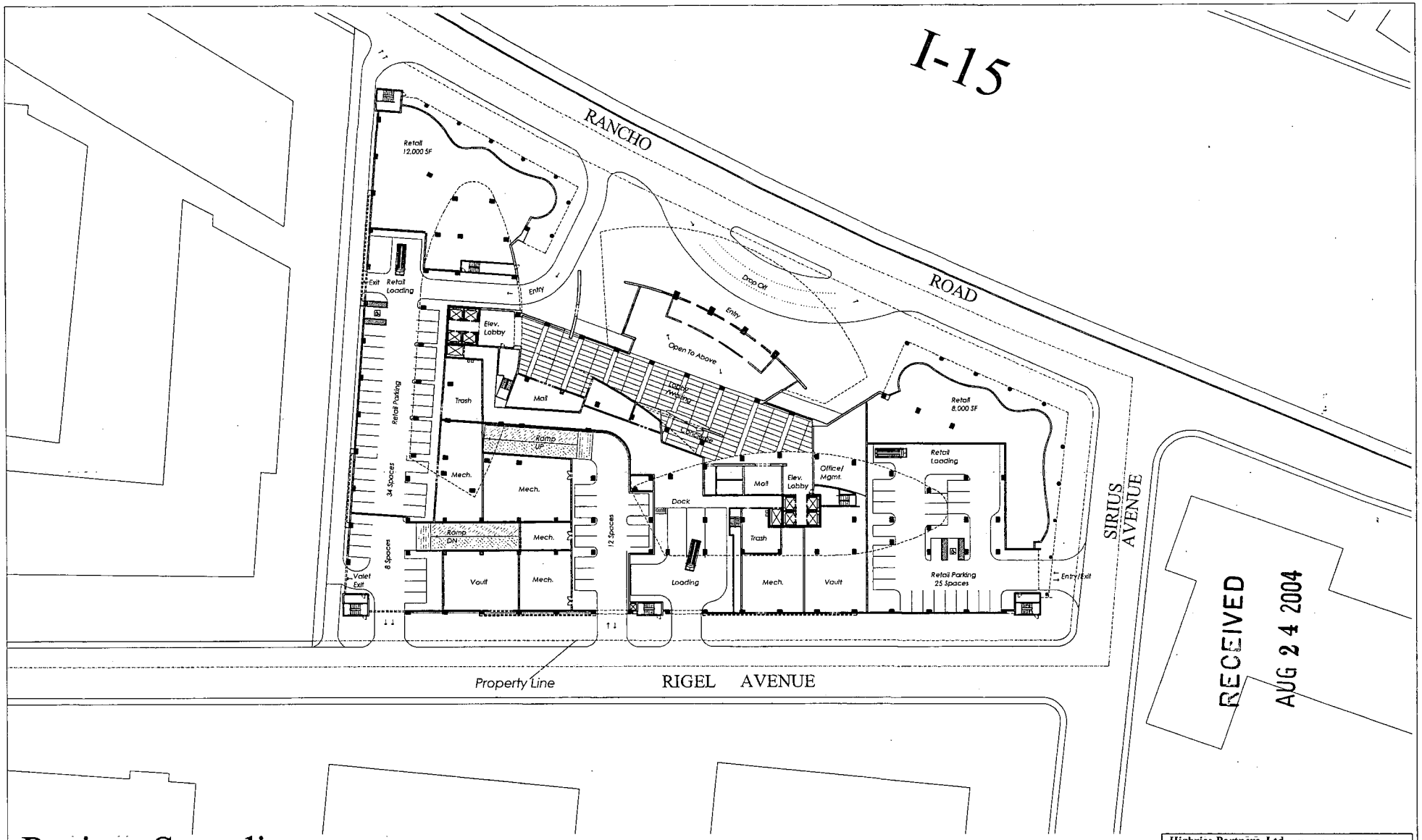
Landscape Roof Plan

Highrise Partners, Ltd. A Nevada Limited Liability Company
3800 Howard Huges Parkway - 7th Floor
Las Vegas, NV 89109-0907 P:702-735-7600

2900 Sirius Avenue Las Vegas , Nevada 89102

Sheet:	5	Date:	August 24, 2004
		Project Number:	2581

ZON-5103
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SDR-5104
10-07-04 PC



Project Scandia

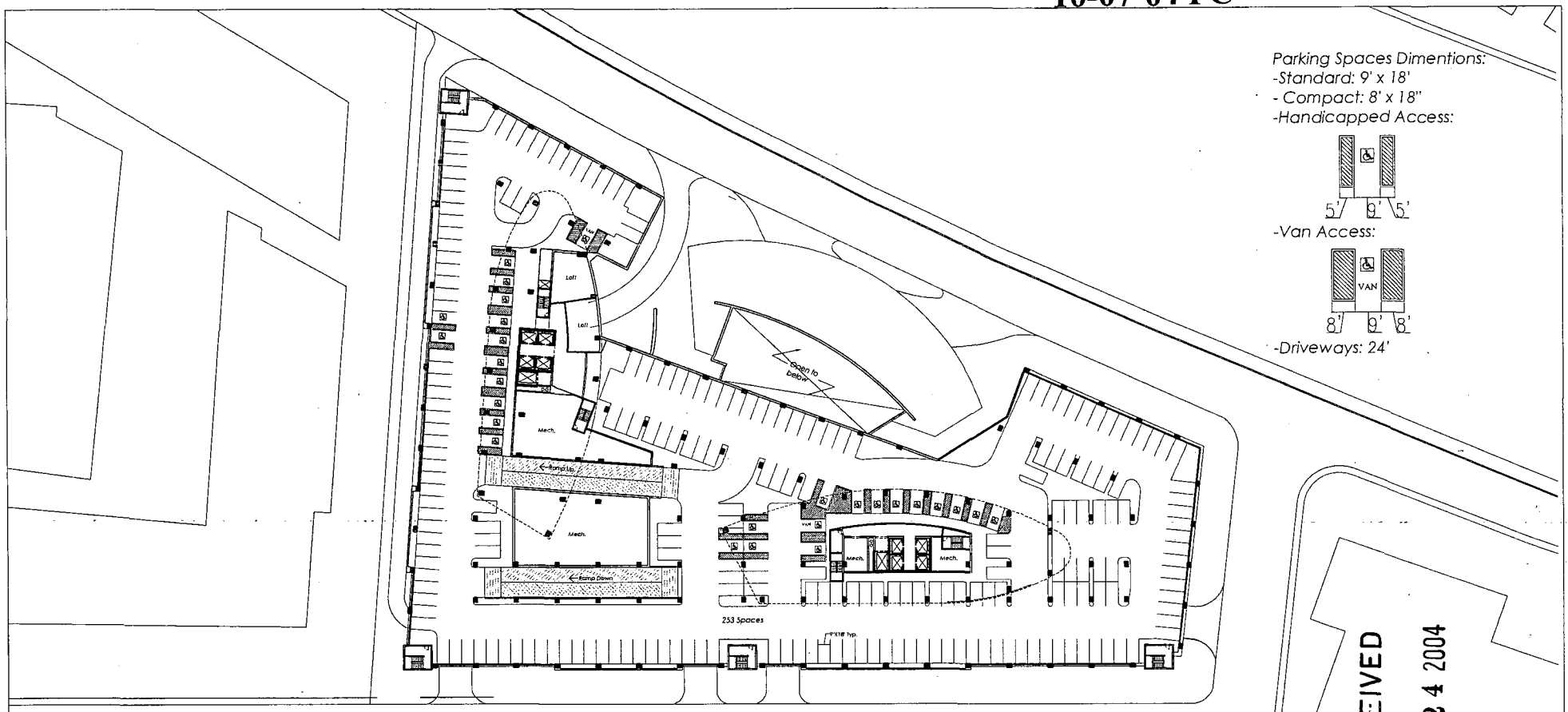
Proposed 1st Floor Plan

Highrise Partners, Ltd. A Nevada Limited Liability Company
3800 Howard Huges Parkway - 7th Floor
Las Vegas, NV 89109-0907 P:702-735-7600

2900 Sirius Avenue Las Vegas , Nevada 89102

Sheet:	6	Date:	August 20, 2004
		Project Number:	2581

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SDR-5104
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Project Scandia

Proposed 2nd Floor Plan

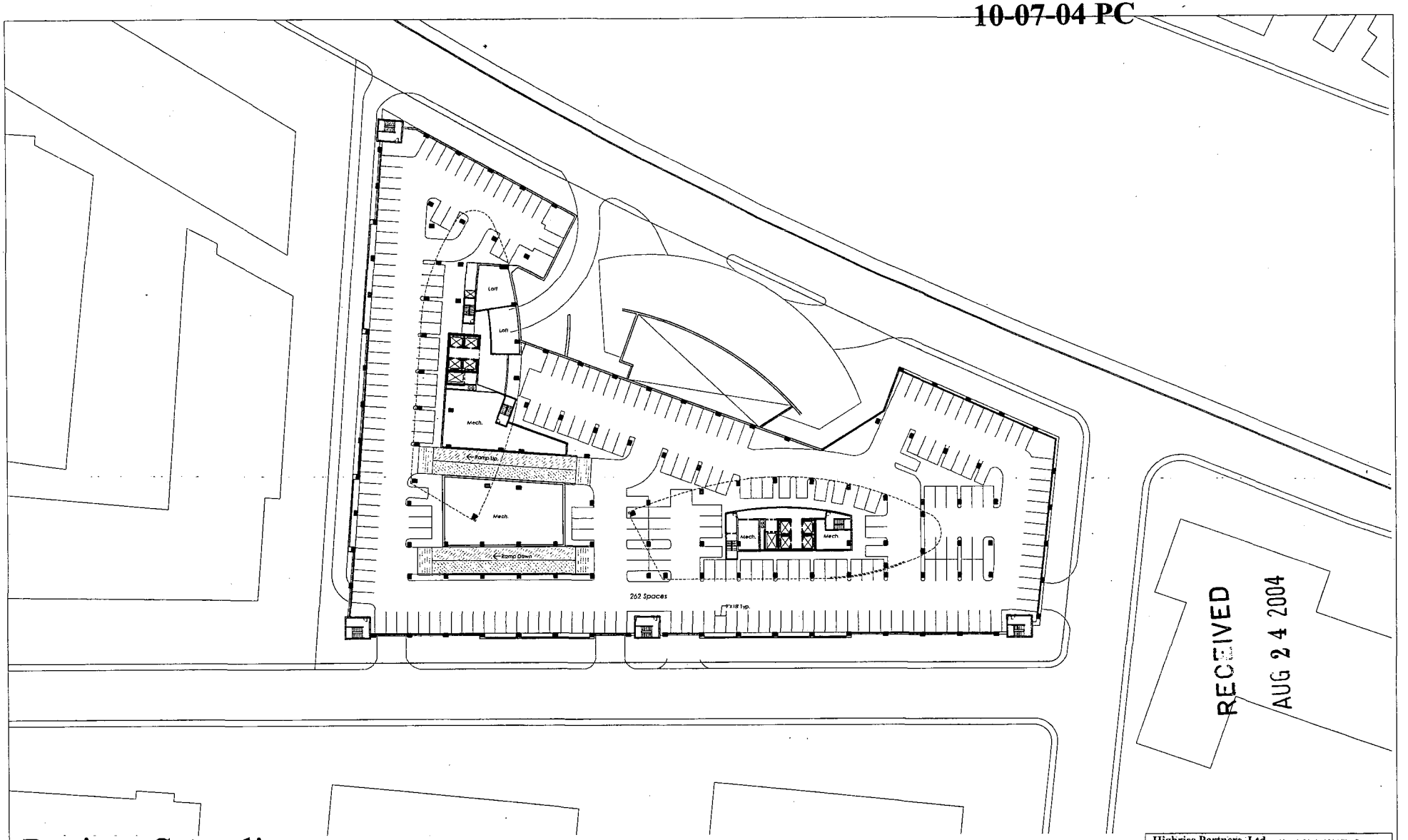
Highrise Partners, Ltd. A Nevada Limited Liability Company
3800 Howard Huges Parkway - 7th Floor
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2900 Sirius Avenue Las Vegas , Nevada 89102

Sheet:	7

Date:	August 20, 2004
Project Number:	2581

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Project Scandia

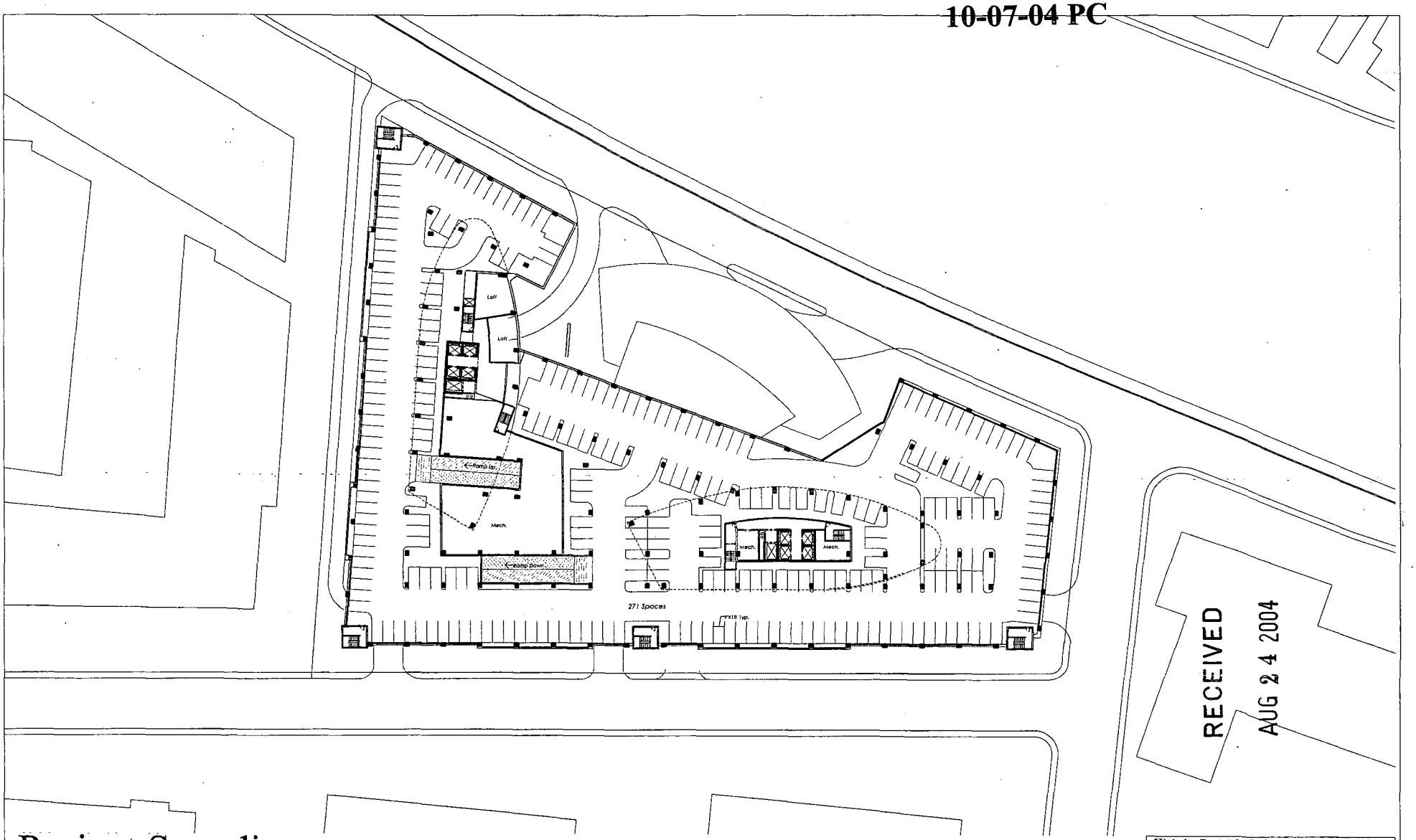
Proposed 3rd, 4th, and 5th Floor Plan

Highrise Partners, Ltd. A Nevada Limited Liability Company
3800 Howard Huges Parkway - 7th Floor
Las Vegas, NV 89109-0907 P:702-735-7600

2900 Sirius Avenue Las Vegas , Nevada 89102

Sheet:	8	Date:	August 20, 2004
		Project Number:	2581

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SDR-5104
10-07-04 PC



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Project Scandia

Proposed 6th Floor Plan

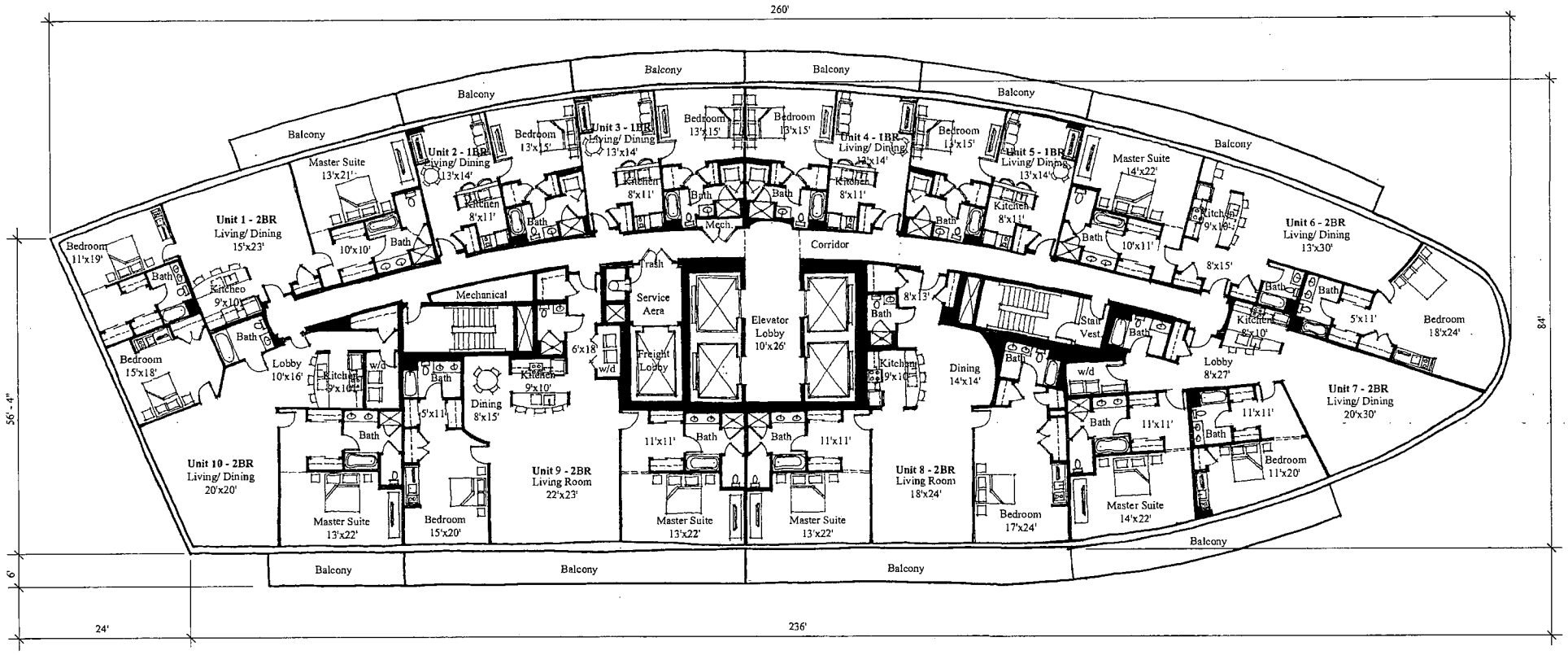
Highrise Partners, Ltd. A Nevada Limited Liability Company
3800 Howard Huges Parkway - 7th Floor
Las Vegas, NV 89109-0907 P:702-735-7600

2900 Sirius Avenue Las Vegas , Nevada 89102

Sheet:	Date:	August 20, 2004
9	Project Number:	2581

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SDR-5104
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Project Scandia

Typical Floor Plan (Floor 8th to 23rd)

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3800 Howard Huges Parkway - 7th Floor
Las Vegas, NV 89109-0907 P:702-735-7600

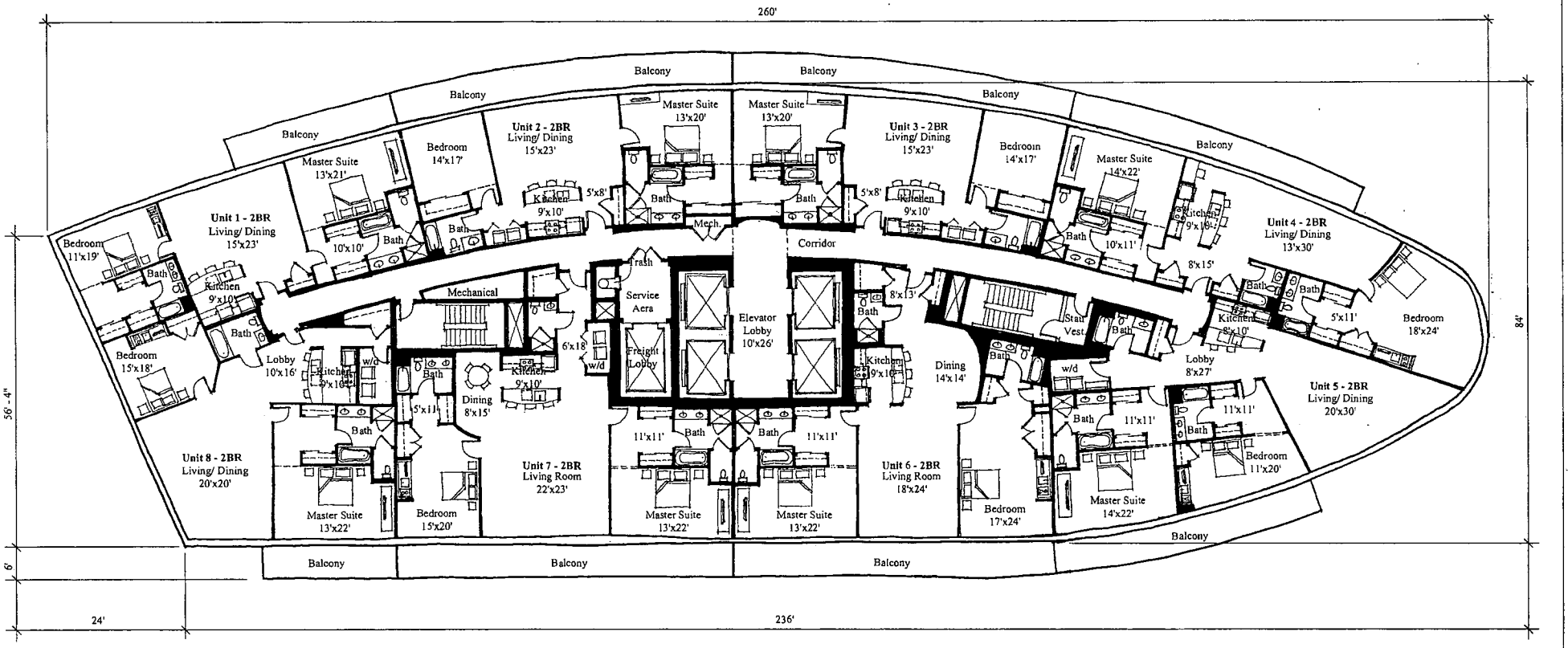
2900 Sirius Avenue Las Vegas , Nevada 89102

Sheet:	Date:	August 24, 2004
10	Project Number:	2581

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SDR-5104
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Project Scandia

Typical Floor Plan (Floor 24th to 43rd)

Highrise Partners, Ltd. A Nevada Limited Liability Company
3800 Howard Huges Parkway - 7th Floor
Las Vegas, NV 89109-0907 P:702-735-7600

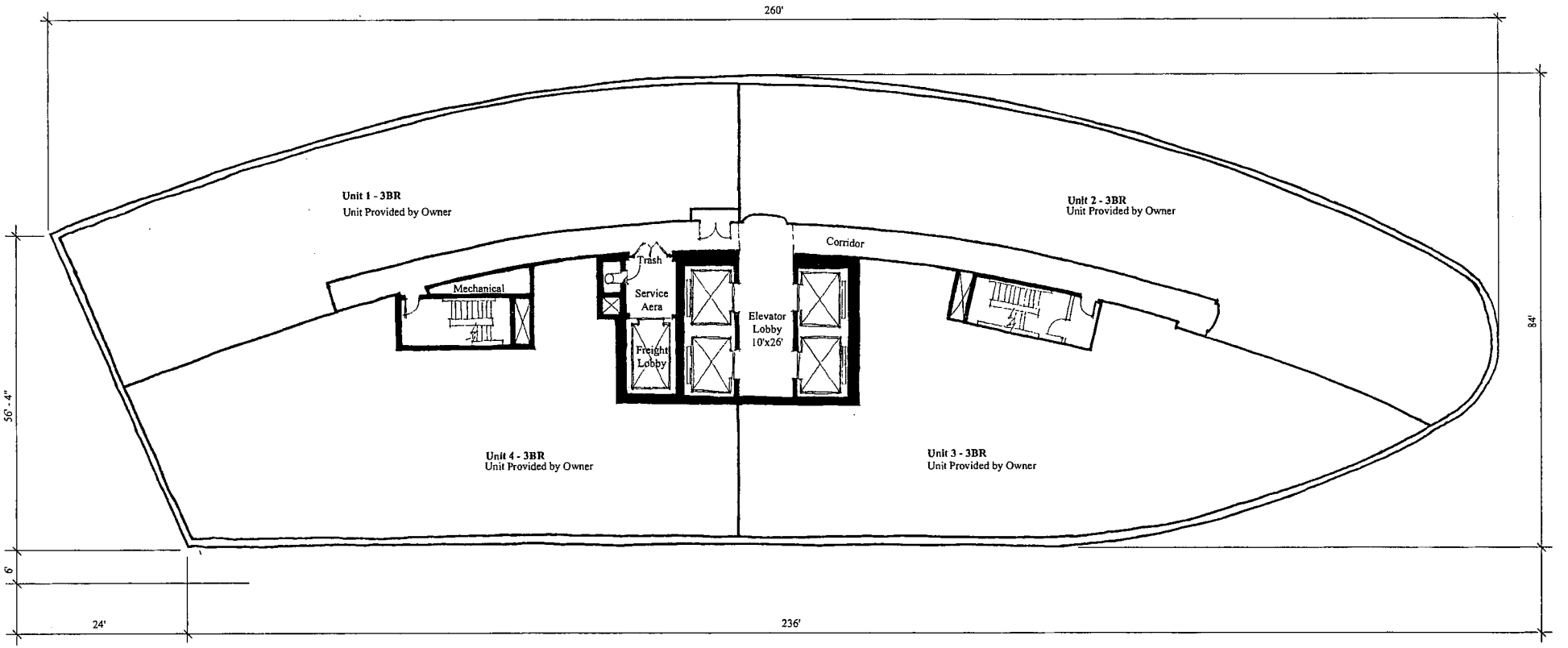
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11	Project Number:	2581

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5' 50'

0 25'

Project Scandia

Typical Floor Plan (Floor 44th to 50th)

