City of Las Vegas

Agenda Item No. 66

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: ADMINISTRATIVE

DIRECTOR: ELIZABETH FRETWELL ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ADMINISTRATIVE:

Discussion and possible action on the collective bargaining bill draft request submitted to the Legislative Counsel Bureau on behalf of the City

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

Pursuant to Nevada Revised Statues (NRS), the city council of a city whose population is 100,000 or more shall be allowed to request the preparation of no more than four legislative measures. On August 18, 2004, the City Council approved the City's 2005 legislative package which included changes to the homeland security, public records and collective bargaining sections of the NRS.

RECOMMENDATION:

It is recommended that the City Council direct the City Manager to make any modifications to the collective bargaining bill draft request as a result of this discussion.

BACKUP DOCUMENTATION:

None

MOTION:

GOODMAN - STRIKE - UNANIMOUS with WOLFSON not voting

MINUTES:

MAYOR GOODMAN noted that the offer to various bargaining units to hold discussions was refused; therefore, the City would proceed with its legislative package.

(9:24 - 9:25)

1-641

City of Las Vegas

Agenda Item No. 67

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: ADMINISTRATIVE
DIRECTOR: ELIZABETH FRETWELL ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:
ADMINISTRATIVE

Report on Las Vegas Centennial Celebration 2005

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
On May 15, 2005, Las Vegas will celebrate its 100th Birthday. The Centennial Celebration Committee has promised to commemorate our 100th Birthday as only Las Vegas can-by hosting a party that is bigger and brighter than the neon lights on the Las Vegas Strip.

Created in 2002, the committee has a membership that is as diverse as the community. From hotel executives to civic leaders, architects to historians, the committee represents the best of Las Vegas. Our 100th Birthday will pay tribute to the people, places, things and events that helped our city carve a rich and dynamic place in American and world history. The kick-off will be held New Year's Eve, December 31, 2004, and the celebration will continue throughout 2005 with hundreds of events and projects. The largest concentration of our Centennial will take place April - July 2005.

RECOMMENDATION:
Report only, no action required.

BACKUP DOCUMENTATION:
Submitted after meeting: hardcopy of PowerPoint

MOTION:
None required. A report was given.

MINUTES:
STACY ALLSBROOK, Centennial Celebration Committee, gave a PowerPoint presentation, a copy of which is included in the backup, to update the Council on the status of the arrangements to commemorate the 100th Birthday of Las Vegas.

MAYOR GOODMAN said that he hopes at the end of the year the Council's goal will be realized and everybody that lives in this community will consider himself/herself a Las Vegan and take pride in these ceremonies.

COUNCILMAN WEEKLY thanked MS. ALLSBROOK and her staff for all their efforts in making the celebration a very exciting event. He is very excited to see broad participation. He encouraged the community to get involved. MS. ALLSBROOK said that people wishing to get involved or to volunteer could call 229-2005 for information.
(9:25 - 9:42)
1-666

THE LAS VEGAS CENTENNIAL

Las Vegas City Council

LAS VEGAS Centennial 1905-2005

We Did It Our Way!

11/1/05 C.C. Mtg. #67


THE LAS VEGAS CENTENNIAL
Las Vegas was founded on May 15, 1905 with a land auction held on the corner of Main and Ogden. 100 years later, Las Vegas is celebrating our Centennial Celebration.
LAS VEGAS
Centennial
1905-2005
We Did It Our Way!



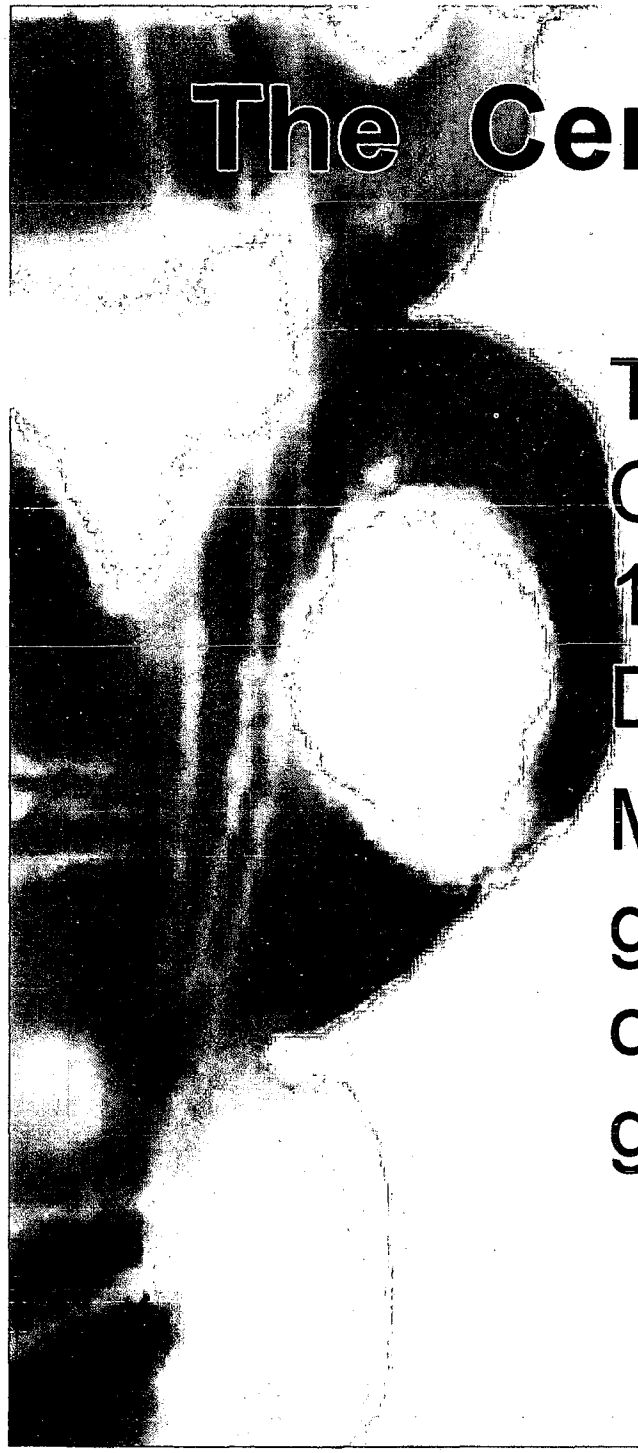
The Centennial Commission

The Centennial Commission:

- Non-profit Organization
- Created by the City of Las Vegas in 2002
- Staffed primarily by CLV, but is supported by staff from Clark County, LVCVA and others.

Las Vegas Centennial 1905-2005

We Did It Our Way!



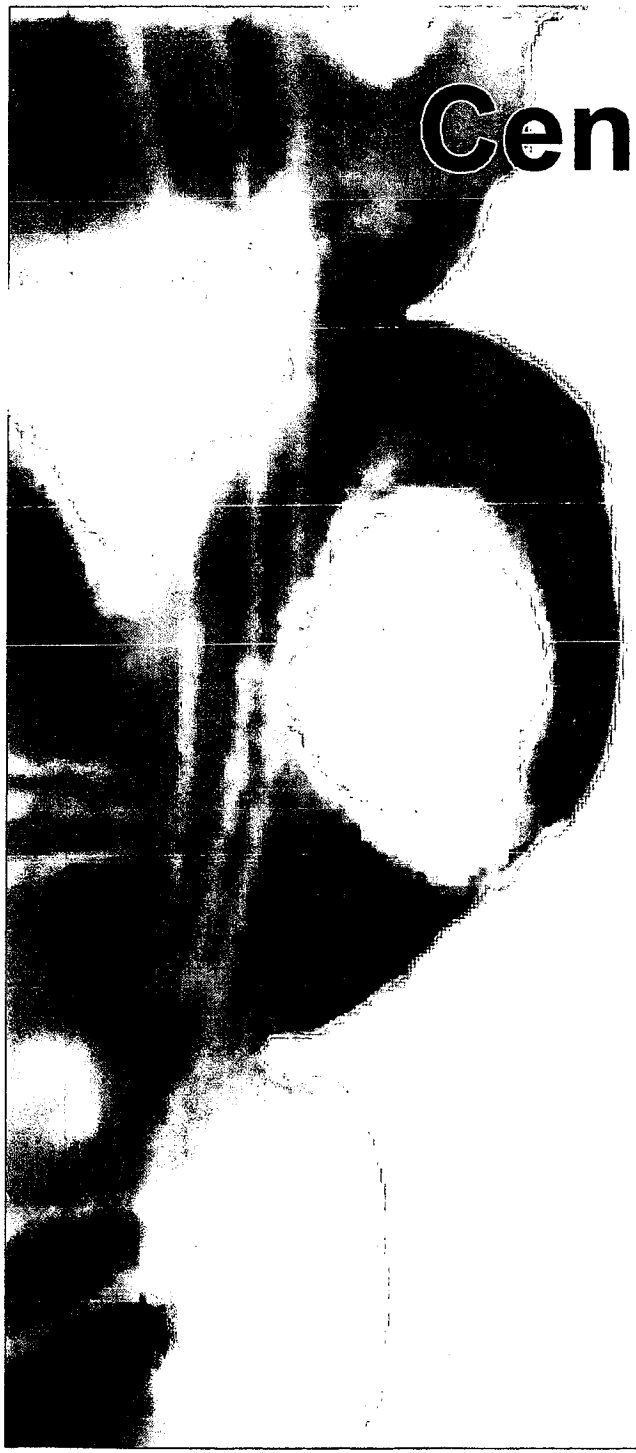
The Centennial Commission

The 33-member Centennial Commission includes within it a 13-member Executive Board of Directors.

Members represent hotel and gaming interest, as well as civic, cultural, business and government.

LAS VEGAS Centennial 1905-2005

We Did It Our Way!

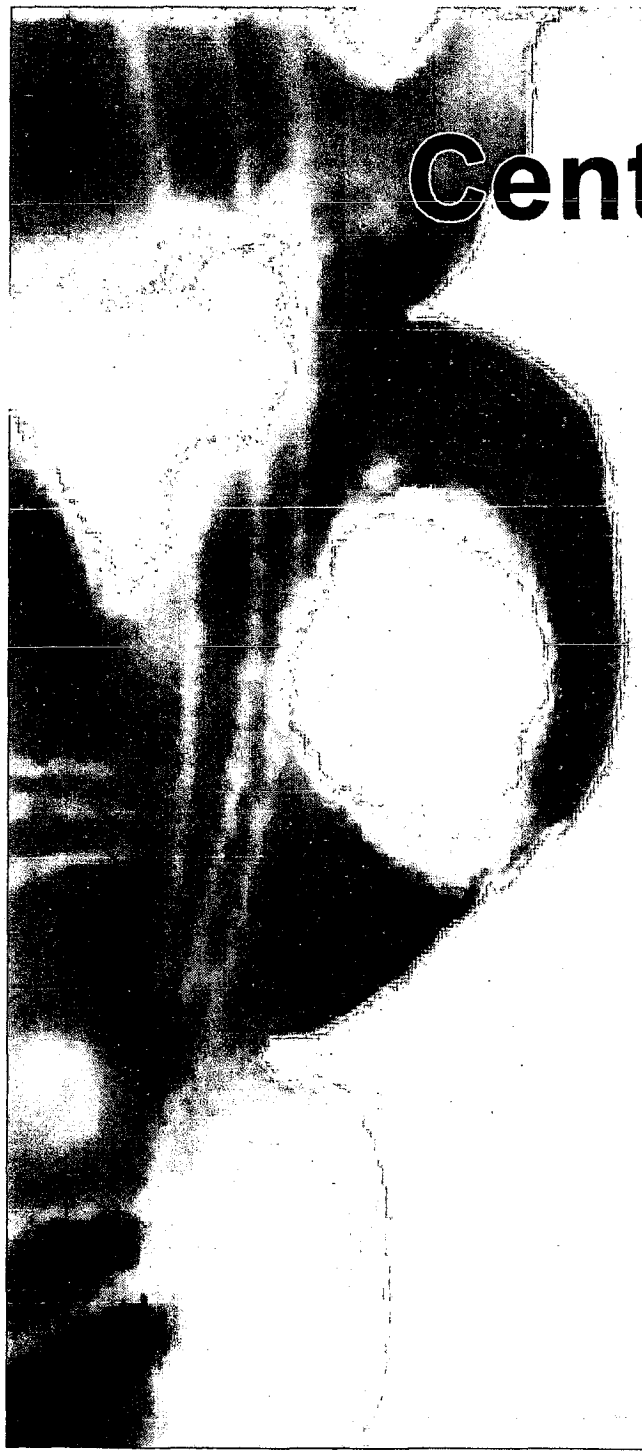


Centennial Partners

- City of Las Vegas
- Clark County
- Clark County School District
- LVCVA
- Fremont Street Experience
- Las Vegas Chamber of Commerce
- Regional Transportation Commission

LAS VEGAS Centennial 1905 2005

We Did It Our Way!



Centennial Partners cont.

- Review Journal
- Clear Channel Entertainment
- R & R Partners
- American Experience and Insignia Films
- Cox Communication
- EMI (Music Label)
- Monorail

LAS VEGAS Centennial 1905-2005

We Did It Our Way!



Working Groups

Community, Education, Historical, Cultural, Special Events Working Groups led by board members

The working groups have created 33 Signature events to serve as the highlight of our Centennial year.



Master Calendar

Our Centennial Master Calendar premiered with over 200 events. By Jan 05, we expect to add another 100 events.

The listings include Signature, grant-funded and sanctioned events.

LAS VEGAS Centennial 1905-2005

We Did It Our Way!

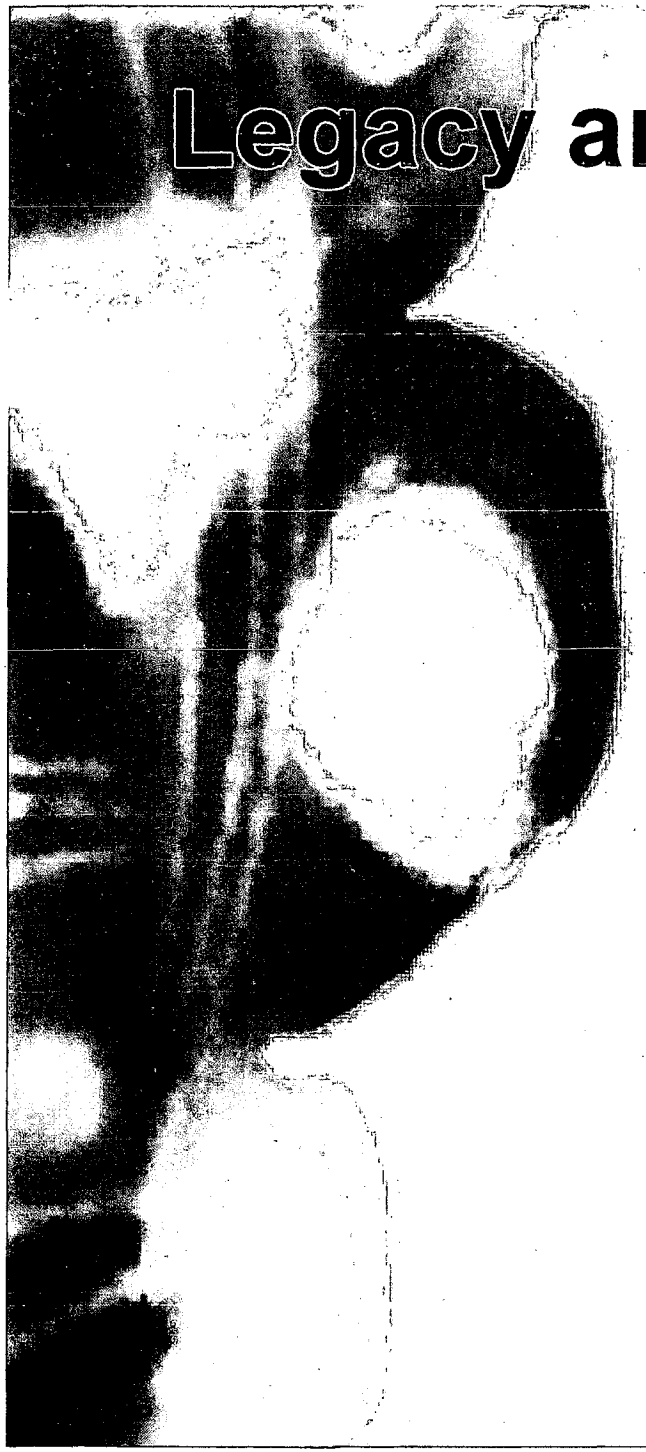


Signature Events

- New Year's Eve
- Rose Parade Float
- Helldorado Days
- World's Largest Birthday Cake
- Commissioned Music and Theater Performances
- Once Upon 100 Weddings
- CineVegas Film Festival
- Aviation Nation
- City of 100 Murals
- Vegas Valley Book Festival
- Post Office Gala

LAS VEGAS Centennial 1905 - 2005

We Did It Our Way!

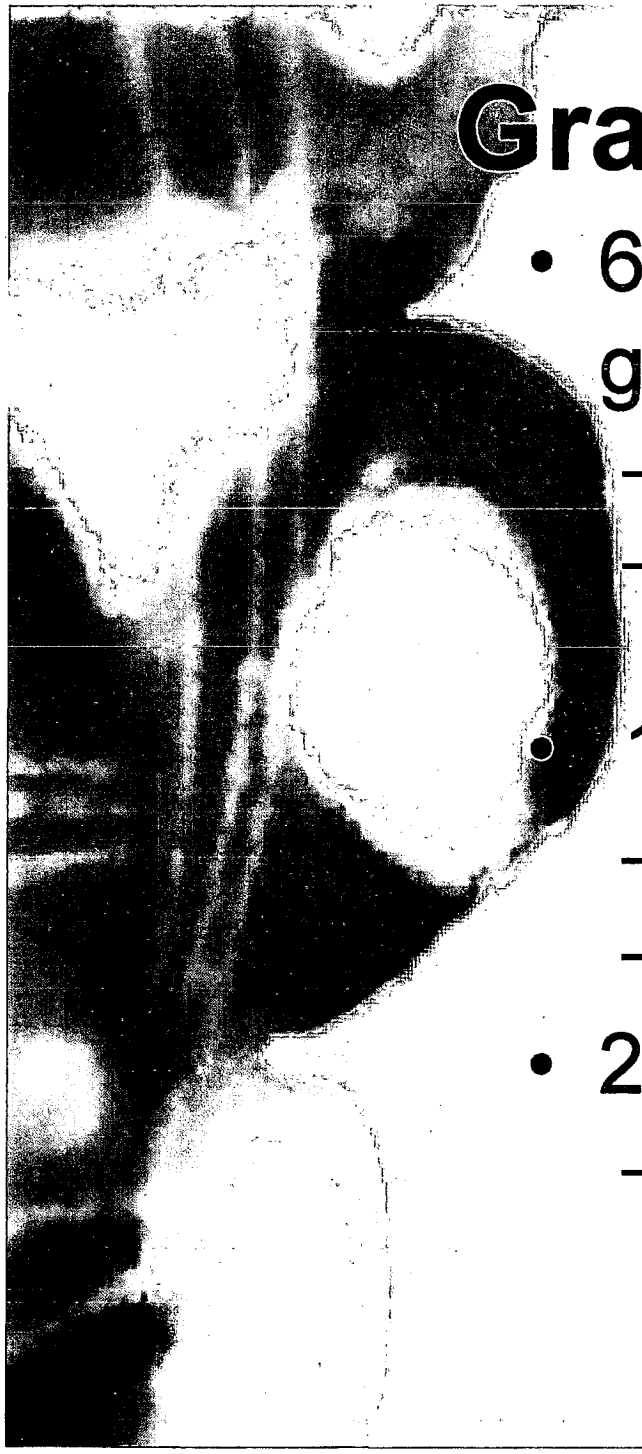


Legacy and Community Projects

- Rail Road Cottages
- Historical Markers/Famous Moments
- Las Vegas Quilt
- Las Vegas Time Capsule
- Las Vegas Clean Up
- Mormon Celebration
- International Food and Folklife Festival
- AND MORE!

LAS VEGAS Centennial 1905 - 2005

We Did It Our Way!



Grants and Sanctioning

- 62 Events ($300,000) funded by grant program.
  - EOB KCEP "Citizen of Destiny" oral history
  - University Press "Century of History in Las Vegas"
- 150 Board Sanctioned Events
  - Race for the Cure
  - Las Vegas Springs Preserve Opening
- 274 Education Grants ($200,000)
  - To be awarded December





Community Involvement

- 5-15 Club
- Native Vegan Society
- Centennial License Plates
- Helldorado Parade
- Tell Your Story!
  - Family History
  - Business
  - Vegas Story
- Build Your Own Event!

Las Vegas Centennial 1905-2005

We Did It Our Way!



Clear Channel Entertainment

- Merchandise
- Special Events
  - Fourth of July
- Funding the Centennial

LAS VEGAS Centennial 1905 - 2005

We Did It Our Way!



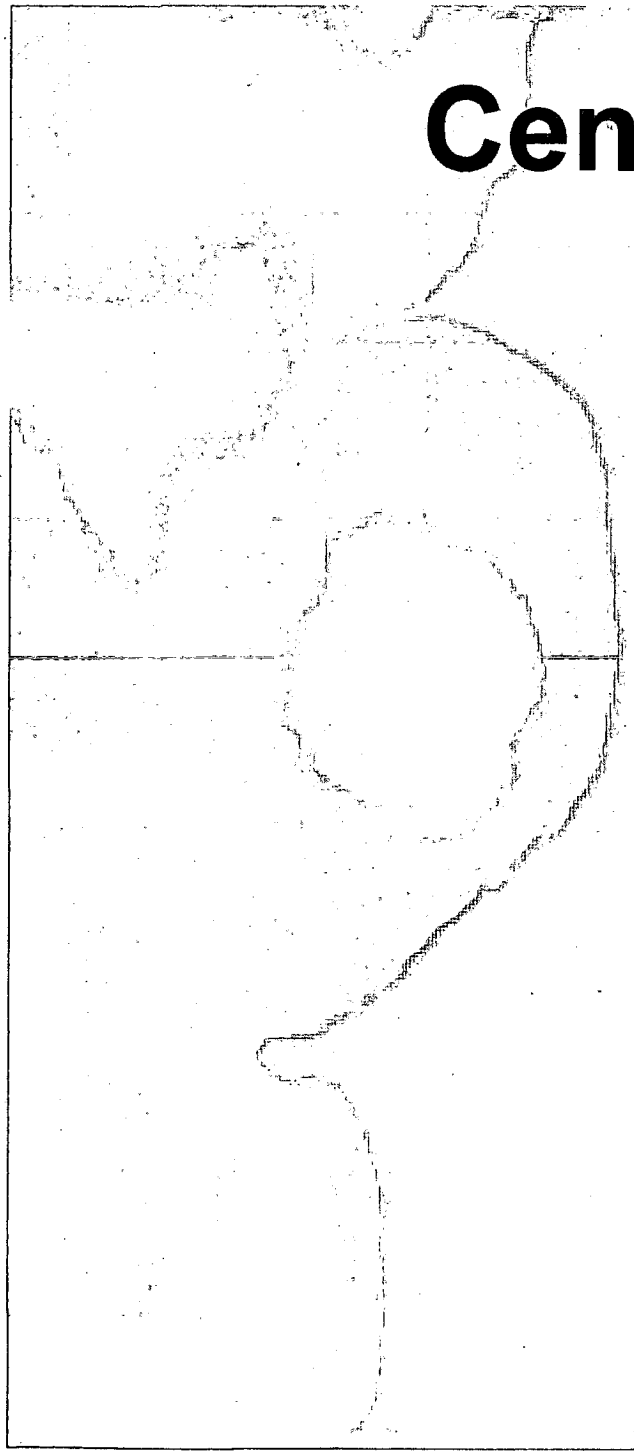
Revenue Streams

- Centennial License Plates
- Clear Channel Entertainment
- Local donations and sponsorships
  - Community Pride Initiative
- Merchandise

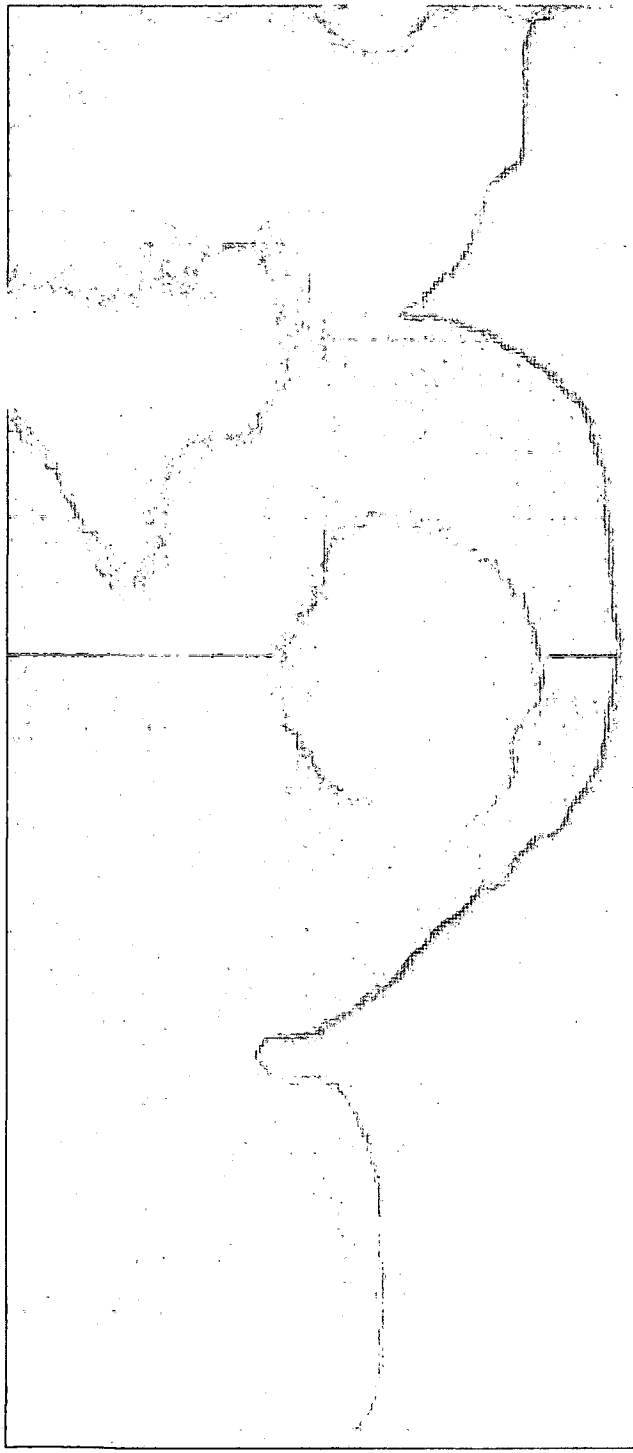
LAS VEGAS Centennial 1905-2005

We Did It Our Way!

Centennial Expenditures



- 32 Signature Events
  - Ex: Grants, NYE, Historical Markers, Helldorado
- Public Relations and Promotion
- Administrative
  - legal, staffing, supplies



Our Gateway
Our Website

- Stephens Media/Review Journal partnership
  - www.lasvegas2005.org
  - Volunteer portal
  - Interactive Events Calendar
  - General Information
  - Tell Your Story
  - Media Center
  - History
  - Commission



The Las Vegas Centennial Celebration

- Celebrate, Educate and Commemorate!
- Built for locals and visitors!
- Know the Las Vegas History!
- Get Involved!

LAS VEGAS Centennial 1905-2005

We Did It Our Way!

City of Las Vegas

Agenda Item No. 68

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:
Discussion and possible action on Appeal of Work Card Denial: Yolanda Rochelle White, 2762 Eldora Circle #D, Las Vegas, Nevada 89146

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:
Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:
REESE - ABEYANCE to 12/1/2004 - UNANIMOUS

MINUTES:
The appellant was not present.

