

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ZON-5313 - REZONING - PUBLIC HEARING - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: DANIEL M. CARPINO - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) [L-TC (LOW DENSITY RESIDENTIAL) TOWN CENTER SPECIAL LAND USE DESIGNATION] TO: T-C (TOWN CENTER) on 2.50 acres adjacent to the southwest corner of Fort Apache Road and Dorrell Lane (APN 125-19-602-002), Ward 6 (Mack).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 12/01/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 51 [ZON-4313] and Item 52 [SDR-5317].

KYLE WALTON, Planning and Development Department, explained that this property is a corner parcel that needs to be rezoned so that it is uniform with the surrounding Town Center zoned parcels. The parcel is associated with approximately 20 acres to the south and west of the site and the applicant proposes a 108-lot single-family detached subdivision. The zoning is in order and the Site Plan is consistent with Town Center Standards.

DIANA BOSSARD, 2920 North Green Valley Parkway, appeared with KEN HENAFIN, Project Engineer, and concurred with all conditions and recommendations.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 51 – ZON-5313

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 51 [ZON-4313] and Item 52 [SDR-5317].

(9:43-9:46)

3-882

CONDITIONS:

Planning and Development

1. This Rezoning request shall go direct to Ordinance.
2. Approval of Site Development Plan Review (SDR-5317) and Vacation (VAC-4218) applications by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

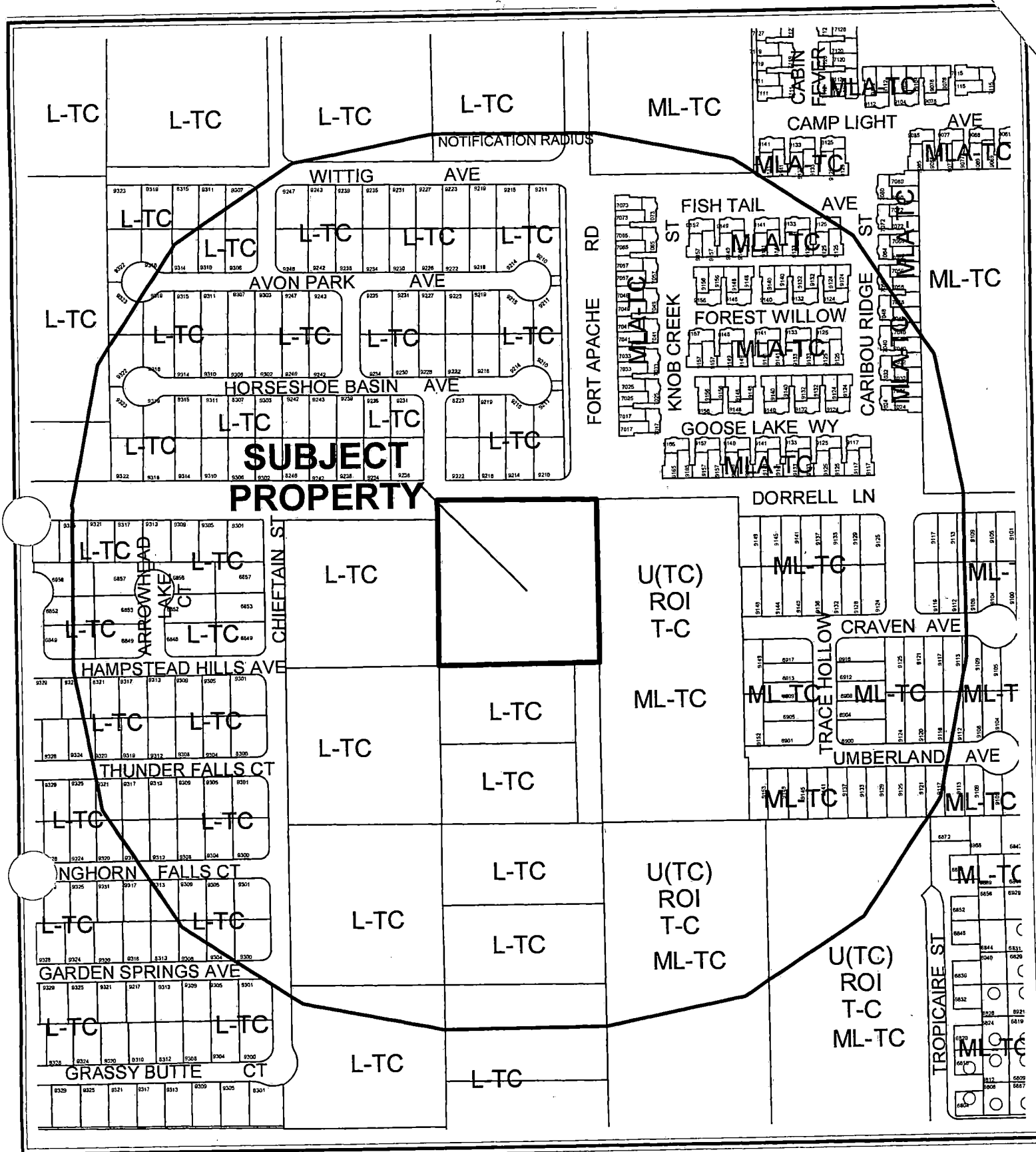
Public Works

3. Dedicate 50 feet of right-of-way adjacent to this site for Fort Apache Road where no right-of-way currently exists, 40 feet for Dorrell Lane where no right-of-way currently exists and a 25 foot radius corner at the southwest corner of Fort Apache Road and Dorrell Lane.
4. Construct half-street improvements on Dorrell Lane and Fort Apache Road adjacent to this site and construct half-street improvements including appropriate overpaving (if legally able) on Deer Springs Way adjacent to this site concurrent with development. Also, construct all incomplete half-street improvements on Chieftain Street adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. Extend all required underground utilities, such as electrical, telephone, etc., located within unimproved public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). 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

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 51 – ZON-5313

CONDITIONS – Continued:

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-5313

RADIUS: 750 FT

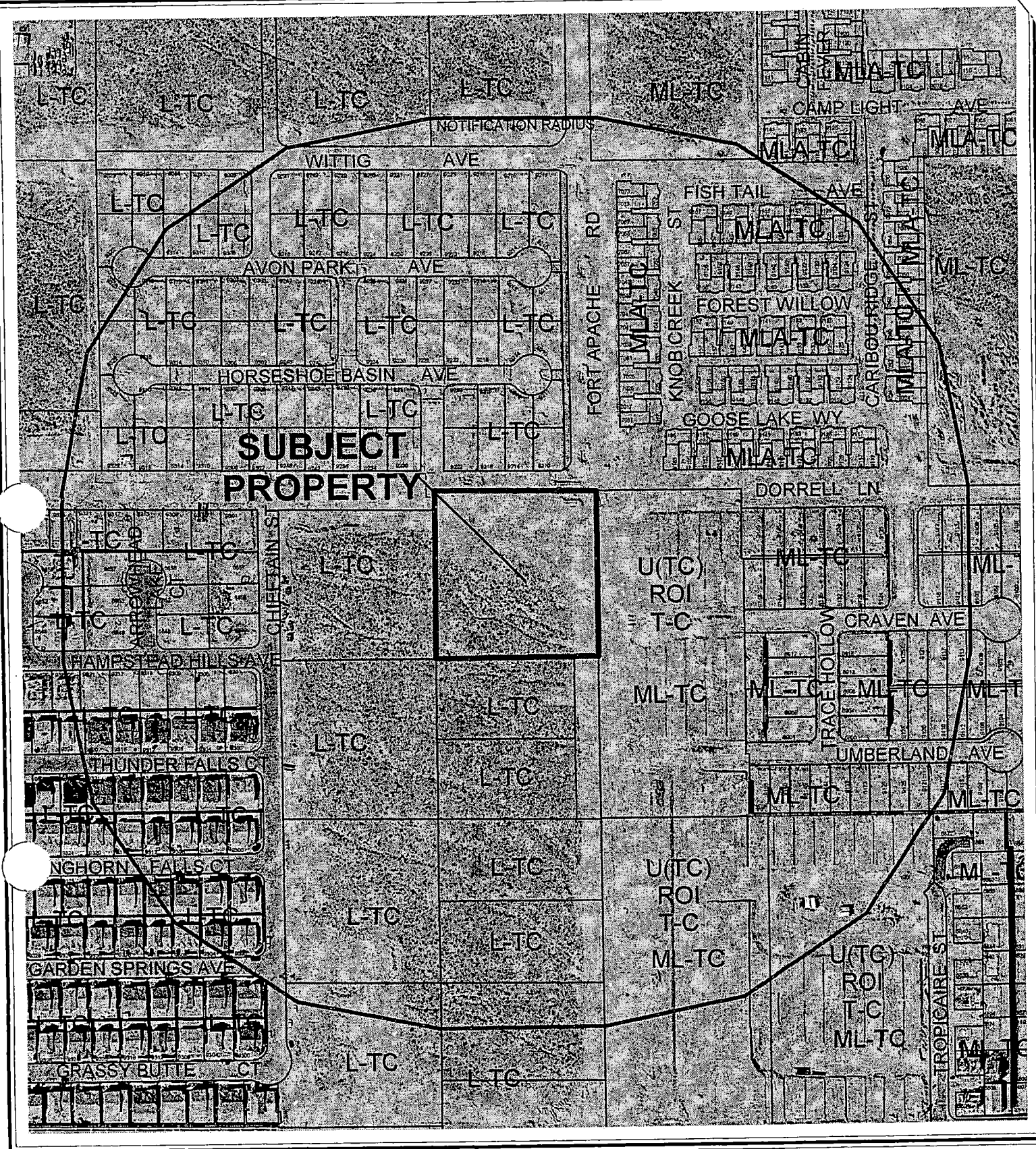
ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

[L-TC (LOW DENSITY RESIDENTIAL) TOWN CENTER SPECIAL LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)



0 200 400 Feet

CASE: ZON-5313

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

[L-TC (LOW DENSITY RESIDENTIAL) TOWN CENTER SPECIAL LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-5313 - APPLICANT: PARDEE HOMES OF NEVADA -

OWNER: DANIEL M. CARPINO

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

Planning and Development

1. This Rezoning request shall go direct to Ordinance.
2. Approval of Site Development Plan Review (SDR-5317) and Vacation (VAC-4218) applications 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 50 feet of right-of-way adjacent to this site for Fort Apache Road where no right-of-way currently exists, 40 feet for Dorrell Lane where no right-of-way currently exists and a 25 foot radius corner at the southwest corner of Fort Apache Road and Dorrell Lane.
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ZON-5313 - Conditions Page Two
November 4, 2004 Planning Commission Meeting

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.

SRS

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from: U (Undeveloped) Zone [TC (Town Center) General Plan Designation] To: T-C (Town Center) on 2.52 acres adjacent to the southwest corner of Fort Apache Road and Dorrell Lane.

B) Applicant's Justification

The applicant has justified this request by stating that the proposed Rezoning will implement Centennial Hills Town Center policy to have all land in the Town Center area zoned as T-C (Town Center).

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved a Petition to Annex property (A-0003-99) generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 619 acres, including a portion of the subject site. The effective date was 01/26/01. The Planning Commission and staff recommended approval on 03/25/99.
- 07/05/01 The City Council approved a request for a Rezoning (Z-0034-01) from U (Undeveloped) [L-TC (Low Residential) General Plan Designation] to T-C (Town Center) on 69.6 acres located within an area bound by the Farm Road alignment on the north, the Tee Pee Lane alignment on the west, the Fort Apache Road alignment on the east, and approximately 660 feet south of the Deer Springs Way alignment on the south, including a portion of the subject site. The Planning Commission and staff recommended approval of all applications on 05/24/01.
- 02/05/03 The City Council approved a Petition to Annex undeveloped property (A-0038-02) located in various parts of the city under the provisions of NRS 268.597 No. 1(b) containing approximately 495 acres, including a portion of the subject site. The Planning Commission and staff recommended approval on 10/24/02. The effective date was 02/14/03.

ZON-5313 - Staff Report Page Two
November 4, 2004 Planning Commission Meeting

- 09/15/04 The City Council tabled the Rezoning (ZON-4216), Site Development Plan Review (SDR-4220) and VAC-4218) at the request of the applicant.
- 11/04/04 The Planning Commission will hear Site Development Plan Review (SDR-5317) as part of this agenda. The applicant has completed the assemblage of land for the project. This site development plan review replaces the one previously tabled at City Council.

B) Pre-Application Meeting

- 09/20/04 The applicant was informed that Rezoning (ZON-4216) from U (TC) to T-C on APN 125-19-602-002 should remain tabled until a new rezoning case is to be heard by Council, and that ZON-4216 would have to be renotified, with fees due.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.5
Net Acres: 2.5

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Dwellings
South: Undeveloped
East: Single Family Dwellings
West: Single Family Dwellings

C) Planned Land Use

Subject Property: L-TC (Low Density Residential - Town Center)
North: L-TC (Low Density Residential - Town Center) and MLA-TC
South: L-TC (Low Density Residential - Town Center)
East: ML-TC (Medium-Low Density Residential - Town Center)
West: L-TC (Low Density Residential - Town Center)

D) Existing Zoning

Subject Property: U (Undeveloped) Zone [TC (Town Center) General Plan Designation]
 North: T-C (Town Center)
 South: U (Undeveloped) Zone [TC (Town Center) General Plan Designation]
 East: U (Undeveloped) Zone [TC (Town Center) General Plan Designation]
 under Resolution of Intent to T-C (Town Center)
 West: U (Undeveloped) Zone [TC (Town Center) General Plan Designation]

E) General Plan Compliance

The site is designated as TC (Town Center) on the Centennial Hills Sector map of the General Plan. Within Town Center, land use is more specifically described by special land use designations as set out in the Town Center Development Standards Manual. The Manual designated this site as L-TC (Low Density Residential - Town Center). This designation has a density range of 3.5 to 5.5 units per acre, and is intended for single-family detached homes as well as more imaginative residential development, which put an emphasis on common open space. Local supporting uses are also allowed. The request for T-C (Town Center) zoning conforms to the L-TC (Low Density Residential - Town Center) special land use designation.

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

Trails – There are three trail segments adjacent to the site as identified on Map 6 (Town Center Multi-Use Trail Alignments) of the Transportation Trails Element. One is a Primary Arterial Trail along Fort Apache Road to the east of the site, and a second is a Town Center Arterial Trail along Deer Springs Way to the south of the site. The third is the Town Center Collector Trail required along Dorrell Lane to the north of the site. These trails are also required pursuant to the street cross-sections in the Town Center Development Standards Manual and represent the sidewalks along these streets. Additionally, Map 6 also calls for a Multi-Use Transportation Trail along the west side of Fort Apache Road, adjacent to the site, which is a wider section than the Primary Arterial Trail on the east side of the street. The site plan, as proposed, meets these trails standards.

Fort Apache Road, on the east boundary of the site, will be developed as a Town Center Primary Arterial (100 feet), which also has a 15-foot median. The street section shown on the site plan does not identify this median.

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 request advances City policies to have all lands within the Town Center Plan to be zoned TC (Town Center).

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

The proposed T-C (Town Center) zoning district allows for a wide range of uses, including the proposed residential development on the subject site. The density of the proposed use, as indicated in companion Site Development Plan Review (SDR-5317) is within the stated density range of the current L-TC (Low Density Residential - Town Center) land use designation. The proposed development will be consistent with the density of the adjacent single-family residential development to the north, and is consistent with the L-TC designation that applies to surrounding undeveloped properties.

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

The proposed Rezoning will facilitate the development of low-density residential uses within the portion of the Town Center area designated for such uses.

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

The site is adjacent to Deer Springs Way (a Town Center Arterial [80-foot]/ Secondary Collector) to the south, and to Fort Apache Road (a Town Center Primary [100-foot] Arterial) to the east. Dorrell Lane, a Town Center Residential Collector, is located to the north of the site. These streets will be adequate to provide access to the subject site for the density of development that will be allowed under the proposed T-C (Town Center) zoning district.

NOTICES MAILED 47

APPROVALS 0

PROTESTS 0



Case Number: 20N-5313 APN: 125-19-602-002
Name of Property Owner: Daniel M. Carpino
Name of Applicant: Pardee Homes of Nevada

Yes

No

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent:

Print Name: Don Carline

This 16 day of Sept, 2004

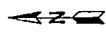
Notary Public in and for said County and State



APN 125-19-ECZ-002
ZONING U-TC

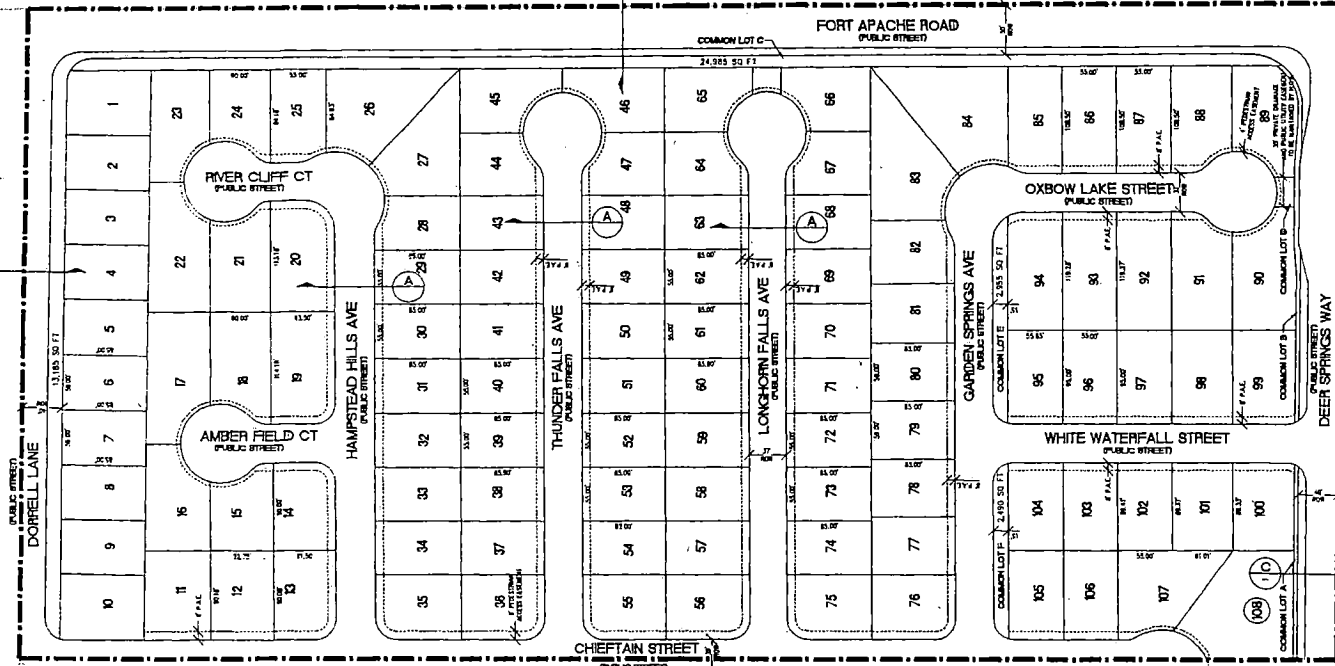
APN 125-20-201-029
ZONING U-TC

APN 125-20-201-009
ZONING U-TC

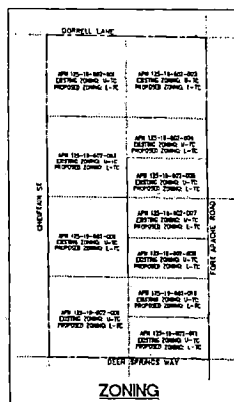


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FEET

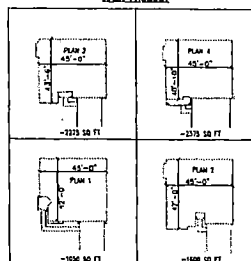
EXISTING TOWN CENTER
L-TC 55 NO. 1



EXISTING TOWN CENTER
L-TC 55 NO. 1



TYPICAL FOOTPRINTS



MINIMUM SETBACKS

FRONT 10' TO SHING GARAGE/CONVERTED LIVING QUARTER
FRONT 18' FACE OF GARAGE TO BACK OF SIDEWALK
REAR 10' TO PRIMARY STRUCTURE
REAR 7' TO BALCONIES IN CUL-DE-SACS
SIDE 5' TO PRIMARY STRUCTURE
CORNER 10' TO PRIMARY STRUCTURE

ACREAGE/DENSITY/LANDSCAPING

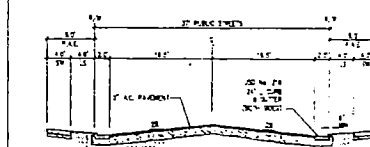
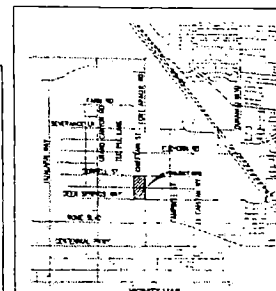
LOT COUNT 108
GROSS ACREAGE 20.18
DENSITY 5.35 DU/AC
PROVIDED OPEN SPACE 1.78 AC (77,606 SQ FT)
REQUIRED OPEN SPACE 1.00 AC (43,560 SQ FT)

FLOOR AREA RATIO

PLAN 1 - 0.31:1
PLAN 2 - 0.34:1
PLAN 3 - 0.62:1
PLAN 4 - 0.64:1

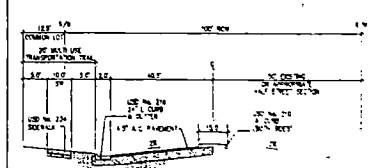
LEGEND

LOTS
OPEN SPACE AREA
MEETING CLV O.S. CRITERIA
LANDSCAPE AREAS
INCLUDING SIDEWALK
NOT COUNTING AS O.S.
STREETS
NOTE
SIGNAGE FOR PROPERTY SHALL CONSIST OF NAME PLATE SIGNAGE ON BLOCK WALLS AT STRATEGIC LOCATIONS THROUGHOUT COMMUNITY



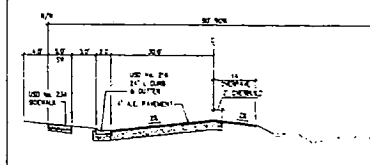
A-37 PUBLIC STREET SECTION

NOT TO SCALE



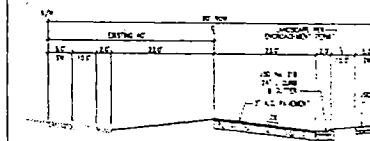
B-100' STREET SECTION

NOT TO SCALE



C-80' STREET SECTION

NOT TO SCALE



D-80' STREET SECTION

NOT TO SCALE

SLATER
HANIFAN
GROUP
CONSULTING ENGINEERS & PLANNERS

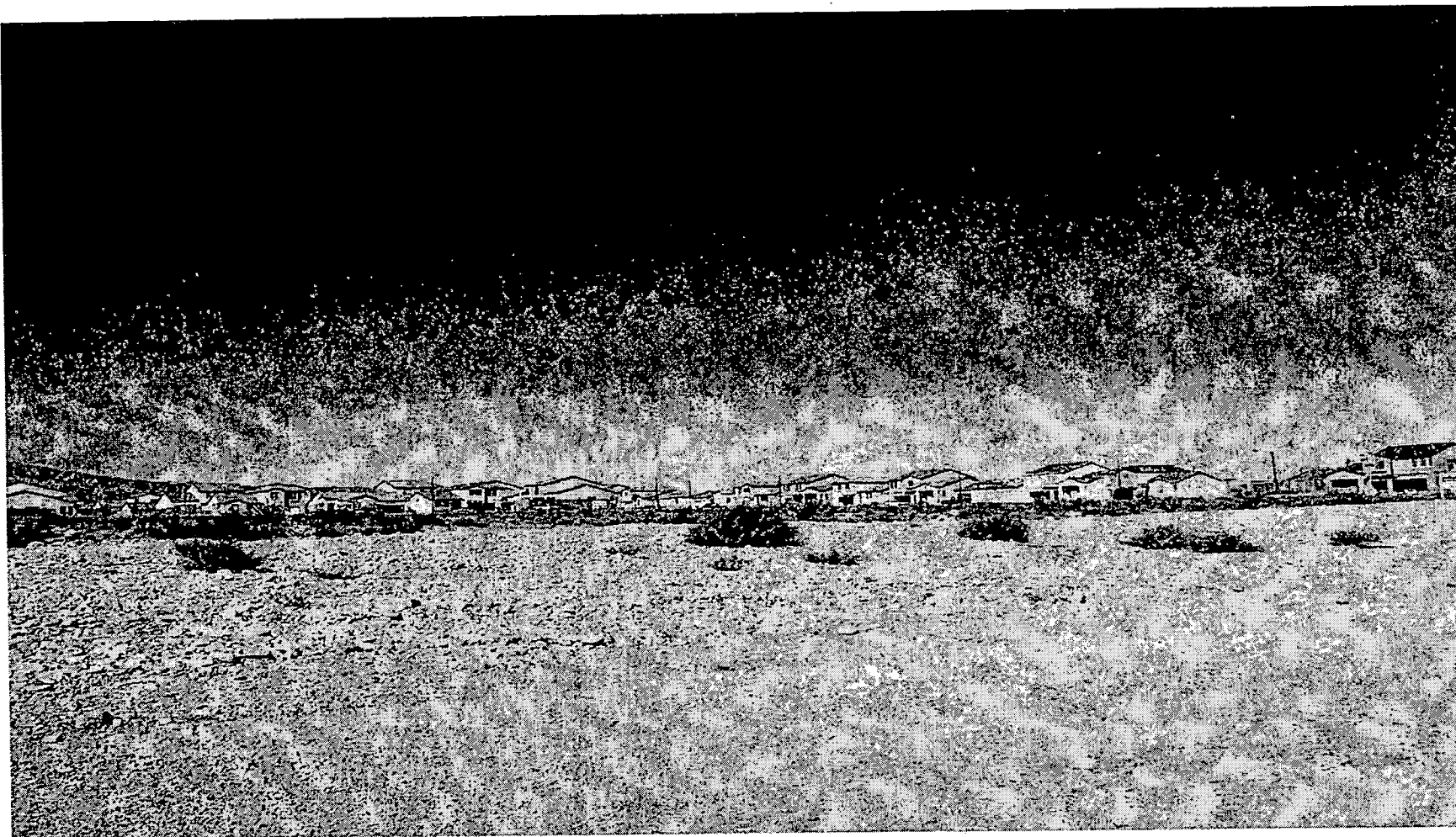
PARDEE HOMES OF NEVADA
TOWN CENTER L-TC 55 NO. 4
SITE PLAN

DATE 3-18-24
DESIGNER JCP
CHECKED JCS
PROJECT NO. PAR0302-006

C-1

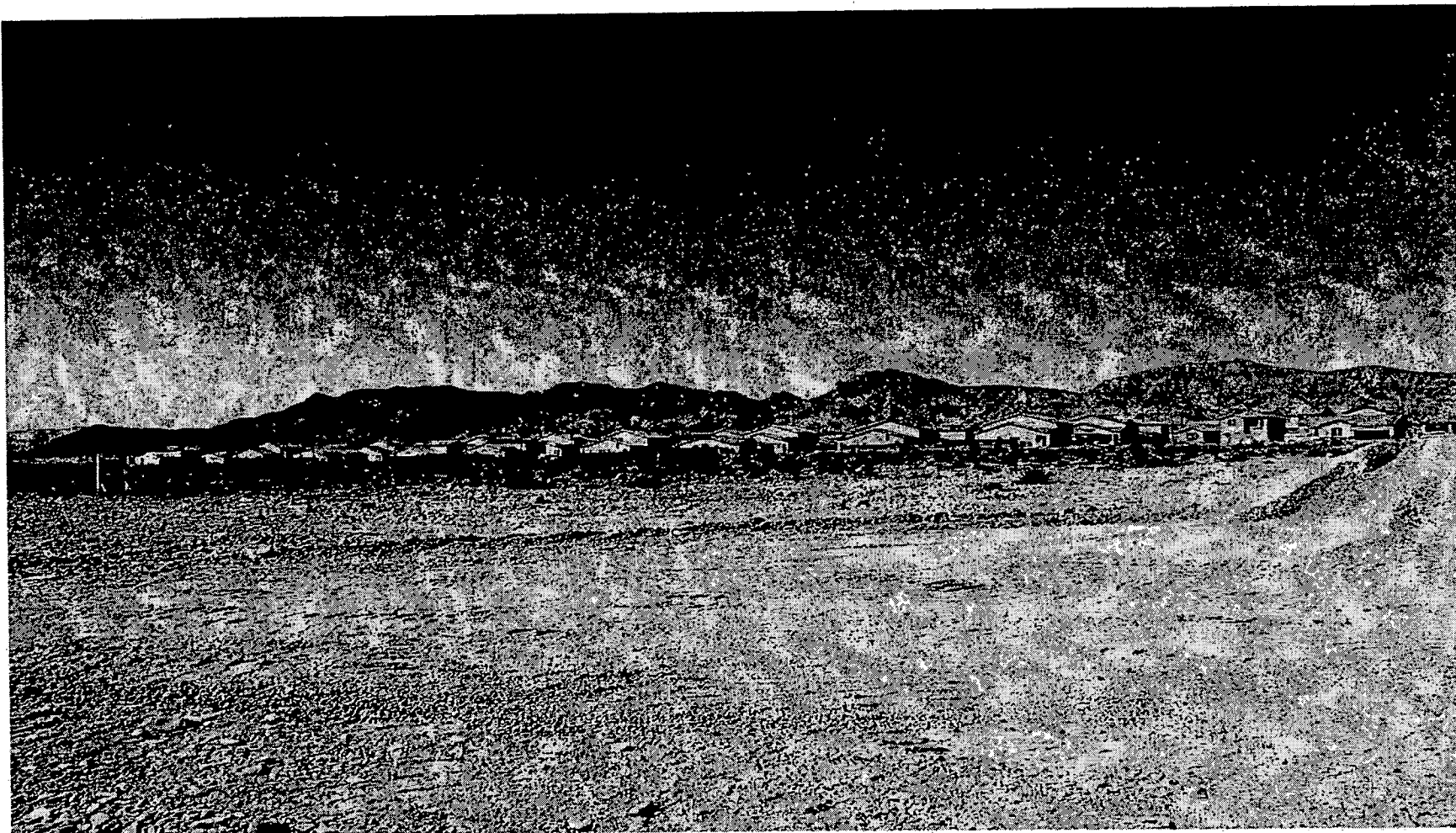
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SEP 21 2004

ZON-5313
11-04-04 PC



ZON-5313 - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: DANIEL M. CARPINO
SOUTHWEST CORNER OF FORT APACHE ROAD AND DORRELL LANE
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04



ZON-5313 - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: DANIEL M. CARPINO
SOUTHWEST CORNER OF FORT APACHE ROAD AND DORRELL LANE
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5317 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5313 - PUBLIC HEARING - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: DANIEL M. CARPINO AND PARDEE HOMES OF NEVADA - Request for a Site Development Plan FOR A PROPOSED 108-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 20.18 acres adjacent to the southwest corner of Fort Apache Road and Dorrell Lane (APN 125-19-602-001 thru 011), U (Undeveloped) Zone [TC (Town Center) L-TC (Low Density Residential Town Center General Plan Designation)] [PROPOSED: T-C (Town Center) Zone], Ward 6 (Mack).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 12/01/2004

MINUTES:

See Item 51 [ZON-4313] for all related discussion on Item 51 [ZON-4313] and Item 52 [SDR-5317].

(9:43-9:46)

3-882

CONDITIONS:

Planning and Development

1. Approval of a Rezoning to T-C (Town Center) and a Vacation of government patent easements by the City Council. (ZON-5313), (ZON-4216) and VAC-4218.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 52 – SDR-5317

CONDITIONS – Continued:

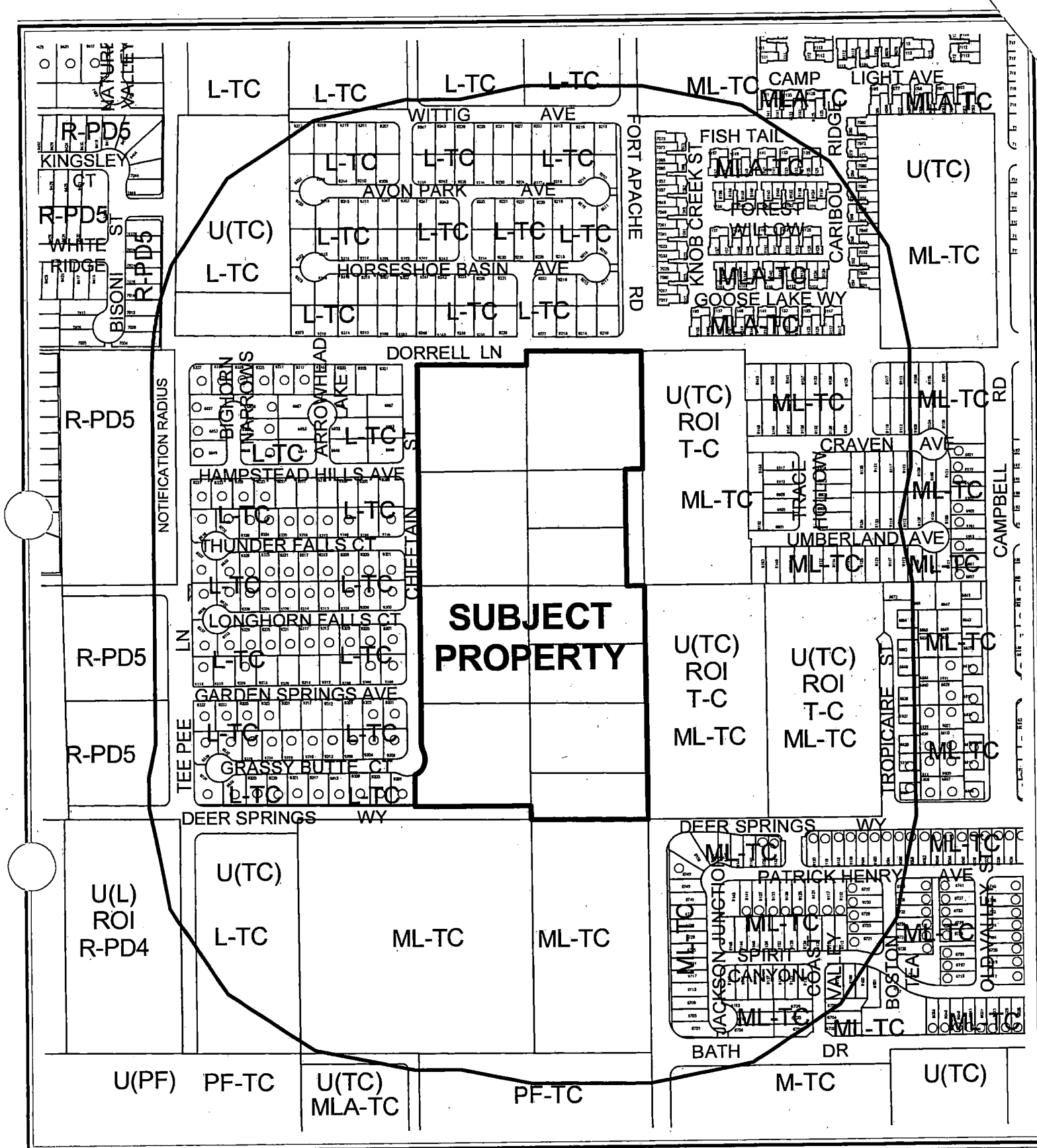
2. All development shall be in conformance with the site plan and building elevations date stamped 09/21/04, except as amended by conditions herein, including the required median on Fort Apache Road.
3. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
4. The setbacks for this development shall be a minimum of 10 feet to the front of the house or swing garage, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear, except for lots fronting on cul-de-sac bulbs, where 7 feet in the rear is allowed.
5. 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 large canopy trees planted a minimum of 35 feet on-center along Fort Apache Road, with five-foot on-site and right-of-way amenity zones, and 24-inch box large canopy trees planted a minimum of 30 feet on-center along Dorrell Lane and along Deer Springs Way.
6. The required Primary Arterial Trail along Fort Apache Road, the Town Center Arterial Trail along Deer Springs Way and the Town Center Collector Trail along Dorrell Lane shall be constructed in accordance with the Town Center Design Standards.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
8. 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.
9. All City Code requirements and design standards of all City departments must be satisfied.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 52 – SDR-5317

CONDITIONS – Continued:

Public Works

11. Landscape and maintain all unimproved rights-of-way on Dorrell Lane, Deer Springs Way and Fort Apache Road adjacent to this site.
12. Submit an Encroachment Agreement for all landscaping and private improvements located in the Dorrell Lane, Deer Springs Way and Fort Apache Road public rights-of-way adjacent to this site prior to occupancy of this site.
13. Provide public sidewalk easements for all public sidewalks located outside of the public right-of-way concurrent with development of this site.
14. Site development to comply with all applicable conditions of approval for ZON-5313 and ZON-4216, VAC-4218, Town Center Standards, and all other site-related actions.
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 improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.



CASE: SDR-5317

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

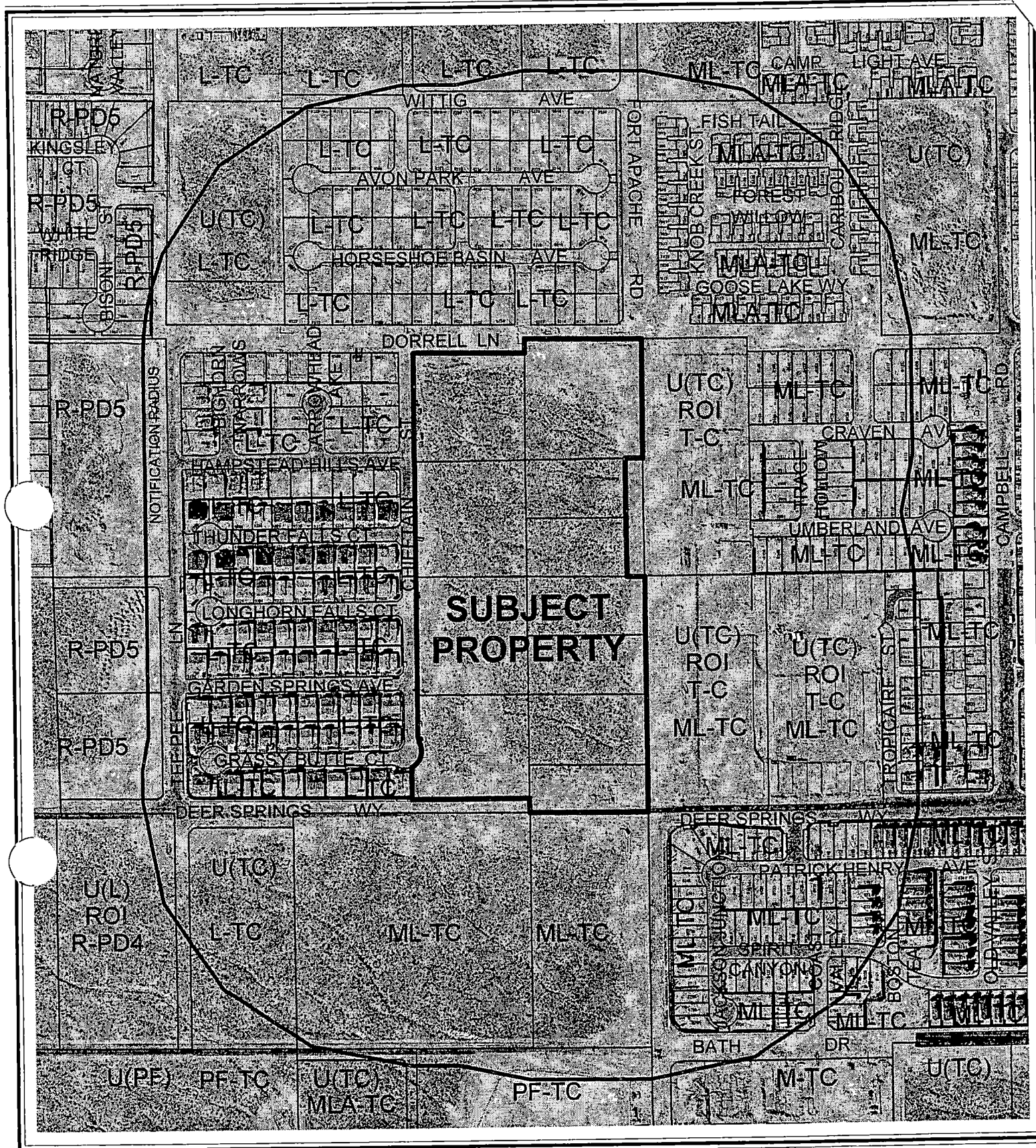
[L-TC (LOW DENSITY RESIDENTIAL) TOWN CENTER SPECIAL LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

0 300 600 Feet





CASE: SDR-5317

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]
[L-TC (LOW DENSITY RESIDENTIAL) TOWN CENTER SPECIAL LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5317 - APPLICANT: PARDEE HOMES OF NEVADA -

OWNER: DANIEL M. CARPINO AND PARDEE HOMES OF NEVADA

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Approval of a Rezoning to T-C (Town Center) and a Vacation of government patent easements by the City Council. (ZON-5313), (ZON-4216) and VAC-4218.
2. All development shall be in conformance with the site plan and building elevations date stamped 09/21/04, except as amended by conditions herein, including the required median on Fort Apache Road.
3. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
4. The setbacks for this development shall be a minimum of 10 feet to the front of the house or swing garage, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear, except for lots fronting on cul-de-sac bulbs, where 7 feet in the rear is allowed.
5. 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 large canopy trees planted a minimum of 35 feet on-center along Fort Apache Road, with five-foot on-site and right-of-way amenity zones, and 24-inch box large canopy trees planted a minimum of 30 feet on-center along Dorrell Lane and along Deer Springs Way.
6. The required Primary Arterial Trail along Fort Apache Road, the Town Center Arterial Trail along Deer Springs Way and the Town Center Collector Trail along Dorrell Lane shall be constructed in accordance with the Town Center Design Standards.

SDR-5317 - Conditions Page Two
November 4, 2004 Planning Commission Meeting

7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
8. 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.
9. All City Code requirements and design standards of all City departments must be satisfied.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

11. Landscape and maintain all unimproved rights-of-way on Dorrell Lane, Deer Springs Way and Fort Apache Road adjacent to this site.
12. Submit an Encroachment Agreement for all landscaping and private improvements located in the Dorrell Lane, Deer Springs Way and Fort Apache Road public rights-of-way adjacent to this site prior to occupancy of this site.
13. Provide public sidewalk easements for all public sidewalks located outside of the public right-of-way concurrent with development of this site.
14. Site development to comply with all applicable conditions of approval for ZON-5313 and ZON-4216, VAC-4218, Town Center Standards, and all other site-related actions.
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 improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for 108 single-family lots on approximately 20.18 acres located at the southwest corner of Dorrell Lane and Fort Apache Road.

B) Applicant's Justification

The applicant has justified the request by stating that the pattern of development and proposed street sections are similar for those approved on other Pardee development sites in Town Center within the immediate area.

BACKGROUND INFORMATION

A) Previous Actions

01/17/01 The City Council approved a the annexation of this property. The effective date was 01/26/01. The Planning Commission and staff recommended approval.

07/05/01 The City Council approved a request for a Rezoning to T-C (Town Center) as part of a larger request. The Planning Commission and staff recommended approval.

09/15/04 The City Council tabled the Rezoning (ZON-4216), Site Development Plan Review (SDR-4220) and VAC-4218) at the request of the applicant.

11/04/04 The Planning Commission will hear the related rezoning, ZON-5313 as part of this agenda. The applicant has completed the assemblage of land for the project. This site development plan review replaces the one previously tabled at City Council.

B) Pre-Application Meeting

09/20/04 The applicant was advised that streetscapes are to match modified standards of Site Development Plan Review (SDR-1104), along Dorrell Lane and Chieftain Street. The applicant was informed that one acre of Open Space will be required, and that amenity zones would count toward that requirement. Applicant was informed that a Multi-Use Transportation Trail runs along Fort Apache Road, on the East side of the subject property.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 20.18

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Dwellings
South: Undeveloped
East: Single Family Dwellings
West: Single Family Dwellings

C) Planned Land Use

Subject Property: L-TC (Low Density Residential - Town Center)
North: L-TC (Low Density Residential - Town Center) and MLA-TC
South: L-TC (Low Density Residential - Town Center)
East: ML-TC (Medium-Low Density Residential - Town Center)
West: L-TC (Low Density Residential - Town Center)

D) Existing Zoning

Subject Property: U (Undeveloped) Zone [TC (Town Center) General Plan Designation]
North: T-C (Town Center)
South: T-C (Town Center)
East: U (Undeveloped) Zone [TC (Town Center) General Plan Designation]
under Resolution of Intent to T-C (Town Center)
West: T-C (Town Center)

E) General Plan Compliance

The site is designated as TC (Town Center) on the Centennial Hills Sector Map of the General Plan. Within Town Center, land use is more specifically described by special land use designations as set out in the Town Center Development Standards Manual. The Manual designated this site as L-TC (Low Density Residential - Town Center). This designation has a density range of 3.5 to 5.5 units per acre, and is intended for single-family detached homes as well as more imaginative residential development, which put an emphasis on common open space. Local supporting uses are also allowed. The request for T-C (Town Center) zoning conforms to the L-TC (Low Density Residential - Town Center) special land use designation. The proposed site plan conforms to the T-C (Town Center) zoning designation.

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

Trails – There are three trail segments adjacent to the site as identified on Map 6 (Town Center Multi-Use Trail Alignments) of the Transportation Trails Element. One is a Primary Arterial Trail along Fort Apache Road to the east of the site, and a second is a Town Center Arterial Trail along Deer Springs Way to the south of the site. The third is the Town Center Collector Trail required along Dorrell Lane to the north of the site. These trails are also required pursuant to the street cross-sections in the Town Center Development Standards Manual and represent the sidewalks along these streets. Additionally, Map 6 also calls for a Multi-Use Transportation .

The site development plan correctly shows all of the trails, with the exception of the 15 foot wide median in Fort Apache Road. A proposed condition of approval requires installation of all trails in accordance with Town Center Development Standards.

PROJECT DESCRIPTION

The proposed development consists of 108 single-family lots covering the 20.18-acre site. Four basic floor plan configurations are proposed. The designs are both one and two-story products with two-car and three-car garages.

The open space provided with this project is 77,606 square feet within landscaped amenity zones separating the five-foot sidewalks from the street, around the external perimeter of the site. The total amount of open space provided is slightly in excess of that required by Town Center open space standards as outlined in the Town Center Development Standards Manual.

A network of public streets, all 37 feet in width, with L-type curb and gutter design, serves the development. Although these street-sections do not meet Town Center standards for public streets, they are consistent with street sections that were subsequently approved for development within the assemblage of land within Town Center by Pardee Homes.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06.110, the Site Development Plan establishes the Development Standards within a T-C District. The development standards that are proposed for this site through this Site Development Plan are as follows:

Proposed Standards	
Typical Lot Size	Approx 6,500 S.F.
Min. Setbacks	
• To front of house or front-facing garage	18 Feet
• To front of swing garage	10 Feet
• Corner side	10 Feet
• Side	5 Feet
• Rear	7 Feet
Max. Building Height	Not specified, but plans submitted do not exceed 2 Stories / 35 Feet

These standards, as presented, will allow a development that should be harmonious and compatible with the approved residential project to the north of the site.

A2) Residential Adjacency Standards

There are no Residential Adjacency Standards that are applicable to this project.

A3) Parking and Traffic Standards

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

Uses	Ratio	Required Parking		Provided Parking		
		Regular	Handicap	Regular	Handicap	Guest
Single-Family Dwelling	2 Spaces/Dwelling	216 Spaces	N/A	216 Spaces	N/A	N/A

The proposal provides the minimum number of on-site parking spaces listed in the Zoning Code.

The Department of Public Works notes that, per the Master Plan Trails Element, a trail is required on Fort Apache Road. The Department also notes that the proposed street sections may not comply with Town Center Standards. With regard to these street section standards, it should be noted that limited modifications to these street standards (within portions of the Town Center Pardee land assemblage) were made pursuant to approval of SDR-1104. The plan as submitted is in conformance with these modifications, except as noted below.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Buffer: • Minimum Number of Trees	1 Tree/30 Linear Feet along Deer Springs (550 Feet) and Dorrell (550 Feet)	36 Trees	35 Trees
	1 Tree 1 Tree/35 Linear Feet along Ft Apache (1230 Feet).+ 1 Tree	36 Trees	42 Trees
• Min. Zone Width	8 Feet along Deer Springs (Initially modified through SDR-1104 to be 5 Feet) along Dorrell Lane and 15 Feet along Ft. Apache, including trail)		12 Feet, including extra 4-foot amenity zone
• Wall height	6 Feet		5 Feet 14 Feet 6 Feet

The project meets or exceeds the perimeter buffering and landscaping standards of the Code, as set out in the Town Center Development Standards Manual along Deer Springs Way (Town Center Arterial [80-foot]/Secondary Collector), except for the provision of palm trees where the standard calls for canopy trees. Along Fort Apache Road, a 10-foot trail with a five-foot amenity zone is required, as set out through the Master Plan Transportation Trails Element; the plan identifies a foot-foot amenity zone. A condition of approval will require that five feet be provided, and will require canopy trees along Deer Springs Way. The plan also indicates a four-foot sidewalk and a four-foot amenity zone along the Chieftain Street frontage on the west side of the site.

The project does not meet the originally approved Town Center buffering and landscaping standards along Dorrell Lane and Chieftain Street; however, limited modifications to these standards (within portions of the Town Center Pardee land assemblage) were made pursuant to approval of SDR-1104. The plan as submitted is in conformance with these modifications.

Pursuant to subsection E.G of the Town Center Development Standards Manual, residential development using public streets in Town Center must provide open space in accordance with a table on page 135. For a development with a density of 5.2 acres, this would require 5% of the gross site area to be provided as open space; in this case, that would equal 38,463 square feet. As 38,768 square feet of open space have been provided, the project meets the Town Center standard for open space.

B) General Analysis and Discussion

- Zoning

With the approval of companion Rezoning applications (ZON-5313 and ZON-4216), the subject site will be zoned T-C (Town Center). The proposed Site Development Plan conforms to the proposed zoning for the site.

- Site Plan

The site plan as proposed meets all standards of Title 18 and the Town Center Development Standards Manual, with the exception of the Fort Apache Road amenity zones and the previously approved limited modifications to street sections and amenity zones associated with the approval of SDR-1104. The site plan is in conformance with these modifications where applicable.

- Waivers

No waivers have been requested with respect to this application. A condition of approval will require that five-foot amenity zones on Fort Apache Road be provided, and will require canopy trees along Deer Springs Way instead of palm trees.

- Landscape Plan

The conceptual landscaping plan indicates an alternating arrangement of 24" box Chinese Pistache, Holly Oak and Purple Robe Locust planted in a cluster arrangement along each side of the interior streets. Although a row of 10' Mexican Fan Palms are proposed along Deer Springs Way, this does not meet the planting scheme for Town Center Arterial [80-foot]/Secondary Collector Streets in the Town Center Development Standards Manual, which calls for large-canopy shade trees 30 feet on-center along a Town Center Arterial (Figure 2b). The plan appears to meet the street tree planting requirement along Dorrell Lane, which calls for large-canopy shade trees every 30 feet on-center (Figure 30). The plan places canopy trees at 30-foot on-center intervals along Fort Apache Road, where the standard is 35 feet (Figure 2a). The landscaping plan also depicts a variety of five and one-gallon ground shrubs, and a variety of ground cover plantings.

- Elevation

Four basic floor plans are proposed. The homes all have two or three-car garages, are one or two stories in height and are arranged along 37-foot wide public streets.

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:

SRS

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

The proposed development, at 5.35 units per acre will be consistent with the density of the adjacent single-family residential developments to the north, and with the approved density for undeveloped areas in the vicinity of the site.

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

The subject site is designated L-TC (Low Density Residential - Town Center) on Map 4 of the Town Center Development Standards Manual. This category allows a residential density range of 3.5 to 5.5 units per gross acre. The companion Rezoning application (ZON-5313) and ZON-4216 (pending City Council action) will rezone the subject site to the T-C (Town Center) zoning district. The proposed site plan conforms to both the General Plan and the Town Center Manual land use designations for the site. The proposed site plan conforms to other city policies and standards, with the exception of the minor perimeter amenity zone and landscaping issues noted above.

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

The site will be accessed from two public streets connecting to Chieftain Street, a Town Center Public Residential Street, to the west of the site, and from one public street connecting to Deer Springs Way, a Town Center Arterial [80-foot]/Secondary Collector, to the south. These streets will be adequate for allowable development under the proposed T-C (Town Center) zoning district.

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

The building and landscape materials are appropriate for this type of development in this portion of the City.

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

The building elevations are typical of single-family residential developments and will be compatible with single-family residential development to the east and west of the site.

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

SDR-5317 - Staff Report Page Eight
November 4, 2004 Planning Commission Meeting

The proposed development will be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 155

APPROVALS 0

PROTESTS 0

SRS



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Pardee Homes of Nevada

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?

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.

APN:

Print Name: DAN CARTER

Subscribed and sworn before me

Notary Public in and for said County and State

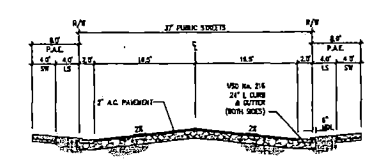
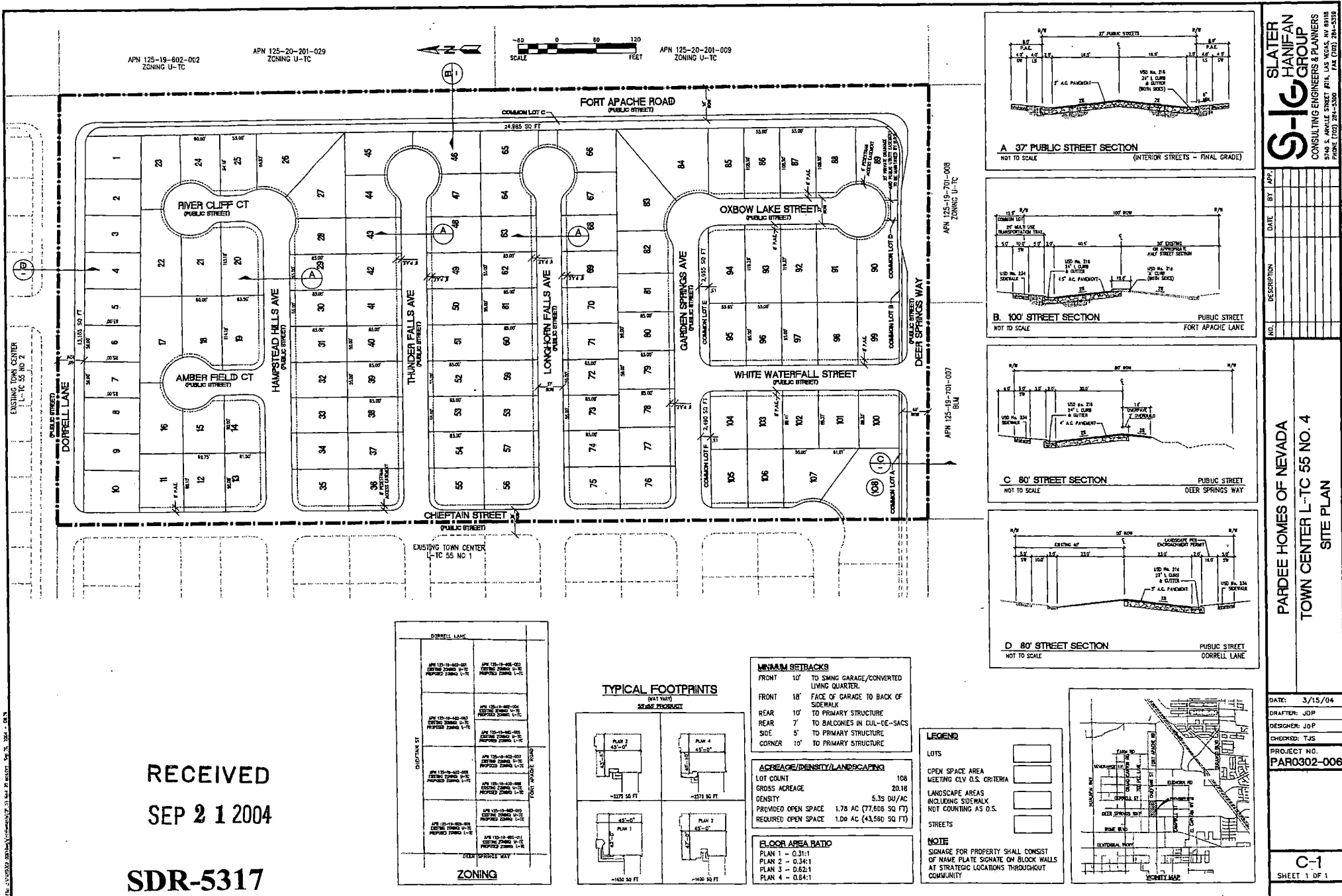


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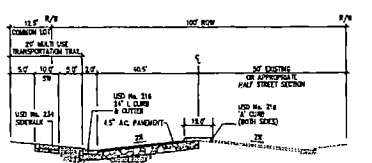
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ZONING U-TC

APN 125-20-201-009
ZONING U-TC

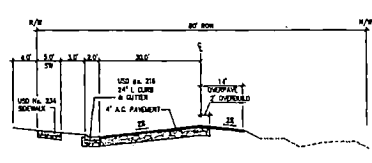
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FEET



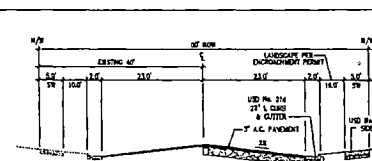
A 37' PUBLIC STREET SECTION
NOT TO SCALE (INTERIOR STREETS - FINAL GRADE)



B 100' STREET SECTION
NOT TO SCALE PUBLIC STREET FORT APACHE LAKE



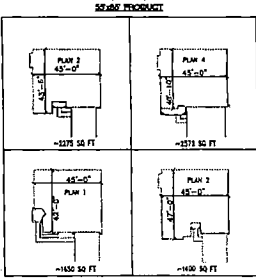
C 80' STREET SECTION
NOT TO SCALE PUBLIC STREET DEER SPRINGS WAY



D 80' STREET SECTION
NOT TO SCALE PUBLIC STREET DORRELL LANE

APN 125-19-002-002	APN 125-19-002-003
EXISTING ZONING U-TC	EXISTING ZONING U-TC
PROPOSED ZONING L-TC	PROPOSED ZONING L-TC
APN 125-20-201-029	APN 125-20-201-009
EXISTING ZONING U-TC	EXISTING ZONING U-TC
PROPOSED ZONING L-TC	PROPOSED ZONING L-TC
APN 125-19-002-004	APN 125-19-002-005
EXISTING ZONING U-TC	EXISTING ZONING U-TC
PROPOSED ZONING L-TC	PROPOSED ZONING L-TC
APN 125-19-002-006	APN 125-19-002-007
EXISTING ZONING U-TC	EXISTING ZONING U-TC
PROPOSED ZONING L-TC	PROPOSED ZONING L-TC
APN 125-19-002-008	APN 125-19-002-009
EXISTING ZONING U-TC	EXISTING ZONING U-TC
PROPOSED ZONING L-TC	PROPOSED ZONING L-TC
APN 125-19-002-010	APN 125-19-002-011
EXISTING ZONING U-TC	EXISTING ZONING U-TC
PROPOSED ZONING L-TC	PROPOSED ZONING L-TC

TYPICAL FOOTPRINTS



MINIMUM SETBACKS

- FRONT 10' TO SWING GARAGE/CONVERTED LIVING QUARTER
- FRONT 18' FACE OF GARAGE TO BACK OF SIDEWALK
- REAR 10' TO PRIMARY STRUCTURE
- REAR 7' TO BALCONIES IN CUL-DE-SACS
- SIDE 5' TO PRIMARY STRUCTURE
- CORNER 10' TO PRIMARY STRUCTURE

ACREAGE/DENSITY/LANDSCAPING

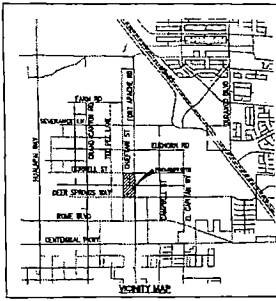
LOT COUNT 108
GROSS ACREAGE 20.18
DENSITY 5.35 DU/AC
PROVIDED OPEN SPACE 1.78 AC (77,606 SQ FT)
REQUIRED OPEN SPACE 1.00 AC (43,560 SQ FT)

FLOOR AREA RATIO

PLAN 1 - 0.31:1
PLAN 2 - 0.34:1
PLAN 3 - 0.62:1
PLAN 4 - 0.84:1

LEGEND

- LOTS
- OPEN SPACE AREA
- MEETING CIV. O.S. CRITERIA
- LANDSCAPE AREAS
- INCLUDING SIDEWALK
- NOT COUNTING AS O.S.
- STREETS
- NOTE
- SIGNAGE FOR PROPERTY SHALL CONSIST OF NAME PLATE SIGNAGE ON BLOCK WALLS AT STRATEGIC LOCATIONS THROUGHOUT COMMUNITY



SLATER
HANIFAN
GROUP
CONSULTING ENGINEERS & PLANNERS
5740 S. ARVILLE STREET #214, LAS VEGAS, NV 89118
PHONE (702) 284-5300 FAX (702) 284-5309

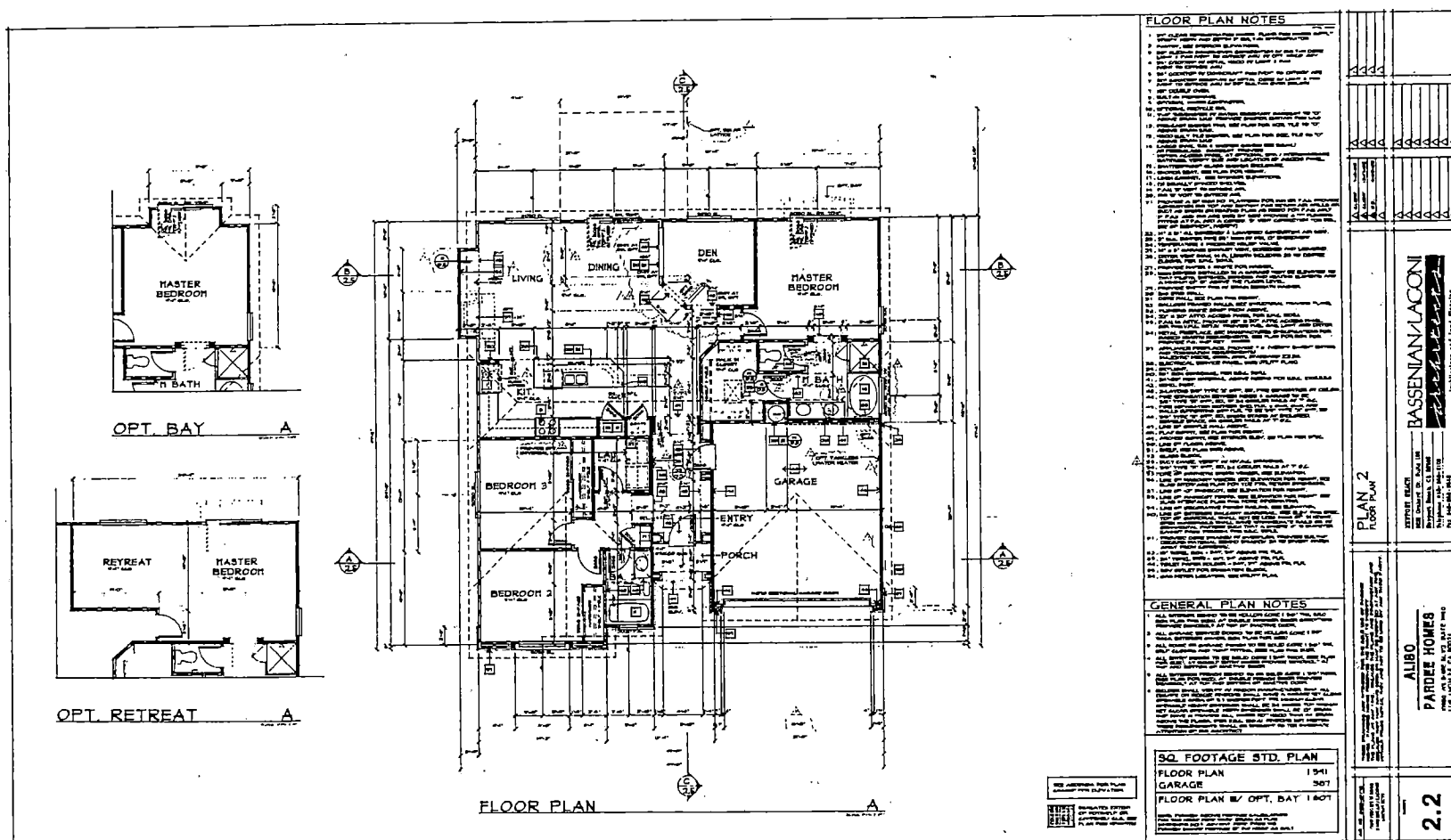
PARDEE HOMES OF NEVADA
TOWN CENTER L-TC 55 NO. 4
SITE PLAN

DATE 3/15/04
DRAFTER JDP
DESIGNER JDP
CHECKED TJS
PROJECT NO.
PAR0302-006

C-1
SHEET 1 OF 1

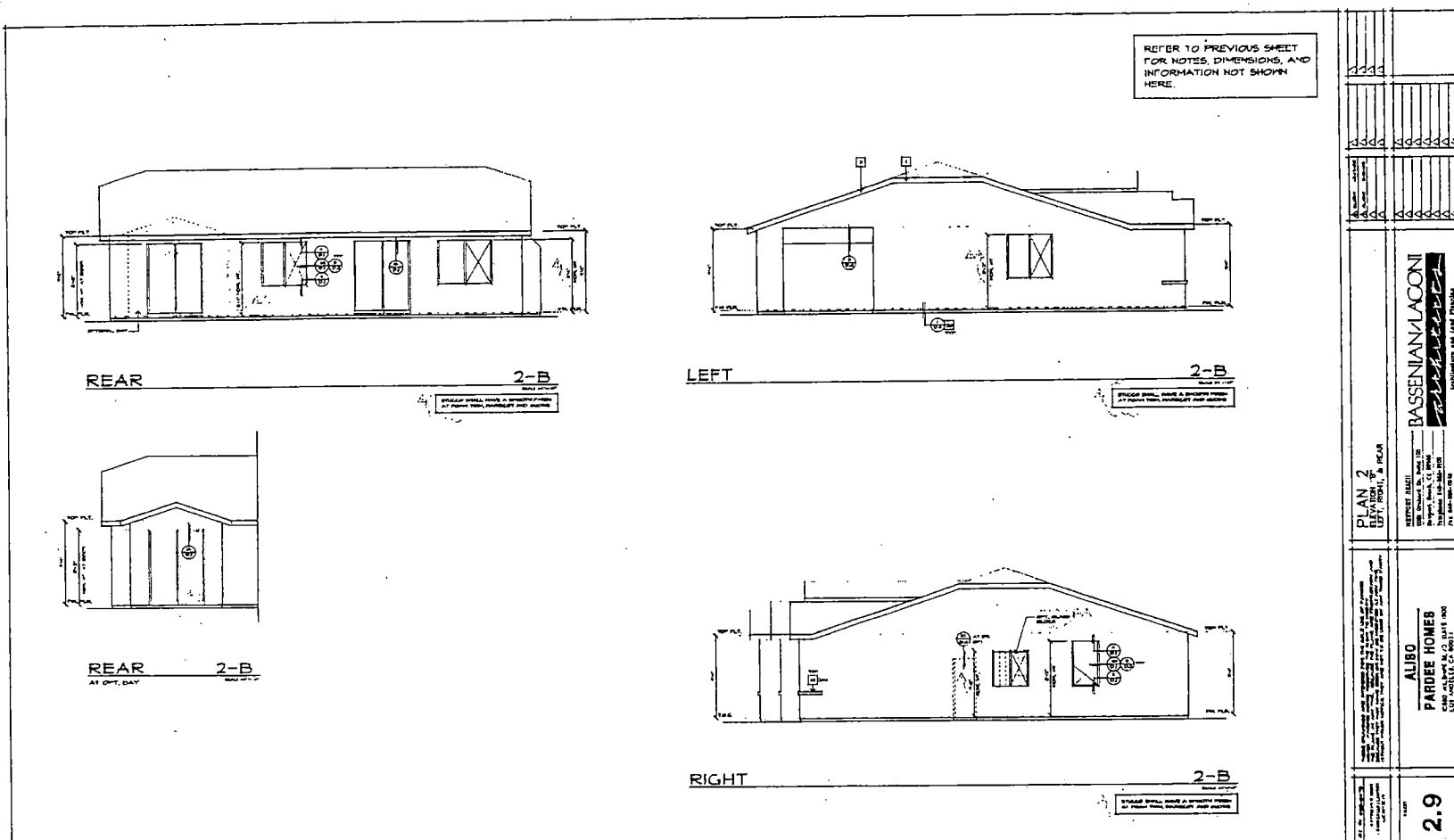
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SDR-5317
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SDR-5317
11-04-04 PC