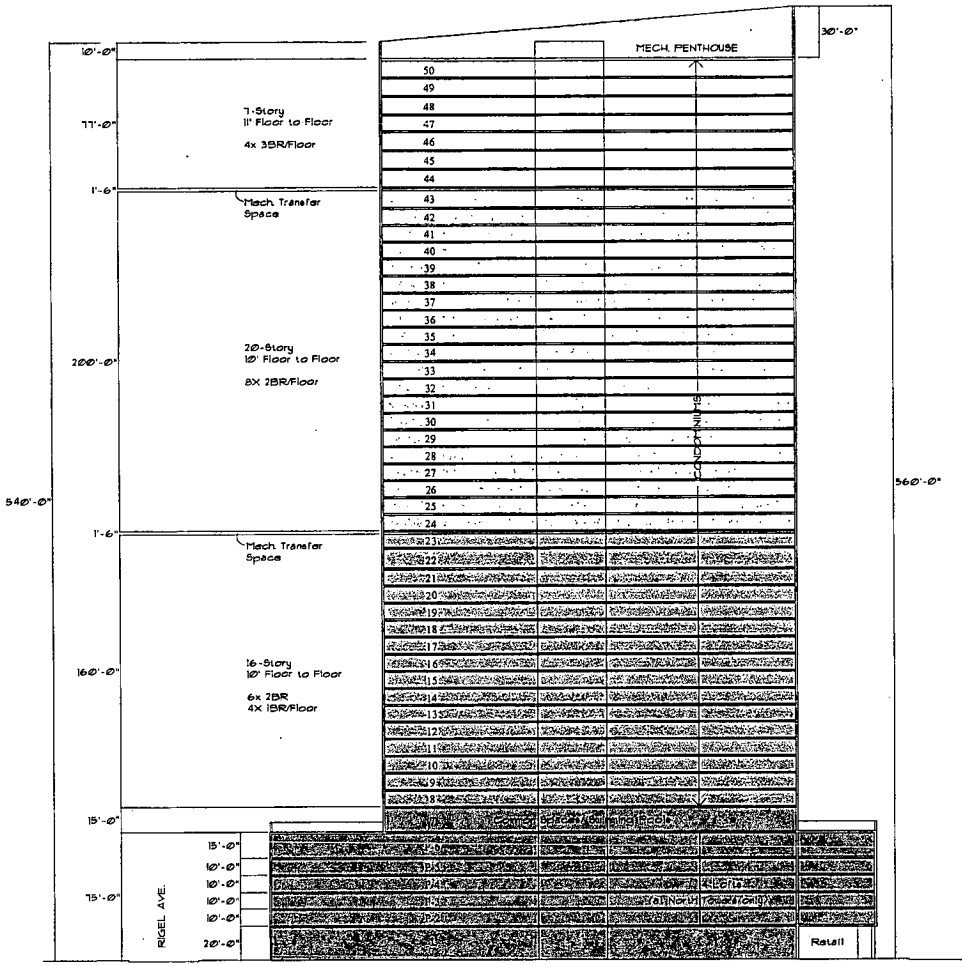
Highrise Partners, Ltd. A Nevada Limited Liability Company
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Las Vegas, NV 89109-0907 P:702-735-7600

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Sheet:	Date:	August 24, 2004
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Project Scandia

Building Section A-A

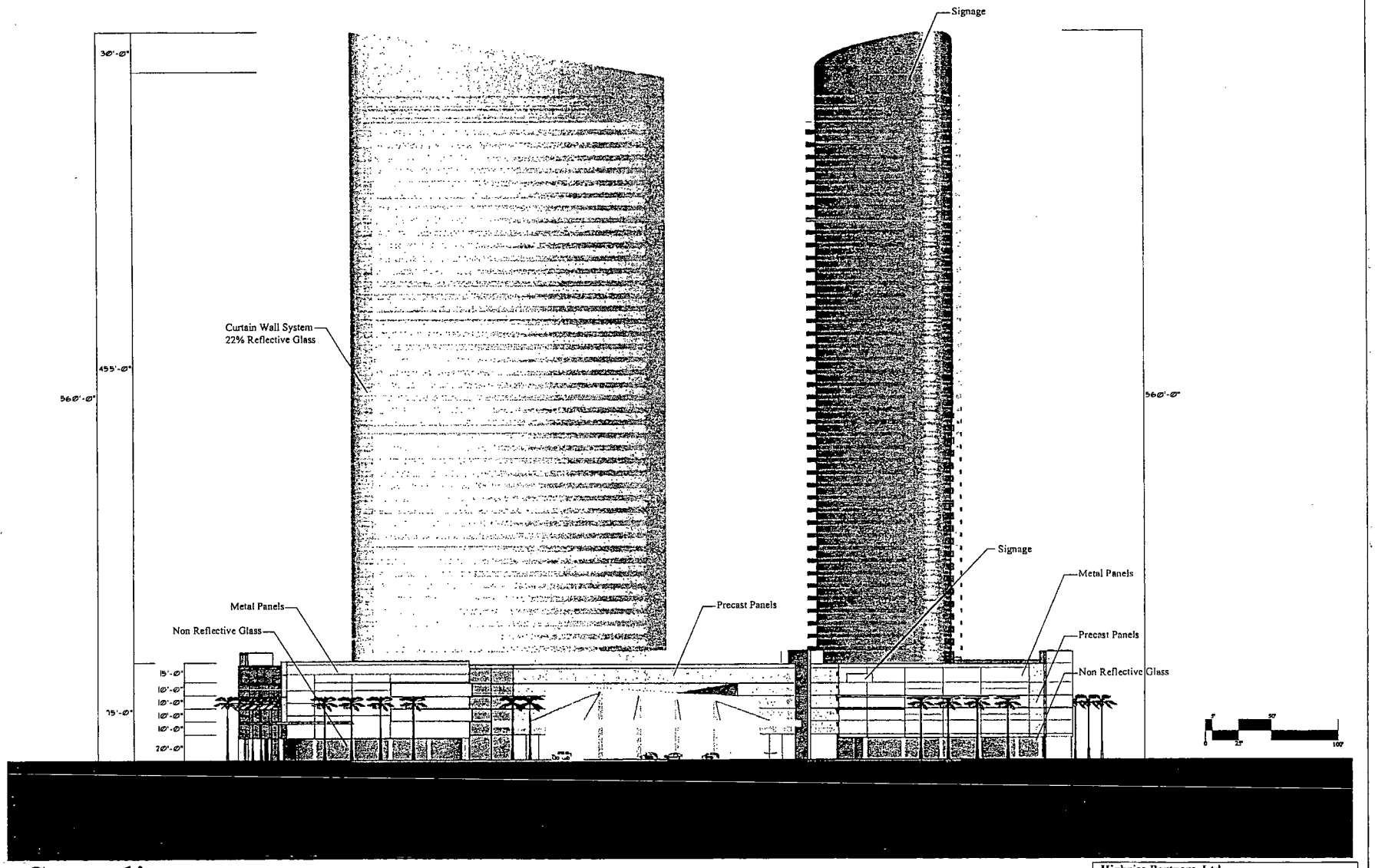
Highrise Partners, Ltd. A Nevada Limited Liability Company
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Sheet:	Date:	August 24, 2004
13	Project Number:	2581

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Project Scandia

East Elevation

Highrise Partners, Ltd. A Nevada Limited Liability Company
3800 Howard Huges Parkway - 7th Floor
Las Vegas, NV 89109-0907 P:702-735-7600

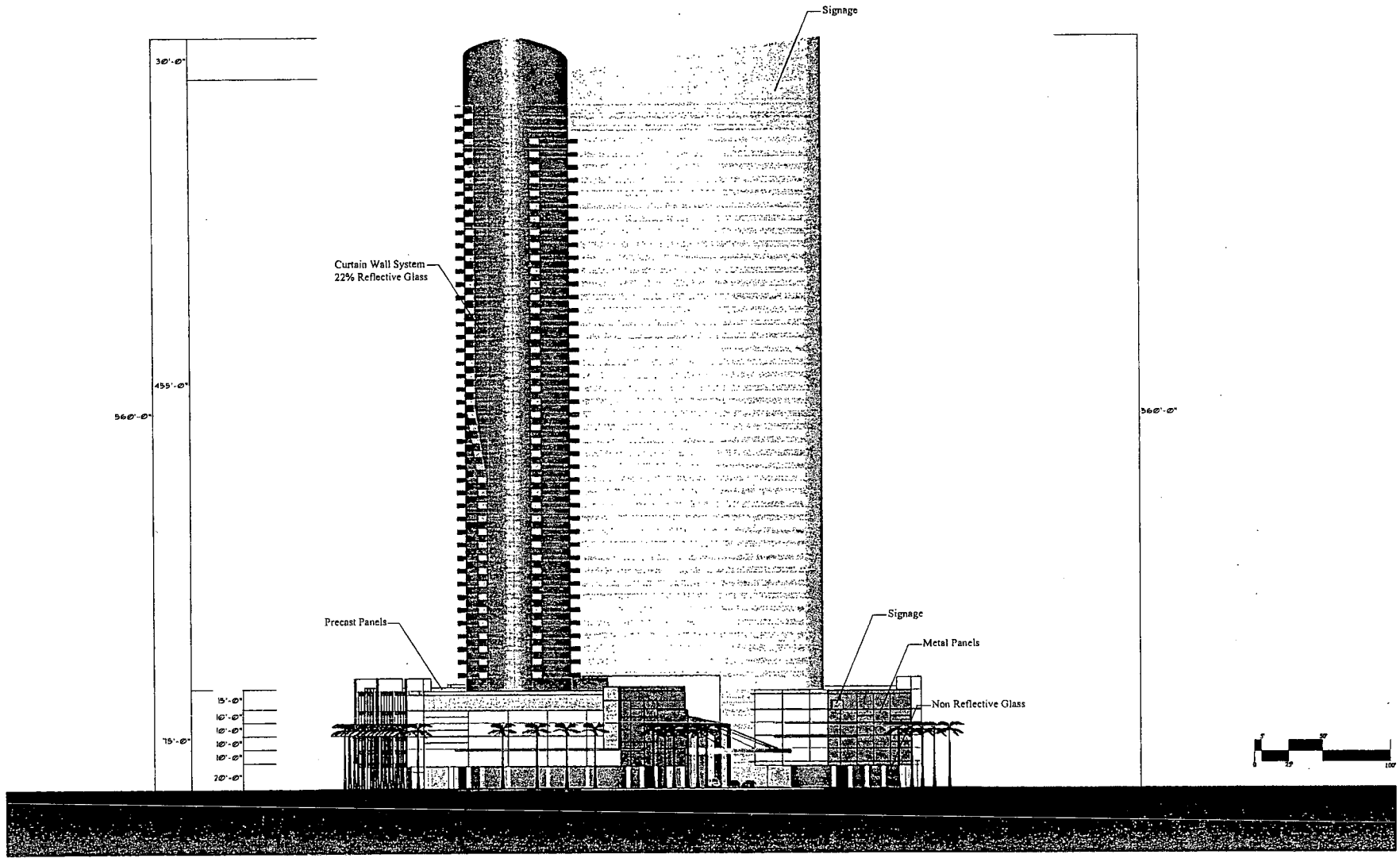
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Sheet:	Date:	August 24, 2004
14	Project Number:	2581

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Project Scandia

South Elevation

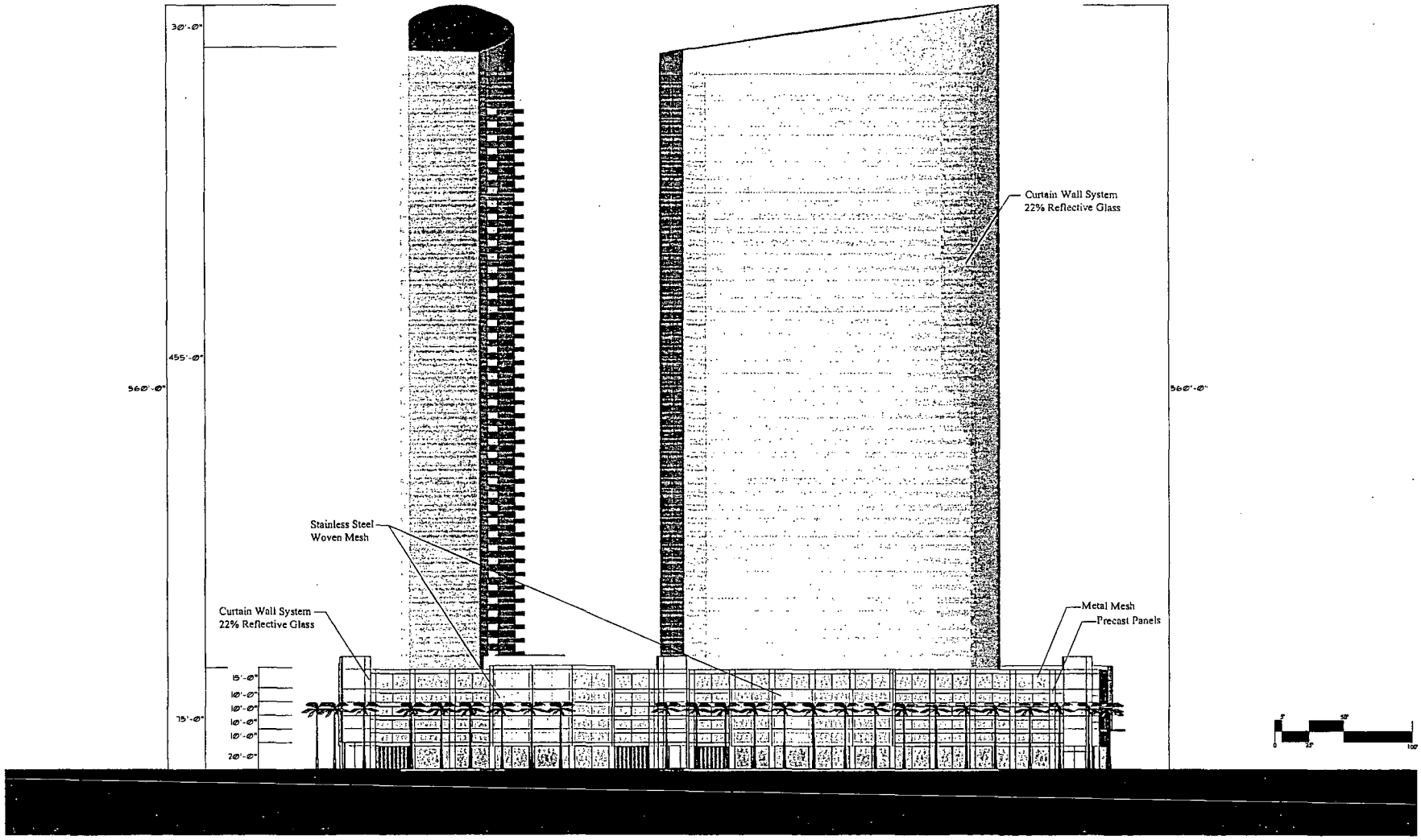
Highrise Partners, Ltd. A Nevada Limited Liability Company
3800 Howard Huges Parkway - 7th Floor
Las Vegas, NV 89109-0907 P:702-735-7600

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Sheet:	Date:	August 24, 2004
15	Project Number:	2581

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SUP-5107
SDR-5104
10-07-04 PC

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Project Scandia

West Elevation

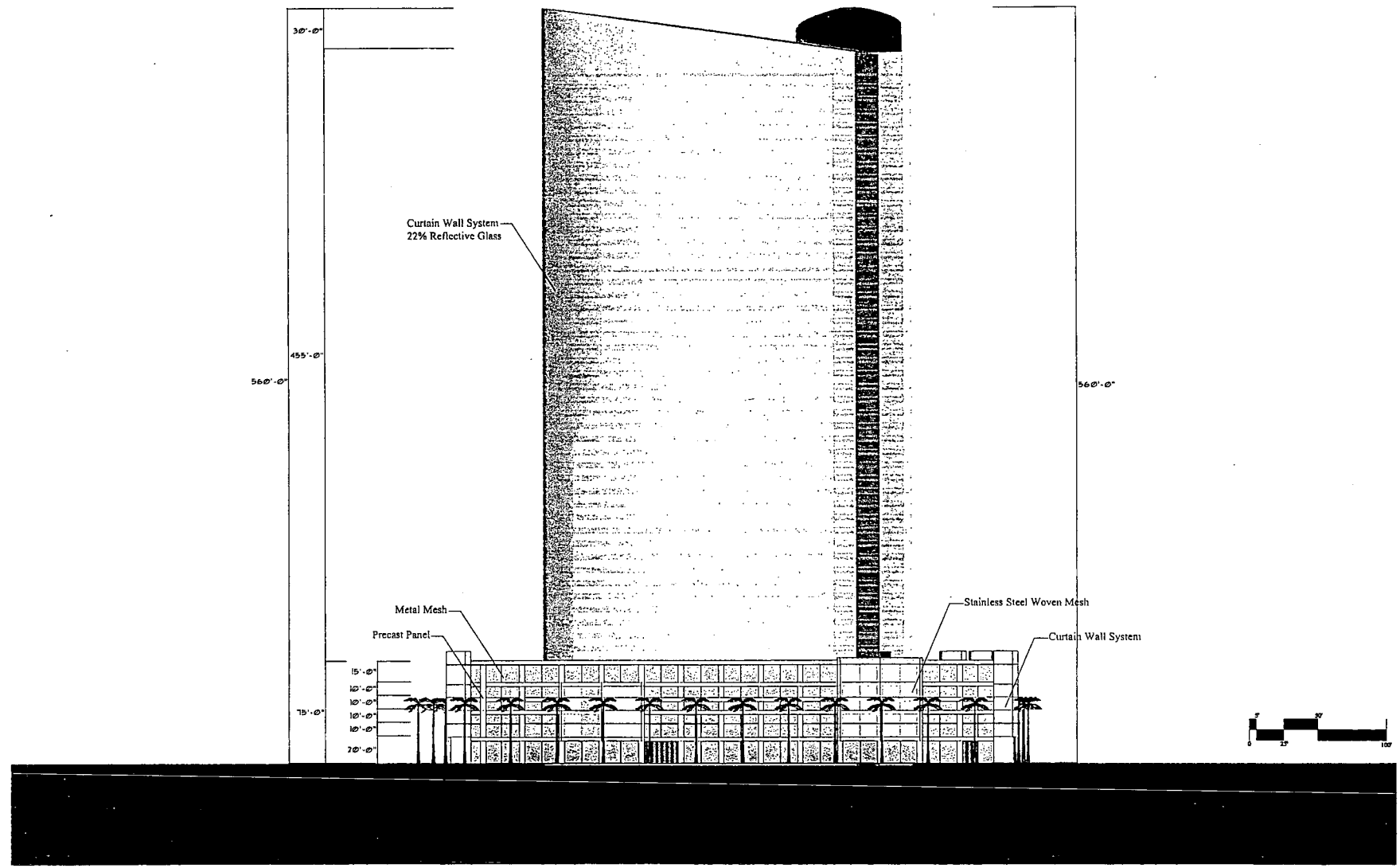
Highrise Partners, Ltd. A Nevada Limited Liability Company
3800 Howard Huges Parkway - 7th Floar
Las Vegas, NV 89109-0907 P:702-735-7600

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Sheet:	Date:	August 24, 2004
16	Project Number:	2581

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Project Scandia

North Elevation

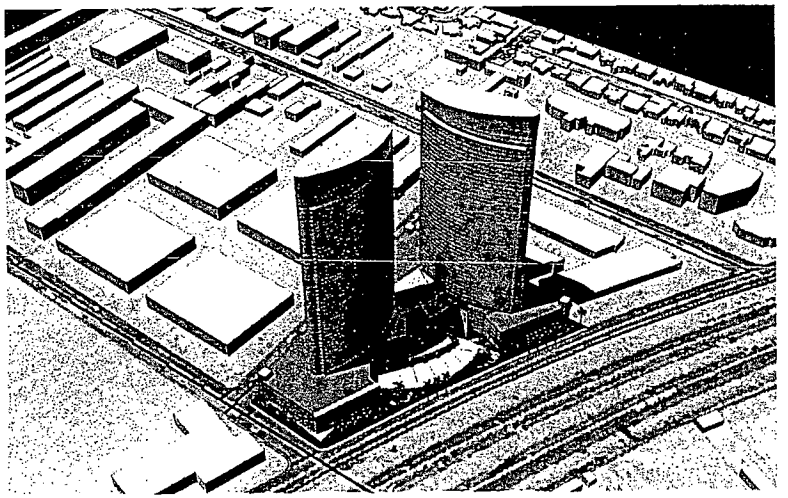
Highrise Partners, Ltd. A Nevada Limited Liability Company
3800 Howard Huges Parkway - 7th Floor
Las Vegas, NV 89109-0907 P:702-735-7600

2900 Sirius Avenue Las Vegas , Nevada 89102

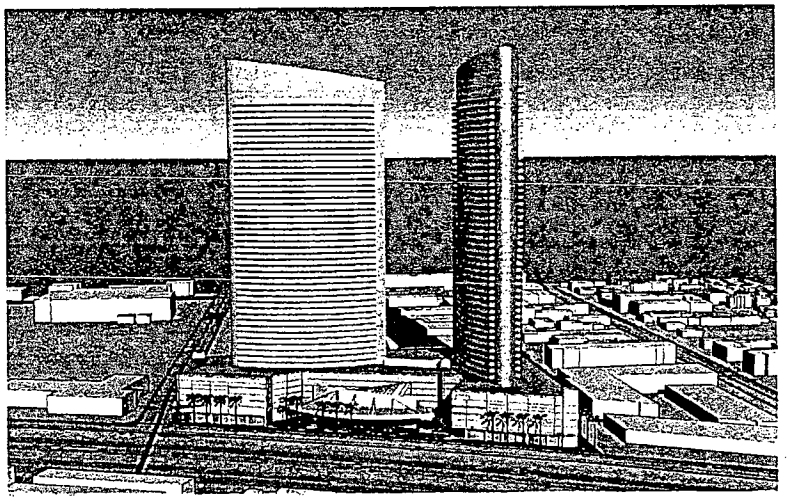
Sheet:	Date:	August 24, 2004
17	Project Number:	2581

ON-5103
SUP-5107
SDR-5104
10-07-04 PC

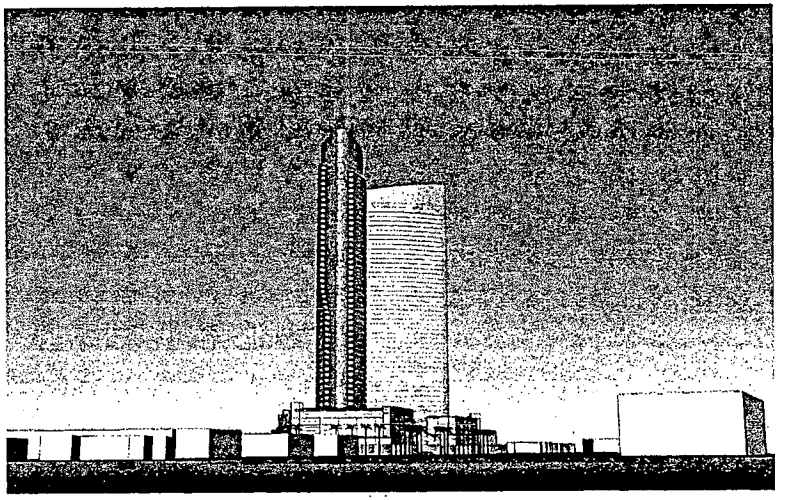
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AUG 2 4 2004



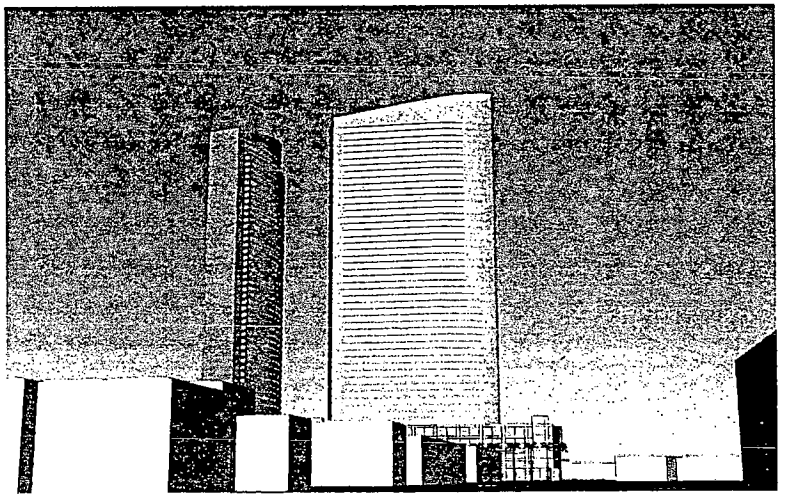
Aerial View From South-East



View From East



View From South - I 15



View From West - Sirius Ave

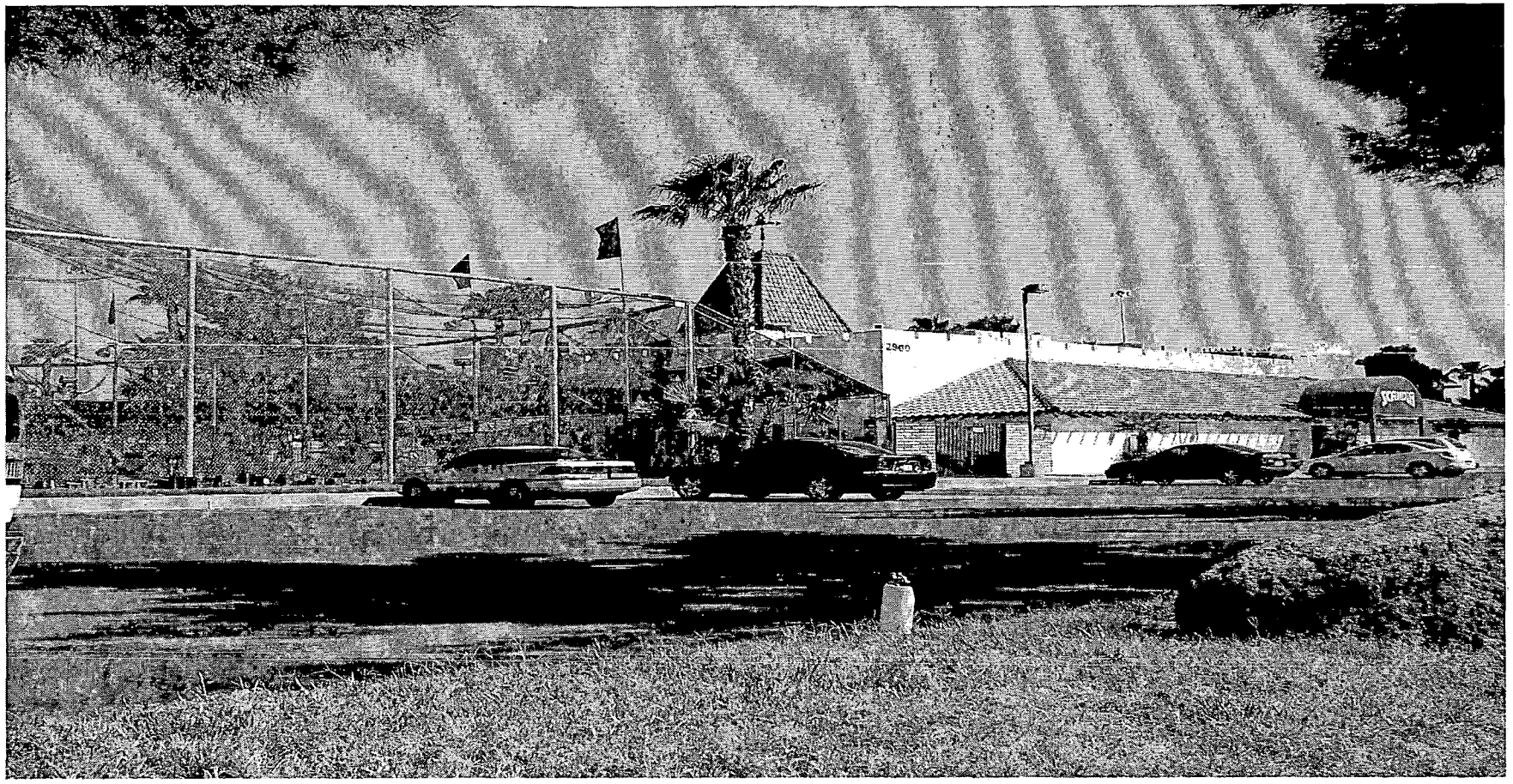
Project Scandia

Aerial Views

Highrise Partners, Ltd. A Nevada Limited Liability Company
3800 Howard Huges Parkway - 7th Floor
Las Vegas, NV 89109-0907 P:702-735-7600

2900 Sirius Avenue Las Vegas , Nevada 89102

Sheet:	Date:	August 24, 2004
19	Project Number:	2581



SDR-5104 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: HIGHRISE PARTNERS LIMITED LLC - OWNER: SCANDIA FAMILY FUN CENTERS
NORTHWEST CORNER OF RANCHO DRIVE AND SIRIUS AVENUE
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No. 111

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-5120 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL - Request to amend a portion of the Southwest Sector Plan of the General Plan FROM: GC (GENERAL COMMERCIAL) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 5.00 acres adjacent to the southeast corner of Charleston Boulevard and Lindell Road (APN 163-01-501-001 and 002), Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	4	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