JIM DiFIORE, Manager, Business Services, explained that he thought the Las Vegas Metropolitan Police Department (Metro), would be handling this matter administratively and therefore would request it to be stricken. Since neither the appellant nor a representative of Metro was present, MR. DiFIORE, requested it be held in abeyance.
(9:42 - 9:43)
1-1257

RECEIVED
CITY CLERK

2004 OCT 26 P 1:46

October 26, 2004

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal the Metropolitan Police Department's denial of my Work Card application to the Las Vegas City Council.

Sincerely,

Yolanda R White

Yolanda Rochelle White
2762 Eldora Cir #D
Las Vegas, NV 89146

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

October 26, 2004

Yolanda Rochelle White
2762 Eldora Circle #D
Las Vegas, NV 89146

Re: **WORK CARD APPEAL**

Dear Ms. White:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of **November 17, 2004.**

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, **it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee)** for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

Angela Crolli

Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

/pc

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-6/04

City of Las Vegas

Agenda Item No. 69

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Mary L. Oliphant, 4221 Walnut Family Court, Las Vegas, NV 89115

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

REESE - Motion to bring forward and STRIKE Item 57 and Hold in ABEYANCE Item 69 to 12/1/2004 - UNANIMOUS with WOLFSON not voting

MINUTES:

There was no discussion.
(9:22 - 9:23)
1-574

RECEIVED
CITY CLERK

2004 NOV -2 A 11: 54

November 2, 2004

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal the Metropolitan Police Department's denial of my Work Card application to the Las Vegas City Council.

Sincerely,

Mary Oliphant

Mary L. Oliphant
4221 Walnut Family Court
Las Vegas, NV 89115

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
AWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

November 2, 2004

Mary L. Oliphant
4221 Walnut Family Court
Las Vegas, NV 89115

Re: **WORK CARD APPEAL**

Dear Ms. Oliphant:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of **November 17, 2004.**

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, **it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee)** for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

Arlene Coleman
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

/pc

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-6/04

City of Las Vegas

Agenda Item No. 70

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler Off-sale License subject to the provisions of the planning and fire codes and Health Dept. regulations, Delek, LLC, dba One Stop Market, 7790 West Sahara Avenue, Eliahu Elezra, Mgr, Mmbr, 100% - Ward 1 (Moncrief)

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler Off-sale License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes and Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Jay H. Brown
3. Map

MOTION:

MONCRIEF - APPROVED the temporary license, subject to provisions as recommended, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process - UNANIMOUS with GOODMAN abstaining because his son, Eric Goodman, was representing the applicant

MINUTES:

ERIC GOODMAN, Attorney, appeared on behalf of the applicant.

JIM DiFIORE, Manager, Business Services, indicated that there were no areas of concern and suggested approval as recommended.

(9:43 - 9:44)

1-1282

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: FINANCE AND BUSINESS SERVICES
ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler Off-sale License subject to the provisions of the planning and fire codes and Health Dept. regulations, Delek, LLC, dba One Stop Market, 7790 West Sahara Avenue

The applicant is requesting approval of a temporary license as provided by LVMC 6.06.051, which reads as follows:

(A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:

(1) The applicant's fitness for a license; and
(2) The appropriateness of the applicant's business location.

(B) A temporary license shall not be granted under this Section unless:

(1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees;
(2) The Director makes a preliminary finding that all of the principals of the business are suitable; and
(3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated October 13, 2004 from the applicant's counsel outlines the request for temporary license.

The applicant submitted all of the required documentation and paid all applicable fees for investigation on November 2, 2004. Based on a review of the SCOPE printout furnished to this Department and the fact that Mr. Elezra continues to hold a package and restricted gaming license for Souvenir Super Market located at 322 Fremont Street for which he was previously investigated and approved by the City Council on September 6, 1995, we have determined that he is preliminarily suitable to hold a temporary beer/wine/cooler off-sale license until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this applicant this item will be brought back before the Council for appropriate action.

LAW OFFICES
Singer & Brown
A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

October 13, 2004

Debbie Outland
City of Las Vegas Business Licensing
400 E Stewart
Las Vegas, Nevada 89101

Re: Delek, LLC dba One Stop Market

Dear Debbie;

Please be advised that I represent Delek, LLC dba One Stop Market with its application for a beer, wine and restricted gaming license within a convenience store.

We are requesting for temporary liquor license pending approval from LVMPD. In the interim, we are also requesting a general business license to operate the convenience store without any type of liquor sales.

Mr. Eliahu Elezra is 100% owner of Delek, LLC and has previously undergone investigation by LVMPD and the Gaming Control Board. Mr. Elezra's complete SCOPE from LVMPD will follow this application by October15, 2004.

Delek, LLC has submitted its application for a restricted gaming license for 5 slot machines and is currently undergoing investigation with the Gaming Control Board. Enclosed is the application that was submitted to them.

Delek, LLC purchased this business and property from the previous owners, which has permitted them to utilized the existing use permit for land use.

If you should have any questions, please call my office.

Very truly yours,

Jay H Brown

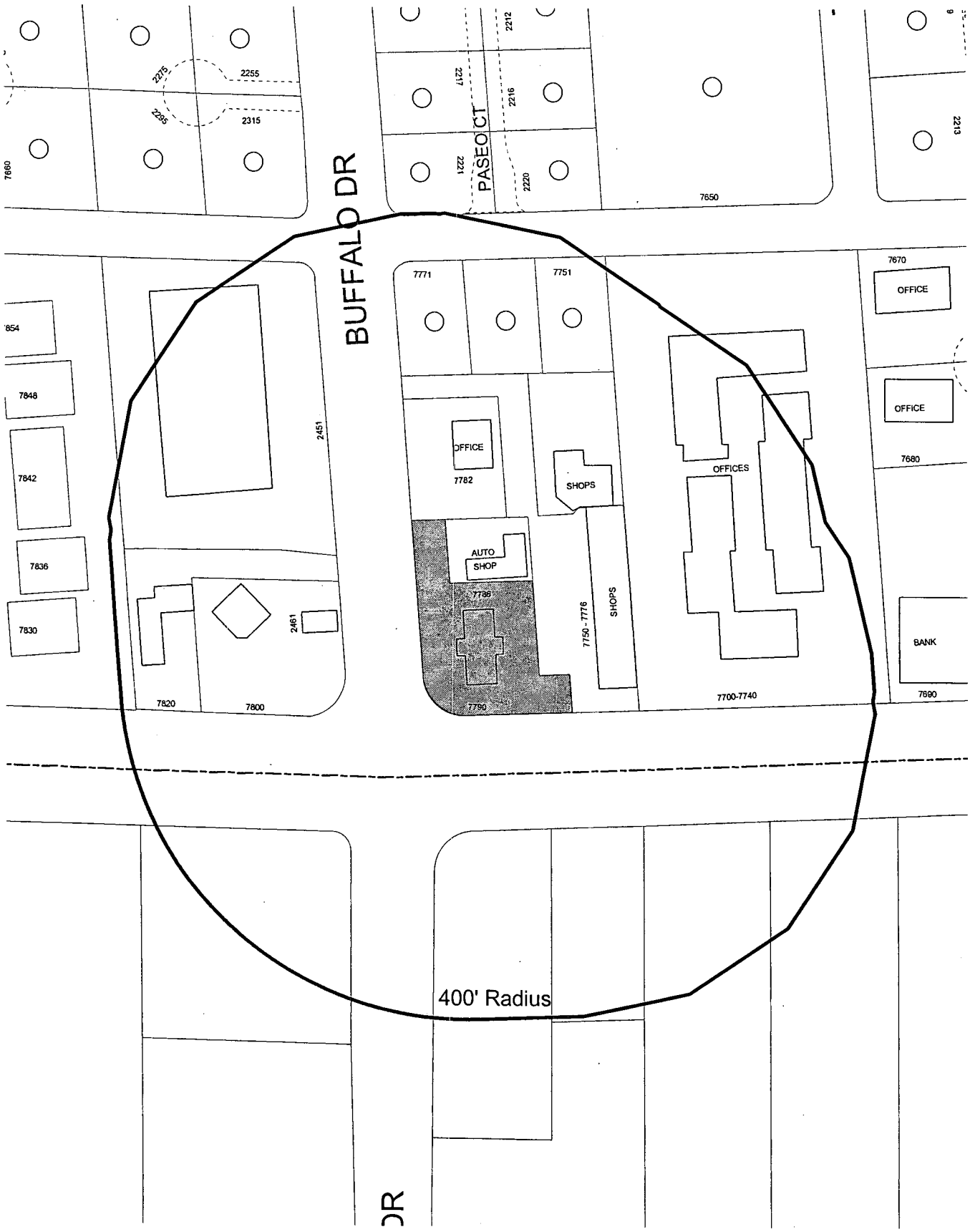
JHB:ss

Enc.

10/19 Confirmed with Jay Brown's office property is owned by Harpster, LLC + leased to Delek, LLC.

D. Outland

ONE STOP MARKET



City of Las Vegas

Agenda Item No. 71

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Tavern License subject to the provisions of the fire codes and Health Dept. regulations, From: Nevada Hotel Reservations, Inc., Ann S. Meyers, Dir, Pres, Secy, Treas, 100%, To: Barrick-NG, LLC, dba Nevada Hotel & Casino, 235 South Main Street, Stephen A. Crystal, Pres, Phillip L. Flaherty, COO, David W. Barrick, Secy, Barrick Gaming Operations II, LLC, Managing Mmbr, 100%, Barrick Gaming Investments II, LLC, Managing Mmbr, 100%, Barrick Gaming Corporation, Managing Mmbr, 100%, Stephen A. Crystal, Dir, Pres, Phillip L. Flaherty, COO, David W. Barrick, Dir, Secy, Barrick Corporation, 100%, Stephen A. Crystal, Dir, Pres, Phillip L. Flaherty, COO, David W. Barrick, Dir, Secy - Ward 1 (Moncrief)

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Tavern License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes and Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Jennifer Roberts

MOTION:

MONCRIEF - APPROVED the temporary license, subject to provisions as recommended, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process - UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that the location in this matter is near a SuperPawn shop owned by his brother, Steven Mack, who had not discussed this request with him. COUNCILMAN MACK did not feel this matter would have any impact on his brother's shop; therefore, he indicated he would be voting.

MINUTES:

JENNIFER ROBERTS, Attorney, Lionel, Sawyer, and Collins, appearing on behalf of the applicant, thanked staff for all its assistance and concurred with the conditions.

JIM DiFIORE, Manager, Business Services, commented that the applicant is a current licensee in the City of Las Vegas. He suggested approval as recommended.

(9:44 - 9:46)

1-1339

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: FINANCE AND BUSINESS SERVICES
ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of Change of Ownership for a Tavern License, From: Nevada Hotel Reservations, Inc., Ann S. Meyers, Dir, Pres, Secy, Treas, 100%, To: Barrick-NG, LLC, dba Nevada Hotel & Casino, 235 South Main Street

The applicant is requesting approval of a temporary license as provided by LVMC 6.06.051, which reads as follows:

(A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:

(1) The applicant's fitness for a license; and
(2) The appropriateness of the applicant's business location.

(B) A temporary license shall not be granted under this Section unless:

(1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees; and
(2) The Director makes a preliminary finding that all of the principals of the business are suitable; and
(3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated November 1, 2004 from Ms. Jennifer Roberts, Attorney at Law at Lionel Sawyer & Collins, outlines the request for a temporary license.

The applicant submitted all of the required documentation and paid all applicable fees for investigation on November 1, 2004. These principals have been previously investigated and approved for Tavern liquor licenses by City Council on March 17, 2004 for Barrick-GSG, LLC dba Gold Spike Hotel & Casino, 400 East Ogden Avenue, Barrick-LVCG, LLC dba Las Vegas Club Hotel & Casino, 18 East Fremont Street; Barrick-UPG, LLC, dba Union Plaza Hotel & Casino, 1 South Main Street; and Barrick-WG, LLC, dba Western Hotel & Casino, 899 East Fremont Street. Based on these prior approvals, we have determined they are preliminarily suitable to hold a temporary liquor license until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this application this item will be brought back before the Council for appropriate action.

LIONEL SAWYER & COLLINS
ATTORNEYS AT LAW
1700 BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101
(702) 383-8888

FAX (702) 383-8845
lsc@lionelsawyer.com
www.lionelsawyer.com

SAMUEL S. LIONEL
GRANT SAWYER
(1918-1996)

JON R. COLLINS
(1923-1987)

RICHARD H. BRYAN
JEFFREY P. ZUCKER
PAUL R. HEJMANOWSKI
ROBERT D. FAISS
DAVID N. FREDERICK
DENNIS L. KENNEDY
RICHARD W. HORTON
DAN C. BOWEN
MARK A. SOLOMON
RODNEY M. JEAN
HARVEY WHITTEMORE
TODD TOUTON
DAVID WHITTEMORE
CAM FERENBACH
LYNDA S. MABRY
MARK H. GOLDSTEIN

ANTHONY N. CABOT
KIRBY J. SMITH
COLLEEN A. DOLAN
JENNIFER A. SMITH
GARY W. DUHON
LAUREL E. DAVIS
DAN R. REASER
CARL D. SAVELY
MARK LEMMONS
HOWARD E. COLE
PAUL E. LARSEN
P. GREGORY GIORDANO
MARK A. McINTIRE
ALLEN J. WILT
LYNN S. FULSTONE
RORY J. REID
DAN C. McGUIRE
LESLIE BRYAN HART
CRAIG E. ETEM
TODD E. KENNEDY
MATTHEW E. WATSON

JEFFREY D. MENICUCCI
SHAWN M. ELICEGUI
HECTOR J. CARBAJAL II
EMILIA K. CARGILL
JANET SUE BESSEMER
G. LANCE COBURN
WILLIAM J. McKEAN
JOHN M. NAYLOR
GREGORY R. GEMIGNANI
E. LEIF REID
DANA A. DWIGGINS
ELIZABETH R. BRENNAN
DOREEN SPEARS HARTWELL
SEAN T. WATERS
ELLICK C. HSU
STEVEN E. HOLLINGWORTH
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LAURA K. GRANIER
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STEVEN J. NEWMAN
SARAH E. HARMON
CRISTINA L. JOHNSON
MICHAEL D. KNOX
ROSA SOLIS-RAINEY
ERIC C. BOUGHMAN
ERIN FLYNN
JENNIFER ROBERTS
SUZANNE L. MARTIN
BRENT HEBERLEE
MATTHEW B. CRANE*

*ADMITTED IN OHIO ONLY

OF COUNSEL
BRIAN McKAY
ELLEN WHITTEMORE
BRIAN HARRIS
ABBIE G. FRIEDMAN
LAURA J. THALACKER

November 1, 2004

WRITER'S DIRECT DIAL NUMBER:

(702)-383-8946
jroberts@lionelsawyer.com

VIA FACSIMILE & HAND DELIVERY

Donna Tanner, License Officer
Department of Finance & Business Services
Privileged License Section
3rd Floor, City Hall
400 Stewart Avenue
Las Vegas, Nevada 89101

Re: ***Licensing - Queen of Hearts Hotel & Casino / Nevada Hotel & Casino***

Dear Ms. Tanner:

Enclosed are the following materials for Barrick-QHG, LLC, dba the Queen of Hearts Hotel & Casino, 19 East Lewis Avenue, Las Vegas, Nevada 89101, and Barrick-NG, LLC, dba the Nevada Hotel & Casino, 235 Main Street, Las Vegas, Nevada 89101, which should complete their liquor license applications: (1) detailed description of the corporate structure of Barrick Corporation and subsidiary entities; (2) copies of driver's licenses for persons to be found suitable; and (3) source of funds summary.

Please note that the only officers/directors for the Barrick entities up and through Barrick Corporation are Stephen A. Crystal, President; David W. Barrick, Chairman and Secretary; and Phillip L. Flaherty, Chief Operating Officer. On March 17, 2004, each of these individuals were found suitable in connection with the applications of Barrick-GSG, LLC, dba Gold Spike Hotel & Casino, 400 E. Ogden Avenue; Barrick-LVCG, LLC, dba Las Vegas Club Hotel & Casino, 18 E. Fremont Street; Barrick-UPG, LLC, dba Union Plaza Hotel & Casino, 1 S. Main Street; and Barrick-WG, LLC, dba Western Hotel & Casino, 899 E. Fremont Street. Because they were recently investigated and found suitable, we are requesting temporary liquor licenses be issued for Barrick-QHG, LLC, and Barrick-NG, LLC. Therefore, we are respectfully requesting that the application be placed on the agenda for the November 17, 2004 City Council hearing.

If you have any questions or need additional information, please do not hesitate to contact me. Thank you for all of your assistance with this application.

Sincerely,

Jennifer Roberts

Enclosures

cc: Ellen Whittemore (w/o encl.)
Mark McIntire (w/o encl.)
Phil Flaherty, Barrick Gaming Corp. (w/o encl.)

City of Las Vegas

Agenda Item No. 72

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Tavern License subject to the provisions of the fire codes and Health Dept. regulations, From: Ann S. Meyers, 100%, To: Barrick-QHG, LLC, dba Queen of Hearts Hotel & Casino, 19 Lewis Avenue, Stephen A. Crystal, Pres, Phillip L. Flaherty, COO, David W. Barrick, Secy, Barrick Gaming Operations II, LLC, Managing Mmbr, 100%, Barrick Gaming Investments II, LLC, Managing Mmbr, 100%, Barrick Gaming Corporation, Managing Mmbr, 100%, Stephen A. Crystal, Dir, Pres, Phillip L. Flaherty, COO, David W. Barrick, Dir, Secy, Barrick Corporation, 100%, Stephen A. Crystal, Dir, Pres, Phillip L. Flaherty, COO, David W. Barrick, Dir, Secy - Ward 1 (Moncrief)

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Tavern License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes and Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Jennifer Roberts

MOTION:

MONCRIEF - APPROVED the temporary license, subject to provisions as recommended, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process - UNANIMOUS

MINUTES:

JENNIFER ROBERTS, Attorney, Lionel, Sawyer, and Collins, appearing on behalf of the applicant, was present.

JIM DiFIORE, Manager, Business Services, said the recommendation is the same as for Item 71 and mentioned that the applicant is also the same.

MAYOR GOODMAN said he was very excited about the commitment MR. BARRICK has made in the downtown area and wished him well in his endeavors.

(9:46 - 9:47)

1-1391

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: FINANCE AND BUSINESS SERVICES
ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of Change of Ownership for a Tavern License, From: Ann S. Meyers, 100%, To: Barrick-QHG, LLC, dba Queen of Hearts Hotel & Casino, 19 Lewis Avenue

The applicant is requesting approval of a temporary license as provided by LVMC 6.06.051, which reads as follows:

(A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:

(1) The applicant's fitness for a license; and
(2) The appropriateness of the applicant's business location.

(B) A temporary license shall not be granted under this Section unless:

(1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees; and
(2) The Director makes a preliminary finding that all of the principals of the business are suitable; and
(3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated November 1, 2004 from Ms. Jennifer Roberts, Attorney at Law at Lionel Sawyer & Collins, outlines the request for a temporary license.

The applicant submitted all of the required documentation and paid all applicable fees for investigation on November 1, 2004. These principals have been previously investigated and approved for Tavern liquor licenses by City Council on March 17, 2004 for Barrick-GSG, LLC dba Gold Spike Hotel & Casino, 400 East Ogden Avenue, Barrick-LVCG, LLC dba Las Vegas Club Hotel & Casino, 18 East Fremont Street; Barrick-UPG, LLC, dba Union Plaza Hotel & Casino, 1 South Main Street; and Barrick-WG, LLC, dba Western Hotel & Casino, 899 East Fremont Street. Based on these prior approvals, we have determined they are preliminarily suitable to hold a temporary liquor license until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this application this item will be brought back before the Council for appropriate action.

LIONEL SAWYER & COLLINS
ATTORNEYS AT LAW
1700 BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101
(702) 383-8888

FAX (702) 383-8845
lsc@lionelsawyer.com
www.lionelsawyer.com

SAMUEL S. LIONEL
GRANT SAWYER
(1918-1996)
JON R. COLLINS
(1923-1987)
RICHARD H. BRYAN
JEFFREY P. ZUCKER
PAUL R. HEJMANOWSKI
ROBERT D. FAISS
DAVID N. FREDERICK
DENNIS L. KENNEDY
RICHARD W. HORTON
DAN C. BOWEN
MARK A. SOLDMON
RODNEY M. JEAN
HARVEY WHITTEMORE
TODD TOUTON
DAVID WHITTEMORE
CAM FERENBACH
LYNDA S. MABRY
MARK H. GOLDSTEIN
ANTHONY N. CABOT
KIRBY J. SMITH
COLLEEN A. DOLAN
JENNIFER A. SMITH
GARY W. DUHON
LAUREL E. DAVIS
DAN R. REASER
CARL D. SAVELY
MARK LEMMONS
HOWARD E. COLE
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OF COUNSEL
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LAURA J. THALACKER

November 1, 2004

WRITER'S DIRECT DIAL NUMBER:

(702)-383-8946
jroberts@lionelsawyer.com

VIA FACSIMILE & HAND DELIVERY

Donna Tanner, License Officer
Department of Finance & Business Services
Privileged License Section
3rd Floor, City Hall
400 Stewart Avenue
Las Vegas, Nevada 89101

Re: ***Licensing - Queen of Hearts Hotel & Casino / Nevada Hotel & Casino***

Dear Ms. Tanner:

Enclosed are the following materials for Barrick-QHG, LLC, dba the Queen of Hearts Hotel & Casino, 19 East Lewis Avenue, Las Vegas, Nevada 89101, and Barrick-NG, LLC, dba the Nevada Hotel & Casino, 235 Main Street, Las Vegas, Nevada 89101, which should complete their liquor license applications: (1) detailed description of the corporate structure of Barrick Corporation and subsidiary entities; (2) copies of driver's licenses for persons to be found suitable; and (3) source of funds summary.

Please note that the only officers/directors for the Barrick entities up and through Barrick Corporation are Stephen A. Crystal, President; David W. Barrick, Chairman and Secretary; and Phillip L. Flaherty, Chief Operating Officer. On March 17, 2004, each of these individuals were found suitable in connection with the applications of Barrick-GSG, LLC, dba Gold Spike Hotel & Casino, 400 E. Ogden Avenue; Barrick-LVCG, LLC, dba Las Vegas Club Hotel & Casino, 18 E. Fremont Street; Barrick-UPG, LLC, dba Union Plaza Hotel & Casino, 1 S. Main Street; and Barrick-WG, LLC, dba Western Hotel & Casino, 899 E. Fremont Street. Because they were recently investigated and found suitable, we are requesting temporary liquor licenses be issued for Barrick-QHG, LLC, and Barrick-NG, LLC. Therefore, we are respectfully requesting that the application be placed on the agenda for the November 17, 2004 City Council hearing.

If you have any questions or need additional information, please do not hesitate to contact me. Thank you for all of your assistance with this application.

Sincerely,

Jennifer Roberts

Enclosures

cc: Ellen Whittemore (w/o encl.)
Mark McIntire (w/o encl.)
Phil Flaherty, Barrick Gaming Corp. (w/o encl.)

City of Las Vegas

Agenda Item No. 73

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action regarding Temporary approval of a new Auctioneer License, Meir Hayon, dba Meir Hayon, 56 Ridge Road, New Jersey, Meir Hayon, 100% - New Jersey

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary approval of a new Auctioneer License

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Meir Haydon

MOTION:

REESE - APPROVED the temporary license, subject to provisions as recommended, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process - UNANIMOUS

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, reported that the applicant passed the preliminary check for consideration of a temporary license. He recommended approval of the temporary license, granting him the authority to issue the permanent license upon receipt of a favorable police report.

MR. HAYON commented that he came from a very small town and hopes to make his Las Vegas location a fine arts center. MAYOR GOODMAN noted that Las Vegas is attracting a lot of auctioneers. (9:47 - 9:49)

1-1433

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: FINANCE AND BUSINESS SERVICES
ITEM DESCRIPTION: Discussion and possible action regarding Temporary approval of a new Auctioneer License, Meir Hayon, dba Meir Hayon, 56 Ridge Road, New Jersey, Meir Hayon, 100% - New Jersey

The applicant is requesting approval of a temporary license as provided by LVMC 6.02.070(E), which reads as follows:

(A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:

(1) The applicant's fitness for a license; and
(2) The appropriateness of the applicant's business location.

(B) A temporary license shall not be granted under this Section unless:

(1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees;
(2) The Director makes a preliminary finding that all of the principals of the business are suitable; and
(3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated October 14, 2004 from the applicant outlines the request for temporary license.

The applicant submitted all of the required documentation and paid all applicable fees for investigation on November 1, 2004. Based on a review of a letter provided by the Borough of Tenafly Chief of Police, we have determined he is preliminarily suitable to hold a temporary auctioneer business license until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this applicant this item will be brought back before the Council for appropriate action.

October 14, 2004

City of Las Vegas
Business Services Division
400 Stewart Avenue, 3rd Floor
Las Vegas, NV 89101
ATTN: Mr. Jim DiFiore

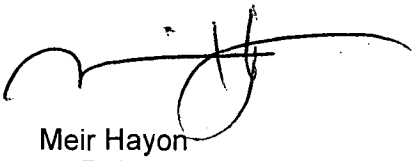
Dear Mr. DiFiore,

I am writing you this letter to respectfully request for a temporary auctioneer's license for the City of Las Vegas.

I understand the processing time it will take for me to obtain my auctioneer's license in your city. As a full-time auctioneer by profession, I rely on 100% of the income I earn from the auctions I hold to meet my personal financial obligations. With this in mind, I am hoping that you would understand and consider my request for a temporary license. I will go through the normal channels of obtaining the required city license in the interim.

Thank you very much for your kind consideration in this matter.

Respectfully yours,



Meir Hayon
56 Ridge Road
Tenafly, NJ 07670

City of Las Vegas

Agenda Item No. 74

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action regarding a new Massage Establishment License subject to the provisions of the planning and fire codes, Wolf & Wolf, dba Enchantment Day Spa Health & Wellness Center, 4588 North Rancho Drive, Suite 12, Jeffrey L. Wolf and Kelli R. Wolf, 100% jointly as husband and wife (NOTE: Item to be heard in the afternoon session in conjunction with Item 137 - SUP-5189) - Ward 6 (Mack)

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

Discussion and possible action regarding a new Massage Establishment License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes

BACKUP DOCUMENTATION:

Submitted at meeting - Support letter from Buy the Hour Kids Camp Day Care for Item 74 [massage license] and Item 137 [SUP-5189] filed under Item 74 [massage license]

MOTION:

MACK - APPROVED - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

JEFF and KELLI WOLF, 4588 North Rancho Road, were present.

NOTE: See Item 137 [SUP-5189] for all related discussion
(2:27 - 2:28)
2-3149

Buy the Hour Kids Camp Day Care
Rancho Pines Shopping Center
4855 N. Rancho Dr, Suite 6
LV, NV 89130

RE. SUP Application for Enchantment Day Spa
Health & Wellness Center
4588 N. Rancho Dr., Suite 12
Las Vegas, NV 89130

September 3, 2004

Attn. Steve Scott, Planner
Planning & Development Department
City of Las Vegas

Dear Mr. Scott:

I am in favor of Mr. & Mrs. Wolf, DBA: Enchantment Day Spa Health & Wellness Center, joining Rancho Pines Shopping Center in Suite 12. My hourly childcare would be an asset to their Health & Wellness Center Customers and therefore we would mutually benefit the viability of our business community.