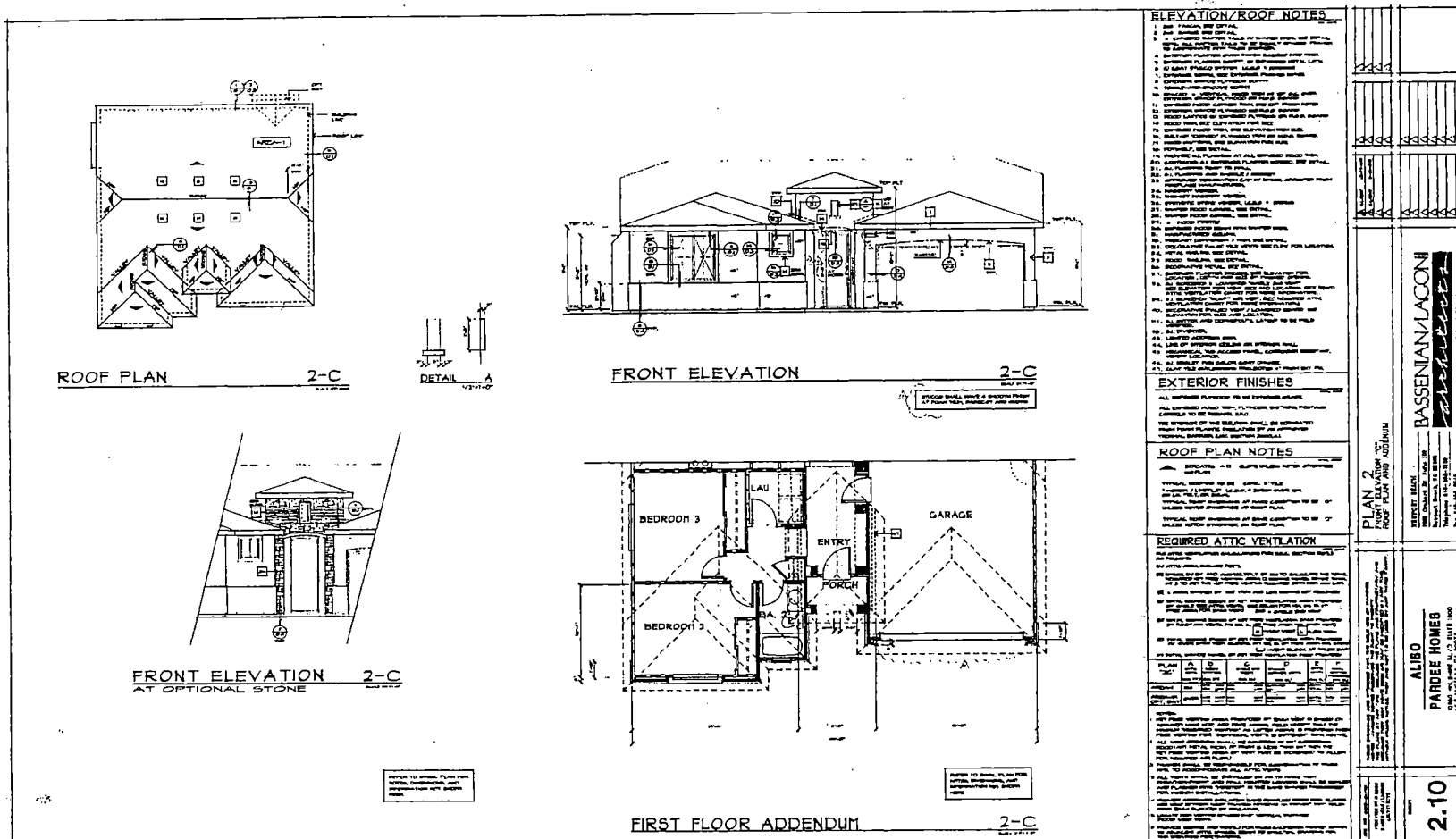
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PLAN 2	REAR
ALIBO	PARADE HOMES
2.9	

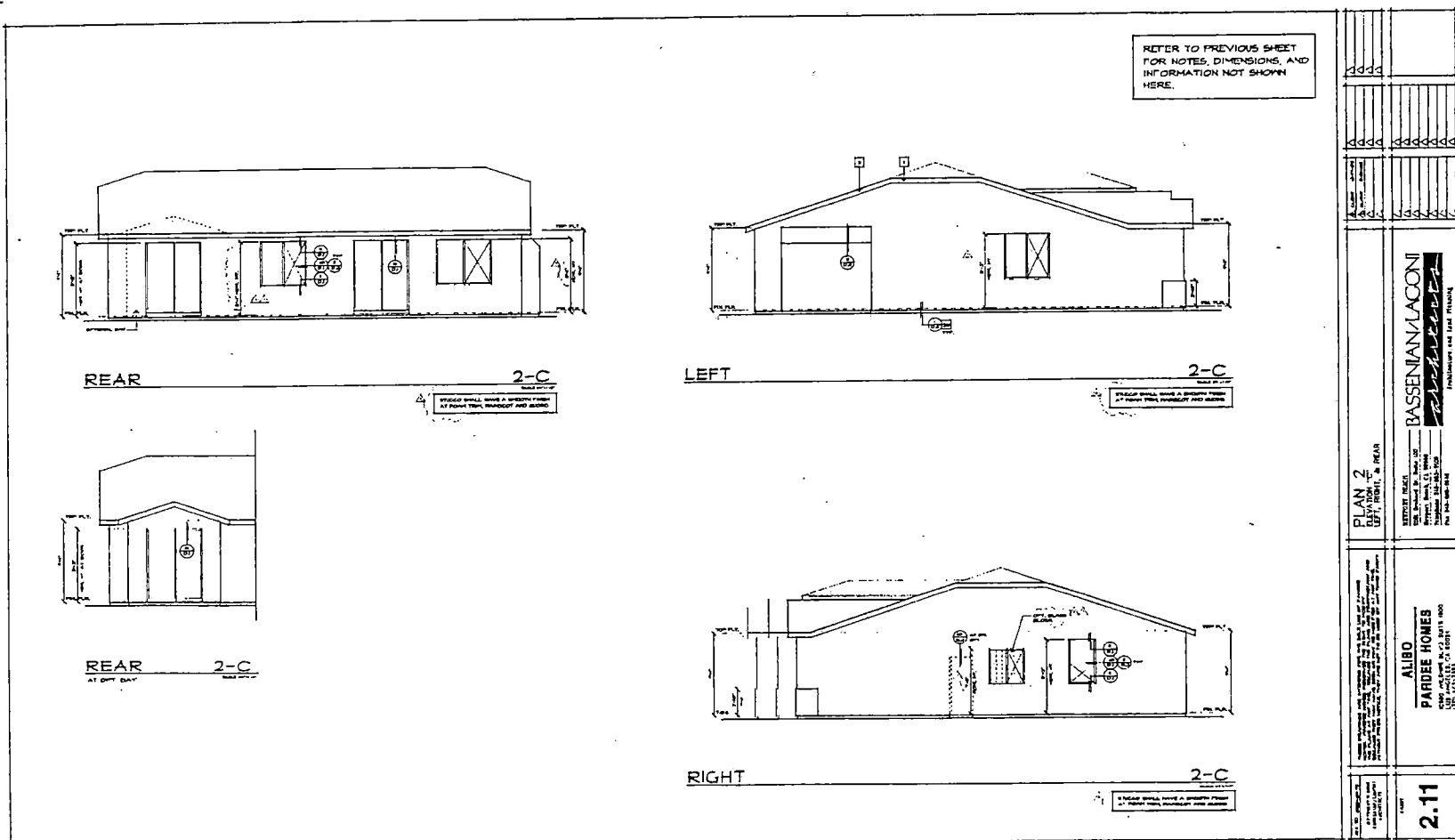
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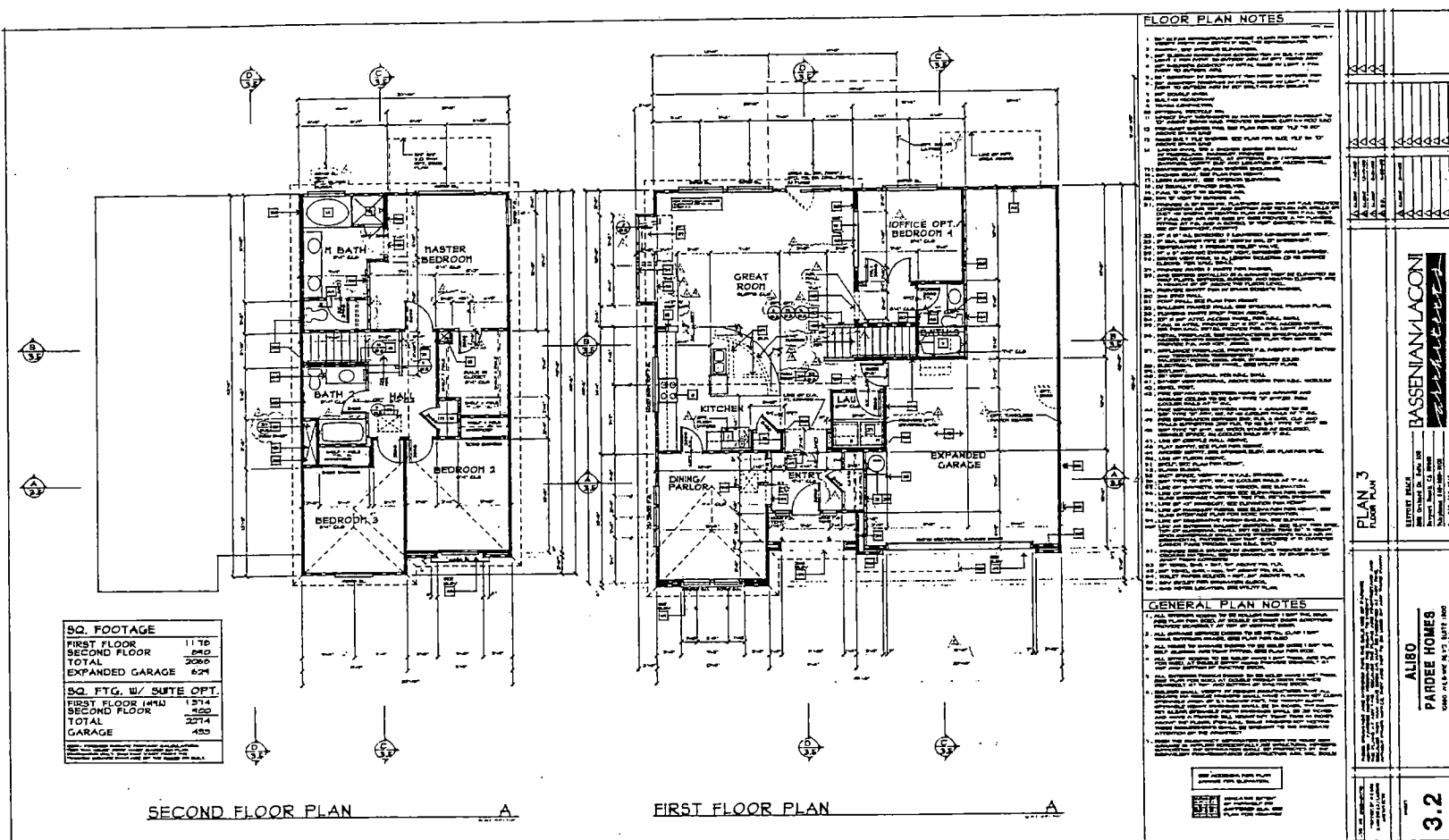
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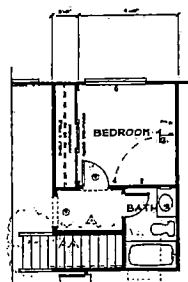
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11-04-04 PC

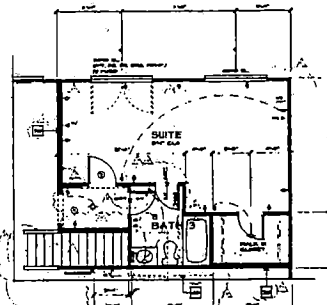


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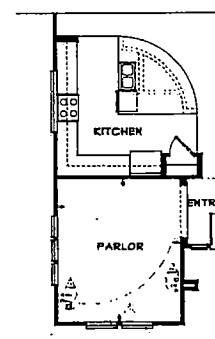


OPTIONAL BEDROOM 4
AT OFFICE



OPTIONAL SUITE
AT OFFICE AND EXPANDED GARAGE

REVISIONS: SEE SHEET 10-10-00
FOR ALL REVISIONS, AND
REVISIONS TO THIS SHEET
SHOWN ON SHEET 10-10-00



OPTIONAL PARLOR
AT DINING

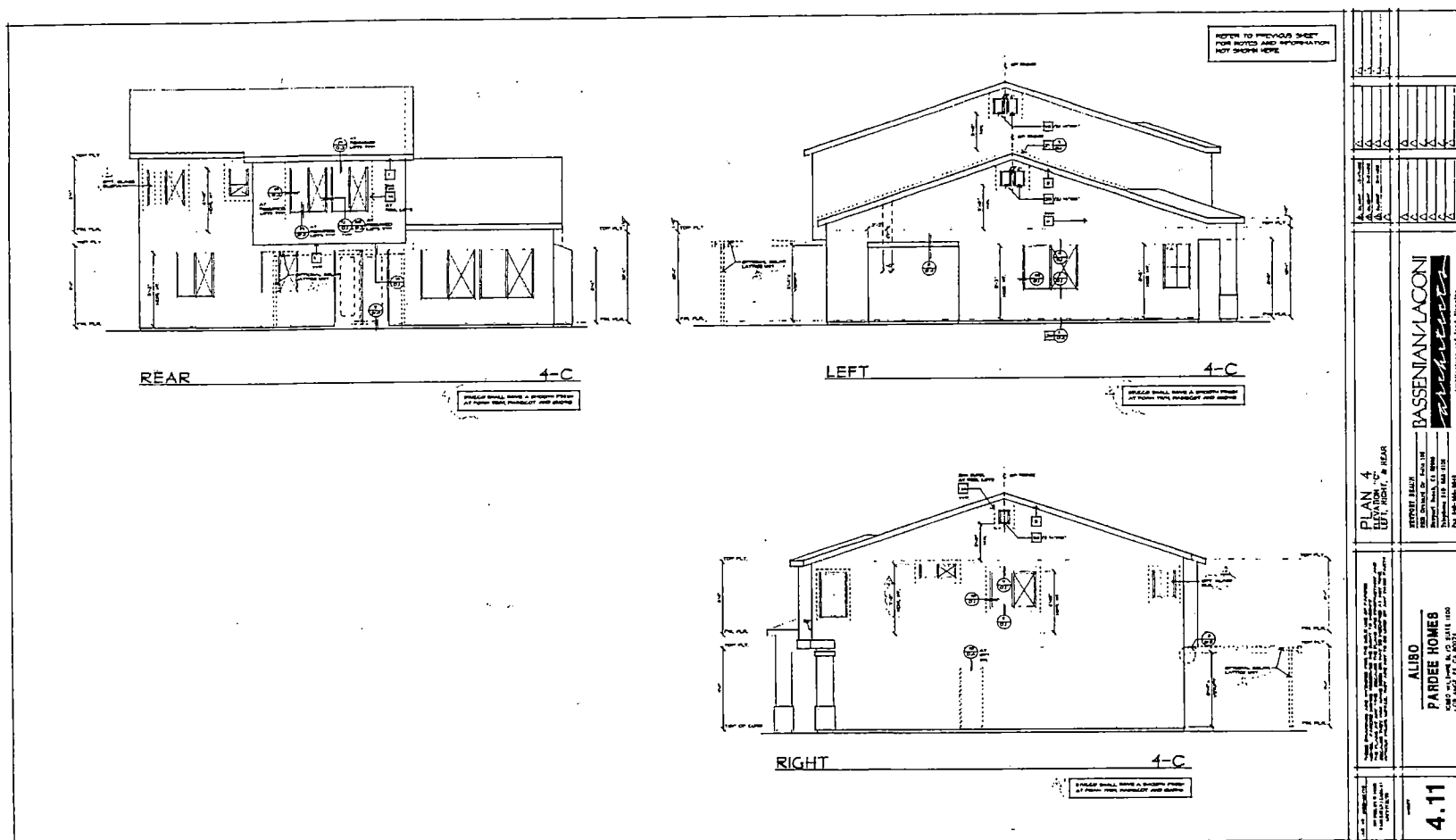
PLAN 3 FLOOR PLAN OPTIONS		BASSENIAN/LACONI ARCHITECTS AND LAND PLANNING	
REVISIONS: SEE SHEET 10-10-00 FOR ALL REVISIONS, AND REVISIONS TO THIS SHEET SHOWN ON SHEET 10-10-00		ALBO PARDEE HOMES 1000 10TH AVENUE, SUITE 100 DENVER, CO 80202 (303) 733-1111	
3.2X		3.2X	

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11-04-04 PC

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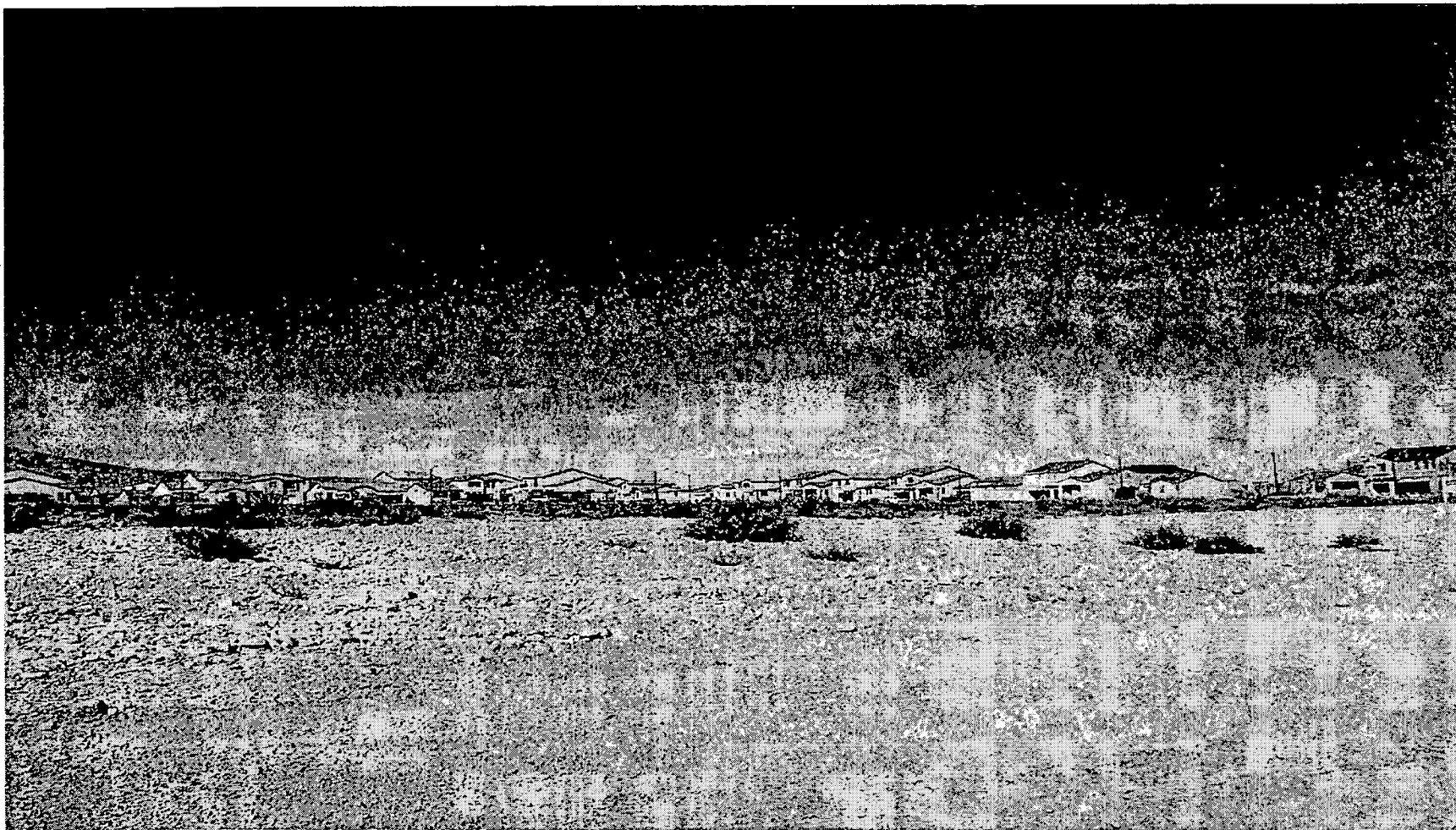


SDR-5317
11-04-04 PC



SDR-5317
11-04-04 PC

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SDR-5317 - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: DANIEL M. CARPINO
SOUTHWEST CORNER OF FORT APACHE ROAD AND DORRELL LANE
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5288 - VARIANCE - PUBLIC HEARING - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND AQUISITION, INC. - Request for a Variance TO ALLOW 78 PERCENT OF THE TOTAL FLOOR AREA OF A LIVE/WORK UNIT TO BE USED FOR RESIDENTIAL PURPOSES WHERE 50 PERCENT IS THE MAXIMUM ALLOWED in conjunction with a proposed 71-unit multi-family live/work development on 4.24 acres at 1980 Fremont Street (APN 139-35-803-010), C-2 (General Commercial), Ward 3 (Reese).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 12/01/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 53 [VAR-5288], Item 54 [SUP-5287], Item 55 [WVR-5289] and Item 56 [SDR-5286].

DAVID CLAPSADDLE, Planning and Development Department, explained that each unit is a three-story product. The design of the 1,900 square-foot units will accommodate a live/work environment. The first floor is the workspace area with the living area on the second and third floors. Staff is comfortable recommending approval of the variance because of this design. Each unit will have a two-car garage. The project will access both Fremont Street and Lewis Avenue.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 53 – VAR-5288

MINUTES – Continued:

The applicant is requesting a waiver to allow the sidewalk to be nine and a half feet instead of 11 feet. Approval of this waiver would still allow adequate area for street trees and would also allow more area for pedestrian access. The application is subject to a text amendment, which is an item to be heard later in the agenda, which would expand the Live/Work Overlay District to encompass this area. Approval of that Text Amendment [TXT-4602] has been imposed as a condition of approval on Item 54 [SUP-5287]. He informed the Commission that the project was reviewed according to the Downtown Centennial Landscaping Standard and it is in conformance.

MR. CLAPSADDLE indicated staff is also recommending approval of the build-to line waiver because there is a big transition in grade between the street right-of-way and where the buildings are proposed on the site. Also, the proposed setbacks would increase the pedestrian area that is available for use.

MARK ALLOCCO, Chad Vallinga P.E., Civil Engineer LLC, 3445 South Valley View Boulevard, appeared on behalf of the applicant and concurred with all conditions. He passed a model of the proposed project to the Commissioners for review.

COMMISSIONER STEINMAN confirmed with MR. ALLOCCO that there would be frontage landscaping as well as intense landscaping on the interior. The Commissioner also questioned the request to make the driveways narrower. MR. ALLOCCO replied that the request for reduction in driveway width from 39 feet to 32 feet is because the streets are going to be concrete. The applicant feels that because there will not be any calming devices to lower the speed limit, having a narrow driveway would promote more cautious driving. The concrete lining was chosen due to its longevity. COMMISSIONER STEINMAN confirmed with MR. CLAPSADDLE that the Fire Department did review the project and had no concerns.

DAVID GUERRA, Department of Public Works, stated that Condition 17 and Condition 18 of Item 56 [SDR-5286] would need to be amended. He suggested that Condition 17 needed a revision that included dedication of the cul-de-sac bulb at Lewis Street. Condition 18 would then need to be revised to include construction pertaining to that bulb area.

CHAIRMAN TRUSDELL commented that the project looked great. COMMISSIONER EVANS agreed and added that the area is in need of more projects such as this.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 53 [VAR-5288], Item 54 [SUP-5287], Item 55 [WVR-5289] and Item 56 [SDR-5286].

(9:46-9:54)

3-974

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 53– VAR-5288

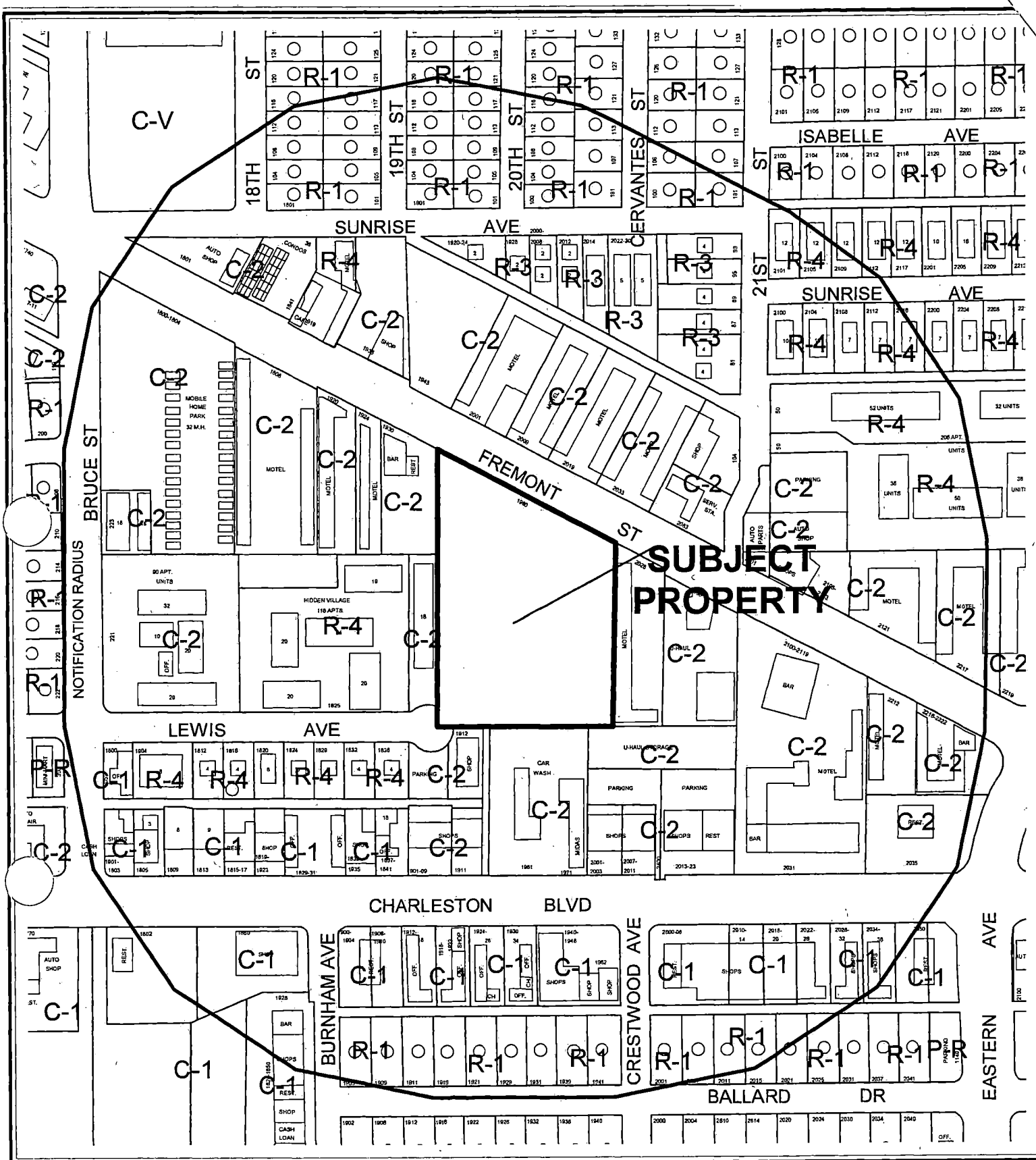
CONDITIONS:

Planning and Development

1. Approval of an conformance to the Conditions of Approval for Special Use Permit (SUP-5287) and Site Development Plan Review (SDR-5286).
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 City Council.

C

C

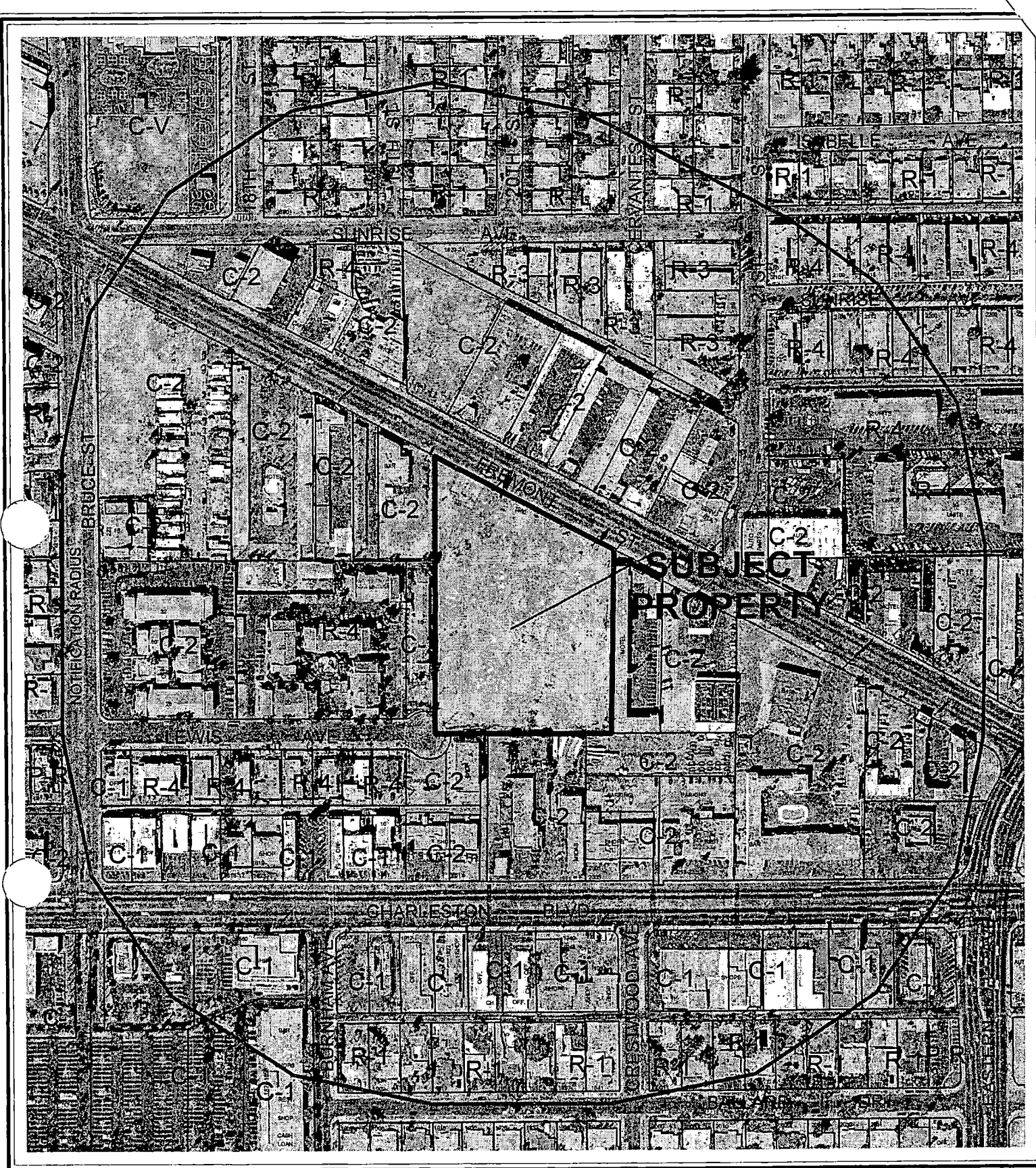


CASE: **VAR-5288**

RADIUS: 750 FT

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





CASE: **VAR-5288**

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5288 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND AQUISITION, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Approval of an conformance to the Conditions of Approval for Special Use Permit (SUP-5287) and Site Development Plan Review (SDR-5286).
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 City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow 78 percent of the total floor area of a live/work unit to be used for residential purposes where 50 percent is the maximum allowed in conjunction with a proposed 71-unit live/work development on 4.24 acres at 1980 Fremont Street.

B) Applicant's Justification

The applicant states that 444 square feet will be devoted to the workspace area, and 1,500 square feet will be devoted to the living area. The work space is located on the ground floor of each unit, with the living area located on the upper floors.

BACKGROUND INFORMATION

A) Previous Actions

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

11/04/04 The Planning Commission will consider a related Special Use Permit (SUP-5287), Waiver (WVR-5289), and Site Development Plan Review (SDR-5286). Staff recommends approval of the requests.

B) Pre-Application Meeting

06/18/04 At the pre-application conference, it was noted that the project would require a Variance from the Live/Work Overlay standards for the percentage of living space relative to work space, and that the project would be subject to the Downtown Centennial Plan streetscape requirements. In addition, it was recommended that the units adjacent to Fremont Street be re-oriented to face the street in accordance with Centennial Plan requirements. Public Works noted that the project would require a Waiver from Title 18 for the interior streets, and that off-site improvements would need to be installed or brought up to code.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.24
Net Acres: 3.79

B) Existing Land Use

Subject Property: Undeveloped
North: Motel Use
South: Car Wash Use
Truck Rental Use
East: Motel Use
West: Multifamily Residential Use
Tavern Use

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

SPECIAL DISTRICTS/ZONES		Yes	No
Special Area Plan			
Downtown Centennial Plan		X	
Redevelopment Plan Area		X	
Special Overlay District			X
Trails			X

Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Redevelopment Plan Area

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

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the East Fremont District. New commercial development and the integration of mixed-income residential neighborhoods are encouraged for this area, along with the provision of open space to serve residents of the area.

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06.130, the following Development Standards apply to the subject proposal:

Standards	Required	Requested	Compliance
Zoning	C-1, C-2, C-M, M	C-2	Y
Nonresidential Uses	Office Desktop publishing Arts activities	Office	Y
Residential Uses	Limited to 50% of unit area	78% of unit area	N
Minimum Residential Facilities	Sleeping space Cooking facilities Sanitary facilities	Bedroom(s) Kitchen Bathroom(s)	Y

The proposed residential space exceeds the 50% limitation defined in Title 19.06.130.

B) General Analysis and Discussion

The Variance request is to allow a Live/Work development with 78 percent of the gross floor area dedicated to residential uses where 50 percent is the maximum allowed. The submitted documentation depicts three unit plans with approximately 1,900 square feet in area; approximately 450 square feet on the ground floor of the units will be devoted to work space. The unique design of the three-story structures provides for adequate separation of the residential and commercial uses within the unit, while allowing residents to operate low-intensity office and arts-related uses from their home.

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."

The request meets the standards of the Code for granting a Variance, as the unique design of the proposed Live/Work units allows for adequate separation of the living and working environments while providing a generous living area for the inhabitants. The work area will be limited to the first floor of the unit, with the living areas on the second and third floors. The amount of gross floor area dedicated to the residential use is justifiable as the three-story design allows for an additional amount of living space while maintaining the intent of the Live/Work Ordinance. By locating the work space to the ground floor and providing vertical separation between the uses, any employees or patrons are confined to the bottom story of the unit, and will not interrupt other residents of the development.

NOTICES MAILED 171 – Mailed with SUP-5287, WVR-5289 and SDR-5286

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5288 APN: 139-35-803-010

Name of Property Owner: URBAN LAND ACQUISITION, INC.

Name of Applicant: Larry S. Davis & Associates

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: N/A

Partner(s): N/A

APN: N/A

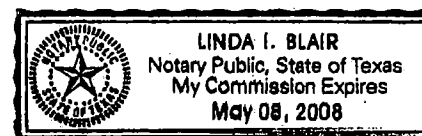
Signature of Property Owner/Authorized Agent: *Larry S. Davis*

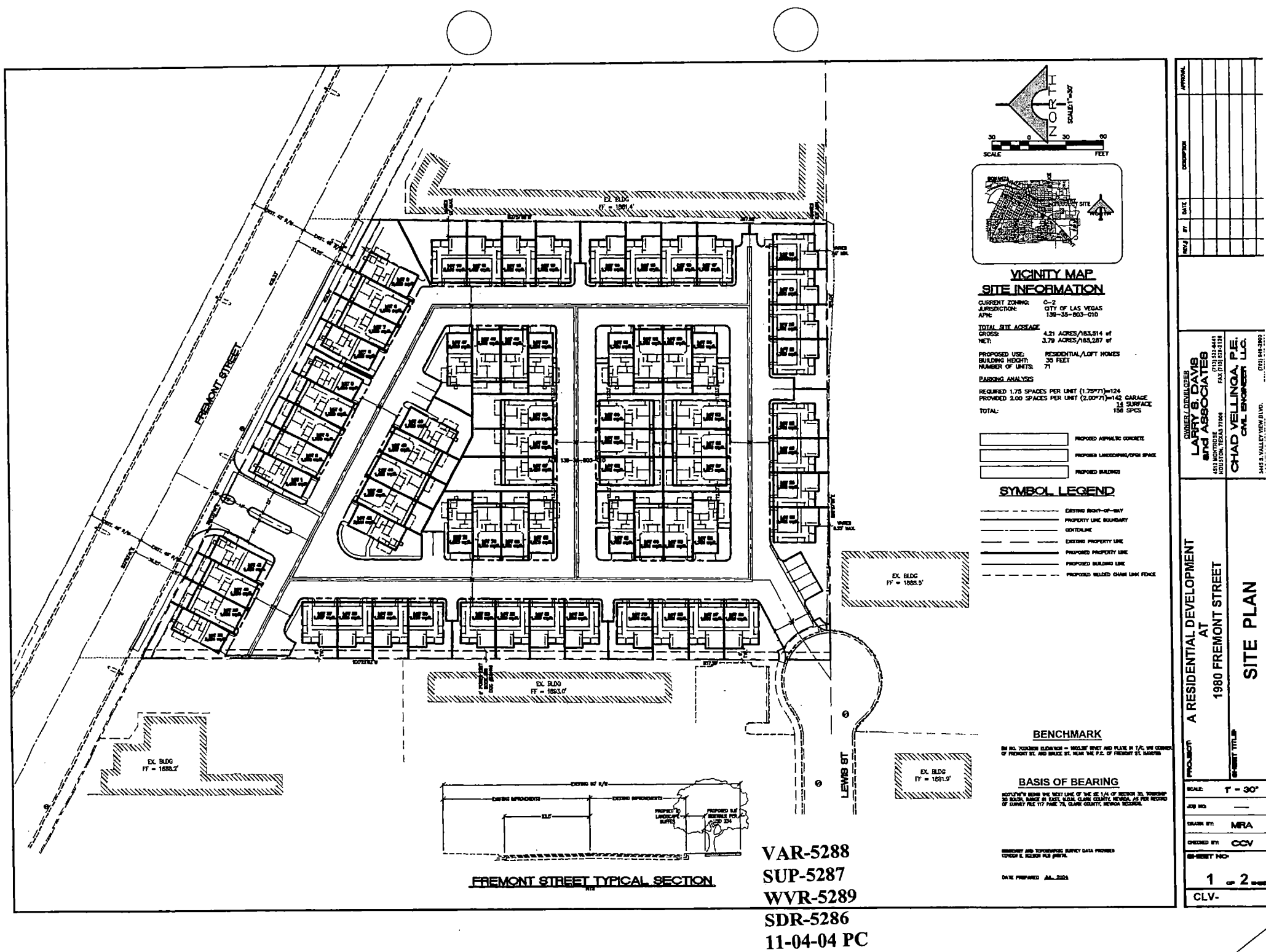
Print Name: LARRY S. DAVIS

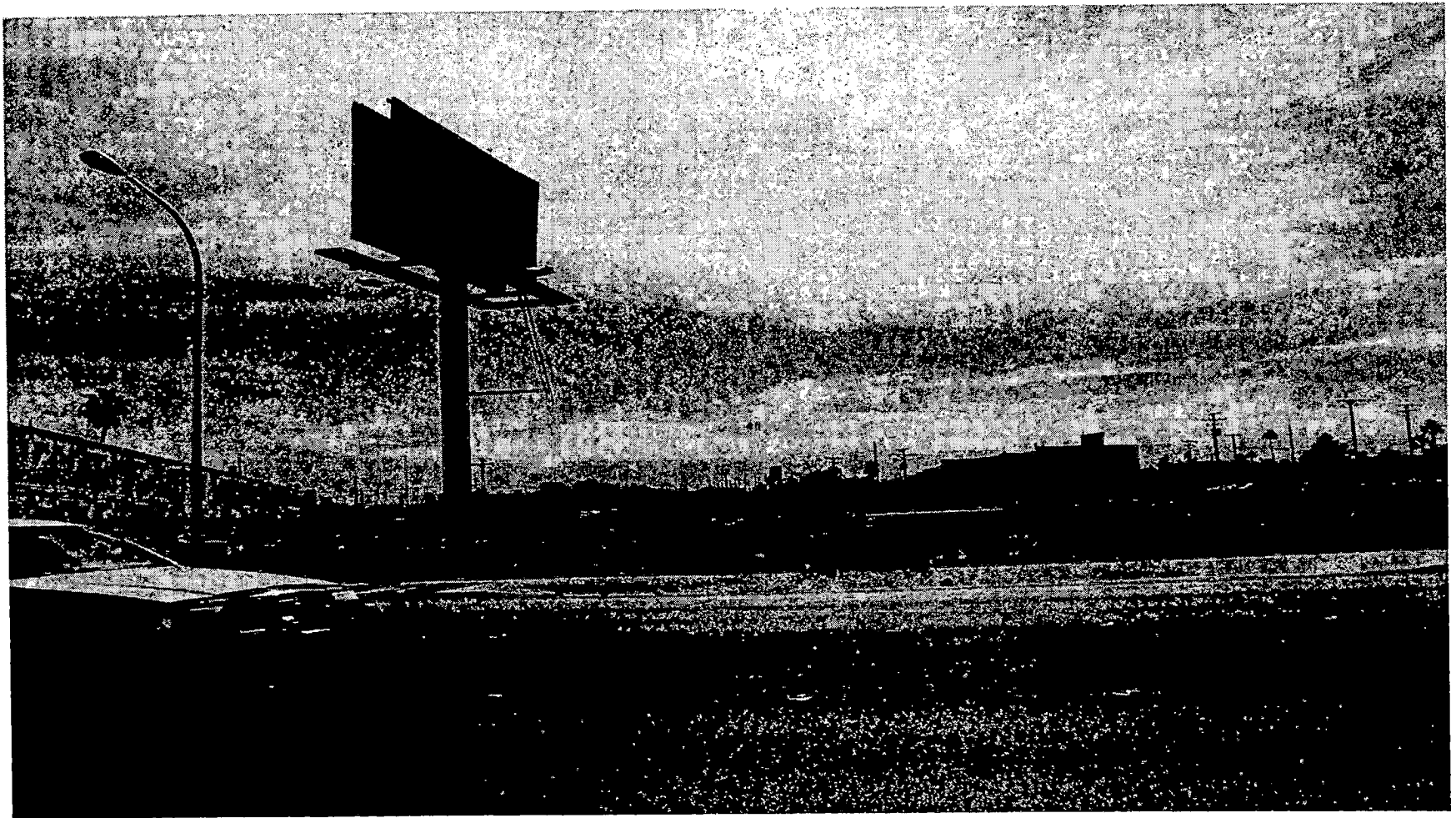
Subscribed and sworn before me

This 24 day of AUGUST, 2004

Linda I. Blair
Notary Public in and for said County and State







VAR-5288 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND
AQUISITION, INC.
1980 FREMONT STREET
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**SUP-5287 - SPECIAL USE PERMIT RELATED TO VAR-5288 - PUBLIC HEARING -
APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND
ACQUISITION, INC. - Request for a Special Use Permit FOR A PROPOSED 71-UNIT
LIVE/WORK DEVELOPMENT on 4.24 acres at 1980 Fremont Street (APN 139-35-803-010),
C-2 (General Commercial) Zone, Ward 3 (Reese).**

C.C.: 12/01/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 12/01/2004

MINUTES:

See Item 53 [VAR-5288] for all related discussion on Item 53 [VAR-5288], Item 54 [SUP-5287],
Item 55 [WVR-5289] and Item 56 [SDR-5286].

(9:46-9:54)

3-974

CONDITIONS:

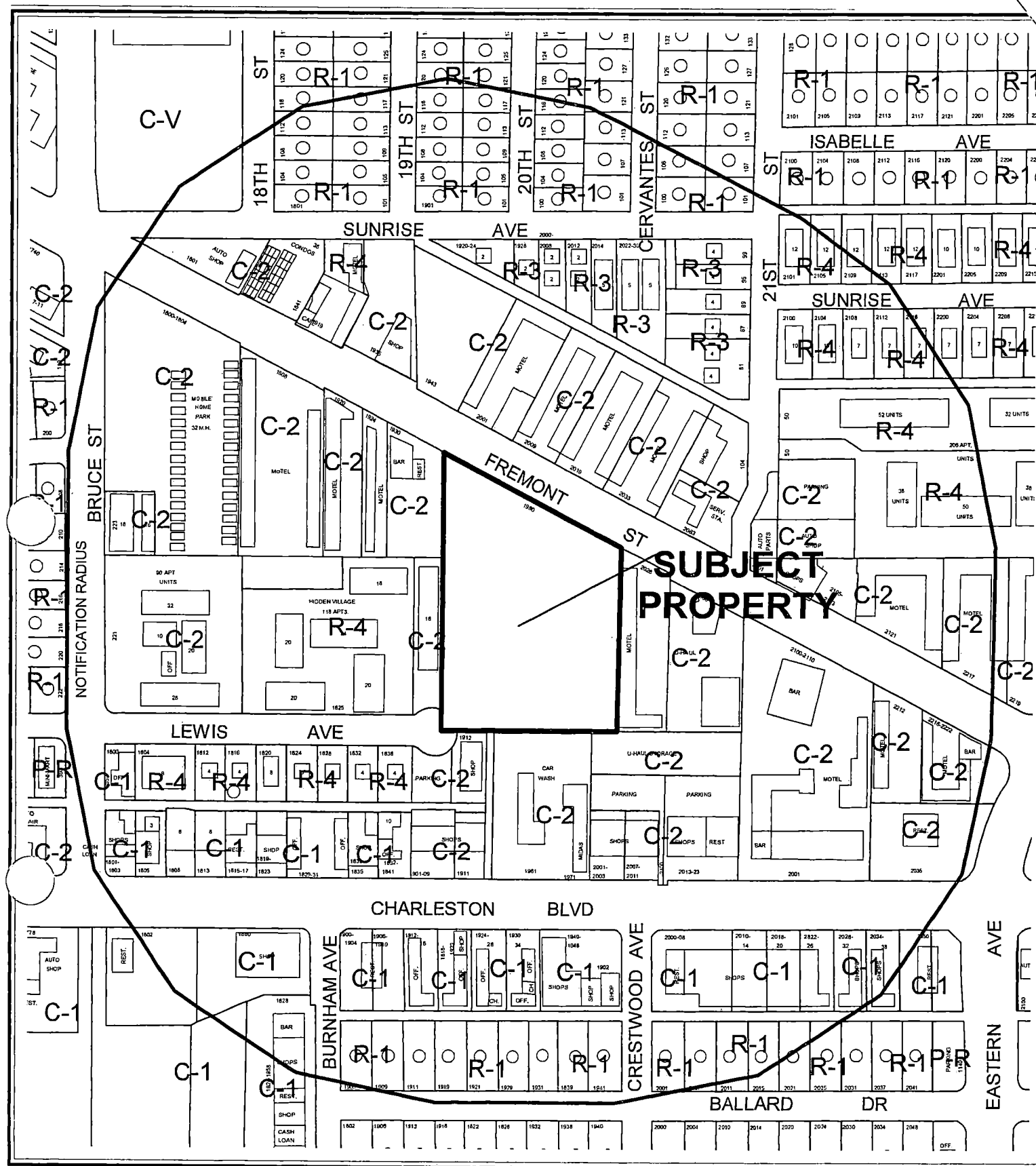
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.06.130 for the Live/Work use.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 54 – SUP-5287

CONDITIONS – Continued:

2. Approval of a Text Amendment (TXT-4602) to expand the boundaries of the Live/Work Overlay District to include the subject property.
3. Approval of and conformance to the Conditions of Approval of Site Development Plan Review SDR-5286.
4. 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.
5. All City Code Requirements and design standards of all City departments must be satisfied.



CASE: SUP-5287

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5287 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND AQUISITION, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.06.130 for the Live/Work use.
2. Approval of a Text Amendment (TXT-4602) to expand the boundaries of the Live/Work Overlay District to include the subject property.
3. Approval of and conformance to the Conditions of Approval of Site Development Plan Review SDR-5286.
4. 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.
5. All City Code Requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

B) *Applicant's Justification*

The applicant states that the project will provide convenient living and working space for urban professionals, and that the use conforms with the recently-adopted Live/Work Overlay District standards.

BACKGROUND INFORMATION

A) *Previous Actions*

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

11/04/04 The Planning Commission will consider a related Special Use Permit (SUP-5287), Waiver (WVR-5289), and Site Development Plan Review (SDR-5286). Staff recommends approval of the requests.

B) *Pre-Application Meeting*

06/18/04 At the pre-application conference, it was noted that the project would require a Variance from the Live/Work Overlay standards for the percentage of living space relative to work space, and that the project would be subject to the Downtown Centennial Plan streetscape requirements. In addition, it was recommended that the units adjacent to Fremont Street be re-oriented to face the street in accordance with Centennial Plan requirements. Public Works noted that the project would require a Waiver from Title 18 for the interior streets, and that off-site improvements would need to be installed or brought up to code.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.24
Net Acres: 3.79

B) Existing Land Use

Subject Property: Undeveloped
North: Motel Use
South: Car Wash Use
Truck Rental Use
East: Motel Use
West: Multifamily Residential Use
Tavern Use

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

Redevelopment Plan Area

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

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the East Fremont District. New commercial development and the integration of mixed-income residential neighborhoods are encouraged for this area, along with the provision of open space to serve residents of the area.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Provided Parking	
		Regular	Handicap
Live/Work Units	71 Units		
Total:		156	N/A

Each of the 71 units will have an enclosed two-car garage; in addition, 14 surface spaces are provided for guest parking.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Live/Work use.

A3) Minimum Standards

Pursuant to Title 19.06, the following Standards apply to the subject proposal:

Standards	Required	Requested	Compliance
Zoning	C-1, C-2, C-M, M	C-2	Y
Nonresidential Uses	Office Desktop publishing Arts activities	Office	Y
Residential Uses	Limited to 50% of unit area	78% of unit area	N
Minimum Residential Facilities	Sleeping space Cooking facilities Sanitary facilities	Bedroom(s) Kitchen Bathroom(s)	Y

The development will comply with the minimum standards of the Live/Work Overlay District, with the exception of the residential use being limited to 50% of the gross floor area. A Variance application (VAR-5288) has been filed to address this issue.

B) *General Analysis and Discussion*

- Zoning

Live/work developments require the approval of a Special Use Permit and must be located within the boundaries of the Live/Work Overlay District as defined in Title 19.06. The subject property not currently located within the Overlay boundaries, but is within the proposed expansion area (TXT-4602) that is under consideration. Approval of the project will be contingent upon the expansion of the Overlay District.

- Use

Live/Work units are intended to allow owners and operators of businesses to occupy joint living and work quarters in commercial and industrial areas where other types of residential uses are inappropriate. Allowing Live/Work units will contribute to the vitality of the immediate area, assist in reducing vehicular traffic, and allow for a greater spectrum of housing types within the city. The Live/Work ordinance requires all proposed Live/Work units located outside of the Arts District of the Centennial Plan area to obtain approval by means of a Special Use Permit.

- Conditions

1. Live/Work units may be located in the C-1, C-2, C-M, and M Zoning Districts only.
2. Permissible Non-residential uses:

Office uses (excluding medical office)
Desktop Publishing
Arts activities, excluding any activity that involves welding or open flame work;
Art sales are permitted as an ancillary use.
3. The residential component of a Live/Work unit must contain sleeping space, cooking facilities, and complete sanitary facilities. No more than 50 percent of the total floor area shall be used for residential purposes.
4. Live/Work units shall be clearly identified by signage in order to facilitate access for emergency services. The amount of onsite parking shall be calculated in accordance with Chapter 19.10, based upon the gross square footage of the unit and the nonresidential uses occurring within.
5. Permissible signage shall be in accordance with the requirements and limitations of Chapter 19.14 and those that pertain to any other overlay district in which the property is located.

The proposal is generally in conformance with these base conditions of approval; a Variance application (VAR-5288) has been filed to address the percentage of space devoted to residential purposes.

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 Live/Work units are compatible with the commercial and residential uses in the area, and can be utilized 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 site is physically suitable for the type and intensity of the proposed Live/Work development.

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

The site will receive access from Fremont Street and Lewis Avenue, both of which are adequate to accommodate the traffic generated by the proposed use.

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

The development is in compliance with the objectives of the General Plan, and will be subject to ongoing inspections that will protect public health, safety and general welfare.

NOTICES MAILED 171 – Mailed with SUP-5287, WVR-5289 and SDR-5286

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5287 APN: 139-35-803-010

Name of Property Owner: URBAN LAND ACQUISITION, INC.

Name of Applicant: Larry S. Davis & Associates

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: N/A

Partner(s): N/A

APN: N/A

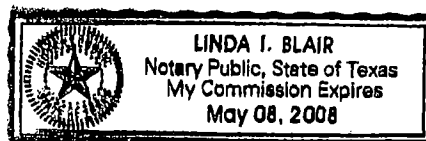
Signature of Property Owner/Authorized Agent: Larry S. Davis

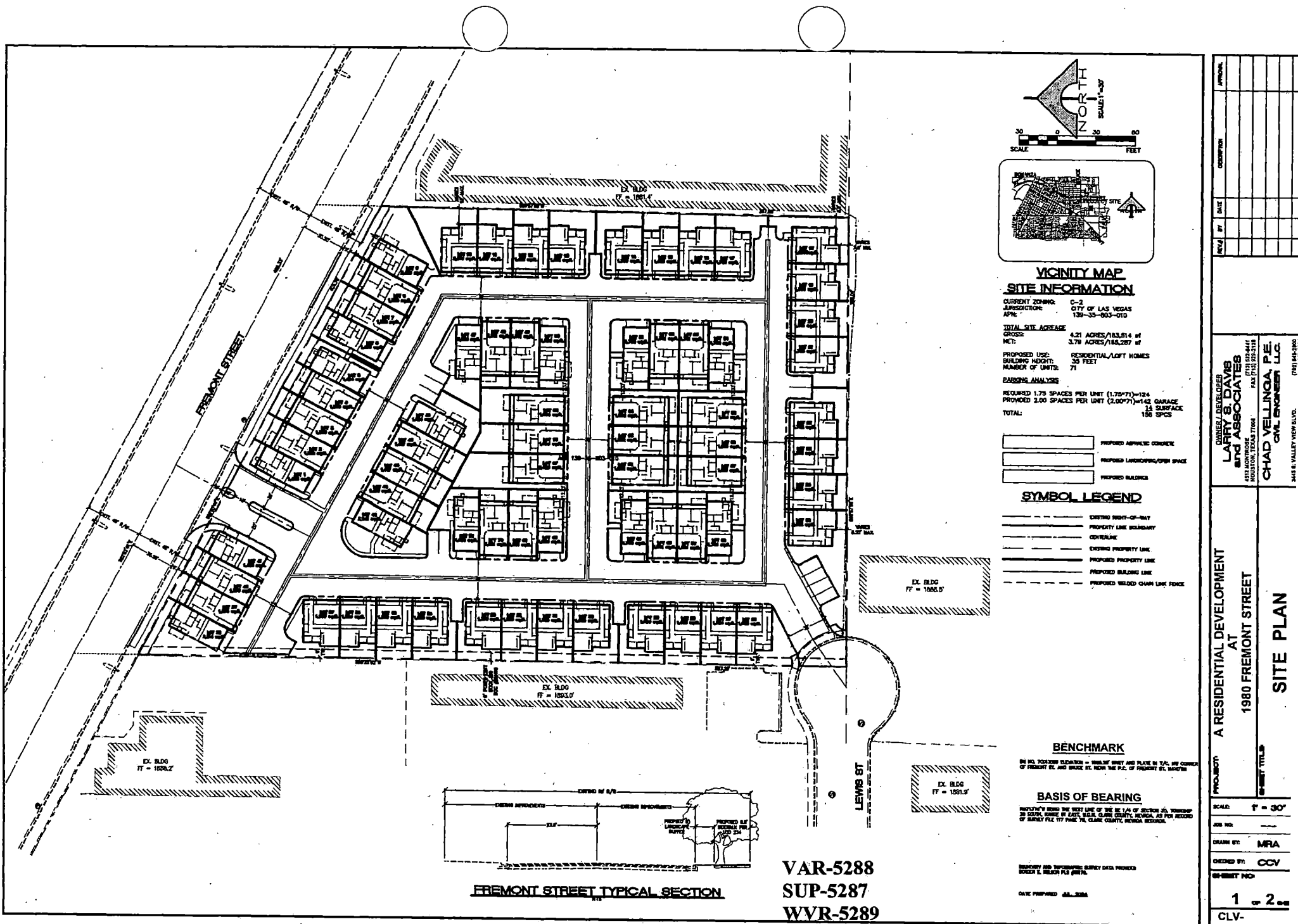
Print Name: LARRY S. DAVIS

Subscribed and sworn before me

This 24 day of AUGUST, 2004

Linda J. Blair
Notary Public in and for said County and State







SUP-5287 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND
AQUISITION, INC.
1980 FREMONT STREET
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

WVR-5289 - WAIVER RELATED TO VAR-5288 AND SUP-5287 - PUBLIC HEARING
- APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND
AQUISITION, INC. - Request for a Waiver of Title 18.12.100 TO ALLOW 32-FOOT
PRIVATE STREETS WHERE 39 FEET IS THE MINIMUM WIDTH REQUIRED on 4.24
acres at 1980 Fremont Street (APN 139-35-803-010), C-2 (General Commercial) Zone, Ward 3
(Reese).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 12/01/2004

MINUTES:

See Item 53 [VAR-5288] for all related discussion on Item 53 [VAR-5288], Item 54 [SUP-5287],
Item 55 [WVR-5289] and Item 56 [SDR-5286].

(9:46-9:54)

3-974

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-5288),
Special Use Permit (SUP-5287) and Site Development Plan Review (SDR-86).

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 55 – WVR-5289

CONDITIONS – Continued:

2. All City Code requirements and all City design standards shall be met, other than those waived or varied through this and companion applications.

Public Works

3. Curbs on at least one side of 32 feet wide streets shall be constructed of red concrete and “Fire Lane No Parking” signs shall be provided in accordance with Section 901.4.2 of Ordinance #5115 to prevent parking on one side of the street. The curb coloring and signage shall be privately maintained in perpetuity by the Homeowner’s Association.
4. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
5. 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.



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



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: WVR-5289 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND AQUISITION, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-5288), Special Use Permit (SUP-5287) and Site Development Plan Review (SDR-86).
2. All City Code requirements and all City design standards shall be met, other than those waived or varied through this and companion applications.

Public Works

3. Curbs on at least one side of 32 feet wide streets shall be constructed of red concrete and "Fire Lane No Parking" signs shall be provided in accordance with Section 901.4.2 of Ordinance #5115 to prevent parking on one side of the street. The curb coloring and signage shall be privately maintained in perpetuity by the Homeowner's Association.
4. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
5. 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.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Waiver of Title 18.12.100 to allow 32-foot private streets where 39 feet is the minimum width required on 4.24 acres at 1980 Fremont Street.

B) Applicant's Justification

The applicant states that fire access and adequate curb radii will be provided, and that no on-street parking will be allowed within the development.

BACKGROUND INFORMATION

A) Previous Actions

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

11/04/04 The Planning Commission will consider a related Variance (VAR-5288), Special Use Permit (SUP-5287) and Site Development Plan Review (SDR-5286). Staff recommends approval of the requests.

B) Pre-Application Meeting

06/18/04 At the pre-application conference, it was noted that the project would require a Variance from the Live/Work Overlay standards for the percentage of living space relative to work space, and that the project would be subject to the Downtown Centennial Plan streetscape requirements. In addition, it was recommended that the units adjacent to Fremont Street be re-oriented to face the street in accordance with Centennial Plan requirements. Public Works noted that the project would require a Waiver from Title 18 for the interior streets, and that off-site improvements would need to be installed or brought up to code.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.24
Net Acres: 3.79

B) Existing Land Use

Subject Property: Undeveloped
North: Motel Use
South: Car Wash Use
Truck Rental Use
East: Motel Use
West: Multifamily Residential Use
Tavern Use

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

Redevelopment Plan Area

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

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the East Fremont District. New commercial development and the integration of mixed-income residential neighborhoods are encouraged for this area, along with the provision of open space to serve residents of the area.

ANALYSIS

The applicant has requested a Waiver from the Subdivision Code with regard to the minimum width required for a private street. This requirement, found in title 18.12.100, prescribes this minimum width, using rolled curbs, as 39 feet. Specifically, Title 18.12.100.A states:

“Private streets shall have a minimum width of 37 feet from back-of-curb to back-of-curb. Private streets with rolled curbs shall have a minimum width of 39 feet.”

The applicant has requested this reduced street section due to the fact that the project is essentially a multifamily development, where 24-foot driveways would be allowed for the interior circulation on the site. Due to the ownership of the units, the project is subject to the City's Subdivision Code, which defines the driveways as “streets” and requires a minimum of 37 to 39 feet, depending on the type of curbing utilized.

In reviewing the submitted site plan, the on-site circulation pattern is rational and provides adequate room for vehicular maneuvering. There is adequate separation between the buildings to allow residents to back their vehicles out of the enclosed garages, and the driveway lengths are generally less than five feet to discourage owners and guests from parking vehicles in such a manner as to impede the travel lanes. Guest parking is provided throughout the site, which will assist in complying with the requirement for no on-street parking.

FINDINGS

The proposed design does not appear to present any traffic movement conflicts, nor is it expected to hinder traffic on adjacent public streets. On-street parking will not be permitted, in order to allow the orderly movement of traffic within the development, and adequate guest parking spaces are provided. The street width and circulation will be subject to review and approval by the Fire Prevention Division, which will address any life safety issues that may arise. As issues of traffic impacts and safety have been addressed, approval of the Waiver is recommended.

NOTICES MAILED 181 – Mailed with VAR-5288, SUP-5287 and SDR-5286

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-5289 APN: 139-35-803-010

Name of Property Owner: URBAN LAND ACQUISITION, INC.

Name of Applicant: Larry S. Davis & Associates

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: N/A

Partner(s): N/A

APN: N/A

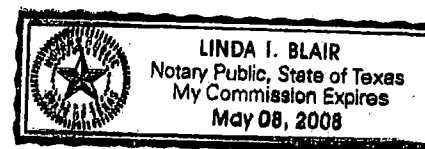
Signature of Property Owner/Authorized Agent: *Larry S. Davis*

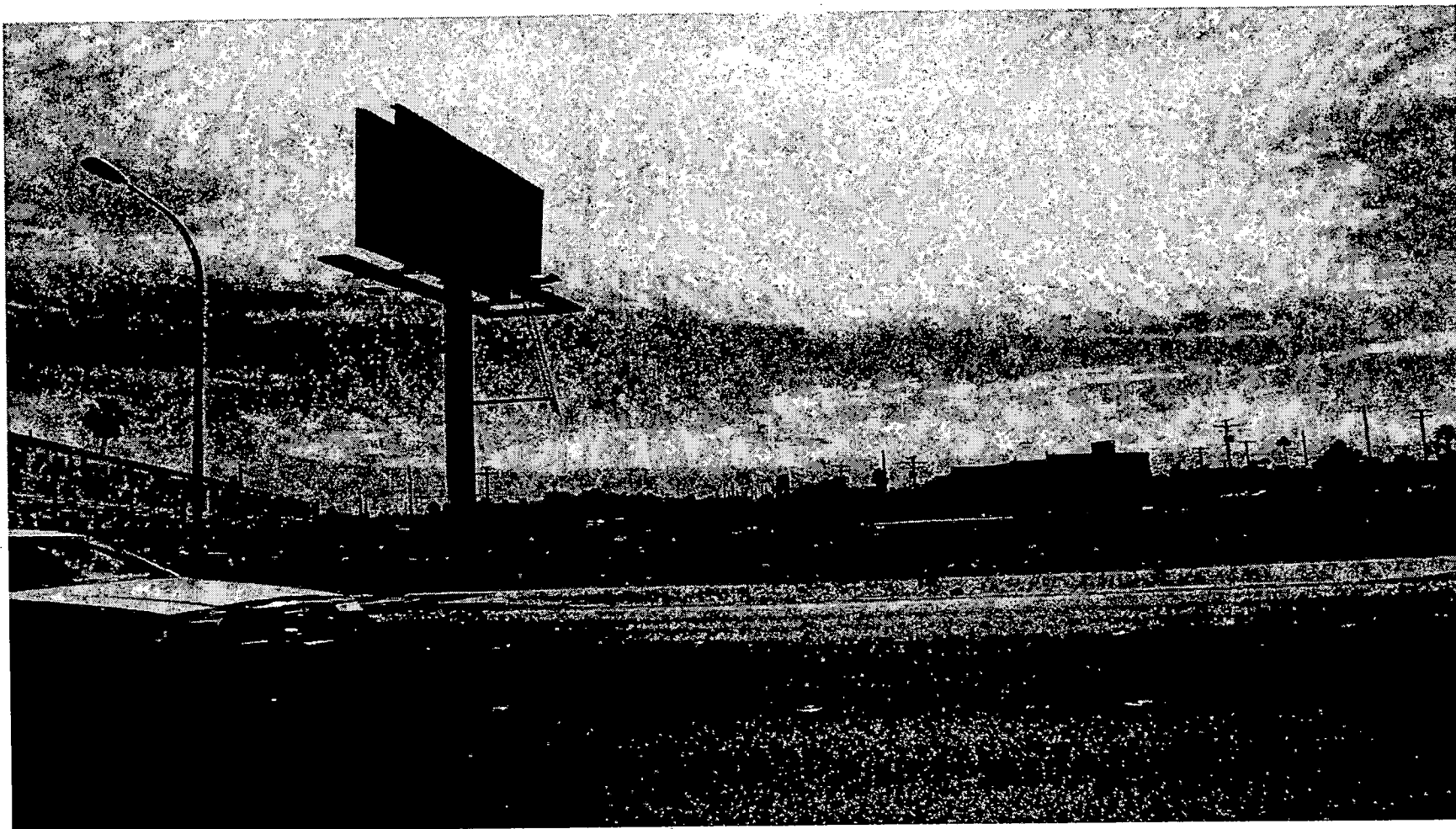
Print Name: LARRY S. DAVIS

Subscribed and sworn before me

This 24 day of AUGUST, 2004

Linda I. Blair
Notary Public in and for said County and State





WVR-5289 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND
AQUISITION, INC.
1980 FREMONT STREET
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5286 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5288, SUP-5287 AND WVR-5289 - PUBLIC HEARING - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND ACQUISITION, INC. - Request for a Site Development Review and a Waiver of streetscape and build-to requirements FOR A PROPOSED 71-UNIT LIVE/WORK DEVELOPMENT on 4.24 acres at 1980 Fremont Street (APN 139-35-803-010), C-2 (General Commercial) Zone, Ward 3 (Reese).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions and amending the following conditions:

17. Dedicate an additional 5 feet of right-of-way for a total half-street width of 50 feet on Fremont Street *and dedicate the remaining portion of the cul-de-sac bulb on Lewis Street* adjacent to this site prior to the issuance of any permits.
18. Construct all incomplete half-street *cul-de-sac* improvements on Lewis Street adjacent to this site concurrent with development of this site.

– UNANIMOUS

To be heard by City Council 12/01/2004

MINUTES:

See Item 53 [VAR-5288] for all related discussion on Item 53 [VAR-5288], Item 54 [SUP-5287], Item 55 [WVR-5289] and Item 56 [SDR-5286].