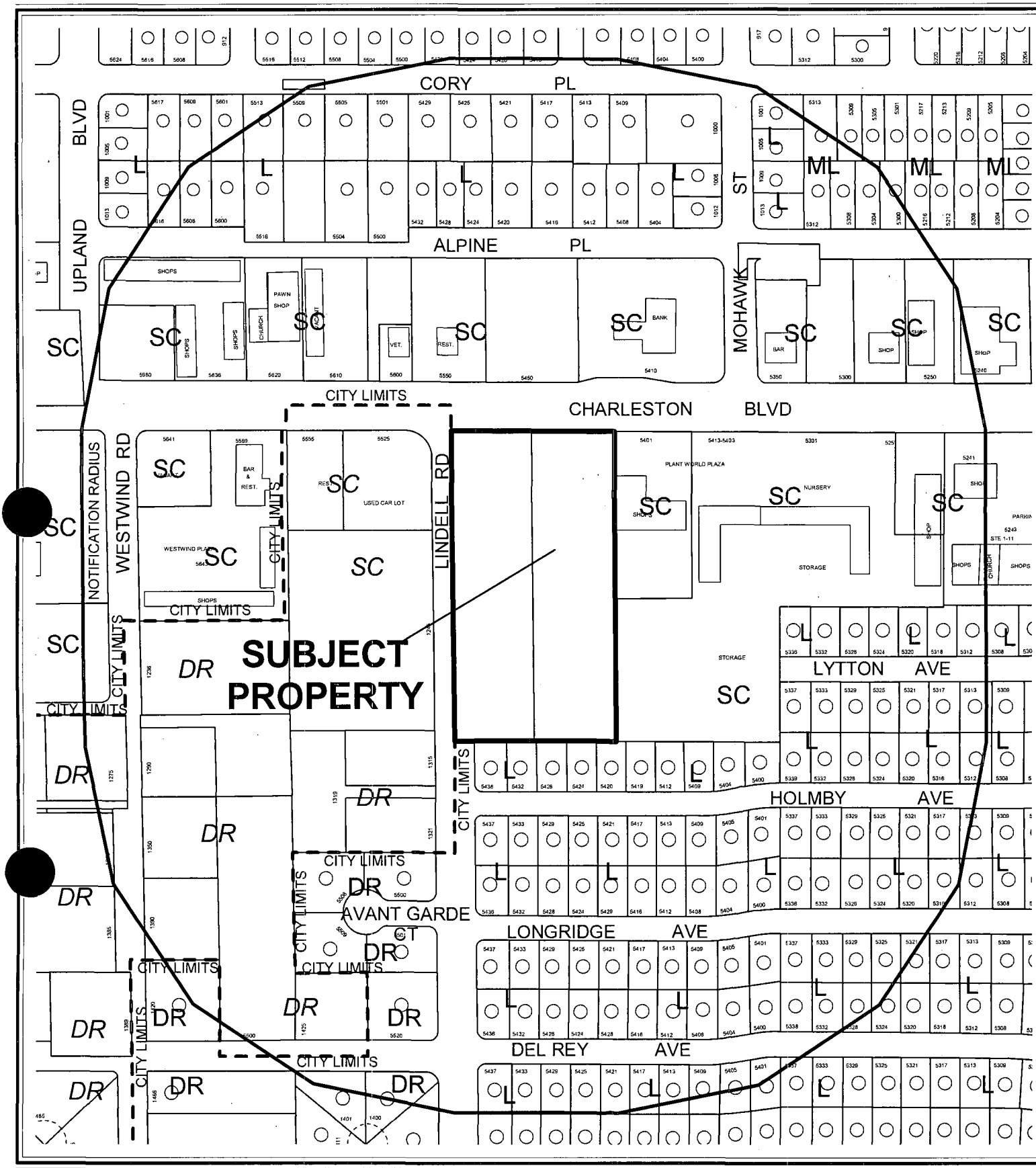
1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Submitted after final agenda - Abeyance letter from Kummer Kaempfer Bonner & Renshaw for Item 111 [GPA-5120], Item 112 [ZON-5121], Item 113 [VAR-5124] and Item 114 [SDR-5122] filed under Item 111 [GPA-5120]

MOTION:

REESE - Motion to TABLE Item 101 [GPA-5264] and HOLD IN ABEYANCE Item 87 [SUP-4830], Item 97 [SUP-5228], Item 98 [SDR-5094], Item 111 [GPA-5120], Item 112 [ZON-5121], Item 113 [VAR-5124], and Item 114 [SDR-5122] to 11/17/2004, and Item 105 [GPS-5082] and Item 106 [VAC-5101] to 2/16/2005 - UNANIMOUS with MACK not voting and GOODMAN abstaining on Item 87 [SUP-4830] becase JAY BROWN, with whom he is in a partnership, represents the applicant

MINUTES:

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, requested Item 111 [GPA-5120], Item 112 [ZON-5121], Item 113 [VAR-5124], and Item 114 [SDR-5122] be abeyed for two weeks so they would have additional time for site plan review issues.
(1:04 - 1:07)
3-1



CASE: **GPA-5120**

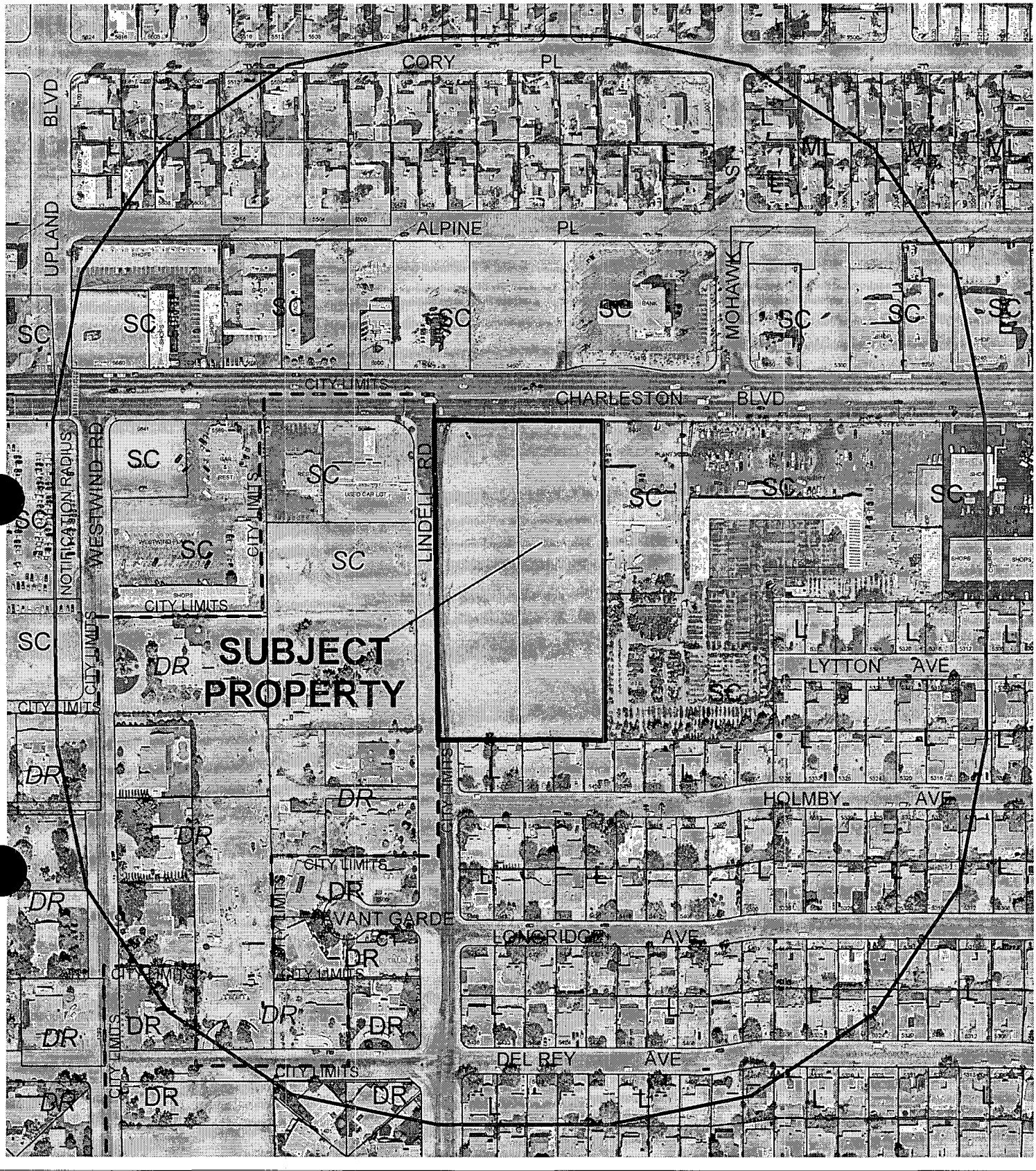
RADIUS: 750 FT

0 200 400 Feet

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
GC (GENERAL COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
ML (MEDIUM-LOW DENSITY RESIDENTIAL)

N



0 200 400 Feet

CASE: **GPA-5120**

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
GC (GENERAL COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
ML (MEDIUM-LOW DENSITY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-5120 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL.

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to amend a portion of the Southwest Sector Plan of the General Plan from GC (General Commercial) to ML (Medium-Low Density Residential) located adjacent to the southeast corner of Charleston Boulevard and Lindell Road.

The applicant's justification letter states that the parcel in question is a true in-fill parcel that has not developed as commercial. The letter continues to state as the population of the Las Vegas area has increased, it has become necessary to address market conditions and expand into areas of land uses intended for lower-density housing, commercial areas and even some industrial properties. The applicant further states that this (residential) product on this infill parcel will provide a good transition buffer from the existing residential community and the existing commercial development planned for this area and will be an enhancement to the community.

BACKGROUND DATA:

08/07/85 The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for SC (Service Commercial) land uses.

03/12/92 The Planning Commission approved the three Land Use Sector Maps of the General Plan.

09/06/00 The City Council approved the Las Vegas 2020 Master Plan. This site is within the Neighborhood Revitalization Area as described in the Plan.

05/16/01 The City Council approved a request (GPA-0006-01) to amend the Southwest Sector Plan of the General Plan for this property from SC (Service Commercial) to GC (General Commercial). The Planning Commission recommended denial on 04/12/01.

05/16/01 The City Council approved a request for Rezoning (Z-0014-01) of the subject property from C-1 (Limited Commercial) to C-2 (General Commercial); a Special Use Permit (U-0040-01) for a minor auto repair garage with service bays that face a public right-of-way; a Special Use Permit (U-0041-01) for a boat and trailer dealership; a Special Use Permit (U-0042-01) for used motor vehicle sales; and a Site Development Plan Review [Z-0014-01(1)] for a proposed 11,400 square-foot building. The Planning Commission had no recommendation for these applications at its 04/12/01 meeting because it had recommended denial of an accompanying application for a General Plan Amendment (GPA-0006-01).

08/06/03 The City Council approved an Extension of Time (EOT-2448) on an approved Special Use Permit (U-0040-01) for a Minor Auto Repair Garage with service bays that face a public right-of-way. The Planning Commission recommended approval of the application on 07/10/03, and the staff recommended denial of the application on the same date.

12/03/03 The City Council approved an Extension of Time (EOT-3126) on an approved Special Use Permit (U-0041-01), which allowed a new and used boat and trailer dealership; an Extension of Time (EOT-3127) on an approved Special Use Permit (U-0042-01), which allowed used motor vehicle sales; an Extension of Time (EOT-3230) on a request for Rezoning (Z-0014-01) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-2 (General Commercial); and a Site Development Plan Review [Z-0014-01(1)] which allowed an 11,400 square foot commercial building. The Planning Commission recommended approval on 11/06/03, and the staff recommended denial on the same date.

10/07/04 The Planning Commission recommended approval of the accompanying applications for a Rezoning (ZON-5121) the subject property from C-2 (General Commercial) to R-PD8 (Residential Planned Development - 8 Units Per Acre), a Variance (VAR-5124) to reduce the open space requirement, and Site Development Plan Review (SDR-5122) for a 40-lot single-family residential development.

10/07/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #32/ar).

DETAILS OF APPLICATION REQUEST

Site Area: 5.0 Acres

EXISTING LAND USE

Subject Property	Undeveloped
North	Undeveloped and Commercial
South	Single Family Residential
East	Commercial and Outdoor storage for plant nursery
West	Used car lot, Undeveloped and Single Family Residential

PLANNED LAND USE

Subject Property	GC (General Commercial)
North	SC (Service Commercial)
South	L (Low Density Residential)
East	SC (Service Commercial)
West	SC (Service Commercial)

EXISTING ZONING

Subject Property	U (Undeveloped) under resolution of intent to C-2 (General Commercial)
North	R-1 (Single Family Residential) and C-1 (Limited Commercial)
South	R-1 (Single Family Residential)
East	C-1 (Limited Commercial)
West	Clark County [C-2 (General Commercial) and R-E (Rural Estates Residential)]

	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.

GC (General Commercial)
General Commercial allows retail, service, wholesale, office, and other general business uses of a more intense commercial character. These uses include limited outdoor storage or display of products, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas with significant transition. Examples of General Commercial uses include: new and used car sales; recreational vehicles and boat sales; mortuaries; and other vehicle-oriented uses such as hotels, motels, apartment hotels, and similar uses.

ANALYSIS

To the north is a restaurant and undeveloped property designated as Service Commercial; to the south is a single family residential subdivision designated as Low Density Residential; to the west is a used car lot located within Clark County designated as Service Commercial; and to the east is a developed commercial center and a plant nursery designated as Service Commercial.

The proposed land use of ML (Medium-Low Density Residential) is not compatible with the properties designated as SC (Service Commercial) immediately adjacent on all three sides of the project site. Furthermore, the residential use is not an appropriate infill project for the site due to the intense commercial nature of the Charleston Boulevard corridor.

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 proposed land use of ML (Medium Low Density Residential) permits up to 8 dwelling units/per gross acre. This category 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. The property is located in an area where high intensity commercial uses exist. The frontage along Charleston Boulevard is designated for general commercial uses due to the high traffic volume. Intermixing single-family residential development with high intensity commercial uses is not a compatible combination of land uses. Therefore, it is recommended that this application be denied.

In regard to "2": The intensity of the zoning districts that are permitted within the ML (Medium-Low Density Residential) land use category is not compatible with the uses permitted in the adjacent C-1 (Limited Commercial) property. The proposed zoning of R-PD8 (Residential Planned Development – 8 units per acre) would permit the proposed 40-lot single-family residential development. However, the proposed zoning designation is not compatible with adjacent C-1 (Limited Commercial) zoning designations to the north and east and the Clark County commercially-zoned lands to the west, due to the high intensity commercial uses permitted in these zones.

In regard to "3": There are adequate transportation, recreation, utility, and other facilities to accommodate the proposed residential development. The Northwest Area Command of the Las Vegas Metropolitan Police Department services the site with a substation at 9850 West Cheyenne (located at the northwest corner of Cheyenne and Metro Academy Way, west of Grand Canyon). Fire Station #5, located near Charleston Boulevard and Hinson Street is the closest city facility to the site.

In regard to "4": The request does not comply with Policy 2.1.2 of the Las Vegas 2020 Master plan that calls for development on vacant or underutilized lots within existing neighborhoods to be sensitive in use and design to surrounding development. The proposed project, a 40-lot single family residential development is not compatible with the existing adjacent high intensity commercial uses. There are no other adopted plans or policies that apply to this application.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

09/07/04 A neighborhood meeting was held on Tuesday, September 7, 2004 at 6 p.m. at the Charleston Heights Arts Center, 800 S. Brush Street. Fifteen people attended and had the following concerns:

The proposed density of eight units per acre is not compatible with existing residential development to the south. Residents believe five per acre to be more appropriate.

Additional traffic would be placed on Lindell. Residents would like an island installed on Lindell in such a manner as to restrict left hand turns (south bound) turns on to Lindell.

Change of product from single family detached to condos or multi-family.

Two story houses along the south property line inhibit privacy of existing adjacent dwellings. Residents prefer single story.

The width of the proposed lots is not comparable to the width of existing lots.

Parking problems within proposed subdivision could lead to parking within existing neighborhoods.

NOTICES MAILED: 202 by Planning Department

APPROVALS: 0

PROTESTS: 4

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-5120-04 APN: 163-01-501-001,002

Name of Property Owner: Ronald & Carolyn Mich'L

Name of Applicant: Richmond American

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: CAROLYN MICH'L

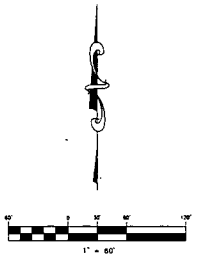
Subscribed and sworn before me

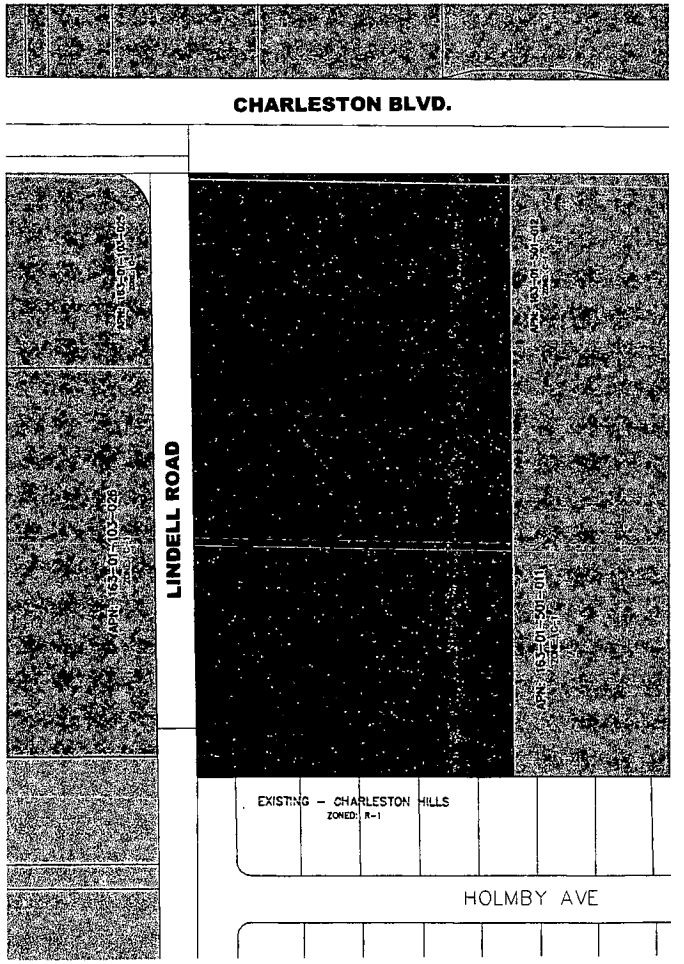
This 24 day of August, 2004

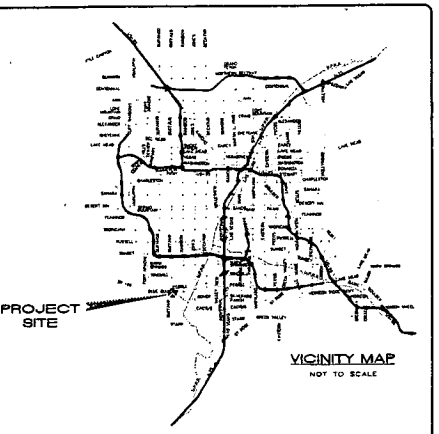
Virginia Jauregui
Notary Public in and for said County and State

VIRGINIA JAUREGUI
Notary Public State of Nevada
No. 98-2698-1
My appt. exp. Feb. 5, 2008

CHARLESTON - LINDELL







OWNER

RONALD & CAROLYN MICHL
3075 ROSANNA
LAS VEGAS, NV 89117

DEVELOPER

RICHMOND AMERICAN HOMES
2940 PASEO VERDE PARKWAY SUITE 120
HENDERSON, NEVADA 89074

ASSESSORS PARCEL NUMBER:

163-01-501-001,002

OVERALL TASULATIONS

EXISTING ZONING ——— C-2
PROPOSED ZONING ——— R-PDB

EXISTING LAND USE ——— GC
PROPOSED LAND USE ——— MEDIUM LOW

OF UNITS ——— 40
GROSS ACREAGE ——— 5 ACRES +/-
DENSITY ——— 8.0

OPEN SPACE REQUIRED — 28,749 SF
OPEN SPACE PROVIDED — 19,201 SF (66%)
- 34% REDUCTION IN OS

LEGEND

- GENERAL COMMERCIAL
- SERVICE COMMERCIAL
- LOW - RESIDENTIAL
- RURAL NEIGHBORHOOD PRESERVATION

NOTE: THIS PLAN WAS PREPARED USING RECORD INFORMATION. IT IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED

PROJECT OWNER:
RICHMOND AMERICAN HOMES
2940 PASEO VERDE PKWY, SUITE 120
HENDERSON, NEVADA
(702) 617-0400

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7575 Hickam Avenue Las Vegas, NV 89129 Office: 702.384.7701 Fax: 702.384.7702

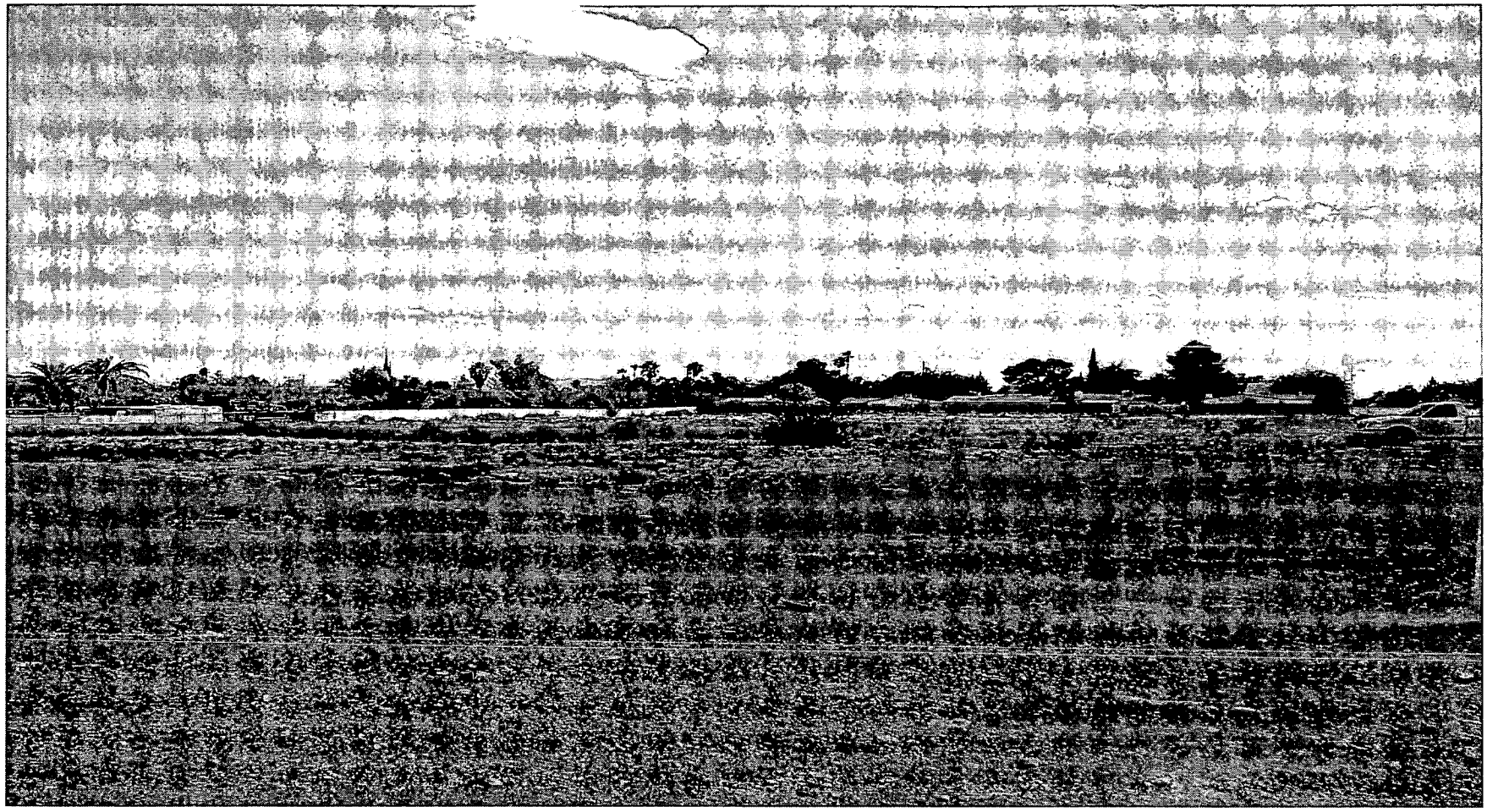
SHEET: SITE PLAN TO ACCOMPANY GPA / REZONING/SDR

TITLE: CHARLESTON - LINDELL
CITY OF LAS VEGAS, NEVADA

DATE: AUGUST 2, 2004
DRAWN BY: R. SHUSE
DESIGNED BY: R. SHUSE
CHECKED BY: R. SHUSE
SCALE:
PROJECT NO. RA-0067
ENGINEERING SEAL

SHEET 1 OF 1
DRAWING NO. 1

GPA-5120
10-07-04 PC



GPA-5120 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND LINDELL ROAD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW
WWW.KKBR.COM

3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89109-0907
Tel: 702.792.7000
Fax: 702.796.7181

8600 Technology Way
Suite 104
Reno, NV 89521-5941
Tel: 775.852.3900
Fax: 775.852.3982

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kkbr.com

November 3, 2004

RECEIVED
CITY CLERK
2004 NOV -3 P 1:18

VIA FACSIMILE
382-4803

Barbara Jo Ronemus
CITY OF LAS VEGAS
CITY CLERK
400 Stewart Ave.
Las Vegas, NV 89101

Re: Request to hold (GPA-5120, ZON-5121, VAR-5124, SDR-5122)
Applicant: Richmond American Homes
City of Las Vegas City Council Meeting
November 3, 2004

Dear Ms. Ronemus:

On behalf of the applicant, we respectfully request that the above referenced applications scheduled to be heard by the City of Las Vegas City Council on November 3, 2004 be held until the **November 17, 2004** City of Las Vegas City Council meeting in order to work out issues with the site plan.