Sincerely,

Suzanne Moody,
Buy the Hour Kids Camp

Submitted at City Council
Date 11/17/04 Item 137 & 74

City of Las Vegas

Agenda Item No. 75

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action regarding Temporary Approval of a Massage Establishment License, Jagged Edge Day Spa & Salon, dba Jagged Edge Day Spa & Salon, 1932 Rock Springs Drive, Robert T. Fogarty, Mgr, Mmbr, 100% - Ward 4 (Brown)

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a new Massage Establishment License.

RECOMMENDATION:

Recommend approval with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report or extend the temporary in the event the police report is not completed within the 6-month temporary period.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Robert Fogarty
3. Map

MOTION:

BROWN - APPROVED the temporary license, subject to provisions as recommended, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process or extend the temporary in the event the police report is not completed within the six-month period - UNANIMOUS

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, explained that this matter involves a request to perform massages as part of the existing beauty salon. The licensee has been licensed since 1997. He suggested approval as recommended. COUNCILMAN BROWN confirmed with MR. DiFIORE that the massage license would be site specific.

MR. FOGARTY said he would like to provide this added service.
(9:49 - 9:50)
1-1512

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: FINANCE AND BUSINESS SERVICES
ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of a Massage Establishment License, Jagged Edge Day Spa & Salon, dba Jagged Edge Day Spa & Salon, 1932 Rock Springs Drive

The applicant is requesting approval of a temporary license as provided by LVMC 6.06.051, which reads as follows:

(A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:

(1) The applicant's fitness for a license; and
(2) The appropriateness of the applicant's business location.

(B) A temporary license shall not be granted under this Section unless:

(1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees;
(2) The Director makes a preliminary finding that all of the principals of the business are suitable; and
(3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated October 10, 2004 from the applicant outlines the request for temporary license.

The applicant submitted all of the required documentation and paid all applicable fees for investigation on October 12, 2004. Based on a review of a Las Vegas Metropolitan Police Department SCOPE furnished to this Department, we have determined he is preliminarily suitable to hold a temporary Massage Establishment license until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this applicant this item will be brought back before the Council for appropriate action.

10/10/2004

City of Las Vegas of Nevada;

I Robert Fogarty am requesting a temporary massage license, reason is that I will be losing money and the lady I have in mind will not wait four months.

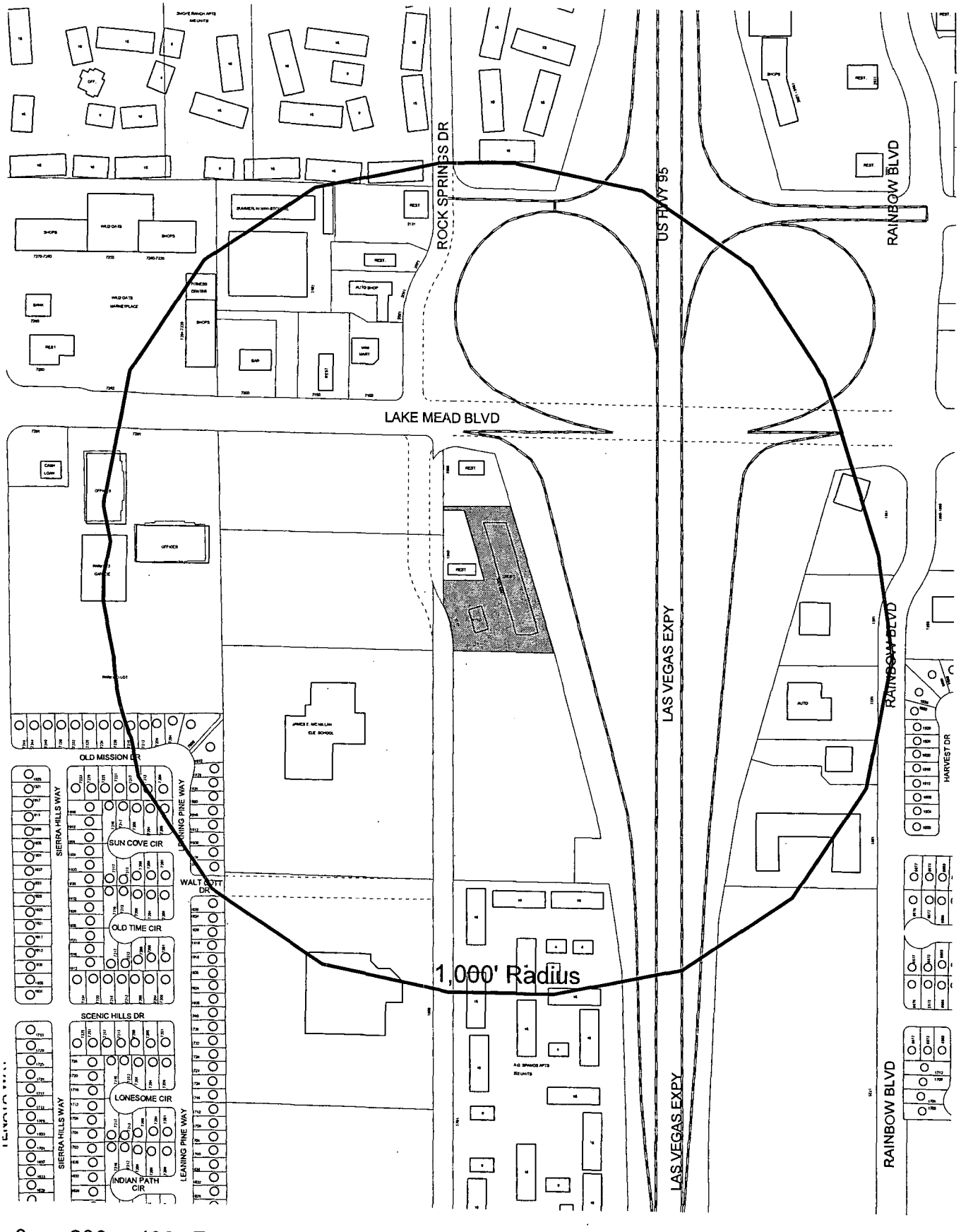
I hope you will grant me a temporary massage license; I have had this salon opened up for eight years.

Sincerely; Robert Fogarty

Robert Fogarty

Date; 10/11/04

JAGGED EDGE DAY SPA & SALON



City of Las Vegas

Agenda Item No. 76

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action regarding a new Nonprofit Club General License, Mesquite Club, Inc., dba Mesquite Club, 702 East St. Louis Avenue, Phyllis V. Noblitt, Pres - Ward 3 (Reese)

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

Discussion and possible action regarding a new Nonprofit Club General License

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting

BACKUP DOCUMENTATION:

Map

MOTION:

REESE - ABEYANCE to 1/5/2005 - UNANIMOUS

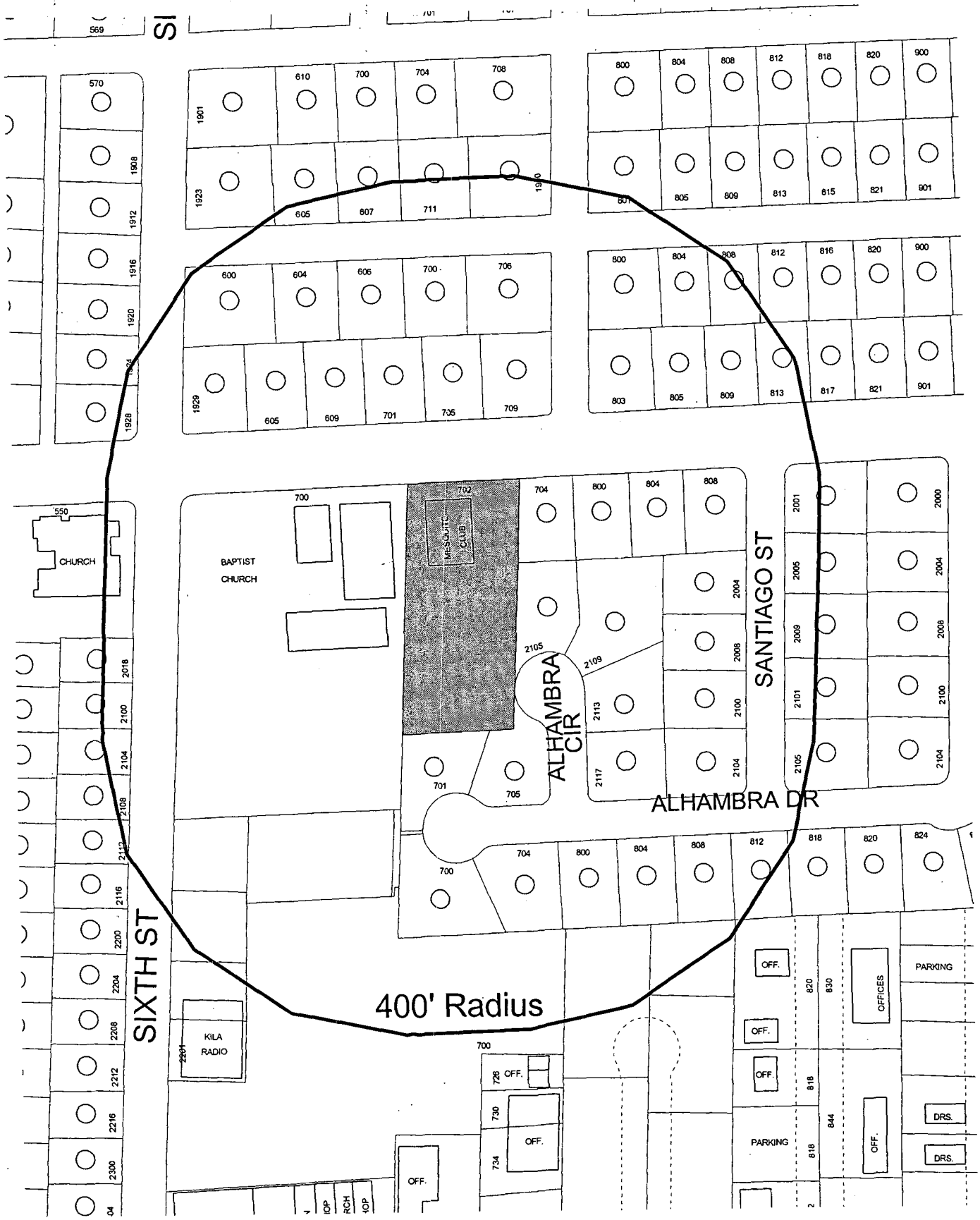
MINUTES:

JIM DiFIORE, Manager, Business Services, was present.

COUNCILMAN REESE requested this matter be held in abeyance to the first meeting in January 2005. (9:50 - 9:51)

1-1571

MESQUITE CLUB



076

City of Las Vegas

Agenda Item No. 77

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-69 - Establishes new solid waste and recycling regulations. Proposed by: Mark R. Vincent, Director of Finance and Business Services

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

The City's current solid waste code provisions were enacted more than fifty years ago and do not take into account many contemporary industry standards and practices as well as current state and federal regulatory provisions. Solid waste issues transcend the boundaries of the City and other local jurisdictions within the County metropolitan areas, each contracting with Republic Services, Inc. to perform solid waste collection and disposal services. Accordingly, this bill is modeled after recent changes made in the County code in order to achieve regulatory uniformity. This bill specifically designates the items included within the solid waste stream, hazardous waste stream, medical waste stream, and recyclable materials stream for regulatory purposes; restricts hours of solid waste collection in residential areas; and conditionally waives collection fees for absentee residents.

RECOMMENDATION:

ADOPTION at 11/17/2004 City Council meeting as First Amendment pursuant to the 11/2/2004 Recommending Committee

First Reading – 10/6/2004; First Publication – 11/5/2004

BACKUP DOCUMENTATION:

Bill No. 2004-69 - First Amendment

MOTION:

MONCRIEF - Second Reading and BILL ADOPTED as a First Amendment as Ordinance No. 5733 - UNANIMOUS

Clerk to proceed with second publication

MINUTES:

ROBERT COIL, President of Republic Services, said this is a well-written ordinance that will ensure continued good service to the residents of the City of Las Vegas. He thanked MARK VINCENT, Director of Finance and Business Services, LARRY BETTIS, Deputy City Attorney, and CHRIS WARE, Franchise Officer, for all their assistance in this matter.

(9:51 - 9:53)

1-1599

FIRST AMENDMENT

BILL NO. 2004-69

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL AND REPLACE THE CITY'S REGULATIONS CONCERNING THE COLLECTION, TRANSPORTATION, DEPOSIT AND DISPOSAL OF SOLID WASTE AND RECYCLABLES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Mark R. Vincent, Director
Department of Finance and Business Services

Summary: Establishes new solid waste and recycling regulations.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 9, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new Chapter, to be designated as Chapter 8, to consist of the provisions set forth as Sections 2 to 34, inclusive, of this Ordinance.

SECTION 2: It is declared to be the policy of the City to regulate the collection, transportation, deposit, transfer, recycling and disposal of solid waste and recyclables in a manner that is consistent with State law and that will:

(A) Protect public health and welfare.

(B) Prevent water or air pollution.

(C) Prevent the spread of disease and the creation of nuisances.

(D) Conserve natural resources.

(E) Enhance the beauty and quality of the environment.

SECTION 3: In the construction of this Chapter, the following definitions shall apply, unless the context clearly requires otherwise:

"Cash receipts" means all receipts derived from the collection of solid waste and curbside recyclables collection services and includes, by way of illustration and not limitation, all cash, credits, property or other consideration of any kind derived directly or indirectly by a franchisee (or any of its authorized agents or affiliates) for the collection, transportation and disposal of solid waste, including all revenue received from residential service (including any charges attributable to curbside recyclables collection services), commercial and industrial service, medical-waste service, sewage-

waste service, container rentals, packaging, shipping and late fees, but excluding the following revenues from:

(A) The sale of recyclables.

(B) Any taxes on services furnished by a franchisee that are imposed by other governmental entities, that are passed through to and collected from the franchisee's customers, and that are separately itemized on customers' bills.

"Commercial recycler" means any licensed entity, including a licensed franchisee, that is in the business of purchasing, accepting donations of, collecting, storing, transporting or processing source-separated recyclables.

"Commingled recyclables" means recyclables that have been abandoned or discarded and that are mixed with solid waste other than residual solid waste.

"Compacted" means reduced in volume, but not weight, by two-thirds or more by mechanical equipment.

"Construction or demolition waste" means solid waste resulting from the construction or demolition of buildings and other structures, including but not limited to wood, plaster, metals, asphaltic substances, bricks, block and concrete, and excavation dirt, rock, stone and gravel. The term "construction or demolition waste" does not include uncontaminated soil, rock, stone, gravel, unused brick and block and concrete if they are separated from other construction or demolition waste and are to be used as clean fill.

"CPI-U" means the Consumer Price Index, All Urban Consumers for All Items, U.S. City Average (1982-84=100), as published by the Bureau of Labor Statistics, U.S. Department of Labor.

"Curbside recyclables collection" means a collection program operated by a solid waste franchisee in which source-separated recyclables are collected from residential customers on a regularly scheduled basis as a part of the franchisee's solid waste business.

"Dead animals" means all dead animals or parts thereof (including condemned meats) that are not intended to be used as food for man or animal.

"Dirt" means loose earth, ashes and manure, but exclusive of sand and gravel that is to be used in construction work.

"Drop-off center" means a collection site where source-separated recyclables may be taken by persons and deposited into designated containers.

"Franchise agreement" means an agreement between the City and a third party by which such third party is authorized to collect, transport and dispose of solid waste and perform curbside recyclables collection services in the City.

"Franchise fee" means the fee required by a franchise agreement based upon a percentage of a franchisee's cash receipts derived from the collection, transportation and disposal of solid waste and curbside recyclables collection services in the City.

"Franchisee" means any person who has contracted with the City for collection, transportation and disposal of solid waste and the performance of curbside recyclables collection.

"Garbage" means putrescible animal and vegetable wastes, other than source-separated recyclables, that result from the handling, storage, sale, preparation, cooking and serving of food, and that have been discarded or abandoned.

"Hazardous waste" means any waste or combination of wastes, including solids, semisolids, liquids or contained gases which:

(A) Because of its quantity or concentration or its physical, chemical or infectious characteristics may:

(1) Cause or significantly contribute to an increase in mortality or serious irreversible or incapacitating illness; or

(2) Pose a substantial hazard or potential hazard to human health, public safety or the environment when it is given improper treatment, storage, transportation, disposal or other management;

(B) Is identified as hazardous waste by the Nevada Department of Conservation and Natural Resources as a result of studies undertaken for the purpose of identifying hazardous wastes; and

(C) Includes, among other wastes, toxins, corrosives, flammable materials, irritants, strong sensitizers and materials which generate pressure by decomposition, heat or otherwise.

"Medical waste" means items other than a culture or stock of an infectious substance, that

contain an infectious substance and are generated in:

(A) The diagnosis, treatment or immunization of human beings or animals;

(B) Research pertaining to the diagnosis, treatment or immunization of human beings or animals; or

(C) The production or testing of biological products.

The term "medical waste" does not include the following if the items as packaged do not contain any material otherwise subject to the requirements of 49 CFR Part 173, App.G, as amended:

(1) Biological products;

(2) Diagnostic specimens;

(3) Laundry or medical equipment that conforms to 29 CFR 1910.1030 of the regulations of the Occupational Safety and Health Administration of the United States Department of Labor;

(4) A material, including waste, that previously contained an infectious substance and has been treated by steam sterilization, chemical disinfection or other appropriate method, so that it no longer poses the hazard of an infectious substance;

(5) Any waste material, including garbage, trash and sanitary waste in septic tanks, derived from households, including but not limited to single and multiple residences, hotels and motels;

(6) Corpses, remains and anatomical parts that are intended for ceremonial interment or cremations; or

(7) Animal waste generated in animal husbandry or food production.

"Motel" means a building or group of buildings whose main function is to provide temporary lodging and which does not offer conference rooms, restaurants or similar amenities to its customers in addition to sleeping quarters.

"Multiple dwellings" means apartments and any other collection of two or more residences which are grouped together under the management of one person and which do not require separate individual collection of solid waste.

"Place of business" means any place of business in the City, other than multiple dwellings,

to conduct or carry on principally or exclusively any pursuit or occupation for the purpose of gaining a livelihood.

"Premises" means land together with all buildings, improvements, and personal property located thereon.

"Public building" means office buildings, clubs, churches, schools, hospitals or other places of similar character.

"Putrescible" means capable of being decomposed by microorganisms with sufficient rapidity as to cause nuisances from odors or gases.

"Recyclables" or "recyclable materials" has the same meaning as "recyclable material," as that term is defined in the Clark County Health District's Regulations Governing Recycling Centers, as amended.

"Recycling center" has the same meaning as "recycling center," as that term is defined in the Clark County Health District's Regulations Governing Recycling Centers, as amended.

"Refuse" means those discarded materials that have no useful physical, chemical or biological properties after serving their original purpose and that cannot be reused or recycled for the same or other purposes.

"Residual solid waste" has the same meaning as "residual solid waste," as that term is defined in the Clark County Health District's Regulations Governing Recycling Centers, as amended.

"Rubbish" means nonputrescible wastes, other than source-separated recyclables, that have been discarded or abandoned such as paper, cardboard, automobiles, cans, wood, glass, bedding, crockery and similar materials.

"Sewage waste" means any solid or semi-solid waste, including biosolids, sludge, screenings and grit, generated from the operation of the City's water pollution control facility.

"Single-family residence" means a building or dwelling wherein not more than one family resides or dwells, and where no business of any kind is conducted, and includes a mobile home, apartment and other unit in a multiple dwelling which receives individual and heavy and bulky item collection.

"Solid waste" means all putrescible and nonputrescible materials in solid or semisolid form

that have been discarded or abandoned by their owner, including garbage, rubbish, junk vehicles and parts, ashes or incinerator residue, street refuse, dead animals, construction or demolition waste, commercial or industrial waste, medical waste, sewage waste, commingled recyclables and other refuse. The term "solid waste" does not include any of the following:

(A) Hazardous waste managed pursuant to NRS 459.400 through 459.600, inclusive.

(B) Source-separated recyclables.

"Source-separated recyclables" means recyclables that have been separated from the solid waste stream at the source for recycling purposes and that are not mixed with solid waste other than residual solid waste.

"Unforeseen economic circumstance" means:

(A) A percentage change in the CPI-U for a given calendar year ending in December that is greater than ten percent or below zero (a decrease);

(B) An occurrence beyond a franchisee's reasonable control;

(C) An action by a governmental jurisdiction; or

(D) A finding by the City Council that there have been economic occurrences during that period that have caused specific additional economic costs for a franchisee which are not reflected in changes to the CPI-U during that same period.

SECTION 4: Any person collecting, transporting, processing or disposing of solid waste, hazardous waste or recyclables shall do so subject to the ordinances, rules and regulations of the City, the Clark County Health District, the State of Nevada and the Federal Government.

SECTION 5: It is unlawful for any person to:

(A) Throw or deposit, or cause to be thrown or deposited, in any street, alley, gutter or highway within the City, any solid waste, hazardous waste or recyclables.

(B) Throw or deposit, or cause to be thrown or deposited, any solid waste, hazardous waste or recyclables upon the private property or premises or into the receptacles of another person within the City, except for the depositing of source-separated recyclables at drop-off centers.

(C) Place, deposit or accumulate, or cause to be placed, deposited or accumulated, any solid waste, hazardous waste or recyclables in such a manner, or permit the same to remain on his or her premises in such condition so that the same may be blown or carried over to public or other private property by any means whatsoever.

(D) Throw or deposit or cause to be thrown or deposited any solid waste, hazardous waste or recyclables in any areas of the City not designated, authorized or licensed by the City for deposit of these materials.

SECTION 6: It is unlawful for any person, for the purpose of disposal of solid waste, hazardous waste or recyclables by burning, to kindle or maintain any bonfire, or knowingly to furnish the materials for any such fire, or to authorize any such fire to be kindled or maintained in any solid waste, hazardous waste or recyclables receptacle, or on any street, alley, road, land or other public grounds or upon any private property, within the City, unless a written permit to do so shall first have been secured from the Department of Fire and Rescue; provided, however, that solid waste and infectious waste may be burned in an incinerator duly approved by the Department of Fire and Rescue and the Department of Building and Safety.

SECTION 7: Except in case of an emergency declared by the City Manager under Section 8 of this Ordinance, it is unlawful for any person, other than the City, a franchisee or their duly appointed agents to collect or transport any solid waste, or provide curbside recyclables collection service; provided, however, that:

(A) Construction or demolition waste may be removed by any duly licensed construction cleanup or demolition contractor and transported to a transfer station or a disposal site operated in accordance with all applicable laws, rules and regulations.

(B) Any duly licensed and permitted septic tank or grease trap pumpers, lawn maintenance services and tree trimmers may transport those materials accumulated in or generated by the performance of licensed services to a transfer station or a disposal site operated in accordance with all applicable laws, rules and regulations.

(C) Any person may transport his or her own solid waste to a transfer station or a disposal site operated in accordance with all applicable laws, rules and regulations.

(D) Any person may transport his or her own source-separated recyclables to recycling centers or drop-off centers.

(E) Any duly licensed commercial recycler may transport source-separated recyclables in the legitimate course of business.

(F) A charitable organization qualified as such under the Federal Internal Revenue Code may collect source-separated recyclables from single-family residences, places of business, multiple dwellings and public buildings at the express request of the owner, tenant or occupant and may transport those recyclables to drop-off centers or recycling centers.

SECTION 8: (A) In the event of an interruption in the collection, transportation or disposal of solid waste and recyclables by the City or its franchisees, problems affecting the public health, safety and welfare may arise. These problems may include increases in pathogens, vectors, fire hazards, unsightly litter, odor and traffic hazards from the accumulation of solid waste and recyclables. This Section is intended to provide for the emergency collection, transportation and disposal of solid waste and recyclables by private citizens in order to minimize the adverse impact on the public health, safety and general welfare arising from an interruption in the collection, transportation and disposal of solid waste and recyclables.

(B) In the event of an interruption in the collection, transporting or disposal of solid waste and recyclables by the City or its franchisees, the City Manager may declare an emergency.

(C) If the City Manager declares an emergency under Subsection (B) of this Section, the provisions of Section 7 of this Ordinance which relate to transporting solid waste and recyclables shall be suspended and the following provisions shall apply until the date specified in the declaration of emergency or in a subsequent declaration:

(1) The City Manager may designate, establish, operate and maintain temporary emergency collection areas for solid waste and recyclables;

(2) Any person may transport the solid waste and recyclables generated or found on real property in his or her possession to a designated temporary emergency collection area;

(3) Until hauled to a designated temporary emergency collection area, all putrescible solid waste shall be stored indoors in plastic bags or outdoors in containers or receptacles

which will not permit access by flies or animals or constitute a fire hazard; and

(4) All putrescible solid waste hauled to a temporary emergency collection area must be securely contained in plastic bags.

SECTION 9: (A) It is unlawful for any person other than the owner, the City or a franchisee, or their duly appointed agents, to interfere in any manner with any receptacles containing solid waste or recyclables or to remove any such receptacle from the location where placed for pickup by the owner, the City or a franchisee.

(B) It is unlawful for any person, other than the operator of a drop-off center or his or her duly appointed agent, to interfere with or remove any recyclables from a drop-off center.

SECTION 10: It is unlawful to use any cart or vehicle for the transportation or removal of solid waste or recyclables unless such cart or vehicle is appropriately constructed and covered, within industry standards, to prevent or minimize odors from or leakage, sifting, spilling, drifting or blowing of such solid waste or recyclables in or upon the streets through which such cart or vehicle may be driven.

SECTION 11: (A) Every person owning or managing any place of business, public building, multiple dwelling or single-family residence, except as otherwise provided in Subsection (E) of this Section, shall provide a receptacle sufficient for the depositing of all solid waste from the premises. A solid waste franchisee may rent solid waste receptacles to its customers pursuant to the rates specified in this Chapter, but the responsibility for placement of such rented receptacles remains with the person owning or managing the place of business, public building, multiple dwelling or single-family residence.

(B) A franchisee shall provide to its curbside recyclables collection customers, upon request and at no additional cost to such customers, appropriate receptacles for the storage and collection of recyclables.

(C) On any single-family residential lot, it is unlawful to place, keep, store or locate any solid waste or recyclables receptacle within the right-of-way of a street, sidewalk or alley, or within any front yard as defined in the zoning regulations of the City; provided, however, that such receptacles may be placed within such area for the purpose of the collection of solid waste and

recyclables from midnight to midnight on the day designated for the pickup thereof and for a period not to exceed ten hours prior to midnight of the day of pickup.

(D) On any multi-family, commercial or industrial lot, it is unlawful to place, keep, store or locate any dumpster or other solid waste or recyclables receptacle within the right-of-way of a street, sidewalk or alley. Dumpsters shall be stored within an enclosure if an enclosure was required in connection with development approval or is otherwise provided on the lot. The construction of dumpster enclosures is encouraged, if such construction was not required in accordance with a development approval. To the extent reasonably possible, development plans and approvals concerning the construction of dumpster enclosures shall be coordinated with the solid waste franchisee.

(E) Places of business whose rubbish consists principally of boxes, cartons and other items of such bulk that the placing of the same in a receptacle would be impracticable may provide for such rubbish to be piled on the premises of such place of business adjacent to a street or alley, provided such boxes or cartons shall be flattened and tied in bundles. The monthly rate to be charged such places of business for collecting, transporting and disposing of such rubbish shall be computed in accordance with the rates set forth in Section 17 of this Ordinance and based upon the bulk of such piles.

(F) The provisions of this Section may be enforced by the City's Department of Neighborhood Services, as well as the Las Vegas Metropolitan Police Department.