(9:46-9:54)

3-974

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 56 – SDR-5286

CONDITIONS:

1. A Text Amendment (TXT-4602) approved by City Council to expand the boundaries of the Live/Work Overlay District to include the subject property.
2. A Special Use Permit (SUP-5287) to allow the Live/Work development approved by City Council
3. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, date stamped 09/21/04, except as amended by conditions herein.
5. A Waiver from the Downtown Centennial Plan build-to requirement is hereby approved, in order to allow a front yard setback of five feet along Fremont Street.
6. A Waiver from the Downtown Centennial Plan streetscape requirement is hereby approved, in order to allow a 9-1/2 foot sidewalk where 11 feet is required.
7. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
8. 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.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. 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.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 56 – SDR-5286

CONDITIONS – Continued:

11. The streetscape treatment shall be reviewed and approved by the Planning and Development Department staff for conformance with the Downtown Centennial Plan prior to the time application is made for a building permit. All required landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
12. All new developments shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
13. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
14. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j of the Downtown Centennial Plan.
15. Signage for the development shall be permitted in conformance with the requirements of the Live/Work Overlay District and Title 19.14.
16. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

17. Dedicate an additional 5 feet of right-of-way for a total half-street width of 50 feet on Fremont Street adjacent to this site prior to the issuance of any permits.
18. Construct all incomplete half-street improvements on Lewis Street adjacent to this site concurrent with development of this site.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 56 – SDR-5286

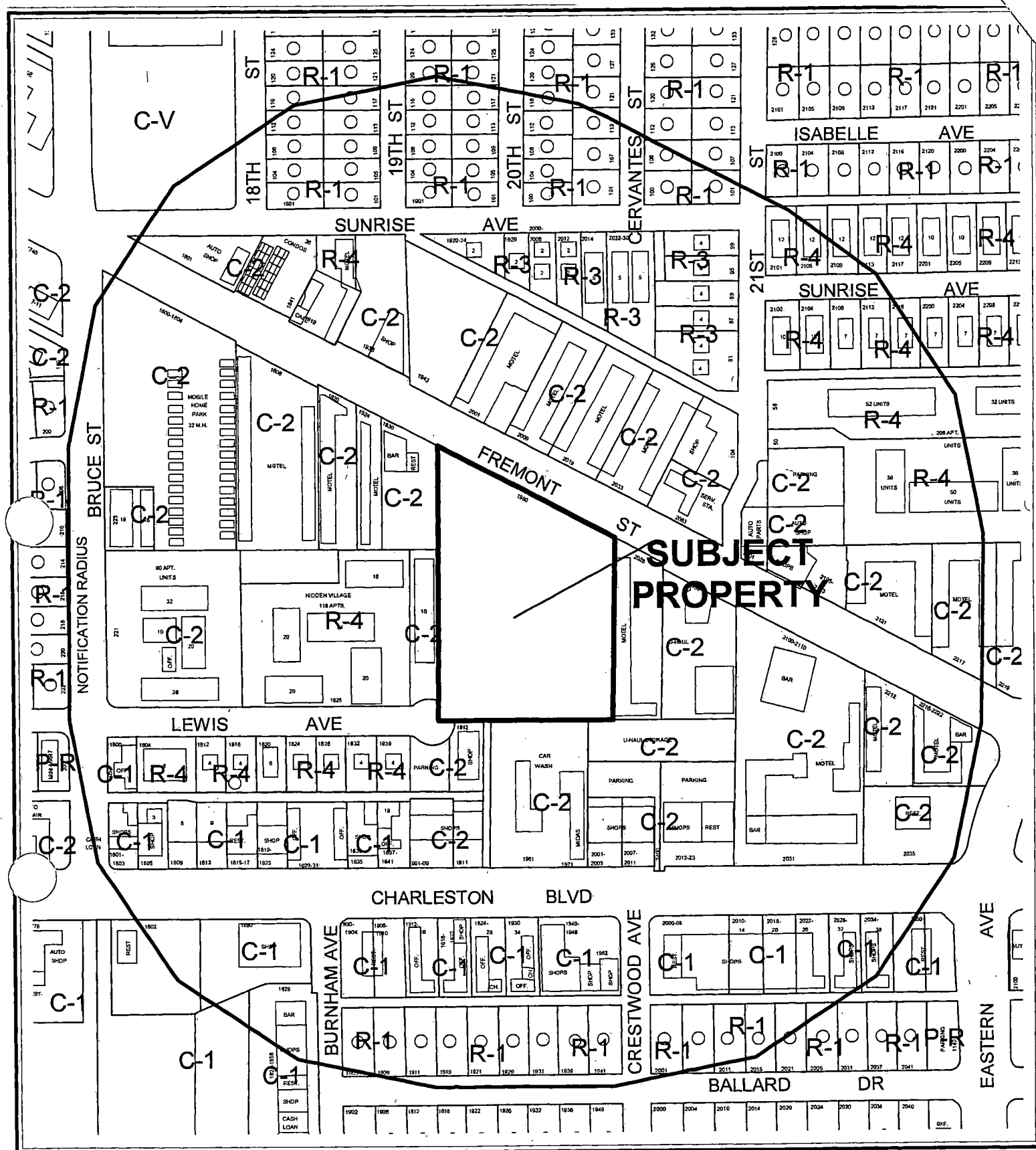
CONDITIONS – Continued:

19. 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.
20. The proposed gated access driveway shall be designed, located and constructed in accordance with Standard Drawing #222A.
21. 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.
22. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
23. 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.
24. Landscape and maintain all unimproved right-of-way on Fremont Street adjacent to this site.
25. Submit an Encroachment Agreement for all landscaping and private improvements located in the Fremont Street public right-of-way adjacent to this site prior to occupancy of this site.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 56 – SDR-5286

CONDITIONS – Continued:

26. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
27. 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.



CASE: SDR-5286

RADIUS: 750 FT

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

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5286 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND ACQUISITION, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. A Text Amendment (TXT-4602) approved by City Council to expand the boundaries of the Live/Work Overlay District to include the subject property.
2. A Special Use Permit (SUP-5287) to allow the Live/Work development approved by City Council
3. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, date stamped 09/21/04, except as amended by conditions herein.
5. A Waiver from the Downtown Centennial Plan build-to requirement is hereby approved, in order to allow a front yard setback of five feet along Fremont Street.
6. A Waiver from the Downtown Centennial Plan streetscape requirement is hereby approved, in order to allow a 9-1/2 foot sidewalk where 11 feet is required.
7. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
8. 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.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

10. 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.
11. The streetscape treatment shall be reviewed and approved by the Planning and Development Department staff for conformance with the Downtown Centennial Plan prior to the time application is made for a building permit. All required landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
12. All new developments shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
13. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
14. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j of the Downtown Centennial Plan.
15. Signage for the development shall be permitted in conformance with the requirements of the Live/Work Overlay District and Title 19.14.
16. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

17. Dedicate an additional 5 feet of right-of-way for a total half-street width of 50 feet on Fremont Street adjacent to this site prior to the issuance of any permits.
18. Construct all incomplete half-street improvements on Lewis Street adjacent to this site concurrent with development of this site.
19. 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.
20. The proposed gated access driveway shall be designed, located and constructed in accordance with Standard Drawing #222A.

21. 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.
22. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
23. 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.
24. Landscape and maintain all unimproved right-of-way on Fremont Street adjacent to this site.
25. Submit an Encroachment Agreement for all landscaping and private improvements located in the Fremont Street public right-of-way adjacent to this site prior to occupancy of this site.
26. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
27. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for approval of a Site Development Plan Review and a request for a Waiver of landscape standards and build-to requirements for a 71-unit live/work development on 4.24 acres at 1980 Fremont Street.

B) Applicant's Justification

The applicant states that the project will provide convenient living and working space for urban professionals, and that the use conforms with the recently-adopted Live/Work Overlay District standards.

BACKGROUND INFORMATION

A) Previous Actions

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

11/04/04 The Planning Commission will consider a related Variance (VAR-5288), Special Use Permit (SUP-5287) and Waiver (WVR-5289). Staff recommends approval of the requests.

B) Pre-Application Meeting

06/18/04 At the pre-application conference, it was noted that the project would require a Variance from the Live/Work Overlay standards for the percentage of living space relative to work space, and that the project would be subject to the Downtown Centennial Plan streetscape requirements. In addition, it was recommended that the units adjacent to Fremont Street be re-oriented to face the street in accordance with Centennial Plan requirements. Public Works noted that the project would require a Waiver from Title 18 for the interior streets, and that off-site improvements would need to be installed or brought up to code.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 4.24
Net Acres: 3.79

B) *Existing Land Use*

Subject Property: Undeveloped
North: Motel Use
South: Car Wash Use
Truck Rental Use
East: Motel Use
West: Multifamily Residential Use
Tavern Use

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

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

Redevelopment Plan Area

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

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the East Fremont District. New commercial development and the integration of mixed-income residential neighborhoods are encouraged for this area, along with the provision of open space to serve residents of the area.

PROJECT DESCRIPTION

The development proposal entails the construction of 71 live/work units on the site, with access to the site from Fremont Street and Lewis Avenue. Each unit will be three stories in height, and will have an enclosed two-car garage. The bottom floor of each unit will accommodate a work space; residents will be allowed to operate general office or arts-related uses from the units.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	4.24 Acres	N/A
Min. Lot Width	N/A	355 Feet	N/A
Min. Setbacks			
• Front (Fremont)	0 Feet	5 Feet	N
• Side	N/A	5 Feet	N/A
• Rear	N/A	7 Feet	Y
Max. Lot Coverage	Up to 100%	41%	Y
Max. Building Height	N/A	39 Feet	N/A
Trash Enclosure	Walled/roofed	In Unit	Y
Mech. Equipment	Screened	Not indicated	Not indicated

The proposed project will comply with most of the Centennial Plan development standards, with the exception of the build-to requirement on Fremont Street. The applicant has requested a Waiver from this requirement.

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

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

Uses	GFA	Provided Parking	
		Regular	Handicap
Live/Work Units	71 Units		
Total:		156	N/A

Each of the 71 units will have an enclosed two-car garage; in addition, 14 surface spaces are provided for guest parking.

Public Works has noted that the design and layout of all onsite private circulation and access drives will require the approval of the Department of Fire Services.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
East/West Street Fremont Street	1 Shade Tree @ 30' o.c. max. (min. 24" box)	12 Trees	15 Trees
Sidewalk	11' Sidewalk	--	9.5'

The streetscape information indicates that the required number of trees will be provided in accordance with the Centennial Plan requirements. The sidewalk does not conform with the required width, and will require a Waiver in order to be constructed as designed.

A5) Sign Standards

No information has been provided relative to signage for the project; as this will be a live/work development, many of the units will not have any type of significant signage. All signage for the development will be subject to the requirements listed in Title 19.06 for live/work developments and the requirements of the underlying zoning listed in Title 19.14.

B) General Analysis and Discussion

- Zoning

Live/work developments require the approval of a Special Use Permit and must be located within the boundaries of the Live/Work Overlay District as defined in Title 19.06. The subject property not currently located within the Overlay boundaries, but is within the proposed expansion area (TXT-4602) that is under consideration. Approval of the project will be contingent upon the expansion of the Overlay District.

The proposed development is generally consistent with the Centennial Plan development standards, with the exception of the build-to requirement along Fremont Street, from which a Waiver has been requested.

- Site Plan

The site plan depicts the principal driveway located on Fremont Street, with 13 live/work units aligned along and oriented to the street frontage. A secondary driveway entrance is provide on Lewis Avenue at the southwest corner of the property. Units at the interior of the site will be located along 32-foot wide private streets, and guest parking spaces are located throughout the development. Building setbacks along the side and rear property lines range from five feet to 13 feet. Each unit will have its own fenced yard space.

- Waivers

The applicant has requested a Waiver from the Downtown Centennial Plan build-to requirement, which stipulates that a minimum of 70 percent of the building frontage must be aligned along the front setback line. Staff would recommend approval of the request for the following reasons:

- The setback allows for an increased pedestrian area along the right-of-way; and
- The setback allows for transitions in grade between the right-of-way and the site.

In addition, the applicant has requested a Waiver from the Centennial Plan streetscape requirements in order to allow a reduced sidewalk width; staff would recommend approval of the request for the following reasons:

- The applicant intends to dedicate additional right-of-way along Fremont Street as requested by Public Works; and
- The proposed width is adequate for the amount of pedestrian traffic in the immediate area; and
- Adequate area remains for the provision of street trees along Fremont Street as required.

- Landscape Plan

The plans indicate that shade trees will be provided along Fremont Street in accordance with the Downtown Centennial Plan requirements. While standard perimeter buffers are not provided along the interior property lines, the fenced yard space for each unit that abuts the side and rear property lines will serve as a buffer from adjacent properties.

- Elevation

The proposed elevations depict three-story attached townhouse-style units with pitched roofs, cantilevered balconies, and decorative awnings. The exterior of the units will feature painted Galvalume siding, with decorative mesh balcony railings and residentially-scaled window openings. While the use of metal siding is not a typical application for projects in the downtown area, its use is particularly appropriate for live-work developments, which have historically been located in industrial areas, and will provide a bold architectural statement for an area that has been slow to redevelop.

- Floor Plan

The development will offer several different floor plans for the units, all of which will include ground-floor work space with an enclosed two-car garage. The flexible nature of the floor plan also allows the ground floor to be converted for use as bedrooms. The second floor of each unit is devoted to the living, dining, and kitchen space, and the principal bedroom occupies the upper floor. The vertical organization of the units provides for adequate separation between the living and working spaces.

FINDINGS

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

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

The proposed development is abutted by commercial and multifamily residential uses, and will be compatible with the development in the area.

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

The proposed development is consistent with the General Plan and Title 19, and is generally consistent with the Downtown Centennial Plan. Waivers have been requested from the streetscape and build-to requirements listed in the Centennial Plan, but the project has been designed to conform as closely as possible to the intent of the Centennial Plan.

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

The provision of driveways on both Fremont Street and Lewis Avenue will assist in dispersing traffic and will reduce impacts to adjacent roadways.

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

The landscape materials will conform to the requirements of the Centennial Plan, and the building materials are appropriate to the building type.

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 project displays adequate articulation of the building facades and provides offsets between the units to add further variety to the project. While the project is somewhat more radical than what is typically found in the area, the high level of detail and bold design will assist in bringing attention to an area where little redevelopment has occurred.

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

SDR-5286 - Staff Report Page Eight
November 4, 2004 Planning Commission Meeting

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

NOTICES MAILED 171 – Mailed with SUP-5287, WVR-5289 and VAR-5288

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5286 APN: 139-35-803-010

Name of Property Owner: URBAN LAND ACQUISITION, INC.

Name of Applicant: Larry S. Davis & Associates

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: N/A

Partner(s): N/A

APN: N/A

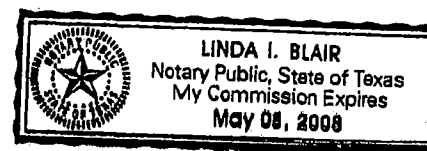
Signature of Property Owner/Authorized Agent: *Larry S. Davis*

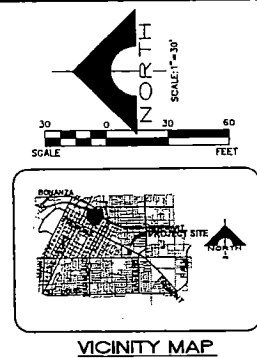
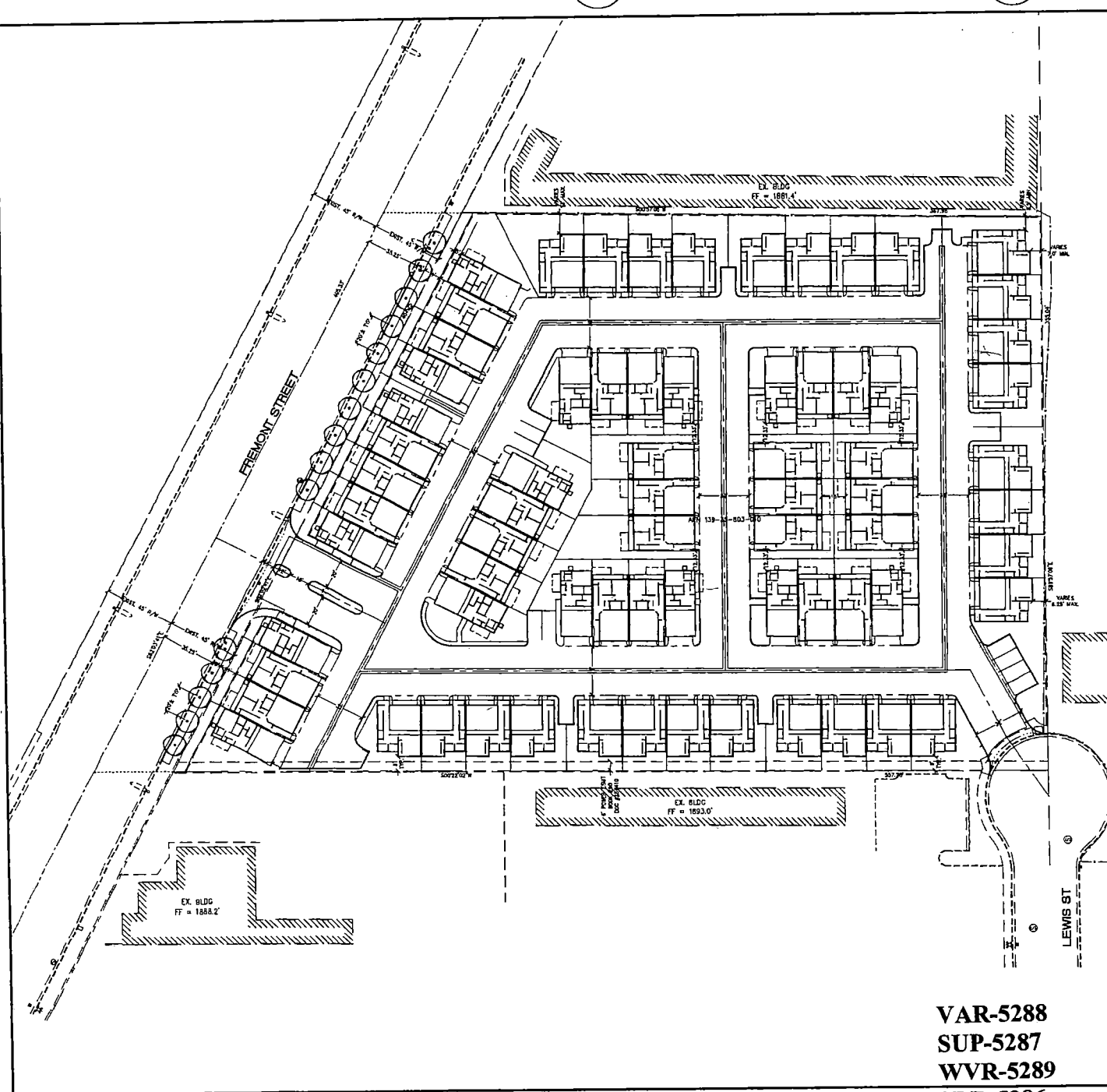
Print Name: LARRY S. DAVIS

Subscribed and sworn before me

This 24TH day of AUGUST, 2004

Linda I. Blair
Notary Public in and for said County and State





- ### SYMBOL LEGEND
- | | |
|-------|----------------------------------|
| _____ | EXISTING RIGHT-OF-WAY |
| _____ | PROPERTY LINE BOUNDARY |
| _____ | CENTERLINE |
| _____ | EXISTING PROPERTY LINE |
| _____ | PROPOSED PROPERTY LINE |
| _____ | PROPOSED BUILDING LINE |
| _____ | PROPOSED WELDED CHAIN LINK FENCE |

- PLANTING LEGEND**

	PHOENIX DACTYLIFERA (23" BTH)	36" BOX
	WASHINGTON ROBUSTA	36" BOX

NOTE: 3/4" SCREENED D.G. PINK CORAL 2" DEPTH IN ALL SHrub AREAS
 REGISTRATION TO BE DESIGN BUILD BY LANDSCAPE CONTRACTOR

BENCHMARK

BM NO. 702355B ELEVATION = 1805.28' PIVOT AND PLATE IN T/C NW CORNER
OF FREMONT ST. AND BRUCE ST. NEAR THE P.C. OF FREMONT ST. NAD83

BASIS OF BEARING

MONITORING BEING THE WEST LINE OF THE SE 1/4 OF SECTION 36, TOWNSHIP 29 SOUTH, RANGE 01 EAST, M.D.M. CLARK COUNTY, NEVADA, AS PER RECORD OF SURVEY FILE 117 PAGE 73, CLARK COUNTY, NEVADA RECORDS.

BOUNDARY AND TOPOGRAPHIC SURVEY DATA PROVIDED
BY DONALD E. NELSON, PLS. #15174

DATE PREPARED 10.2004

PROJECT: A RESIDENTIAL DEVELOPMENT AT 1980 FREMONT STREET SHEET TITLE: LANDSCAPE PLAN	OWNER/DEVELOPER LARRY S. DAVIES REALTY ASSOCIATES 4615 MONTGOMERY (714) 222-4441 HOUSTON, TEXAS 77064 FAX (714) 224-2124		REVIEW BY DATE	DESCRIPTION	APPROVAL
	CHAD VELLINGA, P.E. CIVIL ENGINEER, L.L.C.				

PROJECT:	A RESIDENTIAL DEVELOPMENT AT 1980 FREMONT STREET	
SHEET TITLE:	LANDSCAPE PLAN	
SCALE:	1" = 30'	
JOB NO:	---	
DRAWN BY:	MPA	
CHECKED BY:	CCV	
SHEET NO:	2 OF 2 SHEETS	
CLV		

DOOR SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
104	1	2'-6" X 6'-6" FLUSH WOOD
105	1	2'-6" X 6'-6" FLUSH WOOD
107	1	2'-0" X 6'-6" POCKET WOOD
108	1	2'-6" X 6'-6" POCKET WOOD
119	1	2'-0" SHOWER DOOR TEMPERED GLASS

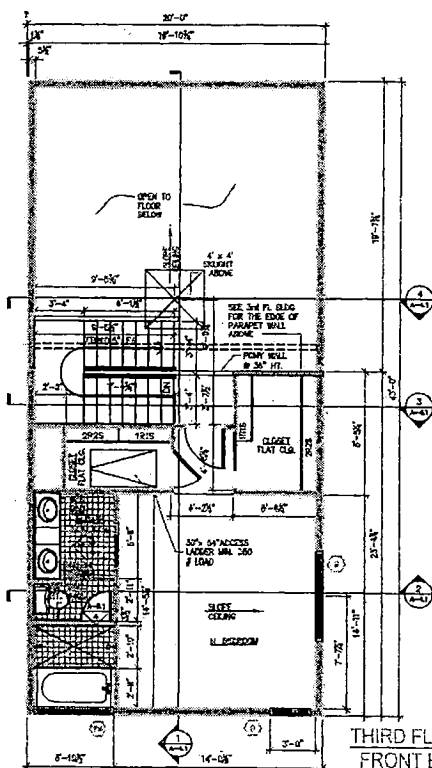
WINDOW SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
D	1	2'-6" X 2'-6" FIXED GLASS METAL
FM	1	FLUSH W/WALLS X 1'-0" FIXED GLASS METAL
H	1	6'-0" X 6'-0" SINGLE HUNG METAL

DOOR SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
108	1	1'-6" X 6'-6" FLUSH WOOD
110	1	6'-0" X 6'-6" SLIDING GLASS DOOR TEMPERED GLASS
128	1	2'-0" X 3'-6" JOB BUILT DOOR

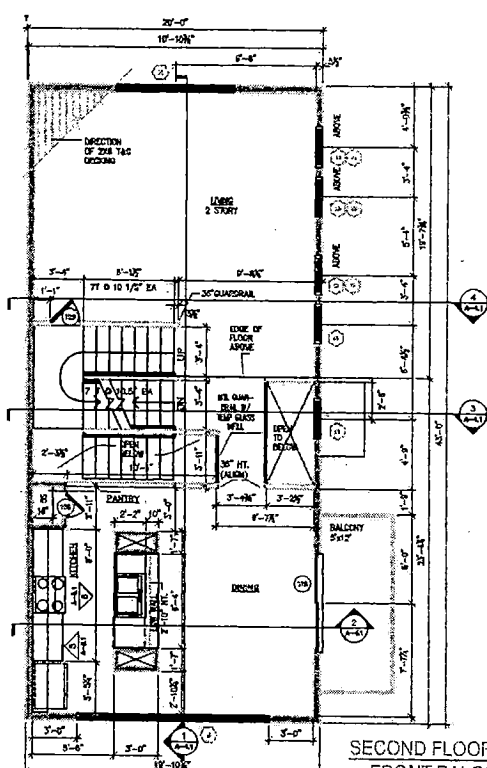
WINDOW SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
D	2	2'-6" X 2'-6" FIXED GLASS METAL
J	1	13'-0" X 2'-0" FIXED GLASS METAL
H	1	6'-0" X 6'-0" SINGLE HUNG METAL

DOOR SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
101	1	3'-0" X 6'-6" FLUSH METAL
102	1	2'-6" X 6'-6" ONE HOUR FLUSH WOOD
103	4	2'-0" X 6'-6" FLUSH WOOD
104	1	2'-6" X 6'-6" FLUSH WOOD
107	1	2'-0" X 6'-6" POCKET WOOD
108	1	2'-6" X 6'-6" POCKET WOOD
119	1	15'-0" X 6'-6" BIFOLD
110	1	15'-0" X 7'-0" OVERHEAD DOOR
118	1	6'-0" X 6'-6" SLIDING GLASS DOOR TEMPERED GLASS
127	1	3'-0" X 6'-6" POCKET WOOD

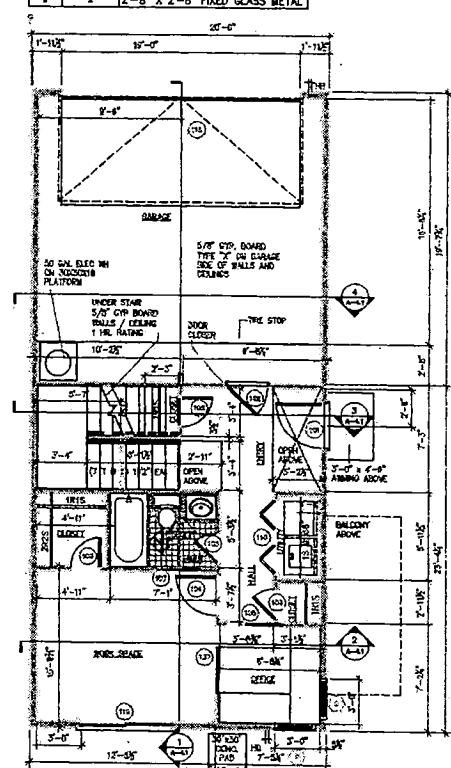
WINDOW SCHEDULE "TOWER UNIT"		
TYPE	QUANTITY	DESCRIPTION
D	2	2'-6" X 2'-6" FIXED GLASS METAL



THIRD FLOOR PLAN
FRONT BALCONY



SECOND FLOOR PLAN
FRONT BALCONY

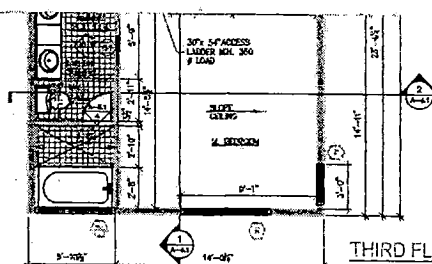


FIRST FLOOR PLAN

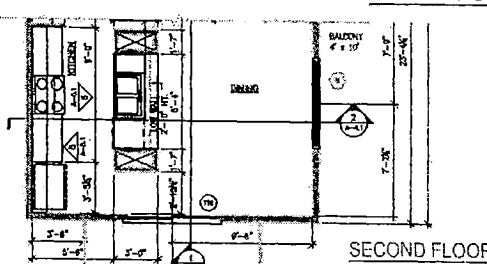
VAR-5288
SUP-5287
WVR-5289
SDR-5286
11-04-04 PC

1 FLOOR PLANS TOWER UNIT
1/4" = 1'-0"

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THIRD FLOOR PLAN
SIDE BALCONY



SECOND FLOOR PLAN
SIDE BALCONY

URBAN LOFTS TOWNHOMES
1980 EAST FREEMONT TOWNHOMES
LARRY S. DAVIS & ASSOCIATES
4512 MAYTROSSE HOUSTON, TEXAS 77066 TEL 713-522-6641 FAX 713-522-1170
www.urbanlofts.com

1980 E. FREEMONT
TOWNHOMES
TOWER UNIT
PROJECT NUMBER
2004.03
PRINTED
06-25-04
DRAWN BY
AN
CHECKED BY
PREPARED BY
A-1.1
FLOOR PLANS

DOOR SCHEDULE - LESTER B UNIT		
TYPE	QUANTITY	DESCRIPTION
ND	1	2'-0" X 6'-0" FLUSH WOOD
NS	1	2'-0" X 6'-0" POCKET WOOD
NT	1	2'-0" X 6'-0" POCKET WOOD
TV	1	2'-0" SHOWER DOOR TEMPERED GLASS
Y	1	Y

WINDOW SCHEDULE - LESTER B UNIT		
TYPE	QUANTITY	DESCRIPTION
B	1	2'-0" X 2'-0" FIXED GLASS METAL
E	3	2'-0" X 2'-0" FIXED TEMP GLASS METAL
IV	3	FLUSH W/WALLS X 1'-0" FIXED GLASS WOOD
W	1	6'-0" X 6'-0" SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT-		
TYPE	QUANTITY	DESCRIPTION
ND	1	2'-0" X 6'-0" FLUSH WOOD
NS	1	1'-0" X 6'-0" FLUSH WOOD
NT	1	6'-0" X 6'-0" SLIDING GLASS DOOR TEMPERED GLASS

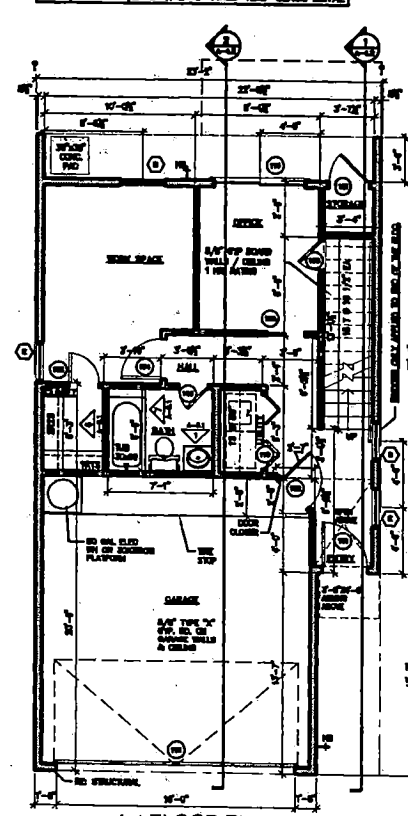
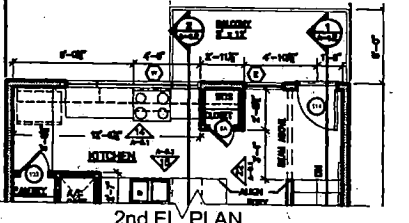
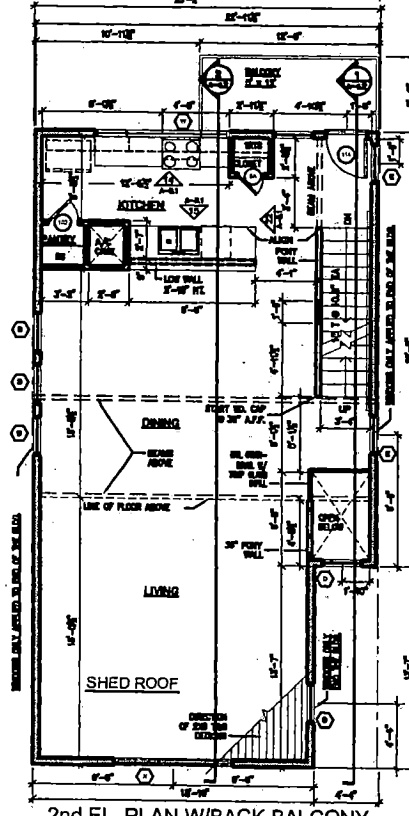
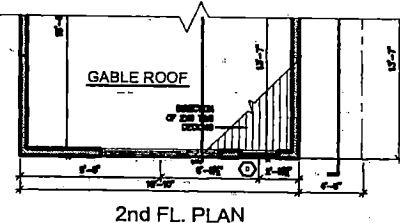
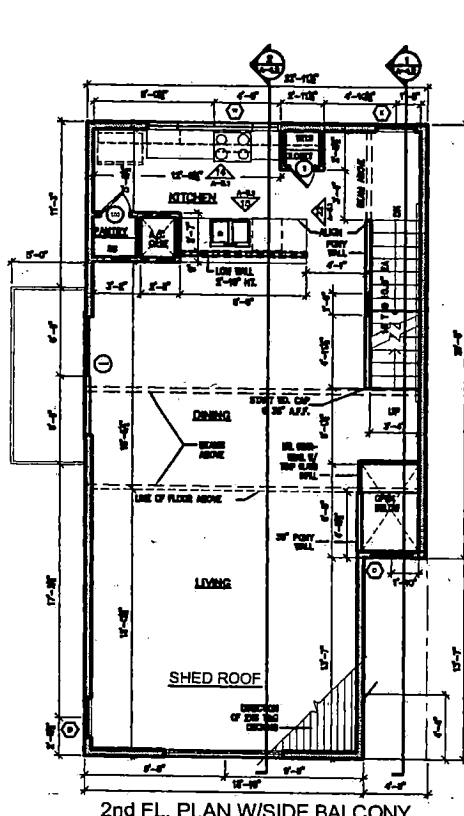
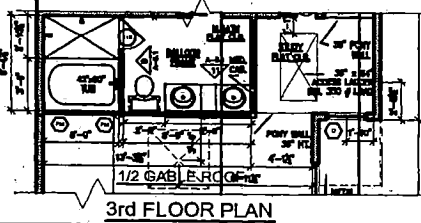
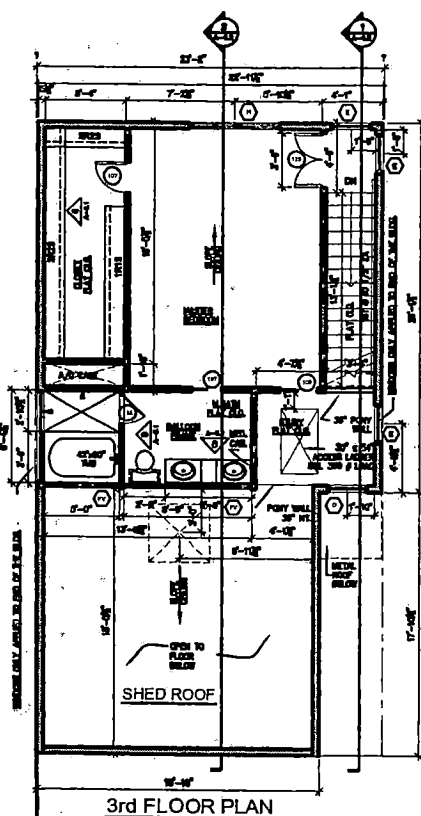
WINDOW SCHEDULE - LESTER F UNIT-		
TYPE	QUANTITY	DESCRIPTION
Y	1	Y
B	1	2'-0" X 2'-0" FIXED GLASS METAL
E	1	2'-0" X 2'-0" FIXED TEMP GLASS METAL
W	1	6'-0" X 1'-0" CUSTOM HORIZONTAL SLIDER

DOOR SCHEDULE - LESTER F UNIT-		
TYPE	QUANTITY	DESCRIPTION
ND	1	2'-0" X 6'-0" FLUSH WOOD
NS	1	1'-0" X 6'-0" FLUSH WOOD
NT	1	2'-0" X 6'-0" METAL DOOR W/ FULL LITE TEMP GLASS

WINDOW SCHEDULE - LESTER F UNIT-		
TYPE	QUANTITY	DESCRIPTION
B	6	2'-0" X 2'-0" FIXED GLASS METAL
E	3	2'-0" X 2'-0" FIXED TEMP GLASS METAL
W	1	6'-0" X 1'-0" CUSTOM HORIZONTAL SLIDER
W	2	2 X 4080 SINGLE HUNG METAL

DOOR SCHEDULE - LESTER F UNIT-		
TYPE	QUANTITY	DESCRIPTION
ND	1	6'-0" X 6'-0" FLUSH METAL
NS	1	2'-0" X 6'-0" ONE HOLE FLUSH WOOD
NT	2	2'-0" X 6'-0" FLUSH WOOD
NS	1	2'-0" X 6'-0" POCKET WOOD
NT	1	6'-0" X 6'-0" BIFOLD
TV	1	16'-0" X 7'-0" OVERHEAD DOOR
TV	1	6'-0" X 6'-0" SLIDING GLASS DOOR TEMPERED GLASS
NT	1	2'-0" X 6'-0" FLUSH METAL

WINDOW SCHEDULE - LESTER F UNIT-		
TYPE	QUANTITY	DESCRIPTION
B	1	2'-0" X 2'-0" SINGLE HUNG METAL
E	3	2'-0" X 2'-0" FIXED TEMP GLASS METAL



VAR-5288
SUP-5287
WVR-5289
SDR-5286
11-04-04 PC
1 FLOOR PLANS LESTER F UNIT
1/4" = 1'-0"

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1980 EAST FREEMONT TOWNHOMES
LARRY S. DAVIS & ASSOCIATES
4512 MONTROSE, HOUSTON, TEXAS 77006, TEL 713-522-6441, FAX 713-529-2126

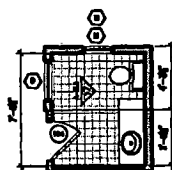
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TOWNHOMES
LESTER F UNIT
PROJECT NUMBER: 2004.103
PRINTED: 06-25-04
DRAWN BY: AN
CHECKED BY:
FILENAME:
A-1.2
FLOOR PLANS

DOOR SCHEDULE - HYDE PARK UNIT-		
TYPE	QUANTITY	DESCRIPTION
WD	2	2'-0" X 8'-0" FLUSH WOOD
FD	1	PR 2'-0" X 8'-0" FLUSH WOOD
FD	1	PR 2'-0" X 8'-0" METAL DOOR W/
FD	1	FULL LINE TEMP GLASS
TD	1	2'-0" SHOWER DOOR

WINDOW SCHEDULE - HYDE PARK UNIT-		
TYPE	QUANTITY	DESCRIPTION
D	6	2'-0" X 2'-0" METAL FRAME,
D	6	DOUBLE PANE, FIXED
FD	3	FLUSH W/WALLS & T-0" METAL
FD	3	FRAME, DOUBLE PANE, FIXED
FD	1	FLUSH W/WALLS & T-0" FIXED
FD	1	GLASS METAL
D	1	6'-0" X 1'-0" FIXED GLASS METAL
D	1	2 X 3000 SINGLE HUNG METAL

DOOR SCHEDULE - HYDE PARK UNIT-		
TYPE	QUANTITY	DESCRIPTION
WD	1	2'-0" X 8'-0" FLUSH WOOD
WD	1	2'-0" X 8'-0" FLUSH WOOD
WD	1	PR 2'-0" X 8'-0" METAL DOOR W/
WD	1	FULL LINE TEMP GLASS
WD	1	PR 1'-0" X 8'-0" FLUSH WOOD

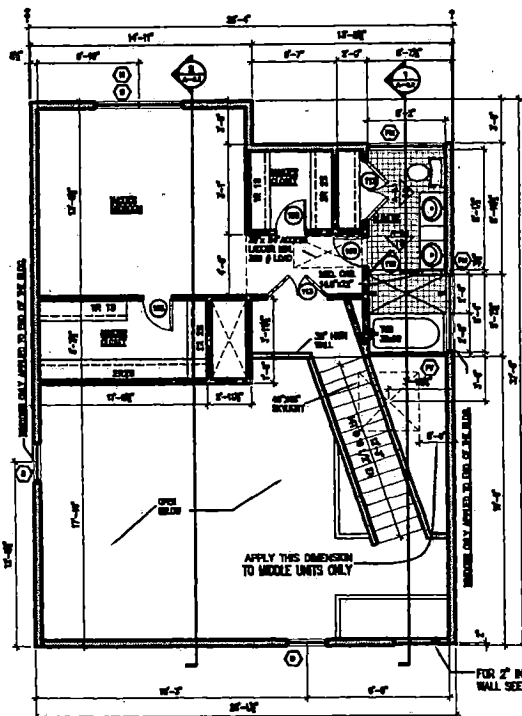
WINDOW SCHEDULE - HYDE PARK UNIT-		
TYPE	QUANTITY	DESCRIPTION
D	2	2'-0" X 2'-0" HORIZONTAL SLIDER
D	2	METAL
D	2	2'-0" X 2'-0" METAL FRAME,
D	2	DOUBLE PANE, FIXED
D	2	2'-0" X 2'-0" METAL FRAME,
D	2	DOUBLE PANE, FIXED TEMPERED
D	2	7'-0" X 1'-0" CUSTOM HORIZONTAL
D	2	SLIDER
D	2	2'-0" X 2'-0" FIXED GLASS METAL



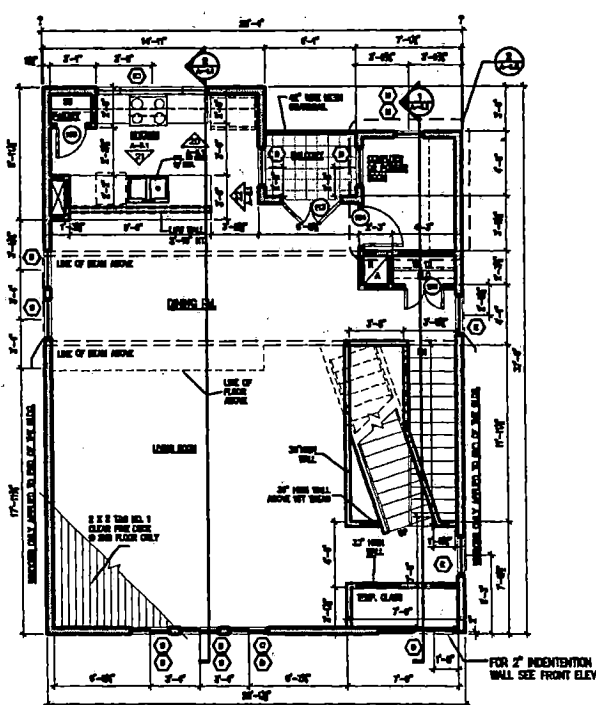
② POWDER ROOM
1/4" = 1'-0"

DOOR SCHEDULE - HYDE PARK UNIT-		
TYPE	QUANTITY	DESCRIPTION
WD	1	2'-0" X 8'-0" FLUSH METAL
WD	1	2'-0" X 8'-0" FLUSH WOOD, ONE
WD	1	HOLE
WD	1	2'-0" X 8'-0" FLUSH WOOD
WD	1	2'-0" X 8'-0" BIFOLD
WD	1	6'-0" X 8'-0" BIFOLD
WD	1	2'-0" X 8'-0" METAL DOOR W/
WD	1	FULL LINE TEMP GLASS
WD	1	16'-0" X 2'-0" OVERHEAD DOOR
WD	1	2'-0" SHOWER OR TEMP. GLASS
WD	1	2'-0" CHAIN LINK GATE

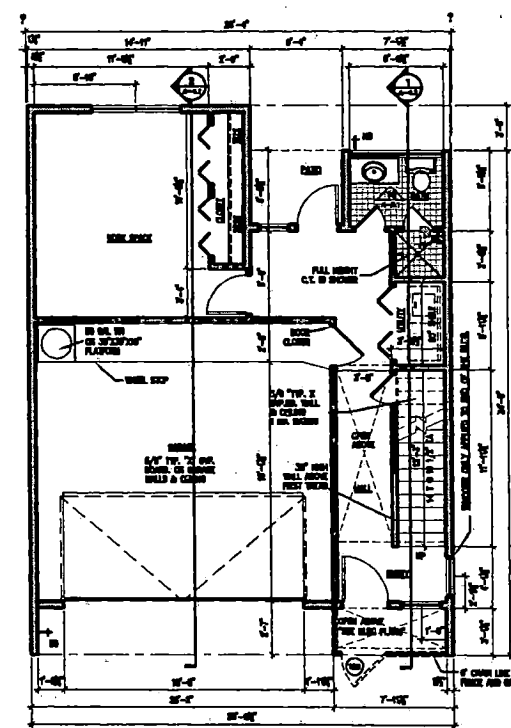
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TYPE	QUANTITY	DESCRIPTION
D	2	2'-0" X 2'-0" METAL FRAME,
D	2	DOUBLE PANE, FIXED TEMPERED
FD	1	FLUSH W/WALLS & T-0" FIXED
FD	1	GLASS WOOD
D	1	2 X 3000 SINGLE HUNG METAL
D	1	2'-0" X 2'-0" FIXED GLASS METAL



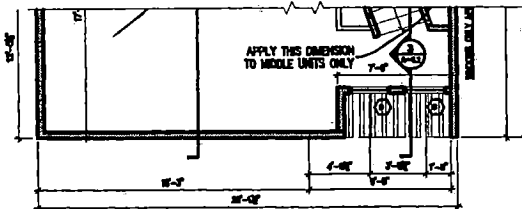
3rd FL. PLAN W / RECESS OR FLAT WALL



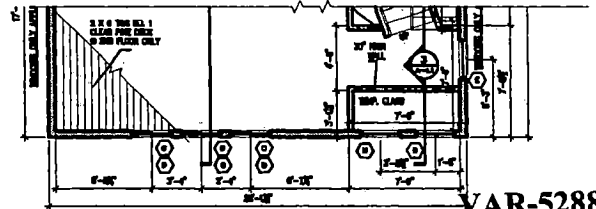
2nd FL. PLAN W / RECESS OR FLAT WALL



1st FLOOR PLAN



3rd FLOOR PLAN



2nd FLOOR PLAN



3rd FLOOR PLAN
W/BALCONY

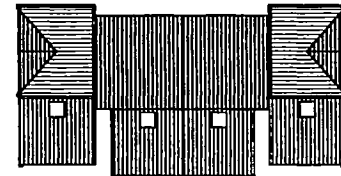
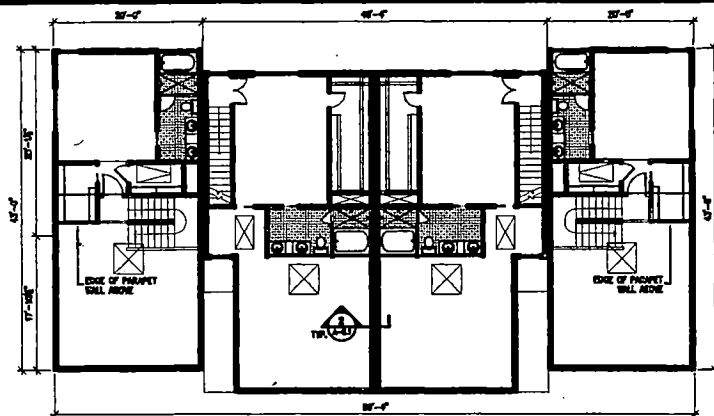
2nd FLOOR PLAN
W/BALCONY

① FLOOR PLANS HYDE PARK 1963 UNIT
1/4" = 1'-0"

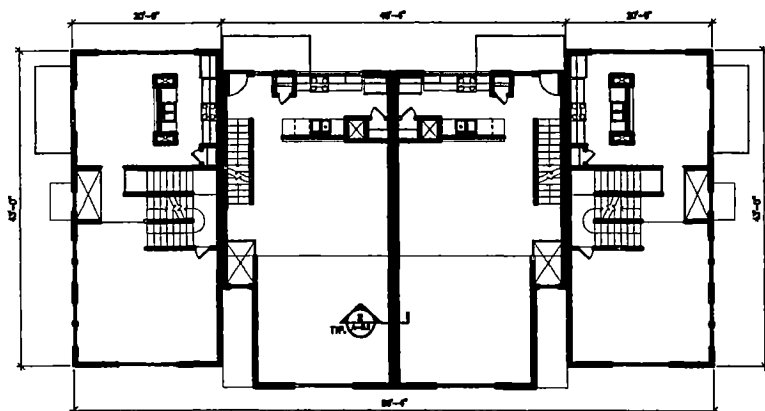
VAR-5288
SUP-5287
WVR-5289
SDR-5286
11-04-04 PC

URBAN LOFTS TOWNHOMES
1980 EAST FREMONT TOWNHOMES
LARRY S. DAVIS & ASSOCIATES
4512 MONTROSE, HOUSTON, TEXAS 77006, TEL 713-522-6441, FAX 713-529-2126

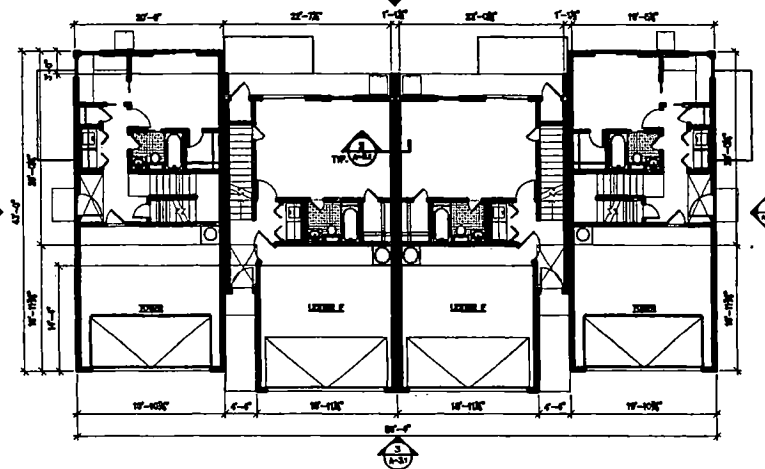
1980 E. FREMONT
TOWNHOMES
HYDE PARK UNIT
PROJECT NUMBER: 2004.03
PRINTED: 06-25-04
DRAWN BY: AN
CHECKED BY:
FILENAME:
A-1.5
FLOOR PLAN



④ ROOF PLAN
1/16" = 1'-0"



③ THIRD FLOOR BUILDING 1, 6, 8, 12, 14
1/8" = 1'-0"



② SECOND FLOOR BUILDING 1, 6, 8, 12, 14
1/8" = 1'-0"

VAR-5288
SUP-5287
WVR-5289
SDR-5286
11-04-04 PC

NOTE:
FOR DIM. AND SPECIFICATIONS
REFER TO THE SPECIFIC UNIT
SCHEDULE S-1.

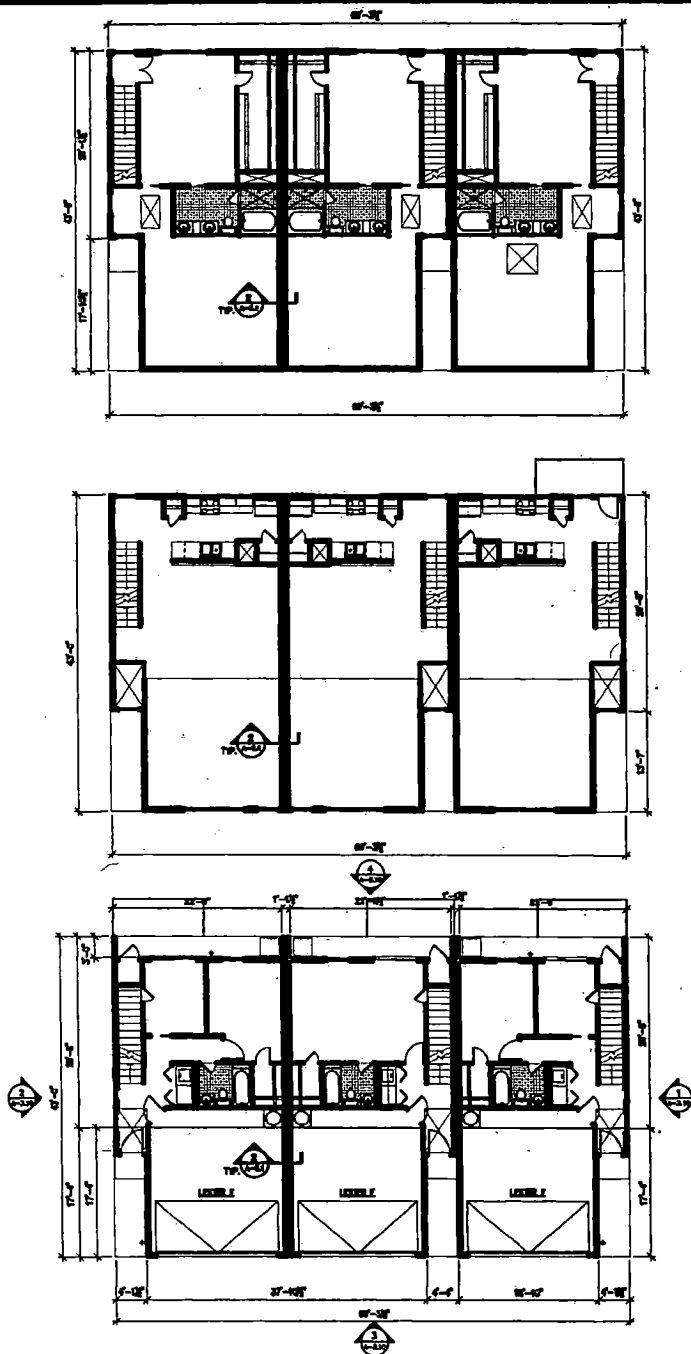
① FIRST FLOOR BUILDING 1, 6, 8, 12, 14
1/8" = 1'-0"

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DATE	REVISION
	FOR PERMIT
	FOR CONSTRUCTION

URBAN LOFTS TOWNHOMES
1980 EAST FREMONT TOWNHOMES
LARRY S. DAVIS & ASSOCIATES
4512 MONTROSE, HOUSTON, TEXAS 77006, TEL 713-522-6441, FAX 713-529-2126

1980 E. FREMONT TOWNHOMES BLDG. FLOOR PLANS
PROJECT NUMBER: 2004-03
PRINTED: 05-25-04
DRAWN BY: AN
CHECKED BY:
FILENAME:
A-2.1 FLOOR PLAN



VAR-5288
SUP-5287
WVR-5289
SDR-5286
11-04-04 PC

④ ROOF PLAN
1/16" = 1'-0"

③ THIRD FLOOR BUILDING 10, 15, 16
1/8" = 1'-0"

② SECOND FLOOR BUILDING 10, 15, 16
1/8" = 1'-0"

① FIRST FLOOR BUILDING 10, 15, 16
1/8" = 1'-0"

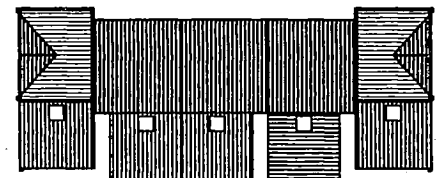
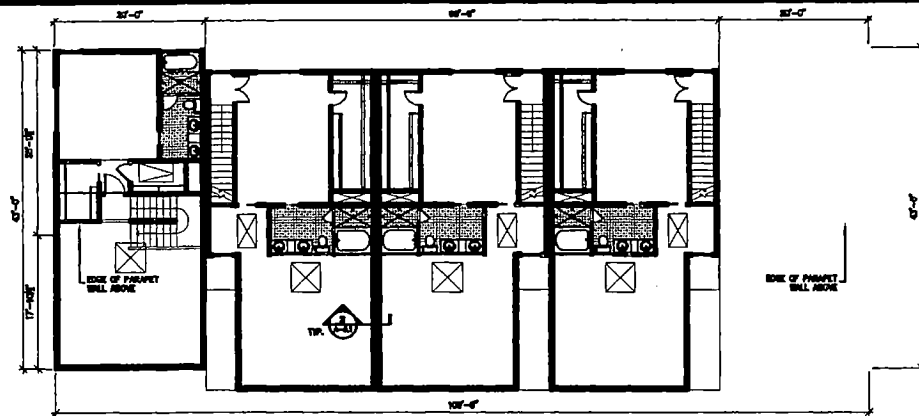
NOTE:
FOR ALL DIMENSIONS
SEE THE SPECIFICATIONS
PAGE A-1

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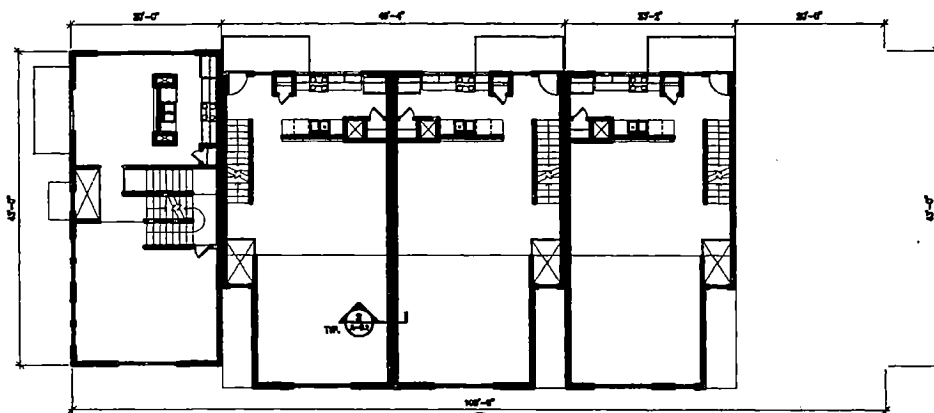
DATE	DESCRIPTION
	FOR PERMIT
	FOR CONSTRUCTION

URBAN LOFTS TOWNHOMES
1980 EAST FREMONT TOWNHOMES
LARRY S. DAVIS & ASSOCIATES
4112 MONTROSE, HOUSTON, TEXAS 77006, TEL 713-522-6441, FAX 713-522-2126
www.urbanlofts.com

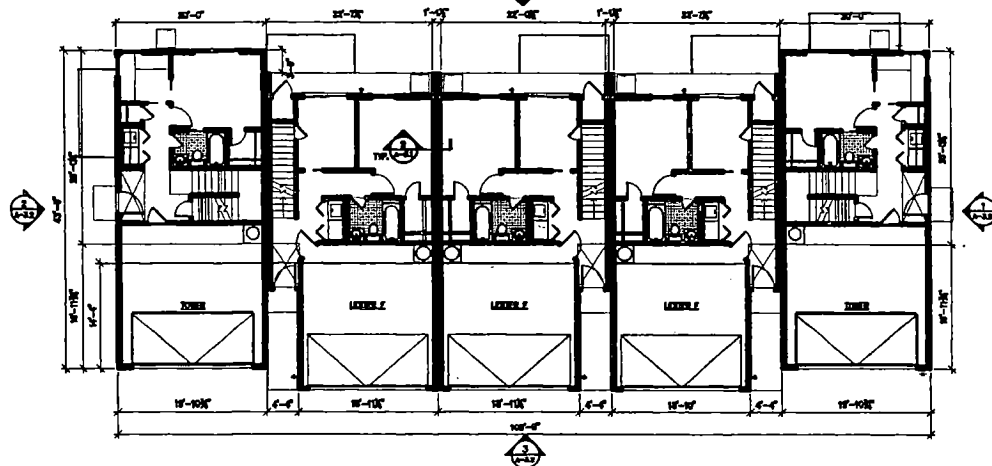
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PROJECT NUMBER: 2004.03
PRINTED: 08-25-04
DRAWN BY: AN
CHECKED BY:
PLANNED BY:
A-2.10 FLOOR PLAN



4 ROOF PLAN
1/16" = 1'-0"



3 THIRD FLOOR BUILDING 2 & 4 OPP.HD.
1/8" = 1'-0"



2 SECOND FLOOR BUILDING 2 & 4 OPP.HD.
1/8" = 1'-0"

VAR-5288
SUP-5287
WVR-5289
SDR-5286
11-04-04 PC

NOTE:
FOR DIM. AND SPECIFICATIONS
REFER TO THE SPECIFIC UNIT
SHEETS A-1.

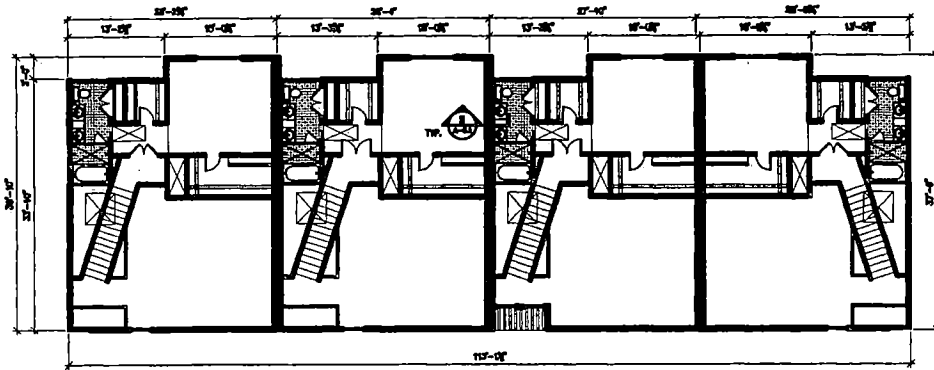
1 FIRST FLOOR BUILDING 2 & 4 OPP.HD.
1/8" = 1'-0"

COPYRIGHT © 2002, LARRY S. DAVIS & ASSOC.

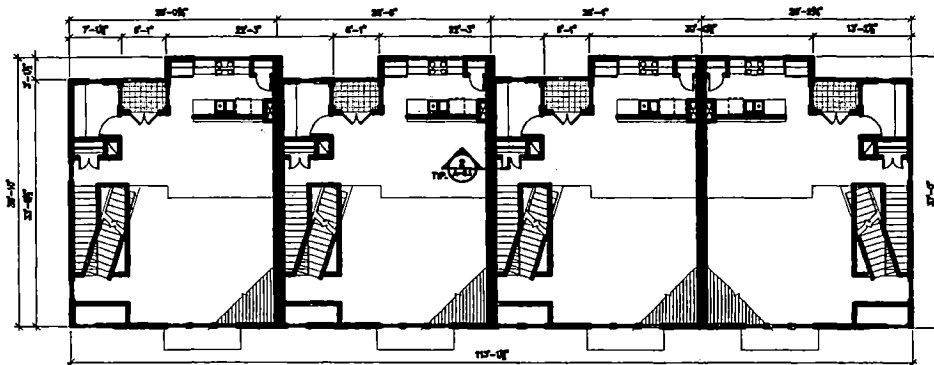
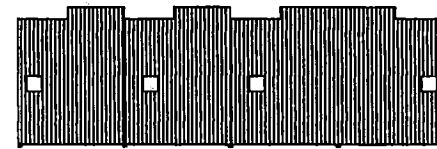
URBAN LOFTS TOWNHOMES
1980 EAST FREMONT TOWNHOMES
LARRY S. DAVIS & ASSOCIATES
4512 MONTROSE, HOUSTON, TEXAS 77006, TEL 713-522-6441, FAX 713-529-2126

1980 E. FREMONT
TOWNHOMES
BUILDING 2 & 4 OPP.H
PROJECT NUMBER:
2004.03
PRINTED:
06-25-04
DRAWN BY:
AN
CHECKED BY:
FILENAME:

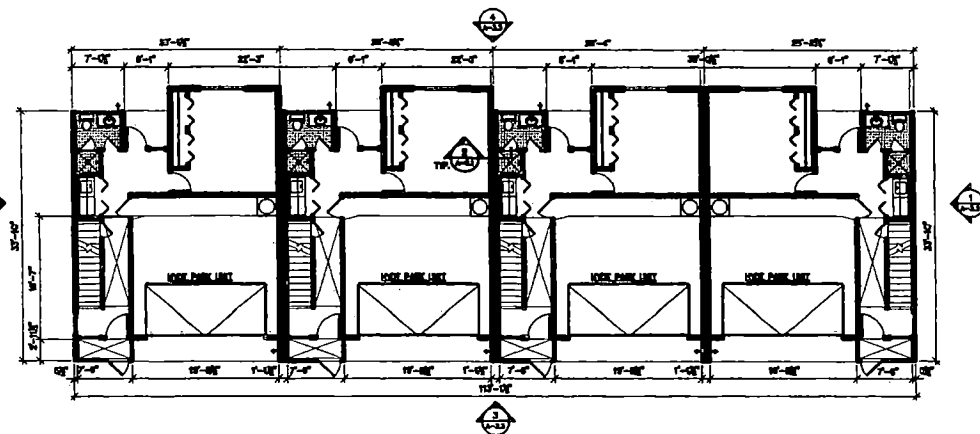
A-2.2
FLOOR PLANS



④ ROOF PLAN BUILDING 2
1/16" = 1'-0"



③ THIRD FLOOR BUILDING 3, 5, 7, 9, 11, 13, 17
1/8" = 1'-0"



② SECOND FLOOR BUILDING 3, 5, 7, 9, 11, 13, 17
1/8" = 1'-0"

VAR-5288
SUP-5287
WVR-5289
SDR-5286
11-04-04 PC

NOTE:
FOR L.S. AND SPECIFICATIONS
REFER TO THE SPECIFIC UNIT
SCHEDULE A-1.

① FIRST FLOOR BUILDING 3, 5, 7, 9, 11, 13, 17
1/8" = 1'-0"

COPYRIGHT © 2002, LARRY S. DAVIS & ASSOC.

DATE	DESCRIPTION
	FOR PERMIT
	FOR CONSTRUCTION

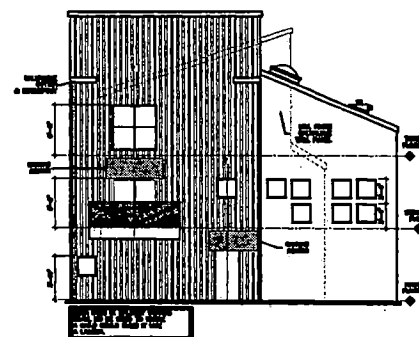
URBAN LOFTS TOWNHOMES

1980 EAST FREMONT TOWNHOMES
LARRY S. DAVIS & ASSOCIATES
4512 MONTROSE, HOUSTON, TEXAS 77006, TEL 713-522-6441, FAX 713-529-2126

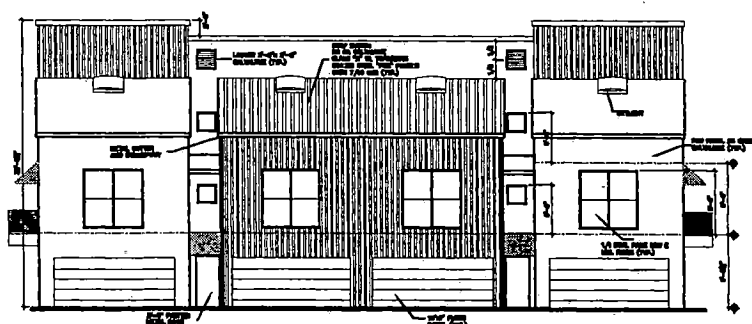
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PROJECT NUMBER 2004.03
PRINTED: 06-25-04
DRAWN BY: AN
CHECKED BY:
FILENAME:
A-2.3 FLOOR PLANS



④ BACK ELEVATION BLDGS. 1,6,8,12,14,18
1/8" = 1'-0"

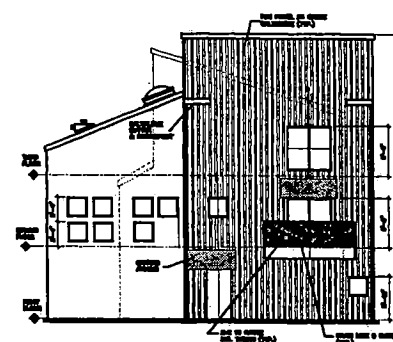


② LEFT SIDE ELEV. BLDGS. 1,6,8,12,14,18
1/8" = 1'-0"



③ FRONT ELEVATION BLDGS. 1,6,8,12,14,18
1/8" = 1'-0"

VAR-5288
SUP-5287
WVR-5289
SDR-5286
11-04-04 PC



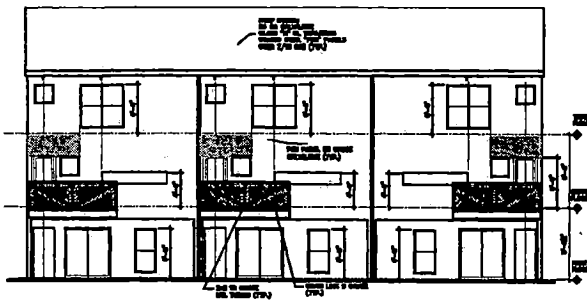
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1/8" = 1'-0"

COPYRIGHT © 2002, LARRY S. DAVIS & ASSOC.