If you have any questions, please do not hesitate to contact me.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Jennifer Lazovich

JL/dmf

143524_1

Submitted after final agenda

8586.82

Date 11/03/04 Item #111-114

City of Las Vegas

Agenda Item No. 112

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT GENZER ☐ CONSENT ☒ DISCUSSION

SUBJECT:
REZONING RELATED TO GPA-5120

ZON-5121 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL - Request for a Rezoning FROM: U (UNDEVELOPED) [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) TO: R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE) on 5.00 acres adjacent to the southeast corner of Charleston Boulevard and Lindell Road (APN 163-01-501-001 and 002), Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

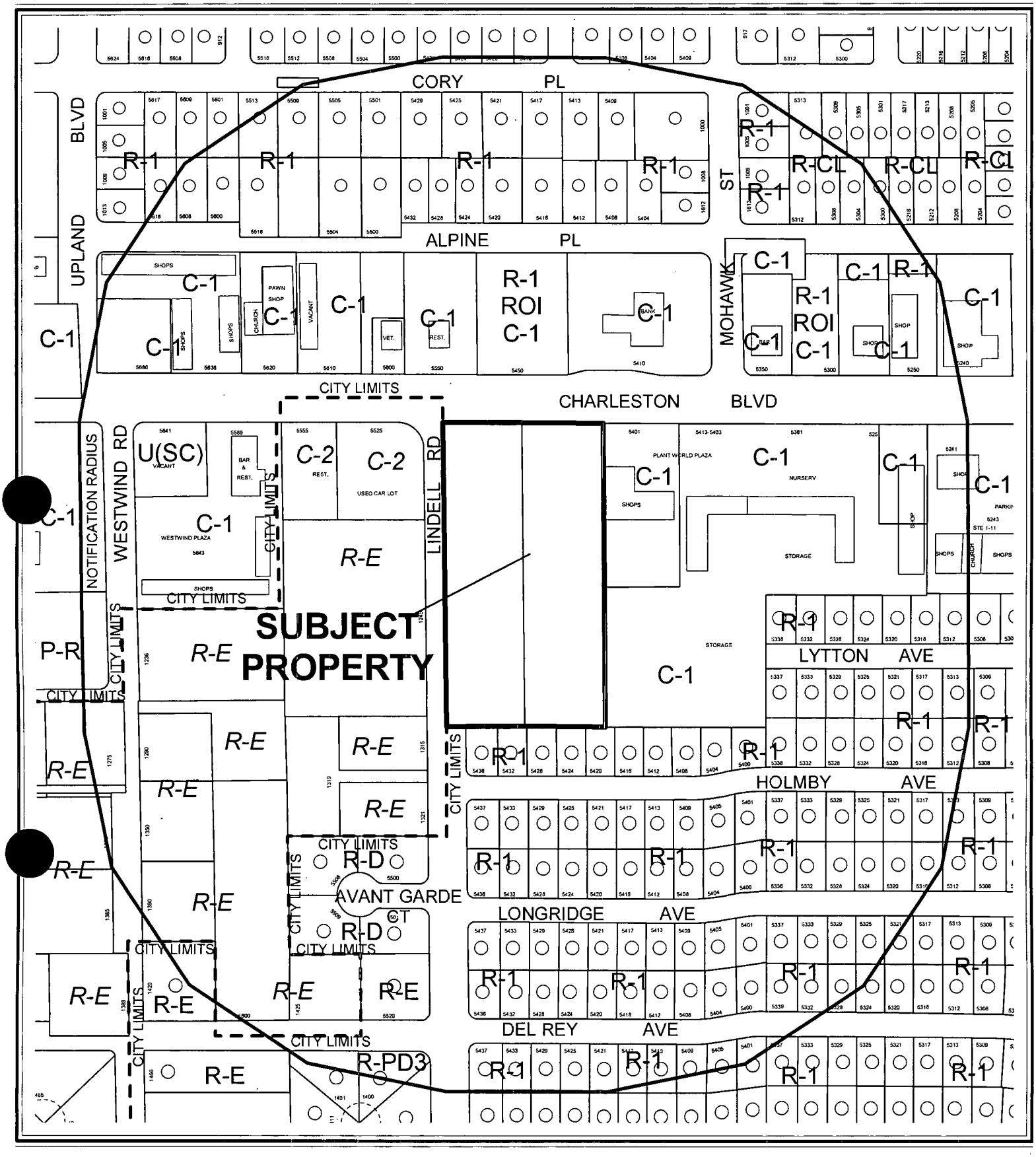
PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	4	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Abeyance letter from Kummer Kaempfer Bonner & Renshaw for Item 111 [GPA-5120], Item 112 [ZON-5121], Item 113 [VAR-5124] and Item 114 [SDR-5122] filed under Item 111 [GPA-5120]

MOTION:
REESE - Motion to TABLE Item 101 [GPA-5264] and HOLD IN ABEYANCE Item 87 [SUP-4830], Item 97 [SUP-5228], Item 98 [SDR-5094], Item 111 [GPA-5120], Item 112 [ZON-5121], Item 113 [VAR-5124], and Item 114 [SDR-5122] to 11/17/2004, and Item 105 [GPS-5082] and Item 106 [VAC-5101] to 2/16/2005 - UNANIMOUS with MACK not voting and GOODMAN abstaining on Item 87 [SUP-4830] because JAY BROWN, with whom he is in a partnership, represents the applicant

MINUTES:
ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, requested Item 111 [GPA-5120], Item 112 [ZON-5121], Item 113 [VAR-5124], and Item 114 [SDR-5122] be abeyed for two weeks so they would have additional time for site plan review issues.
(1:04 - 1:07)
3-1



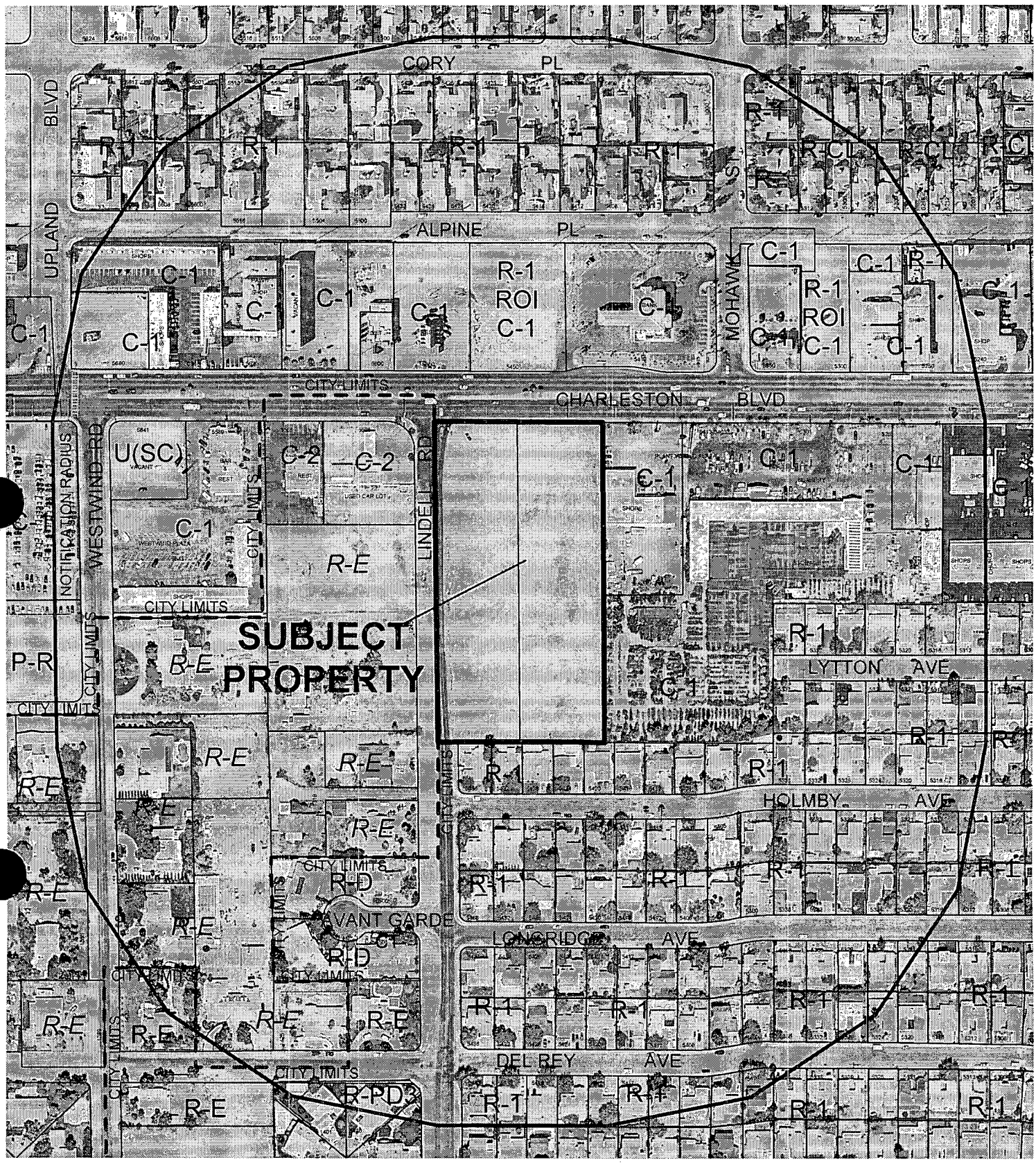
CASE: **ZON-5121**

RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)



CASE: **ZON-5121**

RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-5121 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-5120), a Variance (VAR-5124), and a Site Development Plan Review (SDR-5122) approved by the City Council and prior to the issuance of any permits, any site grading, and any development activity for the site.

2. A Resolution of Intent with a two-year time limit.

Public Works

3. Dedicate 40 feet of right-of-way adjacent to this site for Lindell Road and dedicate a 54-foot radius on the southeast corner of Charleston Boulevard and Lindell Road.

4. Construct half-street improvements including appropriate overpaving on Lindell Road adjacent to this site concurrent with development of this site. Construct all incomplete half-street improvements on Charleston Boulevard 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. Obtain permission from Clark County for any work proposed on the west side of Lindell Road prior to the issuance of any permits.

5. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.

6. 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.

7. 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 Rezoning from U (Undeveloped) [GC (General Commercial) General Plan Designation] under ROI to C-2 (General Commercial) to R-PD8 (Residential Planned Development - 8 Units Per Acre) on 5.00 acres adjacent to the southeast corner of Charleston Boulevard and Lindell Road.

B) Applicant's Justification

In a letter from the applicant submitted with the subject application, justification is presented in the following statements:

- The parcel in question is a true in-fill parcel that has not developed as commercial.
- As the population in the Las Vegas-area has increased, it has become necessary to address market conditions and expand into areas of land uses intended for lower-density housing, commercial areas and even some industrial properties.
- There is a need to develop affordable housing on in-fill parcels which allows less burdens on getting infrastructure to these properties but due to the nature of the infill property, we find it necessary to request minor deviations to the cities code requirements in order to develop the property making it a positive for the developer, the City of Las Vegas and the surrounding community.
- This product on this in-fill parcel will provide a good transition buffer from the existing residential community and the existing commercial development planned for this area and will be an enhancement to the community.

BACKGROUND INFORMATION

A) Actions

05/16/01 The City Council approved a request (GPA-0006-01) to amend the Southwest Sector Plan of the General Plan for this property from SC (Service Commercial) to GC (General Commercial). The Planning Commission recommended denial on 04/12/01.

05/16/01 The City Council approved a request for Rezoning (Z-0014-01) of the subject property from C-1 (Limited Commercial) to C-2 (General Commercial); a Special Use Permit (U-0040-01) for a minor auto repair garage with service bays that face a public right-of-way; a Special Use Permit (U-0041-01) for a boat and trailer dealership; a Special Use Permit (U-0042-01) for used motor vehicle sales; and a Site Development Plan Review [Z-0014-01 (1)] for a proposed 11,400 square-foot building. The Planning Commission had no recommendation for these applications at its 04/12/01 meeting because it had recommended denial of an accompanying application for a General Plan Amendment (GPA-0006-01).

08/06/03 The City Council approved an Extension of Time (EOT-2448) on an approved Special Use Permit (U-0040-01) for a Minor Auto Repair Garage with service bays that face a public right-of-way. The Planning Commission recommended approval of the application on 07/10/03, and the staff recommended denial of the application on the same date.

12/03/03 The City Council approved an Extension of Time (EOT-3126) on an approved Special Use Permit (U-0041-01), which allowed a new and used boat and trailer dealership; an Extension of Time (EOT-3127) on an approved Special Use Permit (U-0042-01), which allowed used motor vehicle sales; an Extension of Time (EOT-3230) on a request for Rezoning (Z-0014-01) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-2 (General Commercial); and a Site Development Plan Review [Z-0014-01(1)] which allowed an 11,400 square foot commercial building. The Planning Commission recommended approval on 11/06/03, and the staff recommended denial on the same date.

10/07/04 The Planning Commission recommended approval of the accompanying applications for a General Plan Amendment (GPA-5124) to reclassify the subject property from GC (General Commercial) to ML (Medium-Low Density Residential), for a Variance (VAR-5124) to reduce the open space requirement, and for a Site Development Plan Review (SDR-5122) for a 40-lot single-family residential development.

10/07/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #33/ds).

B) Pre-Application Meeting

08/04/04 The staff met with the applicant to review a prospective development consisting of a 40-lot single-family residential subdivision. It was indicated that a General Plan Amendment, rezoning of the property to an R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone, a Variance to the open space standards for the R-PD8 Zone, and a Site Development Plan would be required to permit the project.

C) Neighborhood Meetings

09/07/04 A neighborhood meeting was held on the related General Plan Amendment. Fifteen people attended the meeting and had the following concerns:

- A density of eight units per acre is not compatible with existing residential development to the south. Residents believed five units per acre to be more appropriate.
- More traffic would be generated on Lindell Road. Residents would like an island installed on Lindell Road in such a manner as to restrict left hand turns (south bound) turns onto Lindell Road.

- Two story houses along the south property line would inhibit privacy of existing adjacent dwellings. The residents would prefer single story buildings.
- The width of lots is too narrow compared to the width of existing lots.
- Parking problems within the proposed subdivision could lead to parking problems within the existing neighborhood.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres:	5.0 Acres

B) Existing Land Use

Subject Property	Undeveloped
North:	Undeveloped and Commercial
South:	Single Family Residential
East:	Commercial and Outdoor storage for plant nursery
West:	Used car lot, Undeveloped and Single Family Residential

C) Planned Land Use

Subject Property:	GC (General Commercial)
North:	SC (Service Commercial)
South:	L (Low Density Residential)
East:	SC (Service Commercial)
West:	Clark County

D) Existing Zoning

Subject Property:	U (Undeveloped) under resolution of intent to C-2 (General Commercial)
North:	R-1 (Single Family Residential) and C-1 (Limited Commercial)
South:	R-1 (Single Family Residential)
East:	C-1 (Limited Commercial)
West:	Clark County [C-2 (General Commercial) and R-E (Rural Estates Residential)]

E) General Plan Compliance

The property is located in the Southwest Sector of the General Plan. The Southwest Sector Map designates the subject property as GC (General Commercial). The property is currently zoned C-2 (General Commercial), a zone that is permitted in the GC land use classification. This application proposes to rezone the property to R-PD8 (Residential Planned Development - 8 Units Per Acre), which is not permitted in the GC classification. The applicant, therefore, is proposing to amend the General Plan designation for the property to ML (Medium-Low Density Residential).

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 or overlays that affect the subject site.

A) Zoning Code Compliance

A full analysis of compliance with the Zoning Code is addressed with the accompanying Site Development Plan Review (SDR-5122).

B) General Analysis and Discussion

The property is located in an area with existing and proposed high intensity commercial uses. The frontage along Charleston Boulevard is designated for general commercial uses because of the high traffic volume on this street. Regardless of the decision made as to the ultimate zoning of this property, the frontage is expected to continue developing in a commercial classification. For that reason, intermixing single-family residential development with high intensity commercial uses is not a compatible juxtaposition of land uses. Therefore, it is recommended that this application be denied.

FINDINGS

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 property is presently designated GC (General Commercial) for commercial development. The district would not permit the subject proposed development. For this reason, the applicant is requesting that the General Plan be amended to a ML (Medium-Low Density Residential) classification to permit it. The staff is recommending that that application be denied.

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."**

   Property to the north and south are developed for single-family use. However, some additional property to the north and adjacent property to the east and west are developed or designated for high intensity commercial uses. These commercial uses are not compatible to a single-family residential use.

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

The subject property is located in an area that is a well-established commercial area. This land use is not expected to change. For this reason, it is recommended that the present land use classification and zoning district remain and that the subject application be denied.

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 abuts Charleston Boulevard, a Primary Arterial (100-foot wide) street, and Lindell Road, a Secondary Collector (80-foot wide) street, according to the Master Plan of Streets and Highways. The subdivision would have access to Lindell Road, approximately 400 feet south of Charleston Boulevard. These streets provide adequate access to the property.

NOTICES MAILED 202 by Planning Department

APPROVALS 0

PROTESTS 4

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5121 APN: 163-01-501-001,002

Name of Property Owner: Ronald & Carolyn Michl

Name of Applicant: Richmond American

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: Carolyn Michl

Subscribed and sworn before me

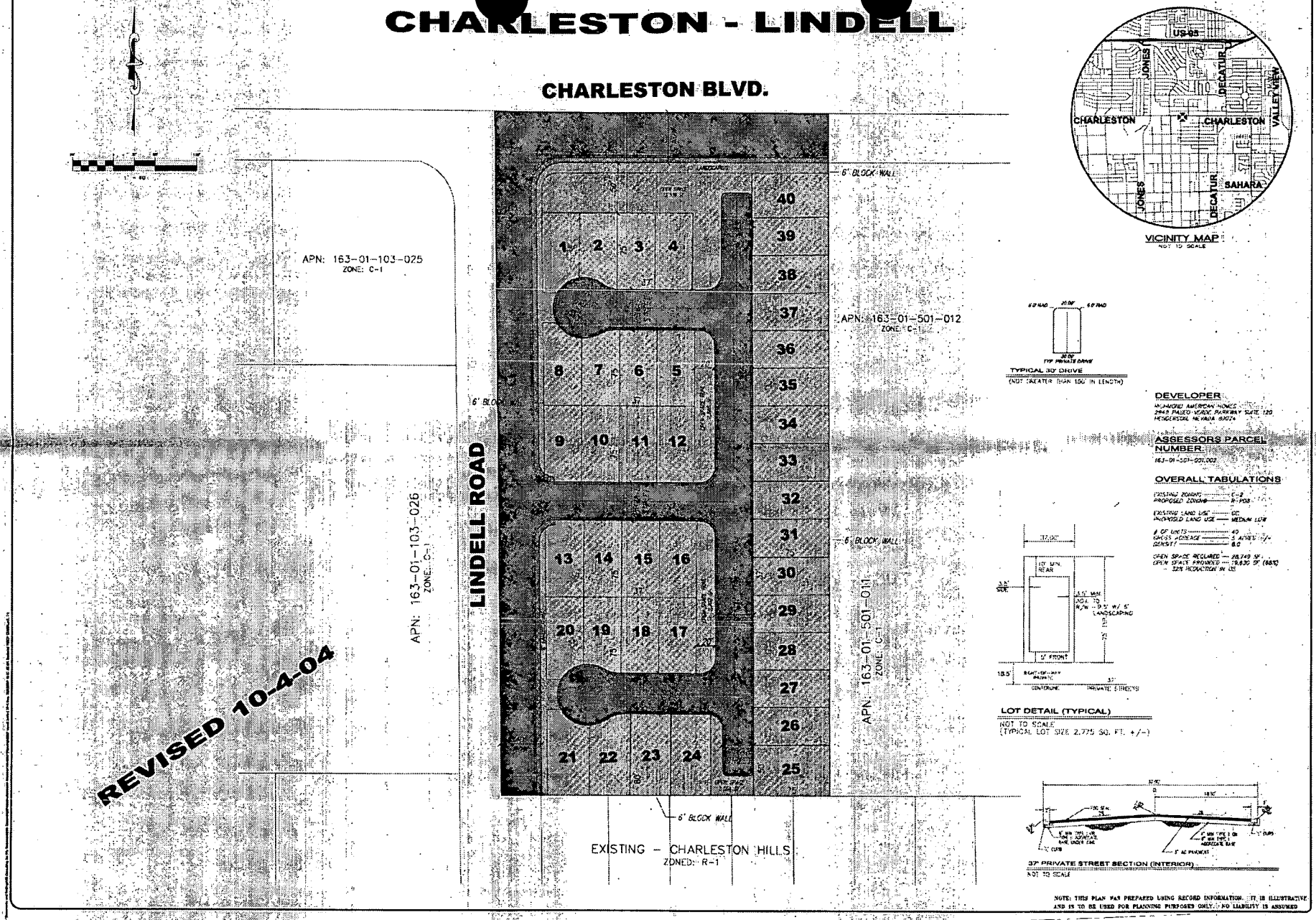
This 24 day of August, 2004

Virginia Jauregui

Notary Public in and for said County and State

VIRGINIA JAUREGUI
Notary Public State of Nevada
No. 98-2698-1
My appt. exp. Feb. 5, 2008

CHARLESTON - LINDELL



DEVELOPING: RICHMOND AMERICAN HOMES

PREPARED BY: RS CONSULTING, INC. STRATEGIC PLANNING SOLUTIONS

SHEET: PRELIMINARY SITE PLAN TO ACCOMPANY GPA / REZONING/SDR

TITLE: CHARLESTON - LINDELL CITY OF LAS VEGAS, NEVADA

DATE: OCTOBER 4, 2004

PROJECT NO.: RA-0067

ENGINEERING SEAL

RECEIVED OCT 06 2004

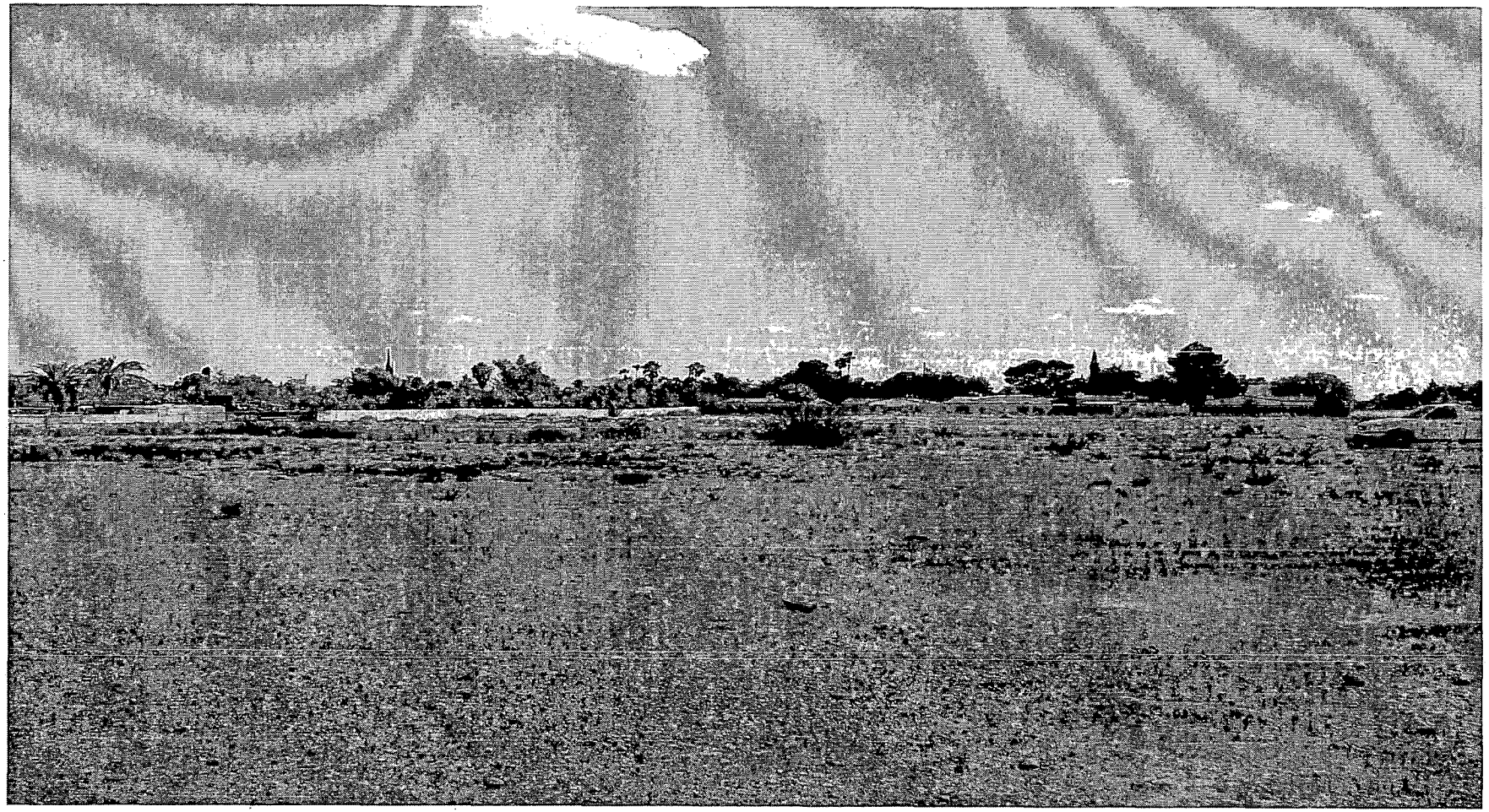
ZON-5131
VAR-5134
SDR-5123
10-07-04 PC
REVISED 10-05-04

SHEET 1 of 1

DRAWING NO. 1

ZON-5121
VAR-5124
SDR-5122

10-7-04 PC
REVISED 10-5-04



ZON-5121 - REZONING - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND LINDELL ROAD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No. 113

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VARIANCE RELATED TO GPA-5120 AND ZON-5121

VAR-5124 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL - Request for a Variance TO ALLOW 0.44 ACRES OF OPEN SPACE WHERE 0.66 ACRES IS THE MINIMUM REQUIRED FOR A PROPOSED 40-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.00 acres adjacent to the southeast corner of Charleston Boulevard and Lindell Road (APN 163-01-501-001 and 002), GC (General Commercial) Zone [PROPOSED: R-PD8 (Residential Planned Development - 8 Units per Acre)], Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	4	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

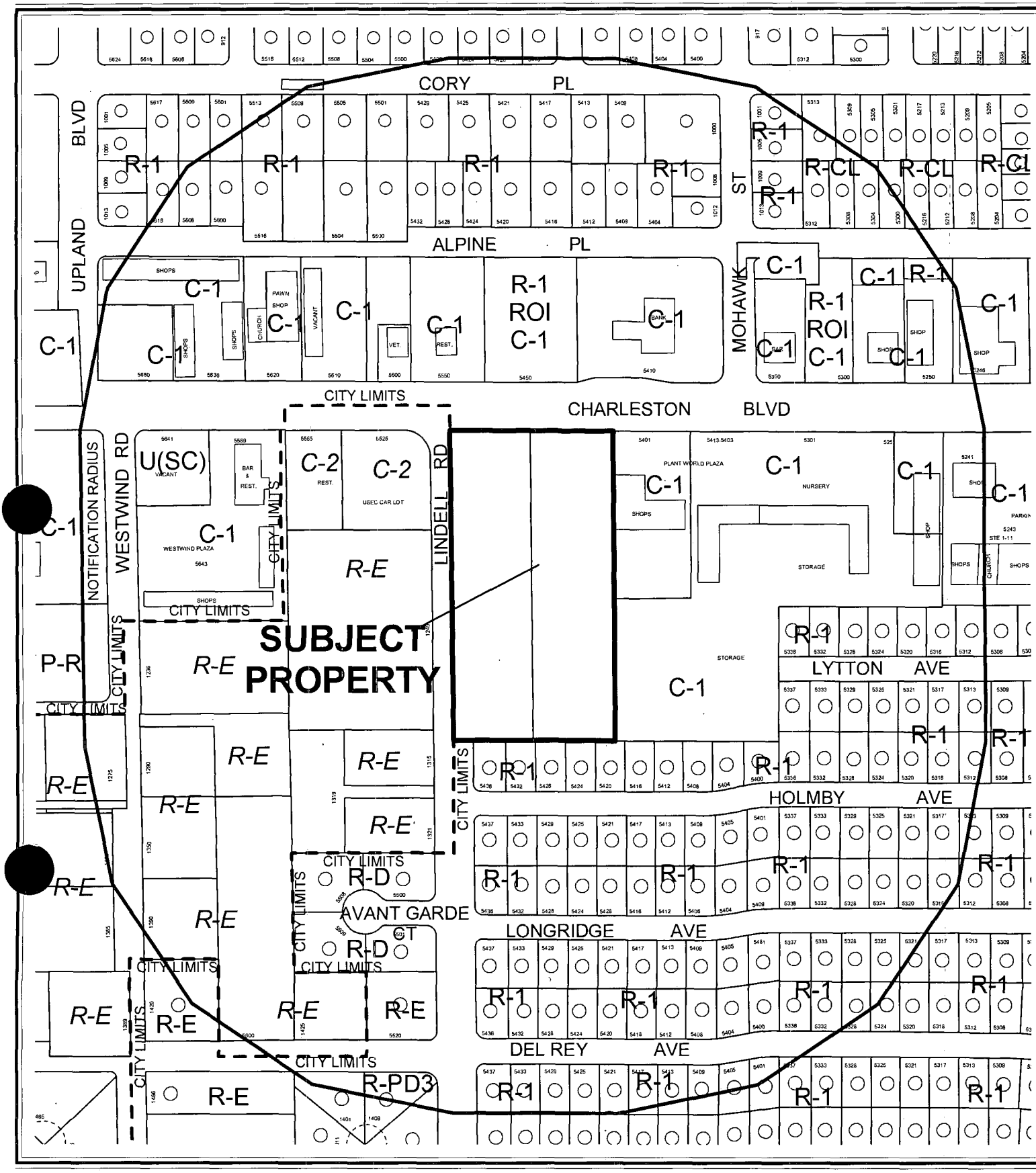
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Abeyance letter from Kummer Kaempfer Bonner & Renshaw for Item 111 [GPA-5120], Item 112 [ZON-5121], Item 113 [VAR-5124] and Item 114 [SDR-5122] filed under Item 111 [GPA-5120]

MOTION:

REESE - Motion to TABLE Item 101 [GPA-5264] and HOLD IN ABEYANCE Item 87 [SUP-4830], Item 97 [SUP-5228], Item 98 [SDR-5094], Item 111 [GPA-5120], Item 112 [ZON-5121], Item 113 [VAR-5124], and Item 114 [SDR-5122] to 11/17/2004, and Item 105 [GPS-5082] and Item 106 [VAC-5101] to 2/16/2005 - UNANIMOUS with MACK not voting and GOODMAN abstaining on Item 87 [SUP-4830] because JAY BROWN, with whom he is in a partnership, represents the applicant

MINUTES:

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, requested Item 111 [GPA-5120], Item 112 [ZON-5121], Item 113 [VAR-5124], and Item 114 [SDR-5122] be abeyed for two weeks so they would have additional time for site plan review issues.
(1:04 - 1:07)
3-1



CASE: **VAR-5124**

RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5124 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for an amendment to the General Plan (GPA-5120), Rezoning (ZON-5121), and a Site Development Plan Review (SDR-5122).