SECTION 12: Each receptacle which is not emptied by mechanical or hydraulic equipment shall have a capacity of not less than three nor more than thirty-three gallons. Multiple dwellings, places of business and public buildings shall also be permitted to use the types and sizes of receptacles listed in Section 17 of this Ordinance. Solid waste receptacles shall be constructed watertight and shall be provided with handles and tight-fitting covers. Each such receptacle and cover shall be made of a material approved for such use by the City. Covers shall not be removed except when necessary to place solid waste therein. Each receptacle and its cover shall be kept clean from accumulating grease and decomposing material.

SECTION 13: (A) No person other than the owner, the City or a franchisee, or their

agents may:

(1) Remove any solid waste or recyclables from the solid waste receptacles or recyclables receptacles that are intended for pickup by a franchisee as part of its solid waste collection and curbside recyclables collection programs;

(2) Remove recyclables that have been tied, boxed, bundled or otherwise collected and placed for pickup by a franchisee as part of its curbside recyclables collection program; or

(3) Tamper with, engage in, interfere with or participate in curbside recyclables collection.

(B) No person other than an owner or operator of a drop-off center, or their authorized agents, may remove recyclables from the drop-off center or recyclables that have been bundled, boxed, tied or otherwise collected and placed adjacent to the drop-off center.

SECTION 14: (A) All solid waste shall be placed in a receptacle; provided, however, that:

(1) Places of business may place rubbish on their premises pursuant to Subsection (E) of Section 11 of this Ordinance; and

(2) Tree trimmings, scrap lumber and other solid waste capable of being bundled in accordance with Subsection (B) of this Section may be bundled if securely tied and placed next to a receptacle.

(B) Items bundled pursuant to this Section shall not exceed six feet in length nor weigh more than seventy-five pounds.

(C) Receptacles which are not emptied by mechanical or hydraulic equipment shall not weigh more than seventy-five pounds, including their contents.

SECTION 15: (A) The charge for collecting, transporting and disposing of solid waste from single-family residences on a twice-a-week basis, and providing curbside recyclables collection services on an every-other-week basis, shall be thirty-three dollars and thirty-eight cents per quarter.

(B) The charge for collecting, transporting, and disposing of solid waste from

multiple dwellings on a twice-a-week basis shall be twenty-four dollars and eighty-seven cents per quarter for the first multiple dwelling unit on one stop and seventeen dollars and forty-one cents per quarter for each additional unit on one stop, irrespective of occupancy or vacancy of any units.

(C) If requested by the owner of multiple dwellings, the charge for collecting, transporting and disposing of solid waste three times per week shall be one and one-half times the charge for service two times per week.

(D) If requested by the owner of multiple dwellings, the charge for collecting, transporting and disposing of solid waste six times per week shall be two and one-half times the charge for service two times per week.

SECTION 16: (A) For mobile home parks that do not receive individual service at each mobile home and for motels, the charge for collecting, transporting and disposing of solid waste on a twice-a-week basis shall be twenty-four dollars and eighty-seven cents per quarter for each office, plus eleven dollars and ninety-seven cents per quarter for each mobile home and motel room without cooking facilities, or fourteen dollars and ninety-four cents per quarter for each mobile home and motel room with cooking facilities, irrespective of occupancy or vacancy of any units.

(B) If requested by the owner of a mobile home park or motel that utilizes bin service, the charge for collecting, transporting and disposing of solid waste three times per week shall be one and one-half times the charge for service two times per week.

(C) If requested by an owner of a mobile home park or motel that utilizes bin service, the charge for collecting, transporting and disposing of solid waste six times per week shall be two and one-half times the charge for service two times per week.

(D) For mobile home parks that receive individual service at each mobile home, which shall include the same heavy and bulky item pickup as that provided to single-family residences, the charges for collecting, transporting and disposing of solid waste and curbside recyclables collection services shall be the same as for residences as set forth in Section 15 of this Ordinance.

SECTION 17: The charge for collecting, transporting and disposing of solid waste from places of business and public buildings others than those mentioned in Section 16 of this

Ordinance shall be determined by the number and type of receptacles required by each such place of business or public building and by the number of collections from each per week in accordance with Tables A, B and C that are included within this Section. The charge for collecting, transporting and disposing of compacted solid waste from receptacles other than compaction-type drop boxes shall be three times the otherwise applicable charge.

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Section 17 Table (A)

Collection Charges (Quarterly Rates)*

Places of Business and Public Buildings

Number & Type of Receptacles	2 Collections Per Week	6 Collections Per Week	7 Collections Per Week
One can	44.73	186.24	223.31
Two cans	89.46	260.59	312.79
Three cans	134.19	334.99	402.30
Each additional can	44.73	74.36	89.50
One Cubic Yard Container			
One container	223.31	483.67	581.17
Two containers	447.35	855.08	1,028.52
Each additional container	223.31	371.84	447.35
Two Cubic Yard Container			
One container	447.35	855.50	1,028.52
Two containers	894.72	1,599.17	1,923.23
Each additional container	447.35	743.67	894.71
Three Cubic Yard Container			
One container	671.03	1,227.34	1,475.86
Two containers	1,342.05	2,342.84	2,817.93
Each additional container	671.03	1,115.51	1,342.05
Four Cubic Yard Container			
One container	894.71	1,599.17	1,923.15
Two containers	1,789.42	3,086.49	3,712.57
Each additional container	894.71	1,487.23	1,789.43
Six Cubic Yard Container			
One container	1,342.05	2,342.84	2,817.93
Two containers	2,684.09	4,685.67	5,635.84
Each additional container	1,342.05	2,225.68	2,677.02
Eight Cubic Yard Container			
One container	1,789.42	3,086.49	3,712.57
Two containers	3,578.84	6,172.99	7,425.14
Each additional container	1,789.42	2,993.88	3,601.20

*subject to applicable CPI-U adjustments made pursuant to this Chapter

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Section 17 Table (B)

Solid Waste Compaction Type Drop Boxes

Monthly Rates*

Compactor Size	1 pull per week	2 pulls per week	3 pulls per week	4 pulls per week	5 pulls per week	6 pulls per week	7 pulls per week
10-yard	1,654.47	2,211.76	3,030.26	3,291.30	3,552.36	3,813.41	5,573.66
17-yard	2,046.94	2,702.14	3,808.57	4,184.55	4,560.51	4,936.50	6,572.55
26-yard	2,294.07	3,196.41	4,549.93	4,925.90	5,301.88	5,677.85	7,437.56
36-yard	2,707.00	3,609.40	4,962.79	5,391.55	5,820.31	6,249.16	8,008.90

Compactor Size	8 pulls per week	9 pulls per week	10 pulls per week	11 pulls per week	12 pulls per week	13 pulls per week	14 pulls per week
10-yard	7,228.12	7,785.43	8,603.95	8,864.98	9,126.01	9,387.06	11,147.32
17-yard	8,619.48	9,275.25	10,381.12	10,757.09	11,133.08	11,509.06	13,145.11
26-yard	9,731.61	10,633.97	11,987.50	12,363.47	12,739.46	13,115.41	14,875.13
36-yard	10,715.92	11,618.31	12,971.70	13,400.46	13,829.24	14,258.07	16,017.80

Per Pickup Rates (with regular service)*	Regular	Sunday/Holiday
Special pickup 0-49 yards	406.08	609.12
Special pickup 50-74 yards	780.88	1,171.32
Special pickup 75 yards	1,273.71	1,910.57
Per Pickup Rates (without regular service)*		
On-call pickup 0-49 yards	633.88	950.82

*subject to applicable CPI-U adjustments made pursuant to this Chapter

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Section 17 Table (C)

Solid Waste Manual-Type Drop Box Rates*

On-Call Rates (with or without regular service)	Regular	Sunday/Holiday
10 cubic yards	$78.20	$117.30
20 cubic yards	$156.40	$234.60
28 cubic yards	$218.96	$328.44
35 cubic yards	$273.70	$410.55
50 cubic yards	$391.00	$586.50

All on-call rates are subject to additional charges of $17.46 demurrage per 24 hours or any part thereof after the first 72 hours, excluding Sundays.

Monthly Rates

All other rates shall be calculated as follows:

(Base Charge x number of yards of capacity x number of pickups per week x 52 weeks per year, divided by 12 months per year) + Demurrage = total monthly rate, where:

"Base Charge" for Monday - Saturday pickups = $7.82 per cubic yard.

"Base Charge" for Sunday pickups = $11.73 per cubic yard.

"Demurrage" = $17.46 per 24 hours or any part thereof after the first 72 hours, excluding Sundays.

*subject to applicable CPI-U adjustments made pursuant to this Chapter

SECTION 18: The charges for container rentals for single-family residences, multiple dwellings, places of business and public buildings shall be as follows:

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Container Size	**Monthly Charge***
1 Yard	$14.34
2 Yard	$17.20
3 Yard	$20.08
4 Yard	$22.37
6 Yard	$28.67
8 Yard	$31.54
	Quarterly Charge*
Up to 96 gallon Mobile Cart	$10.32

*subject to applicable CPI-U adjustments made pursuant to this Chapter

SECTION 19: The charges for special one-time collections for single-family residences, multiple dwellings, places of business and public buildings shall be as follows:

Size of Receptacle	**One Time Charge***
1 Yard Container	$28.02
2 Yard Container	$37.36
3 Yard Container	$46.70
4 Yard Container	$56.02
6 Yard Container	$65.37
8 Yard Container	$74.71

*subject to applicable CPI-U adjustments made pursuant to this Chapter

SECTION 20: The basic and additional service charges per container for preparation, collection, transportation and disposal of medical waste, and the charges for the optional purchase and rental of medical waste containers shall be determined in accordance with the following schedules:

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BASIC SERVICE CHARGES*					
Item	Size & Volume	Price Per Item		Minimum Charge Per Service Call	
		Delivered	Picked Up	Prescheduled Once/Month or Greater Frequency	On-Call/Special Pickup
Bio-Hazardous Accumulation Containers	Medium 10-14 Gallons	$4.50	$4.50	$25.69 (If total for containers delivered and picked up is less than $25.69, then $25.69 will be invoiced)	$57.81 (If total for containers delivered and picked up is less than $57.81, then $57.81 will be invoiced)
	Large 27-32 Gallons	$6.43	$6.43		
	X-Large 48-50 Gallons	$9.63	$9.63		

ADDITIONAL SERVICE CHARGES*			
Charges for prescheduled once/month or greater frequency service:			
Type	Size Code	Container	Disposal Price
Chemotherapy Waste Disposal	Large	33 Gallon	$31.71
	Extra Large	55 Gallon	$56.25
Pharmaceutical (non-controlled substance) Disposal	Extra small	5 Gallon	$40.91
	Small	10 Gallon	$74.15
	Medium	20 Gallon	$148.30
	Large	30 Gallon	$222.46
	Extra Large	55 Gallon	$370.77

Charges for on-call / special pickups or special services:	
Item	Charge
Special pick ups (after 5:00 p.m., same day requests, holidays, weekends or greater than 20 polyurethane containers per pickup)	$61.37 Per Hour
Special services (account balancing, reconciliation, usage reports, certificates)	$61.37 Per Hour
Preparation of waste to make suitable for transportation	$25.57 Per Container
Collection delay - $1.02 per minute after 5 minutes	$5.10 Minimum
Over weight charge (Over 50 lbs)	$40.91 Per Container

PURCHASE OR RENTAL ITEMS (OPTIONAL SERVICES)*				
Item	Size	Volume	Dimensions	Price
Sharp Containers	Small	1 Quart	4" x 4" x 6"	$5.11 plus tax
	Medium	5 Quarts	4" x 10" x 9"	$8.18 plus tax
	Large	8 Quarts	6" x 9" x 10"	$10.23 plus tax
	Extra Large	32 Quarts	9" x 13" x 17"	$20.46 plus tax
Red Bio-Hazard Bags	Small (500 bags per case)	8-10 Gallons	24" x 32" (8-10 gallons)	$71.60 plus tax
	Large/Extra Large (25 bags per roll)	50 Gallons	43" x 48" (50 gallons)	$12.27 plus tax
Locker Rental	Small	5 Cubic yards	7-1/2' x 5-1/2' x 3-1/2'	$61.37 per month (includes transportation)
	Large	30 Cubic yards	20' x 8' x 8'	$143.19 per month (includes transportation)
Item	Size	Volume	Dimensions	Price
Roll-Off Box Rental	Extra Large	40 Cubic yards		$337.52 per month
Trailer Rental (Special pickup charge of $61.37 per hour does not apply to customers with trailer service, unless after hours or holiday pickups are requested)		30 feet long or less		$489.48 per month
		48 feet long or less		$652.64 per month
		53 feet long or less		$734.22 per month

*subject to applicable CPI-U adjustments made pursuant to this Chapter

SECTION 21: The charge for sewage-waste service shall be $15.78 per wet ton of sewage waste, subject to applicable CPI-U adjustments made pursuant to this Chapter. If any jurisdiction other than the City imposes any franchise fee on a franchisee based upon its cash receipts or gross revenues from sewage-waste services provided by the franchisee, the franchisee shall be solely responsible for such franchise fees and shall not pass such franchise fees through to the City.

SECTION 22: (A) To ensure the uniform, safe and sanitary treatment of solid waste in the City and to discourage the illegal handling and disposal of solid waste, it shall be mandatory for any person owning, occupying or managing any premises in the City which are connected to water service to subscribe to solid waste collection service provided by the City or its authorized franchisee and to pay the charges specified in this Chapter. No person may discontinue paying for solid waste collection service for his or her premises, unless such premises are not connected to water service for the entire billing period.

(B) In order to discontinue paying for solid waste collection service pursuant to Subsection (A) of this Section, a person must request discontinuation of service and provide proof that no water service to the premises is provided. Such request is subject to an administrative fee of fifteen dollars for the costs of processing the request. No fee may be charged to reestablish service to the premises after service has been discontinued pursuant to this Subsection (B).

(C) All charges for regular or periodic services provided by the City, its franchisees, or their duly appointed agents, pursuant to this Chapter shall be billed in advance on the first business day of the quarterly or monthly billing period, as applicable. Bills will be due and payable on the fifteenth day after the applicable billing date. All charges for services under this Chapter, including the penalties for delinquent payment, shall constitute a debt and obligation of the legal owner and the person having the management of the places of business, public buildings, multiple dwellings and residences to the City or its franchisee, and such persons shall be liable therefor in a civil action commenced by the City or its franchisee in any court of competent jurisdiction for the recovery of such charges and penalties.

(D) A customer shall be entitled to a refund of any advance payment for service he or she has made, minus any administrative fee paid pursuant to Subsection (B) of this Section,

upon presenting proof that a connection to water service did not exist at the customer's premises during the entire billing period for which the advance payment was made. All refunds from a franchisee to a customer shall be paid within thirty days from the date of the customer's request for reimbursement or date of franchisee's knowledge that a refund is owed.

(E) No person shall accept and no franchisee shall offer or give any solid waste collection, transportation and disposal services or curbside recyclables collection services without charge, or shall offer or give a discount, refund or rebate of any charge authorized by this Chapter, except that this provision does not apply to charitable organizations which are exempt from federal income tax pursuant to Section 501(c) of the Internal Revenue Code or as further provided by franchise agreement.

(F) If any person fails to pay the charges authorized by this Chapter within fifteen days after they become due and payable, such charge shall be considered delinquent and a penalty of two percent per month (or fraction thereof) of the delinquent amount shall be added thereto.

SECTION 23: (A) In addition to all other charges established by this Chapter, a franchisee may pass through to its customers such charges as are necessary for the franchisee to recoup all State business license taxes paid pursuant to Section 187 of Chapter 5, Statutes of Nevada 2003, 20th Special Session. The franchisee shall list such charges separately on its bills.

(B) A franchisee shall provide to the City, on or before March 1 each year and in a form satisfactory to the City, a detailed report for the preceding calendar year containing the following information concerning the franchisee's State business license taxes:

(1) The amount of taxes paid during the prior calendar year;

(2) How such taxes were calculated including the number of employees upon which such taxes were based;

(3) The number of customers in the City served by the franchisee during the prior calendar year;

(4) The total pass-through tax charges collected from customers during the prior calendar year; and

(5) The method that the franchisee will use to pass through such taxes to

its customers for the current year, including any adjustments to the pass-through tax charges necessary to correct for any excess or under charges during the prior calendar year.

SECTION 24: All solid waste collection charges or fees authorized and established by this Chapter, including any penalties assessed under Section 22 of this Ordinance, shall constitute a lien upon the real property of the premises served until such charges and fees have been paid. Such lien shall be enforced in the following manner:

(A) A lien shall not be recorded against any property until the record owner of the property has been mailed written notice of the delinquency at his or her last address shown by the records of the County Assessor, and such delinquency has not been cured within fifteen days after the mailing of the notice.

(B) The provider of solid waste collection may record in the office of the County Recorder, no later than four hundred days following the date on which such charges or fees become delinquent, a notice of solid waste service lien in favor of the person claiming the lien and signed by an authorized representative of the person claiming the lien. The notice of solid waste lien shall contain the amount of the charges or fees due, the periods for which such charges or fees are due, the name of the record owner(s) of the property, and a legal description of the property.

(C) The provider of solid waste collection may bring an action for foreclosure against such property in the same manner as an action for foreclosure of any other lien, commenced within two years after the date of recording the notice of solid waste lien.

SECTION 25: (A) The rates and charges established pursuant to this Chapter shall be adjusted annually based upon the percentage of change in the CPI-U.

(B) Rate changes shall be made effective as of July 1, each year, and shall be based upon the percentage change in the CPI-U for the twelve-month period of the preceding calendar year.

(C) Annual increases to rates and charges adjusted in accordance with the percentage change in the CPI-U shall not be greater than six and one-half percent when the percentage change in CPI-U is within the range of zero (no change) to ten percent and shall be done in the following manner:

(1) When the percentage change in the CPI-U is between zero and six and

one-half percent, the charges are to be adjusted by the actual percentage change; and

(2) When the percentage change is between six and one-half percent and ten percent, the rates and charges adjustment shall not be greater than six and one-half percent.

(D) When an unforeseen economic circumstance has occurred during the preceding calendar year, the City Council may consider and may approve a method for adjusting rates which is not based on changes to the CPI-U. In any year following a period when the adjustment to rates was based on some other method, rate adjustments shall again be based on changes in the CPI-U.

(E) A minimum of one annual rate adjustment based on the CPI-U method must occur between annual rate adjustments based on methods other than the CPI-U method.

SECTION 26: (A) Every franchisee shall pay a quarterly franchise fee, in the amount specified in the franchise agreement, based on its cash receipts derived from the collection of solid waste and curbside recyclables collection for the preceding calendar quarter. All franchise fees shall be due no later than thirty days after the end of each calendar quarter.

(B) All rates that a franchisee charges its customers for the collection of solid waste and curbside recyclables collection pursuant to this Chapter and the franchise agreement shall be deemed to include the franchise fee which the franchisee pays to the City. The franchisee may pass such fees through to its customers only as a part of the general service rates charged to its customers, not as a separate charge that is additional to the general service rates.

(C) If a franchise fee is received by the City after the due date, a late fee of two percent per month (or fraction thereof) of the delinquent amount will be assessed to the franchisee.

SECTION 27: All solid waste and hazardous waste collected from the public and private places and premises in the City shall not be deposited at any place other than at a disposal site operated in accordance with all applicable laws, rules and regulations.

SECTION 28: (A) Any person may dispose of solid waste at any disposal site operated in accordance with all applicable laws, rules and regulations.

(B) Any single-family resident of the City who is a current customer of a franchisee may dispose of the solid waste generated at his or her own single-family dwelling at any authorized disposal site operated by the franchisee within the "urban solid waste service area" in Clark County,

without charge, upon presentation of a current quarterly bill for residential service from the franchisee and a valid, government-issued photo identification.

SECTION 29: The City, in addition to the remedies and penalties above named, may seek injunctive relief against any violator of this Chapter, with or without prior notice, to prevent or correct any solid waste, hazardous waste or recyclable materials problem.

SECTION 30: Nothing in this Chapter shall limit the right of any person to donate or sell his or her source-separated recyclable materials.

SECTION 31: Nothing in this Chapter shall limit the right of the City to collect, transport, process or dispose of any solid waste, hazardous waste or recyclable material including the operation of transfer stations and recycling centers.

SECTION 32: Solid waste and hazardous waste, as defined in Section 3 of this Ordinance and for the purpose of this Chapter, are a nuisance per se.

SECTION 33: The following customer service standards shall apply to each franchisee:

(A) The franchisee shall be required to implement a complaint resolution procedure to handle all complaints received by either the City or the franchisee. The complaint resolution procedure shall include the following:

(1) The franchisee shall be required to record all complaints and if possible resolve them within forty-eight hours of their receipt.

(2) If the franchisee cannot resolve a complaint within forty-eight hours of its receipt, the franchisee shall within that period, provide the City with a written report detailing why resolution could not be reached within that period, the actions that will be taken to resolve the complaint and the timeline to reach a resolution of the complaint.

(B) If the City is not satisfied with the franchisee's proposed resolution of a complaint, the Director of Finance and Business Services, or his or her designee, shall have the authority to direct the franchisee to resolve the complaint in a manner that is satisfactory to the City.

(C) No later than thirty days after the end of each month, the franchisee shall provide the City with a written monthly report, in a form satisfactory to the City, summarizing the complaints received by the franchisee and the resolutions thereof for the preceding month.

SECTION 34: (A) Each franchisee shall at all times maintain a telephone answering system that measures the:

(1) Average wait time from the time that customer calls reach the franchisee to the time that such calls are answered by a person (not a machine);

(2) Number of calls that reach the franchisee but are dropped before a representative of the franchisee answers such calls; and

(3) Percentage of time during which all of the franchisee's customer service telephone lines are busy.

(B) No later than thirty days after the end of each month, the franchisee shall provide the City with a written monthly report regarding its telephone answering system, in a form satisfactory to the City, summarizing the average wait time, the number of dropped calls and the percentage of time during which all lines were busy during the preceding month.

(C) The franchisee shall establish, after consultation with the City, reasonable minimum standards for its telephone answering system for the average wait times, number of dropped calls and percentage of time during which all lines are busy.

(D) Each monthly report required by Subsection (B) of this Section shall include a summary of whether the franchisee is or is not in compliance with the agreed upon standards established pursuant to Subsection (C) of this Section and, if the franchisee is not in compliance, what actions the franchisee will take to meet the standards in future months.

SECTION 35: Title 9, Chapter 8, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed.

SECTION 36: Section 35 of this Ordinance shall become effective as of 12:01 A.M. the day after publication of this Ordinance by title.

SECTION 37: Sections 1 through 34, inclusive of this Ordinance shall become effective as of 12:02 A.M. the day after publication of this Ordinance by title.

SECTION 38: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or

effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 39: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 40: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2004.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

_____ 11-2-04
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the ____ day of _____, 2004, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2004, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 78

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RECOMMENDING COMMITTE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-71 - Expands the boundaries of the Live/Work Overlay District to include the Las Vegas Medical District, and allows medical office uses within the Overlay District. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

Earlier this year the City Council adopted an ordinance to establish the Live/Work Overlay District. It is now proposed to expand the boundaries of the Overlay District to include the Las Vegas Medical District, and to allow medical office uses within the Overlay District. This bill will accomplish the change.

RECOMMENDATION:

ADOPTION at 12/1/2004 City Council meeting as First Amendment pursuant to the 11/16/2004 Recommending Committee

First Reading – 11/3/2004; First Publication – 11/19/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

12/1/2004 Council Agenda

City of Las Vegas

Agenda Item No. 79

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RECOMMENDING COMMITTE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-72 - Revises the standards for converting public streets into private streets in existing subdivisions. Sponsored by: Councilwoman Janet Moncrief

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

Several months ago the City Council adopted an ordinance to revise the standards and procedures for converting public streets into private streets in existing subdivisions. One of the requirements was for private streets to be located on property that is separately owned by a property owners' association. It has since been proposed, as an alternative to the current ownership requirement, to allow such private streets to be located on property that is subject to perpetual access easements running in favor of the owners of lots within the subdivision. This bill will accomplish the change.

RECOMMENDATION:

ADOPTION at 12/1/2004 City Council meeting pursuant to the 11/16/2004 Recommending Committee

First Reading – 11/3/2004; First Publication – 11/19/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

12/1/2004 Council Agenda

City of Las Vegas

Agenda Item No. 80

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2004-73 - Establishes the means for allowing the use "pet boarding" in certain commercial and industrial districts. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

Under current City zoning regulations, pet boarding is allowed only in conjunction with an animal hospital or clinic. This bill would allow the use on a "freestanding" basis by means of special use permit in the C-1 and C-2 Zoning Districts, and as a conditional use in the C-M and M Zoning Districts.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-73

MOTION:

None required.

MINUTES:

First Reading - Referred - COUNCILMEMBERS MONCRIEF and WOLFSON

11/30/2004 Recommending Committee
12/1/2004 Council Agenda
(9:53 - 9:54)
1-1669

BILL NO. 2004-73

ORDINANCE NO. _____

AN ORDINANCE TO ESTABLISH THE MEANS FOR ALLOWING THE USE "PET BOARDING" IN CERTAIN COMMERCIAL AND INDUSTRIAL DISTRICTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Robert S. Genzer, Director of Planning and Development

Summary: Establishes the means for allowing the use "pet boarding" in certain commercial and industrial districts.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to require a Special Use Permit for the use "Pet Boarding" in the C-1 and C-2 Zoning Districts, and to provide that the use is a conditional use in the C-M and M Zoning Districts. In order to reflect the amendment, the term "Pet Boarding" shall be followed by an asterisk to indicate the existence of applicable base standards, and the new row shall read as follows:

RURAL & ANIMAL RELATED	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Pet Boarding*					S	S		C	C

SECTION 2: Title 19, Chapter 4, Section 40, Subsection (C), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new subdivision entitled "PET BOARDING," reading as follows:

PET BOARDING [C-M, M]

1. All animals shall be confined within an enclosed area or on a leash at all times.
2. Structures shall be designed to provide reasonable sound barriers and odor protection for adjoining properties.
3. Pens shall be screened from view from adjacent streets and adjoining properties.
4. Any exterior pens that are adjacent to a residential parcel shall be located a minimum of fifty feet from the parcel.
5. All operations and activities shall be in accordance with LVMC Title 7.

SECTION 3: Title 19, Chapter 4, Section 50, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new subdivision entitled "PET BOARDING," reading as follows:

PET BOARDING [C-1, C-2]

1. All animals shall be confined within an enclosed area or on a leash at all times.

2. Structures shall be designed to provide reasonable sound barriers and odor protection for adjoining properties.

3. Pens shall be screened from view from adjacent streets and adjoining properties.

4. Any exterior pens that are adjacent to a residential parcel shall be located a minimum of fifty feet from the parcel.

5. All operations and activities shall be in accordance with LVMC Title 7.

SECTION 4: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term "Animal Hospital, Clinic or Shelter" to read as follows:

"Animal Hospital, Clinic, or Shelter" means a place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. [The term does not include a kennel operation or facility for the boarding of animals for remuneration unless it is operated in conjunction with the treatment and care of animals or pets.]

SECTION 5: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto, at the appropriate location, the following term and its corresponding definition:

"Pet Boarding" means a lot, building, premises or structure on which four or more household pets are kept regularly and for extended periods of time for the benefit of persons who do not reside on the premises. The term includes facilities that provide shelter, care, feeding, exercising, grooming or incidental medical care for household pets for remuneration or otherwise on a commercial basis. The term includes a kennel operation.

SECTION 6: In Sections 2 and 3 of this Ordinance, the brackets that follow the titles of the subdivisions being added are not intended to indicate deleted matter, but instead are used as the

means of indicating the applicable districts.

SECTION 7: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010, 19.04.040, 19.04.050, and 19.20.020 are deemed to be subchapters rather than sections.

SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2004.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

_____ 11-3-04
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2004, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2004, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 81

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2004-74 - Expands the allowability of mixed-use developments in the C-1 and C-2 Zoning Districts, and allow such developments by means of special use permit in the C-PB Zoning District. Sponsored by: Councilman Larry Brown

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

Mixed-use developments are presently allowed by means of special use permit in the C-1 and C-2 Zoning Districts, but only in the Neighborhood Revitalization Area, and are not permitted in the C-PB Zoning District. This bill would allow mixed-use developments by means of special use permit in all C-1, C-2 and C-PB Zoning Districts. (NOTE: The adoption of this bill will depend on the approval of a corresponding amendment to the Las Vegas 2020 Master Plan.)

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-74

MOTION:

None required.

MINUTES:

First Reading - Referred - COUNCILMEMBERS MONCRIEF and WOLFSON

11/30/2004 Recommending Committee
12/1/2004 Council Agenda
(9:53 - 9:54)
1-1669

BILL NO. 2004-74

ORDINANCE NO. _____

AN ORDINANCE TO EXPAND THE ALLOWABILITY OF MIXED-USE DEVELOPMENTS IN THE C-1 AND C-2 ZONING DISTRICTS, TO ALLOW SUCH DEVELOPMENTS BY MEANS OF SPECIAL USE PERMIT IN THE C-PB ZONING DISTRICT, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Councilman Larry Brown

Summary: Expands the allowability of mixed-use developments in the C-1 and C-2 Zoning Districts, and allow such developments by means of special use permit in the C-PB Zoning District.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 19, Chapter 2, Section 40, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

(B) Commercial Districts.

(1) P-R Professional Office and Parking District. The P-R District is intended to allow for office uses in an area which is predominantly residential but because of traffic and other factors is no longer suitable for the continuation of low density residential uses. This district is designed to be a transitional zone to allow low intensity administrative and professional offices. These uses are characterized by a low volume of direct daily client and customer contact. To decrease the impact to adjacent residential uses, single-family structures should be retained or new development in the P-R District should be constructed to maintain a residential character. The P-R District is consistent with the Office category of the General Plan.

(2) N-S Neighborhood Service District. The purpose of the N-S District is to provide for the development of convenience retail shopping, services and professional offices principally serving neighborhood needs and compatible in scale, character and intensity with adjacent residential development. This district is intended to be located at intersections of streets designated as collector or larger. The N-S District should also be used as a buffer between residential and more intense retail/commercial uses. The N-S District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan.

(3) O Office District. The Office District is designed to provide for the development of office uses, supporting service uses and low intensity commercial uses performing administrative, professional and personal services. These may be small office buildings developed in a cluster with an internal traffic circulation system or one larger office building. This district may be used as a buffer between residential and more intense retail/commercial uses. The O District is consistent with the Office category of the General Plan.

(4) C-D Designed Commercial District. The purpose of the C-D District is to provide standards for the development of a select type of light commercial uses which will be in harmony with the neighborhood in which it is to be located. The C-D District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan.

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

(6) C-2 General Commercial District. The C-2 District is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character[.], as well as mixed-use developments. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. The C-2 District is also appropriate along commercial corridors. The C-2 District is consistent with the General Commercial category of the General Plan.

SECTION 2: Title 19, Chapter 2, Section 40, Subsection (C), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

(C) Industrial Districts.

(1) C-PB Planned Business Park District. The C-PB District allows industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, research,

development and testing laboratories; medical related uses and ancillary commercial uses in an Industrial Office Park setting[.]; and mixed-use developments. The C-PB District is consistent with the Light Industry/Research category of the General Plan.

(2) C-M Commercial/Industrial District. The C-M District is a general commercial and restricted industrial district designed to provide for a variety of compatible business, warehouse, wholesale, office and limited industrial uses. This district is intended to be located away from areas of low and medium density residential development. The CM District is consistent with the Light Industry/Research category of the General Plan.

(3) M Industrial District. The M District is intended to provide for heavy manufacturing industries in locations where they will be compatible with and not adversely impact adjacent land uses. This district is intended to be located away from all residential development. The M District is consistent with the Light Industry/Research category of the General Plan.

SECTION 3: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to allow the use "Mixed Use" in the C-PB Zoning District by means of Special Use Permit. In order to reflect the amendment, the "Mixed Uses" element of Table 2 is amended to read as follows:

U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	MIXED USES
							S	S				Mixed-Use

MIXED USES	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Mixed-Use	S	S	S		S	S	S		

SECTION 4: Title 19, Chapter 4, Section 50, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by deleting in its entirety the subdivision entitled "Mixed-Use" and replacing it with a new subdivision entitled "Mixed-Use," reading as follows:

MIXED-USE [R-3, R-4, P-R, N-S, O, C-1, C-2 and C-PB]

*(1) Residential uses permitted as of right in the R-3 and R-4 Zoning Districts may be permitted by means of Special Use Permit within a P-R, N-S, O, C-1, C-2, or C-PB Zoning District.

*(2) Nonresidential uses permitted as of right in the P-R, N-S, O, and C-1 Zoning Districts may be

permitted by means of Special Use Permit within an R-3 or R-4 Zoning District.

(3) When residential and nonresidential uses are approved for a single parcel:

(a) The nonresidential use shall be located at ground level fronting the primary public right-of-way, and the primary entryway to that use shall be directly from and oriented to a street; and

(b) The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.

SECTION 5: Title 19, Chapter 8, Section 45, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended Table 3 adopted therein so that Note 2 to Table 3 reads as follows:

2. Height.

a. Non-Residential Building Height When Adjacent to Residential. See Section 19.08.060(B).

b. P-R and O Districts. The maximum building height in the P-R and O Districts is two stories or thirty-five feet, whichever is less.

c. C-D District. Unless otherwise approved by the City Council in a Site Development Plan, building heights in the C-D Districts shall not exceed:

(1) One story or twenty feet, whichever is less, for parcels that front on Charleston Boulevard between Rancho Drive and Valley View Boulevard;

(2) Two stories or thirty-five feet, whichever is less, for all other parcels.

d. C-PB District. The maximum building height in the C-PB District is three stories or fifty-five feet, whichever is less. [Any] <u>For any</u> parcel of land contiguous to a freeway or expressway, [and to a depth of six hundred feet from the right-of-way line thereof,] the maximum building height shall be six stories or one hundred feet, whichever is less. Notwithstanding the above, in the case of permitted commercial and retail uses, the maximum building height shall be two stories or thirty-five feet, whichever is less.

e. Exemptions. Chimney and vent stacks; roof structures for the use of elevations, stairs, tanks, ventilation, and similar necessary mechanical equipment; visual screens which surround mounted mechanical equipment; skylights; whip and mounted antennas and flag poles up to forty feet

in height may be erected above the required height limits. In no case shall structures above the permitted height limit be constructed for the purpose of providing additional floor space.

f. Height Along Certain Streets. For additional building height restrictions along streets classified as collector or larger, see Section 19.08.030(C).

SECTION 6: In Section 4 of this Ordinance, the brackets that follow the title of the subdivision being added are not intended to indicate deleted matter, but instead are used as the means of indicating the applicable districts.

SECTION 7: For purposes of Section 2.100(3) of the City Charter, LVMC 19.02.040, 19.04.010, 19.04.050 and 19.08.045 are deemed to be subchapters rather than sections.

SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases,

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sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2004.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 11-3-04
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2004, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2004, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 82

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2004-75 - Provides for the relocation of off-premise signs that are required to be removed in connection with the installation of publicly-funded improvements. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

The City's zoning regulations currently do not address the relocation of off-premise signs that are required to be removed in connection with the installation of publicly-funded improvements. This bill will allow the relocation of such signs to be approved administratively under certain circumstances, subject to conditions designed to minimize any impacts associated with sign relocation.

RECOMMENDATION:

This bill should be submiteed to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-75

MOTION:

None required.

MINUTES:

First Reading - Referred - COUNCILMEMBERS MONCRIEF and WOLFSON

11/30/2004 Recommending Committee
12/1/2004 Council Agenda
(9:53 - 9:54)
1-1669

THE MORNING SESSION RECESSED AT 9:54 A.M.

BILL NO. 2004-75

ORDINANCE NO. _____

AN ORDINANCE TO PROVIDE FOR THE RELOCATION OF OFF-PREMISE SIGNS THAT ARE REQUIRED TO BE REMOVED IN CONNECTION WITH THE INSTALLATION OF PUBLICLY-FUNDED IMPROVEMENTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Robert S. Genzer, Director of Planning and Development

Summary: Provides for the relocation of off-premise signs that are required to be removed in connection with the installation of publicly-funded improvements.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 19, Chapter 14, Section 100, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

(B) Special Use Permit Required.

(1) Except as otherwise provided in Subsection (F) of this Section, [A] a Special Use Permit is required for all off-premise signs prior to the construction, placement, erection or modification of the sign in accordance with the requirements of this Chapter. A Special Use Permit application shall be processed in accordance with Section 19.18.060. Furthermore, the property owner(s), owner(s) of the structure or other assignee shall maintain in force, at all times, a sign certificate for the sign in accordance with the requirements of this Chapter.

(2) The Special Use Permit requirement set forth in [this Section] Paragraph (1) is in addition to [an] and independent of any locational provision or limitation contained in this Section. In determining whether to approve or deny a Special Use Permit under this Section, the Planning Commission and City Council may consider the aesthetic impact of the sign on the area and all other aspects of the sign's compatibility with the surrounding area, including the existence or nonexistence of other signage in the area. The provisions of this Paragraph (2) are intended to reflect and reconfirm existing standards and practice, rather than to impose a new or different standard.

(3) In connection with the approval of a Special Use Permit under this Section, the Planning Commission or City Council may impose a time limit on the approval or require a periodic review of the sign as a condition of approval. After conducting a review, the Planning Commission

or City Council may require removal of the sign if it is demonstrated that conditions in the surrounding area have changed in such a manner that the sign no longer meets the standards established in Section 19.18.060(L).

SECTION 2: Title 19, Chapter 14, Section 100, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new subsection, designated as Subsection (F), reading as follows:

(F) Relocation of Signs Required to Be Removed for Publicly Funded Improvements.

(1) If an off-premise sign is required to be removed by a governmental entity in connection with the widening of a public roadway or the installation of publicly-funded improvements, the sign may be relocated without obtaining a Special Use Permit or Variance that would otherwise be required, but only if:

(a) The applicant can demonstrate that the sign, at its existing or previous location, received all necessary approvals and permits, and that the approvals and permits remain valid;

(b) The relocation will be on the same parcel or within the same commercial subdivision;

(c) The applicant submits for and obtains a waiver, pursuant to Paragraph (4) below, of any and all requirements and limitations of this Section pertaining to distance separation and location that cannot otherwise be met by the sign as relocated;

(d) There will be no increase in the area of the sign to be relocated; and

(e) There will be no increase in the height of the sign, except that:

(i) A sign within one hundred fifty feet of the right-of-way line of an elevated freeway or highway to which it is oriented may be erected thirty feet above the elevation of the elevated roadway surface nearest the sign; and

(ii) A sign that, at a height of forty feet, will have a significant portion of its display surface obscured from view from the travel lanes of the right-of-way to which it is oriented, may be increased to a maximum of fifty-five feet.

(2) The applicant for relocation of a sign under the provisions of Paragraph (1) must submit to the Department a written application for administrative review. The application must

include:

(a) A site plan;

(b) An elevation drawing;

(c) Evidence that the sign, at its existing or previous location, received all necessary approvals and permits, and that the approvals and permits remain valid;

(d) A request for the waiver of any and all requirements and limitations of this Section pertaining to distance separation and location that cannot otherwise be met with the sign as relocated;

(e) A request for any desired increase in the height of the sign that may be permitted under Paragraph (1)(e);

(f) A justification letter that includes the reason for removal and relocation; and

(g) Any other information required by the Director.

(3) If the Director determines that the relocation of the off-premise sign:

(a) Conforms to the conditions set forth in Paragraph (1), the Director shall provide written notice of approval to the applicant, with a copy to the office of the City Council. Within ten days after the notice is mailed or delivered, the applicant may proceed to apply for building permits, unless within that time a member of the City Council files with the Director a request for the Council to review the approval. If such a request to review is filed, the application must first be reviewed and approved by the Council prior to issuance of any building permits.

(b) Does not conform to the conditions set forth in Paragraph (1), the normal Special Use Permit and Variance requirements and limitations will apply. Any determination by the Director that the relocation of an off-premise sign does not conform to the conditions set forth in Paragraph (1) is not subject to appeal.

(4) In connection with an application to relocate an off-premise sign pursuant to Paragraph (1), the requirements and limitations of this Section pertaining to distance separation and location may be waived by the Director, or in connection with City Council review pursuant to Paragraph (3)(a), notwithstanding any other provision of this Title, upon a determination that the relocation, under the circumstances, will not have a materially different impact on surrounding properties and uses than the

existing sign.

(5) Unless otherwise indicated in a written notice of approval pursuant to Paragraph (3)(a), conditions of approval from any previous Special Use Permit and Variance applications pertaining to the sign at its existing or previous location will apply to the relocated sign, and additional conditions may be added as appropriate.

(6) A demolition permit must be obtained for the removal of an existing off-premise sign prior to removal. A building permit must be obtained and construction related to the relocation of the sign completed within six months after issuance of the demolition permit, unless the Director grants an extension of time.

(7) For purposes of this Subsection (F), the "relocation" of a sign includes both the re-erection of a sign at a replacement location and the erection of a new structure at that location.

SECTION 3: For purposes of Section 2.100(3) of the City Charter, LVMC 19.14.100 is deemed to be a subchapter rather than a section.

SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases,

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sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2004.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Valstead 11-3-04
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2004, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2004, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 83

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

BROWN - Motion to accept the WITHDRAWAL WITHOUT PREJUDICE of Item 167 [SUP-5196] and Item 168 [SDR-5197], to accept the WITHDRAWAL of APN 138-12-110-022 and HOLD IN ABEYANCE the remainder of the applications for Item 158 [GPA-5182] and Item 159 [ZON-5183] to 1/19/2005; HOLD IN ABEYANCE Item 128 [SUP-4830], Item 130 [SUP-5228], Item 131 [SDR-5094], Item 145 [GPA-5120], Item 146 [ZON-5121], Item 147 [VAR-5124], Item 148 [SDR-5122], Item 163 [GPA-5034], Item 164 [ZON-4941], Item 165 [VAR-5035], and Item 166 [SDR-5155] to 12/1/2004; and Item 112 [VAR-5114], Item 113 [SUP-5111], Item 114 [SDR-5109], Item 118 [RQR-5168], and Item 125 [RQR-5171] to 12/15/2004 - UNANIMOUS with GOODMAN and WEEKLY excused and MACK abstaining on Item 118 [RQR-5168] and Item 125 [RQR-5171] because his company, Mack Consulting, is negotiating contracts with Lamar Advertising on behalf of their clients

NOTE: Under Item 119 [RQR-5164], COUNCILMAN MACK disclosed that he would be abstaining on Item 118 [RQR-5168], Item 119 [RQR-5164], Item 120 [RQR-5165], Item 121 [RQR-5166], Item 122 [RQR-5167], Item 123 [RQR-5169], Item 124 [RQR-5170] and Item 125 [RQR-5171] because his company, Mack Consulting, is negotiating contracts with Lamar Advertising on behalf of their clients. He submitted a written opinion memorandum from DEPUTY CITY ATTORNEY BRYAN SCOTT regarding his abstentions.

MINUTES:

MAYOR PRO TEM REESE began the afternoon session of the Council Meeting by excusing MAYOR GOODMAN, COUNCILMAN WEEKLY and CITY MANAGER DOUG SELBY, who were out of town on city business.

MAYOR PRO TEM REESE announced Item 167 [SUP-5196] and Item 168 [SDR-5197] were scheduled as time-certain items to be heard at 4:00 p.m. Notices have been placed at the entrances to inform the public that the applicant has requested to withdraw the items without prejudice, and, therefore, they would not be heard. COUNCILMAN MACK thanked GARY BRENNAN and his representatives for meeting with him and considering the concerns of constituents from the area. Because of residential adjacency, he suggested that higher density living or mixed use would better serve the area. He especially thanked the community for contributing their input and maintaining their vigilant efforts, as well as his staff for their time spent on assuring resolution of the matter.

ROBERT GENZER, Director, Planning and Development, clarified that Item 163 [GPA-5034], Item 164 [ZON-4941], Item 165 [VAR-5035] and Item 166 [SDR-5155] were not requested to be held in abeyance by staff, but rather by COUNCILMAN WEEKLY so that he could be in attendance for those hearings.

(1:05 - 1:14)

2-1

City of Las Vegas

Agenda Item No. 84

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Public hearing to consider the report of expenses to recover costs for abatement of nuisance at 517 W. Van Buren Avenue. PROPERTY OWNER: CHARLES ERBACHER - Ward 5 (Weekly)

Fiscal Impact:

☐	**No Impact**	**Amount:**	$1,322.50
☒	**Budget Funds Available**	**Dept./Division:**	Neigh. Services/Response
☐	**Augmentation Required**	**Funding Source:**	General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired Weaver Inc. to remove all refuse, waste and litter from all yards, repair, replace or remove deteriorated fencing and post "No Trespassing" signs.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of $1,322.50 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

MOTION:

REESE - APPROVED the recommendation of staff - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

NOTE: Video was shown but not submitted.

MAYOR PRO TEM REESE declared the Public Hearing open.

STEPHEN HARSIN, Deputy Director, Neighborhood Services, presented a video of the subject property and recommended the City Council approve the report of expenses in the amount of $1,322.50; $1,150 to Weaver Inc. and $172.50 for the 15 percent administrative fee. He stated the charges should be filed and recorded against the property, constituting a special assessment and lien to be filed and recorded with the County Treasurer's Office. MR. HARSIN recommended approval.

No one appeared in opposition.

MINUTES - Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed.
(1:14 - 1:15)
2-247

City of Las Vegas

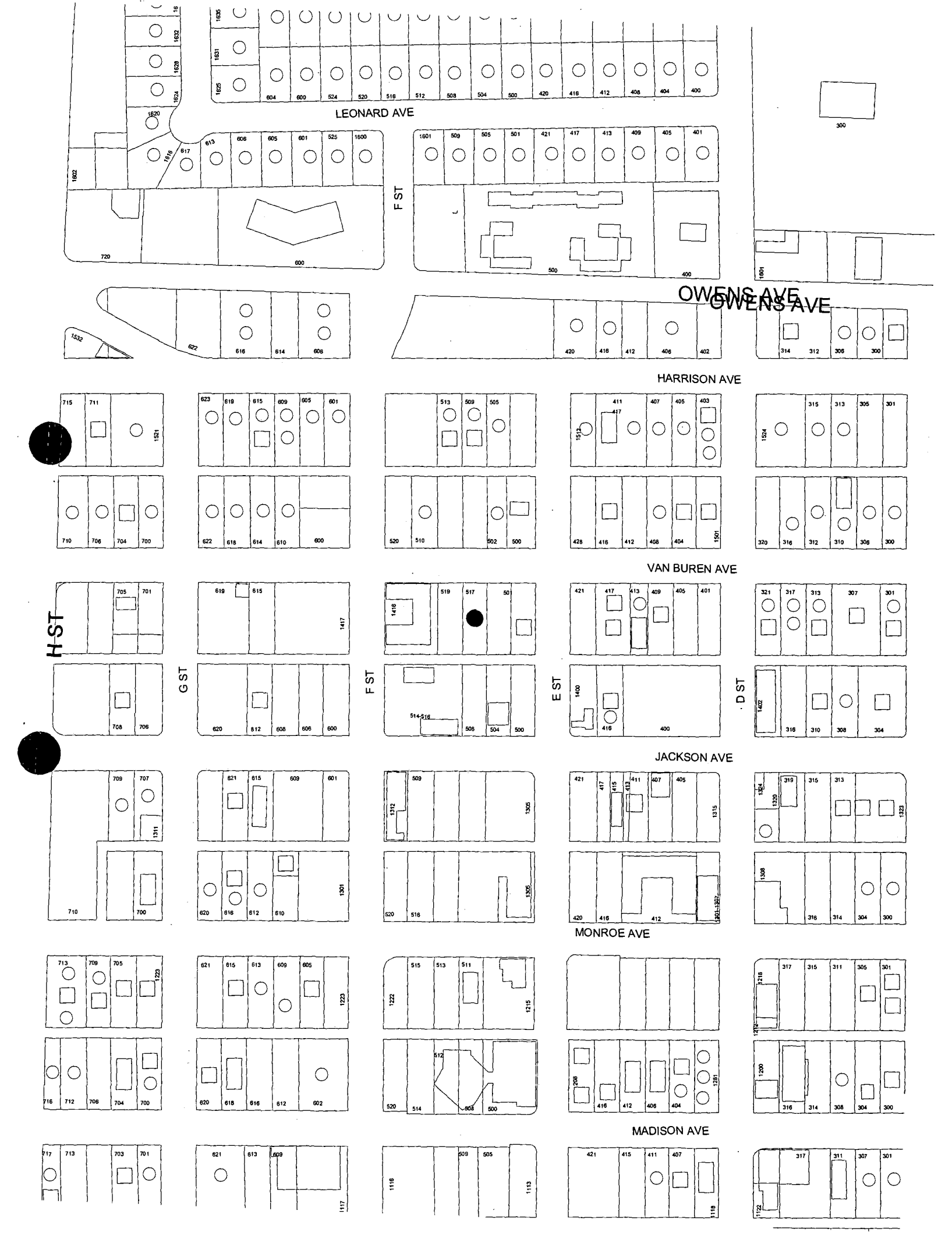
AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 517 W. Van Buren Avenue. PROPERTY OWNER: CHARLES ERBACHER – Ward 5 (Weekly)

Weaver Inc. completed work on August 30, 2004 at a cost of $1,150.00, plus a 15% administrative fee, for a total of $1,322.50.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of "Nuisance", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.


LEONARD AVE
F ST
OWENS AVE
OWENS AVE
HARRISON AVE
VAN BUREN AVE
H ST
G ST
F ST
E ST
D ST
JACKSON AVE
MONROE AVE
MADISON AVE

Memorandum

City of Las Vegas
Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: Orlando Sanchez, Director – Neighborhood Response Division

CC: File

Date: November 1, 2004

Re: REVISED - Report of Expenses for the abatement of Nuisance/Litter located at 517 W. Van Buren Avenue - Ward 5 (Weekly)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing all refuse, waste and litter from all yards, repairing, replacing or removing deteriorated fencing and posting "No Trespassing" signs. Weaver Inc. completed work on August 30, 2004 at a cost of $1,150.00, which was accepted by the Department of Neighborhood Services.

Contract Amount	$ 1,150.00
AMOUNT DUE	1,150.00
Administrative processing fee	172.50
TOTAL AMOUNT DUE	$1,322.50

OWNER OF RECORD: CHARLES ERBACHER

PROPERTY ABATED: 517 W. Van Buren Avenue

ASSESSOR'S PARCEL: 139 27 110 056

LEGAL DESCRIPTION: H F M & M ADD
PLAT BOOK 1 PAGE 47
LOT 9 BLOCK 11

OS:jl

WEAVER CONSTRUCTION
"GENERAL ENGINEERING"
2590 NORTH NELLIS BLVD.
LAS VEGAS, NEVADA 89115

EXHIBIT A

DISCLOSURE OF PRINCIPALS

The principals and partners of Weaver Construction and all persons and entities holding more than a 1% interest in Weaver Construction or any principal of Weaver Construction are the following:

FULL NAME	BUSINESS ADDRESS	BUSINESS PHONE
1. Phil Weaver	2590 N. Nellis Blvd. LV, NV	644-1088
2.		
3.		
4.		
5.		
6.		

Continue list until full and complete disclosure is made

I certify under penalty of perjury, that the foregoing list is full and complete.

Weaver Construction

BY: Phyllis Weaver
Phyllis Weaver, Office Mgr.

Subscribed and sworn to before me
this 28 day of October, 1999.