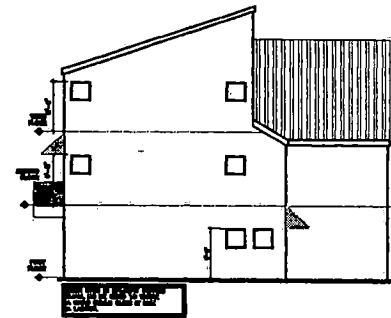
DATE	REVISION
	FOR PERMIT
	FOR CONSTRUCTION

URBAN LOFTS TOWNHOMES
1980 EAST FREMONT TOWNHOMES
LARRY S. DAVIS & ASSOCIATES
4444 S. RIVERVIEW, DALLAS, TEXAS 75244 TEL 714.597.4441 FAX 714.597.2126

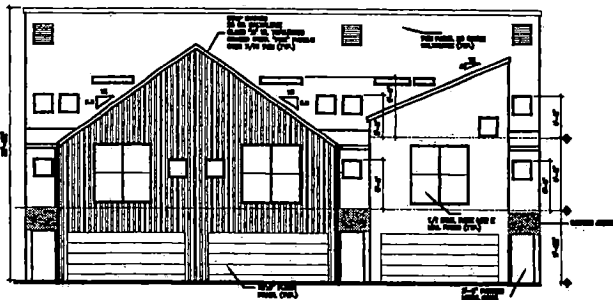
1980 E. FREMONT
TOWNHOMES
EXT. ELEVATIONS
PROJECT NUMBER
2004.03 LAS VEGA
PRINTED
06-27-04
DRAWN BY
AN
CHECKED BY
FILENAME
A-3.1
EXT. ELEVATIONS



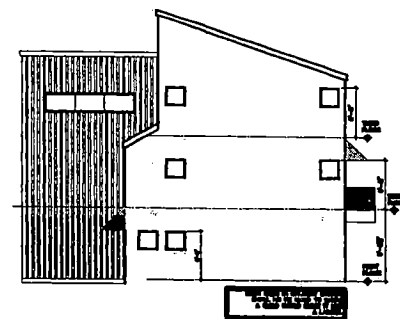
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1/8" = 1'-0"



② LEFT SIDE ELEVATION BLDGS. 10,15,16.
1/8" = 1'-0"



③ FRONT ELEVATION BLDGS. 10,15,16.
1/8" = 1'-0"



① RIGHT SIDE ELEVATION BLDGS. 10,15,16.
1/8" = 1'-0"

VAR-5288
SUP-5287
WVR-5289
SDR-5286
11-04-04 PC

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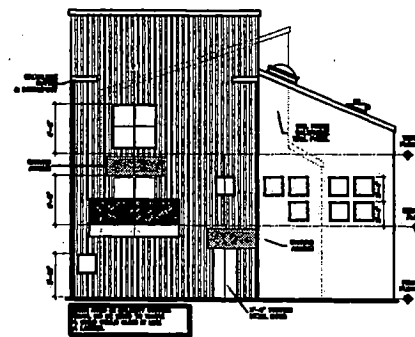
DATE	DESCRIPTION
	FOR PERMIT
	FOR CONSTRUCTION

URBAN LOFTS TOWNHOMES
1980 EAST FREMONT TOWNHOMES
LARRY S. DAVIS & ASSOCIATES
4512 MONTROSE, HOUSTON, TEXAS 77006, TEL 713-532-6441, FAX 713-532-2126

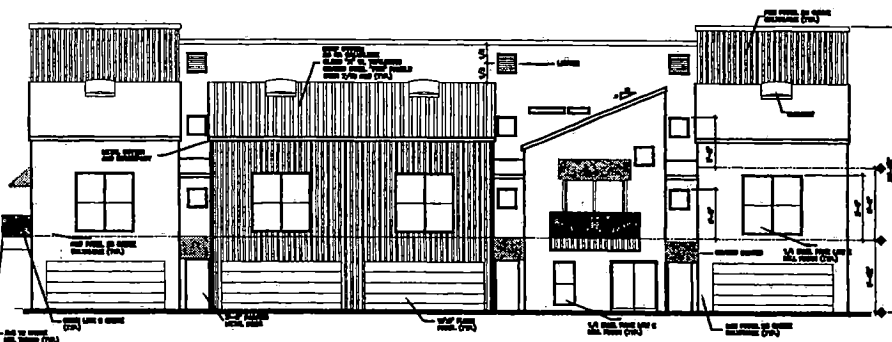
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PRINTED 08-25-04
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FILENAME
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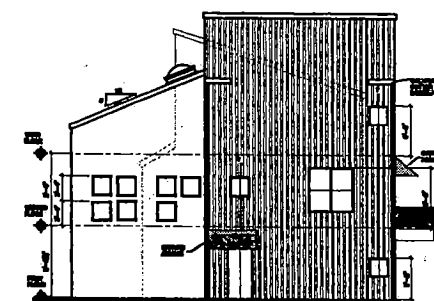
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1/8" = 1'-0"



② LEFT SIDE ELEVATION BLDGS. 2 & 4
1/8" = 1'-0"



③ FRONT ELEVATION BLDGS. 2 & 4
1/8" = 1'-0"



① RIGHT SIDE ELEVATION BLDGS. 2 & 4
1/8" = 1'-0"

VAR-5288
SUP-5287
WVR-5289
SDR-5286
11-04-04 PC

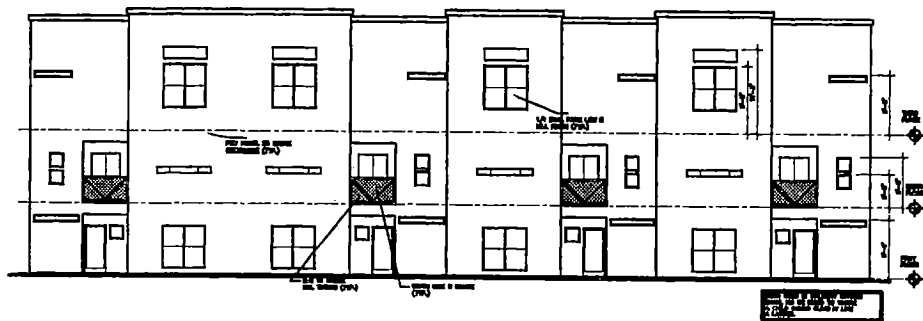
NEED
USED IN BALCONY GUARDS
SHALL NOT BE USED TO SHORE
A CHILD COULD CLIMB IT LIKE A
LADDER.

COPYRIGHT © 2002, LARRY S. DAVIS & ASSOC.

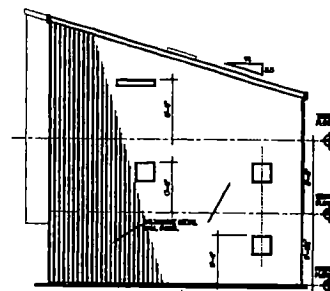
DATE	DESCRIPTION
	FOR PERMIT
	FOR CONSTRUCTION

URBAN LOFTS TOWNHOMES
1980 EAST FREMONT TOWNHOMES
LARRY S. DAVIS & ASSOCIATES
4512 MONTEROSE, HOUSTON, TEXAS 77006, TEL 713-522-6441, FAX 713-529-2126

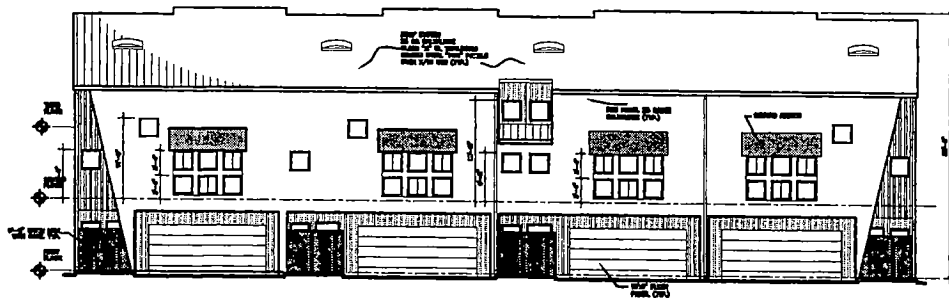
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PROJECT NUMBER 2004.03
PRINTED: 06-25-04
DRAWN BY: JAN
CHECKED BY:
FILE NAME:
A-3.2 ELEVATIONS



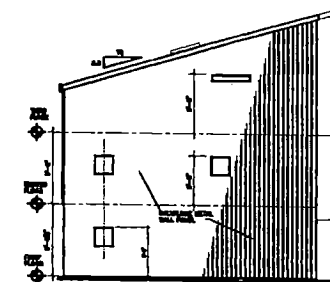
④ BACK ELEVATION BLDGS 3,5,7,9,11,13,17
1/8" = 1'-0"



② LEFT SIDE ELEVATION BLDGS 3,5,7,9,11,13,17
1/8" = 1'-0"



③ FRONT ELEVATION BLDGS 3,5,7,9,11,13,17
1/8" = 1'-0"



① RIGHT SIDE ELEVATION BLDGS 3,5,7,9,11,13,17
1/8" = 1'-0"

VAR-5288
SUP-5287
WVR-5289
SDR-5286
11-04-04 PC

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DATE	REVISION
	FOR PREP
	FOR CONSTRUCTION

URBAN LOFTS TOWNHOMES
1980 EAST FREMONT TOWNHOMES
LARRY S. DAVIS & ASSOCIATES
4512 MONTROSE, HOUSTON, TEXAS 77006, TEL 713-522-6441, FAX 713-529-2126

1980 E. FREMONT TOWNHOMES EXT. ELEVATIONS
PROJECT NUMBER 2004.00
PRINTED 06-25-04
DRAWN BY AN
CHECKED BY
FILENAME
A-3.3 ELEVATIONS



SDR-5286 - APPLICANT: LARRY S. DAVIS AND ASSOCIATES - OWNER: URBAN LAND
AQUISITION, INC.
1980 FREMONT STREET
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5211 - VARIANCE - PUBLIC HEARING - APPLICANT: RICHARD MORENO

- OWNER: JOHN DAVIS GAUGHAN AND BARBARA ANGELA GAUGHAN -

Request for a Variance TO ALLOW TWO ACCESSORY STRUCTURES IN A FRONT YARD, WHERE ONLY ONE IS PERMITTED AND TO ALLOW A 40-FOOT FRONT YARD SETBACK WHERE A MINIMUM OF 50 FEET IS REQUIRED on 1.06 acres at 1940 South Tomsik Street (APN 163-04-304-007), R-E (Residence Estates) Zone, Ward 1 (Moncrief).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, explained that the site is being overbuilt. There is adequate room on the lot to meet Title 19A standards for setbacks and for accessory structures in the front. One of the accessory structures could be made part of the main building reducing the total number of accessory structures to 1. This would require only a minor modification to the floor plan. Also, the building could easily be moved back to 10 feet from the back of the property line, which would also bring the project into conformance with Title 19A. Staff recommends denial, as the hardship is self-imposed.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 57- VAR-5211

MINUTES – Continued:

RICHARD MORENO, Moreno and Associates, 300 South 4th Street, appeared on behalf of the applicant and stated the Variance is required because of a topographical situation that has caused the loss of 15 feet in the back of the property. The required setback at the back of the property is 35 feet and the proposed project is at 40 feet. He explained that approximately 40 percent of the property incurs a topographical problem that slopes down at the end of the property. The applicant did not feel that when the regulations were written, estate type properties were taken into consideration. MR. MORENO did not feel the Variance was detrimental and asked for approval.

COMMISSIONER McSWAIN agreed with staff that the property is being overbuilt. She felt MR. MORENO did justify good cause with relation to the topographical problem. The Commissioner described the rendering of the project as beautiful and said the attached structure was a technicality. The project would enhance the area and she would support the application as stated.

COMMISSIONER STEINMAN asked specifically where the topographical slide was located on the site because he had driven by it and did not notice it. MR. MORENO pointed out the area of the decrease on the exhibit. He explained that fill dirt would have to be brought in to finish the building. The estimate for that portion of the work is approximately \$40,000. COMMISSIONER STEINMAN confirmed that there is an existing six-foot wall and that the intent of the applicant is to fill the five-foot drop. CHAIRMAN TRUESDELL pointed out that in doing so, the dirt would be up to the height of the wall. COMMISSIONER STEINMAN reiterated that the site looked flat when he went out to look it.

COMMISSIONER McSWAIN confirmed with MR. MORENO that the applicant concurred with all conditions. CHAIRMAN TRUESDELL informed everyone that because this project does not have any existing construction, the Commission's disposition would be Final Action.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:54-10:00)

3-1265

CONDITIONS:

Planning and Development

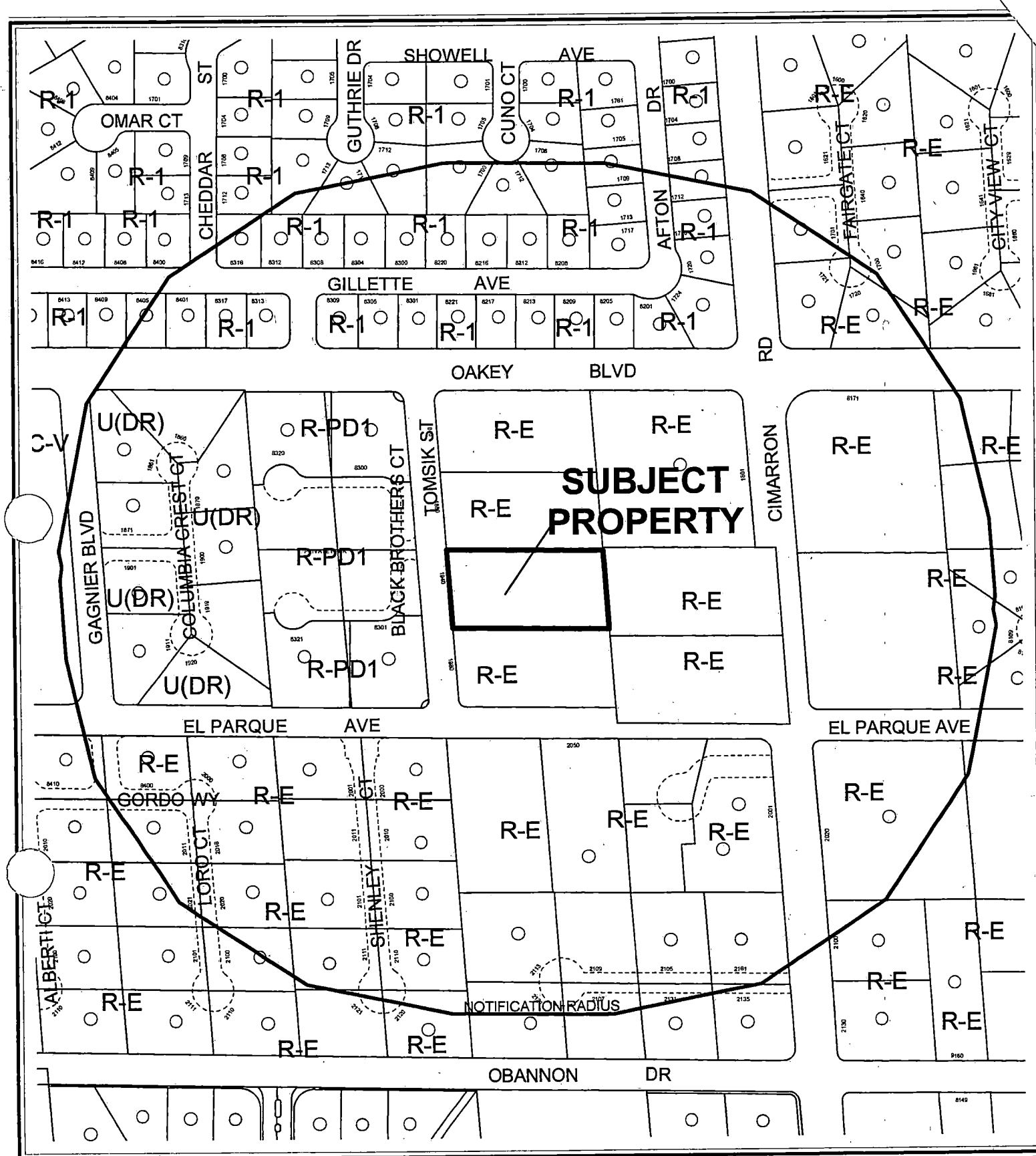
1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 57– VAR-5211

CONDITIONS – Continued:

Public Works

2. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to the issuance of any permits for this site; the design and layout of this site shall meet the approval of the Department of Fire Services.
3. Site development to comply with all applicable conditions of approval for PM-25-1999, the approved Drainage Study and all other applicable site-related actions.



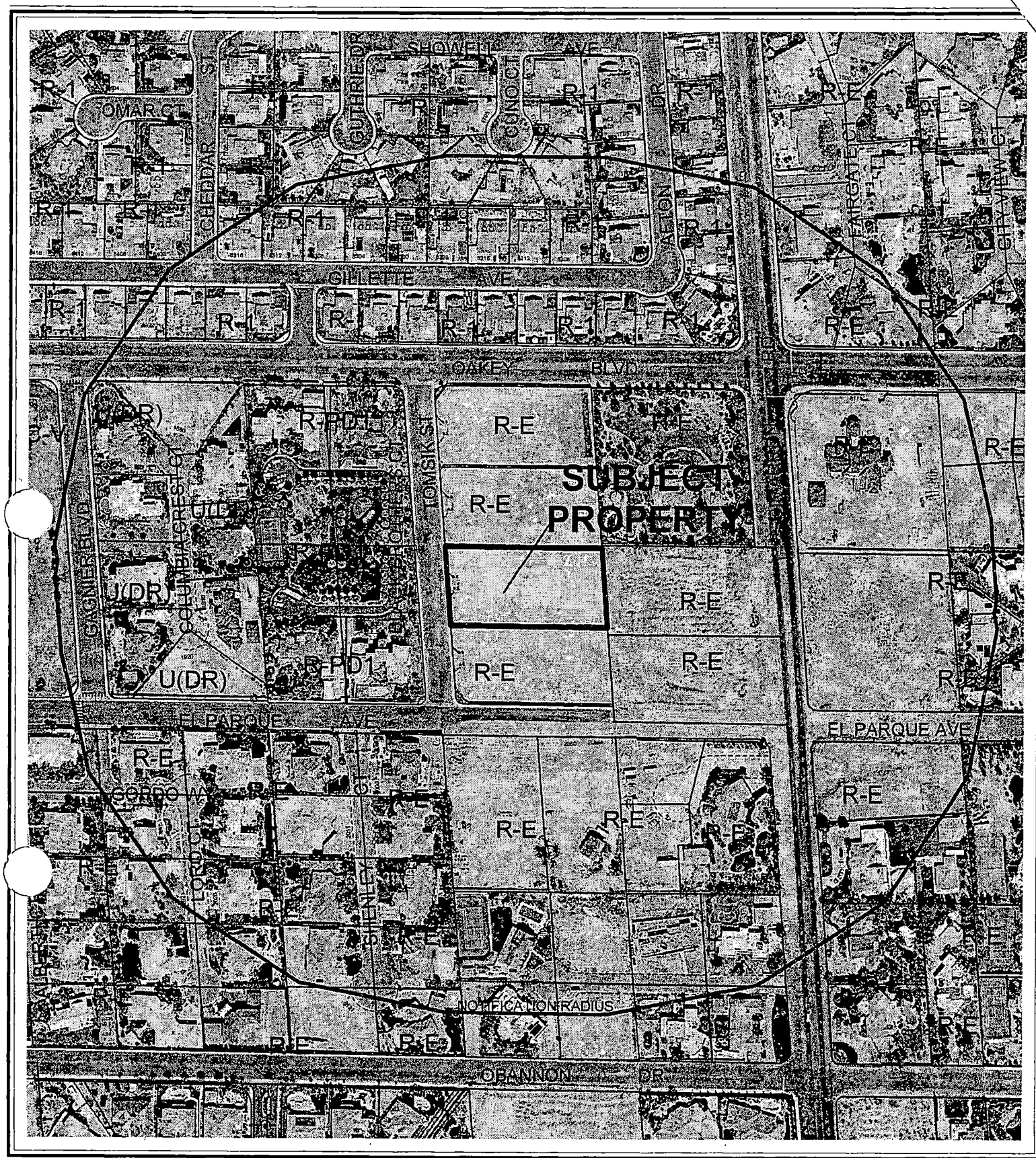
CASE: **VAR-5211**

RADIUS: 750 FT

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

0 200 400 Feet





CASE: **VAR-5211**

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-5211 - APPLICANT: RICHARD MORENO - OWNER:
JOHN DAVIS GAUGHAN AND BARBARA ANGELA GAUGHAN**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

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

Public Works

2. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to the issuance of any permits for this site; the design and layout of this site shall meet the approval of the Department of Fire Services.
3. Site development to comply with all applicable conditions of approval for PM-25-1999, the approved Drainage Study and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow two accessory structures in a front yard, where only one is permitted and to allow a 40-foot front yard setback where a minimum of 50 feet is required on 1.06 acres at 1940 South Tomsik Street.

B) Applicant's Justification

A Variance for the second detached accessory building on the front yard is desired to provide an exercise room plus a second three car garage. A Variance for the front yard setback is desired to provide a safe turnaround in the garage area.

BACKGROUND INFORMATION

A) Previous Actions

03/19/86 The City Council approved a petition to Annex (A-0009-85) 1,509 acres of land, which includes subject parcel. The annexation became effective on 03/31/86.

11/23/98 The City Council approved a request to amend a portion of the Southwest Sector of the General Plan on properties bounded by Holmby Channel, Via Olivero Avenue, Rainbow Boulevard, and Durango Drive, from: R (Rural Density Residential) to: DR (Desert Rural Density Residential) (GPA-0027-98). The Planning Commission and staff recommended approval.

01/22/03 The City Council approved a request for a Variance to allow an eight foot tall fence along the front property line where a four foot tall fence is the maximum height allowed; and to allow an eight foot tall solid block wall within the front yard area where the maximum wall height is four foot tall adjacent to the east side of Tomsik Street, between Oakey Boulevard and El Parque Avenue (VAR-1223). The Planning Commission recommended approval. Staff recommended denial.

B) Pre-Application Meeting

08/26/04 Elements of a Variance application were discussed.

C) Neighborhood Meetings

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

SRS

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.06

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-1 (Single Family Residential)
South: R-E (Residence Estates)
East: R-E (Residence Estates)
West: R-PD1 (Residential Planned Development 1 Unit Per Acre)

E) General Plan Compliance

The site is designated DR (Desert Rural) on the Southwest Sector Plan of the General Plan. The R-E (Residential Estates) zoning designation is in conformance with the General Plan designation.

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

This property is not associated with any special plan, district, etc.

A) Zoning Code Compliance

A1) Development Standards

SRS

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

Standards	Required	Proposed	Compliance
Min. Lot Size	20,000 SF	46,000 SF	Yes
Min. Lot Width	100 Feet	152 Feet	Yes
Min. Setbacks			
• Front	50 Feet	40 Feet	No
• Side	10 Feet	10 Feet	Yes
• Rear	35 Feet	50 Feet	Yes
Max. Building Height	2 Stories / 35 Feet	1 Story	Yes

The proposal needs a Variance from the front yard setback requirement. The subject deviation is 40 feet where 50 feet is the minimum required.

B) General Analysis and Discussion

The plans depict an approximately 18,000 square foot residence with outdoor courtyards and patios that cover approximately 5,000 square feet. The site is overbuilt; there is adequate room on this lot for a reasonable expansion that meets Code standards. One of the detached accessory structures could simply be incorporated into the main structure, and the entire structure could be moved back on the lot by ten feet.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, "shall not grant a Variance in order to relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.18.070L describes undue hardship:

"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."

There is no evidence of a unique or extraordinary circumstance involved that meets Code standards for granting a variance.

NOTICES MAILED 102

APPROVALS 0

PROTESTS 0

SRS



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5211 APN: 163-04-304-007

Name of Property Owner: John & Barbara Gaughan

Name of Applicant: William Richardson

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:

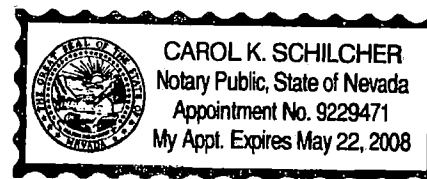
STATE OF NEVADA
COUNTY OF CLARK

Print Name: William J Richardson

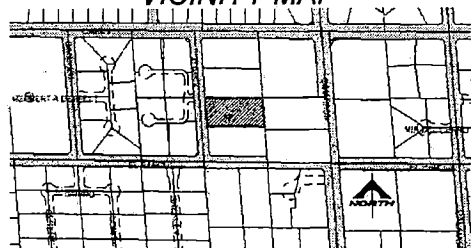
Subscribed and sworn before me

This 2nd day of Sept, 2004

Coral K. Schlicher
Notary Public in and for said County and State



VICINITY MAP



MR/MRS. J. GAUGHAN RESIDENCE

1940 S. TOMSIK STREET, LOT 3, LAS VEGAS, NV 89117

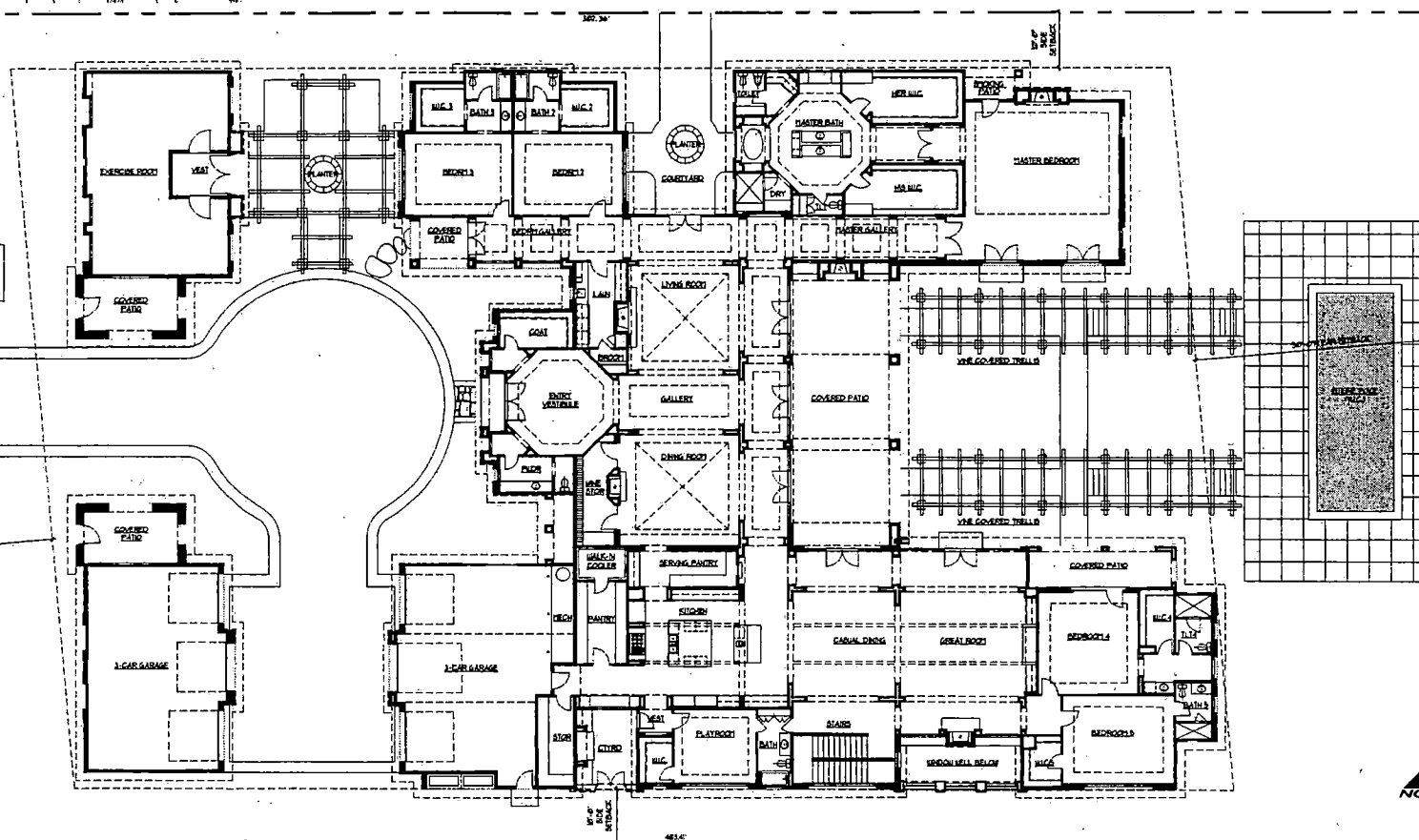
1940 S. TOMSIK STREET
LAS VEGAS, NV 89117
APN: 163-04-304-006
RESIDENTIAL ESTATES DISTRICT (R-E)

J. GAUGHAN JR.
LAS VEGAS, NV 89117
APN: 163-04-304-005
RESIDENTIAL ESTATES DISTRICT (R-E)

1940 S. TOMSIK STREET
LAS VEGAS, NV 89117
APN: 163-04-304-007
RESIDENTIAL ESTATES DISTRICT (R-E)

TOMSIK STREET

48'-0" FRONT SETBACK



1940 S. TOMSIK STREET
LAS VEGAS, NV 89117
APN: 163-04-304-006
RESIDENTIAL ESTATES DISTRICT (R-E)

ARCHITECTURAL SITE PLAN

J. GAUGHAN RESIDENCE
1940 S. TOMSIK STREET
LAS VEGAS, NV 89117

REVISIONS

DATE:
SEPTEMBER 23, 2004

SHEET No:

A1.1

OF SHOTS

ARCHITECTURAL SITE PLAN

RECEIVED

VAR-5211
11-04-04 PC

SEP 23 2004



VAR-5211 - APPLICANT: RICHARD MORENO - OWNER: JOHN DAVIS GAUGHAN AND BARBARA
ANGELA GAUGHAN
1940 SOUTH TOMSIK STREET
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5216 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: OSTEOPATHIC MEDICAL ASSOCIATES OF NEVADA - Request for a Variance TO ALLOW A MONUMENT SIGN TO BE SET BACK SIX INCHES FROM THE FRONT PROPERTY LINE WHERE A FIVE-FOOT SETBACK IS REQUIRED on 0.69 acres adjacent to the northwest corner of Sahara Avenue and Mohawk Street (APN 163-01-810-004), P-R (Professional Office and Parking) Zone, Ward 1 (Moncrief).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – Motion to HOLD IN ABEYANCE – UNANIMOUS

To be Held In Abeyance to 12/02/2004 Planning Commission Meeting

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, stated there are no extraordinary circumstances or hardships regarding this application that would justify granting a Variance from the setback standard for signage. The applicant's hardship is self-imposed due to removal of a sign that was non-conforming. Now, the replacement sign being proposed must be in conformance.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 58– VAR-5216

MINUTES – Continued:

BRIAN COVEY, Young Electric Sign Company, 5119 South Cameron Street, appeared on behalf of the applicant. He explained that there is an easement on the site that affects the setback. If the sign were to be constructed behind the easement with the recommended setback, the sign would sit on the sidewalk. The applicant is requesting permission to set the sign closer to the easement line.

COMMISSIONER McSWAIN asked why the sign was being placed at this location now when the building has existed for sometime and has nice, established landscaping. MR. COVEY replied that the new location would be a better position to direct traffic to a more advantageous ingress on the property. COMMISSIONER McSWAIN confirmed with staff that the sign specifications and dimensions are in conformance with Code, the problem is the proposed location based on the setbacks.

CHAIRMAN TRUESDELL asked MR. COVEY if the applicant was in agreement with the “if approved” conditions. MR. COVEY did not know what the conditions were. Staff provided a copy to him and he concurred.

COMMISSIONER STEINMAN stated that if the sign were allowed at the proposed location, it would block the east view of drivers exiting the property and that he would not support the item. Sahara Avenue experiences a lot of high-speed traffic in that area and placing the sign there would be dangerous. He felt the sign would be more appropriate at the east of the property where there was enough room in the front to accommodate the required setback. MR. COVEY replied that the sign would be significantly setback from the street. COMMISSIONER STEINMAN said his concern was the sight line of the drivers sitting in their vehicles.

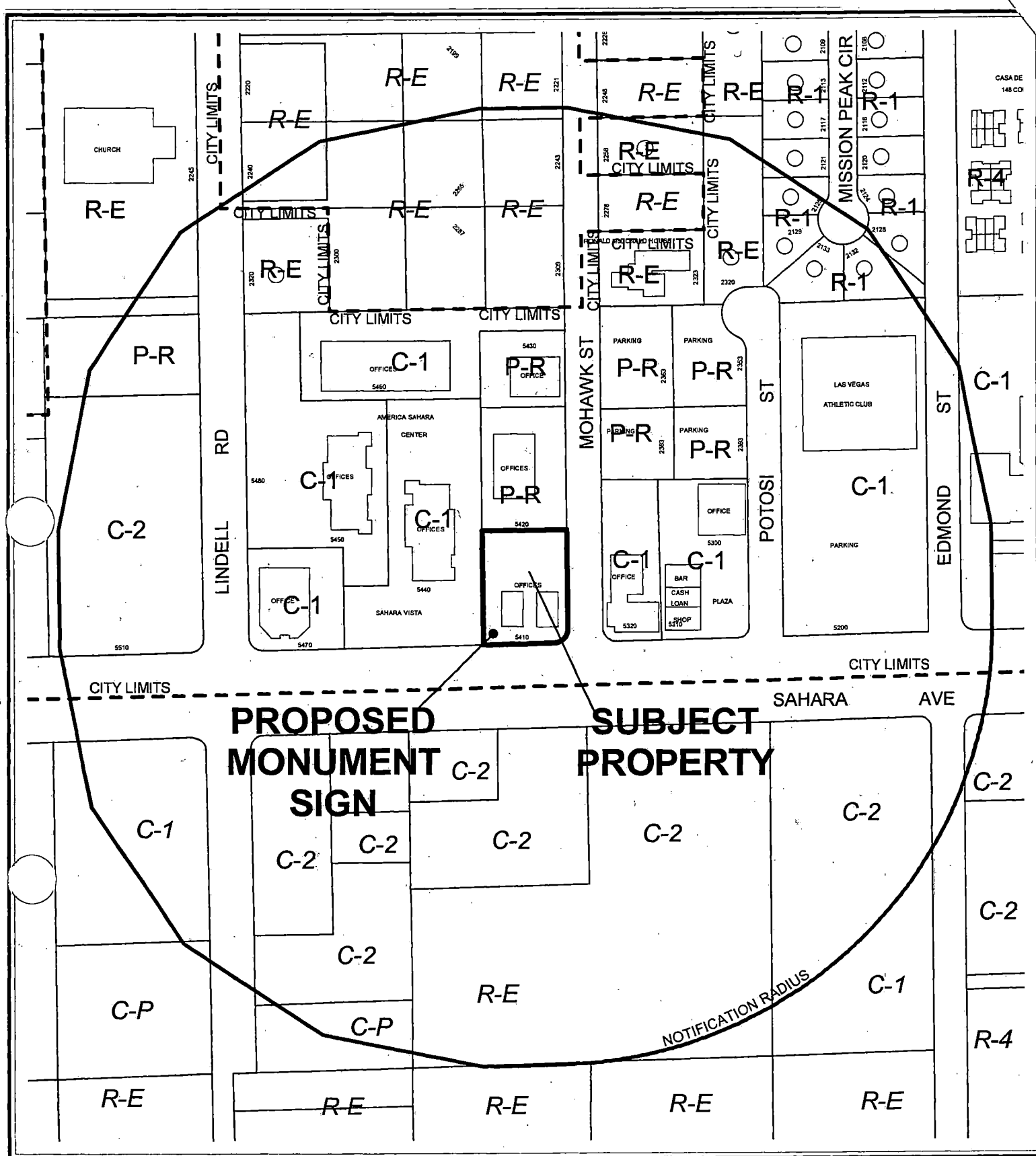
COMMISSIONER EVANS asked if staff concurred with COMMISSIONER STEINMAN’S assessment of the sight line and public safety. MR. WALTON indicated the applicant is requesting five feet because that would give the sight easement visibility that is required. If the sign were located further up the street where there is sufficient room behind the setback, there would not be an issue. Staff recommended denial because there is space on the lot where the sign could be installed and it would be in compliance.

CHAIRMAN TRUESDELL asked MR. COVEY if the applicant would consider moving the sign to the eastern portion of the property where it would be in compliance. MR. COVEY said he would have to ask and he requested the Commission hold the item in abeyance. Staff asked for a 30-day abeyance.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:00-10:07)

3-1799



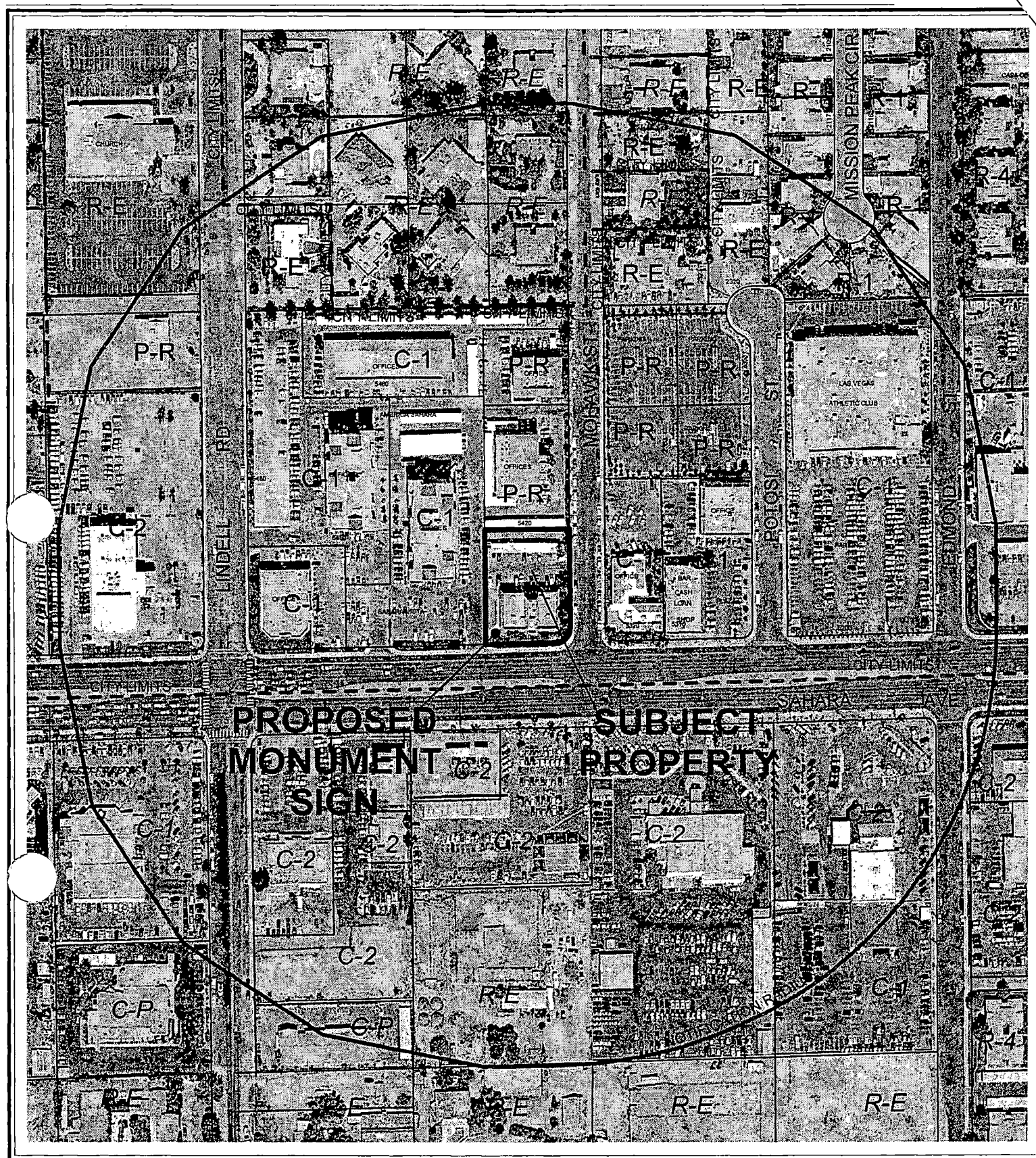
CASE: **VAR-5216**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

0 200 400 Feet





CASE: **VAR-5216**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5216 - APPLICANT/OWNER: OSTEOPATHIC MEDICAL ASSOCIATES OF NEVADA

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If Approved, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Variance V-0037-91, and Variance VAR-5216.
2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

Public Works

3. The proposed monument sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a monument sign to be located within the required 5-foot setback on 0.69 acres adjacent to the northwest corner of Sahara Avenue and Mohawk Street.

B) Applicant's Justification

A Variance is requested to allow for a sign with a zero foot setback from the State Right-of- Way that exists along the landscaped area of the property.

BACKGROUND INFORMATION

A) Previous Actions

06/03/87 The City Council approved a petition to Annex 1.12 acres of land, which includes the subject parcel (A-0012-86). Effective date: 03/13/87.

04/25/91 The City Council approved a request for a Variance on this site to allow three wall-mounted signs with a total area of 142 square feet to a height of 28 feet where only one 15 square foot sign with a maximum height of six feet is allowed (V-0037-91). Planning Commission and staff recommended denial.

B) Pre-Application Meeting

08/21/04 Elements of a Variance application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.69

B) Existing Land Use

Subject Property: Office Building
North: Office Building
South: Car Dealership
East: Office Building
West: Car Dealership

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
South: C-2 (General Commercial) Clark County designation
East: SC (Service Commercial)
West: SC (Service Commercial)

D) Existing Zoning

Subject Property: P-R (Professional Office and Parking)
North: P-R (Professional Office and Parking)
South: C-2 (General Commercial) Clark County designation
East: C-1 (Limited Commercial)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject property is designated SC (Service Commercial) designated on the Southeast Sector Plan of the General Plan. The P-R (Professional Office and Parking) zoning designation is not in conformance with the General Plan designation.

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

This property is not associated with any special plan, district, etc.

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	N/A	46,000 SF	Yes
Min. Lot Width	60 Feet	125 Feet	Yes
Min. Setbacks			
• Front	20 Feet	22 Feet	Yes
• Side	5 Feet	19 Feet	Yes
• Rear	15 Feet	142 Feet	Yes
Max. Building Height	2 Stories / 35 Feet	1 Story	Yes

The proposal meets Development Standards.

B) General Analysis and Discussion

There is no inherent, practical difficulty with the size, shape, extraordinary or exceptional conditions of this lot that warrants a Variance.

To avoid a self-imposed-hardship-based Variance request, applicant could leave the existing monument sign standing, an/or rely on existing wall signs. Denial of this Variance request is recommended.

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 relieve a hardship which is solely personal, self-created or financial in nature.”

Additionally, Title 19.18.070L describes “undue hardship”:

“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.

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by removing an existing non-conforming sign. A new sign is not required or necessary.

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

VAR-5216 - Staff Report Page Four
November 4, 2004 Planning Commission Meeting

NOTICES MAILED 44

APPROVALS 0

PROTESTS 0

SRS

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5216 APN: 163-01-810-004

Name of Property Owner: Osteopathic Medical Associates

Name of Applicant: Osteopathic Medical Associates

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

Yes

No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: William H. Smith

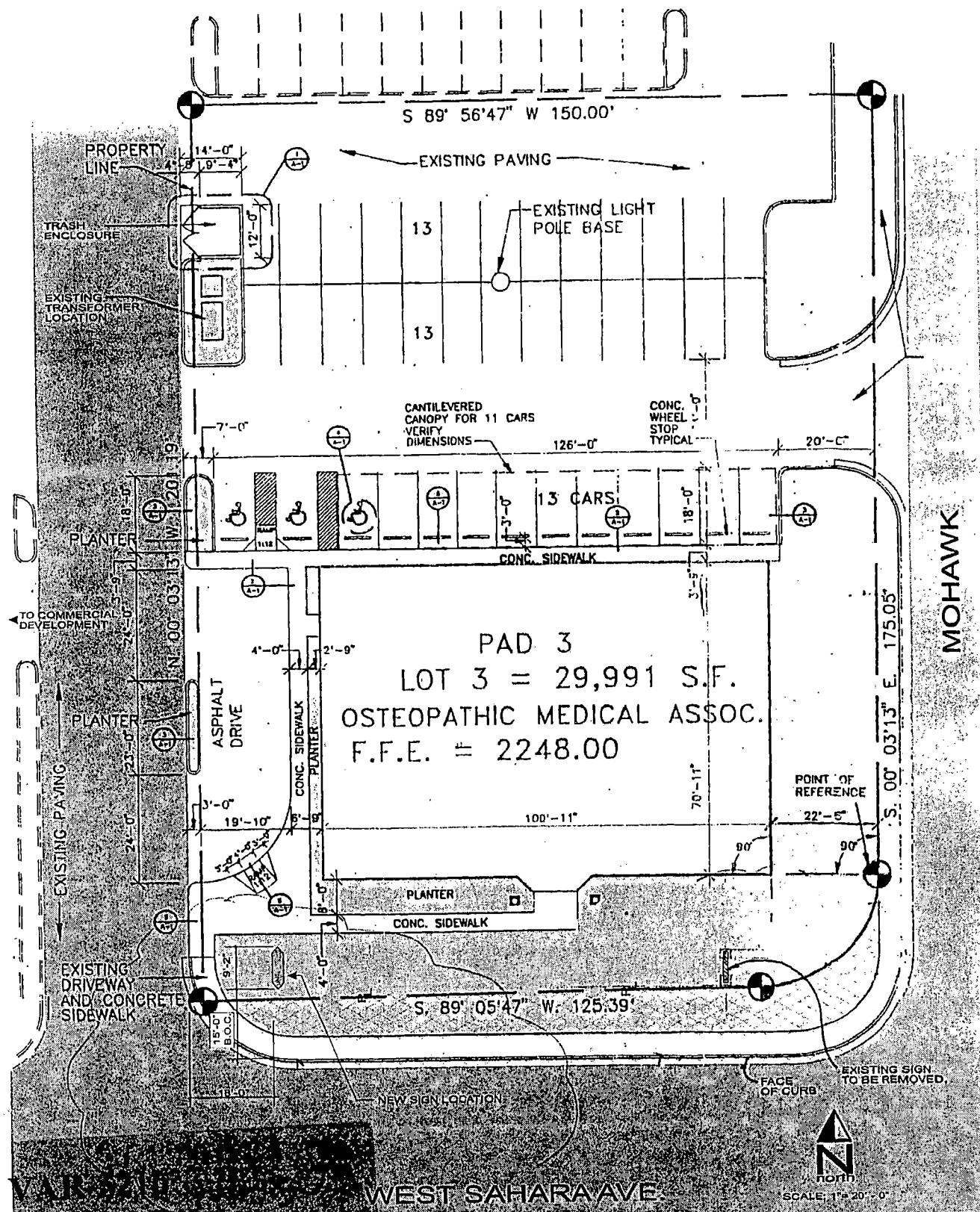
Print Name: PETER LUCA / DU

Subscribed and sworn before me

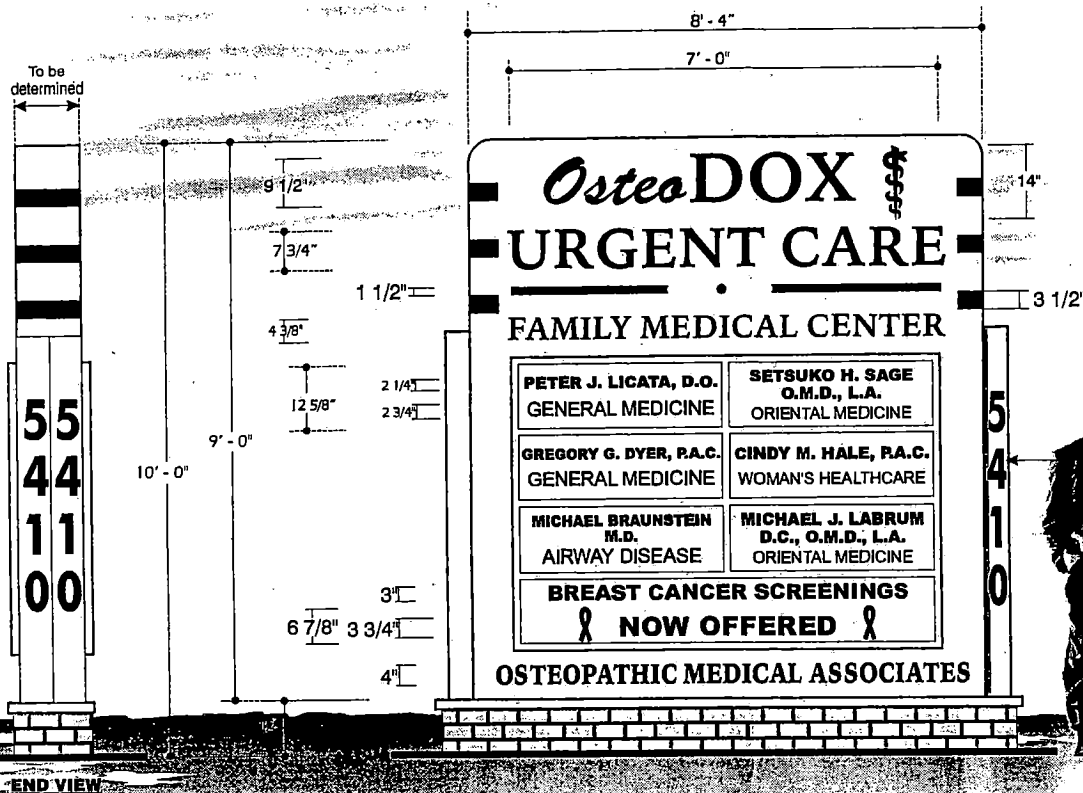
This 25 day of August, 20 04

Notary Public in and for said County and State





VAR-3210
11-04-04 PC



D/F MONUMENT SIGN
Scale: 1/2" = 1' - 0"

75 Sq. Ft.

SCOPE OF WORK:

MFG. & INSTALL: ONE D/F INTERNALLY ILLUMINATED MONUMENT SIGN.
CABINET: ALUM. AND TRIM PAINTED TO MATCH EXISTING SIGN (TEX-COTE). 1 1/2" & 3 1/2" STRIPES & 1 1/2" DOT PAINTED PPG 74006 BURGUNDY.
4 3/8" to 9 1/2" LETTERS AND 14" CADUCEUS: ROUTED OUT AND BACKED W/ WHITE ACRYLIC
W/ 3630-49 BURGUNDY VINYL.
FONT: BrushScrDEE and IOWAN OLD STYLE BT (BOLD)
ILLUMINATION: HO FLUORESCENT LAMPS.

TENANT PANELS: RETAINERS PAINTED TO MATCH CABINET.
FACES: WHITE LEXAN
COPY: #3630-22 BLACK VINYL AND #3630-241 MAGENTA VINYL.
ILLUMINATION: HO FLUORESCENT LAMPS.

ADDRESS ROUTED OUT BACKED WITH WHITE ACRYLIC W/ 3630-49 BURGUNDY VINYL OVERLAY
FONT: SWISS 721 BLK BT (NORMAL)
ILLUMINATION: HO FLUORESCENT LAMPS.

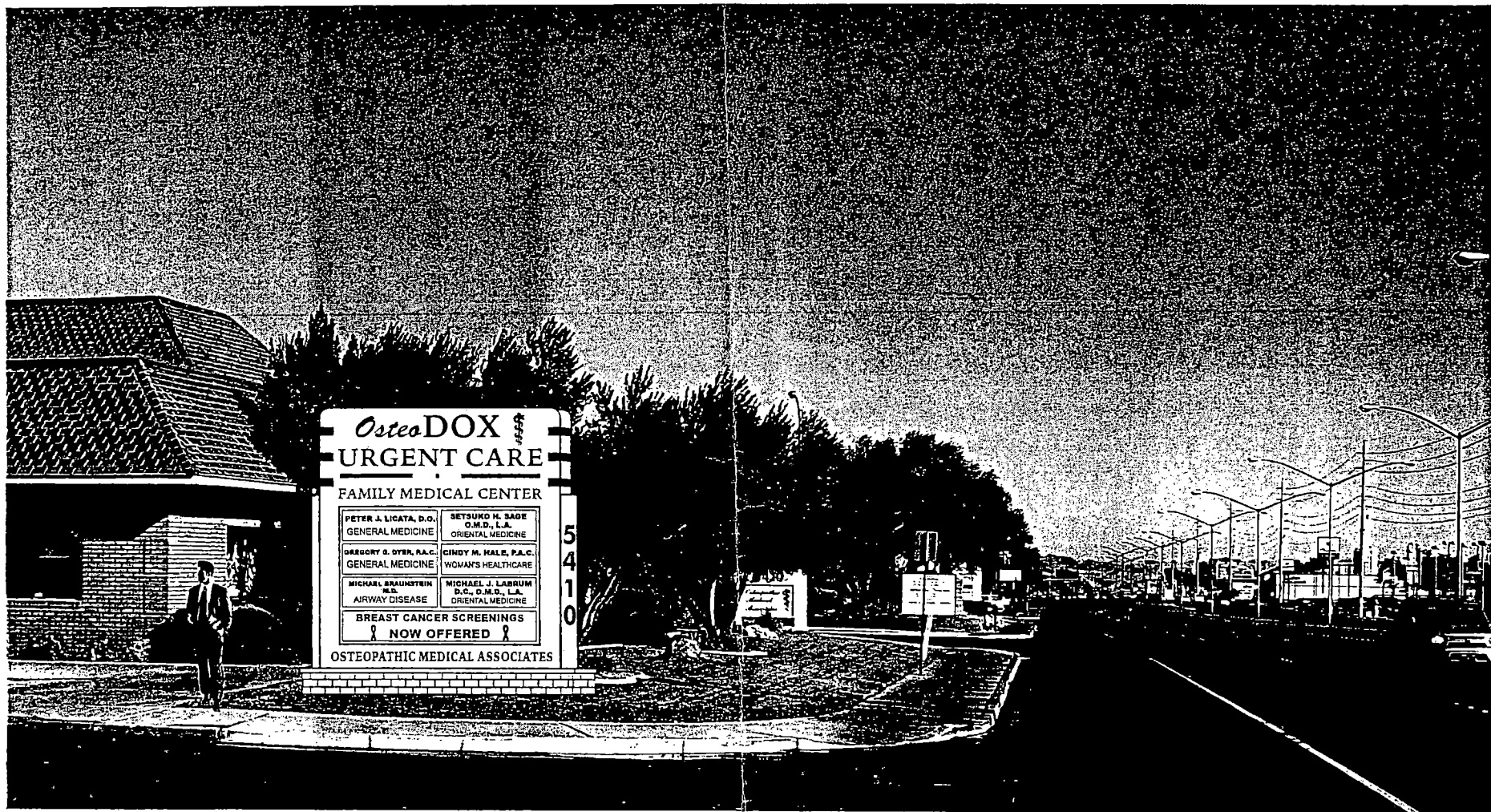
4" "OSTEOPATHIC MEDICAL ASSOCIATES" LETTERS
PAINTED PPG 74006 BURGUNDY.
FONT: IOWAN OLDSTYLE BLK BT (NORMAL) COND. 75%.

FAUX BRICK AT BASE TO MATCH BUILDING BRICK.

OVERHEAD VIEW
N.T.S.

COPYRIGHT © 2004 BY LOS VEGAS DIVISION		14471AL.DWG	R4
SHEET 1 OF 1		L5701C	
PROJECT: OSTEOPATHIC MEDICAL ASSOCIATES		SAP WEST VALLEY	
DESIGNED BY: R. B. BAKER		LAS VEGAS, NEVADA	
CHECKED BY: R. B. BAKER		DATE: 11-04-04	
APPROVED BY: R. B. BAKER		DATE: 11-04-04	
PROJECT: OSTEOPATHIC MEDICAL ASSOCIATES		SAP WEST VALLEY	
DESIGNED BY: R. B. BAKER		LAS VEGAS, NEVADA	
CHECKED BY: R. B. BAKER		DATE: 11-04-04	
APPROVED BY: R. B. BAKER		DATE: 11-04-04	
PROJECT: OSTEOPATHIC MEDICAL ASSOCIATES		SAP WEST VALLEY	
DESIGNED BY: R. B. BAKER		LAS VEGAS, NEVADA	
CHECKED BY: R. B. BAKER		DATE: 11-04-04	
APPROVED BY: R. B. BAKER		DATE: 11-04-04	
PROJECT: OSTEOPATHIC MEDICAL ASSOCIATES		SAP WEST VALLEY	
DESIGNED BY: R. B. BAKER		LAS VEGAS, NEVADA	
CHECKED BY: R. B. BAKER		DATE: 11-04-04	
APPROVED BY: R. B. BAKER		DATE: 11-04-04	

VAR-5216
11-04-04 PC



Scale: NTS

REV 2 - M. Pacheco - 6/1/04: Change Sign.

REV 3 - JANET ADAMS - 6/21/04 - ADDED CADUCEUS AND 4" COPY. LOWERED BRICK BASE. REV #1 - D. SPRIX - 03/16/04: PLACING OPTION#2 INTO PHOTO

COPYRIGHT ©2004 YOUNG ELECTRIC SIGN CO.
LAS VEGAS, NEVADA
SALT LAKE CITY, UTAH



LAS VEGAS DIVISION
YOUNG ELECTRIC SIGN COMPANY
3119 So. Cameron St., Las Vegas, NV 89118 (702) 876-8980

THIS DRAWING WAS CREATED TO ASSIST YOU IN VISUALIZING OUR PROPOSAL. THE ORIGINAL IDEAS BELONG TO YOU. IF YOU HAVE ANY QUESTIONS OR NEED TO MAKE ANY CHANGES, PLEASE CONTACT YOUR SALES REPRESENTATIVE OR CALL THE NEAREST OFFICE OF YOUNG ELECTRIC SIGN COMPANY.

NEVADA CONTRACTOR
LICENSE NO. 780

APPROVED BY

DATE

REVISIONS

SCALE

DATE

DESIGNER

FIRM NAME / LOCATION ADDRESS

14471A1.2 R3

FILE DESIGN NUMBER

SHEET 2 OF 2

14471A1.2

W.D. NUMBER

SALESPERSON M. ZANNIS

NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

VAR-5216
11-04-04 PC



VAR-5216 - APPLICANT/OWNER: OSTEOPATHIC MEDICAL ASSOCIATES OF NEVADA
NORTHWEST CORNER OF SAHARA AVENUE AND MOHAWK STREET
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5227 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: COKE AND MAGGIE L.L.C. - Request for a Variance TO ALLOW A 25-FOOT FRONT YARD SETBACK WHERE 30 FEET IS REQUIRED AND TO ALLOW A 25-FOOT REAR YARD SETBACK WHERE 35 FEET IS REQUIRED on 10.25 acres adjacent to the northeast corner of Maggie Avenue and Coke Street (APN 125-09-501-003), U (Undeveloped) Zone [RE (Rural Estates) General Plan Designation], Ward 6 (Mack).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to TABLE Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to WITHDRAW WITHOUT PREJUDICE Item 61 [VAR-5298] – UNANIMOUS with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 59 – VAR-5227

MOTION – Continued:

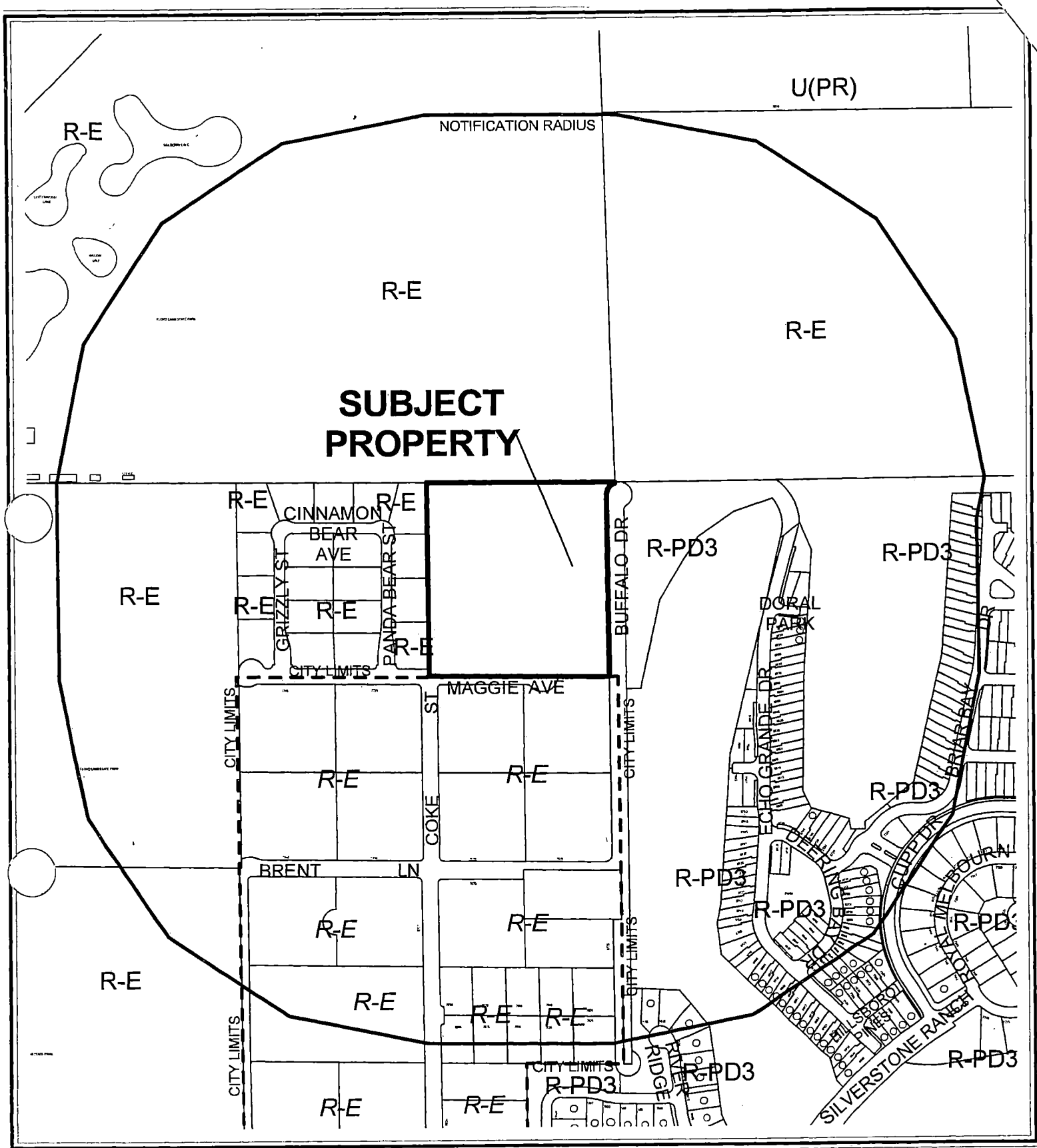
NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

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

(6:07 – 6:12)

1-115



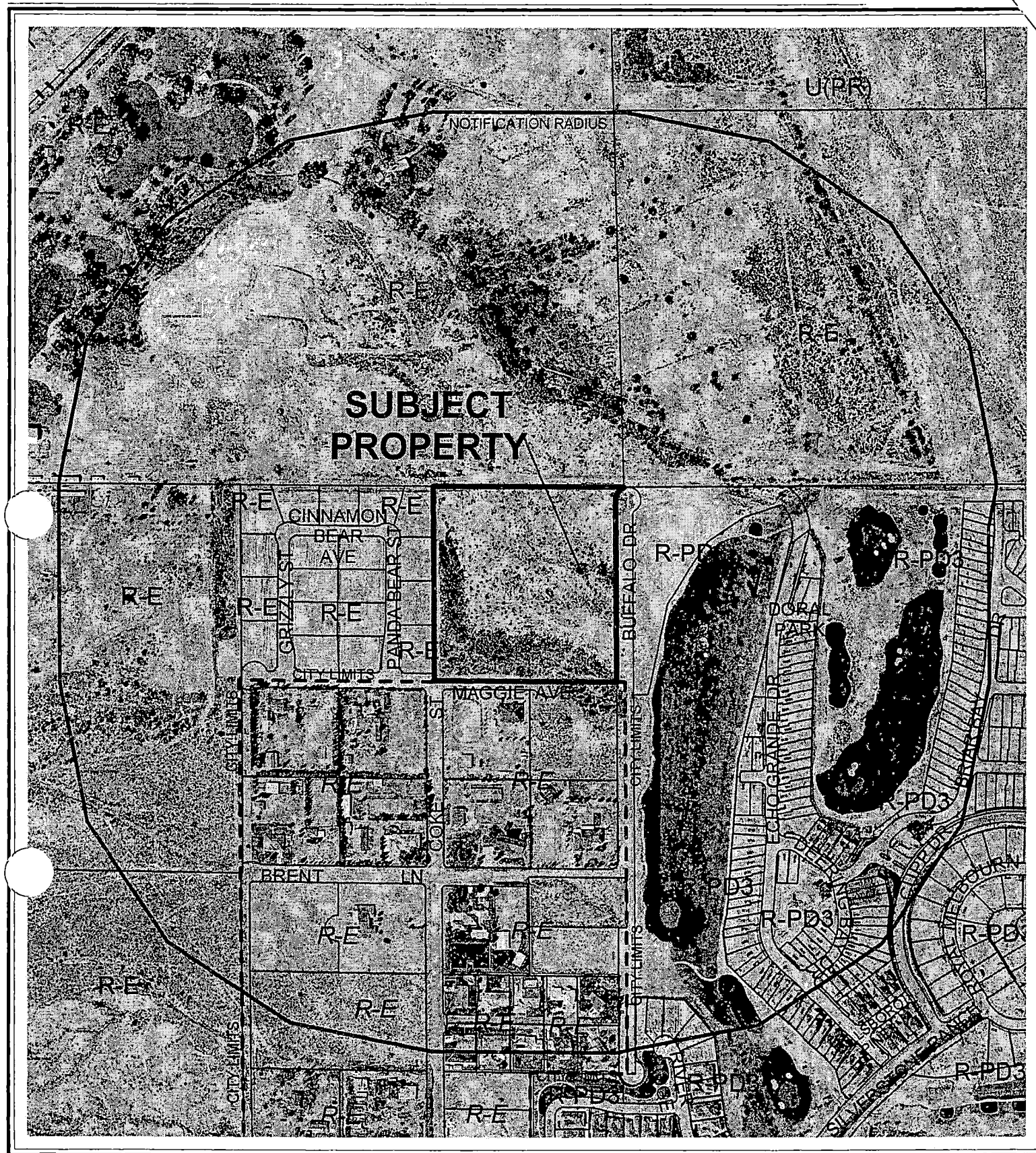
CASE: VAR-5227

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [RE (RURAL ESTATES) GENERAL PLAN DESIGNATION]





CASE: VAR-5227

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [RE (RURAL ESTATES) GENERAL PLAN DESIGNATION]



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5227 - APPLICANT/OWNER: COKE AND MAGGIE L.L.C.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to the Conditions of Approval for Special Use Permit SUP-4558.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a 25-foot front yard setback where 30 feet is required and to allow a 25-foot rear yard setback where 35 feet is required on 10.25 acres adjacent to the northeast corner of Maggie Avenue and Coke Street.

B) Applicant's Justification

The applicant states that this is the second phase of a project where a similar variance was approved. The justification for that variance was that the proposed home models would not fit on the lots, since they are wider than they are deep. (VAR-3902.)

BACKGROUND INFORMATION

A) Previous Actions

- 05/05/04 The City Council approved a petition for Annexation (ANX-3871) of 10.75 acres, most of which encompasses the subject property.
- 02/27/03 The Planning Commission approved a Tentative Map for a 19-lot single-family residential subdivision, adjacent to the subject site (TMP-1179.) Staff recommended approval.
- 06/16/04 The City Council approved a request for a Variance to allow 25 foot front setbacks where 30 feet is the minimum setback required and to allow 25 foot rear setbacks where 35 feet is the minimum setback required on 9.46 acres on the northwest corner of Maggie Avenue and Coke Street adjacent to the subject property (VAR-3902). The Planning Commission and staff recommended denial.
- 08/04/04 The City Council approved a request for a Special Use Permit for private streets in conjunction with a proposed single-family residential development adjacent to the northeast corner of Coke Street and Maggie Avenue (SUP-4558).

B) Pre-Application Meeting

- 08/25/04 Elements of a Variance application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.25

B) Existing Land Use

Subject Property: Undeveloped
North: Floyd Lamb State Park
South: Single Family Dwellings
East: Undeveloped
West: Single Family Dwellings

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

This site is designated DR (Desert Rural Residential) on the Centennial Hills Interlocal Land Use Plan Map of the General Plan. The existing R-E (Residence Estates) Zoning designation is one of the two zoning districts consistent with the DR residential category of the General Plan and therefore is in conformance with the General Plan.

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

SRS

VAR-5227 - Staff Report Page Three
November 4, 2004 Planning Commission Meeting

This property is not associated with any special plan, district, etc.

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards (for R-E Residence Estates) apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	20,000 SF	447,871 SF	Yes
Min. Lot Width	100 Feet	N/I	
Min. Setbacks			
• Front	30 Feet	25 Feet	No
• Side	10 Feet	N/I	
• Corner	15 Feet	N/I	
• Rear	35 Feet	25 Feet	No

B) General Analysis and Discussion

The subject property is a 19-lot residential development zoned R-E (Rural Estates). The site plan ("Coke and Maggie East") shows this development appearing similar to the approved adjacent development to the West ("Coke and Maggie West").

However, the Variance approved for Coke and Maggie West is not the same Variance as described in the above justification. That Variance was granted for that property only, based on the specific circumstances affecting that property. The City's granting of one Variance to an applicant does not confer entitlement to a separate Variance on another property.

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 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

VAR-5227 - Staff Report Page Four
November 4, 2004 Planning Commission Meeting

the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship.

Lot widths at this project have been increased while the lot sizes have not. The depths of the lots are limited and do not accommodate the floor plans the applicant would like to offer in this development. Alternative home models would easily allow conformance to the Title 19 requirements.

In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and does measure up to the laws of the State of Nevada; NRS Chapter 278 [Granting of Variances.]

NOTICES MAILED 46

APPROVALS 0

PROTESTS 0

PLANNING &
DEVELOPMENTDEVELOPMENT
SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5227 APN: 125-09-501-003Name of Property Owner: Coke Maggie LLCName of Applicant: Coke Maggie LLC

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

 Yes X No

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

City Official: _____

Partner(s): _____

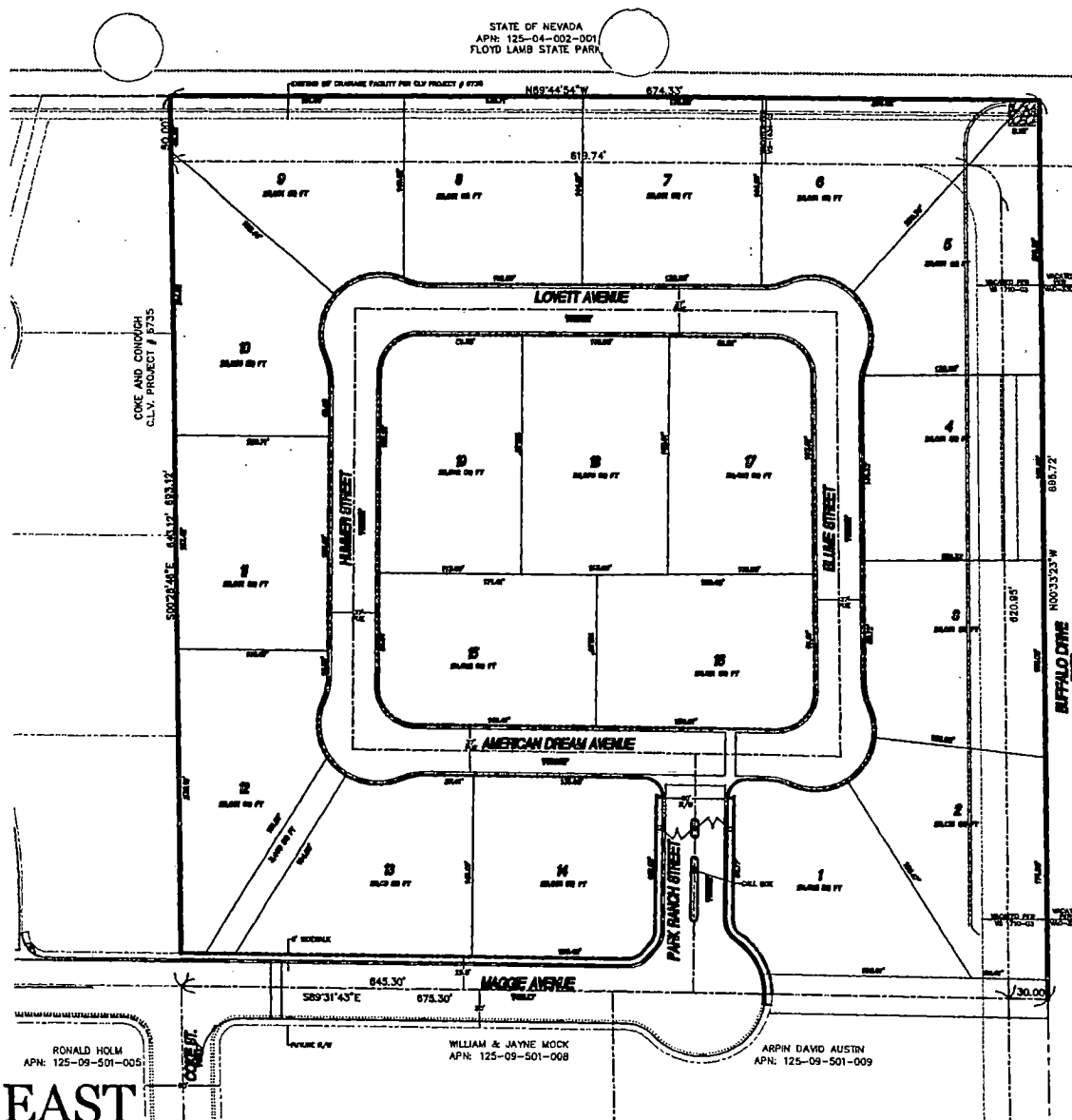
APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Linda K. John

Subscribed and sworn before me

This 9th day of September, 2004Linda K. John
Notary Public in and for said County and State



RECEIVED
SEP 09 2004



VAR-5227 - APPLICANT/OWNER: COKE AND MAGGIE L.L.C.
NORTHEAST CORNER OF MAGGIE AVENUE AND COKE STREET
NOVEMBER 4, 2004 PLANNING COMMISSION.