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.

3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the city of Las Vegas Parks CIP Fund in the amount of 9,549 square feet (amount waived) x $4.00 or $38,196 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise, the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow 0.44 acres of open space where 0.66 acres is the minimum required for a proposed 40-lot single-family residential development on 5.00 acres adjacent to the southeast corner of Charleston Boulevard and Lindell Road..

B) Applicant's Justification

In a letter from the applicant submitted with the subject application, justification is presented in the following statements:

- It is our concern with the recent development within the Las Vegas Valley and our current water situation that we become proactive.
- It is with our best intention to continue to provide open space amenities for our residents but also be concerned with the future of Southern Nevada and review the quality of open space we are providing for our residents.

BACKGROUND INFORMATION

A) Actions

05/16/01 The City Council approved a request (GPA-0006-01) to amend the Southwest Sector Plan of the General Plan for this property from SC (Service Commercial) to GC (General Commercial). The Planning Commission recommended denial on 04/12/01.

05/16/01 The City Council approved a request for Rezoning (Z-0014-01) of the subject property from C-1 (Limited Commercial) to C-2 (General Commercial); a Special Use Permit (U-0040-01) for a minor auto repair garage with service bays that face a public right-of-way; a Special Use Permit (U-0041-01) for a boat and trailer dealership; a Special Use Permit (U-0042-01) for used motor vehicle sales; and a Site Development Plan Review [Z-0014-01(1)] for a proposed 11,400 square-foot building. The Planning Commission had no recommendation for these applications at its 04/12/01 meeting because it had recommended denial of an accompanying application for a General Plan Amendment (GPA-0006-01).

08/06/03 The City Council approved an Extension of Time (EOT-2448) on an approved Special Use Permit (U-0040-01) for a Minor Auto Repair Garage with service bays that face a public right-of-way. The Planning Commission recommended approval of the application on 07/10/03, and the staff recommended denial of the application on the same date.

12/03/03 The City Council approved an Extension of Time (EOT-3126) on an approved Special Use Permit (U-0041-01), which allowed a new and used boat and trailer dealership; an Extension of Time (EOT-3127) on an approved Special Use Permit (U-0042-01), which allowed used motor vehicle sales; an Extension of Time (EOT-3230) on a request for Rezoning (Z-0014-01) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-2 (General Commercial); and a Site Development Plan Review [Z-0014-01(1)] which allowed an 11,400 square foot commercial building. The Planning Commission recommended approval on 11/06/03, and the staff recommended denial on the same date.

10/07/04 The Planning Commission recommended approval of the accompanying applications for a General Plan Amendment (GPA-5120) to reclassify the subject property from GC (General Commercial) to ML (Medium-Low Density Residential), for Rezoning (ZON-5121) the subject property from C-2 (General Commercial) to R-PD8 (Residential Planned Development - 8 Units Per Acre), and for a Site Development Plan Review (SDR-5122).

10/07/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #34/dds).

B) Pre-Application Meeting

08/04/04 The staff met with the applicant to review a prospective 40-lot single-family residential subdivision. It was indicated that a General Plan Amendment, Rezoning of the property, a Variance in the open space standards for an R-PD zone, and a Site Development Plan would be required to permit the project.

C) Neighborhood Meetings

09/07/04 A neighborhood meeting was held with the surrounding property owners for the related General Plan Amendment. Fifteen people attended the meeting and had the following concerns:

- A density of eight units per acre is not compatible with existing residential development to the south. Residents believed five units per acre to be more appropriate.
- More traffic would be generated on Lindell Road. Residents would like an island installed on Lindell Road in such a manner as to restrict left hand (south bound) turns onto Lindell Road.
- Two story houses along the south property line would inhibit privacy of existing adjacent dwellings. The residents would prefer single story buildings.
- The width of lots is too narrow compared to the width of existing lots.
- Parking problems within the proposed subdivision could lead to parking problems within the existing neighborhood.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 5.0 Acres

B) Existing Land Use

Subject Property	Undeveloped
North:	Undeveloped and Commercial
South:	Single Family Residential
East:	Commercial and Outdoor storage for plant nursery
West:	Used car lot, Undeveloped and Single Family Residential

C) Planned Land Use

Subject Property:	GC (General Commercial)
North:	SC (Service Commercial)
South:	L (Low Density Residential)
East:	SC (Service Commercial)
West:	Clark County

D) Existing Zoning

Subject Property:	U (Undeveloped) under resolution of intent to C-2 (General Commercial)
North:	C-1 (Limited Commercial) and R-1 (Single Family Residential)
South:	R-1 (Single Family Residential)
East:	C-1 (Limited Commercial)
West:	Clark County [C-2 (General Commercial) and R-E (Rural Estates Residential)]

E) General Plan Compliance

The site is located in the Southwest Sector of the General Plan. On the Southwest Sector Map, the land use designation for the subject property is GC (General Commercial). An accompanying application proposes to amend the land use classification to ML (Medium-Low Density Residential). This requested Variance is not related to any specific General Plan policies.

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

There are no special plans, or overlays that affect the subject site.

A) Zoning Code Compliance

A1) Landscape and Open Space Standards

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density (DU/A)	Required			Provided	
		Ratio	Percent	Area (s.f.)	Percent	Area (s.f.)
5 acres	8	1.65	13.2	28,750	8.8	19,201 sf

The amount of open space required for the subject development is deficient by 9,549 square feet. This deficiency is the purpose for the subject Variance request.

B) General Analysis and Discussion

This Variance is requested to allow 0.44 acres of open space where 0.66 acres is the minimum required for a proposed 40-lot single-family residential development. This difference of 9,549 square feet is a 34 percent reduction in the required amount of open space. A typical lot in the development has an area of 2,775 square feet, so meeting the open space requirement would necessitate the elimination of four lots in the development. The applicant expressed a concern for the current water situation in the Valley. Consequently, it is the applicant's interest to reduce the amount of open space. Regardless of the concern, whether a variance is warranted depends upon whether there exists a hardship or practical difficulty as discussed below.

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."

In view of the above criteria, it is recommend that the application be denied. This recommendation is based on the following findings, only one of which is grounds for denial:

- **No evidence is provided that a hardship exists to warrant a variance in the required amount of open space.** The onus for presenting such evidence of a hardship as legally defined is placed on the applicant, the person allegedly aggrieved by the requirement; however, no such evidence of a hardship has been presented with the application.
- **The hardship is self-imposed.** Clearly the hardship is of the applicant's own making, as the reduction in the amount of open space is based upon the manner in which the applicant proposes to development the property.

- **Use of the property is not denied.** The question is one of whether the property could be developed for any use without consideration of a variance for a reduction in the amount of open space. The property has no exceptional narrowness, shallowness, shape, exceptional topographic conditions or other extraordinary and exceptional situation or conditions attributed to the property. Although the property is undeveloped, it has excellent exposure to a high traffic carrier and it has been under a Resolution of Intent since 2001 for commercial development. Since profit motives and financial incentives are not a basis for granting a variance, it's inconceivable that the property cannot be used for any purpose for which it is currently zoned. If the property is rezoned to a residential classification, it also is inconceivable that the property could not be developed as a single-family subdivision with four fewer lots for the required amount of open space.

PLANNING COMMISSION ACTION

The Planning Commission believes the merits of the project warrant approval of the Variance.

NOTICES MAILED 205 by City Clerk

APPROVALS 0

PROTESTS 4

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5124 APN: 163-01-501-001, 002

Name of Property Owner: Ronald & Carolyn Michl

Name of Applicant: Richmond American

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: Carolyn Michl

Print Name: CAROLYN MICHL

Subscribed and sworn before me

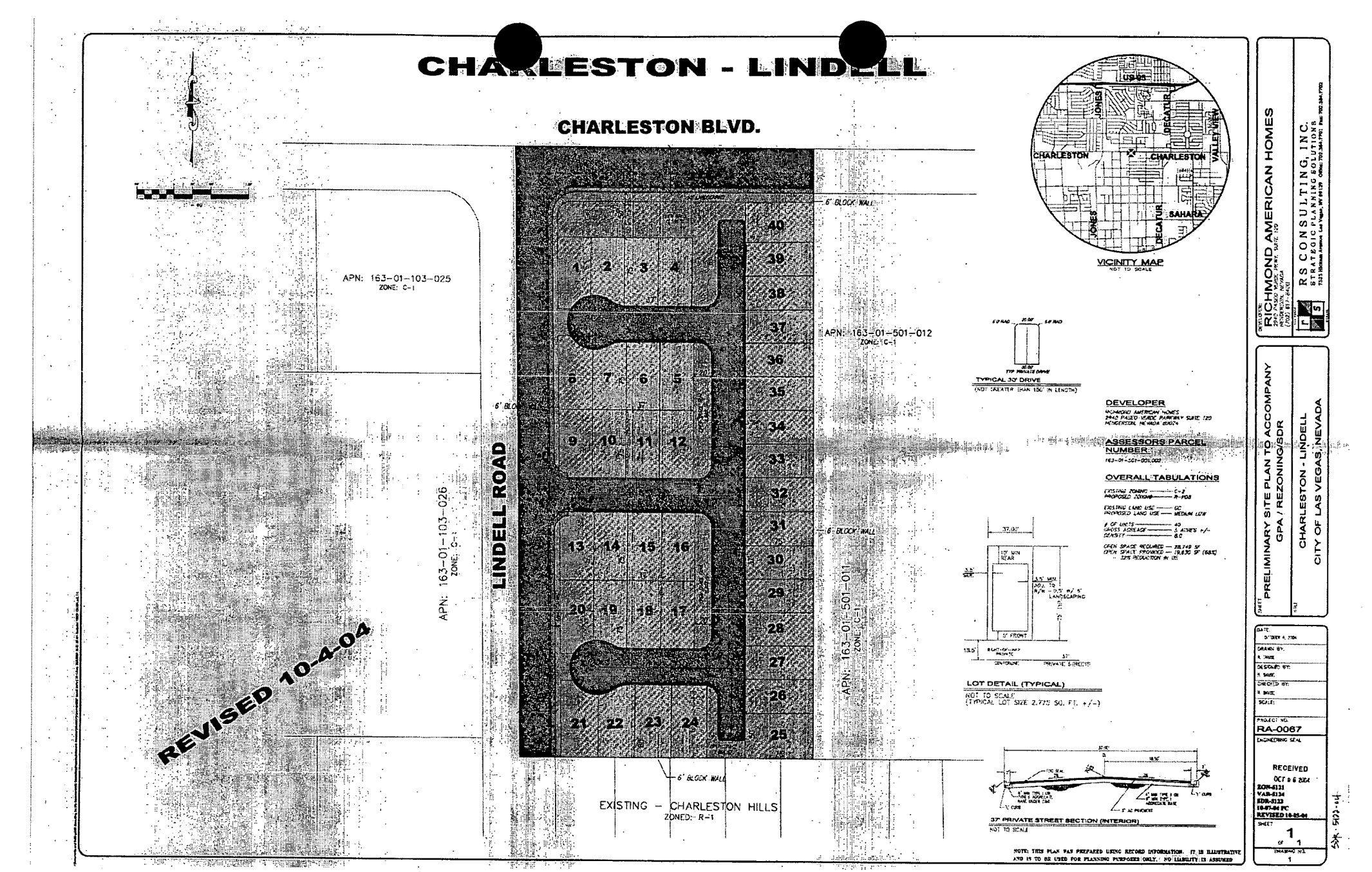
This 24 day of August, 2004

Virginia Jauregui

Notary Public in and for said County and State

VIRGINIA JAUREGUI
Notary Public State of Nevada
No. 98-2698-1
My appt. exp. Feb. 5, 2008

CHARLESTON - LINDELL



DEVELOPER: RICHMOND AMERICAN HOMES
2940 PASEO VERDE PARKWAY, SUITE 120
HENDERSON, NEVADA
PHONE: (702) 835-7000

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7323 Silicone Avenue, Las Vegas, NV 89128 Office: 702.364.7782 Fax: 702.364.7782

SHEET: PRELIMINARY SITE PLAN TO ACCOMPANY GPA / REZONING/SDR

CHARLESTON - LINDELL
CITY OF LAS VEGAS, NEVADA

DATE:
DRAWN BY:
DESIGNED BY:
CHECKED BY:
SCALE:
PROJECT NO. RA-0067
ENGINEERING SEAL

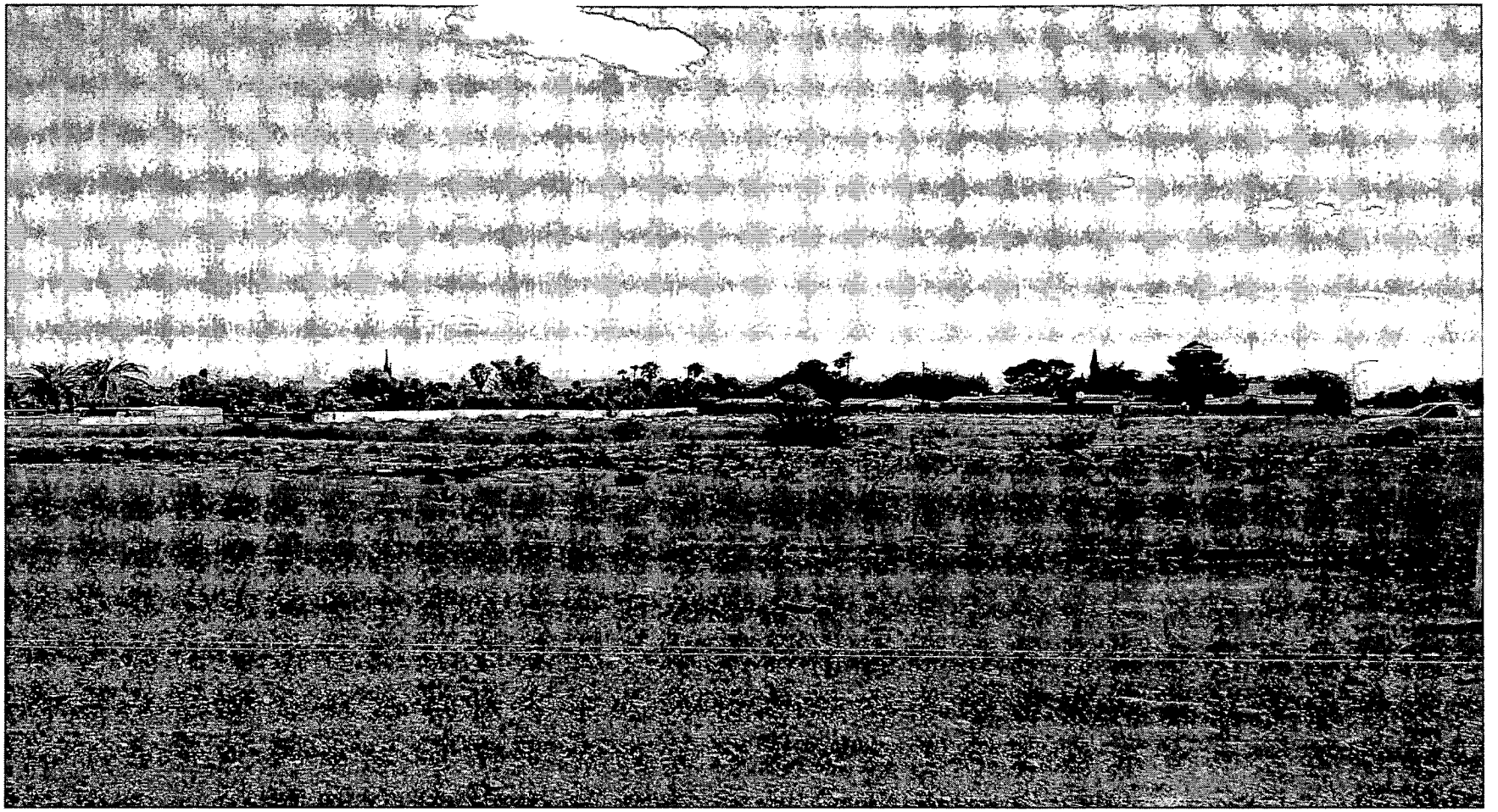
RECEIVED
OCT 06 2004
ZON-5121
VAR-5124
SDR-5122
10-07-04 PC
REVISED 10-05-04

SHEET 1 OF 1
DRAWING NO. 1

SDR-5122-04

ZON-5121
VAR-5124
SDR-5122

10-7-04 PC
REVISED 10-5-04



VAR-5124 - VARIANCE - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND LINDELL ROAD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No. 114

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5120, ZON-5121 AND VAR-5124

SDR-5122 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 40-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.00 acres adjacent to the southeast corner of Charleston Boulevard and Lindell Road (APN 163-01-501-001 and 002), U (Undeveloped) Zone [GC (General Commercial) General Plan Designation] under Resolution of Intent to C-2 (General Commercial) Zone [PROPOSED: R-PD8 (Residential Planned Development - 8 Units per Acre)], Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	4	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Abeyance letter from Kummer Kaempfer Bonner & Renshaw for Item 111 [GPA-5120], Item 112 [ZON-5121], Item 113 [VAR-5124] and Item 114 [SDR-5122] filed under Item 111 [GPA-5120]

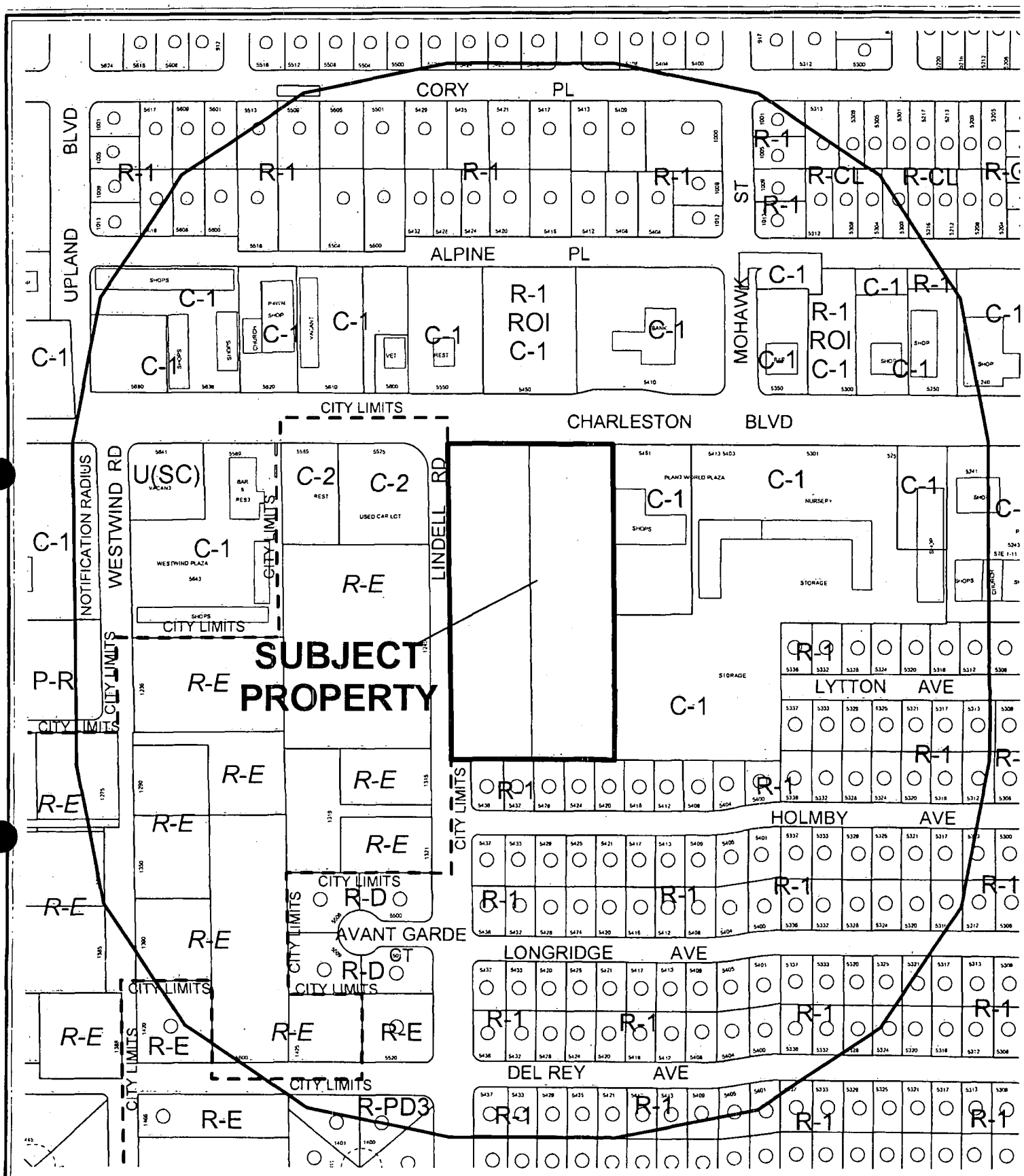
MOTION:

REESE - Motion to TABLE Item 101 [GPA-5264] and HOLD IN ABEYANCE Item 87 [SUP-4830], Item 97 [SUP-5228], Item 98 [SDR-5094], Item 111 [GPA-5120], Item 112 [ZON-5121], Item 113 [VAR-5124], and Item 114 [SDR-5122] to 11/17/2004, and Item 105 [GPS-5082] and Item 106 [VAC-5101] to 2/16/2005 - UNANIMOUS with MACK not voting and GOODMAN abstaining on Item 87 [SUP-4830] because JAY BROWN, with whom he is in a partnership, represents the applicant

MINUTES:

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, requested Item 111 [GPA-5120], Item 112 [ZON-5121], Item 113 [VAR-5124], and Item 114 [SDR-5122] be abeyed for two weeks so they would have additional time for site plan review issues.
(1:04 - 1:07)

3-1



CASE: **SDR-5122**

RADIUS: 750 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5122 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. An application for a General Plan Amendment (GPA-5124), Rezoning (ZON-5087), and a Variance (VAR-5124) approved by the City Council.

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

3. All development shall be in conformance with the site plan and building elevations dated 10/05/04, except as amended by conditions herein.

4. The standards for this development shall include the following: minimum lot sizes of 2,775 square feet, minimum distances between buildings of seven feet, and building heights not exceeding two stories or 35 feet, whichever is less.

5. The setbacks for this development shall be a maximum of five feet to the front of the house/garage as measured from the back of sidewalk or from the back of curb if no sidewalk is provided, 3.5 feet on the side, 3.5 feet on the corner side, and 10 feet in the rear. Homes on corner lots shall be situated with the side yard opposite the corner side yard at 3.5 feet.

6. All homes developed on lots adjacent to the existing residential area to the south of the site shall be single-story homes.

7. The site plan shall be revised or corrected and approved by the Planning and Development Department staff to reflect the deficiencies noted in these conditions prior to the time application is made for a Tentative Map.

8. A detailed landscape plan shall be provided and approved by Planning and Development Department staff, prior to the time application is made for a Tentative Map to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters. The design, location, height, and type of materials of all perimeter walls shall be shown. At a minimum, the perimeter walls shall be decorative block walls, 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.

9. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner.

10. Air conditioning units shall not be mounted on rooftops.

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

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. Air conditioning units shall not be mounted on rooftops.

Public Works

16. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

17. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

18. Landscape and maintain all unimproved right-of-way on Lindell Road adjacent to this site.

19. Submit an Encroachment Agreement for all landscaping and private improvements located in the Lindell Road public right-of-way adjacent to this site prior to occupancy of this site.

20. 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).

21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that a deviation from Standards was requested for cul-de-sac bulbs in the justification letter and that offset sidewalk is proposed on Lindell Road.

22. Site development to comply with all applicable conditions of approval for ZON-5121 and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 40-lot single-family residential development on 5.00 acres adjacent to the southeast corner of Charleston Boulevard and Lindell Road.

B) Applicant's Justification

In a letter from the applicant submitted with the subject application, justification is presented in the following statements:

- The parcel in question is a true in-fill parcel that has not developed as commercial.
- As the population in the Las Vegas-area has increased, it has become necessary to address market conditions and expand into areas of land uses intended for lower-density housing, commercial areas and even some industrial properties.
- There is a need to develop affordable housing on in-fill parcels which allows less burdens on getting infrastructure to these properties but due to the nature of the infill property, we find it necessary to request minor deviations to the cities code requirements in order to develop the property making it a positive for the developer, the City of Las Vegas and the surrounding community.
- This product on this in-fill parcel will provide a good transition buffer from the existing residential community and the existing commercial development planned for this area and will be an enhancement to the community.

BACKGROUND INFORMATION

A) Actions

05/16/01 The City Council approved a request (GPA-0006-01) to amend the Southwest Sector Plan of the General Plan for this property from SC (Service Commercial) to GC (General Commercial). The Planning Commission recommended denial on 04/12/01.

05/16/01 The City Council approved a request for Rezoning (Z-0014-01) of the subject property from C-1 (Limited Commercial) to C-2 (General Commercial); a Special Use Permit (U-0040-01) for a minor auto repair garage with service bays that face a public right-of-way; a Special Use Permit (U-0041-01) for a boat and trailer dealership; a Special Use Permit (U-0042-01) for used motor vehicle sales; and a Site Development Plan Review [Z-0014-01(1)] for a proposed 11,400 square-foot building. The Planning Commission had no recommendation for these applications at its 04/12/01 meeting because it had recommended denial of an accompanying application for a General Plan Amendment (GPA-0006-01).

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10/07/04 The Planning Commission recommended approval of the accompanying applications for a General Plan Amendment (GPA-5124) to reclassify the subject property from GC (General Commercial) to ML (Medium-Low Density Residential), for Rezoning (ZON-5121) the subject property from C-2 (General Commercial) to R-PD8 (Residential Planned Development - 8 Units Per Acre), and for a Variance (VAR-5124) to reduce the open space requirement.

B) Pre-Application Meeting

08/04/04 The staff met with the applicant to review a prospective development consisting of a 40-lot single-family residential subdivision. It was indicated that a General Plan Amendment, rezoning of the property to an R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone, a Variance to the open space standards for the R-PD8 Zone, and a Site Development Plan would be required to permit the project.

C) Neighborhood Meetings

09/07/04 A neighborhood meeting was held with the surrounding property owners for the related General Plan Amendment. Fifteen people attended the meeting and had the following concerns:

- A density of eight units per acre is not compatible with existing residential development to the south. Residents believed five units per acre to be more appropriate.
- More traffic would be generated on Lindell Road. Residents would like an island installed on Lindell Road in such a manner as to restrict left hand turns (south bound) turns onto Lindell Road.
- Two story houses along the south property line would inhibit privacy of existing adjacent dwellings. The residents would prefer single story buildings.

- The width of lots is too narrow compared to the width of existing lots.
- Parking problems within the proposed subdivision could lead to parking problems within the existing neighborhood.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 5.0 Acres

B) Existing Land Use

Subject Property	Undeveloped
North:	Undeveloped and Commercial
South:	Single Family Residential
East:	Commercial and Outdoor storage for plant nursery
West:	Used car lot, Undeveloped and Single Family Residential

C) Planned Land Use

Subject Property:	GC (General Commercial)
North:	SC (Service Commercial)
South:	L (Low Density Residential)
East:	SC (Service Commercial)
West:	Clark County

D) Existing Zoning

Subject Property:	U (Undeveloped) under resolution of intent to C-2 (General Commercial)
North:	R-1 (Single Family Residential) and C-1 (Limited Commercial)
South:	R-1 (Single Family Residential)
East:	C-1 (Limited Commercial)
West:	Clark County [C-2 (General Commercial) and R-E (Rural Estates Residential)]

E) General Plan Compliance

The site is located in the Southwest Sector of the General Plan. On the Southwest Sector Map, the land use designation for the subject property is GC (General Commercial). An accompanying application proposes to amend the land use classification to ML (Medium-Low Density Residential). This application for Site Development Plan Review is not related to any specific General Plan policies.

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 or overlays that affect the subject site.