Stephanie D. Dunn
Notary Public

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
STEPHANIE D. DUNN
Appt. No. 91-2737-1
My Appointment Expires March 1, 2000

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

NOTICE OF PUBLIC HEARING
NOVEMBER 17, 2004

Pursuant to Title 9, Chapter 12 of the Las Vegas Municipal Code NOTICE IS HEREBY GIVEN THAT ON **Wednesday, November 17, 2004** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

> Abatement of the property by removing all refuse, waste and litter from all yards; repairing, replacing or removing deteriorated fencing and posting "No Trespassing" signs on property located at **517 WEST VAN BUREN AVENUE** legally described as **H F M & M ADD, PLAT BOOK 1 PAGE 47 LOT 9 BLOCK 11** Owner of record at time of abatement: **CHARLES ERBACHER – WARD 5 (WEEKLY)**
>
> The Director of Neighborhood Services certifies in the report that the sum of $1,322.00 was expended ($1,150.00 to Weaver, Inc. for cleaning the property; and $172.50 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-6/04

CASENO 12731 CODEENF **02325-23**

Address: **517 W VAN BUREN AVE**

CLV
IST OLDWLV

TRASH/DEBRIS, HIGH WEEDS, DETERIORATED FENCE,

Parcel(s)

Parcel:	*Size:*	*Subdivision Name:*
13927110056	0.16 ACRE	H F M & M ADD

Owner Information:

10-Aug-02	30-Oct-02	MEJIA CARLOS E MORALES ANGELICA 1030 TAGGERT ST; LAS VEGAS, NV 89104-4420
30-Oct-02	06-Nov-02	MORGAN ETC CAP I TR 2001-NC-4 BANK U S NATIONAL ASSN TRS 12650 INGENUITY DR; ORLANDO, FL 32826
06-Nov-02	18-Jun-03	MORGAN ETC CAP I TR 2001-NC-4 BANK U S NATIONAL ASSN TRS 12650 INGENUITY DR; ORLANDO, FL 32826-2703
18-Jun-03		ERBACHER CHARLES 517 VAN BUREN AVE; LAS VEGAS, NV 89106-3055

Inspection Summary

Inspector:	*Status:*		*Scheduled DT:*	*Start Dt:*	*Comp DT:*	*Min:*
960066	Failed		4/6/2004	04/06/2004 12:45	04/06/2004 12:55	10
840182	Passed	Partial	6/1/2004	05/21/2004 14:10	05/21/2004 14:15	5
960066	Failed		6/1/2004	06/01/2004 12:25	06/01/2004 12:30	5
870076	Passed	Partial	6/24/2004	06/14/2004 8:00	06/14/2004 8:10	10
870076	Passed		8/2/2004	09/01/2004 7:07	09/01/2004 7:27	20
					Time in Minutes:	**50**

Violation Details

Violation	*Violation DT*	*Resolve DT*	*Location:*
A-ZONE OTHER	4/6/2004	9/1/2004	PROPERTY
VACANT BLDG, POST "NO TRESPASSING" SIGNS			
A-WEEDS	4/6/2004	9/1/2004	ALL YARDS
REMOVE ALL HIGH/DRY VEGETATION FROM ALL YARDS			
A-REFUSE/WST	4/6/2004	9/1/2004	ALL YARDS
REMOVE ALL REFUSE AND WASTE FROM ALL YARDS			
A-PAINTING	4/6/2004	9/1/2004	FENCING
REPAIR, REPLACE OR REMOVE DETERIORATED FENCING			

Log

Type:	*Date:*	*Employee:*	*Min:*
MISC	9/16/2004 9:15:00 AM	JESSICA LARRAMENDY	0
JL) Removed Admin fee that should not have been billed through Hansen at this time.			
INSP	9/1/2004 7:07:00 AM	LAURA DEARMOND	20
24) POST VIDEO FILMED. CLEANED, SECURE, VEG TRIMMED, ABATED FENCE REPAIRED. LOOKS GOOD!			
VIDREQ	8/30/2004 3:48:00 PM	LAURA DEARMOND	0
Ld) REC'D INVOICE & SENT VIDEO REQUEST TO PH			

BIDA	8/2/2004 8:18:00 AM	KATHY STEWART	0
Faxed Award letter to Weaver, Inc. Contractor to call with a start date.			
DIRECT	7/30/2004 3:20:00 PM	KATHY STEWART	0
Per David Semenza, Send Award letter to lowest bidder, Weaver, Inc.			
BIDR	7/30/2004 2:38:00 PM	KATHY STEWART	0
Received bids from contractors: (1)Weaver-$1,150; (2) KO-$1,569; (3) C&W-$1,800			
RECORD	7/23/2004 3:03:00 PM	JESSICA LARRAMENDY	0
JL) Recorded N&O at Clark County.		Book: 20040723 Inst: 03062.	
BIDS	7/21/2004 2:03:00 PM	LAURA DEARMOND	0
Ld) NO BIDS RECEIVED, FAXED BID TO CONTRACTOR AGAIN, DUE BACK 7-26			
BIDS	7/12/2004 2:55:00 PM	LAURA DEARMOND	0
Ld) FAXED BID TO CONTRACTORS; DUE BACK 7/16			
INSP	6/14/2004 8:00:00 AM	LAURA DEARMOND	0
24) ...PRE-VIDEO DONE TO D.S. & FILE TO LD FOR BIDS PLEASE.			
INSP	6/14/2004 8:00:00 AM	LAURA DEARMOND	10
24) THE VACANT HOUSE IS SECURE BUT THE BOARDS ARE NOT PAINTED. IRON SECURITY DOOR HAS BEEN PULLED AWAY FROM FRAME BUT NOT ENOUGH FOR ENTRY. SCATTERED LITTER, DEBRIS, PALM FRONDS, GLASS, ETC. SOME PARTS OF FENCING & GATES NEED REPAIR. (CONT...)			
MISC	6/2/2004 8:03:00 AM	LAURA DEARMOND	0
Ld) CERT & REG LETTER TO OWNER CHARLES ERBACHER RETURNED...ATTEMPT UNKNOWN			
INSP	6/1/2004 12:25:00 PM	LYNN NIHIPALI	5
21)PROPERTY IN SAME CONDITION, T/D WEEDS, DETER FENCE. CONT ABATEMENT, ASSESS 75.00 FEE.			
NOPOST	5/21/2004 2:10:00 PM	LYNN NIHIPALI	5
28)POSTED N&O ON PROPERTY CB 6/2			
INSP	5/21/2004 2:10:00 PM	LYNN NIHIPALI	5
28)NO CHANGE			
NOTICE	5/20/2004 11:48:00 AM	LAURA DEARMOND	0
Ld) SENT N&O TO OWNER: CHARLES ERBACHER; POST 5/21; CB 6/1			
INSP	5/17/2004 1:40:00 PM	LAURA DEARMOND	5
21) NO CHANGE, SUBMIT N&O, BLDG SECURE. STILL HIGH GRASS/WEEDS, LITTER, T/D, NEEDS NO TRESPASS SIGNS. REFER FOR N&O TO OWNER MAILING ADDRESS 1982 N RAINBOW, #136			
INSP	4/6/2004 12:45:00 PM	LYNN NIHIPALI	10
21) EVALUATED PROPERTY, SEE VIOLATIONS			
		Time in minutes:	**60**

APN 139-27-110-056
Ref # - 12731

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **CHARLES ERBACHER**

(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.: **139-27-110-056**
Commonly known as: **517 WEST VAN BUREN AVENUE**
Legal Description: **H F M & M ADD**
PLAT BOOK 1 PAGE 47
LOT 9 BLOCK 11

On **August 30, 2004**, as provided in the Municipal Code, Title 9, Chapter 12, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **$1,322.50** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on **November 17, 2004**, ordered the above charges in the amount of **$1,322.50**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 23rd day of November, 2004

NOTARY PUBLIC, in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005
No. 93-4091-1

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
Las Vegas, NV 89101

City of Las Vegas

Agenda Item No. 85

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: ORLANDO SANCHEZ ☐ CONSENT ☒ DISCUSSION

SUBJECT:
Public hearing to consider the report of expenses to recover costs for abatement of dangerous building at 804 Sunny Place. PROPERTY OWNERS: THOMAS & THERESA M. ALBANESE - Ward 5 (Weekly)

Fiscal Impact:

☐	**No Impact**	**Amount:**	$2,883.75
☒	**Budget Funds Available**	**Dept./Division:**	Neigh. Services/Response
☐	**Augmentation Required**	**Funding Source:**	General Fund

PURPOSE/BACKGROUND:
The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired Weaver Inc., to board and secure the structure, secure gates, remove all trash and debris, etc. from the premises/property (interior/exterior), repair fencing, remove any junk vehicles, sheds, high vegetation and shrubs at rear of property line (along MLK), remove graffiti, scattered litter and refuse scattered over property and in transition area and post "No Trespassing" signs.

RECOMMENDATION:
That the City Council: 1. Approve the report of expenses in the amount of $2,883.75 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

MOTION:
REESE - APPROVED the recommendation of staff - UNANIMOUS with MACK not voting, and GOODMAN and WEEKLY excused

MINUTES:
NOTE: Video was shown but not submitted.

MAYOR PRO TEM REESE declared the Public Hearing open.

STEPHEN HARSIN, Deputy Director, Neighborhood Services, presented a video of the subject property and recommended the City Council approve the report of expenses in the amount of $2,883.75; $2,225 to Weaver Inc. a boarding fee of $325 and $333.75 for the 15 percent administrative fee. He stated the charges should be filed and recorded against the property, constituting a special assessment and lien to be filed and recorded with the County Treasurer's Office. MR. HARSIN recommended approval.

MINUTES - Continued:
No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.
(1:15 - 1:16)
2-290

City of Las Vegas

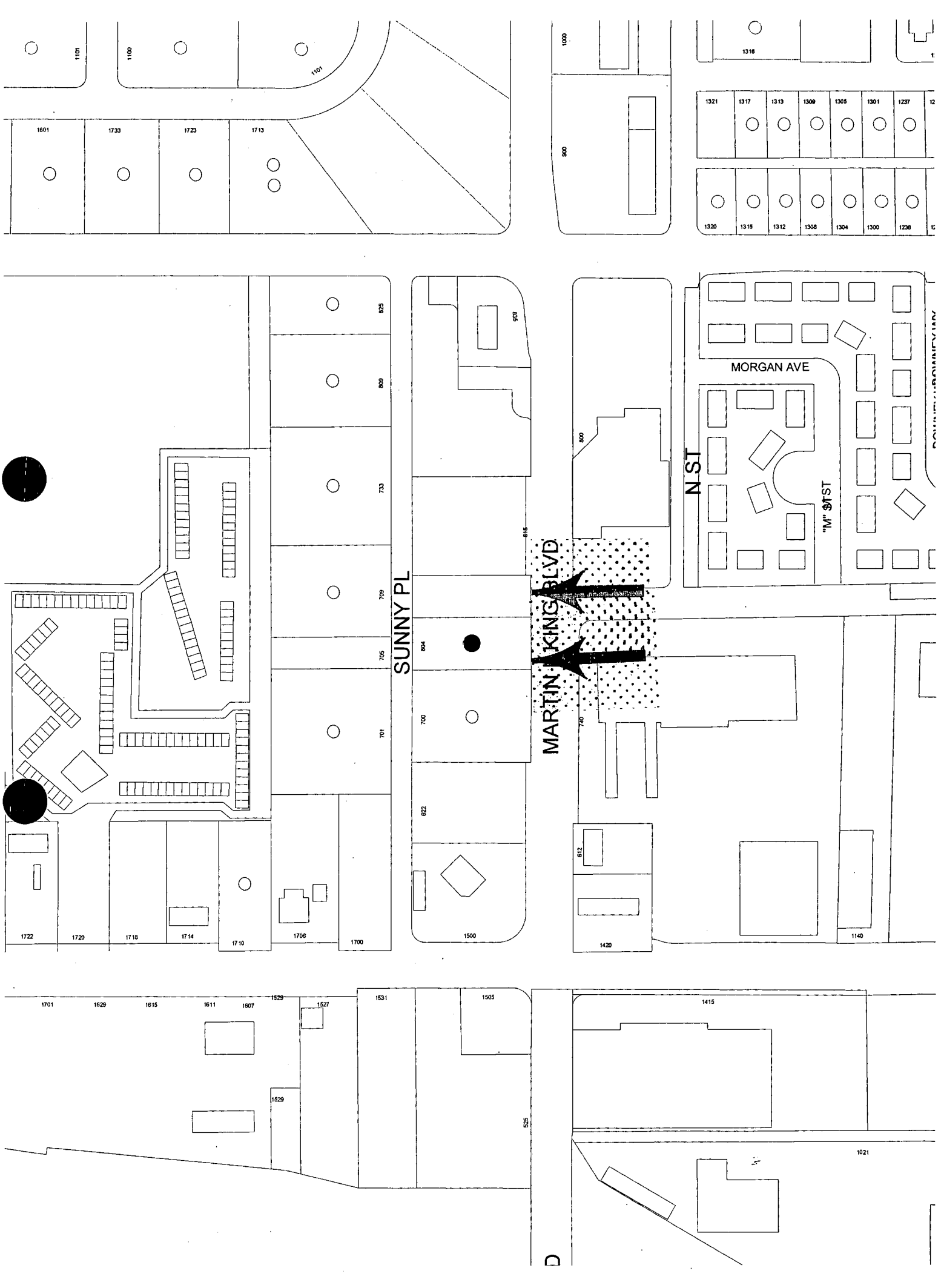
AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 804 Sunny Place.
PROPERTY OWNERS: THOMAS & THERESA M. ALBANESE – Ward 5 (Weekly)

Weaver Inc., completed work on September 10, 2004 at a cost of $2,225.00, a boarding fee of $325.00, plus a 15% administrative fee, for a total of $2,883.75.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of "Dangerous Building", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.


MORGAN AVE
N ST
"M" ST
SUNNY PL
MARTIN LUTHER KING BLVD
1601
1733
1723
1713
1316
1321
1317
1313
1309
1305
1301
1237
1320
1316
1312
1308
1304
1300
1236
1722
1720
1718
1714
1710
1706
1700
1500
1420
1140
1701
1629
1615
1611
1607
1529
1527
1531
1505
1415
1021

Memorandum

City of Las Vegas
Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: Orlando Sanchez, Director – Neighborhood Response Division

CC: File

Date: October 25, 2004

Re: Report of Expenses for the abatement of Dangerous Building located at 804 Sunny Place - Ward 5 (Weekly)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Dangerous Building," the Department of Neighborhood Services caused the above-referenced property to be corrected by boarding and securing the structure, securing gates, removing all trash and debris, etc. from the premises/property (interior/exterior), repairing fencing, removing any junk vehicles, sheds, high vegetation and shrubs at rear of property line (along MLK), removing graffiti, scattered litter and refuse scattered over property and in transition area and posting "No Trespassing" signs. Weaver Inc., completed work on September 10, 2004 at a cost of $2,225.00, which was accepted by the Department of Neighborhood Services.

Contract Amount	$ 2,225.00
AMOUNT DUE	2,225.00
Boarding Fee	325.00
Administrative processing fee	333.75
TOTAL AMOUNT DUE	$2,883.75

OWNER OF RECORD: THOMAS & THERESA M. ALBANESE

PROPERTY ABATED: 804 Sunny Place

ASSESSOR'S PARCEL: 139 28 304 004/139 28 304 003

LEGAL DESCRIPTION: PT NE4 SW4 SEC 28 20 61

OS:jl

WEAVER CONSTRUCTION
"GENERAL ENGINEERING"
2590 NORTH NELLIS BLVD.
LAS VEGAS, NEVADA 89115

EXHIBIT A

DISCLOSURE OF PRINCIPALS

The principals and partners of Weaver Construction and all persons and entities holding more than a 1% interest in Weaver Construction or any principal of Weaver Construction are the following:

FULL NAME	BUSINESS ADDRESS	BUSINESS PHONE
1. Phil Weaver	2590 N. Nellis Blvd. LV, NV	644-1088
2.		
3.		
4.		
5.		
6.		

Continue list until full and complete disclosure is made

I certify under penalty of perjury, that the foregoing list is full and complete.

Weaver Construction

BY: Phyllis Weaver
Phyllis Weaver, Office Mgr.

Subscribed and sworn to before me
this 28 day of October, 1999.

Stephanie D. Dunn
Notary Public

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
STEPHANIE D. DUNN
Appt. No. 91-2737-1
My Appointment Expires March 1, 2000

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

NOTICE OF PUBLIC HEARINGS
NOVEMBER 17, 2004

Pursuant to Section 302 of the Uniform Code for the Abatement of Dangerous Buildings adopted as Section 16.08 of the Las Vegas Municipal Code. NOTICE IS HEREBY GIVEN THAT ON **Wednesday, November 17, 2004,** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

> Abatement of the property by boarding and securing the structure, securing gates, removing all trash and debris, etc. from the premises/property (interior/exterior), repairing fencing, removing any junk vehicles, sheds, high vegetation and shrubs at rear of property line (along MLK), removing graffiti, scattered litter and refuse scattered over property and in transition area and posting "No Trespassing" signs on property located at **804 SUNNY PL,ACE** legally described as **PT NE4 SW4 SEC 28 20 61**. Owner of record at time of abatement: **THOMAS & THERESA M. ALBANESE – WARD 5 (WEEKLY)**
>
> The Director of Neighborhood Services certifies in the report that the sum of $2,883.75 was expended ($2,225.00 to Weaver, Inc. for cleaning and boarding the property; $325.00 Boarding Fee and $333.75 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-6/04

CASENO 14548 CODEENF 02324-64

Address: **804 SUNNY PL**

PER PAM: REMOVE VEGETATION FROM PUBLIC ROW

Parcel(s)

Parcel:	*Size:*	*Subdivision Name:*
13928304004	0.53 ACRE	PT NE4 SW4 SEC 28 20 61

Owner Information:

10-Aug-02 ALBANESE THOMAS & THERESA M

804 SUNNY PL; LAS VEGAS, NV 89106-3633

Inspection Summary

Inspector:	*Status:*		*Scheduled DT:*	*Start Dt:*	*Comp DT:*	*Min:*
860034	Failed		5/12/2004	05/13/2004 10:03	05/13/2004 10:08	5
860034	Passed	Partial	5/24/2004	05/24/2004 8:00	05/24/2004 8:10	10
860034	Passed	Partial	6/7/2004	05/27/2004 13:52	05/27/2004 16:00	128
860034	Passed	Partial	6/14/2004	06/07/2004 16:27	06/07/2004 16:33	6
870076	Passed		9/20/2004	09/15/2004 10:10	09/15/2004 10:31	21
					Time in Minutes:	170

Violation Details

Violation	*Violation DT*	*Resolve DT*	*Location:*
A-WEEDS	5/13/2004		Property along Martin L. King Blvd.
Cut down weeds & overgrown vegetation.			
A-WEEDS	5/13/2004	9/15/2004	Property along Martin L. King Blvd & ALL YARD AREAS.
Cut down weeds & overgrown vegetation.			
A-LITTER	6/7/2004	9/15/2004	SCATTERED LITTER, T/D ALL YARD AREAS
A-BLD DNGR	6/7/2004	9/15/2004	FRONT DOOR OPEN & ACCESSIBLE

Log

Type:	*Date:*	*Employee:*	*Min:*
FEE	10/5/2004 8:52:00 AM	JESSICA LARRAMENDY	0
JL) Removed $333.75 fee for 15%. Billed in error.			
MISC	9/21/2004 9:38:00 AM	LAURA DEARMOND	0
Ld) SENT WEAVER INVOICE $2,225.00 TO FINANCE			
INSP	9/15/2004 10:10:00 AM	LAURA DEARMOND	21
24) BOARDED/SECURE, WEEDS SCRAPED/REMOVED. ALL R/W REMOVED. BOARDS PAINTED. I PUT A PADLOCK ON THE REAR CHAIN LINK GATE. THE WIRE FENCING ON NPROPERTY LINE IS SAGGING BUT THERE'S REALLY NOT MUCH ONE CAN DO EXCEPT INSTALL A NEW FENCE. THE WOOD (CONT.....)			
INSP	9/15/2004 10:10:00 AM	LAURA DEARMOND	21
24).....SHED IN REAR YARD WAS REMOVED AS WELL AS OVERGROWN VEGETATION. LOOKS GOOD! NO TRESPASSING SIGN POSTED IN FRONT.			
VIDREQ	9/13/2004 11:31:00 AM	LAURA DEARMOND	0
Ld) SPOKE W/PHYLLIS FROM WEAVER, ABATEMENT IS COMPLETED, SENT VIDEO REQUEST TO P.H.			

BIDA	8/2/2004 8:29:00 AM	KATHY STEWART	0
Faxed Award letter to Weaver, Inc. Contractor to call with a start date.			
DIRECT	7/30/2004 3:20:00 PM	KATHY STEWART	0
Per David Semenza, Send Award letter to lowest bidder, Weaver, Inc.			
BIDR	7/30/2004 2:37:00 PM	KATHY STEWART	0
Received bids from contractors: (1) Weaver-$2,225; (2) KO-$2,269; (3) ADS-$2,786.			
RECORD	7/23/2004 2:44:00 PM	JESSICA LARRAMENDY	0
JL) JL) Recorded N&O at Clark County. Book: 20040723 Inst: 03051.			
BIDS	7/20/2004 10:18:00 AM	LAURA DEARMOND	0
Ld) FAXED BID TO CONTRACTORS, DUE BACK 7-23			
MISC	6/18/2004 3:27:00 PM	LAURA DEARMOND	0
Ld) CERT & REG LETTERS TO OWNERS THOMAS & THERESA ALBANESE @ SUNNY PL ADDRESS RETURNED...ATTEMPTED UNKNOWN			
MISC	6/8/2004 3:09:00 PM	LAURA DEARMOND	1
Ld) REC'D CERT CARD FROM OWNER THOMAS ALBANESE @ P O BOX ADDRESS			
INSP	6/7/2004 4:27:00 PM	LAURA DEARMOND	6
27) N&O POSTED ON PROPERTY CB 6/14			
NOTICE	6/2/2004 1:15:00 PM	LAURA DEARMOND	0
Ld) SENT DANG BLDG N&O TO OWNERS THOMAS & THERESA ALBANESE (POB & 804 SUNNY ADDRESSES); POST 6/3; CB 6/14			
NOPOST	5/27/2004 4:00:00 PM	LAURA DEARMOND	0
27) POSTED N&O ON PROPERTY			
INSP	5/27/2004 1:52:00 PM	LAURA DEARMOND	128
27) BLDG (FRONT DOOR) IS NOW OPEN/ACCESSIBLE. ALSO WEEDS T/D ON ALL YARDS. ADDENDUM TO N&O...REFER TO 24			
NOTICE	5/26/2004 11:00:00 AM	LAURA DEARMOND	1
Ld) SENT N&O TO OWNERS: THOMAS & THERESA ALBANESE; POST 5/27; CB 6/7			
NOREQ	5/26/2004 7:45:00 AM	LAURA DEARMOND	15
27) PREPARED N&O REFER OFFICE			
INSP	5/24/2004 8:00:00 AM	LAURA DEARMOND	10
27) VEGETATION & BUSHES REMAIN ALONG MLK, WILL MAIL C/N TO OWNER			
LETTER	5/13/2004 5:20:00 PM	KATHY STEWART	0
27) Mailed Notice to owner. C/B 5/24.			
INSP	5/13/2004 10:03:00 AM	KATHY STEWART	5
27) Verified, weeds & overgrown vegetation along Martin L. King Blvd. C/N mailed to owner. C/B 5/24.			

Time in minutes: **208**

APN 139-28-304-004/139-28-304-003
Ref # - 14548

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **THOMAS & THERESA M. ALBANESE**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 139-28-304-004/139-28-304-003**
Commonly known as:	**804 SUNNY PLACE**
Legal Description:	**PT NE4 SW4**
	SEC 28 20 61

On **September 10, 2004**, as provided in the Municipal Code, 16.08, Section 302, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **$2,883.75** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on **November 17, 2004**, ordered the above charges in the amount of **$2,883.75**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 23rd day of November, 2004

NOTARY PUBLIC, in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005
No. 93-4081-1

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101

City of Las Vegas

Agenda Item No. 86

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: ORLANDO SANCHEZ ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:
Public hearing to consider the report of expenses to recover costs for abatement of dangerous building at 915 H Street. PROPERTY OWNERS: ABNER HEATHMON, SR., PEARLINE HEATHMON, ABNER HEATHMON, JR., AND BARBARA N. HEATHMON - Ward 5 (Weekly)

Fiscal Impact:

☐	**No Impact**	**Amount:**	$1,460.05
☒	**Budget Funds Available**	**Dept./Division:**	Neigh. Services/Response
☐	**Augmentation Required**	**Funding Source:**	General Fund

PURPOSE/BACKGROUND:
The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired ADS Consulting, Inc., to board and secure the structure, secure gates, remove all trash and debris, etc. from the premises/property (interior/exterior), remove any junk vehicles, sheds, high vegetation and graffiti from the property, and post "No Trespassing" signs.

RECOMMENDATION:
That the City Council: 1. Approve the report of expenses in the amount of $1,460.05 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

MOTION:
REESE - APPROVED the recommendation of staff - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:
NOTE: Video was shown but not submitted.

MAYOR PRO TEM REESE declared the Public Hearing open.

STEPHEN HARSIN, Deputy Director, Neighborhood Services, presented a video of the subject property and recommended the City Council approve the report of expenses in the amount of $1,460.05; $987 to ADS Consulting, a boarding fee of $325 and $148.05 for the 15 percent administrative fee. He stated the charges should be filed and recorded against the property, constituting a special assessment and lien to be filed and recorded with the County Treasurer's Office. MR. HARSIN recommended approval.

MINUTES - Continued:
No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.
(1:16 - 1:17)
2-346

City of Las Vegas

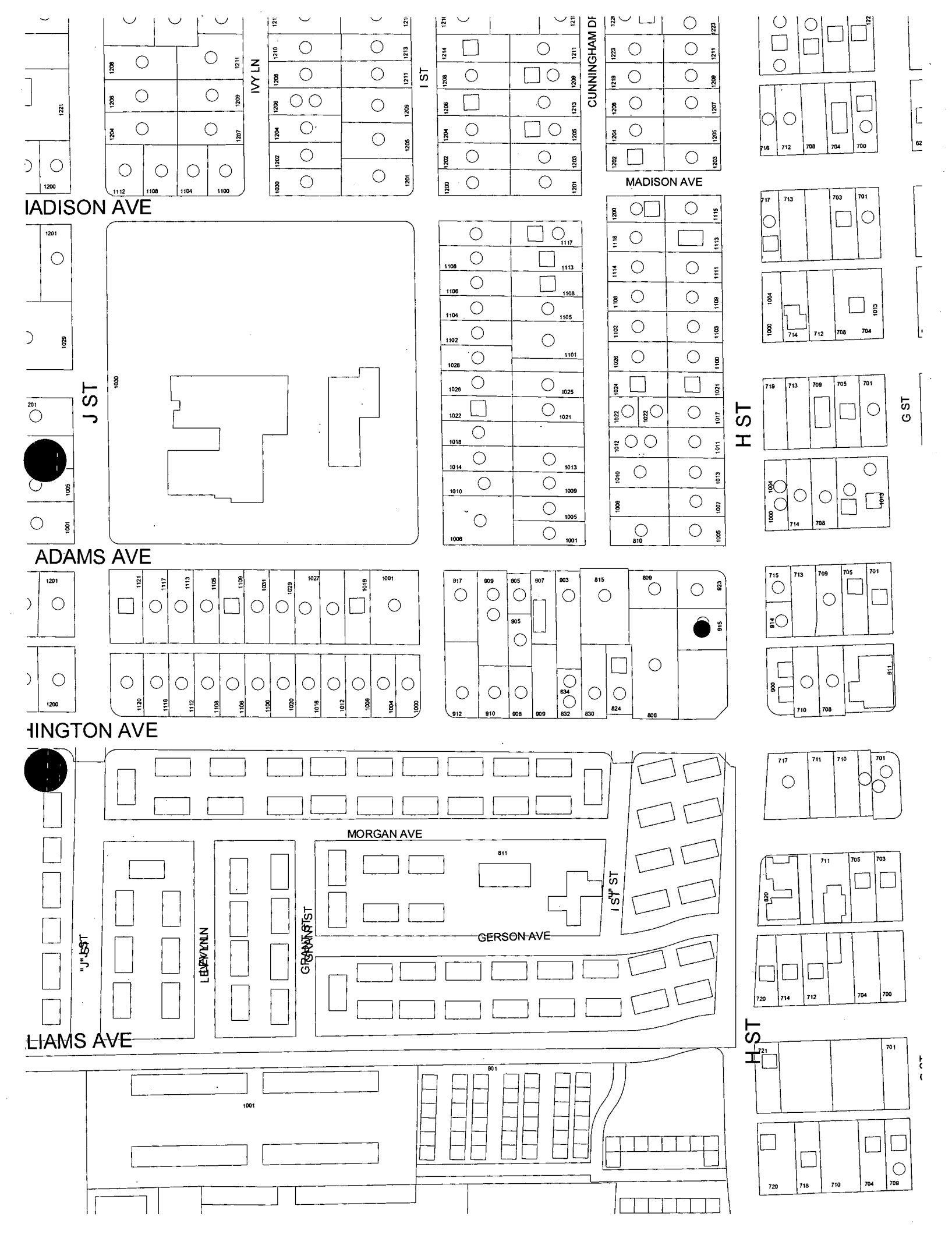
AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 915 H Street. PROPERTY OWNERS: ABNER HEATHMON, SR., PEARLINE HEATHMON, ABNER HEATHMON, JR., AND BARBARA N. HEATHMON – Ward 5 (Weekly)

ADS Consulting, Inc., completed work on August 25, 2004 at a cost of $987.00, a boarding fee of $325.00, plus a 15% administrative fee, for a total of $1,460.05.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of "Dangerous Building", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.


IVY LN
I ST
CUNNINGHAM DR
MADISON AVE
IADISON AVE
J ST
H ST
G ST
ADAMS AVE
HINGTON AVE
MORGAN AVE
GERSON AVE
LIAMS AVE
"J" ST
LEVY LN
GRANT ST
I ST

Memorandum

City of Las Vegas
Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: Orlando Sanchez, Director – Neighborhood Response Division

CC: File

Date: October 8, 2004

Re: Report of Expenses for the abatement of Dangerous Building located at 915 H Street - Ward 5 (Weekly)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Dangerous Building," the Department of Neighborhood Services caused the above-referenced property to be corrected by boarding and securing the structure, securing gates, removing all trash and debris, etc. from the premises/property (interior/exterior), removing any junk vehicles, sheds, high vegetation, graffiti from the property, and posting "No Trespassing" signs. ADS Consulting, Inc., completed work on August 25, 2004 at a cost of $987.00, which was accepted by the Department of Neighborhood Services.

Contract Amount	$ 987.00
AMOUNT DUE	987.00
Boarding Fee	325.00
Administrative processing fee	148.05
TOTAL AMOUNT DUE	$1,460.05

OWNER OF RECORD: ABNER & PEARLINE HEATHMON, SR
ABNER & BARBARA N. HEATHMON, JR.

PROPERTY ABATED: 915 H Street

ASSESSOR'S PARCEL: 139 28 609 022

LEGAL DESCRIPTION: PARCEL MAP FILE 81 PAGE 17
LOT 3

OS:jl

ADS Consulting Inc.
1801 S Eastern Ave.
Las Vegas, NV 89104

Disclosure of Principals

The principals and partners of *ADS Consulting*, and all persons and entities holding more than 1% interest in *ADS Consulting* or any principal of *ADS Consulting* are the following:

	Full Name	Business Address	Business Phone
1.	Nelson Quezada	1801 S. Eastern Avenue	(702) 531 3336
2.			
3.			
4.			
5.			
6.			
7.			