10/15/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5281 - VARIANCE - PUBLIC HEARING - APPLICANT: WELLES PUGSLEY ARCHITECTS, LLP - OWNER: DAVID A. CARTER AND CAROL FREW - Request for a Variance TO ALLOW A TWO-FOOT NINE INCH SIDE YARD SETBACK WHERE FIVE FEET IS THE MINIMUM REQUIRED FOR A PROPOSED ADDITION TO AN EXISTING DWELLING on 0.26 acres at 2812 Mason Avenue (APN 162-05-514-007), R-1 (Single Family Residential) Zone, Ward 1 (Moncrief).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Meeting – Two Letters of Support from Adjacent Property Owners

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, stated the proposed addition to the home substantially encroaches on the side yard setback and violates the 3-foot setback required by the Building and Safety Department. The hardship is self-imposed because the design could be modified to eliminate any need for a Variance.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 60 – VAR-5281

MINUTES – Continued:

WADE SIMPSON, Welles Pugsley Architects, 2480 East Tompkins Avenue, Suite 222, appeared on behalf of the applicant. MR. SIMPSON showed a floor plan of the home and explained it was originally built in the 1950's. The current owners purchased the home in 1991 and are now looking into renovations for the entire home. The renovations include a new roof, a new entryway, new drives and landscaping in the front and room additions. The portion that the application pertains to is a small piece of the renovation. The addition in question would be used for storage. MR. SIMPSON disagreed that the hardship is self-imposed because the storage is proposed in a location where it is needed, near the bedrooms.

MR. SIMPSON pointed out that all Building Codes would be met and the applicant understands there can be no openings in the addition and the walls would have to be fire rated. There will not be a problem with health, safety and welfare. The neighbors to the west and east have written approval letters and MR. SIMPSON presented copies of those letters to the City Clerk. MR. SIMPSON concluded by saying there is some existing landscaping that will shield the proposed addition from the view from the street.

COMMISSIONER McSWAIN asked for clarification of the floor plan because the area adjacent to the proposed storage closet labeled as an office and in the presentation information it was indicated that the storage was slated for an area outside the bedrooms. MR. SIMPSON responded that the entrance to the closet would be through the bathroom outside the office area.

The owner, CAROL CARTER, clarified that the office COMMISSIONER McSWAIN is referencing is currently an office and it will become the bedroom as part of the renovation process. There will be a new office built onto the home as an addition.

COMMISSIONER McSWAIN asked staff if there were properties currently being developed with a three-foot side yard setbacks. MR. WALTON replied that it does occur and in those instances, the Building Department imposes restrictions such as fire rating the walls and in some instances, adding sprinkler systems. COMMISSIONER McSWAIN said was happy to see someone renovate a home in an older neighborhood and because the addition did not run along the entire length of the home, she could support the application.

VICE CHAIRMAN NIGRO pointed out that the applicant would have to get a building permit and if the addition was not fire rated properly, the permit would not be issued.

COMMISSIONER EVANS was concerned about the distance between the proposed new addition and the neighbor's home. He was concerned about the safety issues and the potential of fire spreading should one home catch on fire.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 60 – VAR-5281

MINUTES – Continued:

MARGO WHEELER, Deputy Director, Planning and Development Department, explained that a building permit would not be issued for the addition unless all Building and Safety and Fire Code requirements are met. The wall would have to be fire rated and there would not be any openings.

COMMISSIONER EVANS also questioned whether or not the adjacent homeowners' insurance rates would escalate due to the close proximity of this project. He had heard that insurance companies are raising rates in such instances. Neither staff, nor MR. SIMPSON, was able to answer that question with authority.

COMMISSIONER STIENMAN said if the wall were fire rated, the concerns regarding fire spreading because of close proximity would not be an issue. He was concerned that fire could jump from one home to the next due to the dense vegetation between the homes. MRS. CARTER informed him that they have recently spent over \$1,200 removing trees and hedges. COMMISSIONER STEINMAN stated he had driven by the site and there was still a lot of vegetation on the side of the home. MRS. CARTER indicated it was approximately half of what was there previously.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:07-10:15)

3-1265

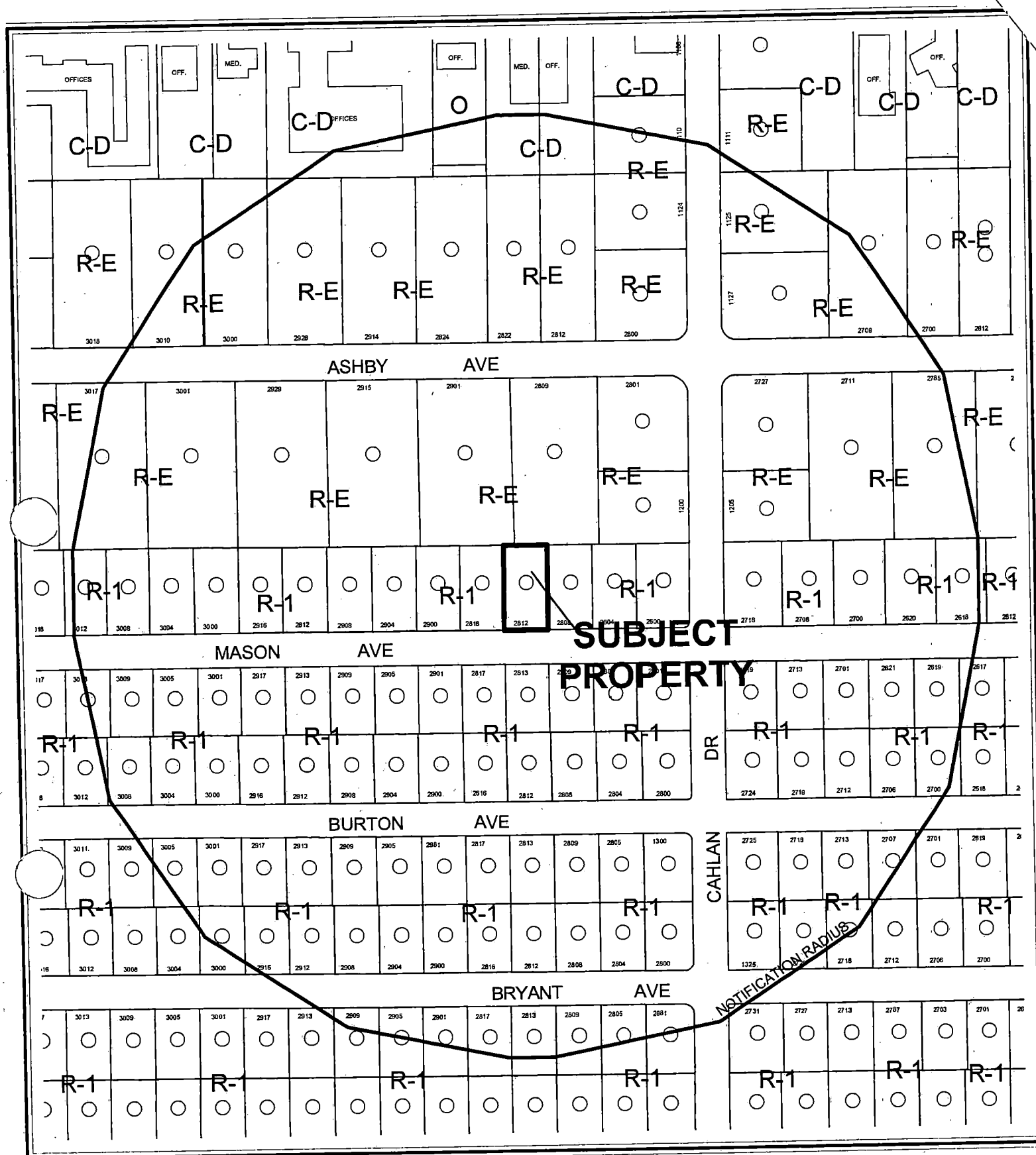
CONDITIONS:

Planning and Development

1. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Development shall be in conformance with the attached site plan date-stamped 09/21/04.

Public Works

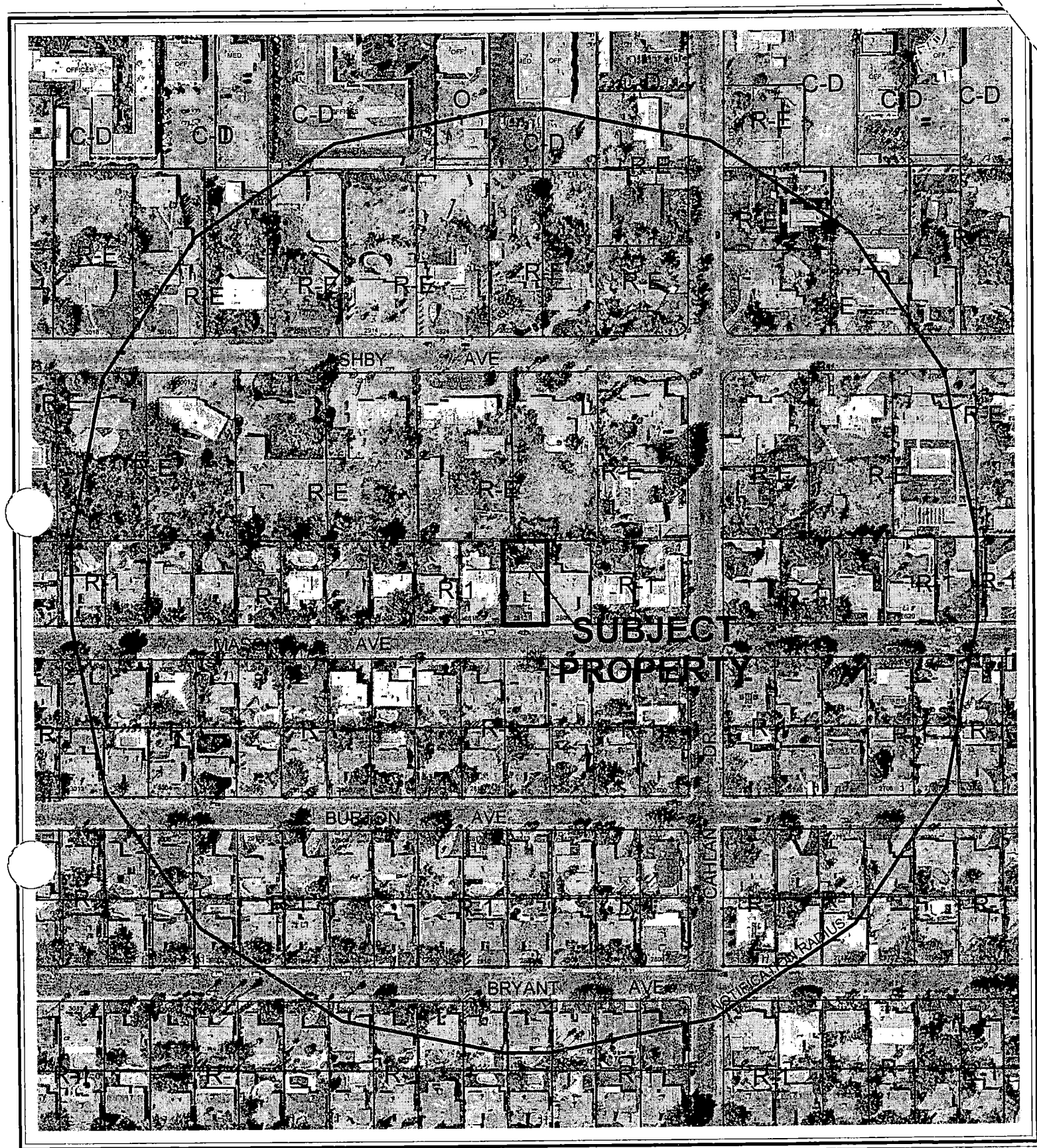
3. Meet with the Flood Control Section of the Department of Public Works to discuss drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first, to ensure that positive drainage is maintained.



CASE: VAR-5281

RADIUS: 750 FT

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



CASE: VAR-5281

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-5281 - APPLICANT: WELLES PUGSLEY ARCHITECTS,
LLP - OWNER: DAVID A. CARTER AND CAROL FREW**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Development shall be in conformance with the attached site plan date-stamped 09/21/04.

Public Works

3. Meet with the Flood Control Section of the Department of Public Works to discuss drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first, to ensure that positive drainage is maintained.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to reduce the minimum side yard setback to two feet nine inches where five feet is required for an addition to an existing dwelling on 0.26 acres at 2812 Mason Avenue

B) Applicant's Justification

This 113 square foot closet addition is part of an overall renovation of this home. The addition of the closet is a necessary component to the overall remodel of the home. The home was originally built with inadequate storage/closet space and the closet will be needed even more with the expansion of the home. The west side of the home is the most logical place for the closet because it is in the bathroom and bedrooms, where storage is need most. The closet will not impact the neighbor to the West because the neighbor uses the East side of their home as a storage location also. The two adjacent neighbors are in favor of this Variance.

BACKGROUND INFORMATION

A) Previous Actions

No previous actions are recorded for this parcel.

B) Pre-Application Meeting

08/30/04 Elements of a Variance application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.26

B) Existing Land Use

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

C) Planned Land Use

Subject Property: (L) Low Density Residential
North: DR (Desert Rural Density Residential)
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: R-E (Residential Estates)
South: R-1 (Single Family Residential)
East: R-1 (Single Family Residential)
West: R-1 (Single Family Residential)

E) General Plan Compliance

This site is designated L (Low Density Residential) on the Southwest Sector of the General Plan. The existing R-1 (Single Family Residential) Zoning designation is consistent with the L residential category of the General Plan.

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

This property is not associated with any special plan, district, etc.

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards (for R-1 Residence Estates) apply to the subject proposal:

SRS

Standards	Required	Provided	Compliance
Min. Lot Size	6,500 SF	11,296SF	Yes
Min. Lot Width	65 Feet	77 Feet	Yes
Min. Setbacks			
• Front	20 Feet	25 Feet	Yes
• Side	5 Feet	2' 9" +/-	No
• Corner	15 Feet	N/A	
• Rear	15 Feet	54 Feet	Yes

B) General Analysis and Discussion

The room addition (for a bedroom-area storage closet) not only substantially encroaches into the sideyard setback area, but also exceeds the three foot separation zone between structure and property line required by the Building and Safety Department.

The dimensions of the subject lot are identical to those within the neighborhood. There are no extenuating circumstances associated with this request to approve a variance from the Code. This Variance request is based solely on the desire to expand a part of the home into an area where there is no room available to expand.

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. Vary any minimum spacing requirement between uses;
2. 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."

VAR-5281 - Staff Report Page Four
November 4, 2004 Planning Commission Meeting

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by making a room addition that encroaches into the sideyard setback area, and building safety area. A better alternative, to avoid a Variance request, would be to re-design the closet so it is in the interior of the home. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 134

APPROVALS 0

PROTESTS 0

SRS



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: WELLES PUGSLEY ARCHITECTS, LLP ATTN: PATRICK CASTELLANO

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?

✓ 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.

APN: _____

Print Name: DAVID CARTER

Notary Public in and for said County and State





WELLES - PUGSLEY ARCHITECTS L.L.P.
2480 n. hampshire avenue, suite 222, las vegas, nevada 89121
ph. 702.435.1550 fax. 702.435.7499 e-mail. wlp@wlparchitect.com

STAMP:

REVISIONS:

PROJECT NAME:
**DAVID AND CAROL CARTER
RESIDENCE ADDITION / REMODEL**
2812 ALCON AVE.
LAS VEGAS, NEVADA 89102

PROJECT NUMBER:
WP-0424

SHEET TITLE:
**EXISTING
SITE PLAN**

DRAWN BY:
RWK

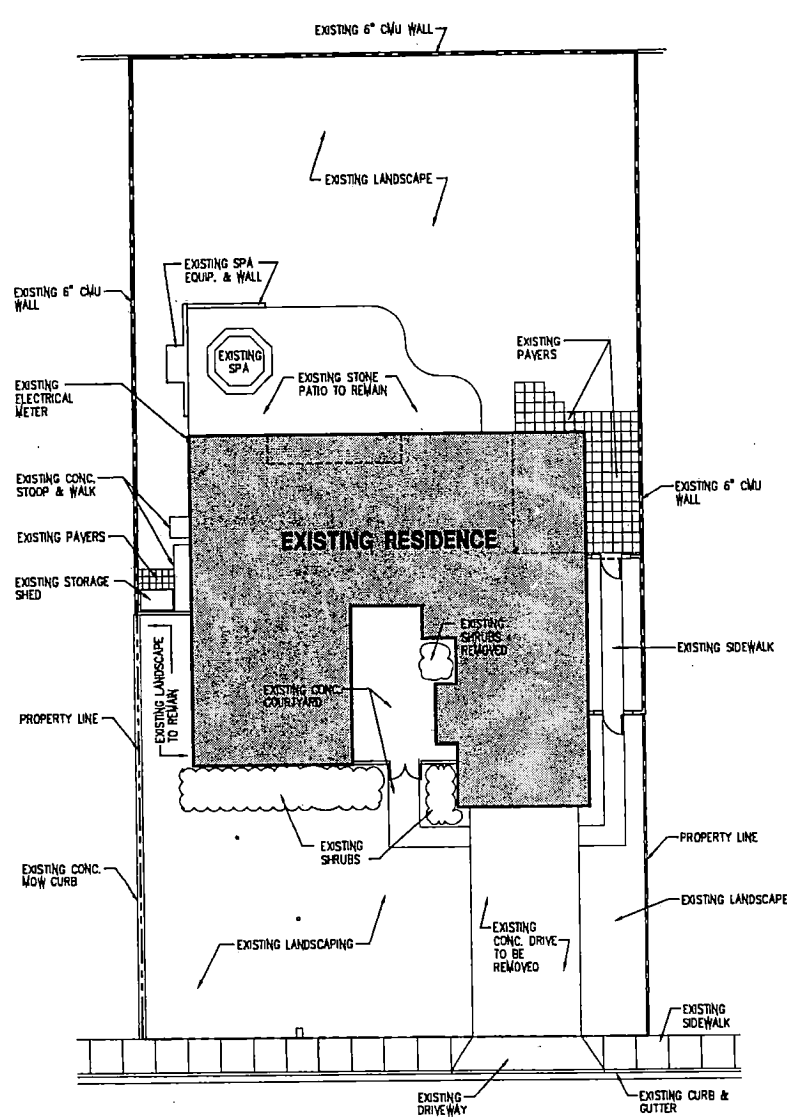
CHECKED BY:
φ

DATE:
09.16.04

SUBMITTAL:
VARIANCE

SHEET NUMBER:

AS-0



NOTE:

1. ALL ITEMS EXISTING UNLESS NOTED OTHER WISE.

MASON AVE.

**VAR-5281
11-04-04 PC**

SITE PLAN
SCALE: 1" = 10'-0"



PROJECT SUMMARY

APN: 162-05-514-007
 PARCEL AREA: 11,296.8 S.F. = .26 ACRES
 CURRENT ZONING: SINGLE FAMILY RESIDENTIAL (R-1)

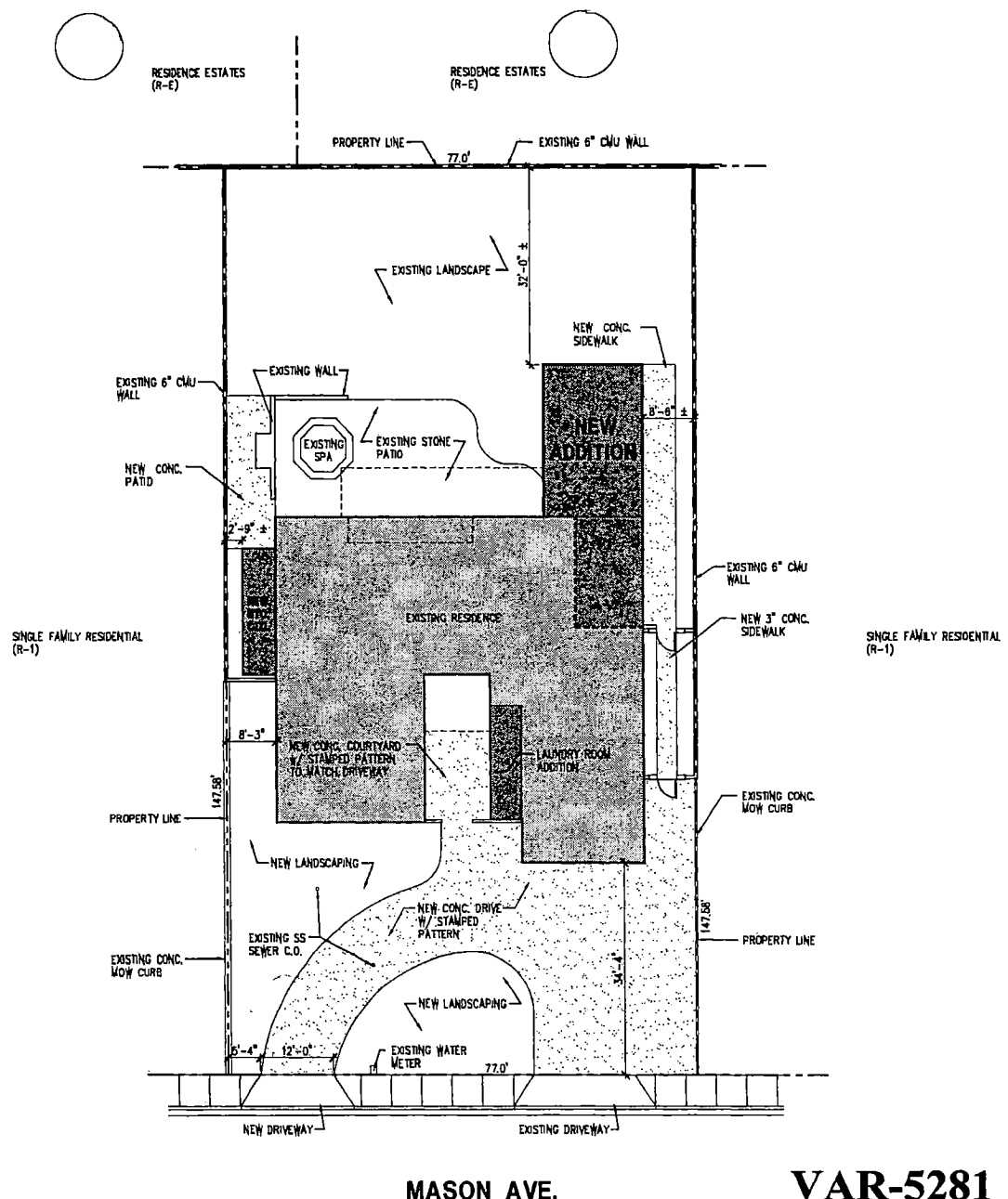
EXISTING LIVING AREA SQUARE FOOTAGE: 2,072 ±1.
 ADDITION/REMODEL SQUARE FOOTAGE: 772 ±1.
 TOTAL S.F. OF EXISTING HOME & ADDITIONS: 2,844 ±1.

SITE COVERAGE: 772 S.F. / 11,296.8 S.F. = 6.83% (NEW ONLY)
 SITE COVERAGE: 2,844 S.F. / 11,296.8 S.F. = 25.2% (EXISTING & NEW)

PROJECT VICINITY

VICINITY MAP
NO SCALE

NORTH



WELLES PUGSLEY ARCHITECTS L.L.P.
 2480 S. HAMPDEN AVENUE, SUITE 202, LAS VEGAS, NEVADA 89121
 P: 702.635.1950 F: 702.635.7499 E: info@wellespugsleyarchitect.com
 © 2004

STAMP:

REVISIONS:

PROJECT NAME:

DAVID AND CAROL CARTER

RESIDENCE ADDITION / REMODEL

2872 MASON AVE
LAS VEGAS, NEVADA 89102

PROJECT NUMBER:

WP-0424

SHEET TITLE:

SITE PLAN

DRAWN BY:

RMK

CHECKED BY:

dp

DATE:

09.16.04

SUBMITTAL:

VARIANCE

SHEET NUMBER:

AS-1

SITE PLAN
SCALE: 1" = 10'-0"



VAR-5281
11-04-04 PC



WELLES - PUGSLEY ARCHITECTS L.L.P.
2490 e. hampshire avenue, suite 222, las vegas, nevada 89121
ph. 702.635.7150 fax. 702.635.7499 e-mail. wpa@wellespugsley.com
© 2004

STAMP:

NOTE:

1. ALL ITEMS EXISTING UNLESS NOTED OTHER WISE.

REVISIONS:

PROJECT NAME:
**DAVID AND CAROL CARTER
RESIDENCE ADDITION / REMODEL**

7812 ALISON AVE
LAS VEGAS, NEVADA 89102

PROJECT NUMBER:
WP-0424

SHEET TITLE:
**EXISTING
FLOOR PLAN**

DRAWN BY:
RMK

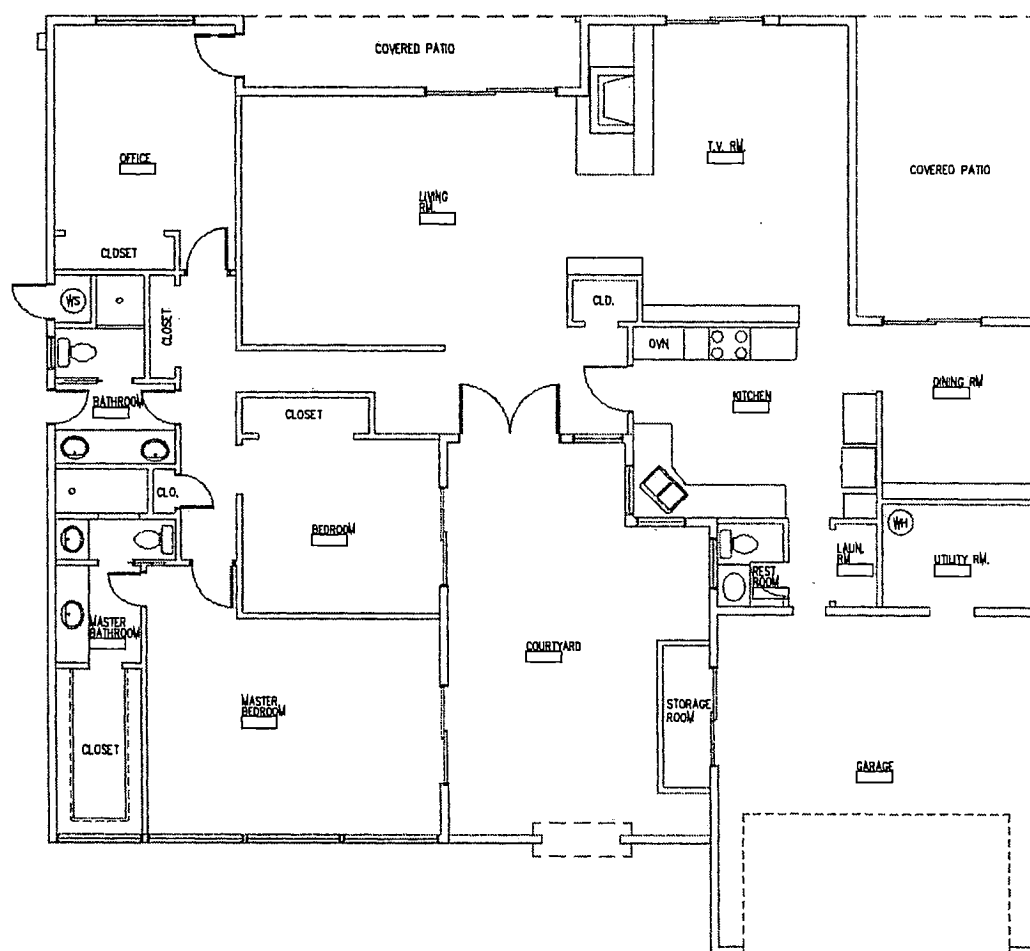
CHECKED BY:
dp

DATE:
09.16.04

SUBMITTAL:
VARIANCE

SHEET NUMBER:

A-0



EXISTING FLOOR PLAN

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





WELLES-PUGSLEY ARCHITECTS L.L.P.

7490 N. Durango Avenue, Suite 222, Las Vegas, Nevada 89121
ph 702.435.1550 fax 702.435.7499 e-mail wlp@wlparchitect.com

STAMP:

REVISIONS:

PROJECT NAME:
**DAVID AND CAROL CARTER
RESIDENCE ADDITION / REMODEL**

2812 ALLOWAY AVE.
LAS VEGAS, NEVADA 89102

PROJECT NUMBER:
WP-0424

SHEET TITLE:
**EXTERIOR
ELEVATIONS**

DRAWN BY:
PC

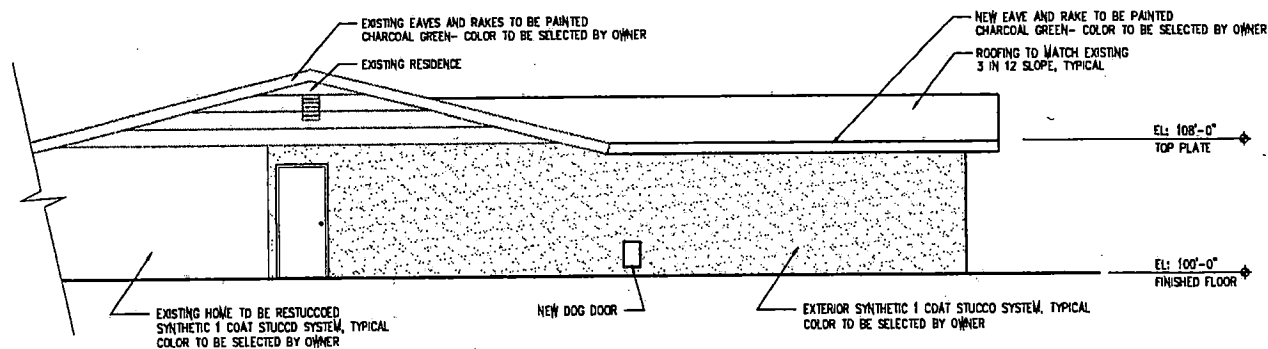
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DATE:
09.16.04

SUBMITTAL:
VARIANCE

SHEET NUMBER:

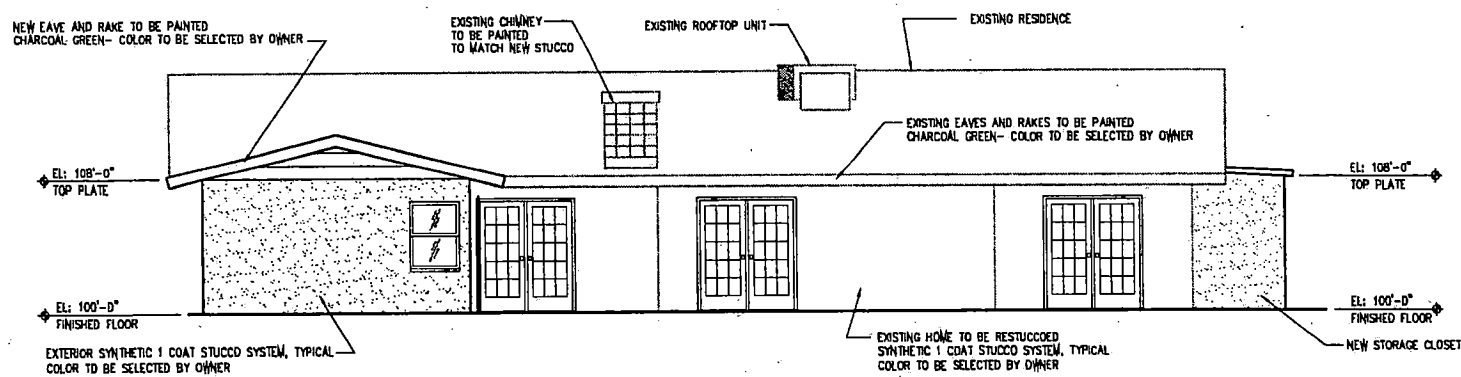
A-2



EAST ELEVATION

SCALE 1/4" = 1'-0"

2



NORTH ELEVATION

SCALE 1/4" = 1'-0"

1

**VAR-5281
11-04-04 PC**

WELLES - PUGSLEY ARCHITECTS L.L.P.
 2480 e. hampshire avenue, suite 222, las vegas, nevada 89121
 ph 702.433.1150 fax 702.433.7699 email wpa@wellespuglsley.com
 © 2004

STAMP:

REVISIONS:

PROJECT NAME:
**DAVID AND CAROL CARTER
 RESIDENCE ADDITION / REMODEL**

2807 ALISON DR.
 LAS VEGAS, NEVADA 89102

PROJECT NUMBER:
 WP-0424

SHEET TITLE:
**EXTERIOR
 ELEVATIONS**

DRAWN BY:
 PMC

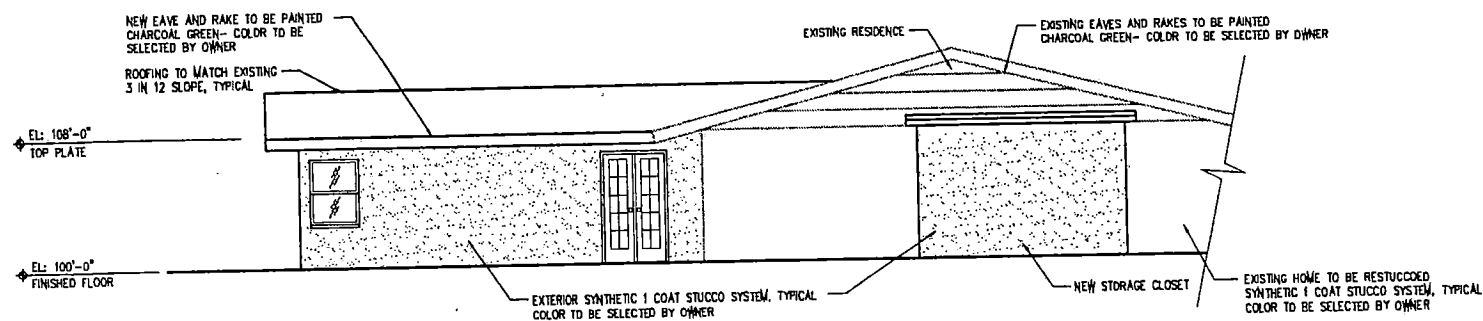
CHECKED BY:
 dp

DATE:
 09.16.04

SUBMITTAL:
 VARIANCE

SHEET NUMBER:

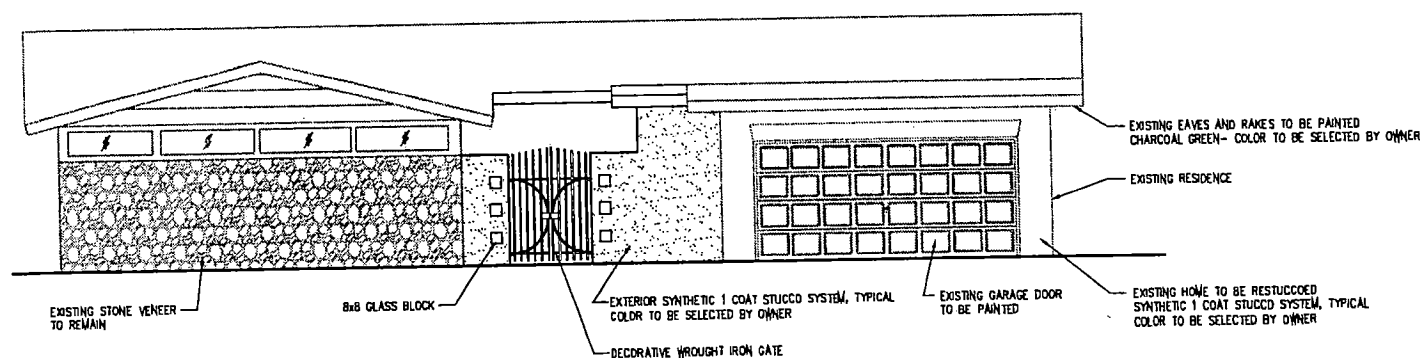
A-2.1



WEST ELEVATION

SCALE 1/4" = 1'-0"

1

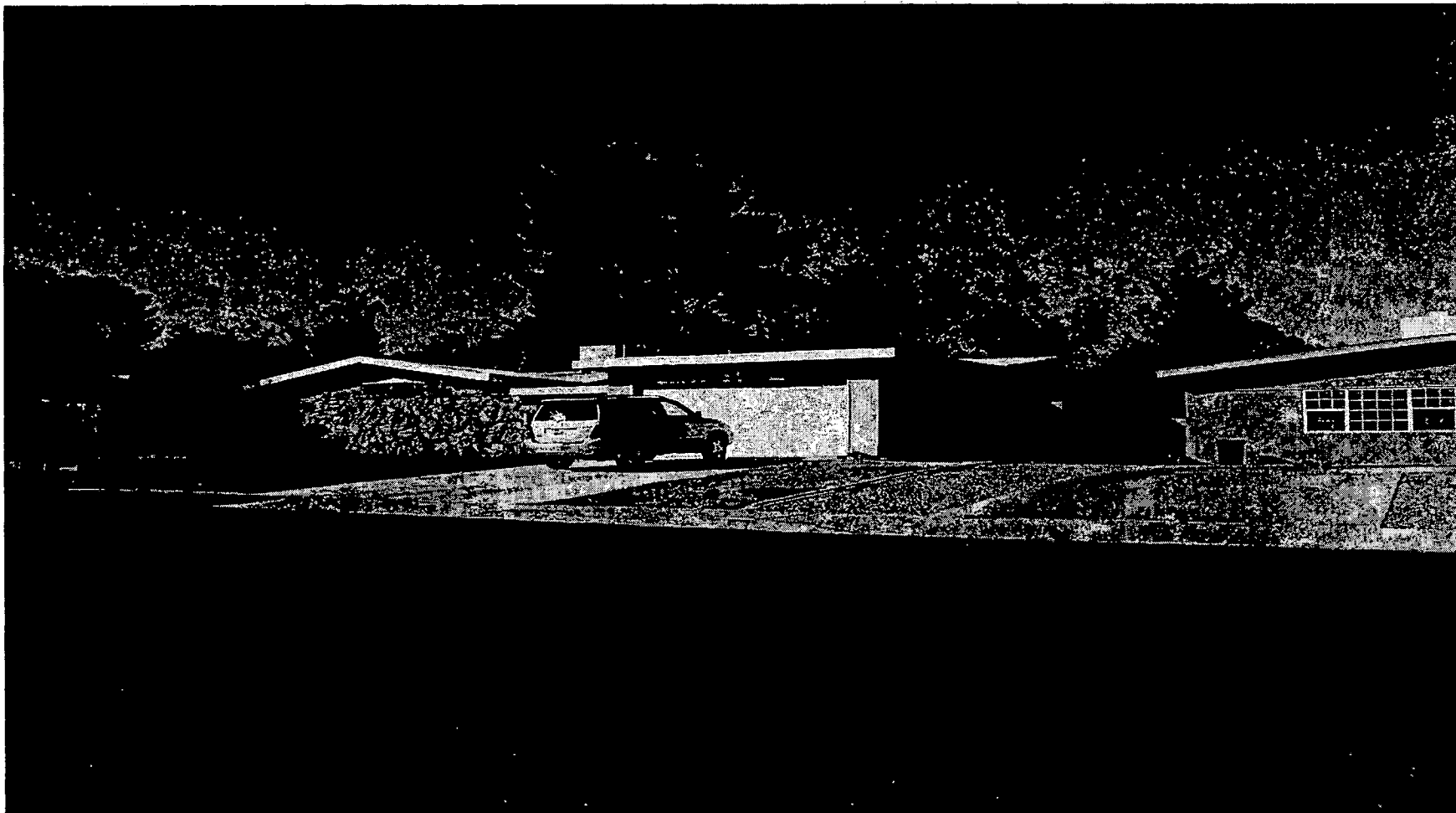


NORTH ELEVATION

SCALE 1/4" = 1'-0"

1

**VAR-5281
 11-04-04 PC**



VAR-5281 - APPLICANT: WELLES PUGSLEY ARCHITECTS, LLP - OWNER: DAVID A. CARTER AND CAROL
FREW
2812 MASON AVENUE
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

August 12, 2004

To Whom It May Concern:

We understand that David and Carol Carter of 2812 Mason are applying for a variance to add a closet on the west side of their home within 2 ½ feet of the boundary

We have no opposition to this plan and support their application for the variance.

Sincerely,

Renee C. Ramberg

H. R. Powell
Hubert R. Powell and Renee C. Ramberg
2808 Mason Ave
LV, NV 89102

Submitted at Planning Commission

Date *11-04-04* Item # *60*

July 27, 2004

Mrs. Carole Mogstad
2816 Mason Avenue
Las Vegas, NV 89102

To Whom It May Concern:

I am aware that David and Carol Carter of 2812 Mason Avenue have applied for a variance in order to remodel and upgrade their residence. Specifically, that a portion of the proposed remodel would bring the western edge of their residence to within 2 ½ feet of our common boundary (my eastern property line).

I have no opposition to this plan and support their application for the variance.

Sincerely,

Carole Mogstad
Carole Mogstad

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5298 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ANDREW MOLASKY - Request for a Variance TO ALLOW AN EXISTING FOUR-FOOT SOLID BLOCK WALL AND A SIX-FOOT BLOCK AND WROUGHT IRON WALL IN THE FRONT YARD WHERE FOUR FEET (TOP TWO FEET 50 PERCENT OPEN) IS THE MAXIMUM ALLOWED AND TO ALLOW AN EXISTING SIX-FOOT CHAIN LINK FENCE IN THE FRONT YARD WHERE FOUR FEET IS ALLOWED on 0.91 acres at 809 Shetland Road (APN 139-32-802-013), R-E (Residence Estates) Zone, Ward 1 (Moncrief).

APPLICANT REQUESTS WITHDRAWAL WITHOUT PREJUDICE

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends WITHDRAWAL WITHOUT PREJUDICE

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – Motion to bring forward and **HOLD IN ABEYANCE** Item 4 [TMP-5290] and Item 19 [VAC-5265] to 11/18/2004 Planning Commission meeting, Item 28 [GPA-5102], Item 29 [VAR-5113], Item 30 [ZON-5106], Item 31 [VAR-5110], Item 32 [WVR-5294], Item 33 [SDR-5108] and Item 59 [VAR-5227] to 12/02/2004 Planning Commission meeting, Item 38 [VAR-5099], Item 39 [ZON-5092], Item 40 [VAR-5300], Item 41 [WVR-5299], Item 42 [SDR-5098], Item 43 [SUP-5096] and Item 44 [SDR-5093] to 1/13/2005 Planning Commission meeting, to **TABLE** Item 25 [MSP-4622], Item 26 [SUP-5112] and Item 27 [SDR-5116] and to accept the request to **WITHDRAW WITHOUT PREJUDICE** Item 61 [VAR-5298] – **UNANIMOUS** with McSWAIN abstaining on Item 19 [VAC-5265] because her company is bidding on work with DR Horton and on Item 4 [TMP-5290] and Item 61 [VAR-5298] because her company is under contract with each of the applicants (see Note below)

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 61 – VAR-5298

MOTION – Continued:

NOTE: CHAIRMAN TRUESDELL disclosed that he does own property in the downtown area; however, it is not located within the notification area for Item 26 [SUP-5112] and Item 27 [SDR-5116] so he would be comfortable voting on both items.

NOTE: COMMISSIONER McSWAIN indicated she would abstain on Item 4 [TMP-5290] because her company is currently under contract with the KB Home and Item 61 [VAR-5298] because her company is currently under contract with the Molaskys.

MINUTES:

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

(6:07 – 6:12)

1-115

SPAZIO
DESIGN

October 26, 2004

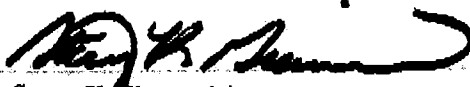
City of Las Vegas, Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

RE: Molasky Residence - 809 Shetland Road
Variance Request - Justification Letter

Planning Department: The Owner of the property located at 809 Shetland Road is withdrawing their request for a variance from City standards for the existing front and side yard walls. They have decided to bring the walls into compliance with current City standards.

Attached is a copy of the variance request. Thank you for your help in this matter.

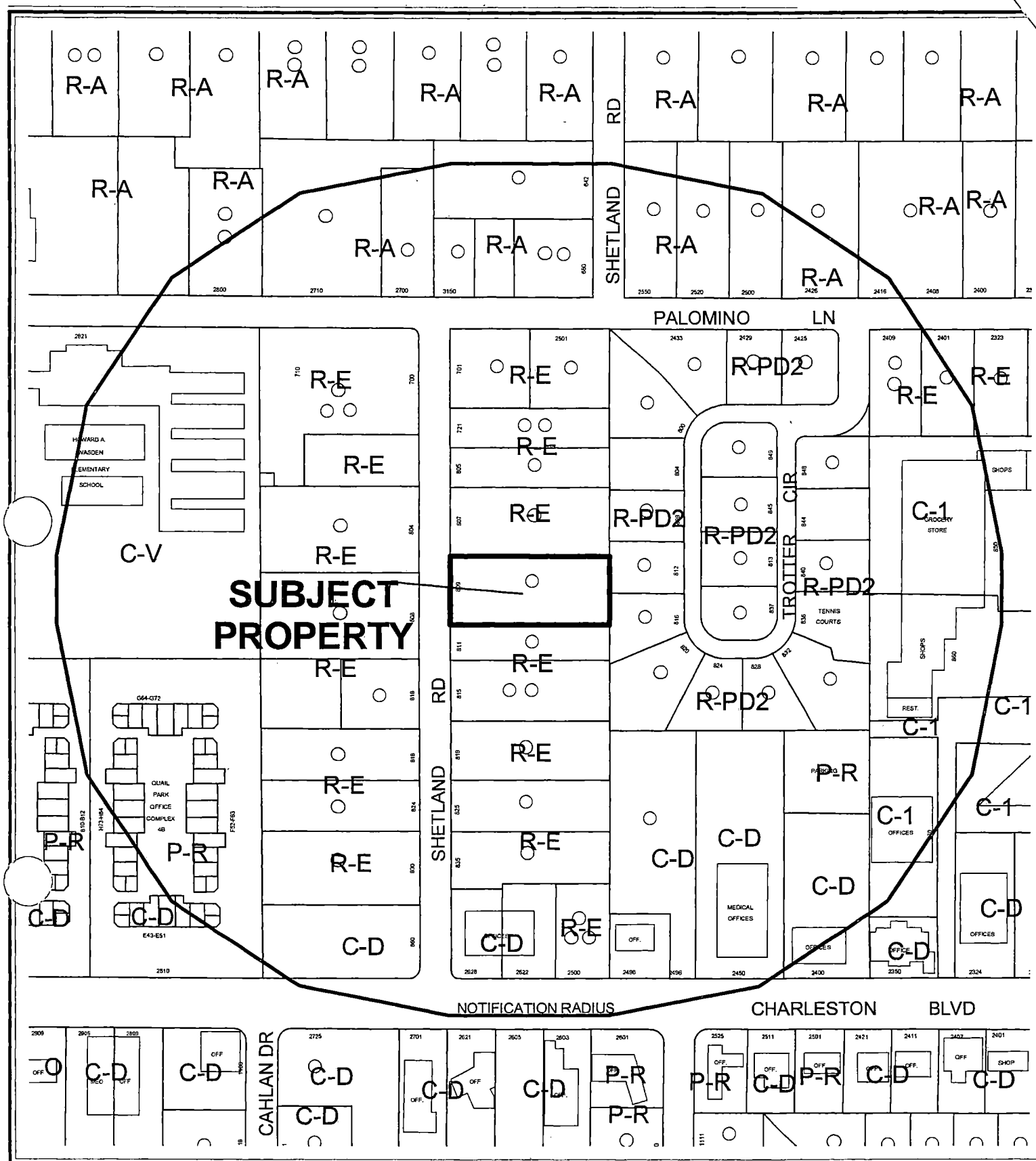
Sincerely,



Stacey K. Giannaccini
Spazio Design, Inc.

Stacey K. Giannaccini, RID, NCIDQ
4466 Via Bianca Avenue
Las Vegas, Nevada 89141
t 702-407-0974 / f 702-407-9984
e-mail address spazio@wizard.com

VAR-5298



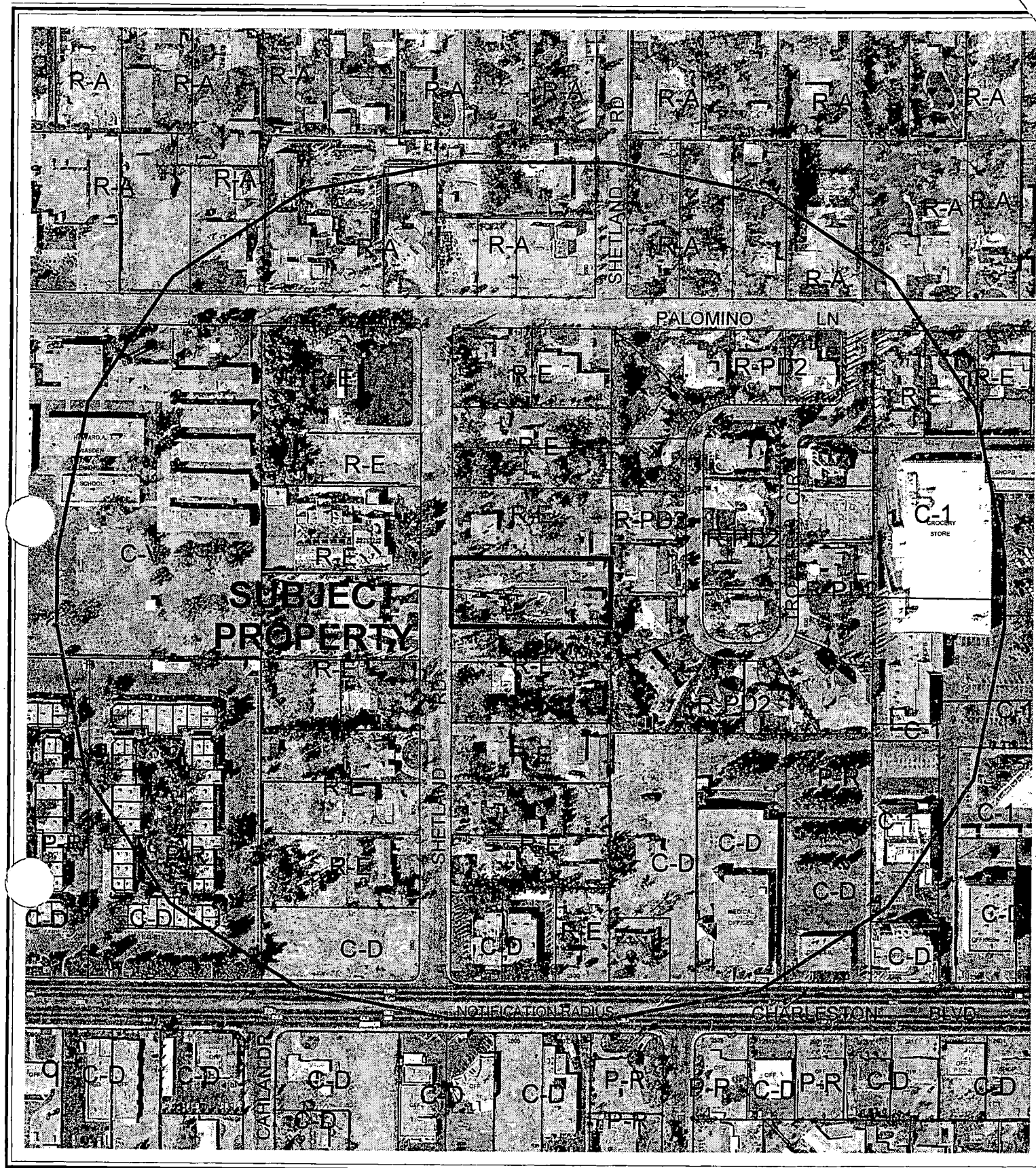
CASE: **VAR-5298**

RADIUS: 750 FT

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

0 200 400 Feet





CASE: **VAR-5298**

RADIUS: 750 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5298 - APPLICANT/OWNER: ANDREW MOLASKY

***ON OCTOBER 26, 2004 THE APPLICANT
REQUESTED THIS ITEM BE WITHDRAWN
WITHOUT PREJUDICE.***



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5298 APN: 139-32-802-013

Name of Property Owner: Andrew Molasky

Name of Applicant: Andrew Molasky

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: John Deeks

Print Name: Andrew Molasky

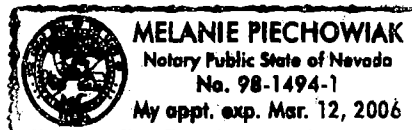
Subscribed and sworn before me

This 15TH day of SEPTEMBER, 2004

Melanie Piechowski
Notary Public in and for said County and State

STATE of NEVADA
COUNTY of CLARK

Revised 2/12/02



MOLASKY RESIDENCE

809 SHETLAND ROAD
LAS VEGAS, NEVADA

SITE PLAN
SEPTEMBER 16, 2004
SCALE: 1/32" = 1'-0"

RECEIVED

SEP 21 2004

VAR-5298
11-04-04 PC

**SPAZIO
DESIGN**

4066 VIA BRANCA AVENUE
LAS VEGAS, NEVADA 89001
TEL: (702) 437-0294
FAX: (702) 437-2884
E-MAIL: spac@world.com



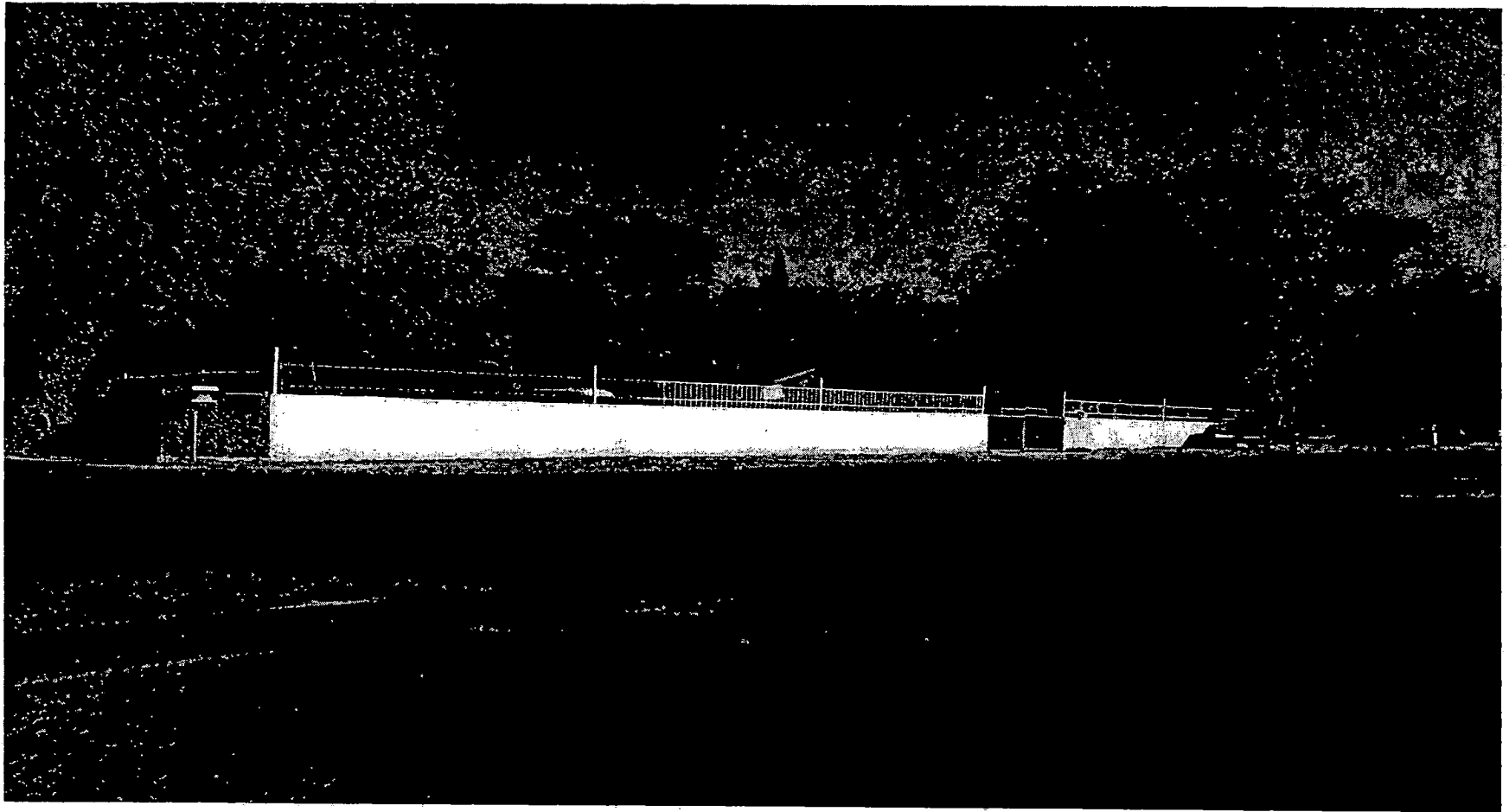
VAR-5298 - APPLICANT/OWNER: ANDREW MOLASKY
809 SHETLAND ROAD
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04



VAR-5298 - APPLICANT/OWNER: ANDREW MOLASKY
809 SHETLAND ROAD
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04



VAR-5298 - APPLICANT/OWNER: ANDREW MOLASKY
809 SHETLAND ROAD
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SUP-5230 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: TOMA HERFI INC - OWNER: EL CAPITAN ASSOCIATES, LLC AND HDA EQUITY LLC - Request for Special Use Permit for BEER & WINE SALES, OFF-PREMISE located at 6955 N. Durango, Suite #1113 and #1114 (APN 125-20-201-024), T-C (Town Center) Zone, Ward 6 (Mack).

C.C.: 12/01/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:**McSWAIN – APPROVED** subject to conditions and adding the following conditions:

- *Approval of this Special Use Permit does not constitute approval of a liquor license.*
- *The sale of alcoholic beverages shall be limited to the sale of beer and wine only.*
- *The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.*
- *This business shall operate in conformance to Chapter 6.5 of the City of Las Vegas Municipal Code.*

– UNANIMOUS with TRUESDELL abstaining because he represents a property owner to the south of the site, which is within the notification area

To be heard by City Council 12/01/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 62 [SUP-5230] and Item 63 [SUP-5231].

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 62 – SUP-5230

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development Department, explained that this application is part of an overall Mixed-Use Project and although there are different suite numbers, in reality, it is one building with two separate use permits. Code standards for granting the Special Use Permits have been met.

Regarding Item 62 [SUP-5230], MR. CLAPSADDLE indicated there are standard conditions normally imposed upon applications of this nature and although the conditions were mentioned in the staff report, they were not listed in the conditions. He suggested adding a condition that the approval of the Special Use Permit would not constitute approval of a liquor license and that the sale of alcoholic beverages would be limited to the sale of beer and wine only. He also suggested adding language that would prohibit the sale of individual sized beer, wine coolers or screw cap wines. The same condition would require that all individual containers must remain in the original configurations as shipped by the manufacturer and may not be repackaged as smaller groups. Finally, he suggested adding a condition stating the business would operate in conformance to Chapter 6.5 of the City of Las Vegas Municipal Code.

DAVE EDER, Toma-Herfi, Inc., 225 South Stephanie Street, Suite 813, appeared on behalf of the applicant and concurred with all of staff's conditions and all of the suggested additional conditions except for the condition prohibiting single sales. He indicated the operators of this store are very experienced with management of liquor and convenience stores both here and in California and they have not had any problems in the past. MR. EDER felt the area of the valley the store would be located in would not be conducive to the problems normally caused by single sales. The clientele of the store would most likely be the residents of the apartments and condominiums that are located behind the store.

COMMISSIONER STEINMAN did not understand MR. EDER's justification that approval of single sales should be granted because there is an apartment complex behind the store. MR. EDER stated that it is the experience of the operators that 24-ounce size containers sell very well. He also said there would not be people sitting in the parking lot drinking quart-sized beers.

VICE CHAIRMAN NIGRO asked staff to elaborate on the City Council's policy regarding applications that the Planning Commission sends forward with recommendations of limiting single sales. MARGO WHEELER, Deputy Director, Planning and Development Department, explained that the Council has waived the condition in rare occasions.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 62– SUP-5230

MINUTES – Continued:

DEPUTY CITY ATTORNEY BRYAN SCOTT stated that the Council has also given the applicants an opportunity to prove that they can be responsible operators by requiring a six-month review period before considering allowing single sales. VICE CHAIRMAN NIGRO added that the applicant could also file for a waiver of the condition as well.

COMMISSIONER EVANS asked if the apartment complex in question was currently occupied. MR. CLAPSADDLE replied that they are currently vacant.

COMMISSIONER STEINMAN wanted to make sure the other Commissioners noted the 19 protests in the backup. He said some of the listed concerns related to an area school and children being in the neighborhood. MR. CLAPSADDLE stated there was a one-page petition with multiple signatures in the backup along with letters from two residents.

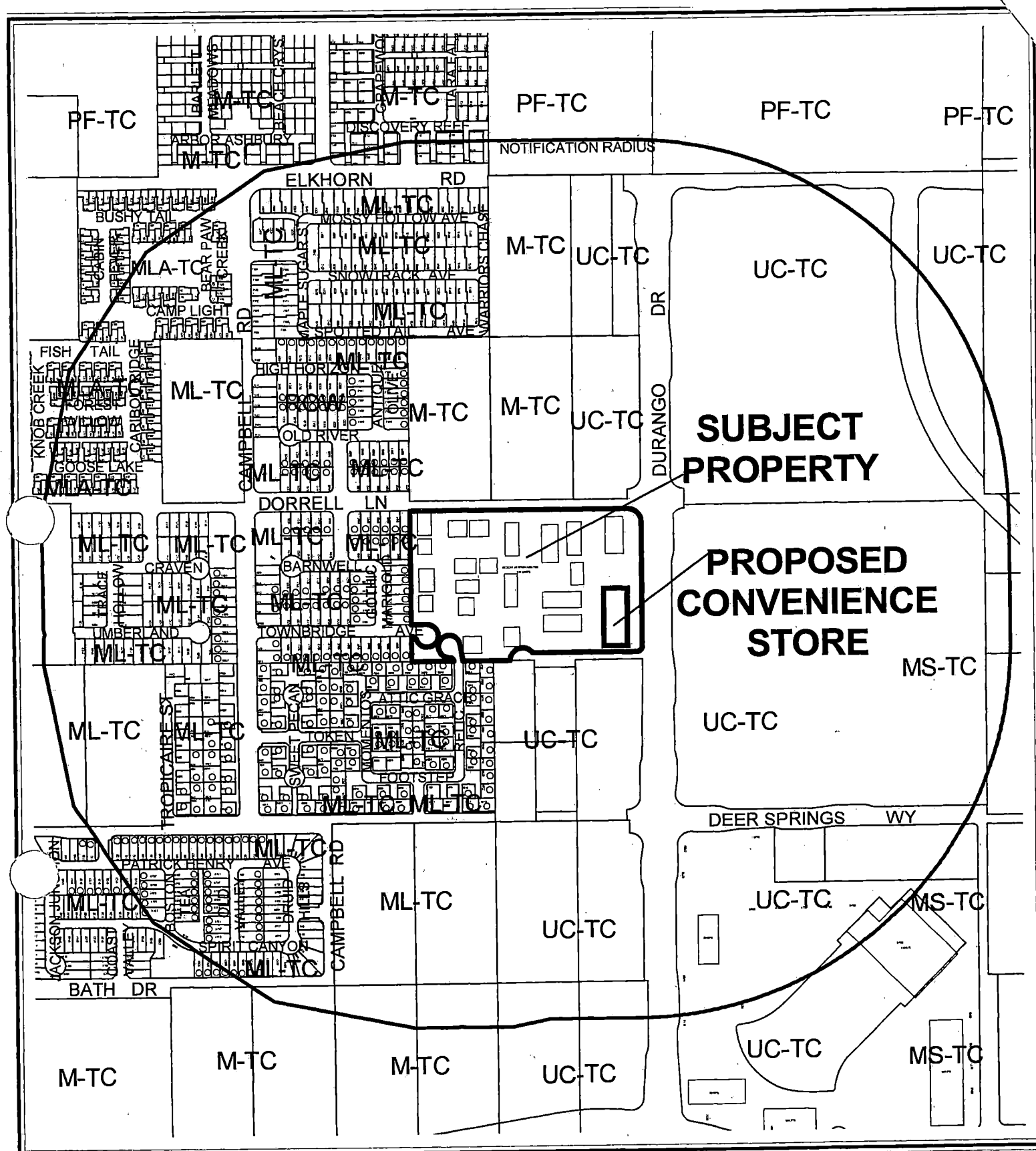
VICE CHAIRMAN NIGRO declared the Public Hearing closed Item 62 [SUP-5230] and Item 63 [SUP-5231].

(10:15-10:22)
3-2100

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements of Town Center Development Standards Manual.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.