PROJECT DESCRIPTION

The minimum lot size is 2,775 square feet and the minimum dwelling size is 1,419 square feet. All lots will have access to a 37 foot wide private street. Perimeter landscaping is provided with open space provided between the two cul-de-sacs.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

This Site Development Plan Review proposes the following Development Standards:

Standards	**Provided**
Min. Lot Size (square feet)	2,775
Min. Lot Width (feet)	37
Min. Setbacks (feet) • Front • Side • Corner • Rear	 5 3.5 3.5 10
Max. Building Height (feet)	25.3 feet

The minimum lot size proposed is 2,775 square feet. A corner side yard of 3.5 feet is extremely narrow. Homes on corner lots should be situated with the side yard opposite the corner side yard at 3.5 feet to allow as much corner side yard as possible. Other applicable development standards include the following:

A2) Landscape and Open Space Standards

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

Standard	Distance (lin. ft.)		Required		Trees Provided
			Ratio	Trees	
Buffer	Buffer	1,075	1 tree/30 lin. ft. + 1 tree	37	37

The development is provided with the required number of perimeter trees.

No perimeter walls are shown on the plan. The location, size and materials of all proposed walls should be indicated on the plan. These details are addressed in the Conditions of Approval for this application.

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density (DU/A)	Required			Provided	
		Ratio	Percent	Area (s.f.)	Percent	Area (s.f.)
5 acres	8	1.65	13.2	28,750	8.8	19,201 sf

The amount of open space required for the subject development is deficient by 9,549 square feet. This deficiency is the purpose for an accompanying application for a Variance (VAR-5124).

B) General Analysis and Discussion

- Zoning

The proposed development of 40 single-family lots on 5.00 acres generates a density of development of 8.0 dwelling units per acre. The proposed project is not permitted within the current zone of C-2 (General Commercial). Therefore, the applicant has submitted an accompanying application to rezone the property to R-PD8 (Residential Planned Development – 8 Units per Acre) that would permit up to 8.49 dwelling units per acre and allow the project.

- Site Plan

Perimeter walls are proposed for the development; however, none are shown on the site plan. The location, height, design and type of materials for the perimeter walls need to be illustrated.

- Landscape Plan

The landscape plan shows the required number of trees for this development.

- Elevation

Seven home models are proposed with three variations of each. The homes range in size from 1,419 square feet, including garage, to 2,661 square feet. All would be two stories in height. Overall, the homes have an aesthetic appearance that will be harmonious and compatible with other residences in the area.

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;"**

Property to the north and south are developed for single-family use. However, some additional property to the north and adjacent property to the east and west are developed or designated for high intensity commercial uses. These commercial uses are not compatible to single-family residential use.

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 applicant is proposing to amend the General Plan to accommodate the proposed development by changing the land use classification to ML (Medium Low Density Residential). This classification permits single-family compact lots and zero lot line housing, manufactured home parks, and residential planned development. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category. The property is located in an area where high intensity commercial uses exist or are proposed. The frontage along Charleston Boulevard is designated for general commercial uses due to the high traffic volume. Intermixing single-family residential development with high intensity commercial uses is not a compatible combination of land uses. For this reason, it is recommended that this application and all other accompanying applications be denied.

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

The site abuts Charleston Boulevard, a Primary Arterial (100-foot wide) street, and Lindell Road, a Secondary Collector (80-foot wide) street, according to the Master Plan of Streets and Highways. The subdivision would have access to Lindell Road, approximately 400 feet south of Charleston Boulevard. The streets are adequate to handle the traffic from this development.

In a neighborhood meeting sponsored for an accompanying application for a General Plan Amendment (GPA-5120), neighbors expressed a concern that vehicles from this development may park in their area. While the internal streets of the development may be impacted, there should not be an impact on other streets outside the development, as the development is self-contained with only one principal means of access off Lindell Road.

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

The residences are similar in size and appearance to abutting single-family homes to the south, and are, therefore, appropriate for the area. The landscaping proposed will enhance the appearance of the 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;"**

Seven home models are proposed with three variations of each. The homes range in size from 1,419 square feet, including garage, to 2,661 square feet. All would be two stories in height. Overall, the homes have an aesthetic appearance that will be harmonious and compatible with other residences 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.

PLANNING COMMISSION ACTION

At the Planning Commission hearing there were several speakers in opposition to the subject project. Condition #6 was added by the Planning Commission.

NOTICES MAILED 202 by Planning Department

APPROVALS 0

PROTESTS 4

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5122 APN: 163-01-501-001,002

Name of Property Owner: Ronald & Carolyn Michi

Name of Applicant: Richmond American

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: Carolyn Michi

Subscribed and sworn before me

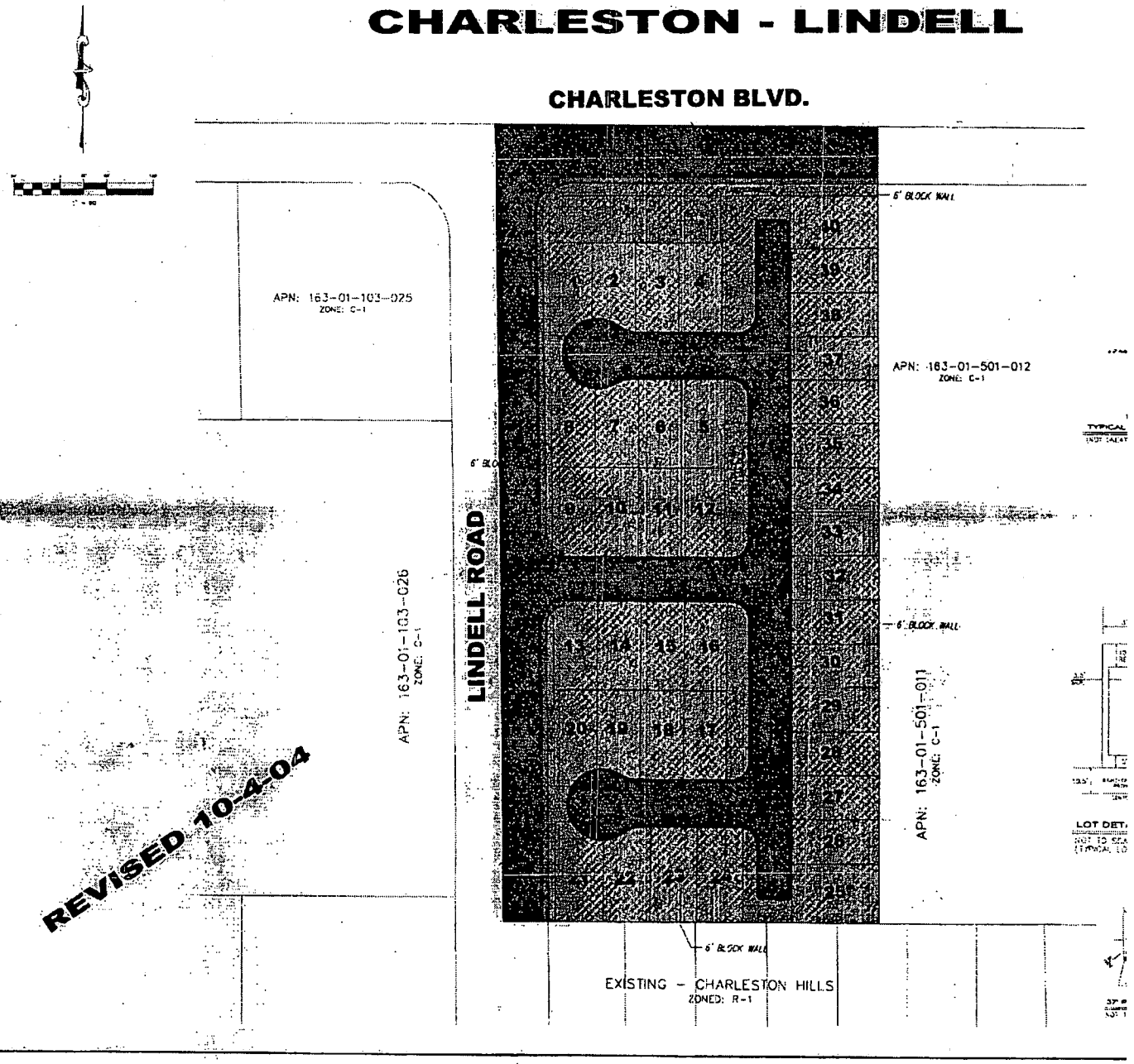
This 24 day of August, 2004

Virginia Jauregui

Notary Public in and for said County and State

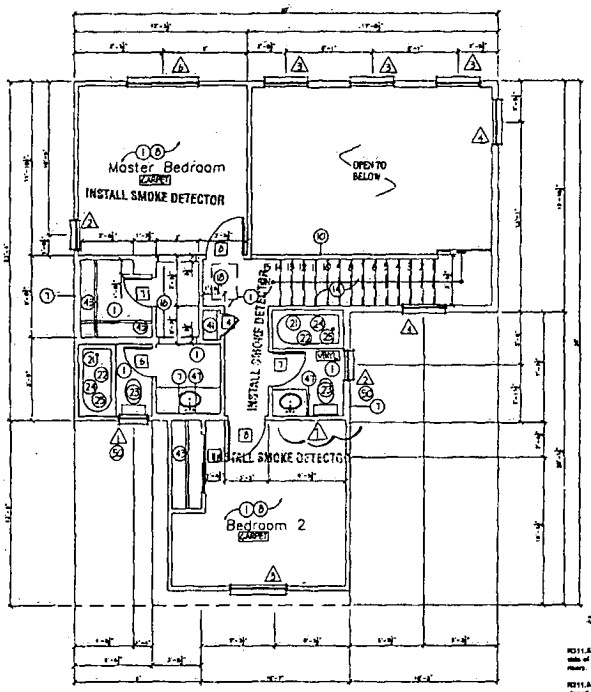
VIRGINIA JAUREGUI
Notary Public State of Nevada
No. 98-2698-1
My appt. exp. Feb. 5, 2008

CHARLESTON - LINDELL

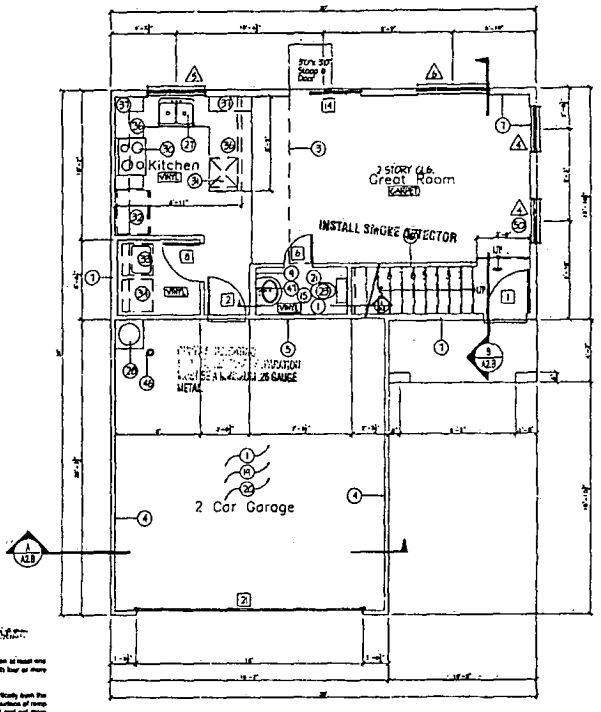


ZON-5121
VAR-5124
SDR-5122

10-7-04 P(
REVISED 1



FLOOR PLAN (2ND FLOOR-A)



FLOOR PLAN (1ST FLOOR)

APPROVED
BY: [signature] 2-24-04
CURRENT PLANNING DIVISION
CITY OF LAS VEGAS

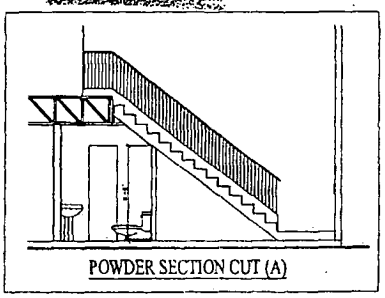
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CITY OF LAS VEGAS
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PLANS APPROVE
CONSTRUCTION

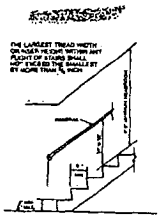
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SEE TYPICAL PL
PLAN SHEET A2.
& REC. A2.B

ALL SMOKE DETECTORS ARE REQUIRED TO BE INTERCONNECTED.



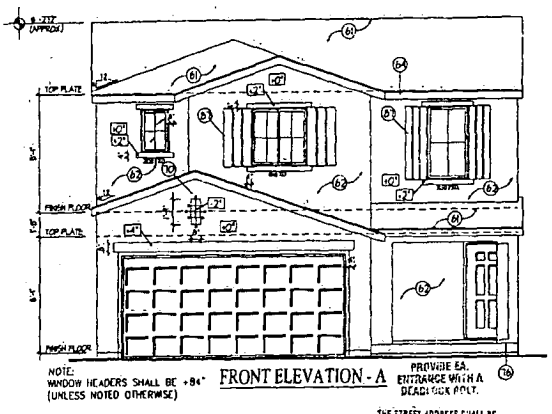
POWDER SECTION CUT (A)



HANDRAIL AND STAIR DETAIL

ZON-5121
VAR-5124
SDR-5122
10-07-04 PC

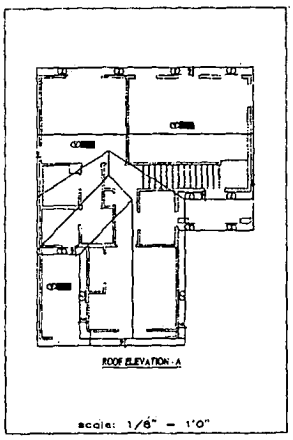
RICHMOND AMERICAN HOMES
STATE CONTRACTOR LICENSE #0034117
EXECUTIVE VICE PRESIDENT
ERNEST J. BELAIR, JR.



NOTE:
WINDOW HEADERS SHALL BE +84"
(UNLESS NOTED OTHERWISE)

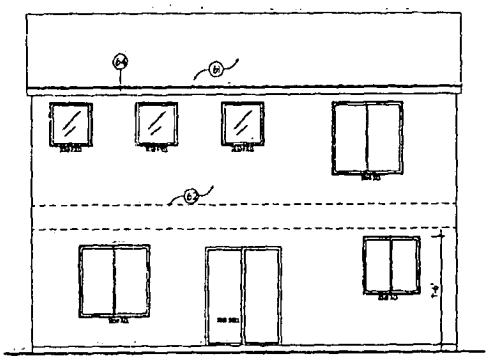
FRONT ELEVATION - A

PROVIDE EA. ENTRANCE WITH A DEADBOLT.



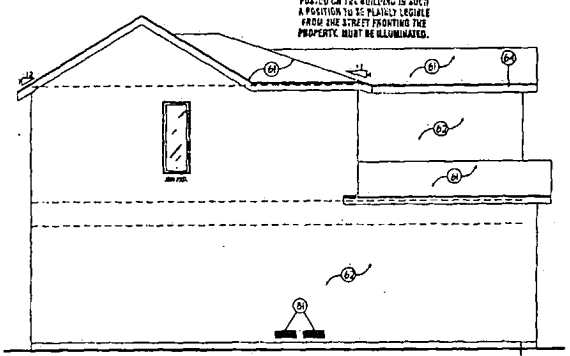
ROOF ELEVATION - A

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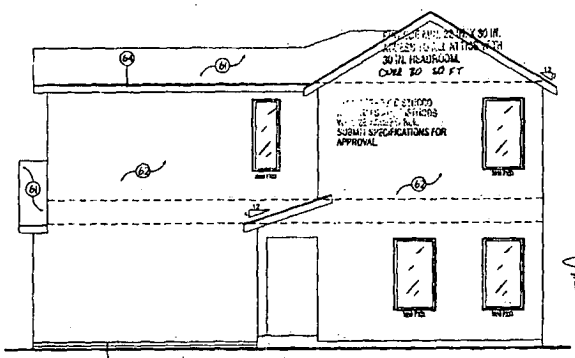


REAR ELEVATION

THE STREET ADDRESS SHALL BE POSTED ON THE BUILDING IN SUCH A POSITION TO BE PLAINLY LEGIBLE FROM THE STREET FRONTING THE PROPERTY. MUST BE ILLUMINATED.

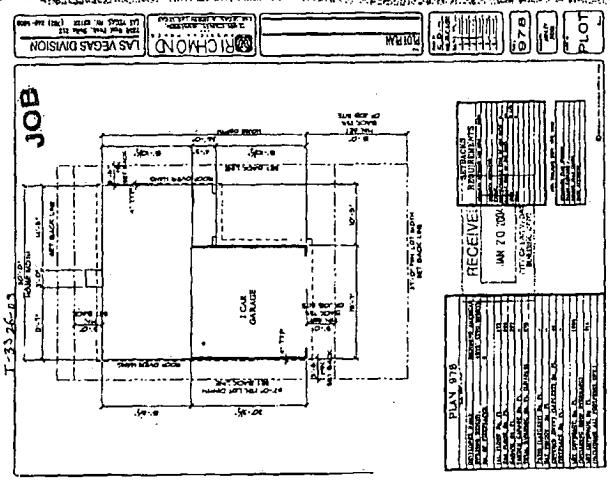


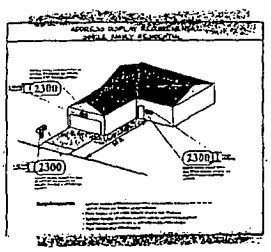
LEFT ELEVATION - A



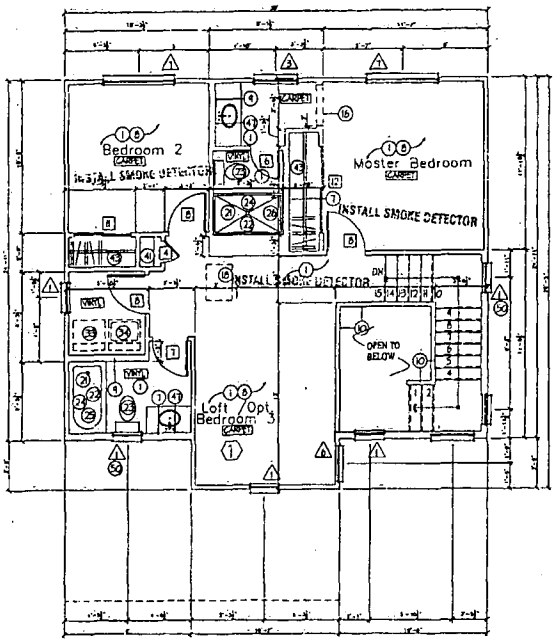
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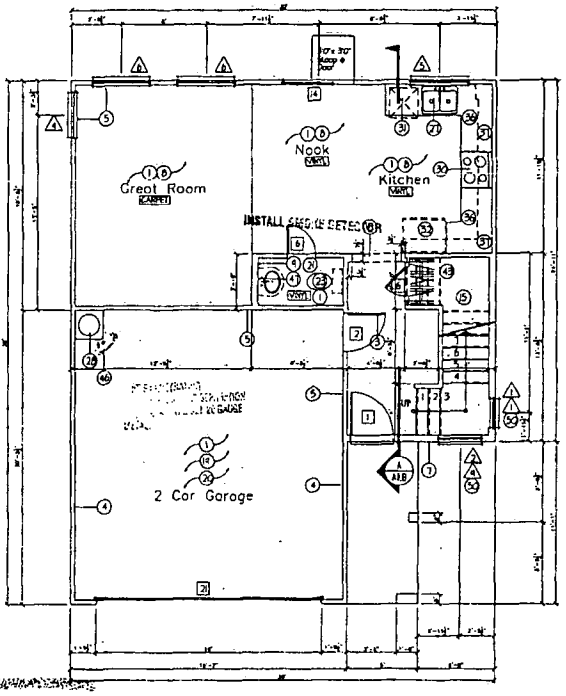
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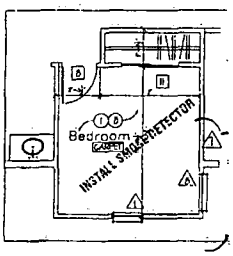


ZON-5121
VAR-5124
SDR-5122
10-07-04 PC

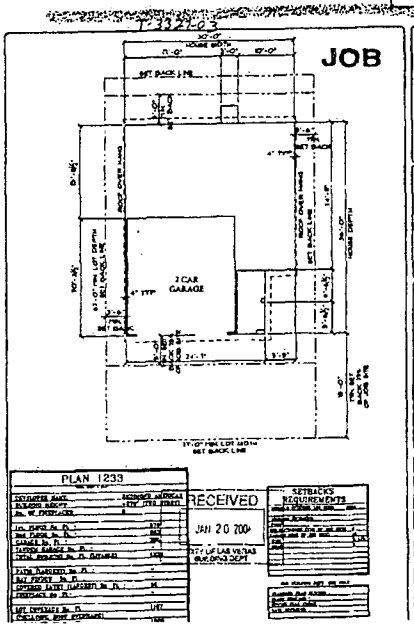




FLOOR PLAN (2ND FLOOR -A)



Opt. Bedroom



FLOOR PLAN (2ND FLOOR -A)

R309.2 Separation Required. The garage shall be separated from the residence and its attic area by not less than ½" gypsum board applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than 5/8" Type X gypsum board or equivalent. Where the separation is a floor-ceiling assembly, the structure supporting the separation shall also be protected by not less than ½" gypsum board or equivalent.

R309.1 Opening Protection. Openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8" in thickness, solid or honeycomb core steel doors not less than 1 3/8" inches thick, or 20-minute fire-rated doors.

SECTION R310
EMERGENCY ESCAPE AND RESCUE OPENING

R310.1 Emergency escape and rescue required. Basements with habitable space and every sleeping room shall have at least one operable emergency escape and rescue opening. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Where emergency escape and rescue openings are provided they shall have a sill height of not more than 44 inches (1118 mm) above the floor.....

Exception: Grade floor openings shall have a minimum net clear opening of 5 square feet (0.465 m2).

R310.1.2 Minimum opening height. The minimum net clear opening height shall be 24 inches (610 mm).

R310.1.3 Minimum opening width. The minimum net clear opening width shall be 20 inches (508 mm).

R310.1.4 Operational constraints. Emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools.

APPROVED
BY [signature] 2-24-04
CURRENT PLANNING DIVISION
CITY OF LAS VEGAS

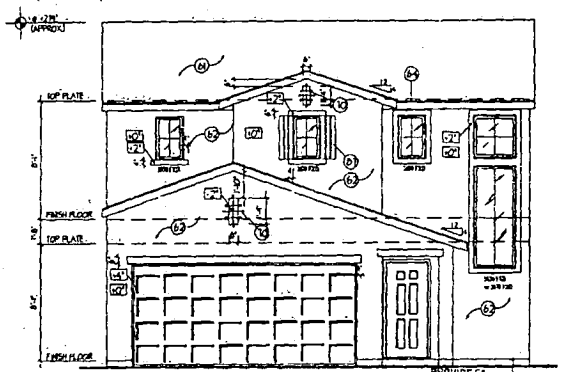
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CITY OF LAS VEGAS
PLANS ADMIN
CONSTRUCTION

DOC JAN 25 2004

SEE: EXTERIOR ELEVATIONS
SHEET A2.0

RICHMOND AMERICAN HOMES
STATE CONTRACTOR LICENSE #0026417
EXECUTIVE VICE PRESIDENT

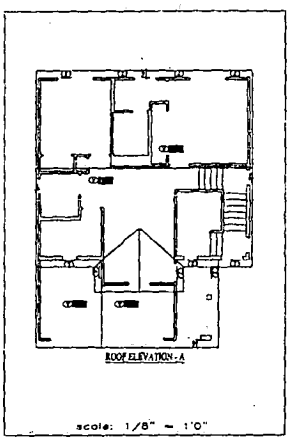
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SDR-5122
10-07-04 PC



NOTE:
WINDOW HEADERS SHALL BE -84"
(UNLESS NOTED OTHERWISE)

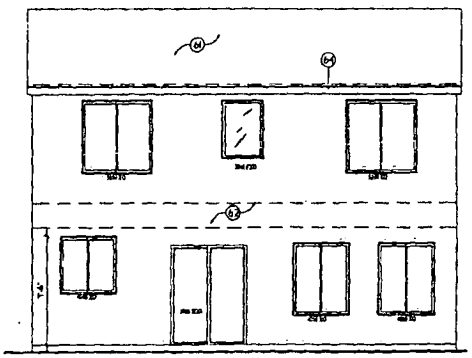
FRONT ELEVATION - A

PROVIDE EA. ENTRANCE WITH A DEADLOCK BOLT.



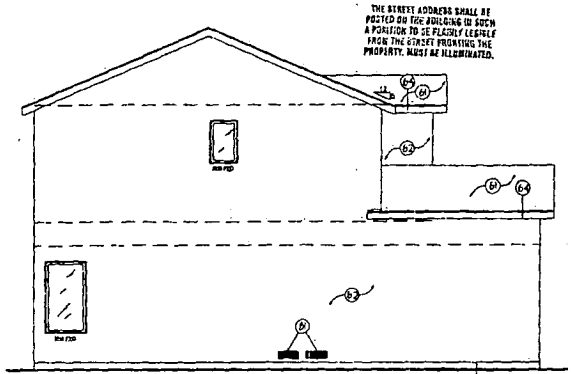
ROOF ELEVATION - A

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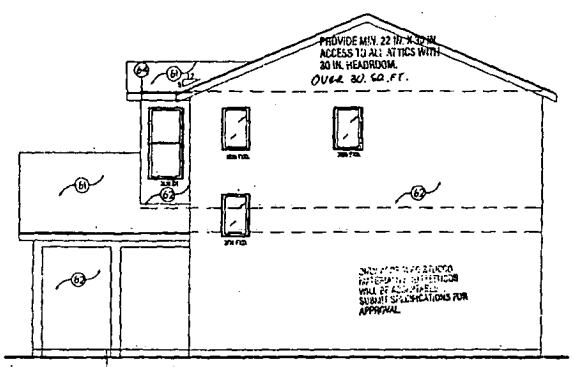
REAR ELEVATION

THE STREET ADDRESS SHALL BE POSTED ON THE BUILDING IN SUCH A POSITION TO BE PLAINLY LEGIBLE FROM THE STREET FRONTING THE PROPERTY. MUST BE ILLUMINATED.



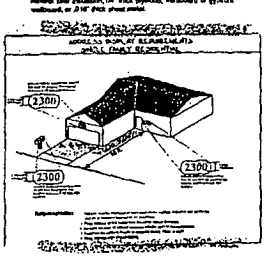
LEFT ELEVATION - A

PROVIDE MIN. 22 IN. X 30 IN. ACCESS TO ALL ATTICS WITH 30 IN. HEADROOM.
OVER 30 SQ. FT.

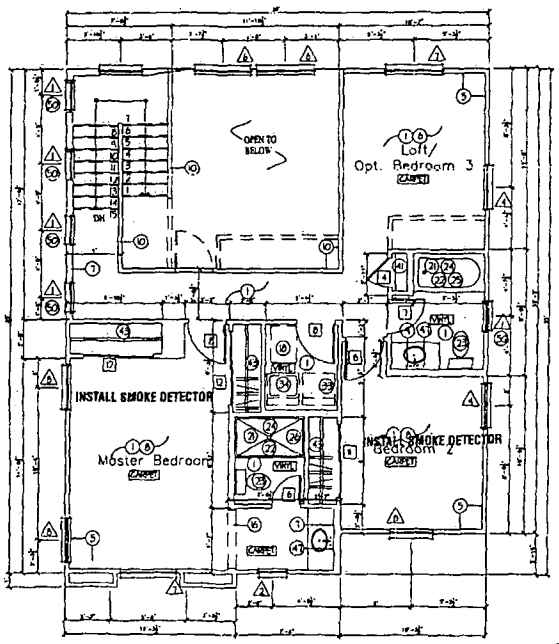


RIGHT ELEVATION - A

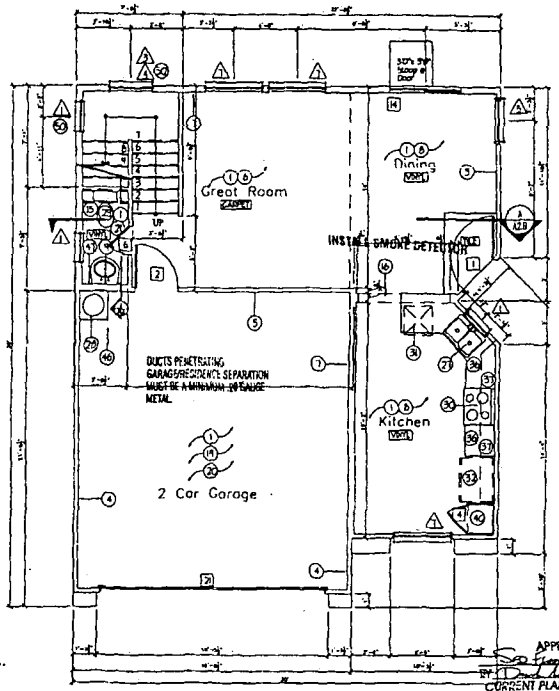
APPROVED
SPD Exception Only
BY
2-24-04
CURRENT PLANNING DIVISION
CITY OF LAS VEGAS



ZON-5121
VAR-5124
SDR-5122
10-07-04 PC

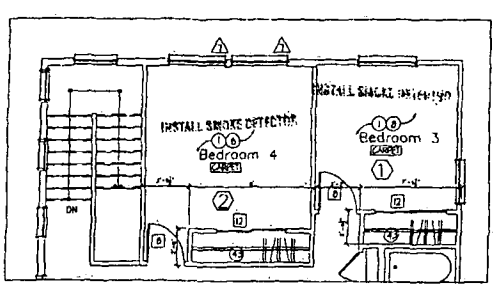


FLOOR PLAN (2ND FLOOR-A & B)

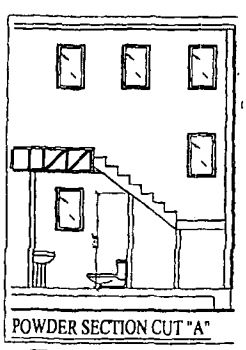


FLOOR PLAN (1ST FLOOR)

APPROVED
CURRENT PLANNING DIVISION
CITY OF LAS VEGAS



Opt. Bedroom 3/
Opt. Bedroom 4



POWDER SECTION CUT "A"

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JAN 15 20..
CITY OF LAS VEGAS
PERMITS

ALL KEYED ENTRANCES I
SWITCHES FOR INTERIOR
EXTERIOR LIGHTS.