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete.

ADS Consulting

By: _____

STATE OF NEVADA)
)
COUNTY OF CLARK)

Subscribed and sworn to before me, a Notary Public,
on this 24th day of April, 2002.

Notary Public - State of Nevada
County of Clark
SHIRLEY JEREZANO
My Appointment Expires
April 1, 2005
No: 01-68865-1

_____
NOTARY PUBLIC in and for said
County and State

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

NOTICE OF PUBLIC HEARINGS
NOVEMBER 17, 2004

Pursuant to Section 302 of the Uniform Code for the Abatement of Dangerous Buildings adopted as Section 16.08 of the Las Vegas Municipal Code. NOTICE IS HEREBY GIVEN THAT ON **Wednesday, November 17, 2004,** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

> Abatement of the property by boarding and securing the structure, securing gates, removing all trash and debris, etc. from the premises/property (interior/exterior), removing any junk vehicles, sheds, high vegetation, grafiti from the property, and posting "No Trespassing" signs on property located at **915 H STREET** legally described as **PARCEL MAP FILE 81 PAGE 17 LOT 3**. Owner of record at time of abatement: **ABNER & PEARLINE HEATHMON, SR. & ABNER AND BARBARA N. HEATHMON, JR. – WARD 5 (WEEKLY)**
>
> The Director of Neighborhood Services certifies in the report that the sum of $1,460.05 was expended ($987.00 to ADS Consulting, Inc. for cleaning and boarding the property; $325.00 Boarding Fee and $148.05 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-6/04

CASENO 16431 CODEENF **02324-59**

Address: **915 H ST**

CLV
IST OLDWLVLOT

Vacant house with front dr and garage open and accessible - my need metro's assistance

Parcel(s)

Parcel:	*Size:*	*Subdivision Name:*
13928609022	0.18 ACRE	PARCEL MAP FILE 81 PAGE 17

Owner Information:

10-Aug-02	21-Jul-04	HEATHMON ABNER SR & PEARLINE HEATHMON ABNER JR & BARBARA N 915 H ST; LAS VEGAS, NV 89106-2901
21-Jul-04	28-Jul-04	BANK AMERICAN N A 14320 FIRESTONE BLVD #303; LA MIRADA, CA 90638
28-Jul-04		BANK AMERICAN N A 14320 FIRESTONE BLVD #303; LA MIRADA, CA 90638-5526

Inspection Summary

Inspector:	*Status:*		*Scheduled DT:*	*Start Dt:*	*Comp DT:*	*Min:*
860034	Failed		6/11/2004	06/14/2004 16:18	06/14/2004 16:28	10
860034	Passed	Partial	7/6/2004	06/22/2004 13:52	06/22/2004 14:00	8
860034	Failed		7/6/2004	07/06/2004 16:16	07/06/2004 16:23	7
870076	Passed	Partial	7/9/2004	07/12/2004 15:05	07/12/2004 15:15	10
870076	Passed		7/30/2004	09/01/2004 13:00	09/01/2004 13:15	15
					Time in Minutes:	**50**

Violation Details

Violation	*Violation DT*	*Resolve DT*	*Location:*
A-WEEDS	6/11/2004	9/1/2004	HIGH VEG ALL YARDS
A-REFUSE/WST	6/11/2004	9/1/2004	T/D ALL YARDS
A-BLD DNGR	6/11/2004	9/1/2004	HOUSE OPEN THROUGH FRONT & N/SIDE DOORS, GARAGE DOOR & RE

Log

Type:	*Date:*	*Employee:*	*Min:*
MISC	9/3/2004 6:58:00 AM	KATHY STEWART	0
	Sent Invoice ($987) from ADS Consulting, Inc. to Finance for payment. Gave file to Laura deArmond for Council.		
INSP	9/1/2004 1:00:00 PM	KATHY STEWART	15
	24) Post video filmed. Clean, secure, boards painted, screwed into security bars. Side gate needs to be pad locked. ADS will lock & forward key. Garage door is now secure also.		
VIDREQ	9/1/2004 7:08:00 AM	KATHY STEWART	0
	Sent Request for After Abatement Video to Pam Hines.		
MISC	9/1/2004 7:00:00 AM	KATHY STEWART	0
	Received Invoice ($987)from ADS for completion of abatement.		
BIDA	7/27/2004 2:59:00 PM	KATHY STEWART	0
	Faxed Award letter to ADS Environmental & Construction, Inc. Contractor to call with a start date.		

DIRECT	7/27/2004 12:04:00 PM	KATHY STEWART	0
Per David Semenza, Award bid to the lowest bidder, ADS Environmental & Construction, Inc.			
BIDR	7/27/2004 11:35:00 AM	KATHY STEWART	0
Received bids from contractors; (1) ADS Consulting - $987; (2) KO Construction - $1,769; (3) Weaver Construction - $2,500.			
RECORD	7/23/2004 2:43:00 PM	JESSICA LARRAMENDY	0
JL) JL) Recorded N&O at Clark County. Book: 20040723 Inst: 03050.			
BIDS	7/20/2004 8:41:00 AM	LAURA DEARMOND	0
Ld) FAXED BID TO CONTRACTORS, DUE BACK 7-23			
MISC	7/13/2004 7:40:00 AM	LAURA DEARMOND	0
Ld) REGULAR LETTER TO OWNERS RETURNED ATTEMPT UNKNOWN			
INSP	7/12/2004 3:05:00 PM	KATHY STEWART	10
24) Pre-video completed. Garage door open, leaving access to house interior. Rear window open. Trash, spotty high weeds & vegetation. Tape to DS & file to KS for bids. This is in IST area.			
INSP	7/6/2004 4:16:00 PM	MARIA VIGIL	7
27) SITUATION REMAIN THE SAME. PROCEED W/ABATEMENT.			
MISC	7/6/2004 2:43:00 PM	LAURA DEARMOND	0
Ld) CERT LETTER TO OWNER RETURNED...ATTEMPTED NOT KNOWN			
NOPOST	6/22/2004 1:52:00 PM	LYNN NIHIPALI	8
27)POSTED N&O ON PROPERTY			
INSP	6/22/2004 1:52:00 PM	LYNN NIHIPALI	8
27)NO CHANGE CB 7/6			
NOTICE	6/21/2004 1:55:00 PM	LAURA DEARMOND	0
Ld) SENT DANG BLDG N&O TO OWNERS: ABNER & PEARLINE HEATHMON SR & ABNER & BARBARA HEATHMON JR; POST 6/22; CB 7/6			
NOREQ	6/15/2004 1:54:00 PM	LAURA DEARMOND	0
27) THIS IS TO BE ADDED TO IST PROJECT PER 24. PREPARED N&O...REFER TO 24			
INSP	6/14/2004 4:18:00 PM	LAURA DEARMOND	10
27) VERIFIED HOUSE VACANT, OPEN/ACCESSIBLE THROUGH FRONT & N/SIDE DOORS, GARAGE DOOR & REAR WINDOW. HIGH WEEDS, T/D ALL YARDS. SEND N&O			
		Time in minutes:	**58**

APN 139-28-609-022
Ref # - 16431

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **ABNER & PEARLINE HEATHMON, SR.**
ABNER & BARBARA N. HEATHMON, JR.

(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 139-28-609-022**
Commonly known as:	**915 H STREET**
Legal Description:	**PARCEL MAP FILE 81**
	PAGE 17 LOT 3

During **August 25, 2004**, as provided in the Municipal Code, 16.08, Section 302, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **$1,460.05** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on **November 17, 2004**, ordered the above charges in the amount of **$1,460.05**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 23RD day of November, 2004

NOTARY PUBLIC, in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005
No. 93-4061-1

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101

City of Las Vegas

Agenda Item No. 87

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: ORLANDO SANCHEZ ☐ CONSENT ☒ DISCUSSION

SUBJECT:
Public hearing to consider the report of expenses to recover costs for abatement of dangerous building at 1913 S. 11th Street. PROPERTY OWNER: JAMES R. KENT - Ward 3 (Reese)

Fiscal Impact:

☐	**No Impact**	**Amount:**	$1,784.35
☒	**Budget Funds Available**	**Dept./Division:**	Neigh. Services/Response
☐	**Augmentation Required**	**Funding Source:**	General Fund

PURPOSE/BACKGROUND:
The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired K.O. Construction, to board and secure the structure, secure gates, remove all trash and debris, etc. from the premises/property, remove any junk vehicles, sheds, high vegetation, graffiti and post "No Trespassing" signs.

RECOMMENDATION:
That the City Council: 1. Approve the report of expenses in the amount of $1,784.35 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

MOTION:
REESE - APPROVED the recommendation of staff - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:
NOTE: Video was shown but not submitted.

MAYOR PRO TEM REESE declared the Public Hearing open.

STEPHEN HARSIN, Deputy Director, Neighborhood Services, presented a video of the subject property and recommended the City Council approve the report of expenses in the amount of $1,784.35; $1,269 to KO Construction, a boarding fee of $325 and $190.35 for the 15 percent administrative fee. He stated the charges should be filed and recorded against the property, constituting a special assessment and lien to be filed and recorded with the County Treasurer's Office. MR. HARSIN recommended approval.

COUNCILMAN WOLFSON questioned whether or not the videos shown were taken before or after the

MINUTES - Continued:

abatement. He said the last properties shown did not look too bad, nor did they look good. He requested specifications as to what the hazards were or the reason that provoked the City to impose such action.

MAYOR PRO TEM REESE explained that most of the buildings shown were open to the public and boarded to keep people from living there. Some of the houses are completely trashed and the City cannot be liable for damages or injuries that may occur there. He stated all videos shown were before and after the abatement.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.
(1:18 - 1:21)
2-395

City of Las Vegas

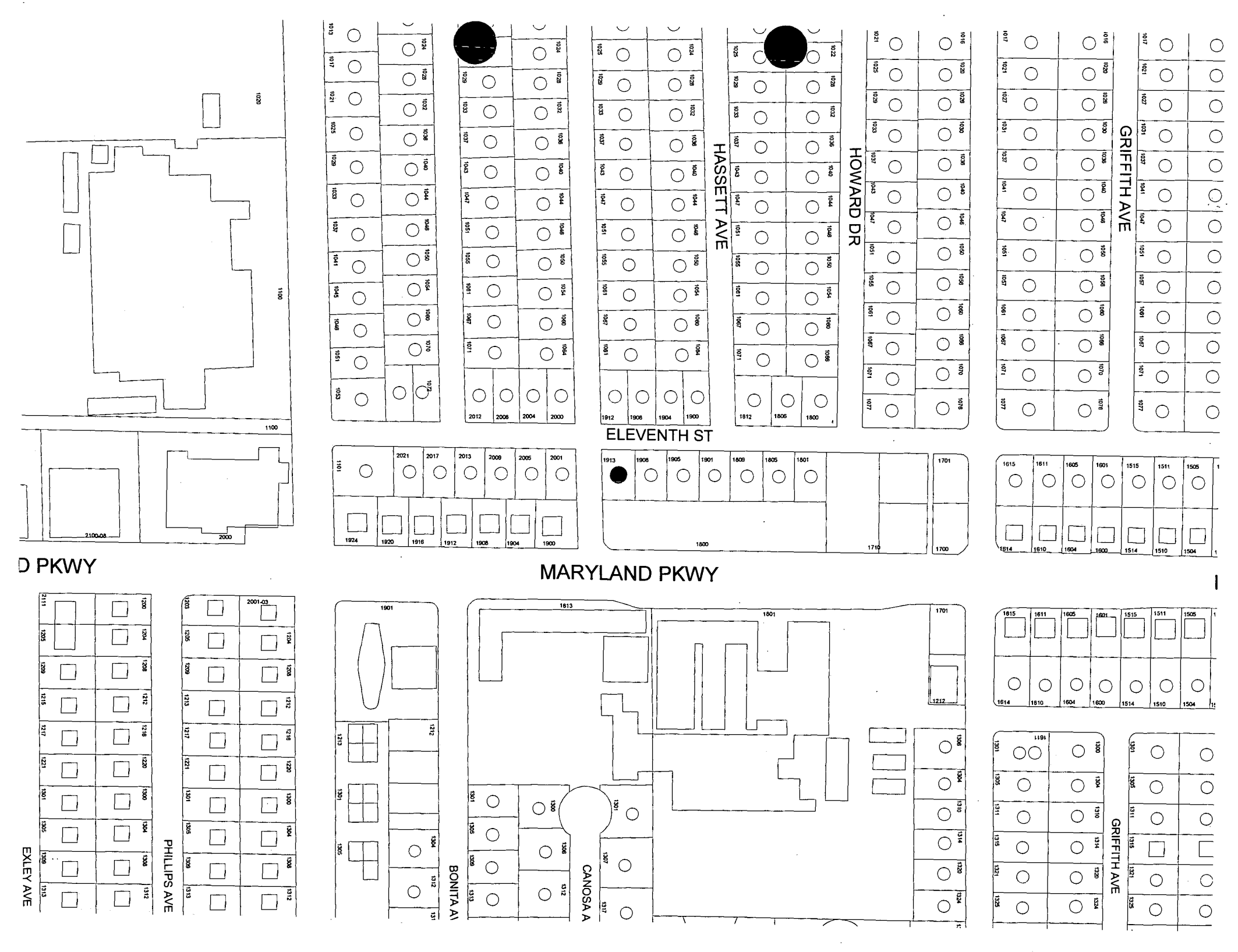
AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 1913 S. 11th Street.
PROPERTY OWNER: JAMES R. KENT – Ward 3 (Reese)

K.O. Construction, completed work on September 11, 2004 at a cost of $1,269.00, a boarding fee of $325.00, plus a 15% administrative fee, for a total of $1,784.35.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of "Dangerous Building", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.


GRIFFITH AVE
HOWARD DR
HASSETT AVE
ELEVENTH ST
MARYLAND PKWY
D PKWY
CANOSA A
BONITA A
PHILLIPS AVE
EXLEY AVE

Memorandum

City of Las Vegas
Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: Orlando Sanchez, Director – Neighborhood Response Division

CC: File

Date: October 25, 2004

Re: Report of Expenses for the abatement of Dangerous Building located at 1913 S. 11th Street - Ward 3 (Reese)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Dangerous Building," the Department of Neighborhood Services caused the above-referenced property to be corrected by boarding and securing the structure, securing gates, removing all trash and debris, etc. from the premises/property, removing any junk vehicles, sheds, high vegetation, graffiti and posting "No Trespassing" signs. K.O. Construction completed work on September 11, 2004 at a cost of $1,269.00, which was accepted by the Department of Neighborhood Services.

Contract Amount	$ 1,269.00
AMOUNT DUE	1,269.00
Boarding Fee	325.00
Administrative processing fee	190.35
TOTAL AMOUNT DUE	$1,784.35

OWNER OF RECORD: JAMES R. KENT

PROPERTY ABATED: 1913 S. 11TH Street

ASSESSOR'S PARCEL: 162-03-704-008

LEGAL DESCRIPTION: PT NE4 SE4 SEC 03 21 61

OS:jl

EXHIBIT A

DISCLOSURE OF PRINCIPALS

The principals and partners of K.O. CONSTRUCTION INC [Contracting Entity] and all persons and entities holding more than a 1% interest in [Contracting Entity] or any principal of [Contracting Entity] are the following: K.O. CONST INC K. O. CONSTRUCTION INC

FULL NAME	BUSINESS ADDRESS	BUSINESS PHONE
1. CHRIS HARRISON	4855 N. MAULDING AVE	702-361-4221
2. EDWARD KOPF	LAS VEGAS, NV 89139	
3. ROSE KOPF		
4.		
5.		
6.		

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete.

[Contracting Entity] K. O. CONSTRUCTION INC

By: [signature]

Subscribed and sworn to before me this 29 Day of October 1999.

[signature]
Notary Public

NANCY NICKLE
Notary Public - Nevada
No. 88-1453-1
My appt. exp. May 15, 2002

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

NOTICE OF PUBLIC HEARINGS
NOVEMBER 17, 2004

Pursuant to Section 302 of the Uniform Code for the Abatement of Dangerous Buildings adopted as Section 16.08 of the Las Vegas Municipal Code. NOTICE IS HEREBY GIVEN THAT ON **Wednesday, November 17, 2004,** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

> Abatement of the property by boarding and securing the structure, securing gates, removing all trash and debris from premises/property; removing junk vehicles, sheds, high vegetation, graffiti and posting "No Trespassing" signs on property located at **1913 SOUTH 11TH STREET** legally described as **PT NE4 SE4 SEC 03 21 61**. Owner of record at time of abatement: **JAMES R. KENT – WARD 3 (REESE)**
>
> The Director of Neighborhood Services certifies in the report that the sum of $1,784.35 was expended ($1,269.00 to K. O. Construction for cleaning and boarding the property; $325.00 Boarding Fee and $190.35 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-6/04

CASENO 11036 CODEENF 02525-69

Address: **1913 S 11TH ST**

CAR
41852

PER PAM: DEAD TREES, WEEDS
THIS IS NOW A CAR

Parcel(s)

Parcel:	*Size:*	*Subdivision Name:*
16203704008	0.14 ACRE	PT NE4 SE4 SEC 03-21-61

Owner Information:

10-Aug-02	24-Mar-04	KENT JAMES R 1891 N SHARON ST; PAHRUMP, NV 89060
24-Mar-04	30-Jun-04	KENT JAMES R 741 E BOURBON ST #E3; PAHRUMP, NV 89048
30-Jun-04		KENT JAMES R 3033 PALOMINO LN; LAS VEGAS, NV 89107-4509

Inspection Summary

Inspector:	*Status:*		*Scheduled DT:*	*Start Dt:*	*Comp DT:*	*Min:*
960066	Failed		3/15/2004	03/16/2004 13:15	03/16/2004 13:20	5
880076	Failed		3/29/2004	03/29/2004 10:00	03/29/2004 10:04	4
880076	Passed	Partial	4/12/2004	04/01/2004 13:27	04/01/2004 13:31	4
870076	Passed	Partial	4/15/2004	04/25/2004 16:20	04/25/2004 16:26	6
880076	Passed	Partial	4/16/2004	04/12/2004 13:05	04/12/2004 13:10	5
880076	Passed	Partial	4/28/2004	04/28/2004 12:10	04/28/2004 12:25	15
880076	Passed	Partial	5/14/2004	05/03/2004 13:15	05/03/2004 13:20	5
880076	Failed		5/14/2004	05/14/2004 10:04	05/14/2004 10:09	5
870076	Passed	Partial	5/19/2004	05/24/2004 15:10	05/24/2004 15:26	16
880076	Passed	Partial	6/17/2004	06/18/2004 13:28	06/18/2004 13:33	5
880076	Passed	Partial	8/23/2004	08/24/2004 6:15	08/24/2004 6:20	5
880076	Passed	Partial	8/27/2004	08/27/2004 10:13	08/27/2004 10:23	10
880076	Passed	Partial	9/16/2004	09/08/2004 13:11	09/08/2004 13:15	4
870076	Passed		9/20/2004	09/10/2004 16:31	09/10/2004 16:44	13
					Time in Minutes:	**102**

Violation Details

Violation	*Violation DT*	*Resolve DT*	*Location:*
A-WEEDS	3/16/2004	4/25/2004	FRONT AND SIDE AREAS
REMOVE ALL HIGH/DRY VEGETATION FROM ALL YARDS.			
A-BLD DNGR	4/15/2004		GARAGE OPEN
A-BLD DNGR	4/15/2004	9/10/2004	GARAGE OPEN, WINDOW BROKEN S/SIDE OF STRUCTURE

Log

Type:	*Date:*	*Employee:*	*Min:*

MISC	9/21/2004 9:33:00 AM	LAURA DEARMOND	0

Ld) SENT K O CONSTRUCTION INVOICE $1,269.00 TO FINANCE

RECORD	9/20/2004 7:26:00 AM	JESSICA LARRAMENDY	0

JL) Recorded N&O at Clark County. Book: 20040920 Inst: 03976

MISC	9/16/2004 9:13:00 AM	JESSICA LARRAMENDY	0

JL) Removed Admin fee that should not have been billed through Hansen at this time.

VIDREQ	9/13/2004 8:59:00 AM	LAURA DEARMOND	0

Ld) REC'D INVOICE & SENT VIDEO REQUEST TO P.H.

INSP	9/10/2004 4:31:00 PM	LAURA DEARMOND	13

24) REC'D CALL FROM KRIS @ K. O. THAT WORK IS COMPLETED. POST VIDEO COMPLETED. STRUCTURES SECURE TO SPEC, BDS PAINTED, ALL VEG, R/W ABATED. DETACHED GARAGE BOARDED. LOOKS GREAT!

INSP	9/8/2004 1:11:00 PM	LYNN NIHIPALI	4

23)NO COMPLIANCE, GARAGE OPEN, GRAFFITI YARD TRASHED PROCEED WITH ABATEMENT. NO RESPONSE FROM OWNER, N&O'S RETURNED UNOPENED.

BIDA	9/2/2004 7:52:00 AM	LAURA DEARMOND	0

Ld) AWARDED TO K O CONSTRUCTION

MISC	8/30/2004 1:00:00 PM	JESSICA LARRAMENDY	0

23) Refer to LD - to send for bids to clean yards, board and clean open garage and remove all graffiti. Post "No Trespassing" signs per 24.

INSP	8/27/2004 10:13:00 AM	LYNN NIHIPALI	10

23)TOOK PHOTOS, CAN'T GET INTO REAR YARD, BUT MAIN HOUSE IS SECURED, GARAGE OPEN, GRAFFITI ON BLDG (1022) PLAM FRONT, BEER BOTTLES,CARDBOARD FRONT YARD RE JESSICA

EMAIL	8/24/2004 3:32:00 PM	ERIN HERNANDEZ	0

received email from Jessica the two cases with the liens are seperate from this case. This open case had an overdue call back. Waiting for status report for CAR

EMAIL	8/24/2004 6:15:00 AM	KATHY STEWART	5

23) E-mailed David to advise. C/B 8/27.

DIRECT	8/20/2004 3:54:00 PM	ERIN HERNANDEZ	0

RECEIVED AS CAR 8/20 THIS HOUSE NEEDS TO BE REBOARDED CB SHEDULED FOR 8/16 CHANGING TO 8/23 SO THAT 23 WILL ADDRESS
THERE ARE TWO OTHER OPEN CASES ON THIS ADDRESS 10221 AND 10224 WHICH HAVE LIENS. NEED TO STRAIGHTEN OUT. ERIN

PHONE	8/11/2004 3:52:00 PM	KATHY STEWART	0

Received another call that board is off front door, garage door open, & porch light on. House was broken into a couple of weeks ago per complainant.

PHONE	6/18/2004 3:40:00 PM	KATHY STEWART	0

ks) Received phone call that window is open & kids are going into residence. E-mailed #23 this information.

INSP	6/18/2004 1:28:00 PM	LYNN NIHIPALI	5

23)NO CHANGE, STRUCTURES, WINDOW ON SOUTH SIDE BROKEN ND OPEN, GARAGE STILL OPEN FULL OF REFUSE, RE DAVE SEMENZA. RECEIVED E-MAIL FROM KATHY IN OFFIE THAT KIDS CRAWLING THROUGH S SIDE WINDOWS.

MISC	6/16/2004 1:46:00 PM	LAURA DEARMOND	0

Ld) GAVE FILE TO 23 TO DO ANOTHER INSPECTION PER D.S.

EMAIL	6/1/2004 10:33:00 AM	LAURA DEARMOND	0

Ld) SENT EMAIL TO D.S. Do you want 1913 S 11th St awarded?

REC'D BIDS (1)K O CONSTRUCTION $1,269.00 (2)WEAVER INC $1,350.00

BIDR	6/1/2004 7:24:00 AM	LAURA DEARMOND	0

Ld) REC'D BIDS (1)K O CONSTRUCTION $1,269.00 (2)WEAVER INC $1,350.00

BIDS	5/25/2004 8:45:00 AM	LAURA DEARMOND	0

Ld) FAXED BID TO CONTRACTORS; DUE BACK 5/28

INSP	5/24/2004 3:10:00 PM	LAURA DEARMOND	0

24) ...DIGITAL PIX IN FILE TOO

INSP	5/24/2004 3:10:00 PM	LAURA DEARMOND	16

24) THE PERIMETER IS SECURE W/GATES PAD-LOCKED BUT SOMEONE IS JUMPING WALL & HAS PULLED DOWN A BOARD & BROKEN WINDOW ON S/SIDE OF HOUSE, THEY HAVE OPENED THE DETACHED GARAGE AGAIN & GRAFFITI SCATTERED ON WALL & HOUSE, FILE TO LD & TAPE TO DS (CONT...)

INSP	5/14/2004 10:04:00 AM	KATHY STEWART	5

23) Garage & main structure still open. Refer to #24 for abatement. No compliance. $75 fee.

NOPOST	5/3/2004 1:15:00 PM	LYNN NIHIPALI	5

23)N&O POSTED ON FRONT OF STRUCTURE, CB 5/14

INSP	5/3/2004 1:15:00 PM	LYNN NIHIPALI	5

23)NO COMPLIANCE. STILL OPEN.

NOTICE	4/30/2004 8:26:00 AM	LAURA DEARMOND	0

Ld) SENT N&O TO OWNER: JAMES KENT; POST 5/3; CB 5/14

NOREQ	4/29/2004 8:25:00 AM	LAURA DEARMOND	0

23) N&O REQUESTED

INSP	4/28/2004 12:10:00 PM	LAURA DEARMOND	15

23) TOOK PIX, WEEDS REMOVED, GARAGE NOW OPEN, WINDOW BROKEN S/SIDE OF STRUCTURE, SEND N&O PER 24

INSP	4/25/2004 4:20:00 PM	LAURA DEARMOND	6

24) WEEDS/DEBRIS REMOVED BUT THE GARAGE STRUCTURE IS OPEN NOW...REFER TO 23 FOR DANG BLDG

PHONE	4/19/2004 10:59:00 AM	DAVID SEMENZA	0

DS] fATHER OF OWNER CALLED SAID ALL CLEAN.

INSP	4/12/2004 1:05:00 PM	LAURA DEARMOND	5

23) NO COMPLIANCE PROCEED W/ABATEMENT

FEE	4/9/2004 1:20:00 PM	JESSICA LARRAMENDY	0

JL) Waived fee per DS request.

PHONE	4/9/2004 11:22:00 AM	DAVID SEMENZA	0

ds spoke with owners father, he will clean property if owner doesn't respond.

MISC	4/7/2004 9:35:00 AM	KATHY STEWART	0

Received Certified letter back from owner Return to Sender, Insufficent Address.. Sent card to C/E for filing.

INSP	4/1/2004 1:27:00 PM	KATHY STEWART	4

23) Spoke with neighbor, posted N&O on front of structure. C/B 4/12.

LETTER	3/31/2004 4:32:00 PM	KATHY STEWART	0

N&O letter attached in OLE.

NOTICE	3/31/2004 4:00:00 PM	KATHY STEWART	25

Sent Nuisance/Litter Abatement Notice & Order to Comply letter to owner, James R. Kent, 1891 North Sharon St., Pahrump, NV & to 3030 Palomino Lane, Las Vegas, NV. Post: 4/2. C/B: 4/12. Sent file to #23.

VOICE	3/31/2004 11:20:00 AM	MARIA VIGIL	0

COMPLAINANT SAYS THE WEEDS ARE STILL HIGH. LOOKS MESSY FOR THE NEIGHBORHOOD.

NOREQ	3/30/2004 9:25:00 AM	KATHY STEWART	0

23) Prepared N&O, forwarded to office for processing.

INSP	3/29/2004 10:00:00 AM	KATHY STEWART	4

23) Structure secured, weeds. trash & debris remain. Send N&O. Took Pix.