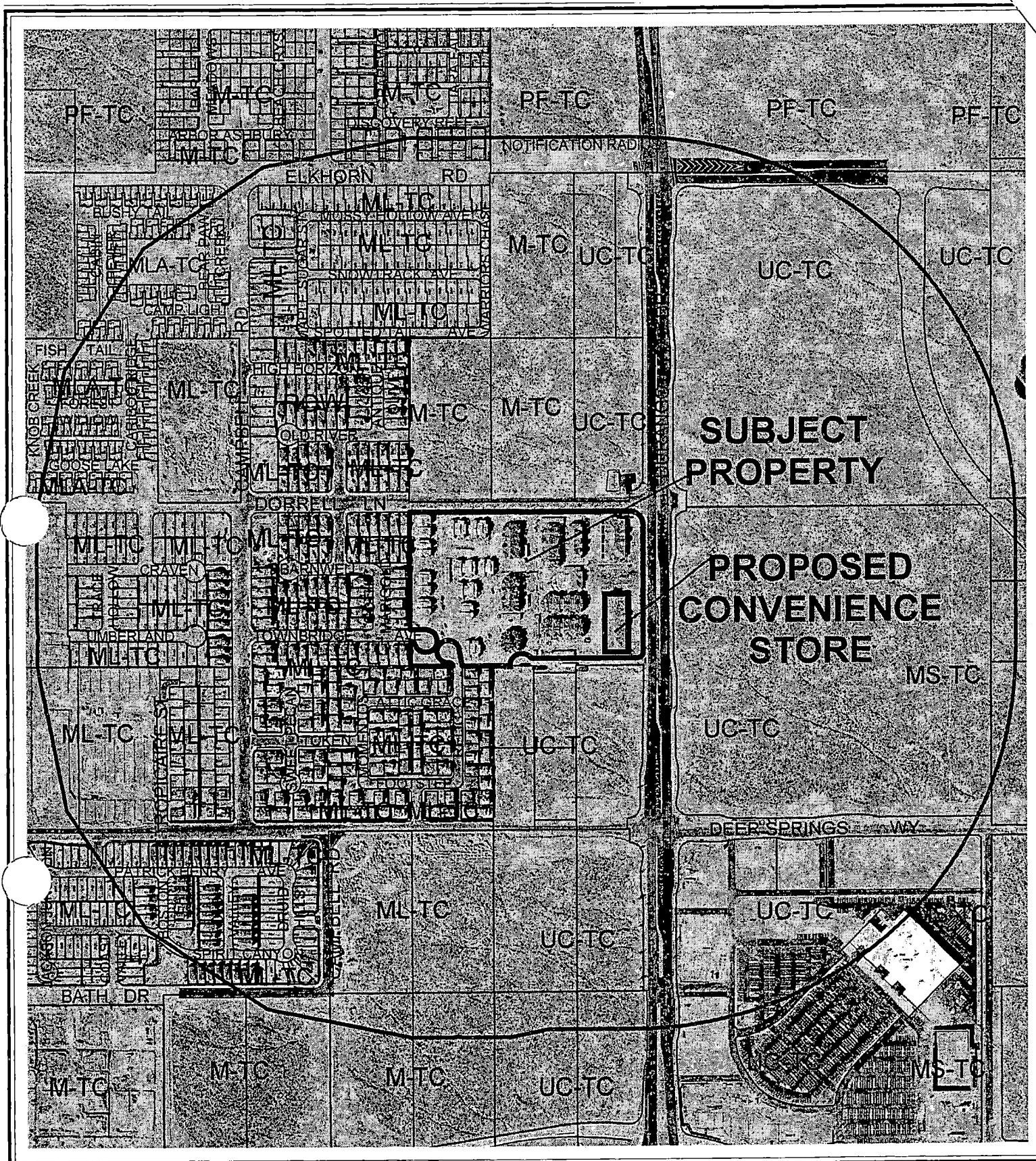
CASE: SUP-5230

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE) TOWN CENTER
SPECIAL LAND USE DESIGNATION]





CASE: SUP-5230

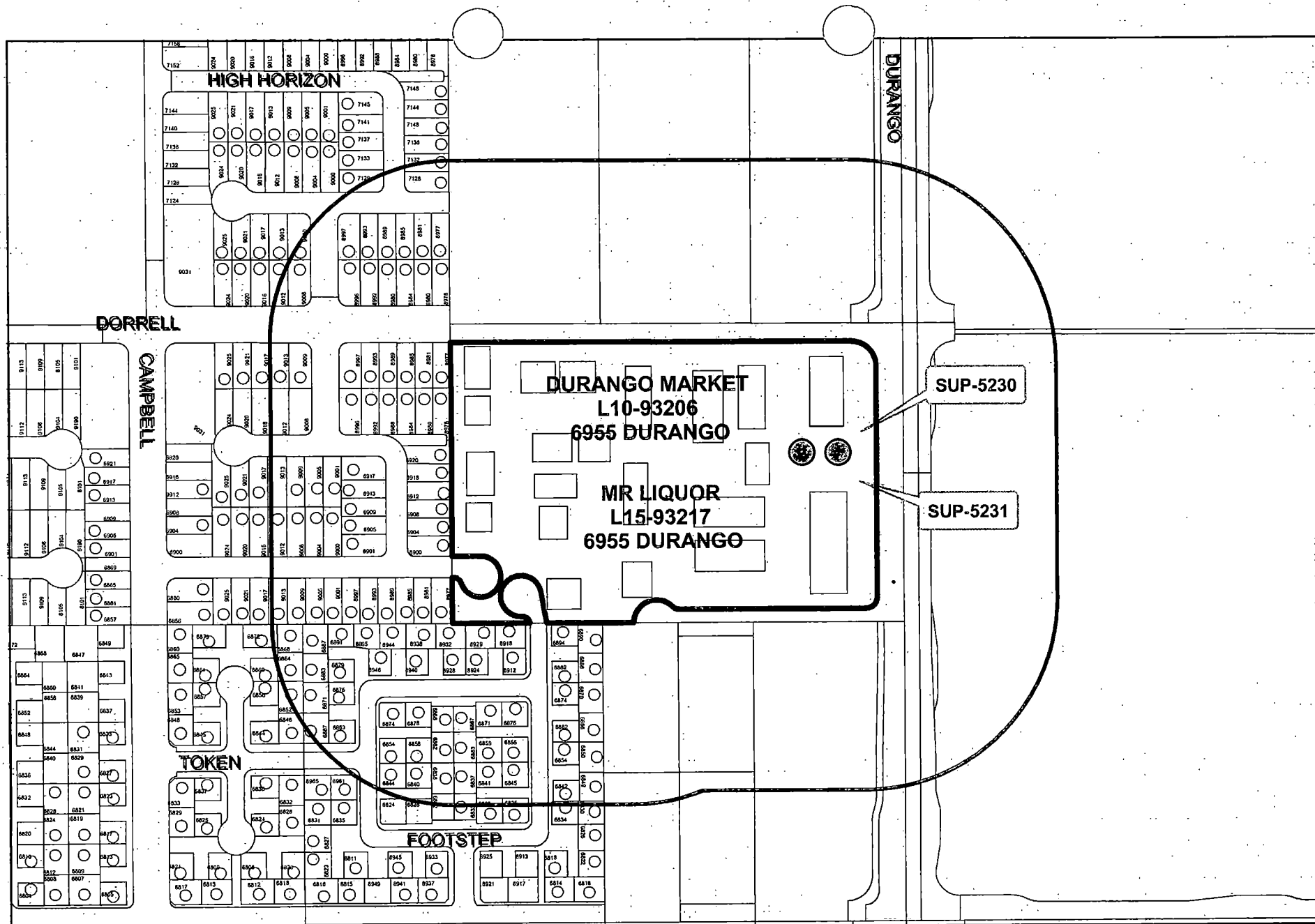
RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE) TOWN CENTER
SPECIAL LAND USE DESIGNATION]

0 400 800 Feet





SUP-5230 & SUP-5231 Package Liquor Sales

Business Licenses

-  Child Care/
Children Facility
-  Supper Club/
Restaurant Service Bar
-  Tavern
-  Package Liquor Sales

-  RELIGIOUS
-  PARKS
-  SCHOOLS

-  Subject Property
-  400 foot buffer



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-5230 - APPLICANT: TOMA HERFI INC - OWNER: EL
CAPITAN ASSOCIATES, LLC AND HDA EQUITY LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Conformance to all Minimum Requirements of Town Center Development Standards Manual.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a liquor establishment (off-premise consumption) located at 6955 Durango Drive Suite #1113-1114.

B) Applicant's Justification

The letter states: "There are no services in the area, as the property around Durango Market is not developed yet. Durango Market will offer the same services as other convenience stores, along with a deli, and will provide convenience and safety for the residences as the store is within walking distance of any part of the development".

BACKGROUND INFORMATION

A) Previous Actions

- 04/03/02 The City Council approved a request for a Rezoning (Z-0099-01) from U (Undeveloped) [TC (Town Center) General Plan Designation] to TC (Town Center) Zone on 15.16 acres located adjacent to the west side of El Capitan Way approximately 660 feet south of Elkhorn Road. The Planning Commission and staff recommended approval on 02/28/02.
- 05/01/02 The City Council approved a request for a Site Development Plan Review (Z-0099-01(1)) for a proposed 274-unit multi-family residential development and 16,000 square feet of commercial floor space on 15.16 acres located adjacent to the west side of El Capitan Way approximately 660 feet south of Elkhorn Road. The Planning Commission and staff recommended approval on 03/28/02.
- 05/01/02 The City Council approved a related Development Agreement (DA-0001-02) for this development. The Planning Commission and staff recommended approval on 03/28/02.
- 06/02/04 The City Council approved the Development Agreement (Bill No. 2004-42) with El Capitan Associates, Limited Liability Company.

SUP-5230 - Staff Report Page Two
November 4, 2004 Planning Commission Meeting

06/10/04 The Planning Commission approved Tentative Map (TMP-3991) for a 284-lot condominium development including 10 retail units. Staff recommended approval.

B) Pre-Application Meeting

09/07/04 Elements of the Special Use Permit application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 12.45 acres

B) Existing Land Use

Subject Property: Multi-family housing
North: Undeveloped
South: Single family housing
Undeveloped
East: Undeveloped
West: Single family housing

C) Planned Land Use

Subject Property: TC (Town Center)
North: TC (Town Center)
South: TC (Town Center)
East: TC (Town Center)
West: TC (Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: T-C (Town Center)

E) General Plan Compliance

The subject site is designated on the Centennial Hills Sector Plan map as TC (Town Center), and as TC (Urban Center Mixed-Use – Town Center) as part of the Centennial Hills Town Center, pursuant to the Town Center Development Standards Manual. The intent of this district is to enable development with imaginative site and building design and maximize the use of the property.

The current zoning of the site is T-C (Town Center), which allows for a liquor establishment (off-premise consumption).

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

ANALYSIS

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Liquor Establishment (Off-premise)	400 Feet	Greater than 400 Feet

The proposed use is greater than 400 feet from any protected use. Therefore, it meets the minimum distance separation requirement.

B) General Analysis and Discussion

- Zoning**

The subject site is currently zoned T-C (Town Center). A Liquor Establishment (On-sale/Off-sale/On-Off sale) use is permitted in T-C with the approval of a Special Use Permit.

- Use**

The Town Center Development Standards Manual establishes the criteria for the approval of alcohol-related uses within the city. The T.C. Development Standards require this Liquor Establishment (On-sale/Off-sale/On-Off sale) use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City Park as measured from property line to property line. In this case, there are no protected uses within the required minimum 400-foot distance separation radius.

SUP-5230 - Staff Report Page Four
November 4, 2004 Planning Commission Meeting

- **Conditions**

1. Approval of this Special Use Permit does not constitute approval of a liquor license.
2. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.
3. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
5. Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:
 - a) No beer/wine/cooler on-sale, beer/wine/cooler off-sale, beer/wine/cooler on-off-sale, package, wholesale general use shall be located within 400 feet of any church synagogue, school, child care facility licensed for more than twelve children, or City park.
 - b) The distances referred to in Paragraph One shall be measured in a straight line from the nearest property line of the church, synagogue, school, child care facility, and from the nearest property line of a City park to the nearest property line of the proposed liquor establishment premises, disregarding all intervening obstacles.
 - c) When considering a Special Use Permit application for a liquor establishment for off-premise consumption which also requires a waiver of the distance limitation in Paragraph One, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
 - d) All businesses, which sell alcoholic beverages, shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

FINDINGS

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

BTS

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

The proposed Liquor Establishment (On-sale/Off-sale/On-Off sale) use will be an accessory use to a proposed grocery store. It is located in a 284-unit condominium development, which includes ten retail units along a Primary Arterial. For these reasons, the use is compatible with the existing land uses and appropriate for the area.

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

The subject site is physically suitable for the type and intensity of land use proposed. The addition of a Liquor Establishment (On-sale/Off-sale/On-Off sale) use does not affect the parking requirement for the proposed retail units, designated as Urban Center Mixed Use in Town Center.

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

Access is proposed from Durango Drive. According to the Master Plan of Streets and Highways, Durango Drive is a Major Arterial with a 120-foot right-of way. Adequate access will be provided to meet the requirements of the proposed use.

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

The public health, safety, and welfare and the objectives of the General Plan would not be compromised as a result of the approval of a Special Use Permit, because the proposed Liquor Establishment (On-sale/Off-sale/On-Off sale) would be subject to inspections for a Certificate of Occupancy.

NOTICES MAILED 358 – Mailed with SUP-5231

APPROVALS 0

PROTESTS 0



Case Number: SUP 5230 APN: 125-20-201-024
Name of Property Owner: El Capitan Associates, LLC
Name of Applicant: Toma Herfi Inc.

 Yes

X. No

City Official: _____

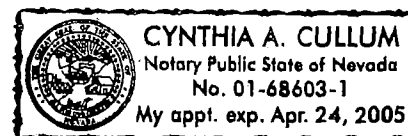
Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

This 17th day of August, 2004

Cynthia A. Cullen
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5230 APN: 125-20-201-024

Name of Property Owner: H D A Equity LLC

Name of Applicant: Toma - Herfi Inc.

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): _____

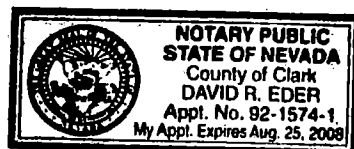
APN: _____

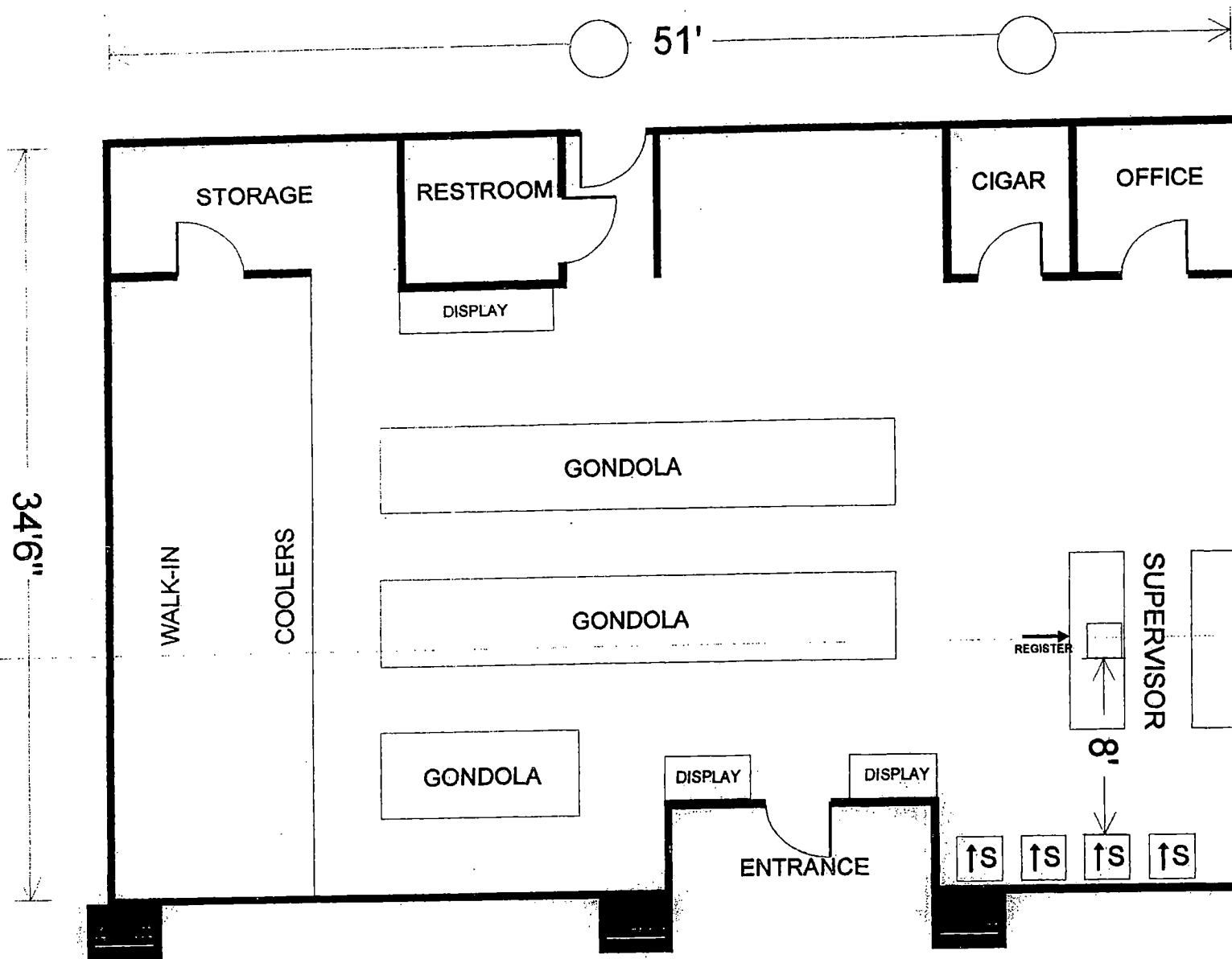
Signature of Property Owner/Authorized Agent:

Subscribed and sworn before me

This 28 day of Sept 2004

Notary Public in and for said County and State





MR. LIQUOR
6955 N. DURANGO DR. #1015&1016
LAS VEGAS NV

PREPARED DATE: 6/30/04
TOTAL FOOTAGE: 1,728
CUSTOMER AREA: 1,221

RECEIVED
SEP 09 2004

PROPOSED FLOOR PLAN - CONSTRUCTION STILL IN PROCESS

SUP-5230
SUP-5231
11-04-04 PC



SUP-5230 - APPLICANT: TOMA HERFI INC - OWNER: EL CAPITAN ASSOCIATES, LLC AND HDA
EQUITY LLC
6955 NORTH DURANGO DRIVE, SUITE #1113 AND #1114
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**SUP-5231 - SPECIAL USE PERMIT RELATED TO SUP-5230 - PUBLIC HEARING -
APPLICANT: TOMA HERFI INC - OWNER: EL CAPITAN ASSOCIATES, LLC AND
HDA EQUITY LLC - Request for a Special Use Permit FOR PACKAGE LIQUOR SALES
located at 6955 N. Durango, Suite #1115 and #1116 (APN 125-20-201-024), T-C (Town Center)
Zone, Ward 6 (Mack).**

C.C.: 12/01/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – APPROVED subject to conditions and adding the following conditions:

- *This business shall operate in conformance to Chapter 6.5 of the City of Las Vegas Municipal Code.*
- *Approval of this Special Use Permit does not constitute approval of a liquor license.*

– UNANIMOUS with TRUESDELL abstaining because he represents a property owner to the south of the site, which is within the notification area

To be heard by City Council 12/01/2004

MINUTES:

See Item 62 [SUP-5230] for all related discussion on Item 62 [SUP-5230] and Item 63 [SUP-5231].

(10:15-10:22)

3-2100

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 63– SUP-5231

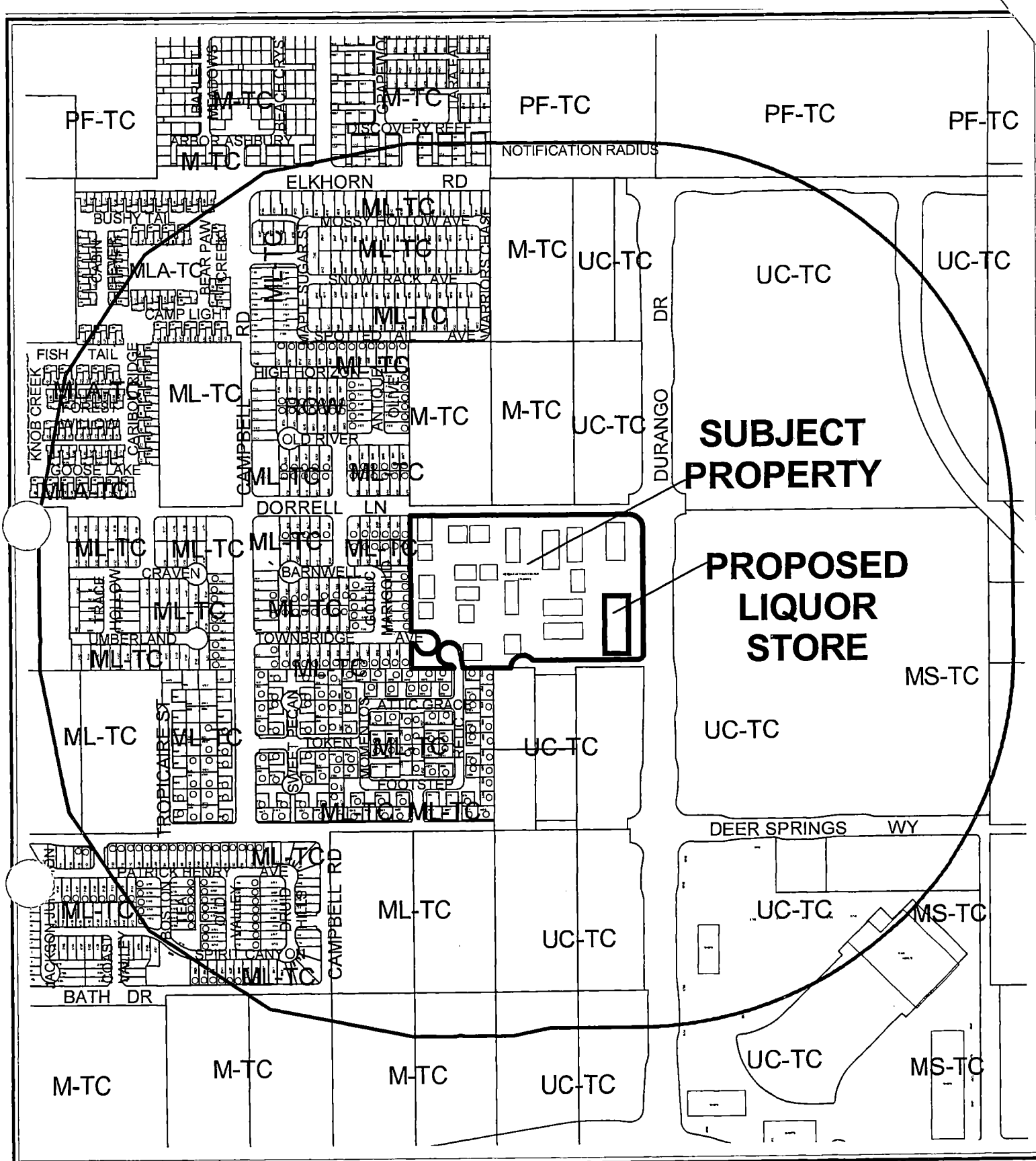
CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Town Center Development Standards Manual.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

C

C

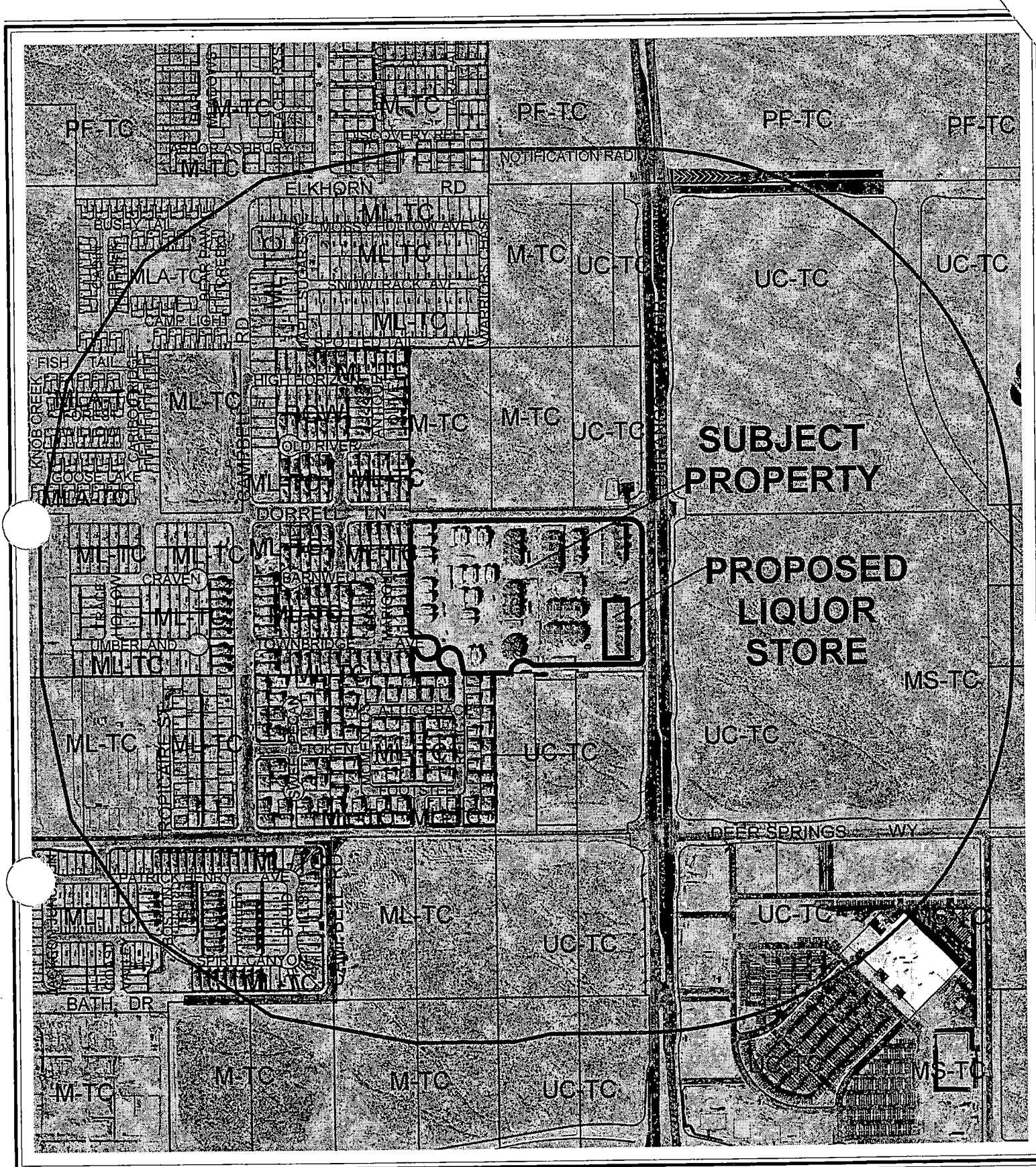


CASE: SUP-5231

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE) TOWN CENTER
SPECIAL LAND USE DESIGNATION]



CASE: SUP-5231

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE) TOWN CENTER
SPECIAL LAND USE DESIGNATION]

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-5231 - APPLICANT: TOMA HERFI INC - OWNER: EL
CAPITAN ASSOCIATES, LLC AND HDA EQUITY LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Town Center Development Standards Manual.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a liquor establishment (off-premise consumption) located at 6955 Durango Drive Suite # 1115-1116.

B) Applicant's Justification

The applicant states: "There are no services in the area, as the property around Durango Market is not developed yet. Durango Market will offer the same services as other convenience stores, along with a deli, and will provide convenience and safety for the residences as the store is within walking distance of any part of the development".

BACKGROUND INFORMATION

A) Previous Actions

- 04/03/02 The City Council approved a request for a Rezoning (Z-0099-01) from U (Undeveloped) [TC (Town Center) General Plan Designation] to TC (Town Center) Zone on 15.16 acres located adjacent to the west side of El Capitan Way approximately 660 feet south of Elkhorn Road. The Planning Commission and staff recommended approval on 02/28/02.
- 05/01/02 The City Council approved a request for a Site Development Plan Review (Z-0099-01(1)) for a proposed 274-unit multi-family residential development and 16,000 square feet of commercial floor space on 15.16 acres located adjacent to the west side of El Capitan Way approximately 660 feet south of Elkhorn Road. The Planning Commission and staff recommended approval on 03/28/02.
- 05/01/02 The City Council approved a related Development Agreement (DA-0001-02) for this development. The Planning Commission and staff recommended approval on 03/28/02.
- 06/02/04 The City Council approved a Development Agreement (Bill No. 2004-42) with El Capitan Associates, Limited Liability Company, as proposed by the Director of Planning and Development.

SUP-5231 - Staff Report Page Two
November 4, 2004 Planning Commission Meeting

06/10/04 The Planning Commission approved Tentative Map (TMP-3991) for a 284-lot condominium development including 10 retail units. Staff also recommended approval of the Tentative Map.

B) Pre-Application Meeting

09/07/04 Elements of the Special Use Permit application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 12.45 acres

B) Existing Land Use

Subject Property:	Multi-family housing
North:	Undeveloped
South:	Single family housing
	Undeveloped
East:	Undeveloped
West:	Single family housing

C) Planned Land Use

Subject Property:	TC (Town Center)
North:	TC (Town Center)
South:	TC (Town Center)
East:	TC (Town Center)
West:	TC (Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	T-C (Town Center)

E) General Plan Compliance

The subject site is designated on the Centennial Hills Sector Plan map as TC (Town Center), and as TC (Urban Center Mixed-Use – Town Center) as part of the Centennial Hills Town Center, pursuant to the Town Center Development Standards Manual. The intent of this district is to enable development with imaginative site and building design and maximize the use of the property.

BTS

SUP-5231 - Staff Report Page Three
November 4, 2004 Planning Commission Meeting

The current zoning of the site is T-C (Town Center). The approved multi-unit residential development, at approximately 18 units per gross acre, is a permitted use under the UC-TC designation.

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

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Liquor Establishment (Off-premise)	400 Feet	Greater than 400 Feet

The proposed use is greater than 400 feet from any protected use. Therefore, it meets the minimum distance separation requirement.

B) General Analysis and Discussion

• **Zoning**

The subject site is currently zoned T-C (Town Center). A Liquor Establishment (On-sale/Off-sale/On-Off sale) use is permitted in T-C with the approval of a Special Use Permit.

• **Use**

The Town Center Development Standards require this Liquor Establishment (On-sale/Off-sale/On-Off sale) use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City Park as measured from property line to property line. In this case, there are no protected uses within the required minimum 400-foot distance separation radius.

SUP-5231 - Staff Report Page Four
November 4, 2004 Planning Commission Meeting

- **Conditions**

1. Approval of this Special Use Permit does not constitute approval of a liquor license.
2. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.
3. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
5. Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:
 - a) No beer/wine/cooler on-sale, beer/wine/cooler off-sale, beer/wine/cooler on-off-sale, package, wholesale general use shall be located within 400 feet of any church synagogue, school, child care facility licensed for more than twelve children, or City park.
 - b) The distances referred to in Paragraph One shall be measured in a straight line from the nearest property line of the church, synagogue, school, child care facility, and from the nearest property line of a City park to the nearest property line of the proposed liquor establishment premises, disregarding all intervening obstacles.
 - c) When considering a Special Use Permit application for a liquor establishment for off-premise consumption which also requires a waiver of the distance limitation in Paragraph One, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
 - d) All businesses, which sell alcoholic beverages, shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

FINDINGS

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

BTS

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

The proposed Liquor Establishment use will be an accessory use to a proposed grocery store. It is located in a 284-unit condominium development, which includes ten retail units along a Primary Arterial. For these reasons, the use is compatible with the existing land uses and appropriate for the area.

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

The subject site is physically suitable for the type and intensity of land use proposed. The addition of a Liquor Establishment use does not affect the parking requirement for the proposed retail units, designated as Urban Center Mixed Use in Town Center.

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

Access is proposed from Durango Drive. According to the Master Plan of Streets and Highways, Durango Drive is a Major Arterial with a 120-foot right-of way. Adequate access will be provided to meet the requirements of the proposed use.

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

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

NOTICES MAILED 358 – Mailed with SUP-5230

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5231 APN: 125-20-201-024

Name of Property Owner: El Capitan Associates, LLC

Name of Applicant: Toma Herfi Inc.

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

X 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): _____

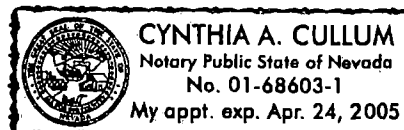
APV:

Signature of Property Owner/Authorized Agent: [Signature]

Subscribed and sworn before me

This 17 day of August, 2004

Cynthia A. Gullett
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5231 APN: 125-20-201-024

Name of Property Owner: H D A Equity LLC

Name of Applicant: Toma - Herfi Inc.

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): _____

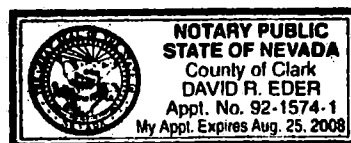
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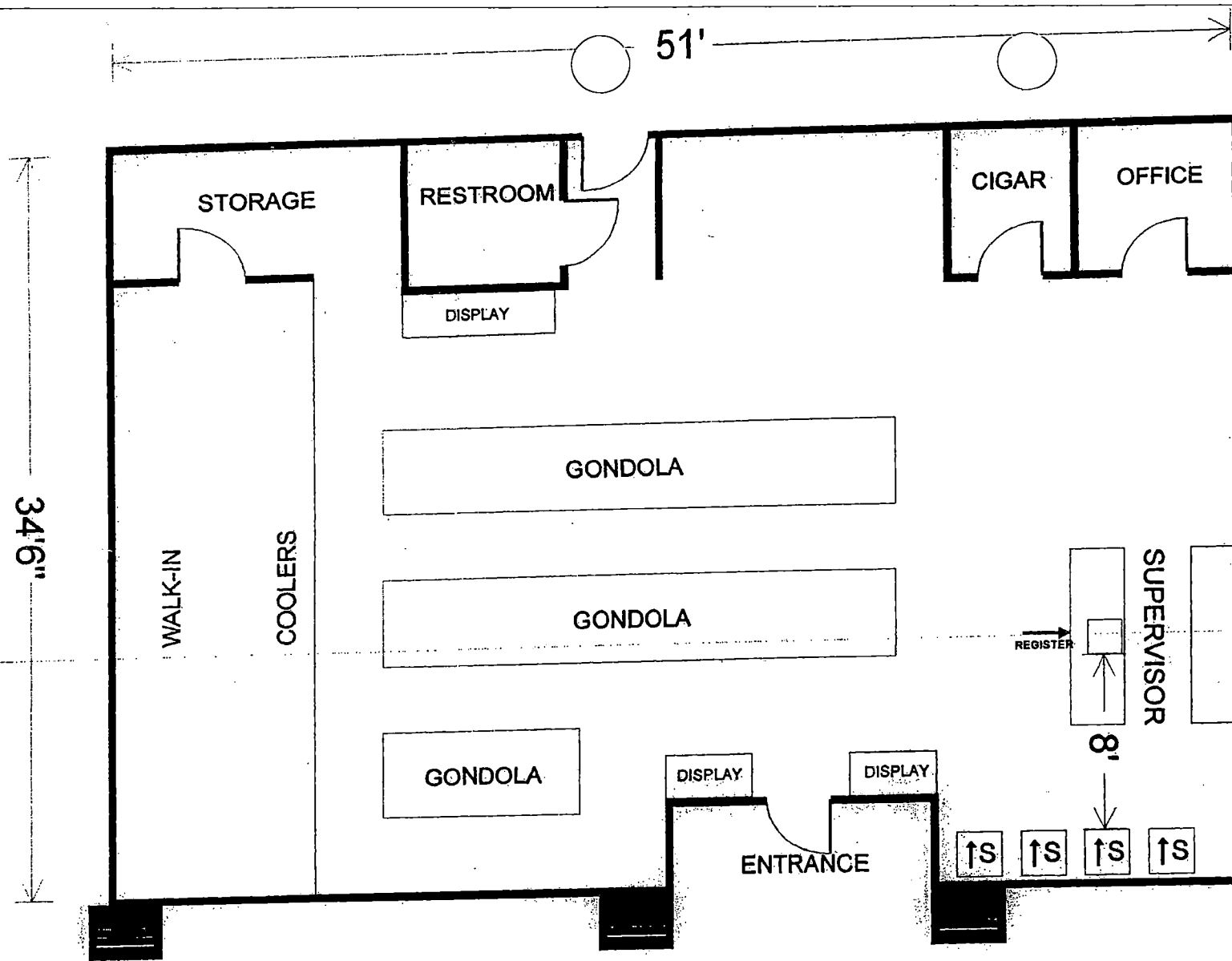
Signature of Property Owner/Authorized Agent:

Subscribed and sworn before me

This 28 day of Sept, 2004

Notary Public in and for said County and State





MR. LIQUOR
 6955 N. DURANGO DR. #1015&1016
 LAS VEGAS NV

PREPARED DATE: 6/30/04
 TOTAL FOOTAGE: 1,728
 CUSTOMER AREA: 1,221

SUP-5230
 SUP-5231
 11-04-04 PC

RECEIVED
 SEP 09 2004

PROPOSED FLOOR PLAN - CONSTRUCTION STILL IN PROCESS



SUP-5231 - APPLICANT: TOMA HERFI INC - OWNER: EL CAPITAN ASSOCIATES, LLC AND HDA
EQUITY LLC
6955 NORTH DURANGO DRIVE, SUITE #1113 AND #1114
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5296 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WP SOUTH ACQUISITIONS, LIMITED LIABILITY COMPANY - OWNER: MONTECITO PADS, LLC - Request for a Special Use Permit TO ALLOW A DENSITY OF 66.94 UNITS PER ACRE WHERE 50 UNITS PER ACRE IS THE MAXIMUM ALLOWED FOR A PROPOSED 399-UNIT HIGH DENSITY RESIDENTIAL DEVELOPMENT adjacent to the southeast corner of Elkhorn Road and Grand Montecito Parkway (APN 125-20-510-002), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use) Town Center Special Land Use Designation], Ward 6 (Mack).

C.C.: 12/01/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining because she believed her company had been asked to look at this project and TRUESDELL abstaining because he represents a property within the notification area

To be heard by City Council 12/01/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 64 [SUP-5296] and Item 65 [SDR-5295].

KYLE WALTON, Planning and Development Department, explained the Special Use Permit has been filed in accordance with the Montecito Development Agreement, which states that a higher density is possible with the approval of a Special Use Permit. The proposed density is consistent

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 64– SUP-5296

MINUTES – Continued:

with the density expected in Town Center and staff is recommending approval.

Regarding the Site Development Plan, the site is currently zoned Town Center so the proposed project is consistent with the zoning. The project is also consistent with the Montecito Development Agreement and it is compatible with surrounding properties.

JENNIFER LAZOVICH, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with all conditions. She also commended DAVID CLAPSADDLE on a job well done and said he would be missed. She welcomed him to the private sector.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 64 [SUP-5296] and Item 65 [SDR-5295].

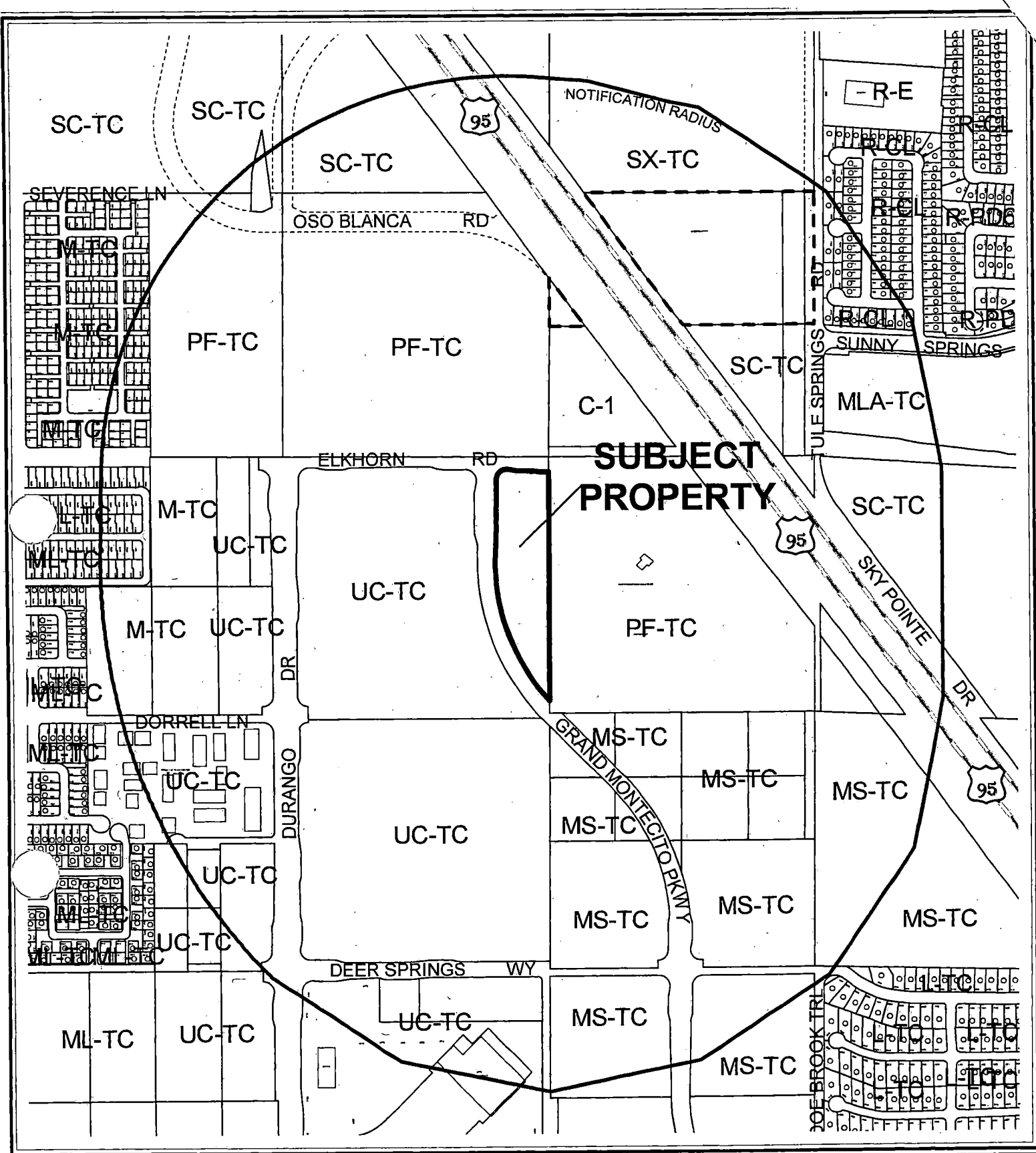
(10:22-10:26)

3-2400

CONDITIONS:

Planning and Development

1. A Site Development Review application (SDR-5295) for a High Density Residential Development at the southeast corner of Elkhorn Road and Durango Drive approved by the City Council.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



CASE: SUP-5296

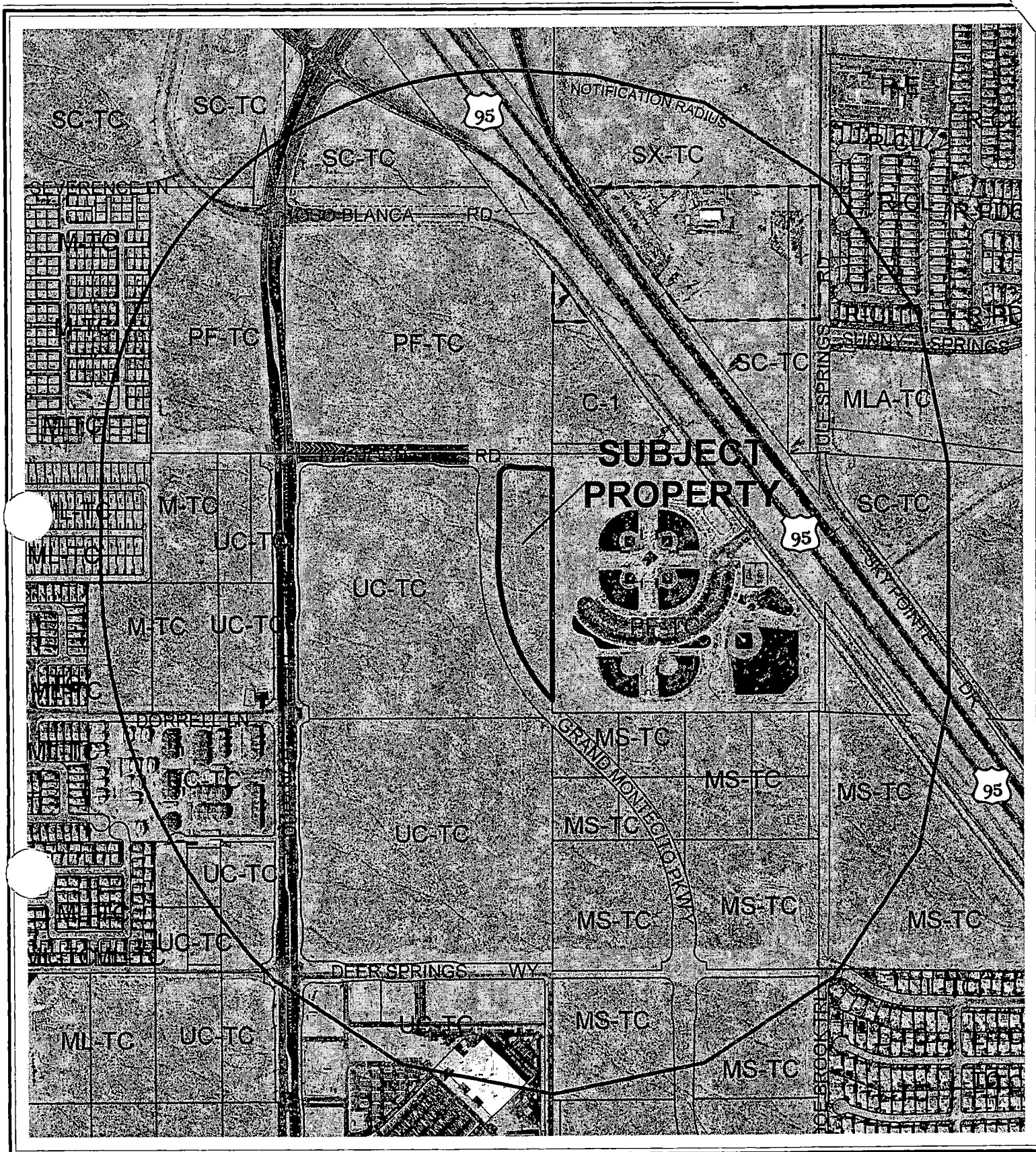
RADIUS: 2000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) [UC-TC (URBAN CENTER MIXED USE) TOWN CENTER SPECIAL
LAND USE DESIGNATION]

0 500 1000 Feet





CASE: SUP-5296

RADIUS: 2000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) [UC-TC (URBAN CENTER MIXED USE) TOWN CENTER SPECIAL
LAND USE DESIGNATION]

0 500 1000 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-5296 - APPLICANT: WP SOUTH ACQUISITIONS,
LIMITED LIABILITY COMPANY - OWNER: MONTECITO PADS, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. A Site Development Review application (SDR-5295) for a High Density Residential Development at the southeast corner of Elkhorn Road and Durango Drive approved by the City Council.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a high-density multi-family residential development on 5.96 acres adjacent to the southeast corner of Elkhorn Road and Grand Montecito Parkway.

B) Applicant's Justification

The special use permit is required to allow the density to exceed what is allowed in the Montecito Development Agreement area. Section 2.2.6 of the Design Standards manual states that densities greater than 50 dwellings units per acre (DUA) may be allowed by the approval of a special use permit. The density of the proposed project is 66.94 DUA.

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the 40-acre easterly portion of the subject site. The effective date of this annexation was May 29, 1964.
- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site. The Planning Commission and staff recommended approval.
- 12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.
- 03/11/04 The City Council approved a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review SDR-3764 for a 587,750 square foot mixed use development, Special Use Permit SUP-3779 for a Tavern, and Special Use Permit SUP-3780 for Gaming.

SUP-5296 - Staff Report Page Two
November 4, 2004 Planning Commission Meeting

11/04/04 The Planning Commission will hear the companion Site Development Plan review application SDR-5295.

B) Pre-Application Meeting

- 09/03/04 At the pre-application conference the following was discussed.
- Project will be multifamily for rent four storied tall with two parking terraces.
 - The project will not be gated.
 - Driveway lines up with approved median break on Grand Montecito Parkway.
 - May need a Traffic Study.
 - Flood Study is required.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Site Development Plan Review application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 5.96

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	UC-TC	Urban Center Mixed Use - Town Center
	MS-TC	Main Street Mixed Use - Town Center
North:	PF-TC	Public Facilities - Town Center
South:	MS-TC	Main Street Mixed Use - Town Center
East:	PF-TC	Public Facilities - Town Center
West:	UC-TC	Urban Center Mixed Use - Town Center

D) Existing Zoning

Subject Property:	T-C	Town Center
North:	T-C	Town Center
South:	T-C	Town Center
East:	T-C	Town Center
West:	T-C	Town Center

E) General Plan Compliance

a. Centennial Hills General Plan

The General Plan designation of the subject parcel on the Centennial Hills Sector Plan map is TC (Town Center), with special land use designations of UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center). The parcel is designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. It is also designated as Urban Center Mixed and Main Street Mixed Use on the Town Center Land Use Plan of the Centennial Hills Sector Plan. The proposed development is consistent with the allowed densities of these plans.

The proposed site plan is located in the Montecito Master Plan area and is subject to the Montecito Development Agreement. The project is in compliance with the provisions of the Development Agreement. It is subject to the Montecito Design Standards and the Town Center Development Standards Manual.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan-		
Montecito Development Agreement	X	
Centennial Hills Town Center	X	
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The proposed project is located in the Montecito Master Plan area and is subject to the Montecito Development Agreement. It is subject to the Montecito Design Standards and the Town Center Development Standards Manual.

ANALYSIS

A) Code Compliance

A1) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code, Montecito Development Agreement, or the Town Center development Standards that apply to the proposed high density residential use.

A2) High Density Residential

The High Density Residential District of the Montecito Design Standards Appendix designates areas where the predominant housing type is multi-family developed at very high densities. Building heights generally do not exceed 12 stories (150 feet), but greater heights may be attained upon approval of a Special Use Permit. The category allows any residential housing type including single family, multi-family, cluster, and townhome developments, at densities that generally do not exceed 50 units per acre.

This proposal seeks the authorization to develop the subject site at a density of 66.94 units per acre. The proposed density is consistent with the densities planned for this area by the Town Center Land Use Plan of the Centennial Hills Sector Plan. Therefore the proposed development will not have an adverse effect on the neighboring uses, planned or existing.

B) General Analysis and Discussion

- Zoning

This Special Use Permit has been filed in order to permit the proposed residential density in accordance with the T-C zoning. Residential uses in the T-C zoning district limited to the boundaries of the Urban Center and Main Street Mixed use districts may be at the requested density.

- Use

The proposed density is consistent with the planned residential development in this area of Town Center.

- Conditions

All development shall be in conformance with the Montecito Development Agreement, the Design Standards Appendix, and the Town Center Development Standards.

FINDINGS

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

KW

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 project, as designed, can be conducted in a manner that is harmonious with the existing surrounding land uses. While there is not any multifamily residential development in the immediate area, the project is in close proximity to major employment centers, and will assist in reducing the vehicular travel in the area.

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

The subject site has sufficient acreage for the type and intensity of uses proposed, and the proposed site plan is organized in such a manner so as to mitigate any potential impacts to surrounding properties.

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

Grand Montecito Parkway, along the west side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve 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."**

Approval of the proposed use will not compromise public health, safety, or welfare, and is consistent with the overall objectives of the General Plan.

NOTICES MAILED 64 – Mailed with SDR-5295

APPROVALS 0

PROTESTS 0



Case Number: SUP-5296 APN: 125-20-510-002

Name of Property Owner: Montecito Pads, LLC

Name of Applicant: WP South Acquisitions, LLC

Yes

X

No

City Official: _____

Partner(s): _____

APN: _____

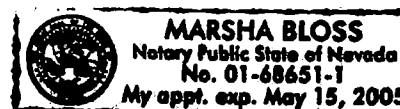
Signature of Property Owner/Authorized Agent: 

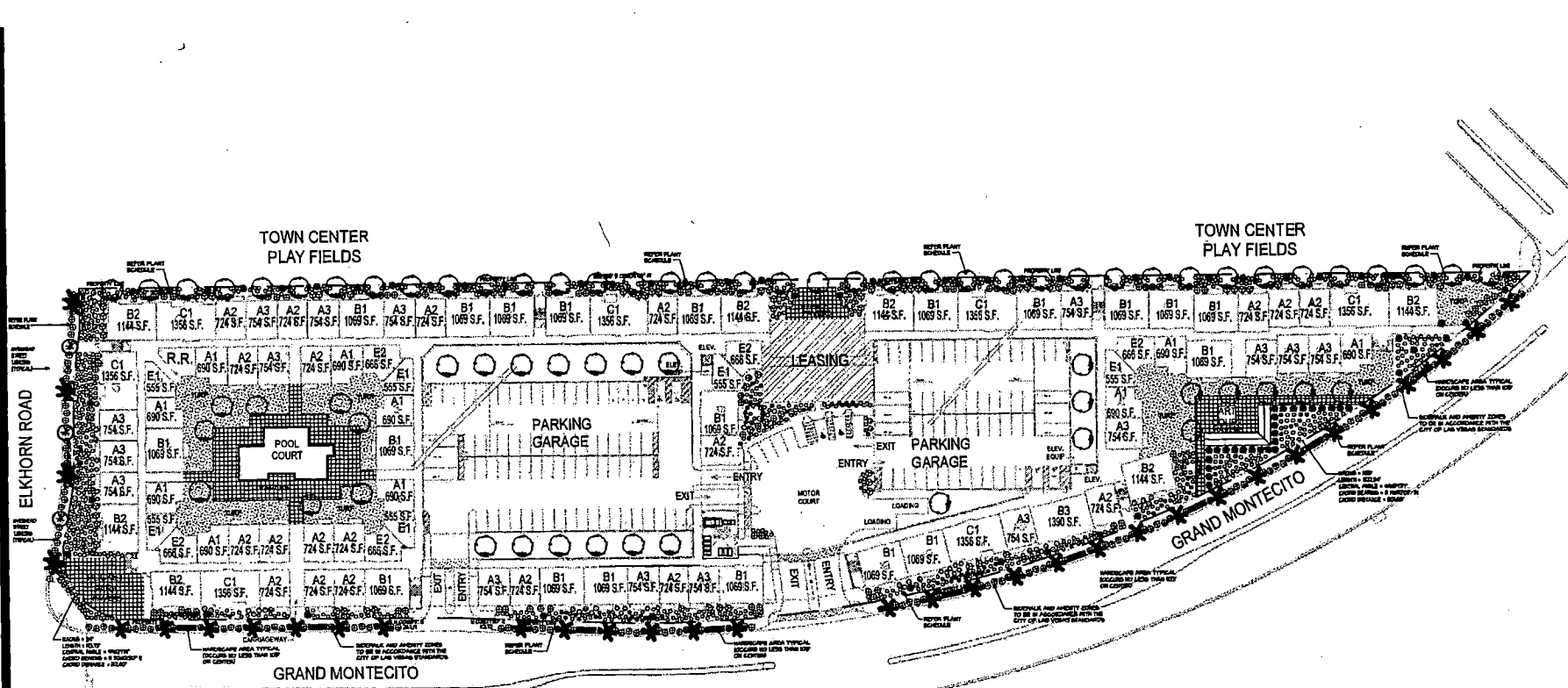
Print Name: Frank Nielsen

Subscribed and sworn before me

This 14 day of September, 2004

Maretha Bloss
Notary Public in and for said County and State





01 CONCEPTUAL LANDSCAPE PLAN
 SCALE: 1" = 40'-0"

- LANDSCAPE NOTES:**
1. CONTRACTOR IS RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES. THE PLANT SCHEDULE IS INTENDED AS A REFERENCE ONLY.
 2. LANDSCAPE ARCHITECT IS TO APPROVE ALL PLANT MATERIAL PRIOR TO INSTALLATION WITH PRIOR NOTICE OF 40 HOURS.
 3. PLANT MATERIAL IS TO HAVE IDENTIFICATION TAGS ON 10% OF THE TOTAL QUANTITY OF EACH SPECIES, SHOWING SEXES, SPECIES, VARIETY, ETC.
 4. CONTRACTOR TO PROVIDE MATCHING SIZES AND FORMS OF LIKE SHRUB SPECIES AS ON DRAWINGS.
 5. DECOMPOSED GRANITE, 1/2" MAX. COLOR, "PINK CORAL", 2" DEPTH TYPICAL IN ALL PLANTING BEDS. DECOMPOSED GRANITE SHALL CONTAIN LOW AGGREGATE AND AGG. FINES. CONTRACTOR TO RESERVE VERIFICATION FROM ROCK SUPPLIER AND PRESENT VERIFICATION TO THE OWNER PRIOR TO ANY CONSTRUCTION.
 6. ALL PALM HEIGHTS ARE BROWN TRUNK HEIGHTS. ALL PALMS SHALL HAVE STRAIGHT TRUNKS WITH NO CURVES. ALL DATE PALMS SHALL BE SHAVES. CUT. ALL FAN PALMS SHALL BE SKINNED WITHIN 3 FEET OF THE LAST FROND.
 7. ARIZONA RIVER ROCK 2'-4" SIZE, 4" MIN DEPTH SHALL BE LOCATED AT ROOF DRAIN EDITS LOCATED IN LANDSCAPE PLANTING. THE AREA OF ROCK SHALL BE A MINIMUM OF 3'-0" EXCEPT FOR WHERE HARDSCAPE DOES NOT PERMIT.

PLANT SCHEDULE:

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
TREES					
*	PAVONIA ROBERTA	MEXICAN FAN PALM	50	20" BROWN TRUNK HEIGHT	
+	ROBINIA AMBROSIA PURPLE ROSE	PURPLE ROSE LOGIST	5	36" BOX	STANDARD TRUNK
○	FRAXINUS VELUTINA 'INDIGRANDE'	RED GRANDE ASH	71	34" BOX	
SHRUBS					
⊕	CASIA OLEOPHYLLA 'OUTBACK'	OUTBACK CASIA	80	5 GAL.	
⊗	MYRTUS COMMENS 'COMPACTA'	COMPACTA MYRTLE	—	5 GAL.	
GROUND COVERS					
⊕	ACACIA REDOLENS 'DESERT CARPET'	TRAILING ACACIA	241	5 GAL.	
○	LANTANA SPECIES 'HER GOLD'	MIX GOLD LANTANA	344	1 GAL.	
○	LANTANA MONTEVIDEOENS	PURPLE TRAILING LANTANA	300	1 GAL.	
⊗	TURF MID-RUN	HYDRO BENEDICA SOG			
ACCENTS					
*	DAZYLIRION FRAXILLERI	DESERT SPOON	60	5 GAL.	
○	HEMIBEERNA CAPILLARIS 'REBAL HST'	REBAL WEST DEER GRASS	47	1 GAL.	
○	HEMIBEERNA CAPILLARIS	DEER GRASS	35	5 GAL.	

LEGAL DESCRIPTION

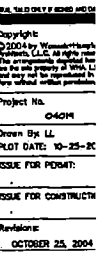
LOTS TWO (2) AND THREE (3) OF MONTICITO TOWN CENTER NORTH A COMMERCIAL SUBDIVISION AS SHOWN ON MAP THEREON OF FILE IN BOOK 84 OF PLATS, PAGE 88, IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA, Lying WITHIN THE SEQUENTLY QUARTER 34 (1/4) OF THE SEQUENTLY QUARTER NO 14 (1/4) OF SECTION 24 TOWNSHIP 14 NORTH, RANGE 40 EAST, 100N.

SUP-5096
SDR-5095
11-04-04 PC
REVISED 10-27-04

Womack + Hampton
ARCHITECTS, L.L.C.
 1000 Las Vegas Blvd. S. Ste. 200
 Las Vegas, NV 89102
 Tel: 702.251.2888
 Fax: 702.251.2889

Alta Montecito
 LAS VEGAS, NEVADA
WOOD PARTNERS

LP1
LANDSCAPE PLAN



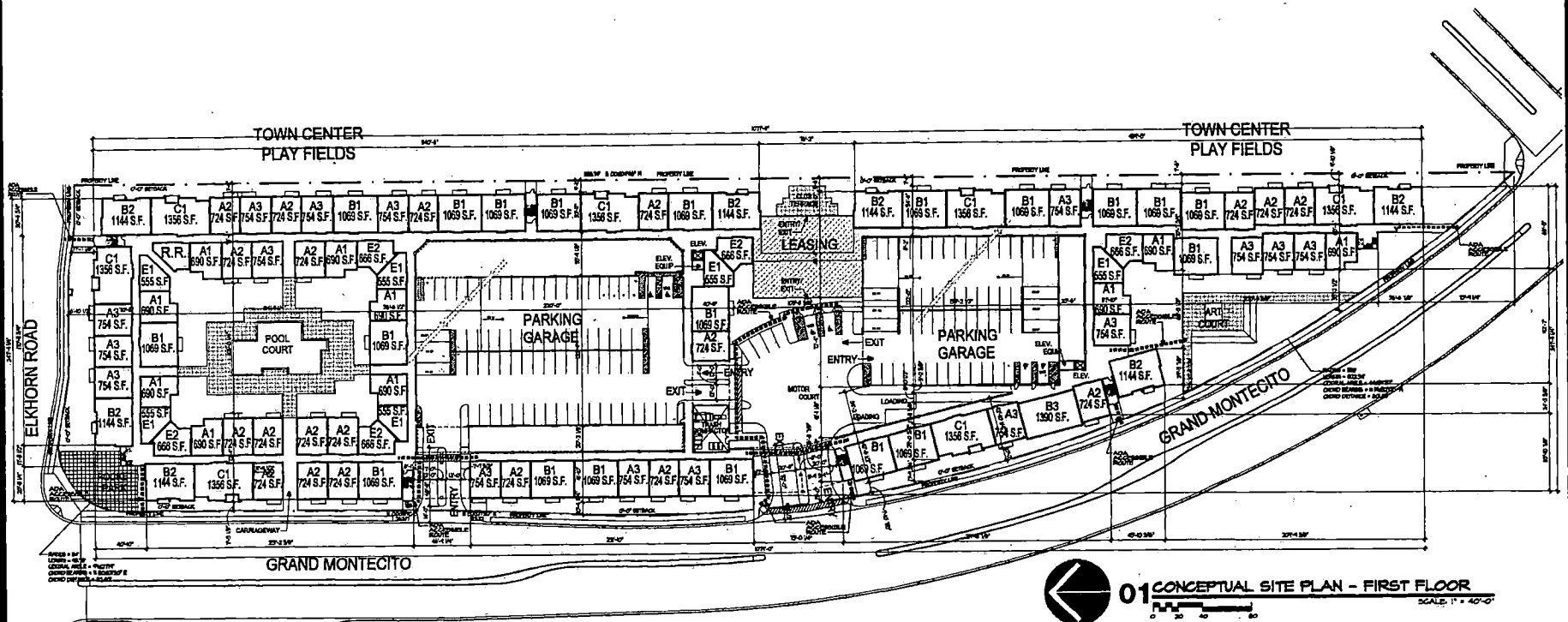
Alta Montecito

... LAS VEGAS, NEVADA ...

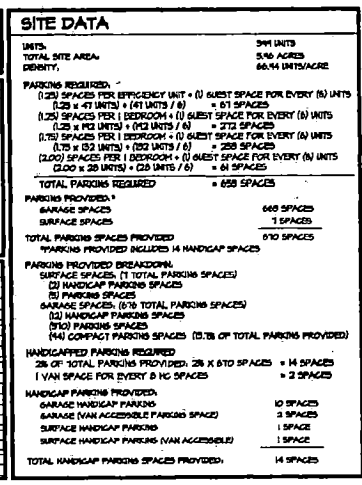
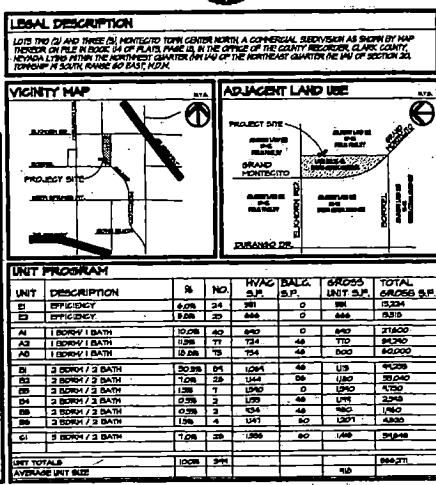
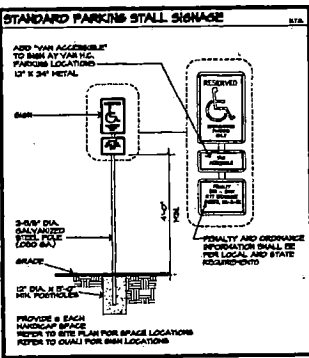
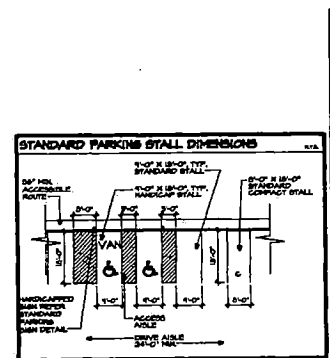
Womack+Hampton
ARCHITECTS, L.L.C.
455 Oak Lane Ave., Suite 40 Phone: (248) 253-8000
Indian Trail, NC 28039 Fax: (248) 253-8080



SP1
SITE PLAN
1ST FLOOR



01 CONCEPTUAL SITE PLAN - FIRST FLOOR



SUP-5096
SDR-5095
11-04-04 PC
REVISED 10-27-04



WEST ELEVATION - A
SCALE: 1/8" = 1'-0"



WEST ELEVATION - B
SCALE: 1/8" = 1'-0"



WEST ELEVATION - C
SCALE: 1/8" = 1'-0"



WEST ELEVATION - A

WEST ELEVATION - B

SUP-5096

WEST ELEVATION - C

SDR-5095

11-04-04 PC

REVISED 10-27-04



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Project No. 0404

Drawn By

ISSUE FOR PERMIT

ISSUE FOR CONSTRUCTION

Revisions:

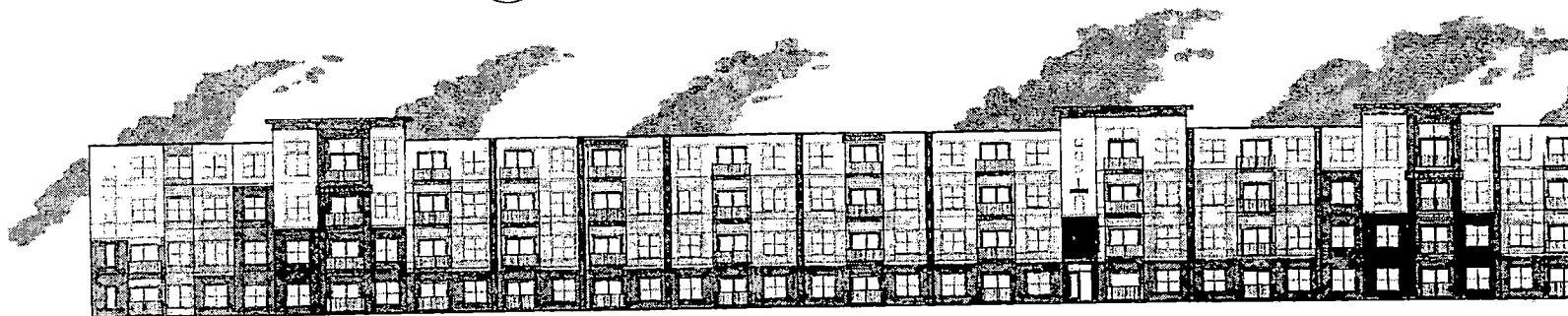
OCTOBER 25, 2004

Alta Montecito
LAS VEGAS, NEVADA
WOOD PARTNERS

Womack+Hampton
ARCHITECTS, L.L.C.
4801 LAS VEGAS BLVD. SUITE 200
LAS VEGAS, NV 89166
TEL: 702.735.5555
FAX: 702.735.5556



SE2
ELEVATION



EAST ELEVATION - A
SCALE: 1/8" = 1'-0"



EAST ELEVATION - B
SCALE: 1/8" = 1'-0"



EAST ELEVATION - C
SCALE: 1/8" = 1'-0"



EAST ELEVATION - A

EAST ELEVATION - B

SUP-5096
SDR-5095
11-04-04 PC
REVISED 10-27-04

EAST ELEVATION - C



SEALED ONLY IF ISSUED AND DATED

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Project No. 04019

Drawn By:

ISSUE FOR PERMIT:

ISSUE FOR CONSTRUCTION:

Revised:

OCTOBER 25, 2004

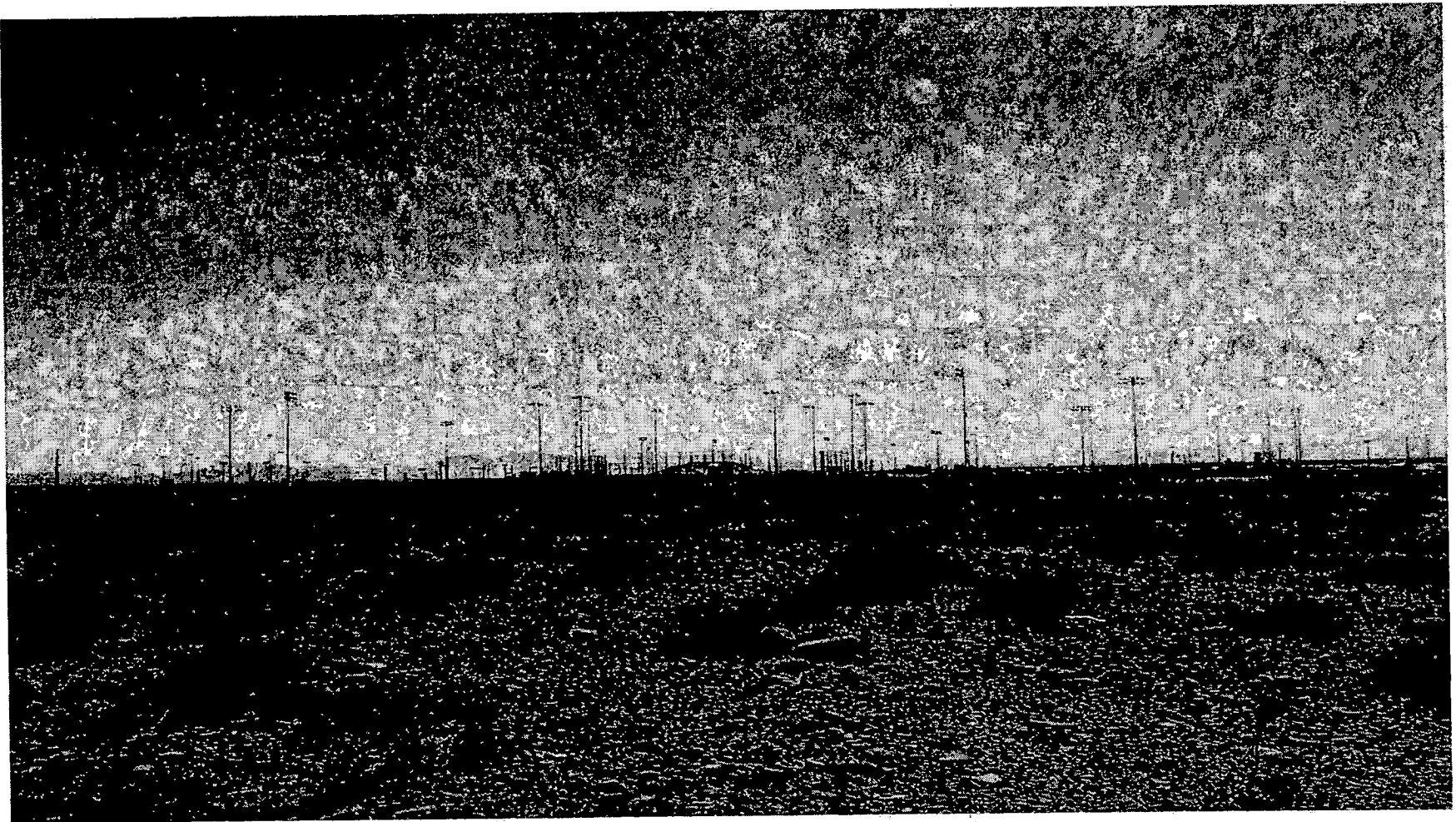
Alta Montecito
LAS VEGAS, NEVADA
WOOD PARTNERS

Womack+Hampton
ARCHITECTS, L.L.C.
2000 L. L. W. Ave. Suite 100
Las Vegas, NV 89102
Tel: 702.733.1000
Fax: 702.733.1000



Sheet Number

SE3
ELEVATION!