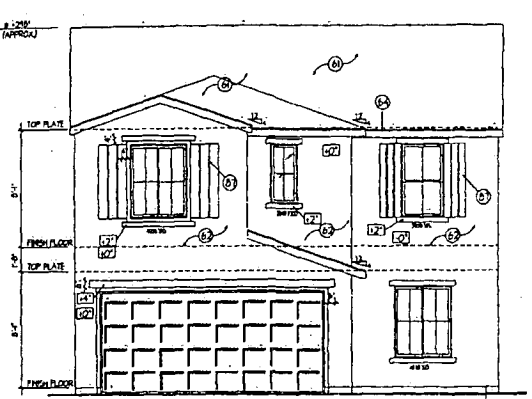
ALL SMOKE DETECT
ARE REQUIRED TO
INTERCONNECTED

PLANS APPROVE
OCCUPANCY/CONSTRUCTION
by Kathy L. Hudson Chief,
City of Las Vegas Planning Division

DOC FEB - 1 2004
See PLOT PLAN Book of C

RICHMOND
AMERICAN HOMES
STATE CONTRACTOR LICENSE #0022417
EXECUTIVE VICE PRESIDENT
ERNEST J. GELARI, JR.

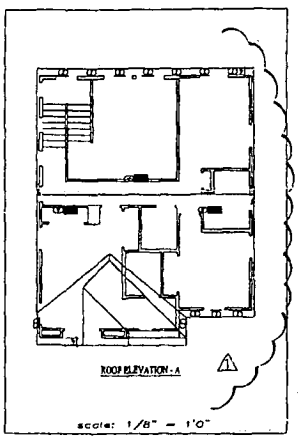
ZON-5121
VAR-5124
SDR-5122
10-07-04 PC



NOTE:
WINDOW HEADERS SHALL BE +84" (UNLESS NOTED OTHERWISE)

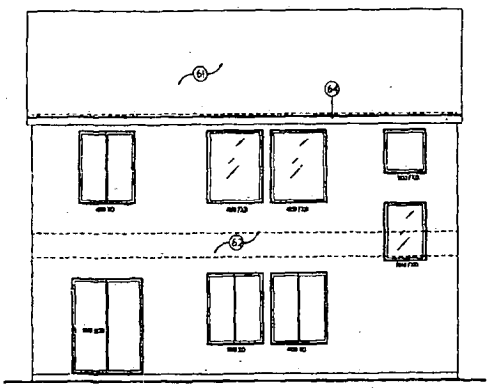
FRONT ELEVATION - A

THE STREET ADDRESS SHALL BE POSTED ON THE BUILDING IN SUCH A POSITION TO BE PLAINLY LEGIBLE FROM THE STREET FRONTING THE PROPERTY. MUST BE ILLUMINATED.

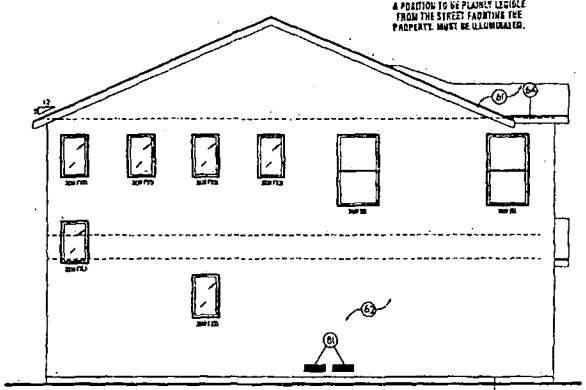


ROOF ELEVATION - A

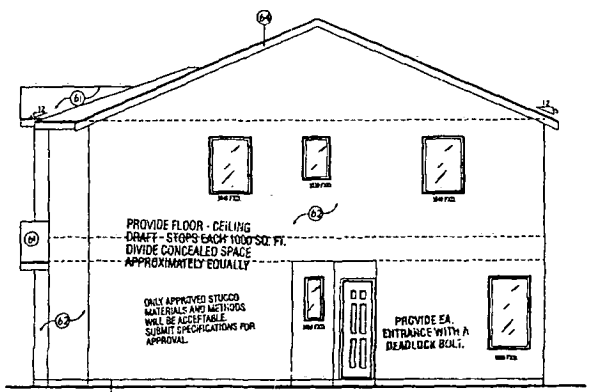
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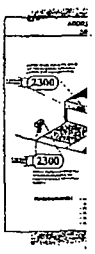
REAR ELEVATION



LEFT ELEVATION - A

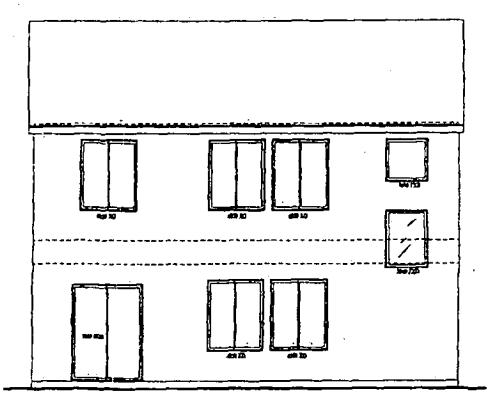


RIGHT ELEVATION - A



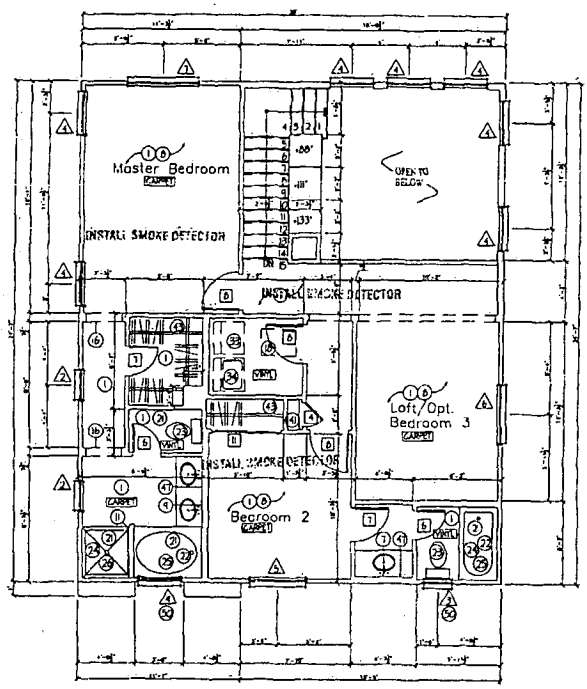
APPROVED
BY
CURRENT PLANNING DIVISION
CITY OF LAS VEGAS

ZON-5121
VAR-5124
SDR-5122
10-07-04 PC

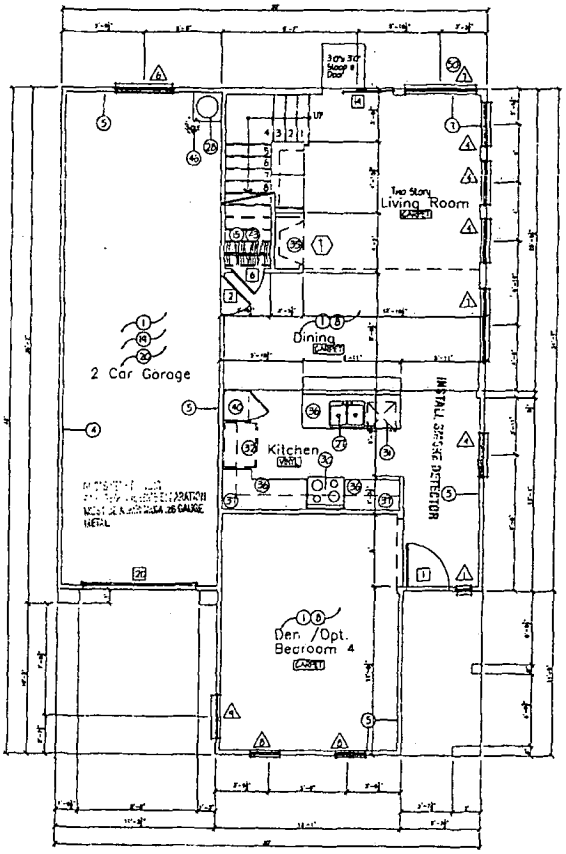


REAR ELEVATION

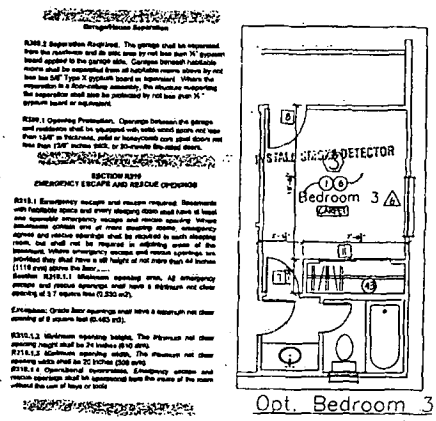
ZON-512
VAR-512
SDR-512
10-07-04



FLOOR PLAN (2ND FLOOR- A & B)



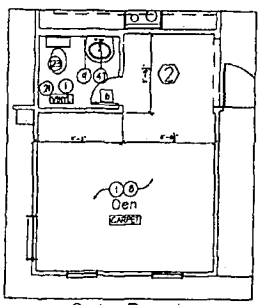
FLOOR PLAN (1ST FLOOR- A)



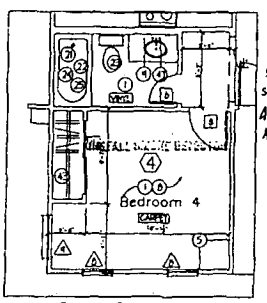
Opt. Bedroom 3

Floor Plan APPROVED
BY
CURRENT PLANNING DIVISION
CITY OF LAS VEGAS
2-24-04

RICHMOND AMERICAN HOMES
STATE CONTRACTOR LICENSE #0028417
EXECUTIVE VICE PRESIDENT



Opt. Powder

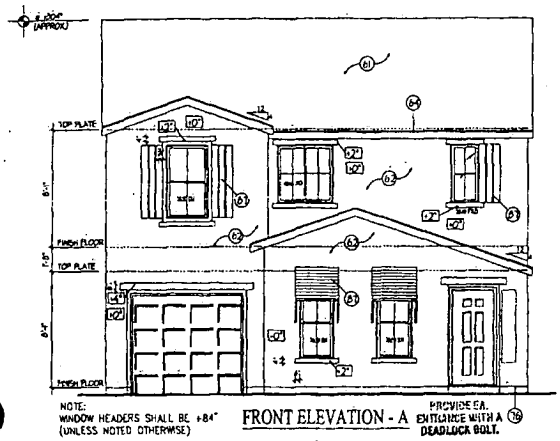


Opt. Bedroom 4

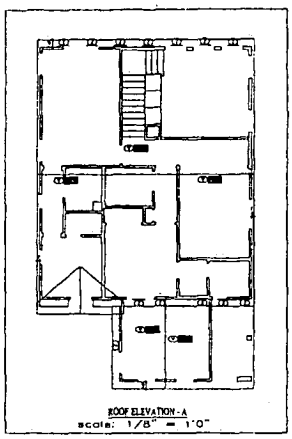
ALL SMOKE DETECTORS ARE REQUIRED TO BE INTERCONNECTED.

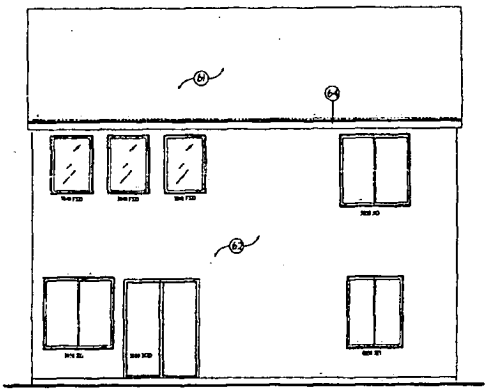
SEE: SHEET A
42.A FOR PLOT PLAN
42.C FOR EGRESS SCHEDULE

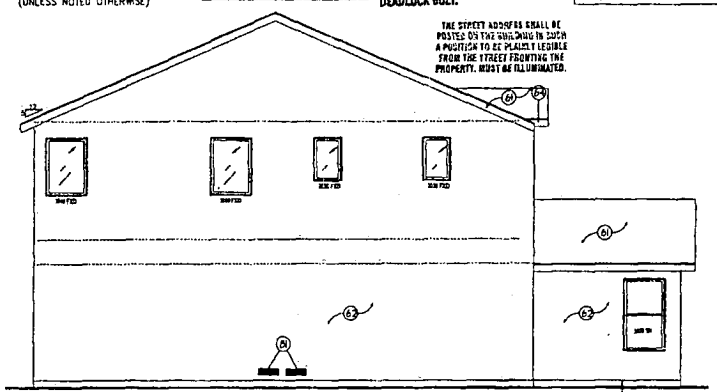
ZON-51
VAR-51
SDR-51
10-07-0



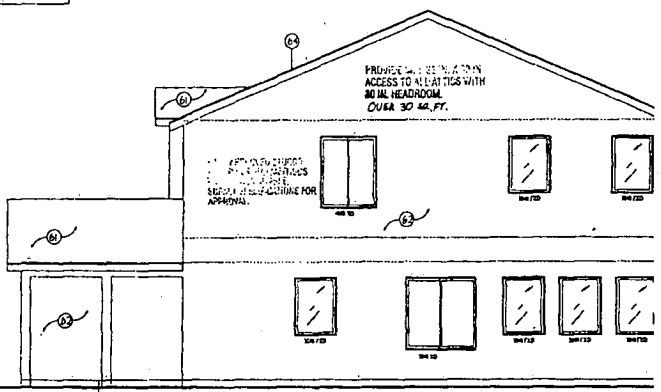
FRONT ELEVATION - A


ROOF ELEVATION - A
Scale: 1/8" = 1'-0"

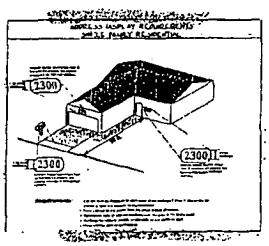

REAR ELEVATION

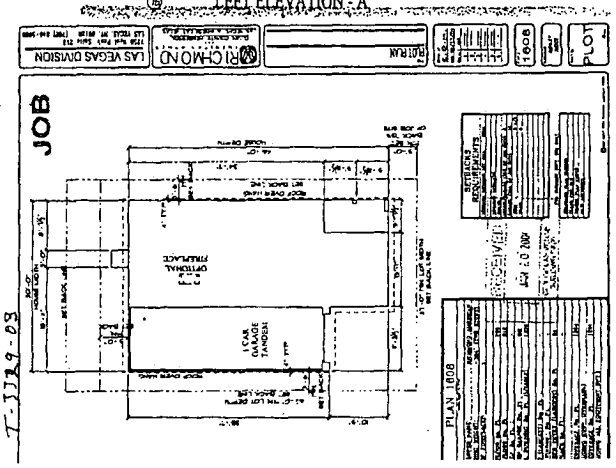


RIGHT ELEVATION - A



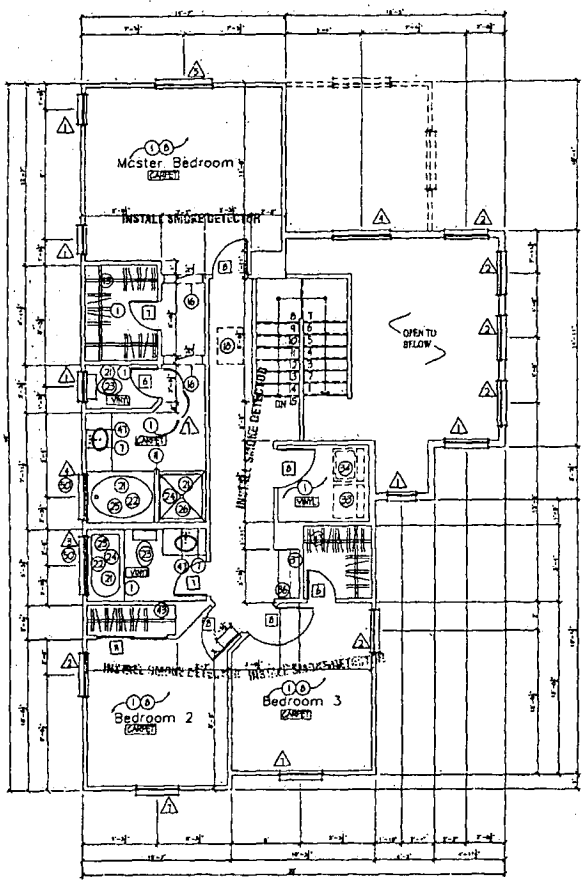
LEFT ELEVATION - A



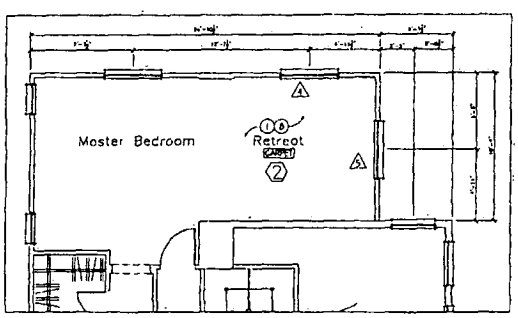


T-1129-03

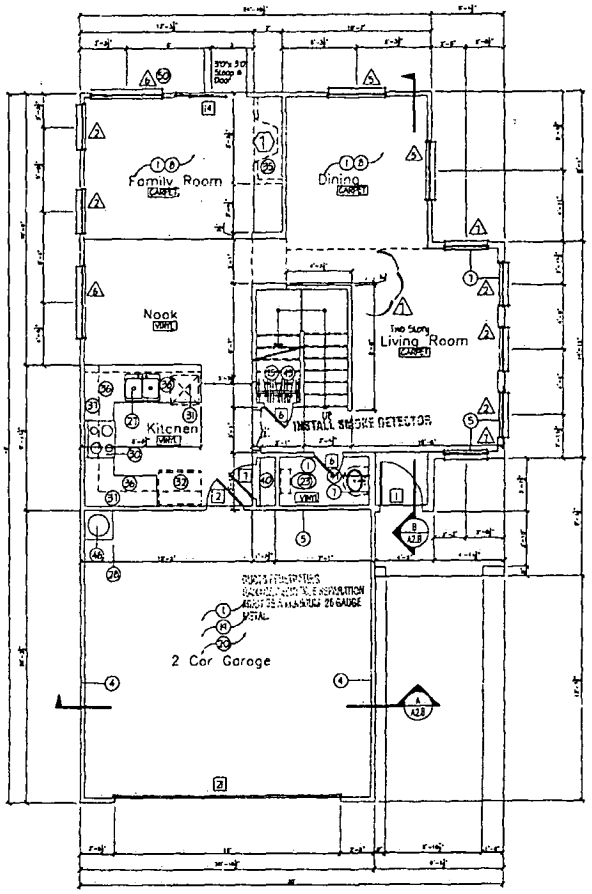
ZON-512
VAR-512
SDR-512
10-07-04



FLOOR PLAN (2ND FLOOR- A)



OPT. MASTER RETREAT

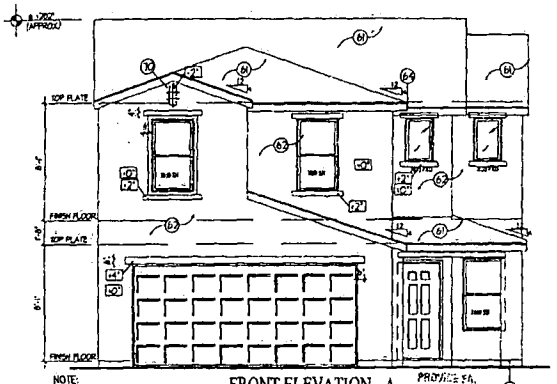


FLOOR PLAN (1ST FLOOR)

APPROVED
BY: [signature] 2-24-04
CURRENT PLANNING DIVISION
CITY OF LAS VEGAS

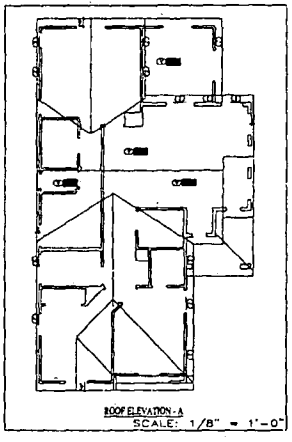
RICHMOND AMERICAN HOMES
STATE CONTRACTOR LICENSE #0026881
EXECUTIVE VICE PRESIDENT
ERNEST J. RECAR
SEE PLOT PLAN OVER
WALL CAME MCC OVER

ZON
VAR
SDR-
10-07

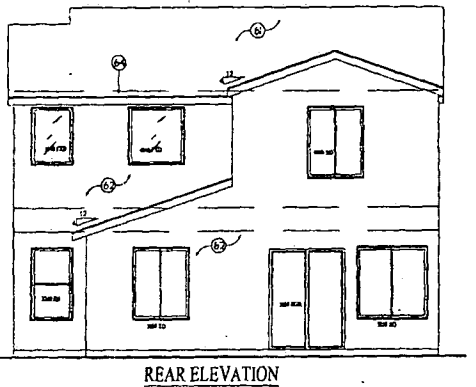


FRONT ELEVATION - A

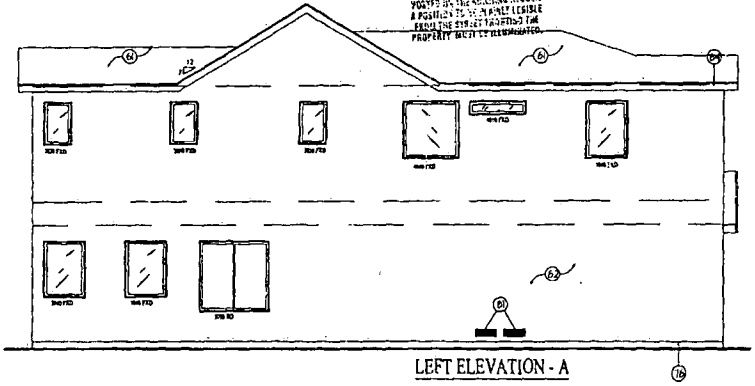
PROVIDE 6A, ENTRANCE WITH A DEADLOCK BOLT.



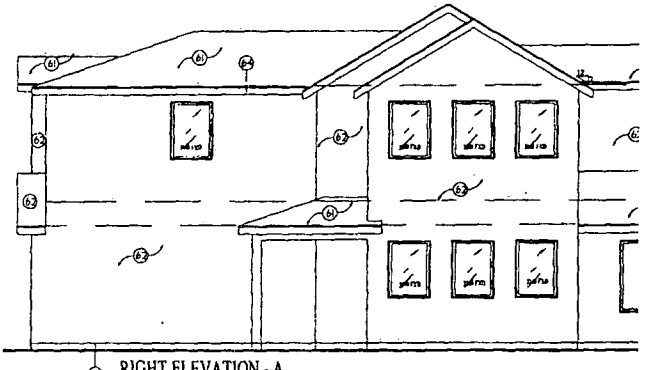
ROOF ELEVATION - A
SCALE: 1/8" = 1'-0"



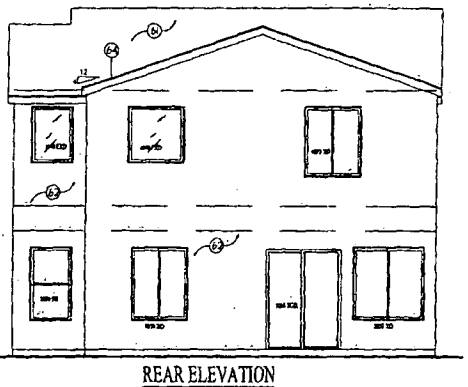
REAR ELEVATION



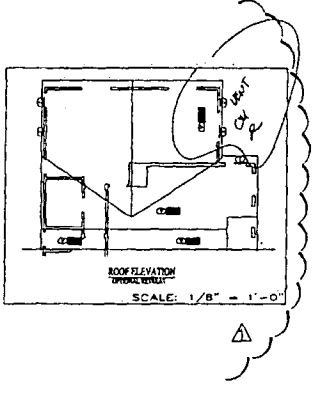
LEFT ELEVATION - A



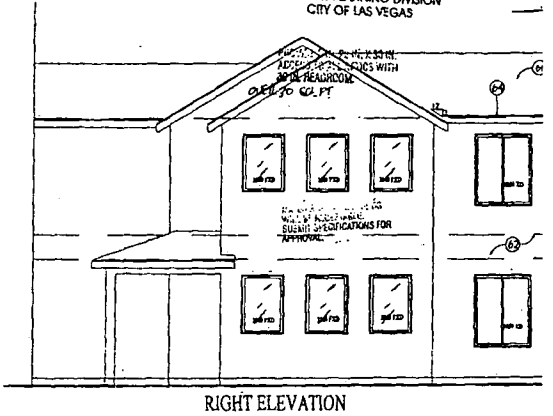
RIGHT ELEVATION - A



REAR ELEVATION
OPTIONAL RETREAT

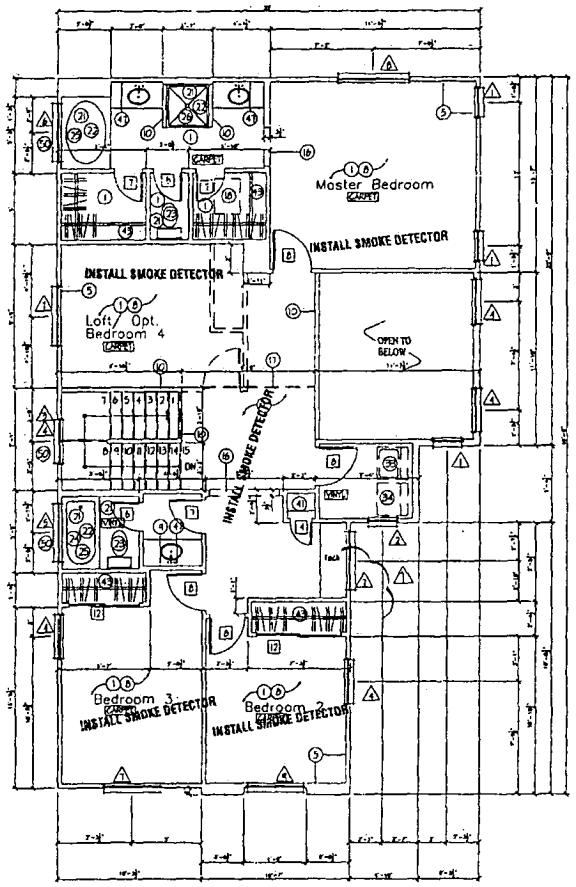


APPROVED
SEE ELEVATIONS ONLY
BY [illegible] 2.24.04
CURRENT PLANNING DIVISION
CITY OF LAS VEGAS

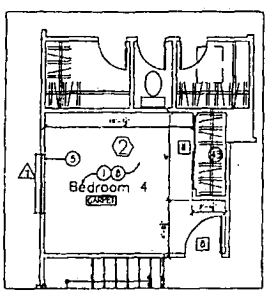


RIGHT ELEVATION

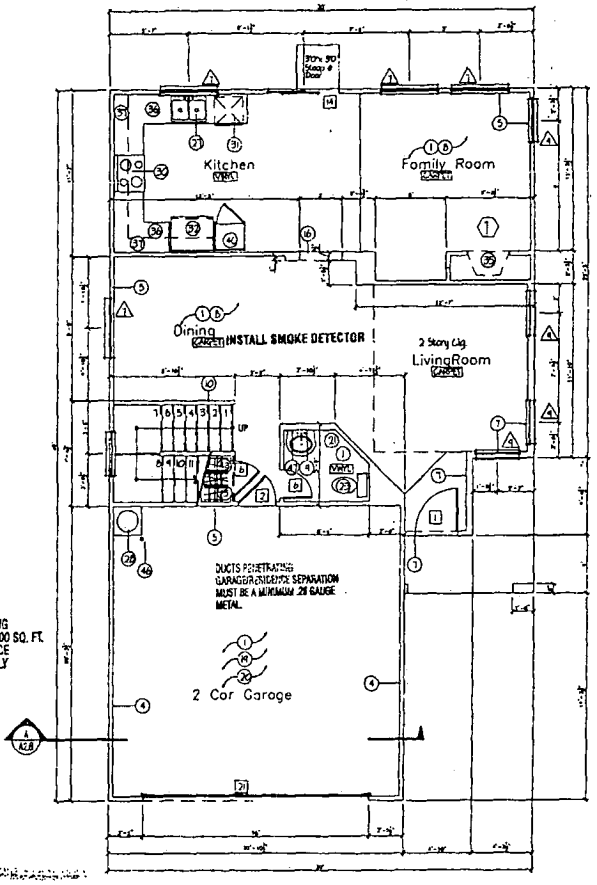
ZON-51
VAR-51
SDR-51
10-07-0



FLOOR PLAN (2ND FLOOR)

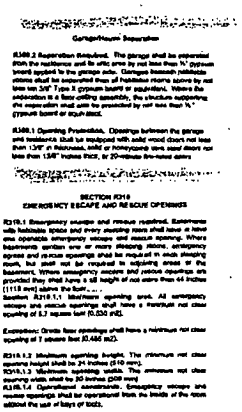


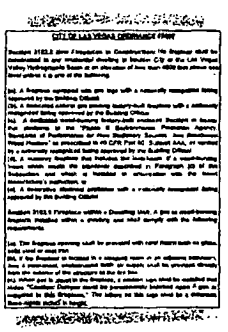
OPT. BEDROOM 4



PROVIDE FLOOR - CEILING DRAFT - STOPS EACH 1000 SQ. FT. DIVIDE CONCEALED SPACE APPROXIMATELY EQUALLY

FLOOR PLAN (1ST FLOOR - "A" ELEV.)