SUP-5296 - APPLICANT: WP SOUTH ACQUISITIONS, LIMITED LIABILITY COMPANY - OWNER:
MONTECITO PADS, LLC
SOUTHEAST CORNER OF ELKHORN ROAD AND GRAND MONTECITO PARKWAY
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5295 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5296 - PUBLIC HEARING - APPLICANT: WP SOUTH ACQUISITIONS, LIMITED LIABILITY COMPANY - OWNER: MONTECITO PADS, LLC - Request for a Site Development Review FOR A PROPOSED 399-UNIT FIVE-STORY HIGH DENSITY RESIDENTIAL DEVELOPMENT on 5.96 acres adjacent to the southeast corner of Elkhorn Road and Grand Montecito Parkway (APN 125-20-510-002), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use) Town Center Special Land Use Designation], Ward 6 (Mack).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining because she believed her company had been asked to look at this project and TRUESDELL abstaining because he represents a property within the notification area

To be heard by City Council 12/01/2004

MINUTES:

See Item 64 [SUP-5296] for all related discussion on Item 64 [SUP-5296] and Item 65 [SDR-5295].

(10:22-10:26)

3-2400

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 65 – SDR-5295

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-5296) for a High Density residential development at the southeast corner of Elkhorn Road and Durango Drive 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. The elevations shall be modified to include more articulation by using boxouts and staggering of the footprint of the buildings and use of arcades. The roof with only parapets should be altered to include hipped and sloped roofs. The straight, flat roof line shall be modified to include more vertical articulation by perhaps having portions of the fourth floor be omitted resulting in portions of the buildings be limited to three stories or portions being five stories.
4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
5. All development shall be in conformance with the site plan and building elevations, date stamped September 4, 2004, except as amended by conditions herein.
6. 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 15% of the total landscaped area as turf and which contains plant species that appear on Appendix B (Plant Palette) to the Montecito Town Center Development Agreement..
7. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
8. 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.]
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 65 – SDR-5295

CONDITIONS – Continued:

10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Committee prior to the issuance of a Certificate of Occupancy for any building on the site.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. Any internal property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Construct half-street improvements, including appropriate overpaving, on Grand Montecito Parkway adjacent to this site concurrent with development of this site. Coordinate with the City Engineer regarding the Elkhorn Road overpass improvement project and how this site will be impacted. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system 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. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. Coordinate with the City Engineer's office to determine the correct median opening locations on Grand Montecito Parkway and coordinate with the City Traffic Engineer for driveway placement at the openings.
18. If not already constructed by the Master Developer, coordinate with the Collection Systems Planning Section of the Department of Public Works to determine downstream sewer construction requirements per the Montecito Development Agreement. Provide a

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 65 – SDR-5295

CONDITIONS – Continued:

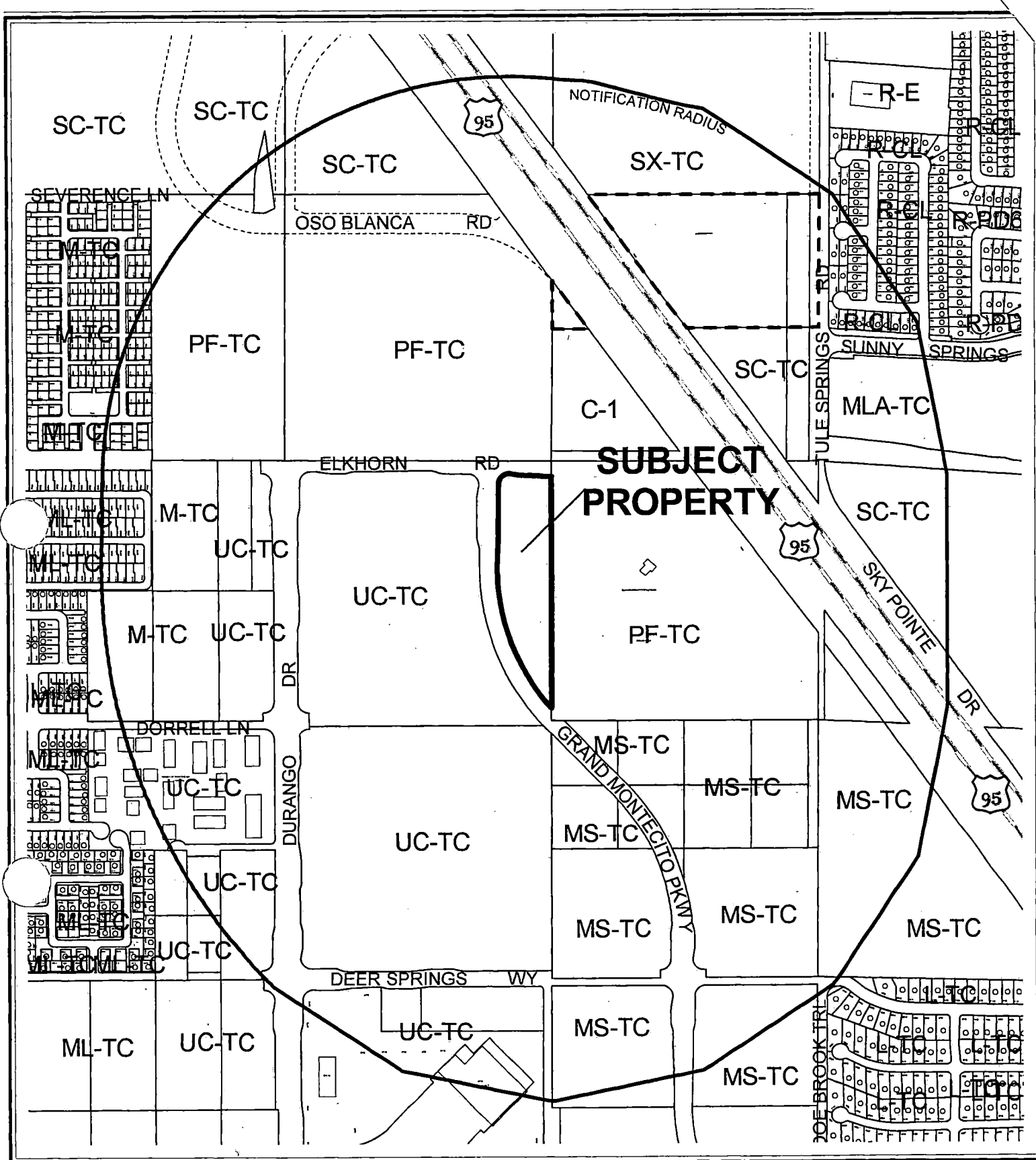
Provide a plan to the Department of Public Works for approval prior to submittal of construction drawings for this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public 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.

- C
19. Landscape and maintain all unimproved rights-of-way on Elkhorn Road and Grand Montecito Parkway adjacent to this site.
 20. Submit an Encroachment Agreement for all landscaping and private improvements located in the Elkhorn Road and Grand Montecito Parkway public rights-of-way adjacent to this site prior to occupancy of this site.
 21. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction drawings 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.
 22. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
- C

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 65 – SDR-5295

CONDITIONS – Continued:

- C
23. 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.
24. Site development to comply with all applicable conditions of approval for Z-76-98, the Montecito Town Center Development Agreement, the Montecito Town Center North commercial subdivision and all other applicable site-related actions.
- C
25. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.



CASE: SDR-5295

RADIUS: 2000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) [UC-TC (URBAN CENTER MIXED USE) TOWN CENTER SPECIAL
LAND USE DESIGNATION]

0 500 1000 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-5295 - APPLICANT: WP SOUTH ACQUISITIONS,
LIMITED LIABILITY COMPANY - OWNER: MONTECITO PADS, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL, Subject to:**

Planning and Development

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2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
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4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
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10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
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SDR-5295 - Conditions Page Four
November 4, 2004 Planning Commission Meeting

23. 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.
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**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review for a 399-unit multi family high density residential development on 5.96 acres adjacent to the southeast corner of Durango Drive and Elkhorn Road.

B) Applicant's Justification

The proposed development intends to comply with the design standards of the Montecito Development Agreement. All of the buildings are oriented close to the street frontage and the parking garage is located on the inside of the parcel so as not to be as visible from the street. The proposed project is unique in design: all of the entry points along Grand Montecito parkway will be located underneath the upper floors of the residential units. This concept showcases a more urban design. The four storied building will further the intent of Town Center that encourages capturing greater density in an upward design.

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the 40-acre easterly portion of the subject site. The effective date of this annexation was May 29, 1964.
- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site. The Planning Commission and staff recommended approval.
- 12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.

SDR-5295 - Staff Report Page Two
November 4, 2004 Planning Commission Meeting

- 03/11/04 The City Council approved a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review SDR-3764 for a 587,750 square foot mixed use development, Special Use Permit SUP-3779 for a Tavern, and Special Use Permit SUP-3780 for Gaming.
- 11/04/04 The Planning Commission will hear the companion Special Use Permit application SUP-5296.

B) Pre-Application Meeting

- 09/03/04 At the pre-application conference the following was discussed.
- Project will be multifamily for rent four storied tall with two parking terraces.
 - The project will not be gated.
 - Driveway lines up with approved median break on Grand Montecito Parkway.
 - May need a Traffic Study.
 - Flood Study is required.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Site Development Plan Review application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 5.96

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	UC-TC	Urban Center Mixed Use - Town Center
	MS-TC	Main Street Mixed Use - Town Center
North:	PF-TC	Public Facilities - Town Center
South:	MS-TC	Main Street Mixed Use - Town Center
East:	PF-TC	Public Facilities - Town Center
West:	UC-TC	Urban Center Mixed Use - Town Center

D) Existing Zoning

Subject Property:	T-C	Town Center
North:	T-C	Town Center
South:	T-C	Town Center
East:	T-C	Town Center
West:	T-C	Town Center

E) General Plan Compliance

a. Centennial Hills General Plan

The General Plan designation of the subject parcel on the Centennial Hills Sector Plan map is TC (Town Center), with special land use designations of UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center). The parcel is designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement.

The proposed project is subject to the Montecito Development Agreement. The project is in compliance with the provisions of the Development Agreement. It is subject to the Montecito Design Standards and the Town Center Development Standards Manual.

PROJECT DESCRIPTION

The proposed project is a multi-level apartment development on the southeast corner of Elkhorn Road, a 100 foot Town Center Primary Arterial, and Grand Montecito Parkway, a 90 foot Town Center Loop Road, as depicted on Map 4A of the Town Center Development Standards. There will be three entry points along Grand Montecito Parkway.

The proposal will have four levels of residential units with a maximum height of sixty feet. The proposed density is 66.94 dwelling units per acre with 399 units contained within several buildings. Parking will be provided in two multi-level parking structures in the interior of the project.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The Development Standards for projects located within the Montecito Development Agreement area are set forth under Sections 3, 4 and 5 of the Agreement.

The proposal appears to meet these requirements of the Development Agreement.

A2) Residential Adjacency Standards

There are no Residential Adjacency Standards that pertain to this project.

A3) Parking and Traffic Standards

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

Uses	Rooms	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Studio Units	47	1.25 spaces per unit plus 1 guest space per 6 units	67			
1 Bedroom Units	160	1.25 spaces per unit plus 1 guest space per 6 units	227			
2 Bedroom Units	164	1.75 spaces per unit plus 1 guest space per 6 units	315			
3+ Bedroom Units	28	2 spaces per unit plus 1 guest space per 6 units	61			
Totals			656	14	656	14

The proposal meets the requirements of Title 19.10 for parking.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 Spaces	1 Trees	1
Buffer:			
• Min. Trees	1 Trees/ 30 Linear Feet	82 Trees	75
• Min. Zone Width	Zero Setback		6.4 Feet
• Wall height	8 feet		Not Shown
Amenity Zone- Loop Road			
• Buffer Width	4 Feet		Not Shown
• Min. Trees	1 Trees/ 35 Linear Feet	17	28
Amenity Zone- Arterial Road			
• Buffer Width	2.6 Feet		Not Shown
• Min. Trees	1 Trees/ 35 Linear Feet	4	4

The proposal meets the requirements of Title 19 for landscaping.

A5) Sign Standards

Signage for the project will be subject to a separate review by the Centennial Hills Architectural Committee.

B) General Analysis and Discussion

- Zoning

The development site is currently zoned T-C (Town Center). The proposed project is consistent with the T-C zoning.

- Site Plan

The Montecito Town Center Development Agreement supercedes the Town Center Development Standards Manual requirements, unless the Agreement is silent on a given topic. The site plan as presented meets the requirements of the Development Agreement and the Town Center Development Standards where applicable.

- Waivers

There are no waivers requested by the applicant for this proposal.

- Landscape Plan

○ The landscape plan depicts an amount of landscaping and open space that meets the standards of the Development Agreement.

- Elevation

The elevations depict a rectangular, box like appearance. The elevations need more articulation by using boxouts and staggering of the footprint of the buildings. The roof with only parapets should be altered to include hipped and sloped roofs. The straight, flat roof-line needs more vertical articulation by perhaps having portions of the fourth floor be omitted resulting in portions of the buildings be limited to three or raised to five stories. A condition will be added to require the elevations to be revised with these features.

- Floor Plan

○ The floor plans show designs typical of residential development.

FINDINGS

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

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

This proposed development will be compatible with other development that is adjacent or nearby within the Montecito Development Agreement area.

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

Projects within the Development Agreement area are only required to comply with the provisions of the Agreement, unless the Agreement is silent on a particular standard. The project as submitted appears to comply with those Title 19 standards, such as parking, which apply to the site.

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

Grand Montecito Parkway, along the west side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed development.

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

The building and landscape materials are typical of a development of this type, and are complementary to those used in other surrounding and nearby commercial, office and institutional projects in 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;"**

By conformance with the conditions of approval the development will appear orderly and aesthetically pleasing and will be harmonious and compatible with development in the area.

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

The proposed development will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

SDR-5295 - Staff Report Page Eight
November 4, 2004 Planning Commission Meeting

NOTICES MAILED 64 – Mailed with SUP-5296

APPROVALS 0

PROTESTS 0



Case Number: SDR-5295 APN: 125-20-510-002

Name of Property Owner: Montecito Pads, LLC

Name of Applicant: WP South Acquisitions, LLC

Yes

X No

City Official: _____

Partner(s): _____

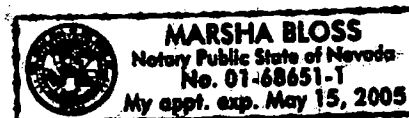
APN: _____

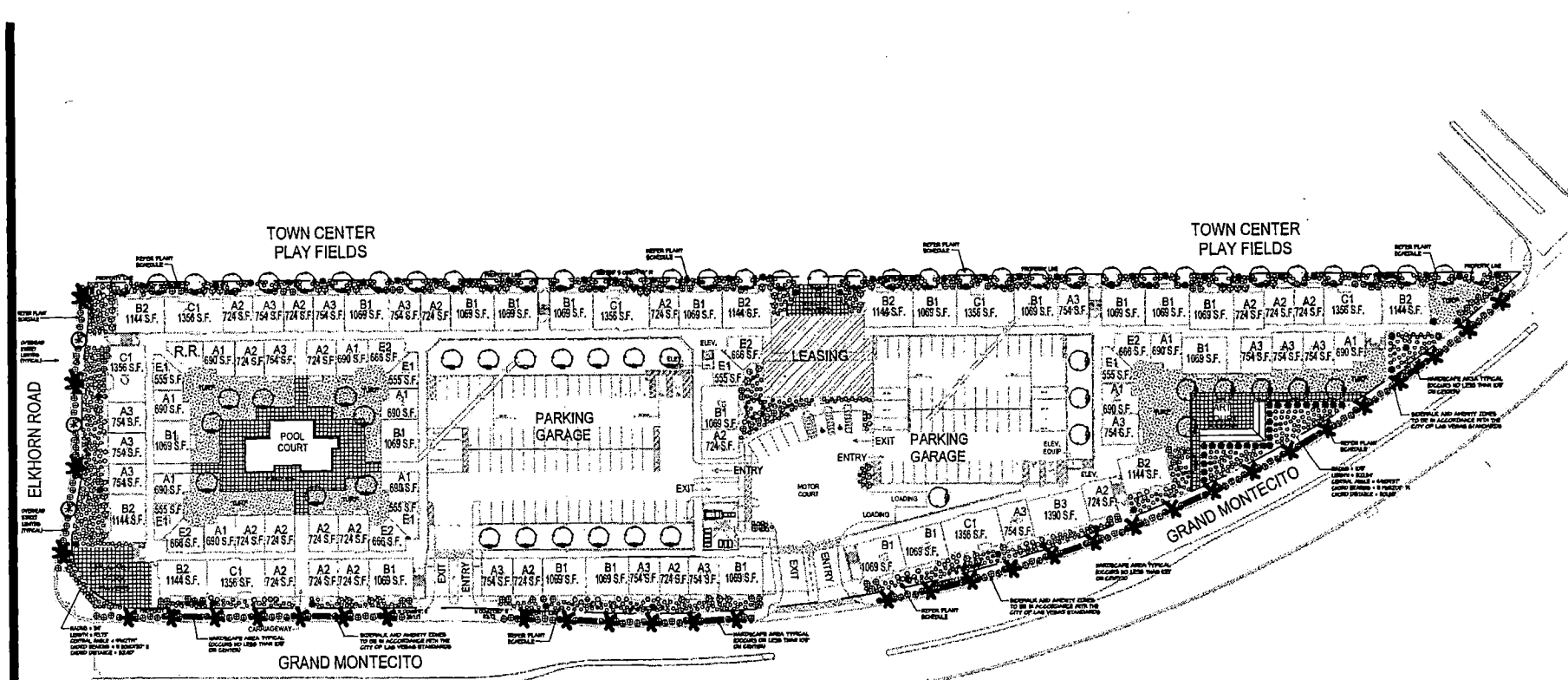
Signature of Property Owner/Authorized Agent:

Print Name: Frank Nielsen

This 14 day of September, 2004

Marsha Bless
Notary Public in and for said County and State





01 CONCEPTUAL LANDSCAPE PLAN

SCALE: 1" = 40'-0"

- LANDSCAPE NOTES:**
- CONTRACTOR IS RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES. THE PLANT SCHEDULE IS INTENDED AS A REFERENCE ONLY.
 - LANDSCAPE ARCHITECT IS TO APPROVE ALL PLANT MATERIAL PRIOR TO INSTALLATION WITH PRIOR NOTICE OF 48 HOURS.
 - PLANT MATERIAL IS TO HAVE IDENTIFICATION TAGS ON 10% OF THE TOTAL QUANTITY OF EACH SPECIES, SHOWING GENUS, SPECIES, VARIETY, ETC.
 - CONTRACTOR TO PROVIDE MATCHING SIZES AND FORMS OF LIKE SHRUB SPECIES AS ON DRAWINGS.
 - DISCOMPOSED GRANITE, 1/2" MIN. COLOR, TYP. CORAL, 3" DEPTH TYPICAL IN ALL PLANTING BEDS. DISCOMPOSED GRANITE SHALL CONTAIN NO ADHESANTS AND NO FIBERS. CONTRACTOR TO RECEIVE VERIFICATION FROM ROCK SUPPLIER AND PRESENT VERIFICATION TO THE OWNER PRIOR TO ANY CONSTRUCTION.
 - ALL PALM HEIGHTS ARE BROWN TRUNK HEIGHTS. ALL PALMS SHALL HAVE STRAIGHT TRUNKS WITH NO CURVES. ALL DATE PALMS SHALL BE SHEDD CUT. ALL FAN PALMS SHALL BE SKINNED WITHIN 3 FEET OF THE LAST FROND.
 - ARIZONA RIVER ROCK, 2"-4" SIZE, 4" MIN DEPTH SHALL BE LOCATED AT ROOF DRAIN EXITS LOCATED IN LANDSCAPE PLANTERS. THE AREA OF ROCK SHALL BE A MINIMUM OF 3'-0" EXCEPT FOR FINEER HARDSCAPE DOES NOT PERMIT.

PLANT SCHEDULE:					
SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
TREES					
	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	30	20' BROWN TRUNK HEIGHT	STANDARD TRUNK
	ROSENA AMBAGUA PURPLE ROSE'	PURPLE ROSE LOCUST	3	50' BOX	
	FRAXINUS VELUTINA 'RUB. GRANDE'	RUB. GRANDE ASH	11	24" BOX	
SHRUBS					
	CASSIA OLIMPHILLA 'OUTBACK'	OUTBACK CASSIA	00	3 GAL.	STANDARD TRUNK
	MYRTUS COMPACTA 'COMPACTA'	COMPACTA MYRTLE	—	3 GAL.	
GROUND COVERS					
	ACACIA RETROFLEXA DESERT CARPET	TRAILING ACACIA	347	3 GAL.	STANDARD TRUNK
	LANTANA SPECIES 'NEW GOLD'	NEW GOLD LANTANA	344	1 GAL.	
	LANTANA MONTICITENSIS	PURPLE TRAILING LANTANA	300	1 GAL.	
	TURF MED-TRON	HYDRO BERMUDA SOD			
ACCENTS					
	DASYLIRION PHOEBILI	DESERT SPOON	29	3 GAL.	STANDARD TRUNK
	HAULDSBERGIA CAPILLARIS 'REDAL HOST'	REDAL HOST DEER GRASS	41	1 GAL.	
	MOLINA MICROCARPA	DEER GRASS	20	3 GAL.	

LEGAL DESCRIPTION

LOTS 1001 OF ONE AND THREE OF MONTECITO TOWN CENTER NORTH A COMMERCIAL SUBDIVISION AS SHOWN BY MAP RECORDED IN THE PUBLIC RECORDS OF CLACK COUNTY, OREGON, LIES WITHIN THE SOUTHWEST QUARTER AND 1/4 OF THE SOUTHWEST QUARTER AND 1/4 OF SECTION 30, TOWNSHIP 11 NORTH, RANGE 10 EAST, MERIDIAN 11 WEST.



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Alta Montecito
LAS VEGAS, NEVADA
WOOD PARTNERS

Womack + Hampton
ARCHITECTS, L.L.C.
200 N. 1st Ave. Ste. 100
Las Vegas, NV 89101



LP1
LANDSCAPE PLAN

SUP-5096
SDR-5095
11-04-04 PC
REVISED 10-27-04



WEST ELEVATION - A

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



WEST ELEVATION - B

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



WEST ELEVATION - C

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



WEST ELEVATION - A

WEST ELEVATION - B

WEST ELEVATION - C

SUP-5096

SDR-5095

11-04-04 PC

REVISED 10-27-04



FOR THE STATE OF NEVADA

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Project No. 0404

Drawn By

Issue for Permit

Issue for Construction

Revisions

OCTOBER 25, 2004



EAST ELEVATION - A
SCALE: 1/16"=1'-0"



EAST ELEVATION - B
SCALE: 1/16"=1'-0"



EAST ELEVATION - C
SCALE: 1/16"=1'-0"



EAST ELEVATION - A

EAST ELEVATION - B

SUP-5096
SDR-5095
11-04-04 PC
REVISED 10-27-04

EAST ELEVATION - C



SEE ALSO ONLY P. 5040 AND DATED

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Project No. 04019

Drawn By:

ISSUE FOR PERMIT:

ISSUE FOR CONSTRUCTION:

Revisions:

OCTOBER 25, 2004

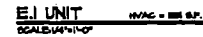
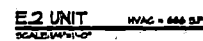
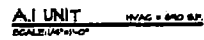
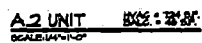
Alta Montecito
LAS VEGAS, NEVADA
WOOD PARTNERS

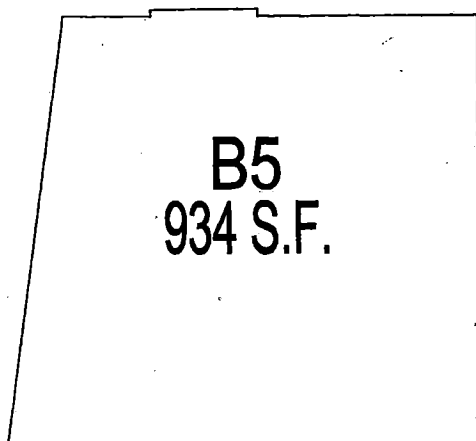
Womack+Hampton
ARCHITECTS, L.L.C.
2001 W. L. W. BLVD. SUITE 100
LAS VEGAS, NV 89102
TEL: 702.735.1100
FAX: 702.735.1101



Sheet Number

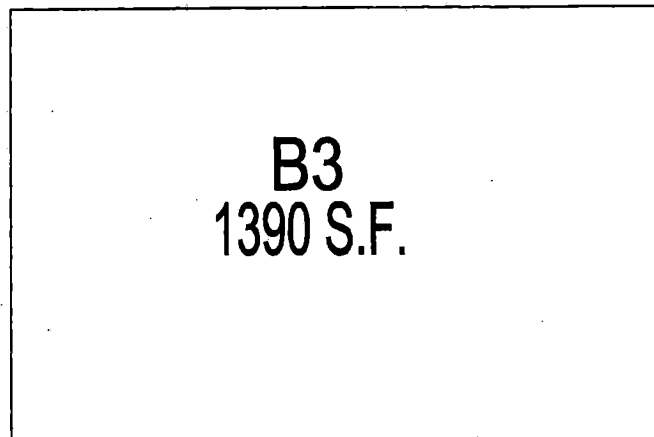
SE3
ELEVATION:





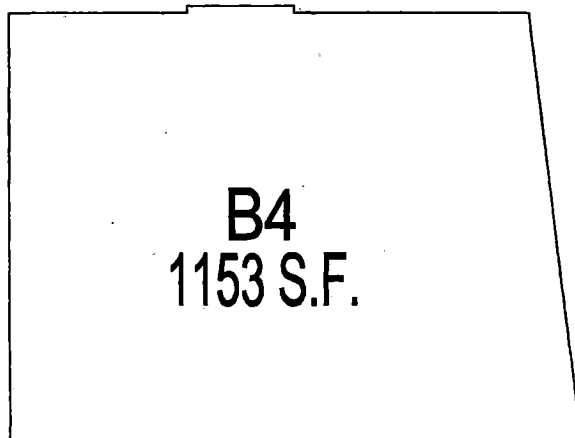
B5
934 S.F.

B.5 UNIT HVAC = 124 S.F.
SCALE: 1/4"=1'-0" BALCO = 40 S.F.



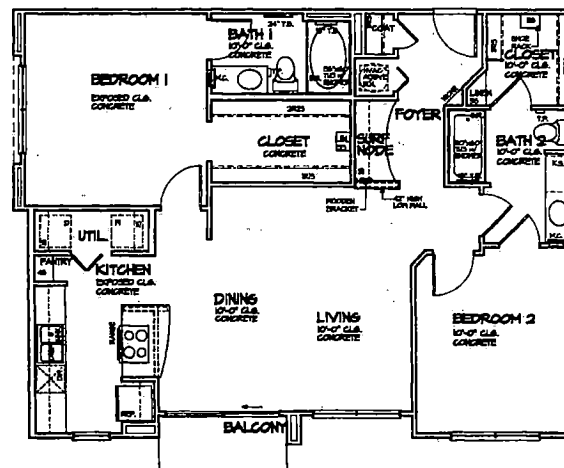
B3
1390 S.F.

B.3 UNIT HVAC = 1240 S.F.
SCALE: 1/4"=1'-0"



B4
1153 S.F.

B.4 UNIT HVAC = 122 S.F.
SCALE: 1/4"=1'-0" BALCO = 40 S.F.



B.2 UNIT HVAC = 557 S.F.
SCALE: 1/4"=1'-0"

SUP-5296
SDR-5295
11-04-04 PC



SEE THIS ONLY IF REVISED AND PLotted

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Project No. 04094

Drawn By: LL

Plot Date: 8-15-2004

Issue For Permit:

Issue For Construction:

Revisions:

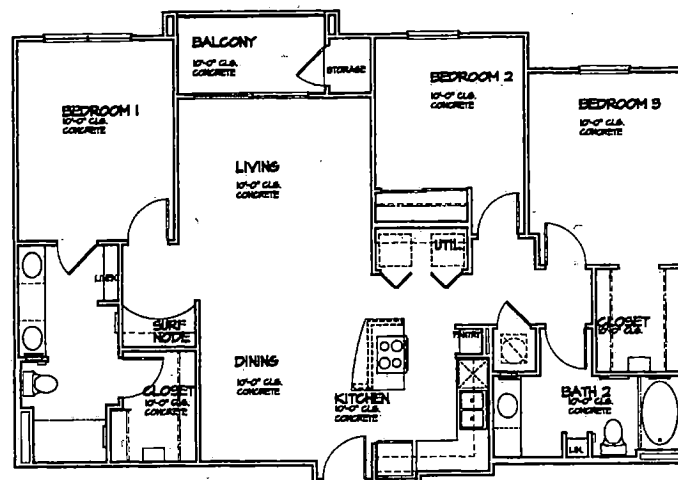
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LAS VEGAS, NEVADA
WOOD PARTNERS

Womack+Hampton
ARCHITECTS, L.L.C.
1000 Las Vegas Blvd. S., Suite 200
Las Vegas, NV 89102
Phone: 702.735.2000
Fax: 702.735.2001

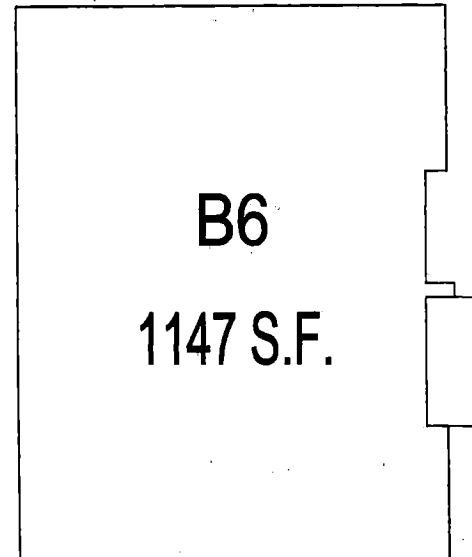


Sheet Number

SU2
UNIT
PLANS



C.1 UNIT **SIZE: 1231 S.F.**
SCALE: 1/4\"=1'-0\" **1ST-4TH FLOORS**



B.6 UNIT **SIZE: 1147 S.F.**
SCALE: 1/4\"=1'-0\"

SUP-5296
SDR-5295
11-04-04 PC



REGISTERED ARCHITECT

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Project No. 0404M

Drawn By: LL

PLOT DATE: 9-15-2004

ISSUE FOR PERMIT:

ISSUE FOR CONSTRUCTION:

Revisions:

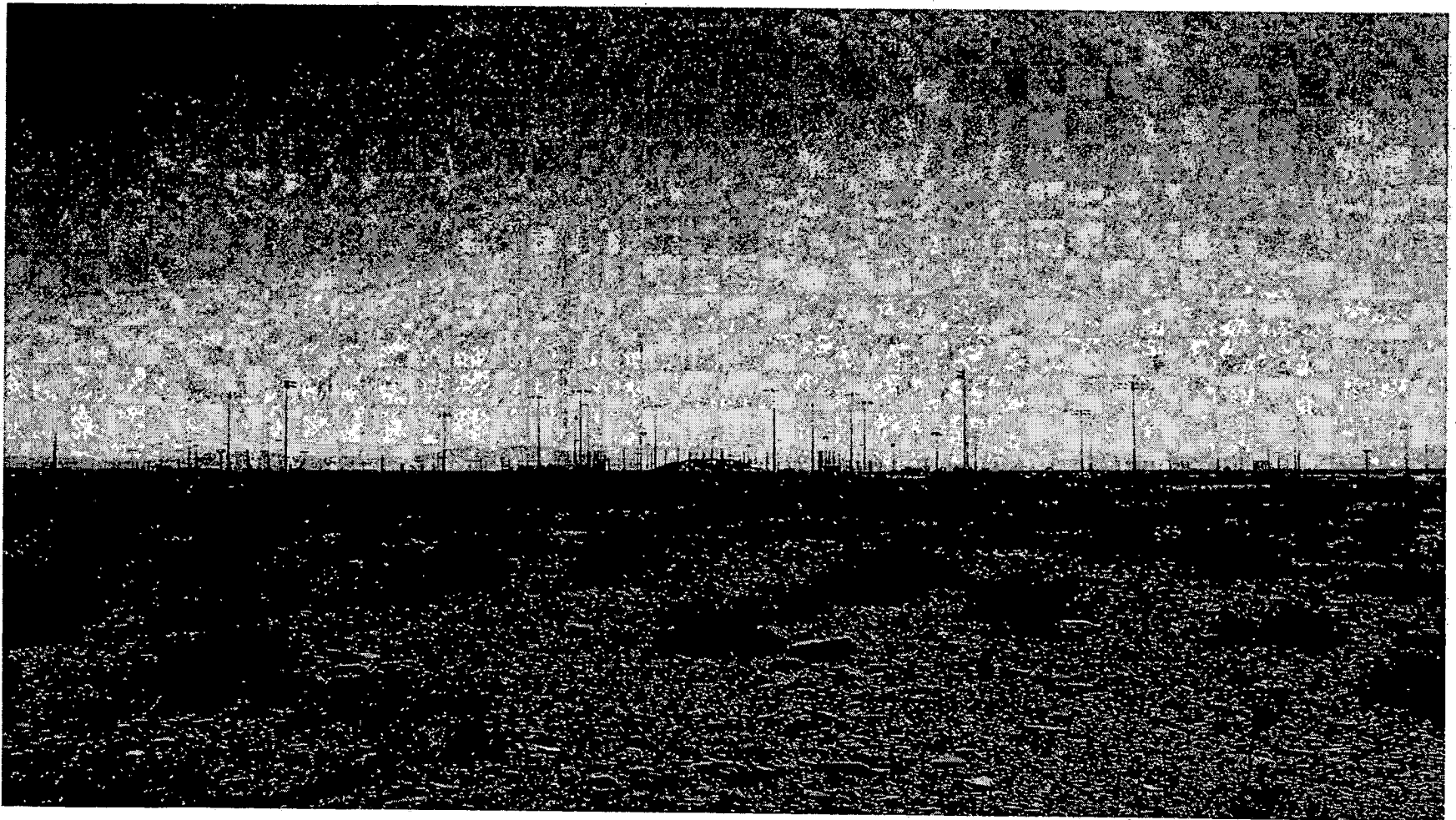
Alta Montecito
 LAS VEGAS, NEVADA
WOOD PARTNERS

Womack+Hampton
ARCHITECTS, L.L.C.
 2001 W. HARRIS BLVD. SUITE 200
 LAS VEGAS, NV 89102
 TEL: 702.735.1000 FAX: 702.735.1001



Sheet Number

SU3
UNIT
PLANS



SDR-5295 - APPLICANT: WP SOUTH ACQUISITIONS, LIMITED LIABILITY COMPANY - OWNER:
MONTECITO PADS, LLC
SOUTHEAST CORNER OF ELKHORN ROAD AND GRAND MONTECITO PARKWAY
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5305 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ARIEL VALLI ARCHITECTS - OWNER: GEOFFREY D. COMMONS AND JOHN L. SUTER -

Request for a Special Use Permit FOR A PROPOSED MINI-WAREHOUSE FACILITY adjacent to the west side of Jones Boulevard, approximately 250 feet north of Cheyenne Avenue (APN 138-11-804-025), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack).

C.C.: 12/01/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because he owns an interest in the property directly across the street from this site

To be heard by City Council 12/01/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 66 [SUP-5305] and Item 67 [SDR-5307].

KYLE WALTON, Planning and Development Department, stated the proposed mini-warehouse is compatible with the existing and future surrounding uses. With compliance to the conditions, the proposed use would be harmonious with the adjacent land uses and staff is recommending approval.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 66 – SUP-5305

MINUTES – Continued:

RICHARD MORENO, Moreno & Associates, 300 South 4th Street, appeared on behalf of the applicant and concurred with all conditions.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 66 [SUP-5305] and Item 67 [SDR-5307].

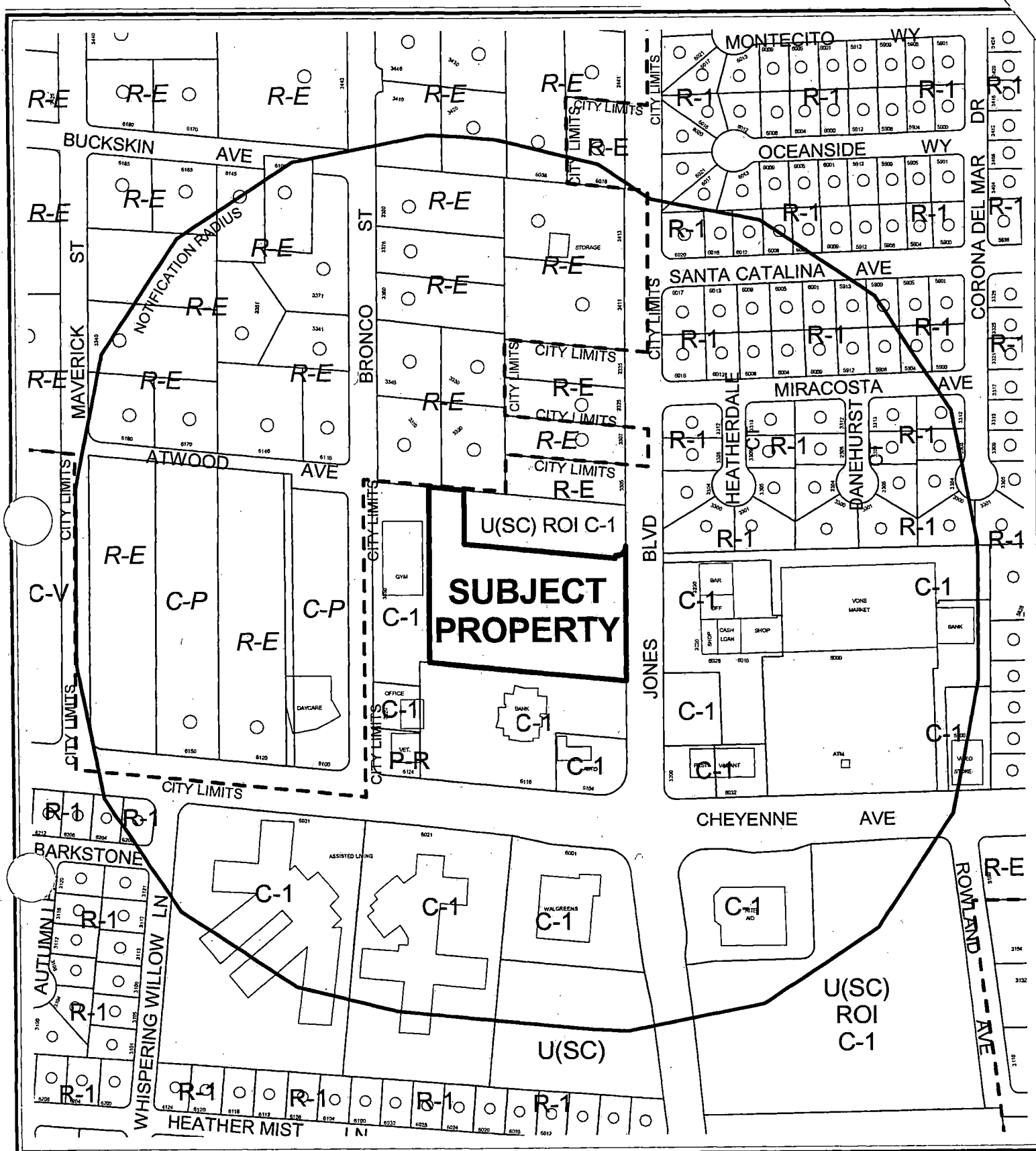
(10:26-10:30)

3-2581

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Mini-Warehouse use.
2. Approval of and conformance to the Conditions of Approval for Site Development Review (SDR-5307).
3. This Special Use Permit shall expire two year from the date of the 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.
5. The building design shall incorporate patterns and materials that provide visual interest. This shall be accomplished through the use of changes in color, materials and/or relief such as the inclusion of beltlines, pilasters, recesses, pop outs, etc.
6. The site shall incorporate a trash enclosure, which is fully enclosed using the same design theme and materials to those used in the main structure. The trash enclosure shall conform to Title 19.08 Design Standards.



CASE: SUP-5305

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



CASE: SUP-5305

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5305 - APPLICANT: ARIEL VALLI ARCHITECTS -

OWNER: GEOFFREY D. COMMONS AND JOHN L. SUTER

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Mini-Warehouse use.
2. Approval of and conformance to the Conditions of Approval for Site Development Review (SDR-5307).
3. This Special Use Permit shall expire two year from the date of the 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.
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6. The site shall incorporate a trash enclosure, which is fully enclosed using the same design theme and materials to those used in the main structure. The trash enclosure shall conform to Title 19.08 Design Standards.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review and Waivers to allow a zero-foot rear yard setback where 20 feet is required and of the perimeter landscaping requirements for a proposed 85,335 square-foot mini-warehouse facility.

B) Applicant's Justification

The applicant states: "The project objective is to provide a quality self-storage facility that will serve the needs of the community".

BACKGROUND INFORMATION

A) Previous Actions

01/02/80 The City Council approved an Annexation of the subject site to the City of Las Vegas through Ordinance #2064 (A-0025-79).

01/22/03 The City Council approved a request for a Rezoning from: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) (Z-0068-02). The City Council also approved a request for a Site Development Plan Review for an 8,000 square foot commercial building [Z-0068-02(1)]. The Planning Commission and staff recommended approval on 12/19/02.

B) Pre-Application Meeting

09/21/04 The elements of a Special Use Permit application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.69 acres

BTS

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Residence
South: Wells Fargo Bank
East: Cheyenne Plaza
West: School of Gymnastics

C) Planned Land Use

Subject Property: S-C (Service Commercial) Under Resolution Of Intent to C-1
(Limited Commercial)
North: DR (Desert Rural Residential)
[Clark County] R-E (Rural Estates Residential)
South: SC (Service Commercial)
East: L (Low Density Residential)
SC (Service Commercial)
West: SC (Service Commercial)

D) Existing Zoning

Subject Property: U (Undeveloped) Zone [SC (Service Commercial) General Plan
designation] Under Resolution Of Intent to C-1 (Limited
Commercial)
North: R-E (Residence Estates)
R-E (Residence Estates) [Clark County Designation]
South: C-1 (Limited Commercial)
East: C-1 (Limited Commercial)
R-1 (Single Family Residential)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The site is designated SC (Service Commercial), but is under resolution of intent to C-1 on the Centennial Hills Interlocal Land Use Plan of the General Plan. The existing SC (Service Commercial) and proposed C-1 (Limited Commercial) Zoning designations are in conformance with the General Plan.

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

The subject site is located in the North Las Vegas airport overlay. The maximum height allowed in the area is 150 feet. Therefore, the proposed mini-warehouse facility is does not exceed the maximum allowable height.

The residential area, which is north of the subject site falls 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. N-o comments have been received.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" because any Special Use Permit within 500' feet of Clark County or North Las Vegas requires a Project of Regional Significance.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. No comments have been received for the subject site.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Mini-warehouse	85,335 SF.	1/50 storage units plus 5 spaces for customers	12	1	12	1

The applicant meets the required number of parking spaces required for a min-warehouse.

A2) Minimum Distance Separation Requirements

The site is subject to minimum distance separation requirements. Building 'A3' is setback 46 feet from the northern property line. The height of the building 'A3' is 14 feet. Therefore, the building is setback the required distance and complies with the minimum distance separation requirements.

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

Standards	Code Requirement	Provided
Trash Enclosure	Y	N

The site plan does not indicate a trash enclosure. Therefore, a condition has been added, which will incorporate one onto the site.

B) General Analysis and Discussion

• Zoning

The site is currently zoned SC (Service Commercial) General Plan Designation, but is under Resolution of Intent to C-1 (Limited Commercial). Commercial uses are permitted by right in the C-1 (Limited Commercial) district Residential uses are also permitted in C-1 (Limited Commercial) districts upon approval of a Special Use Permit. The project complies with all other zoning requirements relative to this request.

• Use

A mini-warehouse is a permitted use in the C-1 (Limited Commercial) zone with approval of a General Plan Amendment and a rezoning (in this case) and Special Use Permit.

As defined in Title 19, a mini-warehouse is a facility with enclosed storage space, divided into separate compartments no larger than 500 square feet in size, which is provided for use by individuals to store personal items or by businesses to store materials for operation of a business establishment.

• Conditions

The following base conditions exist for this Special Use Permit:

1. No more than one manger's security residence shall be permitted.
2. All storage shall be within an enclosed building except for the storage of recreational vehicles, which shall be completely screened from view from surrounding properties and abutting streets.

3. No business shall be conducted from or within a mini-storage facility.
4. Retail sale of stored items on the premises is prohibited.
5. The commercial repair of motor vehicles, boats, trailers and other like vehicles shall be prohibited.
6. The operation of spray-painting equipment, power tools, welding equipment or other similar equipment shall be prohibited.
7. The production, fabrication or assembly of products shall be prohibited.
8. The rental of single unit trucks and small utility trailers shall be permitted as an accessory use to a mini-storage use, provided the business is conducted out of the same office as that of the mini-storage facility. No trucks or trailers shall be displayed in public view and the combined total of all trucks and trailers stored on site shall not exceed a ratio of two trucks or trailers for each one hundred storage units. On-site parking shall be provided for each rental vehicle in excess of the number required for the mini-storage complex.
9. Truck and trailer storage shall be screened from the street and adjacent property.

The project will conform to these base conditions.

FINDINGS

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

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

The site is located in the SC (Service Commercial) category, which 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. Therefore, the proposed mini-warehouse is compatible with surrounding land uses, and with future surrounding land uses.

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

The subject site is an urban infill site, and is appropriate low intensity use.

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

The subject site is located near northwest corner of Jones Boulevard, a 80-foot Secondary Arterial, and Cheyenne Avenue, a Freeway - Expressway; both shown on the Master Plan of Streets and Highways. These streets have the capacity or potential to manage the traffic from the uses on the site of this proposal.

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 goals and objectives of the General Plan in providing high-quality housing where master planned.

NOTICES MAILED 94 – Mailed with SDR-5307

APPROVALS 0

PROTESTS 0



Case Number: SUP-5305 APN: 138-11-804-025
Name of Property Owner: Geoffrey Commons
Name of Applicant: Ariel Valli Architects

Yes

No

City Official: _____

Partner(s): _____

APN: _____

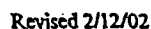
Signature of Property Owner/Authorized Agent: Walter J. Conner

Print Name: Wesley Commas

Subscribed and sworn before me

This 15 day of Sept, 2008

Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5305 APN: 138-11-804-025

Name of Property Owner: John Sutter

Name of Applicant: Angel Valli Architects

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: Jim Selt

Print Name: JOHN SATER

Subscribed and sworn before me

This 14 day of Sept, 2024

Notary Public in and for said County and State.



ATWOOD AVENUE

BUCKSKIN AVENUE

MAVERICK STREET

BRONCO STREET

JONES BOULEVARD

SUP-5305
SDR-5307

11-04-04 PC

REVISED 10-21-04

JONES / CHEYENNE SELF STORAGE
LAS VEGAS, NEVADA

FIRST INTERSTATE BANK OF NEVADA, N.A.
BOOK 8807N, DOC. NO. 00417, OFFICIAL RECORDS
APN 138-11-804-018

PRELIMINARY SITE PLAN

SCALE: 1" = 80'-0"

ARCHITECT

ARIEL L. VALLI ARCHITECT
IN COLUMBIA, SITE 300
ALBU VILLO, CA 94528
CONTACT: ARIEL VALLI
415-544-1771
415-544-1770 FAX

DEVELOPER

RESTORED REALTY, LLC
3880 SOUTH BUFFALO DR. STE 108
LAS VEGAS, NV 89121
CONTACT: MICHAEL BORDA
702-294-8078
702-294-8078 FAX

PROJECT DATA

APN 138-11-804-018

GROSS SITE AREA: 11.23 SQ. FT.
(.41 ACRES)

STORAGE BUILDING AREA:

BUILDING W/ 8 STORY	2,189	SQ. FT.
BUILDING W/ 8 STORY	8,888	SQ. FT.
BUILDING W/ 8 STORY	8,888	SQ. FT.
BUILDING W/ 8 STORY	1,128	SQ. FT.

BUILDING W/ 8 STORY	21,000	SQ. FT.
SECOND FLOOR	21,000	SQ. FT.
BUILDING W/ TOTAL	34,000	SQ. FT.
STORAGE BUILDING AREA TOTAL	34,000	SQ. FT.

STORAGE BUILDING AREA TOTAL: 34,000 SQ. FT.

OFFICE / MANAGER'S UNIT AREA:

OFFICE & FIRST FLOOR	100	SQ. FT.
MANAGER'S UNIT & SECOND FLOOR	870	SQ. FT.
MANAGER'S UNIT & SECOND FLOOR	870	SQ. FT.
OFFICE / MANAGER'S UNIT TOTAL	1,770	SQ. FT.
PROJECT TOTAL	35,770	SQ. FT.

PROJECT TOTAL: 35,770 SQ. FT.

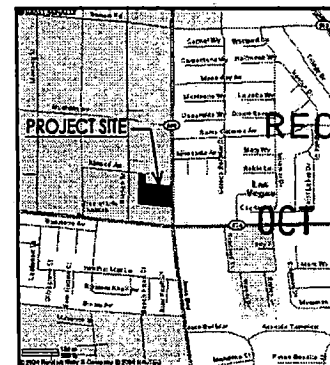
SITE COVERAGE:

BUILDING FOOTPRINTS	34,000	SQ. FT.	(44.1%)
LANDSCAPING	1,000	SQ. FT.	(2.8%)
PAVEMENT / DRIVEWAY	40,482	SQ. FT.	(113.0%)
PAVEMENT / DRIVEWAY	4,948	SQ. FT.	(13.8%)
TOTAL	79,430	SQ. FT.	(222.7%)

PARKING ANALYSIS:

1 PER 80 UNITS = 12 SPACES REQUIRED
(100 / 80 = 1.25)

MANAGED SPACES (N = 10)	1 SPACES
STANDARD SPACES (N = 10)	12 SPACES
TOTAL PROVIDED	13 SPACES
BY PARKING (12 x 20)	12 SPACES



RECEIVED

OCT 21 2004

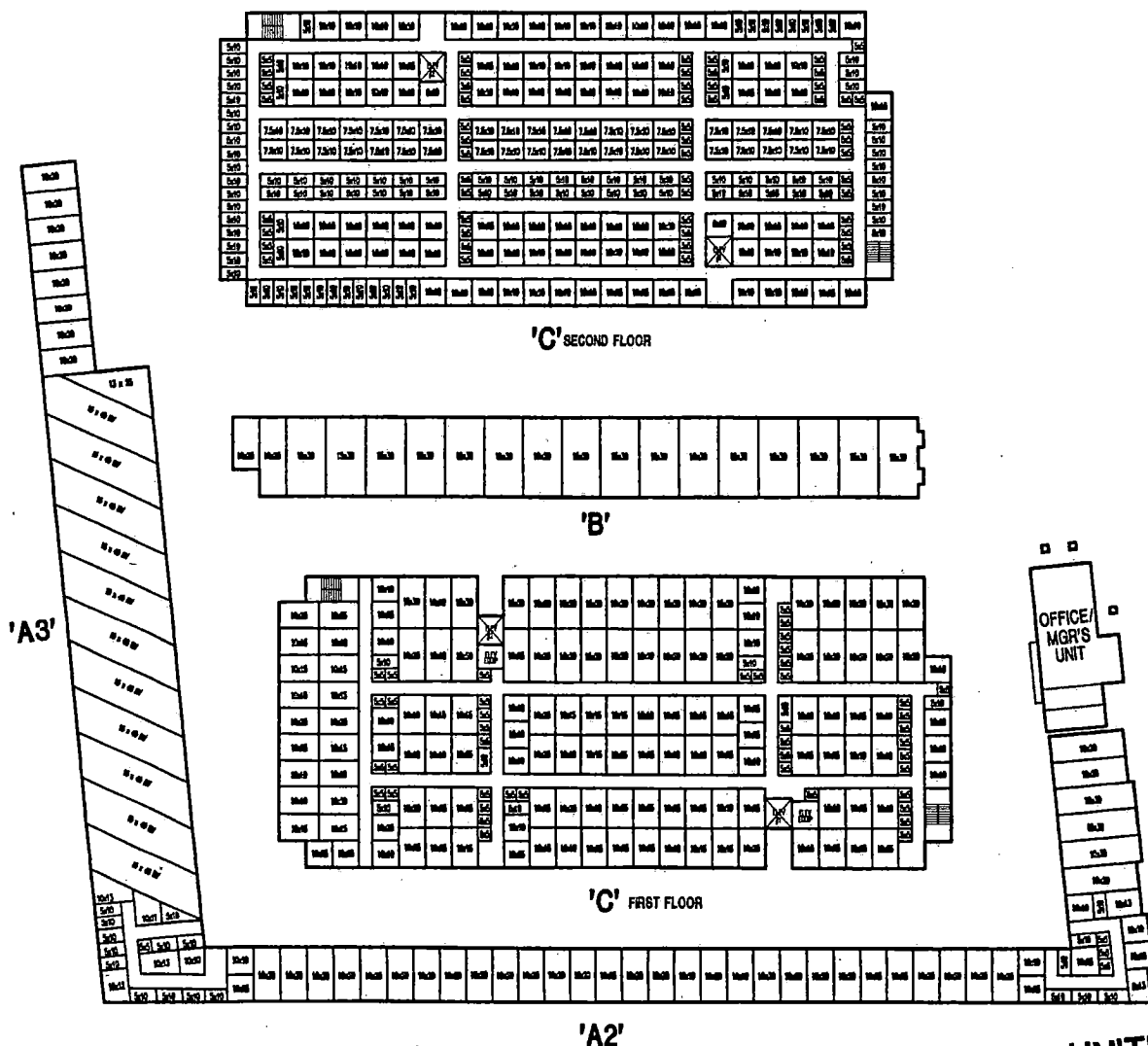
VICINITY MAP

ARIEL L. VALLI
ARCHITECT
37 COLUMBIA, SUITE 300
ALBU VILLO, CA 94528
415-544-1771
415-544-1770 FAX

OCT. 14, 2004
REV. 10, 2004
REV. 10, 2004
REV. 10, 2004



04-432



STORAGE GROSS AREA

BUILDING 'A1'	(1 STORY)	2,700	SQ. FT.
BUILDING 'A2'	(1 STORY)	6,200	SQ. FT.
BUILDING 'A3'	(1 STORY)	1,100	SQ. FT.
BUILDING 'B'	(1 STORY)	1,125	SQ. FT.
BUILDING 'C' FIRST FLOOR	(2 STORY)	21,000	SQ. FT.
BUILDING 'C' SECOND FLOOR		21,000	SQ. FT.
BUILDING 'C' TOTAL		42,000	SQ. FT.
STORAGE BLDGS TOTAL		43,925	SQ. FT.
STORAGE EFFICIENCY		64,304	SQ. FT. (GROSS)

TOTAL UNITMIX

SIZE OF UNIT	SQ. FT. UNIT	NO. OF UNITS	TOTAL SQ. FT.
5 x 5	25	100	2,500
5 x 10	50	120	6,000
10 x 10	100	40	4,000
10 x 15	150	1	150
10 x 20	200	2	400
10 x 30	300	1	300
15 x 15	225	1	225
15 x 20	300	1	300
15 x 30	450	1	450
20 x 20	400	1	400
20 x 30	600	1	600
30 x 30	900	1	900
TOTAL		171	17,125

COVERED RV PARKING

SIZE OF RV UNIT	SQ. FT. UNIT	NO. OF RV UNITS	TOTAL SQ. FT.
10 x 20	200	1	200
TOTAL		1	200

AVERAGE UNIT SIZE

TOTAL	171
AVERAGE UNIT SIZE	100.75

RECEIVED

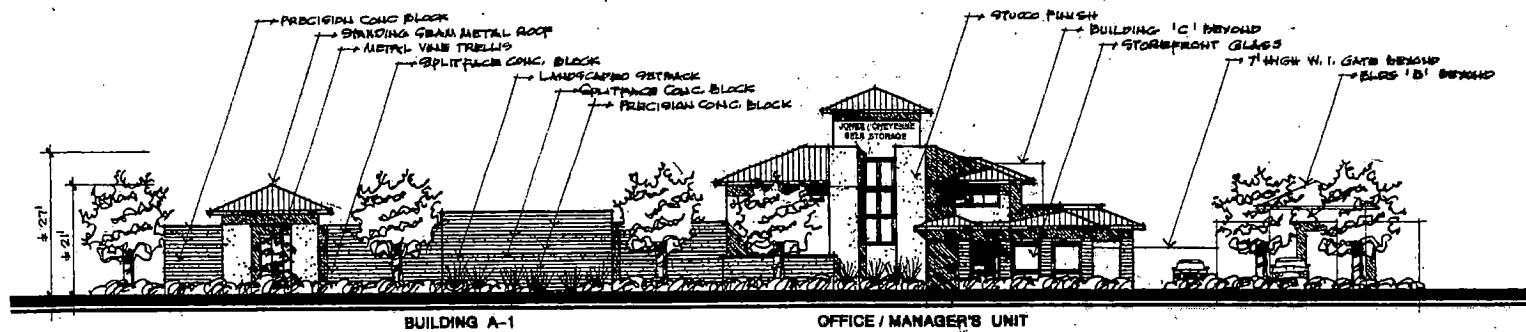
SUP-5305
SDR-5307
11-04-04 PC
REVISED 10-21-04

OCT 21 2004

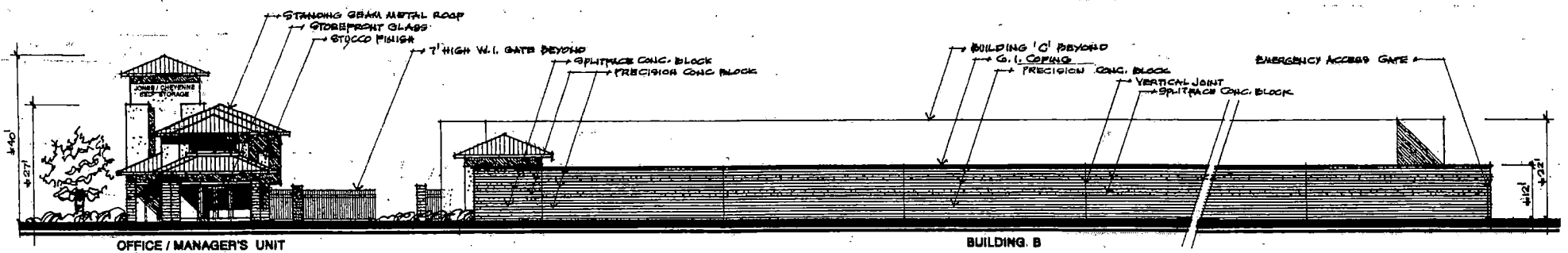
UNITMIX PLAN

ARIELL VALLI ARCHITECT
2

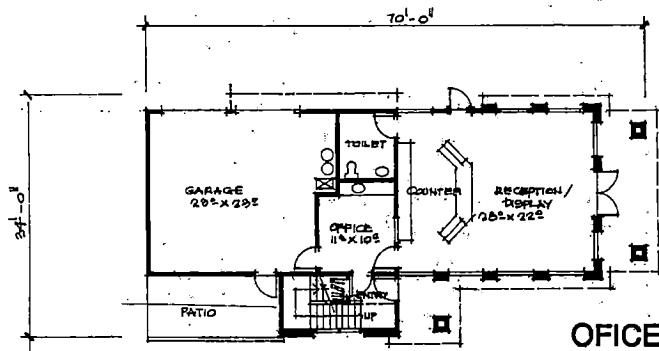
JONES / CHEYENNE SELF STORAGE
LAS VEGAS, NEVADA



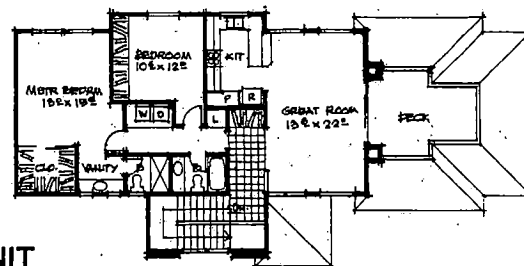
JONES BLVD EAST ELEVATION
SCALE 1" = 10'



NORTH ELEVATION
SCALE 1" = 10'



OFFICE / MANAGER'S UNIT
SCALE 1/8" = 1'-0"

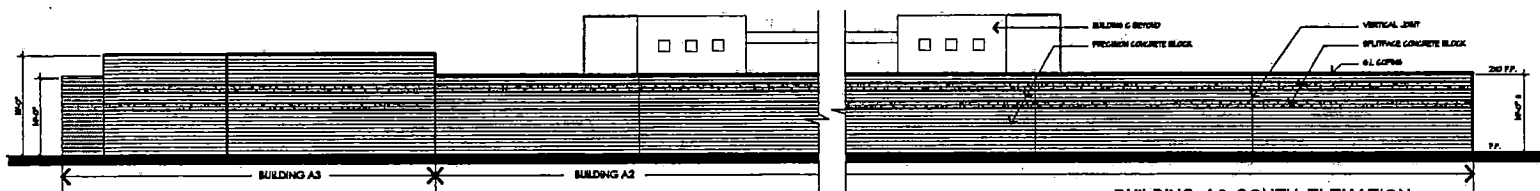


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OCT 21 2004

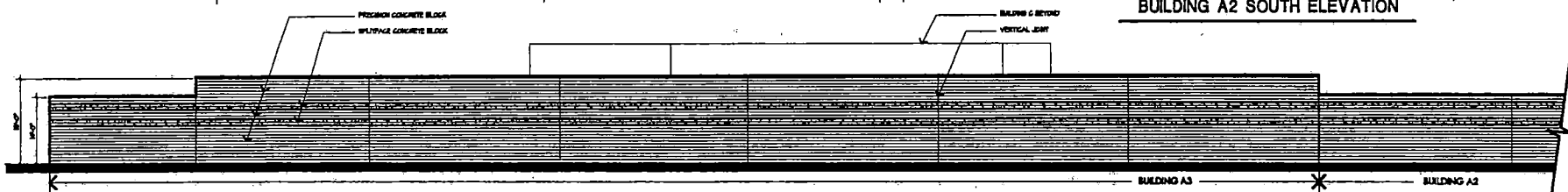
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LAS VEGAS, NEVADA

SUP-5305
SDR-5307
11-04-04 PC
REVISED 10-21-04

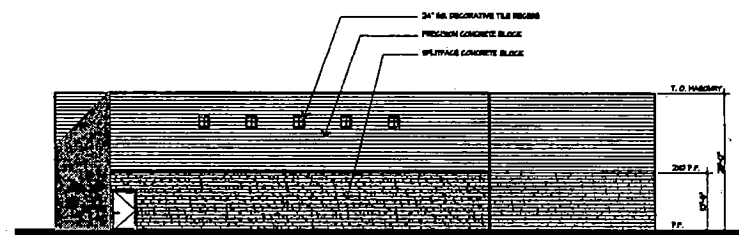
ARIELL
VALLI
ARCHITECT
81 COLUMBIA, SUITE 200, FSC, 9401 349-1777
ALISO VIEJO, CA 92656 FAX: 949/349-1778



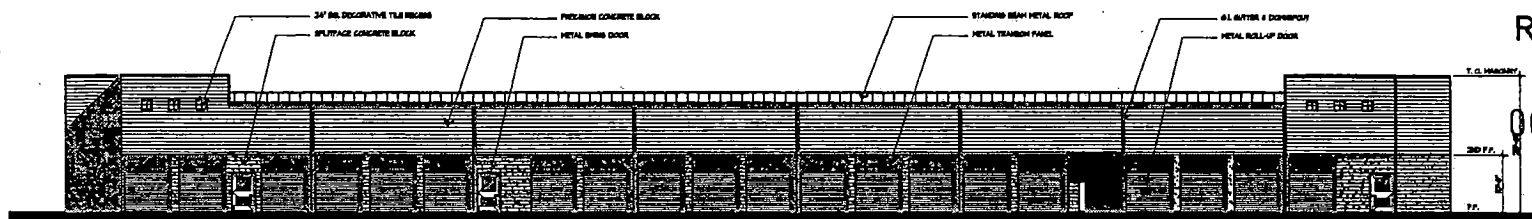
BUILDING A2 SOUTH ELEVATION



BUILDING A3 WEST ELEVATION



BUILDING C EAST ELEVATION



BUILDING C SOUTH ELEVATION

JONES / CHEYENNE SELF STORAGE
LAS VEGAS, NEVADA

SUP-5305
SDR-5307
11-04-04 PC
REVISED 10-21-04

ELEVATION

SCALE: 1" = 10'-0"

OCT. 11, 2004

04-430

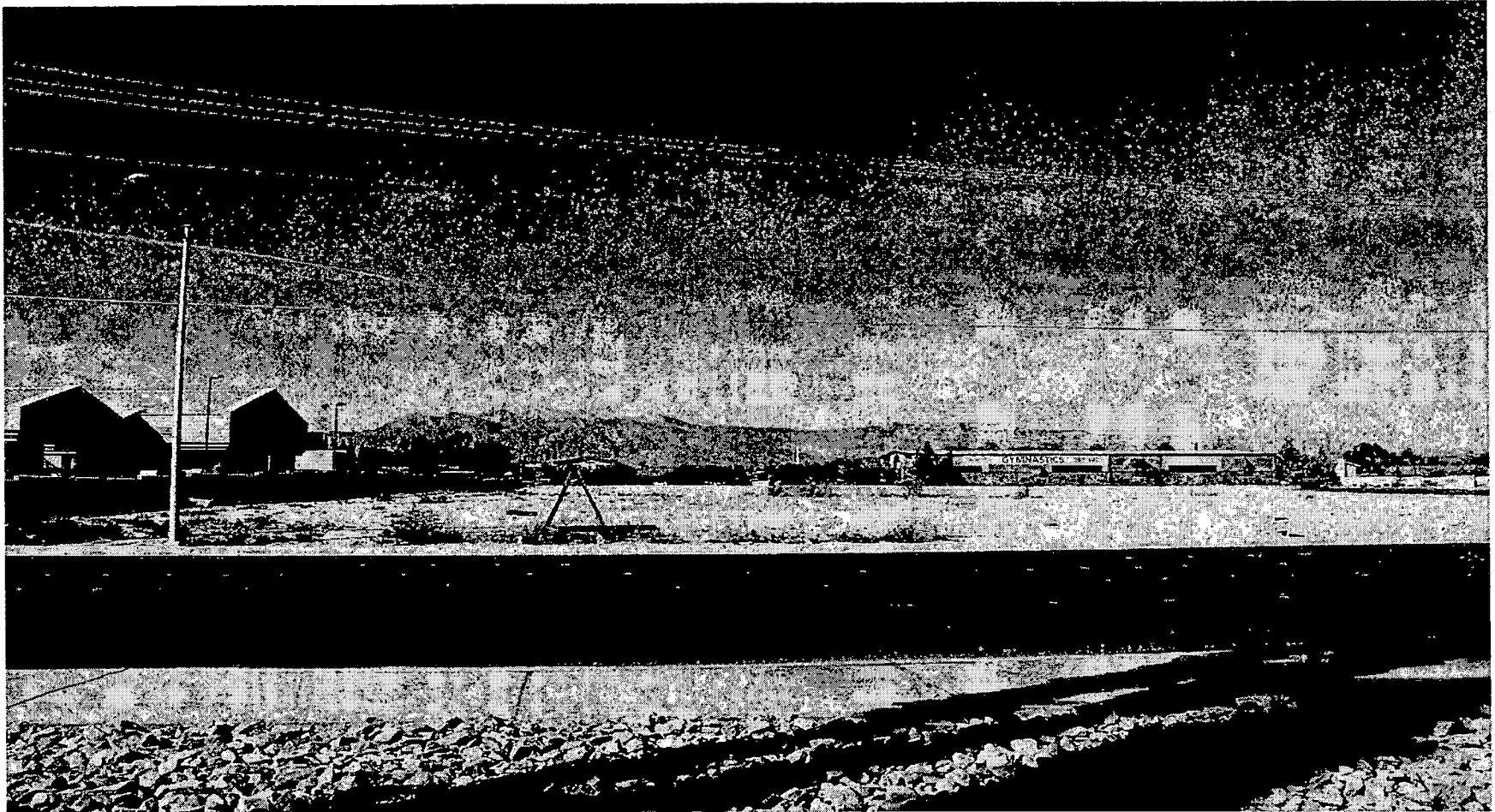


ARIELL
VALLI
ARCHITECT
81 COLUMBIA BLVD. 2ND FLOOR
ALBUQUERQUE, NM 87102
PH: 505/348-1777
FAX: 505/348-1778

RECEIVED

OCT 21 2004

4



SUP-5305 - APPLICANT: ARIEL VALLI ARCHITECTS - OWNER: GEOFFREY D. COMMONS AND JOHN L. SUTER
WEST SIDE OF JONES BOULEVARD, APPROXIMATELY 250 FEET NORTH OF CHEYENNE AVENUE
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5307 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5305 - PUBLIC HEARING - APPLICANT: ARIEL VALLI ARCHITECTS - OWNER: GEOFFREY D. COMMONS AND JOHN L. SUTER - Request for a Site Development Plan Review and Waivers to allow a zero-foot rear yard setback where 20 feet is required and of the perimeter landscaping requirements FOR A PROPOSED 85,555 SQUARE-FOOT MINI-WAREHOUSE FACILITY on 2.69 acres adjacent to the west side of Jones Boulevard, approximately 250 feet north of Cheyenne Avenue (APN 138-11-804-025), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack).