RECEIVED
JAN 15 '04
CITY OF LAS VEGAS PERMITS

APPROVED
BY _____ 2-24-04
CURRENT PLANNING DIVISION
CITY OF LAS VEGAS

ALL SMOKE DETECTORS ARE REQUIRED TO BE INTERCONNECTED

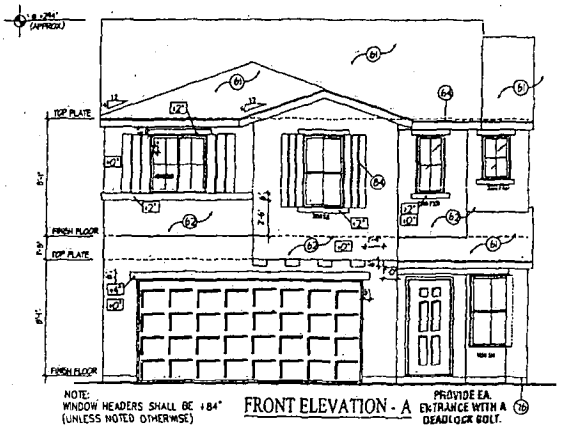
RICHMOND AMERICAN HOMES
STATE CONTRACTOR LICENSE #0029617
EXECUTIVE VICE PRESIDENT

PLANS APPROVED CONSTRUCTION
City of Las Vegas, Nevada

ALL KEYED ENTRANCES REQUIRE SWITCHES FOR INTERIOR AND EXTERIOR LIGHTS.

DOC FEB - 1 2004

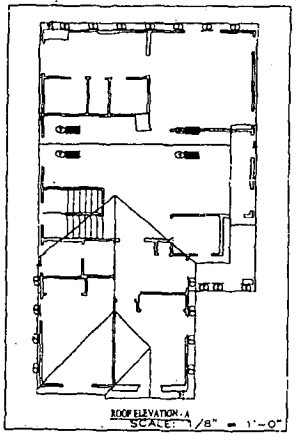
ZON
VAR
SDR
10-0



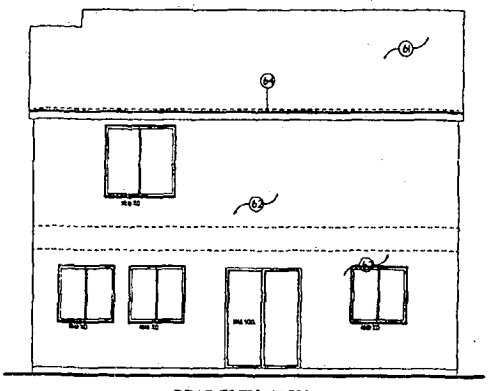
NOTE:
WINDOW HEADERS SHALL BE +84" (UNLESS NOTED OTHERWISE)

FRONT ELEVATION - A

PROVIDE EA. ENTRANCE WITH A DEADLOCK BOLT.

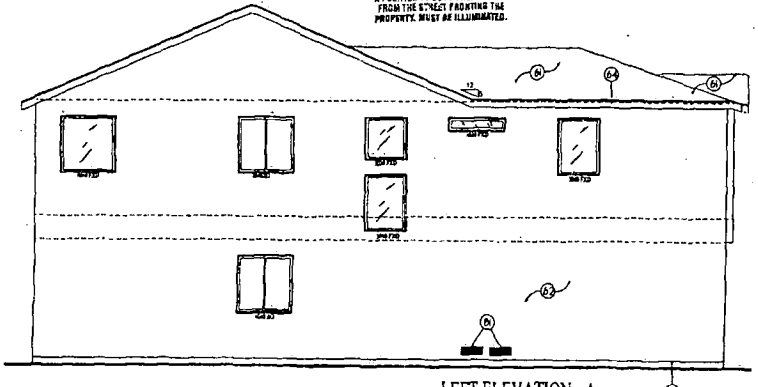


ROOF ELEVATION - A
SCALE: 1/8" = 1'-0"

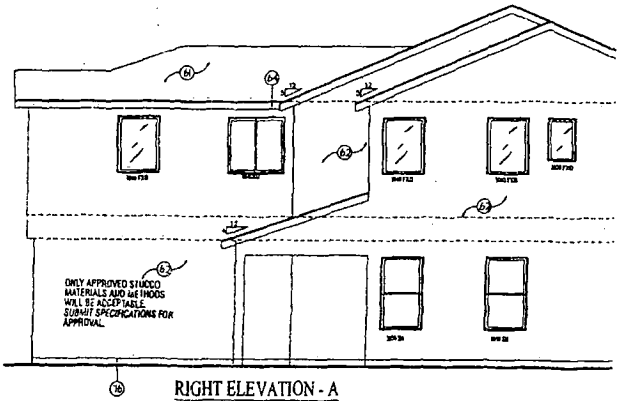


REAR ELEVATION

THE STREET ADDRESS SHALL BE POSTED ON THE BUILDING IN SUCH A POSITION TO BE PLAINLY LEGIBLE FROM THE STREET FRONTING THE PROPERTY. MUST BE ILLUMINATED.

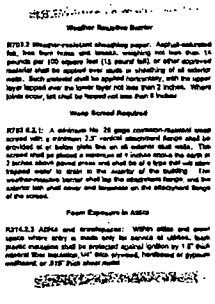


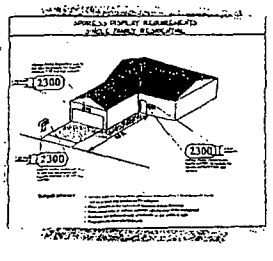
LEFT ELEVATION - A



RIGHT ELEVATION - A

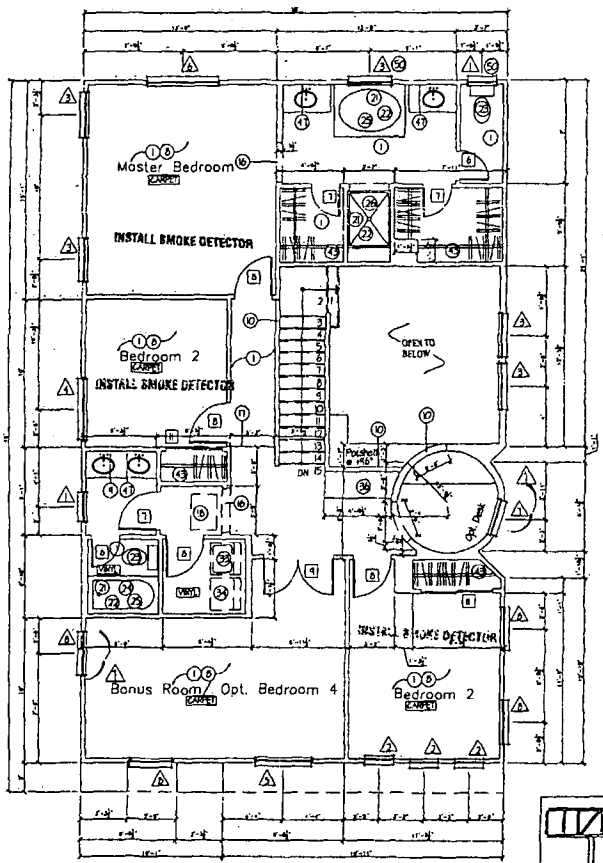
APPROVED
BY: [signature] 2-14-04
CURRENT PLANNING DIVISION
CITY OF LAS VEGAS

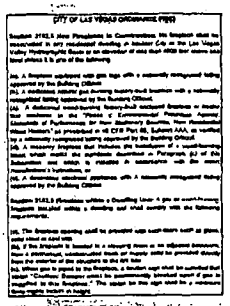


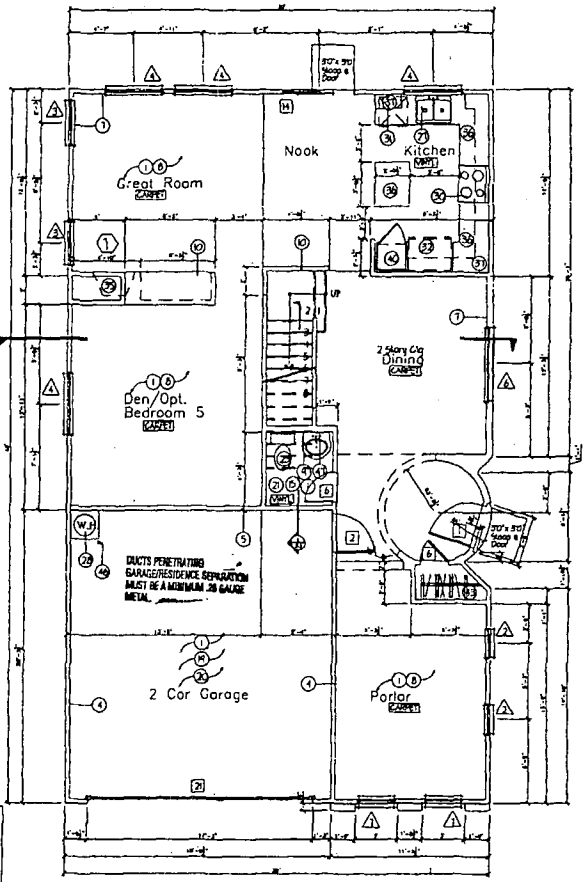


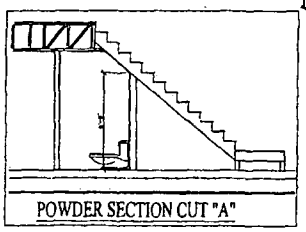
STATE CONTRAC
EXCLUSIVE

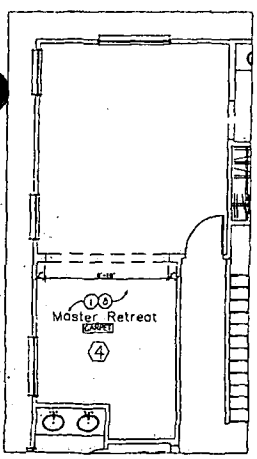
ZO
VA
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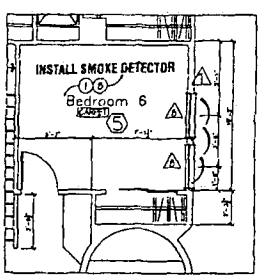




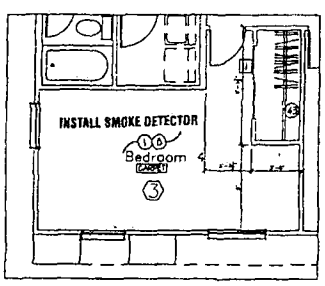


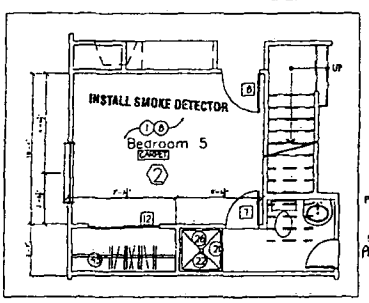


FLOOR PLAN (2ND FLOOR- A)



OPT. BEDROOM 6





OPT. BEDROOM 5

APPROVED
BY
CURRENT PLANNING DIVISION
CITY OF LAS VEGAS

FLOOR PLAN (2ND FLOOR- A & B)

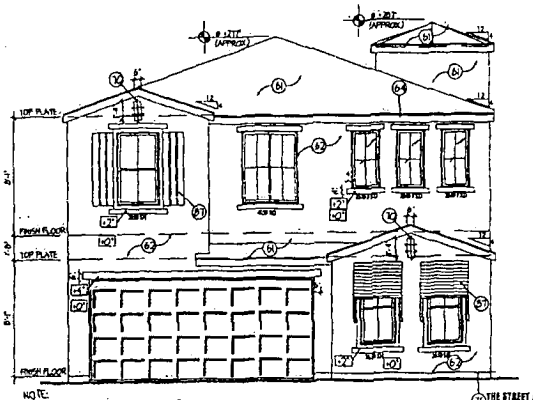
RICHMOND AMERICAN HOMES

ALL KEYED ENTRANCES REQUIRE SWITCHES FOR INTERIOR AND EXTERIOR LIGHTS.

ALL SMOKE DETECTORS ARE REQUIRED TO BE INTERCONNECTED.

PLANS APPROVED CONSTRUCTION

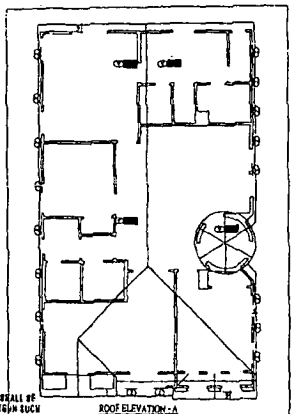
RECEIVED



NOTE:
WINDOW HEADERS SHALL BE +84" (UNLESS NOTED OTHERWISE)

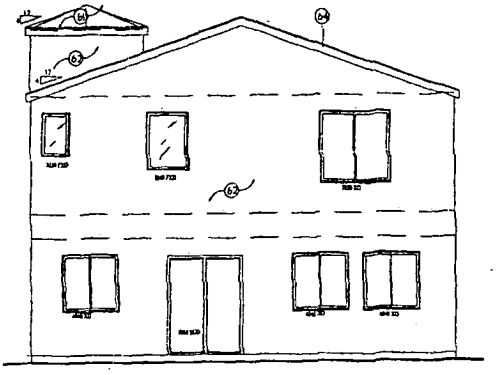
FRONT ELEVATION - A

THE STREET ADDRESS SHALL BE POSTED ON THE BUILDING IN SUCH A POSITION TO BE PLAINLY LEGIBLE FROM THE STREET FRONTING THE PROPERTY. MUST BE ILLUMINATED.

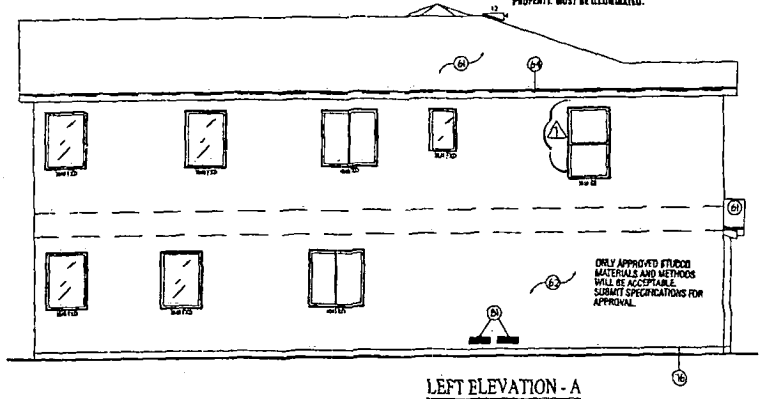


ROOF ELEVATION - A

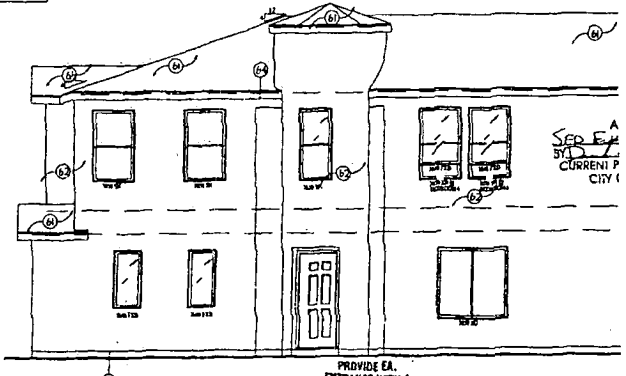
SCALE: 1/8" = 1'-0"



REAR ELEVATION



LEFT ELEVATION - A



RIGHT ELEVATION - A

BLDG. DEPT. REQUIREMENTS FOR THE NEW ENERGY CODE

Documentation Requirements: Field verification of compliance to the MEC will include specifications shown on the approved plans. To expedite office review and inspections bring a listing of the MEC measurements, in key form or in energy calculator, to inspector.

Additional requirements include:

Fenestration: Windows, as referenced by the MEC, to comply with a .10 maximum U-factor, heating and cooling that can be reasonably calculated or estimate with fully assembled values.

Water Heater: The water heater must be labeled to show it complies with ASHRAE standard 90-75. Acceptable methods for this compliance shall be manufacturer's data or module for variants are accepted.

Insulation/Vapor Retarder: Exterior doors and windows must be weather stripped.

Caulking and Sealant: Provide caulking or other methods at the penetrations of the framing from pipes and the foundation. The exterior framing joints, which intersect at the edge of sheathing material shall be caulked and sealed to prevent air infiltration. Sheet rock and caulking intersections shall be caulked or finished.

Sheet rock: Contract Licensee the building was designed using a thickness of 5/8" sheet rock on the ceiling. Where 1/2" sheet rock is used, the ceiling shall be a minimum of R-49.

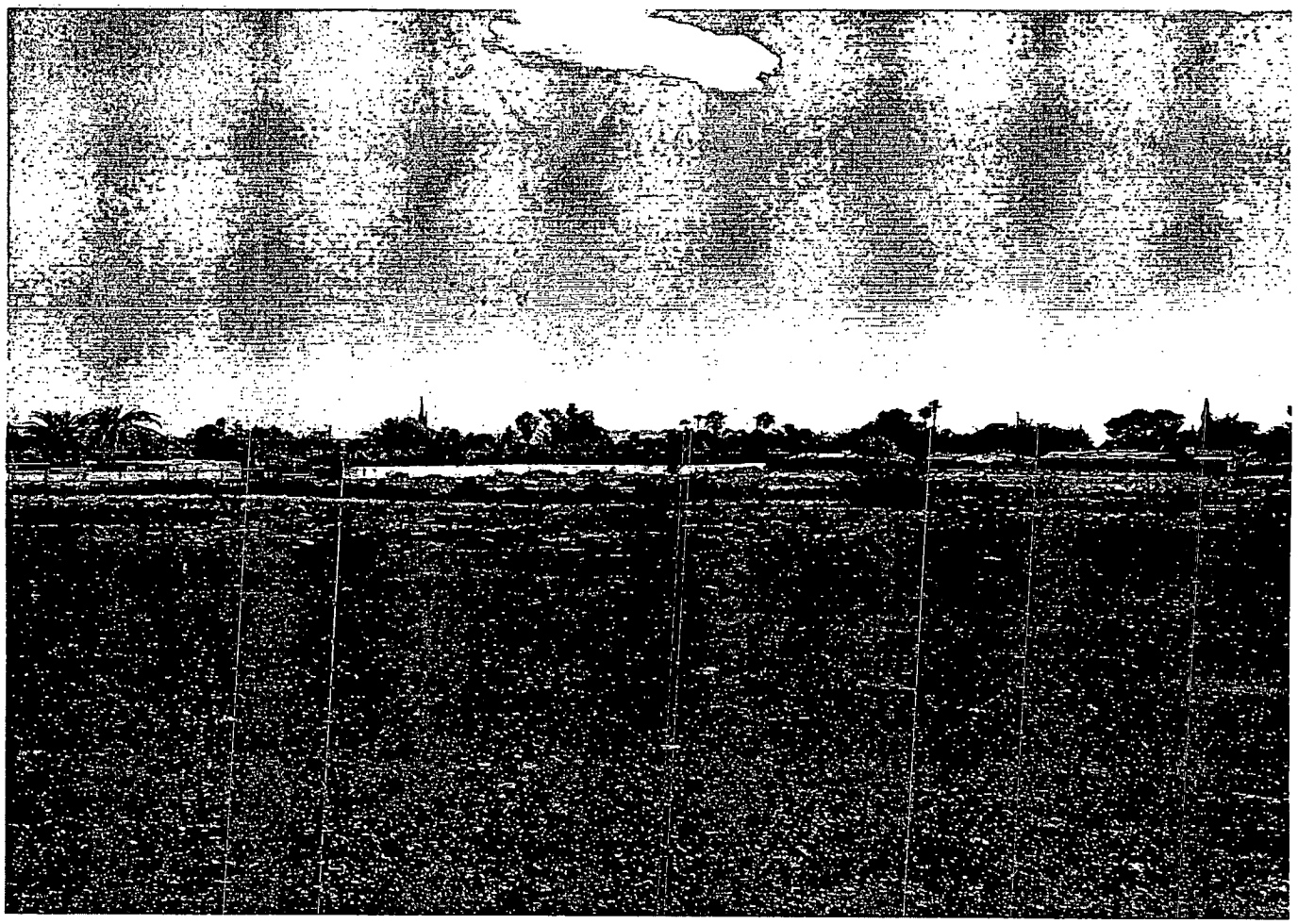
ENERGY SCHEDULE

Builder: Richmond American Homes
Project: Ashley Ridge
Plan: Plan 2300
Jurisdiction: City of Las Vegas, NV
Total Conditioned Floor Area: 2,300 Sq. Ft.
Foundation Type: Slab on Grade
Construction Type: Single Family Detached
Insulation Component | Type | R-Value | Location
Roof/Ceiling: 3 1/4 - 24" o.c. | 38 | ATTIC
Roof/Ceiling: 2 x 4 - 16" o.c. | 11 + 5" S.P.F. | EXTERIOR WALL
Wall: 2 x 4 - 16" o.c. | 11 | GARAGE WALL
Wall:
Wall: 2 x 4 - 24" o.c. | 19 | OVER GARAGE
Floor:
Other: 3 1/4" RC | 3.03 | SOLID CORE DOORS
Fenestration Component | Type | Frame | Area(ft2) | U-Value
Window: | SLIDER | ALUMINUM | 153 | 0.67
Window: | FIXED | ALUMINUM | 116 | 0.75
Window: | BRICK MOULD | ALUMINUM | 58 | 0.67
Skylight:
Door (Patio): | SLIDER | ALUMINUM | 96 | 0.77
Door (French):
Glass Block:
Overhead:
Equipment
Furnace AFUE: 78% | Water Heater: | Size: 40
AC SEER: 10 | EF: 0.82
HVAC Cont Install: 4.3 | R-12 Wrap: NO | Pipe Insul: NO

ENERGY SCHEDULE

Builder: Richmond American Homes
Project: Ashley Ridge
Plan: Plan 2300 w/ Bed 5 Opt
Total Conditioned Floor Area: 2,300 Sq. Ft.
Foundation Type: Slab on Grade
Construction Type: Single Family Detached
Insulation Component | Type | R-Value | Location
Roof/Ceiling: 3 1/4 - 24" o.c. | 38 | ATTIC
Roof/Ceiling: 2 x 4 - 16" o.c. | 11 + 5" S.P.F. | EXTERIOR WALL
Wall: 2 x 4 - 16" o.c. | 11 | GARAGE WALL
Wall:
Wall: 2 x 4 - 24" o.c. | 19 | OVER GARAGE
Floor:
Other: 3 1/4" RC | 3.03 | SOLID CORE DOORS
Fenestration Component | Type | Frame | Area(ft2) | U-Value
Window: | SLIDER | ALUMINUM | 179 | 0.67
Window: | FIXED | ALUMINUM | 116 | 0.75
Window: | BRICK MOULD | ALUMINUM | 58 | 0.67
Skylight:
Door (Patio): | SLIDER | ALUMINUM | 96 | 0.77
Door (French):
Glass Block:
Overhead:
Equipment
Furnace AFUE: 78% | Water Heater: | Size: 40
AC SEER: 10 | EF: 0.82
HVAC Cont Install: 4.3 | R-12 Wrap: NO | Pipe Insul: NO





SDR-5122 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - AF
AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND LINDELL ROAD
OCTOBER 7, 2004 PLANNING COMMISSION

City of Las Vegas

Agenda Item No. 115

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

MINUTES:

NL 517 W VAN BUREN AVENUE, DB 915 H STREET, DB 804 SUNNY PLACE, DB 1913 S 11TH STREET, DB 4312 DOVER PLACE, DB 504 ROSE STREET, RQR-5164, RQR-5165, RQR-5166, RQR-5167, RQR-5168, RQR-5169, RQR-5170, RQR-5171, SDR-5197, SUP-5111, SUP-5136, SUP-5137, SUP-5148, SUP-5181, SUP-5189, SUP-5191, SUP-5196, SUP-5215, VAC-5130, VAC-5131, VAR-5035, VAR-5114, VAR-5202, VAR-5336 and SDR-5109 - 11/17/2004 AGENDA

City of Las Vegas

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 3, 2004

CITIZENS PARTICIPATION:

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

MINUTES:

MAYOR GOODMAN announced that COUNCILMAN WEEKLY, CITY MANAGER DOUG SELBY and he would be departing from the next Council Meeting early to attend to City business. CITY MANAGER SELBY clarified that they would leave during the latter part of the morning session. If the presence of any of them should be needed, MAYOR GOODMAN instructed the public to contact their offices, the Planning Department, and the Clerk's Office to let it be known so that arrangements could be made for the following meeting.
(1:32 - 1:33)
1-648

DOROTHY BARNES, Las Vegas resident, informed the Council that she might move out of the state. She summarized her efforts to overcome problems as a newcomer and tourist. She spoke of her plans to hold a demonstration at Nellis Air Force Base in hope of obtaining resolution and not have to move. Because she has felt victimized and used in regards to problems with her identity and being falsely associated with illegal drugs and people, she hopes the newly-elected officials will help with the problem that she believes to be nationwide. She thanked all who have been helpful.
(3:05 - 3:08)
4-1075

MAYOR GOODMAN commented on an article in an alternative newspaper about MR. TODD FARLOW who was critical of the Council. It was implied that he is not welcome at the Council meetings and was advised he should not attend the meetings. MAYOR GOODMAN stated he believes the Council enjoys MR. FARLOW'S presence, referring to him as a valuable resource. MAYOR GOODMAN announced that every citizen is welcome.
(3:09)

THE MEETING ADJOURNED AT 3:08 P.M.