C.C. 12/01/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because he owns an interest in the property directly across the street from this site

To be heard by City Council 12/01/2004

MINUTES:

See Item 66 [SUP-5305] for all related discussion on Item 66 [SUP-5305] and Item 67 [SDR-5307].

(10:26-10:30)

3-2581

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 67 – SDR-5307

CONDITIONS:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. All development shall be in conformance with the site plan and building elevations, date stamped September 9, 2004, except as amended by conditions herein.
3. 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 15% (or plug in whatever number is 50% of what is normally required) of the total landscaped area as turf.
4. The building design shall incorporate patterns and materials that provide visual interest. This shall be accomplished through the use of changes in color, materials and/or relief such as the inclusion of beltlines, pilasters, recesses, pop outs, etc. The following elevations shall fulfill the above-mentioned requirements: 'A2' southern elevation, 'B' northern elevation, and 'A3' western elevation.
5. The existing wall along the south property line shall incorporate a minimum of 20 percent contrasting material. All walls shall include detail variations such as pilasters, decorative caps, decorative iron cutouts, or fluted blocks.
6. All perimeter landscaping is hereby waived, however the same square footage of landscaping shall be relocated throughout the site.
7. The site shall incorporate a trash enclosure, which is fully enclosed using the same design theme and materials to those used in the main structure. The trash enclosure shall conform to Title 19.08 Design Standards.

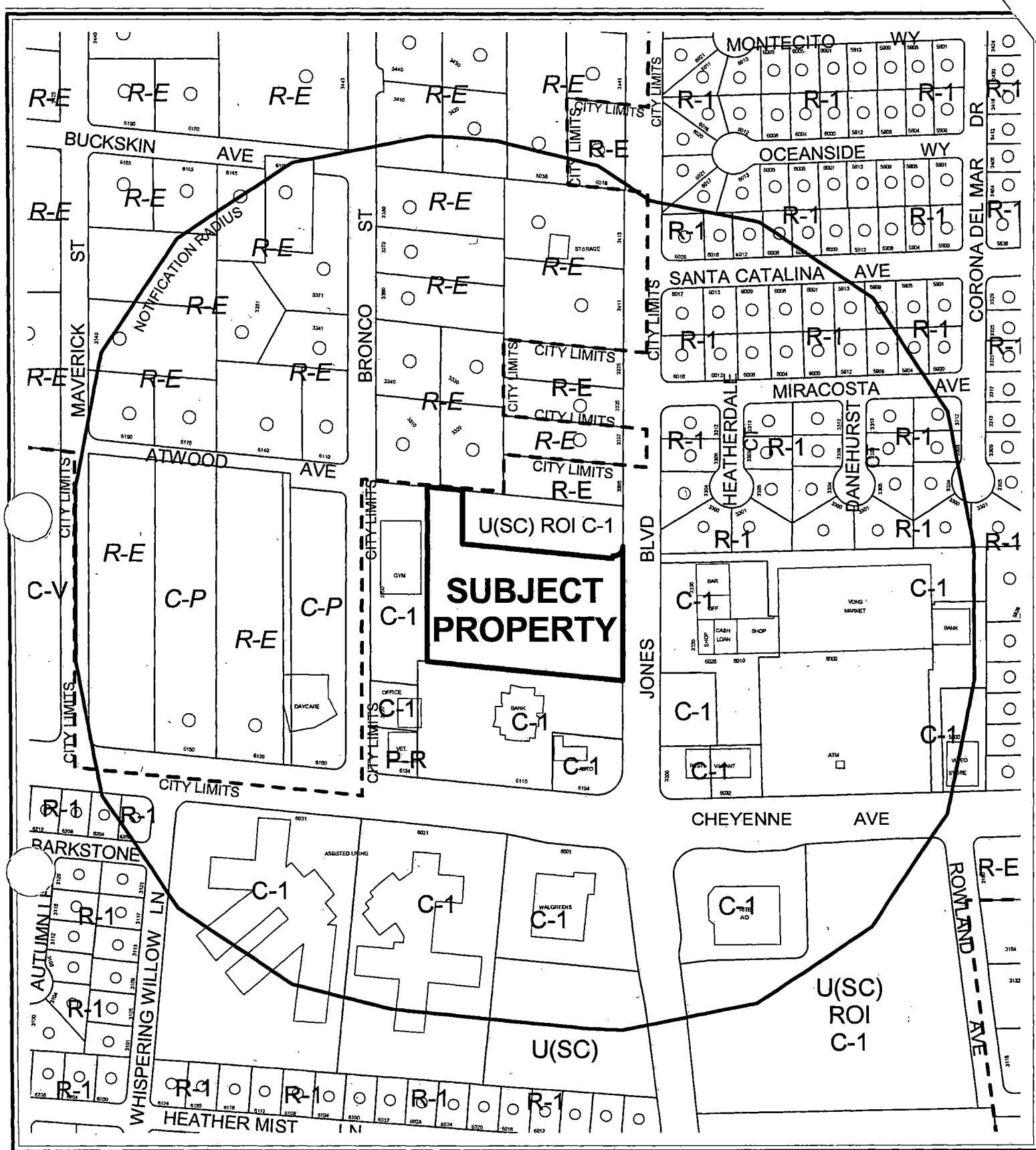
Public Works

8. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
9. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 67 – SDR-5307

CONDITIONS – Continued:

10. The proposed driveway shall be designed, located and constructed in accordance with Standard Drawing #222A. Provide a copy of the recorded private ingress/egress easement, as shown on this site plan, with parcel to the north.
11. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the west prior to the issuance of any permits.
12. 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 drainage ways 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.
13. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-68-02 and all other applicable subsequent site-related actions.



CASE: SDR-5307

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5307 - APPLICANT: ARIEL VALLI ARCHITECTS -

OWNER: GEOFFREY D. COMMONS AND JOHN L. SUTER

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. All development shall be in conformance with the site plan and building elevations, date stamped September 9, 2004, except as amended by conditions herein.
3. 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 15% (or plug in whatever number is 50% of what is normally required) of the total landscaped area as turf.
4. The building design shall incorporate patterns and materials that provide visual interest. This shall be accomplished through the use of changes in color, materials and/or relief such as the inclusion of beltlines, pilasters, recesses, pop outs, etc. The following elevations shall fulfill the above-mentioned requirements: 'A2' southern elevation, 'B' northern elevation, and 'A3' western elevation.
5. The existing wall along the south property line shall incorporate a minimum of 20 percent contrasting material. All walls shall include detail variations such as pilasters, decorative caps, decorative iron cutouts, or fluted blocks.
6. All perimeter landscaping is hereby waived, however the same square footage of landscaping shall be relocated throughout the site.
7. The site shall incorporate a trash enclosure, which is fully enclosed using the same design theme and materials to those used in the main structure. The trash enclosure shall conform to Title 19.08 Design Standards.

Public Works

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

BTS

SDR-5307 - Conditions Page Two
November 4, 2004 Planning Commission Meeting

9. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
10. The proposed driveway shall be designed, located and constructed in accordance with Standard Drawing #222A. Provide a copy of the recorded private ingress/egress easement, as shown on this site plan, with parcel to the north.
11. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the west prior to the issuance of any permits.
12. 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 drainage ways 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.
13. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-68-02 and all other applicable subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review and Waivers to allow a zero-foot rear yard setback where 20 feet is required and of the perimeter landscaping requirements for a proposed 85,335 square-foot mini-warehouse facility.

B) Applicant's Justification

The applicant states: "The project objective is to provide a quality self-storage facility that will serve the needs of the community".

BACKGROUND INFORMATION

A) Previous Actions

01/02/80 The City Council approved an Annexation of the subject site to the City of Las Vegas through Ordinance #2064 (A-0025-79).

01/22/03 The City Council approved a request for a Rezoning from: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) (Z-0068-02). The City Council also approved a request for a Site Development Plan Review for an 8,000 square foot commercial building (Z-0068-02(1)). The Planning Commission and staff recommended approval on 12/19/02.

B) Pre-Application Meeting

09/21/04 The elements of a Site Development Plan Review application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.69 acres

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Residence
South: Wells Fargo Bank
East: Cheyenne Plaza
West: School of Gymnastics

C) Planned Land Use

Subject Property: SC (Service Commercial) Under Resolution Of Intent to C-1
(Limited Commercial)
North: DR (Desert Rural Residential)
[Clark County] R-E (Rural Estates Residential)
South: SC (Service Commercial)
East: L (Low Density Residential)
SC (Service Commercial)
West: SC (Service Commercial)

D) Existing Zoning

Subject Property: U (Undeveloped) Zone [SC (Service Commercial) General Plan
designation] Under Resolution of Intent to C-1 (Limited
Commercial)
North: R-E (Residence Estates)
R-E (Residence Estates) [Clark County Designation]
South: C-1 (Limited Commercial)
East: C-1 (Limited Commercial)
R-1 (Single Family Residential)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The site is currently designated as SC (Service Commercial) within the Centennial Hills Interlocal Land Use Plan of the General Plan. The SC (Service Commercial) category provides for 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. Examples include neighborhood shopping centers and areas, theatres, bowling alleys and other places of public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The proposed use of a mini-warehouse facility is compatible with the proposed zoning of C-1 (Limited Commercial) Under Resolution of Intent.

PROJECT DESCRIPTION

The proposed 2.69 acre site is accessed from Jones Boulevard. The proposed mini-storage facility consists of three one-story and two-story buildings. The buildings range in size from 7,725 square feet to 54,600 square feet. The site plan incorporates a 32-foot wide landscape planter adjacent to Jones Boulevard. However, the applicant is also requesting waivers to allow a zero-foot rear yard setback where 20 feet is required and the perimeter landscaping. The buildings are arranged on the site with both one and two-story buildings.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	N/A	Y
Min. Lot Width	100 Feet	370 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• North Side	10 Feet	28 Feet	Y
• South Side	10 Feet	10 Feet	Y
• Rear	20 Feet	0 Feet	N
Max. Lot Coverage	50 %	40%	Y
Max. Building Height	N/A	N/A	Y
Trash Enclosure	Y	N	N

The applicant has requested a waiver to allow a zero-foot rear yard setback where 20 feet is required.

A trash enclosure is not indicated on the site plan. A condition has been added, which requires the applicant to provide one.

A2) Residential Adjacency Standards

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

The site is subject to minimum distance separation requirements. Building 'A3' is setback 46 feet from the northern property line. The height of building 'A3' varies from 14 feet to 18 feet. Therefore, the building complies with the minimum distance separation requirements.

BTS

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Mini-warehouse	85,335 SF.	1/50 storage units plus 5 spaces for customers	12	1	12	1

The applicant meets the required number of parking spaces for the proposed mini-warehouse facility.

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	3 Trees	3 Trees
Buffer:			
• Min. Trees	1 Tree/20 Linear Feet (adj. to ROW) 1 Tree/30 Linear Feet (side & rear when abutting commercial)	59 Trees	23 Trees*
• Min. Zone Width	15 Feet		15 Feet
• Wall height	8 Feet		8 Feet

* The applicant has requested a waiver of the perimeter landscaping requirements. Condition of approval number six (6) has been added to mitigate the waiver.

B) General Analysis and Discussion

- Zoning

The proposed Mini-Warehouse Facility with Recreational Vehicle Storage is a special use permit within a C-1 (Limited Commercial) zone. Therefore, with compliance to the base conditions and conditions of approval specific to this application, the proposed uses can be conducted in a manner that is harmonious with surrounding commercial uses.

- Site Plan

The proposed mini-warehouse facility is located on 2.69 acres, which consist of 85,335 square feet. This site is accessed from Jones Boulevard, which is an 80-foot Secondary Arterial shown on the Master Plan of Streets and Highways. The submitted site plan depicts three mini-warehouse buildings including one office/managers unit located on the subject site. Buildings 'A' and 'B' are both one-story buildings, which are located on the perimeter of the site. Building 'C' is a two-story building located in the center of the site. Recreational vehicle storage is shown on the northwestern portion of the site. The Planning and Development Department will review all building permit applications for height, setbacks, and materials to ensure potential recreational vehicle carports remain consist with the approved development.

- Waivers

The applicant is requesting two waivers. The first waiver is to allow a zero-foot rear yard setback where 20 feet is required. The second waiver is for the deletion of the perimeter landscaping requirements.

Both are recommended for the following reasons:

1. The amount of landscaping that would be placed in the perimeter landscaped planters has been re-allocated throughout the entire site.
2. It is not unusual for a mini-warehouse facility to be built along the property line. The lack of landscaping has been mitigated since other portions of the site will have more landscaping material than required by Code.

- Landscape Plan

The submitted landscape plan features perimeter landscaping along the Jones Boulevard frontage. Additional landscaping will be located along the entrance, recreational vehicle parking, and the southern property line. Plant material consists of several species of trees, including Fruitless Olive, California Fan Palm, and Chinese Lantern Tree. Numerous types of shrubs and ground coverings will also be utilized.

- Elevation

The elevations depict both one and two-story buildings with a rental office with residence unit. The maximum heights of buildings are as follows: 'A1' is 40 feet, 'A2' is 18', 'A3' is 18 feet, 'B' is 19 feet, and 'C' is 25 feet. The exterior of the buildings are a combination of split face concrete block and stucco walls. The roof type is a metal standing seam. The color palette consists of earth tones, which vary from gray to dark green.

- Floor Plan

Conceptual floor plans are included on the submitted site plan. A breakdown of the mini-storage units indicates a total of 581 units. The units will range in size from 5 foot by 5 foot and up to 10 foot by 30 foot. A caretaker's apartment will be constructed on site within the same building that will house an office.

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 Mini-Warehouse Facility with Recreational Vehicle is a special use permit within a C-1 (Limited Commercial) zone. Therefore with compliance to the base conditions and conditions of approval specific to this application, the proposed uses can be conducted in a manner that is harmonious with surrounding commercial 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 project will be consistent with Title 19 and applicable City plans, policies and standards with the approval of the reduction in required perimeter landscaping, parking lot landscaping and the required setbacks.

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

The proposed site access will not negatively impact adjacent roadways as the proposed development will have access to Jones Boulevard, an 80-foot wide secondary arterial.

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

The proposed building materials and landscaping will be appropriate for the surrounding neighborhood.

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 following building elevations shall be revised: south elevation of 'A2', west elevation of 'A3', and the north elevation of 'B'. The buildings as shown do not create an aesthetically pleasing environment. The above-mentioned elevation has been conditioned to agree with finding number five (5).

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

SDR-5307 - Staff Report Page Seven
November 4, 2004 Planning Commission Meeting

The proposed development will be subject to inspections for Certificate of Occupancy and for Emergency Preparedness, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 94 – Mailed with SUP-5305

APPROVALS 0

PROTESTS 0



Case Number: SDR 5307 APN: 138-11-804-025
Name of Property Owner: John Sutter
Name of Applicant: Ariel Vall Architects

Yes ☐ No ☒

City Official: _____

Partner(s): _____

APN: _____

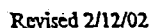
Signature of Property Owner/Authorized Agent: W. M. O'Neil

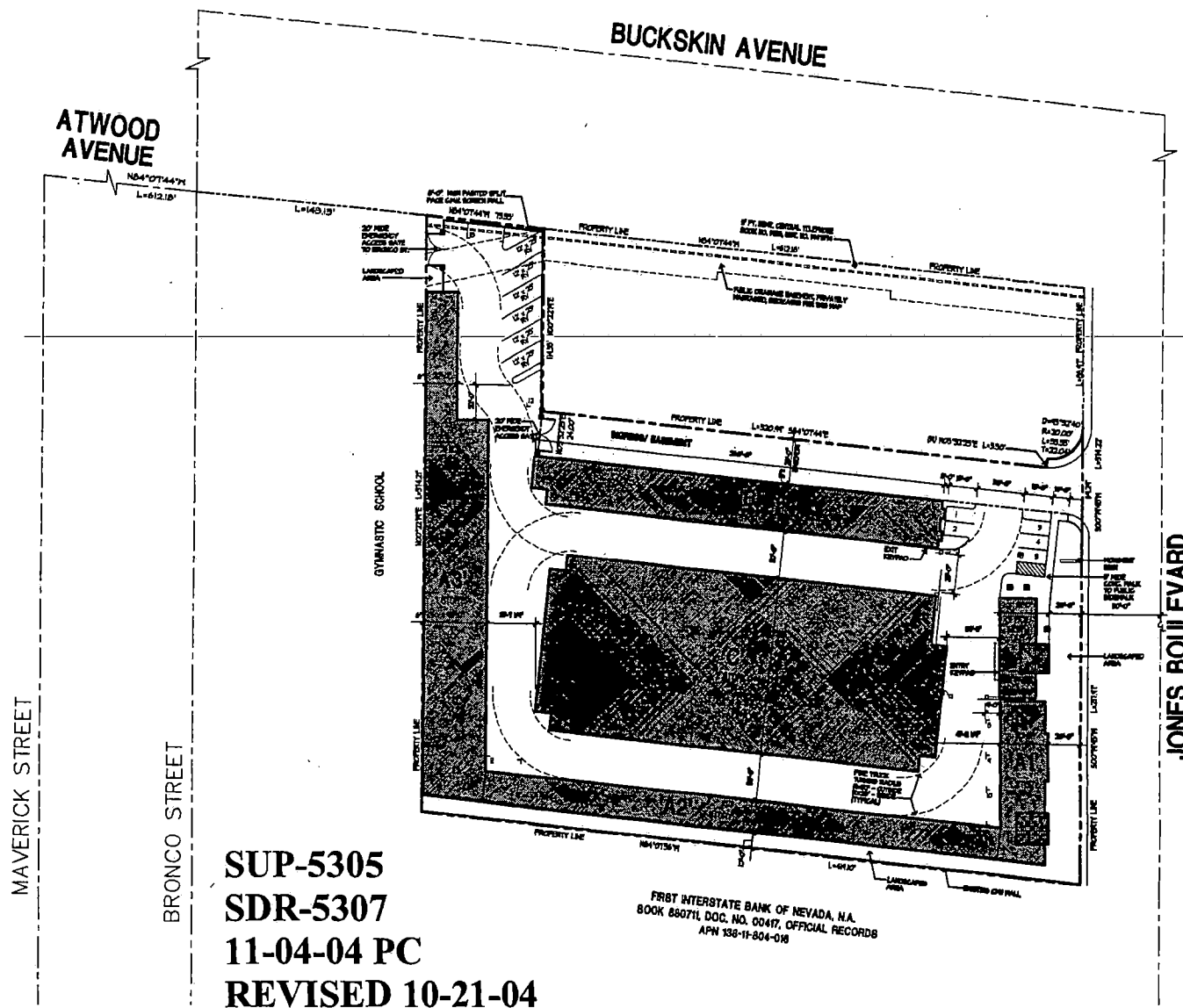
Print Name: JOHN SUITE

Subscribed and sworn before me

This 24 day of Sept, 2024

Notary Public in and for said County and State





SUP-5305
SDR-5307
11-04-04 PC
REVISED 10-21-04

JONES / CHEYENNE SELF STORAGE
 LAS VEGAS, NEVADA

PRELIMINARY SITE PLAN

SCALE: 1" = 80'-0"

ARCHITECT

ARIEL L. VALLI ARCHITECT
 81 COLUMBIA, SUITE 200
 ALBUQUERQUE, NM 87102
 CONTACT: ARIEL VALLI
 505-844-1775 FAX
 505-844-1776

DEVELOPER

WESTWOOD REALTY, LLC
 8000 BORN BUFFALO DR. SUITE 100
 LAS VEGAS, NV 89121
 CONTACT: MICHAEL GORDON
 702-294-8075
 702-294-8881 FAX

PROJECT DATA

APN: 80-0-004-028

GRAND SITE AREA: 11.02 ACRES

STORAGE BUILDING AREA:
 BUILDING 1 (8 STORY) 2,100 SQ. FT.
 BUILDING 2 (8 STORY) 2,100 SQ. FT.
 BUILDING 3 (8 STORY) 2,100 SQ. FT.
 BUILDING 4 (8 STORY) 2,100 SQ. FT.

BUILDING 5 (8 STORY) 2,100 SQ. FT.
 FIRST FLOOR 2,100 SQ. FT.
 SECOND FLOOR 2,100 SQ. FT.
 BUILDING 5 TOTAL 4,200 SQ. FT.
 STORAGE BUILDING AREA TOTAL 8,400 SQ. FT.

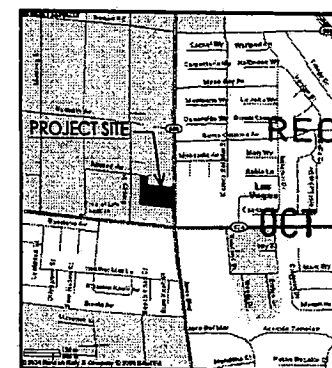
OFFICE / MANAGER'S UNIT AREA:
 OFFICE - FIRST FLOOR 100 SQ. FT.
 MANAGER'S UNIT - FIRST FLOOR 100 SQ. FT.
 OFFICE / MANAGER'S UNIT TOTAL 200 SQ. FT.
 PROJECT TOTAL 8,600 SQ. FT.

SITE COVERAGE

BUILDING FOOTPRINTS 8,400 SQ. FT. (8.4%)
 LANDSCAPE 1,000 SQ. FT. (1.2%)
 PAVEMENT / DRIVEWAY 45,000 SQ. FT. (51.8%)
 PAVEMENT / DRIVEWAY 1,000 SQ. FT. (1.2%)
 TOTAL 10,400 SQ. FT. (10.4%)

PARKING ANALYSIS

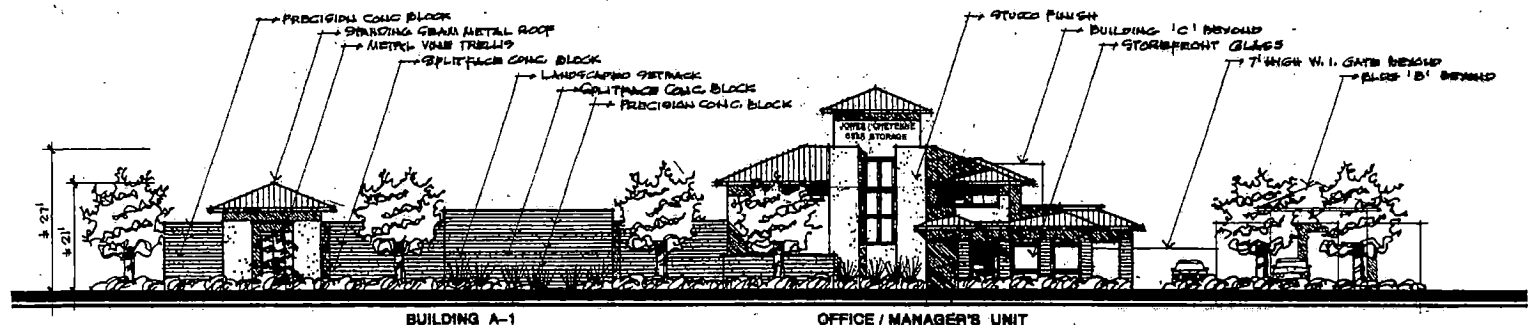
1 PER 80 UNITS = 12 STALLS STANDARD
 (N/A / 80 = 12)
 STANDARD STALLS (N/A) 12 STALLS
 TOTAL PROVIDED 12 SPACES
 N/A / PARKING (12) 12 SPACES



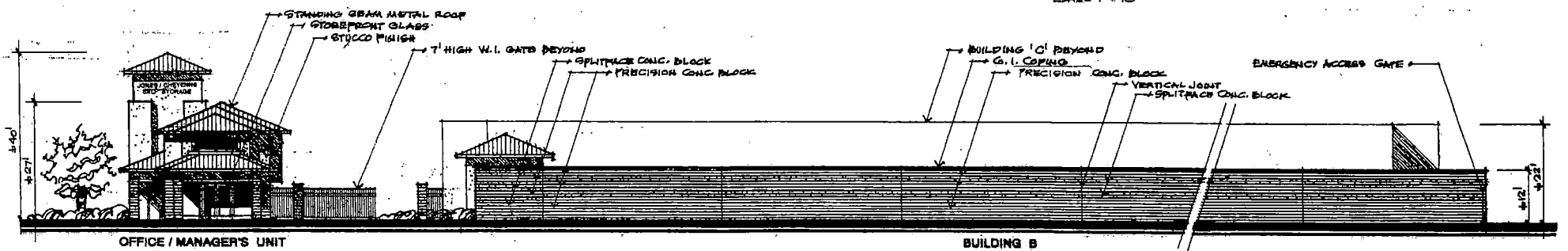
RECEIVED
OCT 21 2004

VICINITY MAP

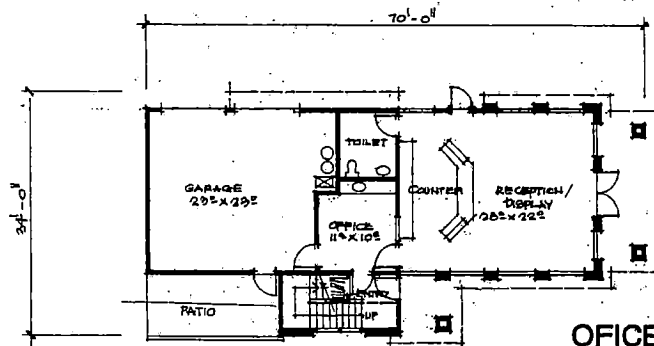
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 ALBUQUERQUE, NM 87102
 505-844-1775 FAX 505-844-1776



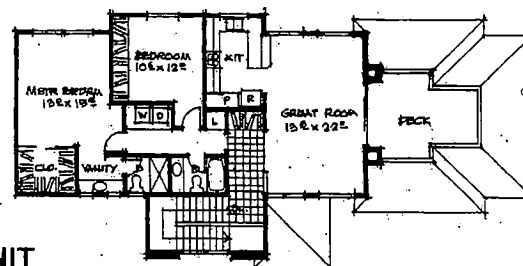
JONES BLVD EAST ELEVATION
SCALE 1" = 10'



NORTH ELEVATION
SCALE 1" = 10'



OFFICE / MANAGER'S UNIT
SCALE 1/8" = 1'-0"



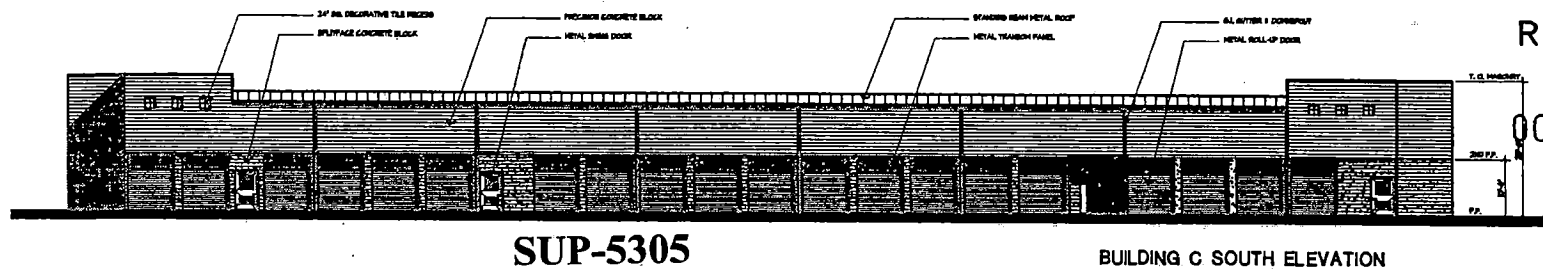
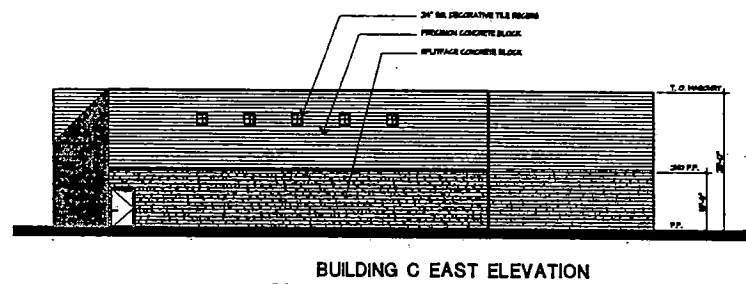
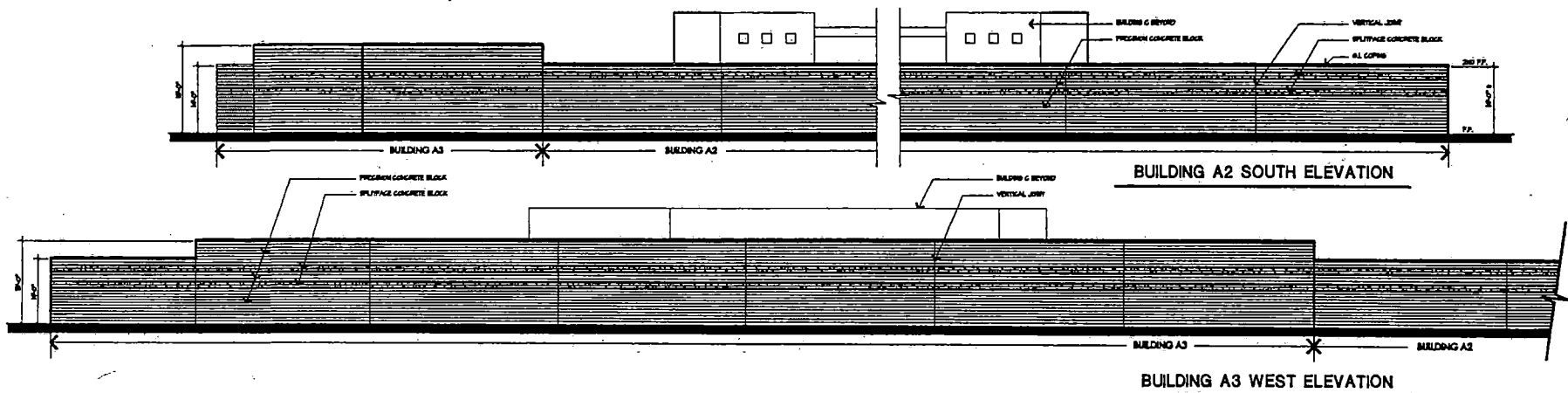
RECEIVED
OCT 21 2004

JONES / CHEYENNE SELF STORAGE
LAS VEGAS, NEVADA

SUP-5305
SDR-5307
11-04-04 PC
REVISED 10-21-04

AUG. 5, 2004
04-430

ARIELL VALLI ARCHITECT
81 COLUMBIA, SUITE 200, P.O. BOX 348-1777
ALBUQUERQUE, NM 87106 FAX: 505/348-1777



RECEIVED

OCT 21 2004

JONES / CHEYENNE SELF STORAGE
LAS VEGAS, NEVADA

SUP-5305
SDR-5307
11-04-04 PC
REVISED 10-21-04

ELEVATION

SCALE: 1" = 10'-0"

OCT. 14, 2004

04-030



ARIELL
VALLI
ARCHITECT
81 COLUMBIA, SUITE 200 FPC 949/548-1777
ALISO VIEJO, CA 92646 FAX: 949/548-1776

4



SDR-5307 - APPLICANT: ARIEL VALLI ARCHITECTS - OWNER: GEOFFREY D. COMMONS AND JOHN L. SUTER
WEST SIDE OF JONES BOULEVARD, APPROXIMATELY 250 FEET NORTH OF CHEYENNE AVENUE
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5301 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JOHN SCHWARY - OWNER: ROBERT T. PASWELL AND ROSALIE PASWELL - Request for a Special Use Permit FOR AN EXISTING TRANSITIONAL LIVING GROUP HOME acres at 1707 and 1711 Santa Paula Drive (APN 162-03-313-002 and 003) R-4 (High Density Residential) Zone, Ward 3 (Reese).

C.C.: 12/01/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

KYLE WALTON, Planning and Development Department, stated that staff has been working with the Business Licensing Department and Code Enforcement. The use is currently operating without a business license. Code Enforcement has visited the site and found a halfway house for persons with felony conviction in operation. As of September 9, 2004, the applicant was required to vacate the premises. Citations have not been issued because Code Enforcement is waiting to see if the Special Use Permit will be granted.

Staff feels the proposed use cannot be harmonious or compatible with the neighborhood and staff is recommending denial.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 68 – SUP-5301

MINUTES – Continued:

JOHN SCHWARY, 445 East Hubert Street, Mesa, Arizona, appeared and stated he was the director of the program that operates the home.

CHAIRMAN TRUESDELL confirmed with MR. SCHWARY that he understood the concerns raised by staff regarding the inappropriateness to the area and lack of proper business licensing. MR. SCHWARY replied that he disagreed with staff. He stated that he encountered this situation previously with the City of Mesa. MR. SCHWARY indicated he runs a recovery program for addicts and alcoholics who are protected under Fair Housing laws. The City of Mesa filed a suit against him and after being in court for five years MR. SCHWARY prevailed in the case. He felt the same could happen in this situation.

MR. SCHWARY stated that the individuals who live at this property are handicapped people. The only difference MR. SCHWARY could identify between his tenants and the neighbors was that his tenants were sober and did not do drugs or alcohol. The housing is completely drug free. MR. SHWARY said he was not sure about the criminal backgrounds of the individuals in this home. It is possible; however, they do not have to reveal any criminal history to be in the home. Some of the tenants may have a criminal background because that is common in people with drug and/or alcohol addiction. The facility does not have any contracts or associations with the Department of Corrections. The sole purpose for coming to this facility is to become clean and sober. MR. SCHWARY indicated the facility also assists the members in locating work.

MR. SCHWARY stated the facility works with the Metropolitan Police Department and Project Hope and the agency has received letters of commendation from former Mayor Jan Jones. The facility has been operating from this location for five years. In that time, there have been no issues with neighbors. In fact, there is a neighbor who likes to park her car in the driveway of this facility because it gets vandalized in her driveway. MR. SCHWARY said the facility does not cause a parking problem because there are only four vehicles for both buildings. There is plenty of parking at the site.

CHAIRMAN TRUESDELL asked if there were rules and regulations for the home. MR. SCHWARY confirmed that the rules are comparable to what would be found in an apartment complex. The Chairman then asked why, if MR. SCHWARY expected his tenants to comply with those rules, did he not feel he had to comply with the rules and regulations of the City of Las Vegas. MR. SCHWARY disclosed that he is not an attorney; however, in the last 12 years, he has learned a lot about the Fair Housing Law and he did not feel the ordinance was right or legal. He stated the City is trying to impose a law on handicapped people that would not apply to

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
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MINUTES – Continued:

non-handicapped people. MR. SCHWARY said that the people in this facility are only trying to get sober and the City is trying to impose a different set of rules upon them. CHAIRMAN TRUESDELL replied that the City is not treating them differently. The City wants to treat them the same as everyone else. A Special Use Permit is required for the type of use operating at this location.

MR. SCHWARY expects his tenants to follow the rules of the home so, he should be able to understand the concept of having to work within the system of Laws and Codes of the City of Las Vegas. MR. SCHWARY agreed that there needs to be laws and codes in place; however, the existence of laws and codes does not mean the laws and codes are not discriminatory.

RUTH PATRELLA, Property Manager, Bar K Realty, appeared on behalf of the owners of the property because they live out of state. The Realty company is around the corner from the subject property. MS. PATRELLA indicated that she has managed the four-plex for approximately six years and prior to MR. SCHWARY'S company taking over the lease, she found the clientele to be less than favorable. The current tenants are the best she could ask for. MS. PATRELLA indicated that the previous tenants had problems with drugs and noise. She drives her daughter to school everyday and passes by this site. She said it is impossible for someone to know the transitional home is located there. The services provided are wonderful, there have been no complaints and she did not see the difference between roommates sharing a home and this facility operating there. The men who live at this site are trying to get their lives back together and she supported the application.

JOHN DELIKANAKIS, Vice-President, Beverly Green Neighborhood Association, which this property is a part of. He concurred with CHAIRMAN TRUESDELL that anyone doing business within the City of Las Vegas has a duty to know the laws and regulations that govern that business. He stated the issue is not one of discrimination or Fair Housing law violations. At one time, the applicant was operating three apartment buildings. One was zoned professional and the applicant had tenants living in it. The other two were residential and the applicant did not have the proper licensing be in compliance

Contrary to the comments of MS. PATRELLA, MR. DELIKANAKIS stated the individuals who live at this location are far from model tenants. The buildings are dilapidated and it was only after the association alerted Code Enforcement that the owners painted them. He believed the buildings would incur several Code violations if they were inspected. MR. DELIKANAKIS disagreed with comments stating the homes blend in with the neighborhood. He stated the residents of the facility often sell donated goods in large yard sales.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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MINUTES – Continued:

MR. DELIKANAKIS suggested that if this were a quiet halfway house, like several others in the neighborhood, the residents would have no concerns. In this case, there is a high concentration of men living in three apartment complexes. The residents are constantly having car washes and yard sales. They do not operated legally from this complex. He urged the Commission to deny the application.

MAYNOR GOMEZ, 1720 Santa Paula Drive, indicated he lives directly across the street from the subject site. He concurred the comments of MR. DELIKANAKIS. He said the outdoor activities are very bad during the summer and during that time, the residents are often lounging outdoors all daylong. MR. GOMEZ also said that he often sees police vehicles out front although he has no idea of why they might be there. MR. GOMEZ pointed out that there is a small child daycare center next to his home and he did not feel it was appropriate to have this type of a residence nearby. He strongly opposed the application and asked the Commission to deny it.

DAVE FIDEL, owner of the property at 1808 Weldon Place, felt the people opposed to this site have probably never owned property in a transitional neighborhood. He has owned other properties in neighborhoods where he actually needed security to maintain the property. He was in support of this application because the few annoyances of this group are less of a threat than gang or drug activities he has experienced before. He asked that the Commission not harass the residents in this home and leave them alone. In five years, nothing out of the ordinary has occurred. He offered to show MR. GOMEZ a neighborhood that has truly deteriorated.

COMMISSIONER McSWAIN said she was disappointed in MR. SCHWARY'S presentation because the location of the property, with its proximity to the commercial corridor, could have been appropriate for this use. She found his disregard of adhering to the rules and regulations of the City disturbing. She confirmed with MR. WALTON that the Planning Commission hearing is the first step to getting the facility in conformance. MR. WALTON reiterated that Code Enforcement is pending action until the Special Use Permit application is either granted or denied. She asked if the Planning Commission was responsible for imposing conditions regarding the condition of the property or if Code Enforcement would establish those standards. MR. WALTON replied that conditions could be imposed for the use itself. As an example, he indicated these living spaces are to house six or fewer residents and should include a common area. MR. SCHWARY'S facility is in currently violation on both of those items. He added that if the Commission approved the application, the applicant would have to comply with the conditions that would be imposed on a transitional group home.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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MINUTES – Continued:

COMMISSIONER McSWAIN asked if approval is required from the City to host the yard sales mentioned by MR. DELIKANAKIS. MR. WALTON stated a garage sale could go to a point where they are practically a commercial venture. At that stage, a business license would be required. Garage sales are typically limited to two, or three, times a year. Title 19 defines a garage sale as “periodic.” They are also, not to be held as a fundraiser. COMMISSIONER McSWAIN confirmed with MARGO WHEELER, Deputy Director, Planning and Development, that there is an existing childcare facility at 1712 Santa Paula Drive.

C MR. SCHWARY asked if MR. WALTON was indicating there should be six individuals per unit or per the entire four-plex. MR. WALTON replied that, per Title 19, there should be

MR. SCHWARY also indicated that his residents do not host carwashes because they are not allowed in Las Vegas because of the drought. There is a current business license for the complex to operate as an apartment building. He did not feel he needed to apply for a Special Use Permit because he did not think the transitional living home was a label housing fit within. In his opinion, this is only a home for people who want to be sober. MR. SCHWARY stated that if a person were to walk along the buildings on any given day, they would find residents lounging outside their overcrowded homes. He did not see the difference between those people and the residents of his facility who lounge in front of the building while drinking soda.

C COMMISSIONER McSWAIN agreed with him in principle but added that if the home were truly invisible, there would not be any issue. She stated that she takes into consideration the credibility of the applicant and whether or not they would guarantee the facility would be harmonious with the neighborhood. She questioned whether or not there was an imposition to the neighborhood.

MS. WHEELER pointed out that the definition of transitional living home per Code is six or fewer persons within living arrangements. That would clarify that each unit could contain six persons if the Building Code Standards regarding occupancy concurred with that number.

COMMISSIONER EVANS stated that anyone who knows him would acknowledge his passion for programs such as this. He said it is possible to assist people who need help while respecting the needs of the neighborhood and the community as a whole. He believed the community needs services such as those provided by MR. SCHWARY. The issue becomes location. This location is not in the middle of a residential neighborhood and is partially surrounded by commercial uses. There are some aspects that are positive in terms of the location. The facility is lacking, as there

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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MINUTES – Continued:

is no apparent common space for people to recreate within. He said that on any given day, drivers could see two or three people, regardless of the time of day, outside smoking cigarettes.

COMMISSIONER EVANS confirmed with MR. SCHWARY that his company is a 501C3 company and it was incorporated on January 9, 1992, in Arizona. The company operates within the City of Las Vegas as a foreign corporation. COMMISSIONER EVANS asked how the tenants were referred and why the applicant did not seek an actual permit for this facility. The Commissioner felt that the experience of a lengthy court process in Arizona would have taught MR. SCHWARY to set this business up legitimately. MR. SCHWARY replied that as a result of the court case in Mesa, three ordinances were amended and a cash settlement was awarded. The Commissioner indicated he drives down this road multiple times a day and has done so for the past six years. He has witnessed the yard sales and bizarres and also, carwashes. The Commissioner stated he had seen a carwash underway at this location eight weeks earlier. The residents were actually jumping out into the street with signs that indicated a carwash. COMMISSIONER EVANS pointed out that the City has ordinances pertaining to the number of yard sales that can be held annually. He said that he has seen yard sales at least weekly for several years. He assumed the function was a fundraiser.

COMMISSIONER EVANS stated that to operate a facility such as that which is proposed, the business must blend into the neighborhood seamlessly and follow and comply with the rules and regulations of the City. This is not a matter of discrimination in any way. The Commissioner stated there really is no good location for a home such as this one; there are only different degrees of challenge. He indicated that should the board choose to deny this application, it does mean the board has a lack of concern, it means the applicant has failed to meet the necessary standards established by the City for this type of facility. Having driven by this home for approximately 11 years, he felt this location was problematic and makes a poor statement as an entryway to the neighborhood. The Commissioner speculated that the building itself could not comply with Code. He applauds individuals who are on a path to recovery from addiction but he would not be able support the item

COMMISSIONER STEINMAN asked staff about the comment within the backup stating the buildings were to be vacated on September 9th. MR. WALTON reiterated that Code Enforcement is monitoring the application before taking action. COMMISSIONER STEINMAN asked if Building and Safety had inspected the building. MR. WALTON stated he was only assured that Code Enforcement had visited the site and that the State Licensing Board had been involved. The Commissioner referenced a second story stairwell and suggested it was not able to support any weight.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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MINUTES – Continued:

CHAIRMAN TRUESDELL reminded everyone that the Building Department would address those types of issues and the Use Permit was the item on the agenda.

COMMISSIONER STEINMAN stated he was surprised at MR. SCHWARY'S attitude towards the City. He also indicated that he did not appreciate MR. SCHWARY insinuating that he would sue the City of Las Vegas as he has done to the City of Mesa. MR. SCHWARY responded that he would do it. COMMISSIONER STEINMAN stated that was not an appropriate way to gain a permit in the City and would not be supporting the item.

C VICE CHAIRMAN NIGRO stated he did not support the application for the same reasons given by COMMISSIONER McSWAIN and COMMISSIONER EVANS. This application reflects how other applications of this nature are reviewed, with the facility open and running. He is looking for ways to approve applications such as this but there is complete disregard for City rules. VICE CHAIRMAN NIGRO stated the board would be more supportive of the industry if a more proactive approach were taken. The fact that MR. SCHWARY has been operational for five years meant nothing to the Vice Chairman. In fact, it works to the detriment to the application.

C COMMISSIONER DAVENPORT stated his concurrence with the comments of the other Commissioners. He stated that he has seen the same type of yard sale, car wash activity at 520 and 528 Oakey Boulevard and asked the applicant if he has a transitional living group home there. MR. SCHWARY indicated they used to be at 530 East Oakey Boulevard and that is being vacated.

C COMMISSIONER GOYNES stated he concurred with the Commission. He found it ironic that staff's report indicated the proposed use could not be conducted in a harmonious and compatible manner with the surrounding land uses. He asked that staff look at more applications for this type a facility in Ward 5 because many of the applications there have approval recommendations. Also, he concurred with VICE CHAIRMAN NIGRO'S comments that the board seems to review this type of business after they have been operating for some time. He felt a "campus" style atmosphere should be considered for this type of a use. There would be room for counseling and attention recovering addicts need and there would be a residential component.

CHAIRMAN TRUESDELL stated this was not the worse location this business could occupy; however, as out of state operators and owners, they do not care for the state of the home, which is in disrepair. He suggested MR. SCHWARY be a part of the community instead of acting like he

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
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MINUTES – Continued:

was better than the community. CHAIRMAN TRUESDELL stated the property owners should be held accountable for the condition of the property. He would not support this application.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:08-9:43)

2-3124

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050.B for Transitional Living Group Home.
2. A revised site plan and floor plans shall be submitted to the Department of Planning and Development that show the proper amount of common area and the location of handicapped parking spaces prior to the issue of building permits.
3. 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.
4. 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.
5. All City Code requirements and design standards of all City departments must be satisfied.

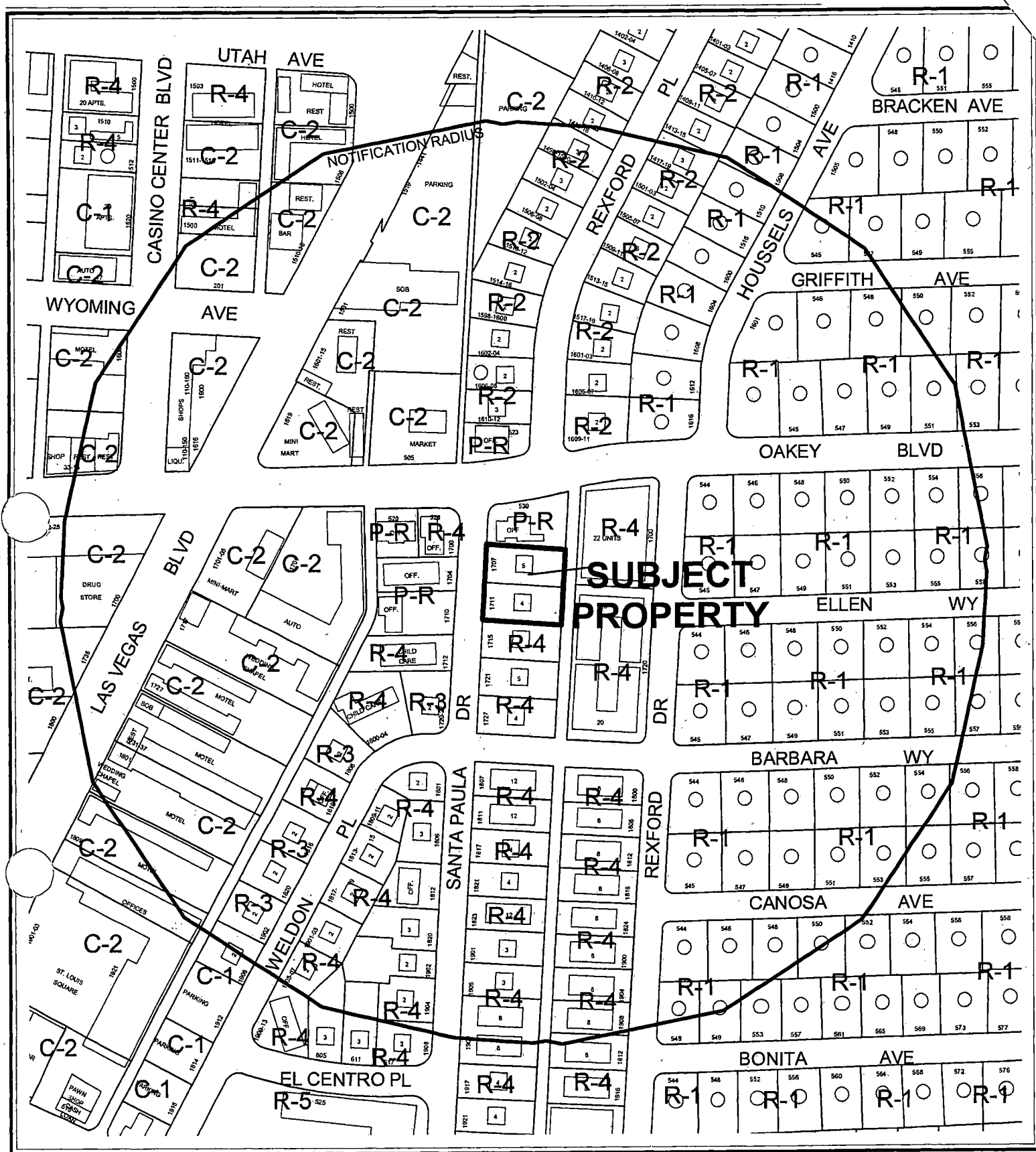
Public Works

6. Remove all unused driveway cuts and substandard public street improvements, including alley improvements, adjacent to this site and replace with new improvements meeting current Las Vegas Downtown Centennial City Standards prior to the issuance of any permits or a business license for this site.
7. Landscape and maintain all unimproved right-of-way on Santa Paula Drive adjacent to this site.

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
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CONDITIONS – Continued:

8. Submit an Encroachment Agreement for all landscaping and private improvements located in the Santa Paula Drive public right-of-way adjacent to this site prior to the issuance of any permits or a business license for this site.



CASE: SUP-5301

RADIUS: 750 FT

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



CASE: SUP-5301

RADIUS: 750 FT

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

0 200 400 Feet



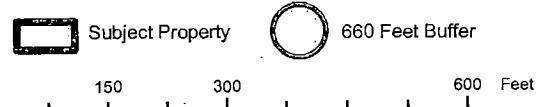


SUP-5301

Transitional Living Group Home

Business Licenses

-  A21 - Residential Facility for Groups (3-10)
-  H07 - Halfway House/Transition Facility



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-5301 - APPLICANT: JOHN SCHWARY - OWNER:
ROBERT T. PASWELL AND ROSALIE PASWELL**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050.B for Transitional Living Group Home.
2. A revised site plan and floor plans shall be submitted to the Department of Planning and Development that show the proper amount of common area and the location of handicapped parking spaces prior to the issue of building permits.
3. 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.
4. 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.
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 approval of a Special Use Permit to allow a Transitional Living Group Home at 1707-1711 Santa Paula Drive.

B) Applicant's Justification

The applicant states that they have been operating at the site for some five years without incident. According to applicant, they have helped hundreds of homeless adults and alcoholics. The applicant would like to continue to service the city in this manner.

BACKGROUND INFORMATION

A) Previous Actions

There are no previous actions that pertain to the site.

B) Pre-Application Meeting

08/17/04 Elements of a Special Use Permit application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.44

B) Existing Land Use

Subject Property: Unlicensed Transitional Group Home
North: Office
South: Multi-family
East: Multi-family
West: Office

C) Planned Land Use

Subject Property: DTR-H Downtown Redevelopment Plan- High Density Residential
North: DTR-H Downtown Redevelopment Plan- High Density Residential
South: DTR-H Downtown Redevelopment Plan- High Density Residential
East: DTR-H Downtown Redevelopment Plan- High Density Residential
West: DTR-C Downtown Redevelopment Plan- Commercial

D) Existing Zoning

Subject Property: R-4 High Density Residential
North: P-R Professional Office and Parking
South: R-4 High Density Residential
East: R-4 High Density Residential
West: P-R Professional Office and Parking

E) General Plan Compliance

a. Southeast General Plan

The subject parcel is designated DTR-H (Downtown Redevelopment Plan- High Density Residential) within the Downtown Redevelopment Plan of the Southeast Sector Land Use map of the General Plan. The subject site is currently zoned R-4 (High Density Residential), which is in conformance to the General Plan. The proposed use is permitted in the R-4 zoning by Special Use Permit.

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

Downtown Redevelopment Plan

The site is subject to the policies, objectives, and programs of the Downtown Redevelopment Plan.

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 175-foot height restriction imposed by the Airport Overlay District map.

KW

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
Transitional Living Group Home	8,366 SF.	1 Space / 12 Residents + 2	2	1	6	Zero

The proposed site for a Transitional Living Group Home fails to meet the parking standards required, since no handicap parking is provided. A condition will be added requiring a new site plan that shows the location of the required handicap parking spaces.

A2) 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 information supplied by the applicant does not show the required common area. A condition will be added requiring a new site plan and floor plan that shows the location of the required common area.

B) *General Analysis and Discussion*

- Zoning

A Transitional Living Group Home is a permitted use within a R-4 (High Density Residential) zoning district by means of an approved Special Use Permit.

- Use

By the definition in Title 19.20, a Transitional Living Group Home means a dwelling of a residential character which is operated under an appropriate State, City, or County license and which provides housing and related assistance for six or fewer persons who are in need of transitional living arrangements. It does not include an individual residential care facility, group residential care facility, convalescent care facility, nursing home, hospital, special care facility or any other facility which:

SUP-5301 - Staff Report Page Four
November 4, 2004 Planning Commission Meeting

Provides surgical medical, psychiatric or other specialized treatment on a regular basis provided housing and care to persons who have a chronic illness, disease, injury or other medical condition or 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 use is currently operating without a license. As of September 9, 2004 the applicant was to have vacated the premises. The use is actually, based on visits by Code Enforcement, a half way house for persons with felony convictions. Citations have not been issued as the applicant has submitted this application for a Special Use Permit for a Transitional Living Group Home.

- **Conditions**

The proposed use is subject to the standard conditions of Title 19.04 for a Transitional Living Group Home.

FINDINGS

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

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

The site is being investigated by code enforcement for violations of the Business Operation Code. The proposed use clearly cannot be conducted in a harmonious and compatible manner with the surrounding land uses even if proper authorization to run the facility has been obtained. I

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

The site is being investigated by code enforcement for violations of the Business Operation Code. The site is inappropriate for the type and intensity of land use proposed. Until the proper authorization to run the facility has been obtained and the site plan is revised to show the correct number of parking spaces and indicates the required common area the use is inappropriate.

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 of the proposed Transitional Living Group Home has access from Santa Paula Drive, a 50-foot wide residential collector street.

KW

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."

A transitional living group home, by definition, cannot house individuals that constitute a direct threat to the health or safety of other individuals or their property. Yet, given how the operation has been conducted on the site to this point, there is no indication that the overall health safety and welfare of the community will be maintained.

NOTICES MAILED 151

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5301 APN: 162-03-313-003
162-03-313-002
Name of Property Owner: Robert T. / Rosalie Paswell
Name of Applicant: _____

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

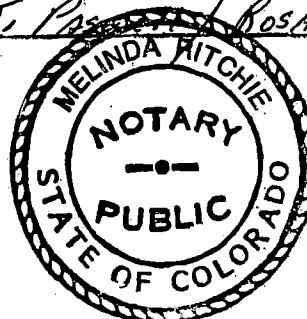
Signature of Property Owner/Authorized Agent: _____

Print Name: Robert T. Paswell / Rosalie Paswell

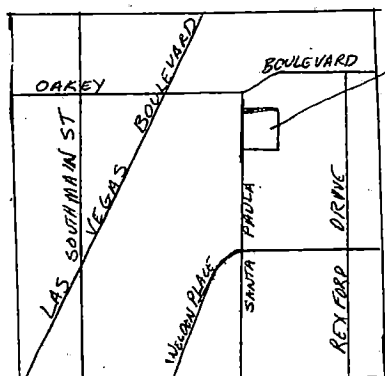
Subscribed and sworn before me

This 20 day of August, 2004

Melinda Ritchie Douglas, CO
Notary Public in and for said County and State



My Comm. Expires 2-12-08

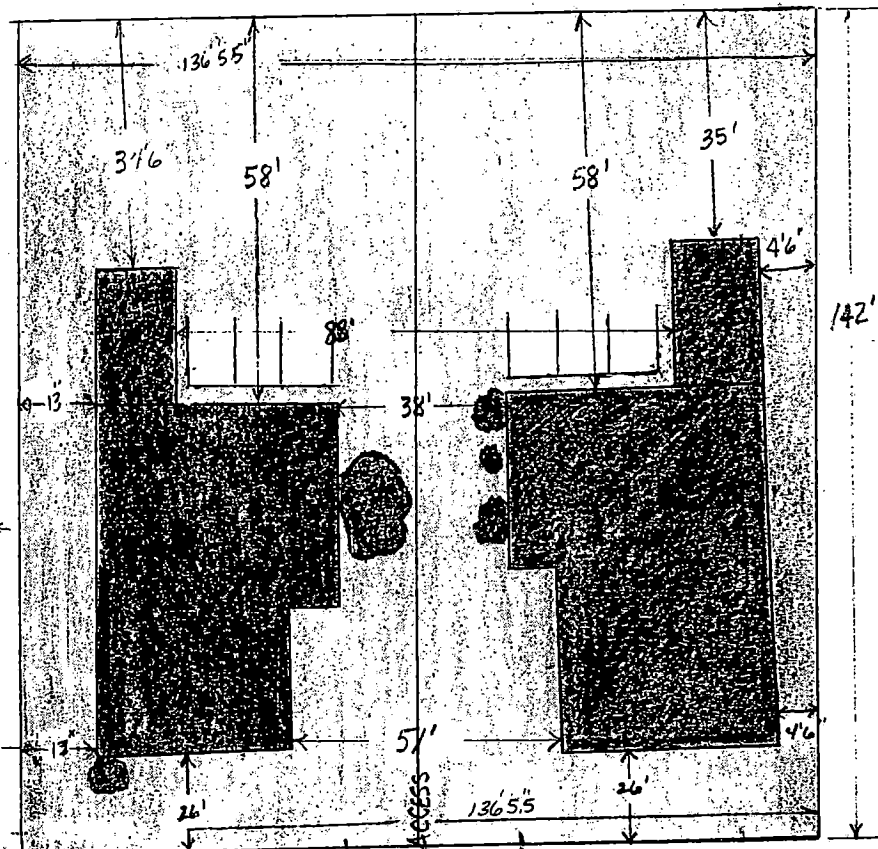


ACCESS

ALLEY WAY

APT. Bldg. ↑

Adjacent Office Space



4 PLEX APT. BLDG. ↓

SCALE: 1" = 21'		APPROVED BY:	DRAWN BY
DATE:			REVISED
Property sq. ft. = 19,383 Building 1 sq. ft. = 4,183 Building 2 sq. ft. = 4,183			DRAWING NUMBER

SUP-5301
11-04-04 PC

RECEIVED
SEP 21 2004



SUP-5301 - APPLICANT: JOHN SCHWARY - OWNER: ROBERT T. PASWELL AND ROSALIE PASWELL
1707 AND 1711 SANTA PAULA DRIVE
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

DIR-5467 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS – Discussion and possible action on the Planning Commission Meeting Schedule for 2005.

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – APPROVED – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

MARGO WHEELER, Deputy Director, Planning and Development Department, explained that this item would give the Commissioners the schedule of Planning Commission Meetings for 2005. She noted that during the months of October, November and December, the meetings would be the first and third Thursday of the month, not the second and fourth Thursdays. This accommodates holidays and calendar events that would cause two meetings in a row.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:30-10:31)

3-2781

AGENDA MEMO

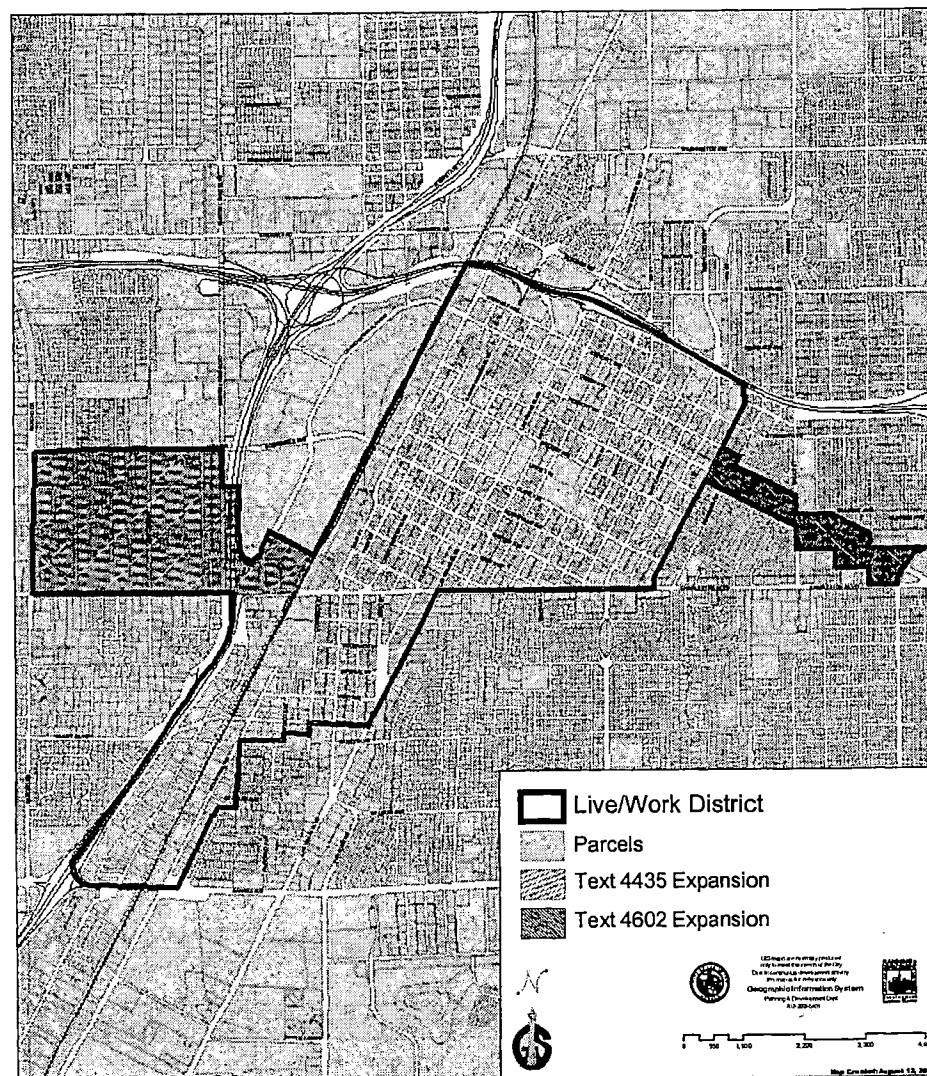
PLANNING COMMISSION MEETING DATE: NOVEMBER 4, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-4602 - CITY OF LAS VEGAS

**** CONDITIONS ****

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

1. Title 19.06.130(C), "Boundaries," is hereby amended to adopt a new map depicting the expanded boundaries of the Live/Work Overlay District, as incorporated below:

LIVE/WORK OVERLAY DISTRICT



**** STAFF REPORT ****

APPLICATION REQUEST

Discussion and possible action to amend a portion of Section 19.06.130 of the Las Vegas Zoning Code in order to expand the boundaries of the Live/Work Overlay District to include the East Fremont District of the Downtown Centennial Plan area.

BACKGROUND INFORMATION

- 03/03/04 The City Council adopted a Text Amendment (TXT-3377), creating the Live/Work Overlay District and adopting the zoning regulations for the district. The Planning Commission recommended approval of the amendment on December 4, 2003.
- 08/26/04 The Planning Commission recommended approval of a Text Amendment (TXT-4435) to expand the boundaries of the Live/Work Overlay District to include the Las Vegas Medical District and to revise the approval criteria. The Text Amendment was forwarded to City Council.

ANALYSIS

The current boundaries of the Live/Work Overlay District include most of the Downtown Centennial Plan area, the Las Vegas High School Historic District, and the industrial area south of Charleston Boulevard between the Union Pacific Railroad line and I-15. Text Amendment TXT-4435 proposed to expand the boundaries westward to include the Las Vegas Medical District; that amendment is currently being reviewed by City Council. The new expansion would include the East Fremont District of the Downtown Centennial Plan area, which extends on either side of Fremont Street to Eastern Avenue, and is consistent with the recommendations of the Centennial Plan.

No changes are proposed to the approval criteria or process. The commercial component of Live/Work units will still be restricted to low-intensity commercial uses, such as office and arts-related uses, and the Code still requires the residential component to be secondary to the commercial component. The use will require Special Use Permit approval in the expansion area in order to assess compatibility with abutting land uses.

The parcels to be included in the expansion area are zoned C-2 (General Commercial), and primarily abut single- and multifamily neighborhoods. The Live/Work use would be compatible with the adjacent residential uses, and is less intense the commercial uses permitted under the C-2 (General Commercial) zoning. In addition, approval of the expansion allows an additional housing type in the area, and may spur redevelopment in a neighborhood where little development activity is occurring.

FINDINGS

Please note the following findings:

- 1) The proposed expansion is consistent with the recommendations of the Downtown Centennial Plan;
- 2) The zoning of the properties in the expansion area is consistent with the requirements of the Live/Work Overlay District ordinance;
- 3) The Live/Work use will be compatible with abutting land uses; and
- 4) The proposed amendment will extend housing opportunities for residents and may spur redevelopment in the area.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

TXT-4602 - TEXT AMENDMENT - PUBLIC HEARING - CITY OF LAS VEGAS -

Discussion and possible action to amend Title 19.06.130, "Live/Work Overlay District," in order to expand the boundaries of the Live/Work Overlay to include the East Fremont District of the Downtown Centennial Plan Area.

THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – None
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to condition – UNANIMOUS

To be forwarded to City Council in ordinance form

NOTE: CHAIRMAN TRUESDELL disclosed that he owns property in the downtown live/work area but not within the two proposed expansion areas. Because he is not affected by this ordinance, he would be voting.

NOTE: COMMISSIONER DAVENPORT also disclosed that he owns property in the downtown area but is not affected by this item and would be voting.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

MARGO WHEELER, Deputy Director, Planning and Development Department, indicated this item would expand the boundary of the Live/Work Overlay District into the east Fremont area and the Medical District to allow live/work. Items would come before the Commission with a Special Use Permit Application and this text amendment would allow for that process.

City of Las Vegas

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Item 70 – TXT-4602

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:31-10:34)

3-2989

CONDITIONS:

1. Title 19.06.130(C), “Boundaries,” is hereby amended to adopt a new map depicting the expanded boundaries of the Live/Work Overlay District, as incorporated below:

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: NOVEMBER 4, 2004

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

JEROME HOWELL, Las Vegas resident, appeared and informed the Commission that he is not from Las Vegas but came here after his father passed away. MR. HOWELL attended the meeting to speak on Item 68 [SUP-5301] and he apologized for missing the item. He asked what the disposition was on that item. CHAIRMAN TRUESDELL replied that the item was denied and that was Final Action unless appealed within 10 days. MR. HOWELL confirmed with CHAIRMAN TRUESDELL that the applicant must file the denial. It cannot be done on their behalf.

MR. HOWELL then asked if the facility would be closed down because of that action. DEPUTY CITY ATTORNEY BRYAN SCOTT informed MR. HOWELL that currently, the home does not have a business license and the City's Code Enforcement office has a case open on the facility. Whether or not that department will pursue a case will be determined by the status of the Special Use Permit application the applicant has filed.

MR. HOWELL then asked if there were any actions he, or the citizens of Las Vegas could take to prevent the closure of the facility. DEPUTY CITY ATTORNEY SCOTT said the City Council would make the final determination as to whether the applicant qualifies for the Special Use Permit and to do that, the applicant must file an appeal. VICE CHAIRMAN NIGRO pointed out that if the applicant did file an appeal, the item would be heard December 1, 2004. He informed MR. HOWELL that if the item is on the agenda, he is welcome to come and speak on the item.

MR. HOWELL concluded by asking what he had to do to start a bus service company. CHAIRMAN TRUESDELL indicated he would have to speak with someone in business licensing.

(10:34-10:37)

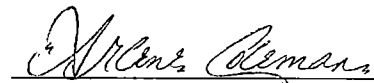
3-2990

City of Las Vegas

PLANNING COMMISSION MEETING OF NOVEMBER 4, 2004
Planning and Development Department
Citizen's Participation – Continued

MEETING ADJOURNED AT 10:37 P.M.

Respectfully submitted:



ARLENE COLEMAN, DEPUTY CITY CLERK



STACEY CAMPBELL, DEPUTY CITY CLERK