PHONE	3/18/2004 12:49:00 PM	SHIRLEY WARMOUTH	0

CALLER (FATHER) STATED THE CORRECT ADDRESS FOR THE OWNER IS: JAMES R. KENT'S ADDRESS AS OWNER IS: 1891 N SHARON ST., PAHRUMP, NV 89060

INSP	3/16/2004 1:15:00 PM	LYNN NIHIPALI	5

21) HIGH WEEDS IN FRONT. SIDE AREA ALONG STREET LINE. PROPERTY VACANT/SECURE. WILL SEND CN TO OWNER IF NO RESPONSE. WE WILL ASK RRT TO ABATE. CB 3/29

INSP	8/12/1940 9:06:00 AM	LYNN NIHIPALI	33661447

23)TOOK PHOTOS, BOARDING OFF FRONT DOOR, BUT SEVERED, POWER IS ON , LOOKS LIKE THEY MIGHT BE STARTING REHAB. EMAILED DAVE AND PAM (GRAFFITI ON BLDG AND BLOCK WALL

Time in minutes: 33661579

APN 162-03-704-008
Ref # - 11036

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **JAMES R. KENT**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN** 162-03-704-008
Commonly known as:	**1913 SOUTH 11TH STREET**
Legal Description:	**PT NE4 SE4**
	SEC 03 21 61

On **September 11, 2004**, as provided in the Municipal Code, 16.08, Section 302, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **$1,784.35** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on **November 17, 2004**, ordered the above charges in the amount of **$1,784.35**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 23rd day of November, 2004

NOTARY PUBLIC, in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005
No. 93-4081-1

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101

City of Las Vegas

Agenda Item No. 88

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Public hearing to consider the report of expenses to recover costs for abatement of dangerous building/demolition at 4312 Dover Place. PROPERTY OWNER: DIMPLE LEE KEPLINGER - Ward 1 (Moncrief)

Fiscal Impact:

☐	**No Impact**	**Amount:**	$31,006.30
☒	**Budget Funds Available**	**Dept./Division:**	Neigh. Services/Response
☐	**Augmentation Required**	**Funding Source:**	General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired K.O. Construction to remove fire debris, Tiberti Fence Company to secure the property, Ninyo & Moore to provide asbestos survey and Weaver Inc. to demolish the structure, remove trash and debris, etc. from the premises/property, and post "No Trespassing" signs.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of $31,006.30 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosures
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

MOTION:

MONCRIEF - APPROVED the recommendation of staff - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

NOTE: Video was shown but not submitted.

MAYOR PRO TEM REESE declared the Public Hearing open.

STEPHEN HARSIN, Deputy Director, Neighborhood Services, presented a video of the subject property and recommended the City Council approve the report of expenses in the amount of $31,006.30; $22,770 to Weaver Inc. $1,202 to Tiberti Fence Company, $690 to Ninyo and Moore, $2,300 to KO Construction and $4,044.30 for the 15 percent administrative fee. He stated the charges should be filed and recorded against the property, constituting a special assessment and lien and to be filed and recorded with the County Treasurer's Office. MR. HARSIN recommended approval.

MINUTES - Continued:

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.
(1:21 - 1:23)
2-475

City of Las Vegas

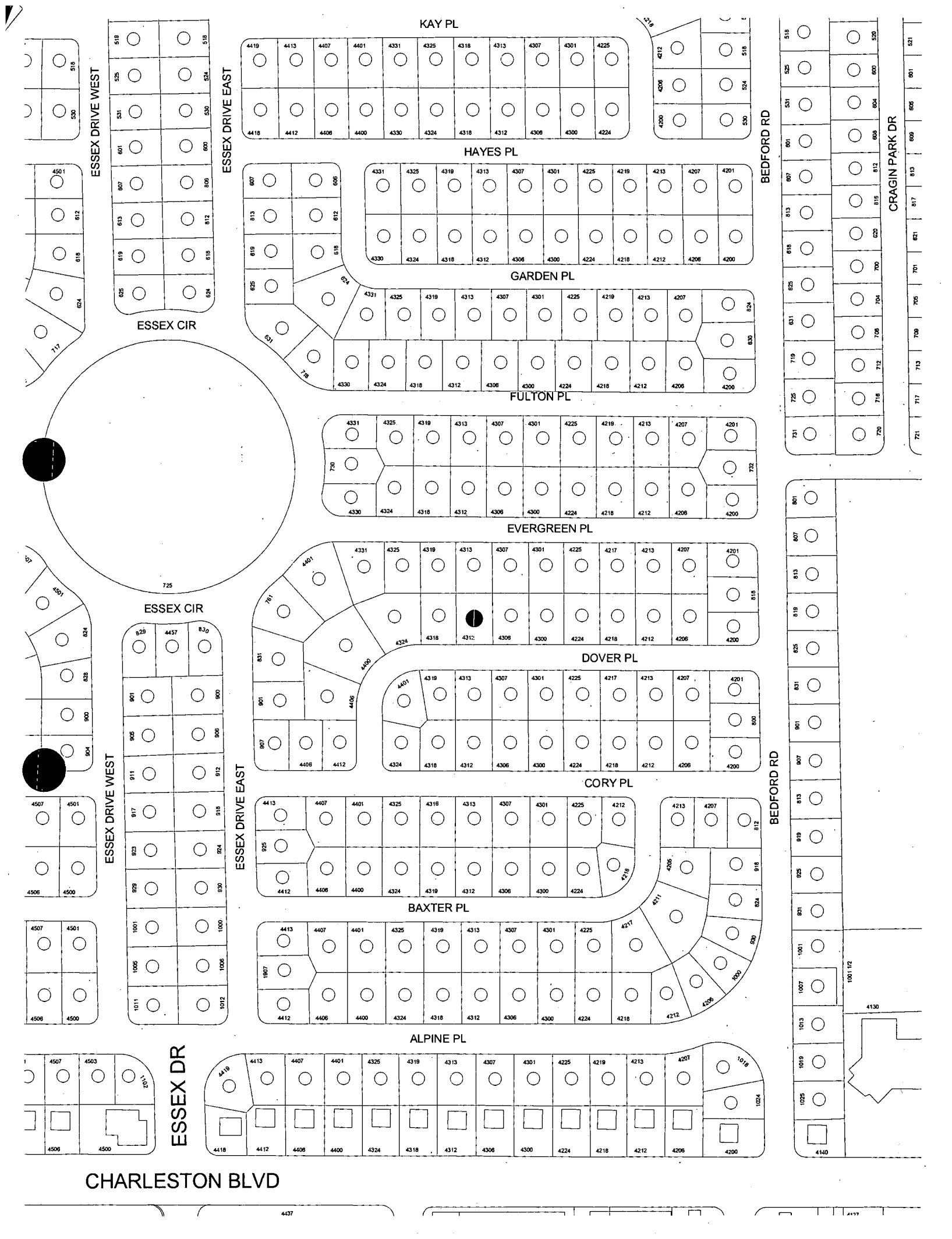
AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building/demolition located at 4312 Dover Place. PROPERTY OWNER: DIMPLE LEE KEPLINGER – Ward 1 (Moncrief)

Weaver Inc. completed work on September 13, 2004 at a cost of $22,770.00, Tiberti Fencing (securing the property) on June 3, 2004 at a cost of $1,202.00, Ninyo & Moore completed asbestos survey on June 25, 2004 at a cost of $690.00 and K.O. Construction cleaned up fire debris on May 19, 2004 at a cost of $2,300.00 plus a 15% administrative fee, for a total of $31,006.30.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of "Dangerous Building/Demolition", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.


KAY PL
HAYES PL
GARDEN PL
FULTON PL
EVERGREEN PL
DOVER PL
CORY PL
BAXTER PL
ALPINE PL
ESSEX DRIVE WEST
ESSEX DRIVE EAST
ESSEX CIR
ESSEX DR
BEDFORD RD
CRAGIN PARK DR
CHARLESTON BLVD

Memorandum

City of Las Vegas
Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: Orlando Sanchez, Director – Neighborhood Response Division

CC: File

Date: October 25, 2004

Re: Report of Expenses for the abatement of Dangerous Building located at 4312 Dover Place - Ward 1 (Moncrief)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Dangerous Building/Demolition," the Department of Neighborhood Services caused the above-referenced property to be corrected by hiring K.O. Construction to remove fire debris, Tiberti Fence Company to secure the property, Ninyo & Moore to provide asbestos survey and Weaver Inc. to demolish the structure, remove trash and debris, etc from the premises/property, and post "No Trespassing" signs. The abatement was completed on September 13, 2004 at a cost of $26,962.00, which was accepted by the Department of Neighborhood Services.

Contract Amount:

K.O. Construction	$ 2,300.00
Tiberti Fence Company.....	1,202.00
Ninyo & Moore.....	690.00
Weaver Inc.	22,770.00
AMOUNT DUE.....	26,962.00
Administrative processing fee	4,044.30
TOTAL AMOUNT DUE	$31,006.30

OWNER OF RECORD: DIMPLE LEE KEPLINGER

PROPERTY ABATED: 4312 Dover Place

ASSESSOR'S PARCEL: 139-31-411-120

LEGAL DESCRIPTION: HYDE PARK SUB #1
PLAT BOOK 3 PAGE 56
LOT 117 BLOCK 5

OS:jl

EXHIBIT A

DISCLOSURE OF PRINCIPALS

The principals and partners of K.O. CONSTRUCTION INC and all persons and entities holding more than a 1% interest in K.O. CONST INC or any principal of K.O. CONSTRUCTION INC are the following:

FULL NAME	BUSINESS ADDRESS	BUSINESS PHONE
1. CHRIS HARRISON	4855 W. MAULDING AVE	702-361-4221
2. EDWARD KOPF	LAS VEGAS, NV 89139	
3. ROSE KOPF		
4.		
5.		
6.		

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete.

K.O. CONSTRUCTION INC

By:

Subscribed and sworn to before me this 29 Day of October 1999.

Nancy Nickle
Notary Public

NANCY NICKLE
Notary Public - Nevada
No. 88-1453-1
My appt. exp. May 15, 2002

Ninyo & Moore
3155 E Patrick Ln, Suite 12
Las Vegas, NV 89120

Disclosure of Principals

The principals and partners of *Ninyo & Moore*, and all persons and entities holding more than ' % interest in *Ninyo & Moore or* any principal of *Ninyo & Moore* are the following:

	Full Name	Business Address	Business Phone
1.	Avram Ninyo	5710 Ruffin Road, San Diego, California 92123	(858) 576-1000
2.			
3.			
4.			
5.			
6.			
7.			

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete

Ninyo & Moore

By: _____

STATE OF NEVADA)
)
COUNTY OF CLARK)

Subscribed and sworn to before me, a Notary Public, on this 21st day of May, 2002.

NOTARY PUBLIC
County of Clark-State of Nevada
LOUISE T. KIDD
No. 98-4924-1
My Appointment Expires Oct. 11, 2002

Louise T Kidd

NOTARY PUBLIC in and for said County and State

WEAVER CONSTRUCTION
"GENERAL ENGINEERING"
2590 NORTH NELLIS BLVD.
LAS VEGAS, NEVADA 89115

EXHIBIT A

DISCLOSURE OF PRINCIPALS

The principals and partners of Weaver Construction and all persons and entities holding more than a 1% interest in Weaver Construction or any principal of Weaver Construction are the following:

FULL NAME	BUSINESS ADDRESS	BUSINESS PHONE
1. Phil Weaver	2590 N. Nellis Blvd. LV, NV	644-1088
2.		
3.		
4.		
5.		
6.		

Continue list until full and complete disclosure is made

I certify under penalty of perjury, that the foregoing list is full and complete.

Weaver Construction

BY: Phyllis Weaver
Phyllis Weaver, Office Mgr.

Subscribed and sworn to before me
this 28 day of October, 1999.

Stephanie D. Dunn
Notary Public

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
STEPHANIE D. DUNN
Appt. No. 91-2737-1
My Appointment Expires March 1, 2000

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

NOTICE OF PUBLIC HEARINGS
NOVEMBER 17, 2004

Pursuant to Section 302 of the Uniform Code for the Abatement of Dangerous Buildings adopted as Section 16.08 of the Las Vegas Municipal Code. NOTICE IS HEREBY GIVEN THAT ON **Wednesday, November 17, 2004,** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

> Abatement of the property by hiring K. O. Construction to remove fire debris, Tiberti Fence Company to secure the property, Ninyo & Moore to provide an asbestos survey and Weaver, Inc. to demolish the structure, remove trash and debris, etc. from the premises/property, and post "No Trespassing" signs on property located at **4312 DOVER PLACE** legally described as **HYDE PARK SUB #1, PLAT BOOK 3 PAGE 56, LOT 117 BLOCK 5**. Owner of record at time of abatement: **DIMPLE LEE KEPLINGER – WARD 1 (MONCRIEF)**
>
> The Director of Neighborhood Services certifies in the report that the sum of $31,006.30 was expended ($26,962.00 to K. O. Construction, Tiberti Fence Company, Ninyo & Moore and Weaver, Inc. for cleaning and boarding the property; and $4,044.30 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-6/04

CASENO 14453 CODEENF **02422-84**

Address: **4312 DOVER PL**

CLV
26402

PER PAM - PLEASE CREATE CASE FOR DEMO/DANG BLDG DUT TO FIRE DAMAGE, PER SR INSP THOM COOLEY'S REPORT DATED 5/5/04 THANKS. ASSIGN TO 22 SO SHE CAN TAKE PICS. This is now a CAR 5/17 - would like an update see contacts

Parcel(s)

Parcel:	*Size:*	*Subdivision Name:*
13931411120	0.17 ACRE	HYDE PARK SUB #1

Owner Information:

10-Aug-02 KEPLINGER DIMPLE LEE

4312 DOVER PL; LAS VEGAS, NV 89107-4241

Inspection Summary

Inspector:	*Status:*		*Scheduled DT:*	*Start Dt:*	*Comp DT:*	*Min:*
960077	Failed		5/11/2004	05/10/2004 16:29	05/10/2004 16:34	5
960077	Passed	Partial	6/2/2004	06/02/2004 15:13	06/02/2004 15:15	2
870076	Passed	Partial	6/16/2004	06/09/2004 8:15	06/09/2004 8:23	8
980036	Passed	Partial	7/8/2004	07/26/2004 12:45	07/26/2004 12:53	8
870076	Passed	Partial	9/21/2004	09/07/2004 12:10	09/07/2004 12:19	9
870076	Passed		9/21/2004	09/20/2004 10:31	09/20/2004 10:40	9
870076	Closed		10/20/2004	09/21/2004 13:44	09/21/2004 13:44	0
					Time in Minutes:	41

Violation Details

Violation	*Violation DT*	*Resolve DT*	*Location:*
A-BLD DNGR	5/11/2004	9/20/2004	TOTAL BURN OUT, STRUCTURE APPEARS UNSOUND

Log

Type:	*Date:*	*Employee:*	*Min:*
MISC	9/28/2004 6:56:00 AM	KATHY STEWART	0
Forwarded Invoice ($22,770) from Weaver, Inc. to Finance for payment. Sent file to Laura deArmond for Council.			
PHONE	9/22/2004 10:08:00 AM	JESSICA LARRAMENDY	0
JL) Explained process of abatement and lien to Dimple Keplinger. She gave me address to mail letters to regarding Council hearing date please use this address: 3308 Pioneer Dr, Bakersfield, CA 93306.			
INSP	9/20/2004 10:31:00 AM	KATHY STEWART	9
24) Demo complete. No trespassing sign posted. The temp chainlink fencing is still on site,pad locked. POST VIDEO COMPLETE.			
VIDREQ	9/20/2004 7:48:00 AM	KATHY STEWART	0
Sent Video Request to Pam Hines.			
MISC	9/20/2004 7:39:00 AM	KATHY STEWART	0
Received Invoice ($22,770) from Weaver, Inc. for completion of demolition & removal of trash/debris.			
PHONE	9/14/2004 10:30:00 AM	PAMELA HINES	6
24)SPOKE W/DIMPLE KEPLINGER. SHE STATES SHE DIDN'T GET NOTICE RE DEMO,ONLY FENCING. ADVISED HER GREEN CARD ACKNOWLEDGED SHE REC'D DEMO N&O & FENCING WAS JUST PART OF THAT NOTICE. HER# IS 480-3381.			
MISC	9/9/2004 1:14:00 PM	KATHY STEWART	0
Sent Invoice ($1,202.00) from Tiberti Fence Company to Finance for payment. (Installation of rental fence).			

INSP	9/7/2004 12:10:00 PM	KATHY STEWART	14409

24) Second Pre-Video was done on 9/7. Fire damage remains, asbestor survey completed. Dozer on site. Tape to Orlando Sanchez.

PHONE	8/26/2004 11:11:00 AM	KATHY STEWART	0

Received telephone call from Phyllis w/Weaver, 644-1088, stating that the asbestos removal has been completed & is waiting for a report from Ninyo & Moore; then will get her demo permit.

PHONE	8/11/2004 9:00:00 AM	KATHY STEWART	10

Phyllis with Weaver called & said start date to demo the property will be week of 8/23.

MISC	8/2/2004 11:04:00 AM	JESSICA LARRAMENDY	0

JL) Paid invoice to Ninyo & Moore in the amount of $690.00

PHONE	7/30/2004 9:30:00 AM	KATHY STEWART	0

Phyliss w/Weaver Inc. call and said the start date will be around August 16. They have to wait for an asbesto report, which takes ten days & then she has do her paperwork for the demo. Phyliss said she will keep me advise of status.

BIDA	7/27/2004 3:08:00 PM	KATHY STEWART	0

Faxed Award letter to Weaver, Inc. Contractor to call with a start date.

DIRECT	7/27/2004 12:04:00 PM	KATHY STEWART	0

Per David Semenza, Award bid for demolition to lowest bidder, Weaver, Inc.

BIDR	7/27/2004 11:29:00 AM	KATHY STEWART	0

Received bids from contractors (1) Weaver Construction-$22,770; (2) Soil Solution-$23,050; (3) K.O. Construction-$25,869.

INSP	7/26/2004 12:45:00 PM	VICTORIA ROSEMORE	8

16) SECURED TEMP FENCE WITH 2 CHAINS AND PADLOCKS AS REQUESTED BY DS. KEYS TURNED INTO 24.

FAX	7/16/2004 7:15:00 AM	LAURA DEARMOND	0

Ld) ASBESTOS SURVEY NOT FAXED W/BID, FAXED SURVEY TO CONTRACTORS, DUE BACK 7-23

BIDS	7/12/2004 11:39:00 AM	KATHY STEWART	0

Faxed Invitation to Bid - Demolition of property to contractors. Bids due back Friday, 7/16. Sent file to Laura deArmond to follow-up with bid results.

DIRECT	7/9/2004 8:00:00 AM	KATHY STEWART	5

Per Daivd Semenza, get demo bids.

MISC	7/7/2004 2:19:00 PM	LAURA DEARMOND	0

Ld) SENT K O CONSTRUCTION INVOICE $2,300.00 TO FINANCE

BIDA	6/25/2004 9:18:00 AM	LAURA DEARMOND	0

Ld) ASBESTOS SURVEY AWARDED TO NINYO & MOORE

BIDR	6/23/2004 10:33:00 AM	LAURA DEARMOND	0

Ld) REC'D ASBESTOS SURVEY BIDS (1)NINYO & MOORE $690.00 (2)BROADBENT & ASSOC $900.00

MISC	6/18/2004 3:34:00 PM	LAURA DEARMOND	0

Ld) REC'D CERT CARD FROM OWNER DIMPLE KEPLINGER

BIDS	6/17/2004 10:31:00 AM	LAURA DEARMOND	1

Ld) FAXED ASBESTOS SURVEY BID TO CONTRACTORS; DUE BACK 6/22

RECORD	6/15/2004 2:20:00 PM	JESSICA LARRAMENDY	0

JL) RECORDED N&O AT CLARK COUNTY: BOOK: 20040615 INST: 02948.

INSP	6/9/2004 8:15:00 AM	LAURA DEARMOND	8

24) PRE-VIDEO COMPLETED FOR DEMO. EXTENSIVE FIRE DAMAGE. PERIMETER IS TEMP. FENCED. A COUPLE OF WINDOWS HAVE BEEN BOARDED (?) WHY? I DON'T KNOW. TAPE TO DS, LD HAS FILE.

MISC	6/3/2004 9:42:00 AM	FABIANA AXELROD	0

22)CASE REFERRED TO LD TO CONTINUE ABATEMENT.

INSP	6/2/2004 3:13:00 PM	FABIANA AXELROD	2

22)TRAVEL TRAILER HAS BEEN REMOVED AND THE PROPERTY PARAMETER IS NOW FENCED AND SECURED.PIX.

MISC	6/1/2004 8:02:00 PM	FABIANA AXELROD	0

22)PER PH,TIBERTI IS TO FENCE AREA AND OBTAIN PERMITS,I WILL DO A F/U INSPECTION ON 6/2/04

DIRECT	6/1/2004 3:54:00 PM	ERIN HERNANDEZ	0

NEED STATUS OF CASE FOR CAR UPDATE THANK YOU

VOICE	5/28/2004 9:19:00 AM	MARIA VIGIL	0

DEBBIE BAKER, 258-1098, SAID KIDS ARE PLAYING INSIDE THIS HOUSE, IT IS ALSO ATTRACTING VAGRANTS.

EMAIL	5/21/2004 10:28:00 AM	DAVID SEMENZA	0

[Thomas Cooley]
David
Let me remind you of this mess we've had for years, which is still there.
This is total burn out.an imminent hazard and a public nuisance.
It has been red tagged, 5/5/04

Thank You Thom C

EMAIL	5/20/2004 8:33:00 AM	DAVID SEMENZA	0

Dave,

Based on the Fire Inspector's report, I would make an official declaration of imminent hazard. We will support any action to mitigate this hazard.

Jeff Donahue
Deputy Fire Marshal
Las Vegas Fire & Rescue
(702) 229-0344
jdonahue@lasvegas

BIDA	5/19/2004 3:42:00 PM	LAURA DEARMOND	0

Ld) AWARDED TO K O CONSTRUCTION, WILL CLEAN FIRE DEBRIS SO FENCE CAN BE INSTALLED 5-20

BIDR	5/19/2004 3:00:00 PM	LAURA DEARMOND	0

Ld) REC'D BID FROM K O CONSTRUCTION $1900 TO CLEAN FIRE DEBRIS & $400 TO REMOVE BURNED OUT MOTOR HOME

BIDS	5/19/2004 7:05:00 AM	LAURA DEARMOND	0

Ld) FAXED BID TO CONTRACTORS TO CLEAN FIRE DEBRIS FROM AROUND THE BLDG; DUE NOON TODAY; WORK TO BEGIN WED OR THURS

INSP	5/18/2004 10:25:00 AM	VICTORIA ROSEMORE	16

16/KO) MEASURED PERIMETER OF PARCEL AS REQUESTED BY DS. 74' SOUTH SIDE ALONG ROW, 104' EAST SIDE YARD (BLOCKED BY FIRE DEBRIS), 26' WEST SIDE YARD (FRONT TO HOUSE), NORTH SIDE COULD NOT MEASURE DO TO FIRE DAMAGE. CALLED ADVISED DS ON-SITE.

CONTCT	5/17/2004 11:22:00 AM	ERIN HERNANDEZ	0

This is now a CAR please update complainant -
Davi-May Messinger 870-0735

MISC	5/17/2004 10:35:00 AM	LAURA DEARMOND	0

Ld) REC'D DEMO LETTER BACK FROM PAUL WILKINS; POST 5/17; CB 5/28

NOREQ	5/11/2004 1:08:00 PM	LAURA DEARMOND	0

24) SEND N&O DEMO DANG BLDG, PERIMETER TO BE TEMP FENCED UNTIL DEMO TO PREVENT ACCESS TO MINORS

INSP	5/10/2004 4:29:00 PM	LAURA DEARMOND	5

22/04THOM COOLEY TOTAL BURN OUT, STRUCTURE APPEARS UNSOUND, REQUIRES N&O FOR DEMO

Time in minutes: **14479**

APN 139-31-411-120
Ref # - 14453

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **DIMPLE LEE KEPLINGER**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 139-31-411-120**
Commonly known as:	**4312 DOVER PLACE**
Legal Description:	**HYDE PARK SUB #1**
	PLAT BOOK 3 PAGE 56
	LOT 117 BLOCK 5

On **September 13, 2004**, as provided in the Municipal Code, 16.08, Section 302, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **$31,006.30** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on **November 17, 2004**, ordered the above charges in the amount of **$31,006.30**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 23rd day of November, 2004

NOTARY PUBLIC, in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005
No. 93-4081-1

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101

City of Las Vegas

Agenda Item No. 89

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Public hearing to consider the report of expenses to recover costs for abatement of dangerous building at 504 Rose Street. PROPERTY OWNER: MATHEW OSAYAREN - Ward 5 (Weekly)

Fiscal Impact:

☐	**No Impact**	**Amount:**	$1,762.50
☒	**Budget Funds Available**	**Dept./Division:**	Neigh. Services/Response
☐	**Augmentation Required**	**Funding Source:**	General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired Weaver Inc., to board and secure the detached garage, remove all refuse/waste and litter including concrete blocks, pallets, wood, lumber, plywood, boxes, doors, cans, bottles, paper, and branches from the property and post "No Trespassing" signs.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of $1,762.50 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

MOTION:

REESE - APPROVED the recommendation of staff - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

NOTE: Video was shown but not submitted.

MAYOR PRO TEM REESE declared the Public Hearing open.

STEPHEN HARSIN, Deputy Director, Neighborhood Services, presented a video of the subject property and recommended the City Council approve the report of expenses in the amount of $1,762.50; $1,250 to Weaver Inc. a boarding fee of $325 and $187.50 for the 15 percent administrative fee. He stated the charges should be filed and recorded against the property, constituting a special assessment and lien to be filed and recorded with the County Treasurer's Office. MR. HARSIN recommended approval.

No one appeared in opposition.

MINUTES - Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed.
(1:23 - 1:24)
2-526

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 504 Rose Street.
PROPERTY OWNER: MATHEW OSAYAREN – Ward 5 (Weekly)

Weaver Inc., completed work on September 13, 2004 at a cost of $1,250.00, a boarding fee of $325.00, plus a 15% administrative fee, for a total of $1,762.50.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of "Dangerous Building", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.


TONOPAH DR
PARK WAY EAST
BEAUMONT ST
ARNOLD ST
VANDALIA ST
DEAUVILLE DR
ROSE ST
SHADOW LN
HAMILTON LN
CENTER ST
PINTO LN
ALTA DR

Memorandum

City of Las Vegas
Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: Orlando Sanchez, Director – Neighborhood Response Division

CC: File

Date: October 25, 2004

Re: Report of Expenses for the abatement of Dangerous Building located at 504 Rose Street - Ward 5 (Weekly)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Dangerous Building," the Department of Neighborhood Services caused the above-referenced property to be corrected by boarding and securing the detached garage, removing all refuse/waste and litter including concrete blocks, pallets, wood, lumber, plywood, boxes, doors, cans, bottles, paper, and branches from the property and posting "No Trespassing" signs. Weaver Inc., completed work on September 13, 2004 at a cost of $1,250.00, which was accepted by the Department of Neighborhood Services.

Contract Amount	$ 1,250.00
AMOUNT DUE	1,250.00
Boarding Fee	325.00
Administrative processing fee	187.50
TOTAL AMOUNT DUE	$1,762.50

OWNER OF RECORD: MATHEW OSAYAREN

PROPERTY ABATED: 504 Rose Street

ASSESSOR'S PARCEL: 139 33 301 009

LEGAL DESCRIPTION: PT NW4 SW4
SEC 33 20 61

OS:jl

WEAVER CONSTRUCTION
"GENERAL ENGINEERING"
2590 NORTH NELLIS BLVD.
LAS VEGAS, NEVADA 89115

EXHIBIT A

DISCLOSURE OF PRINCIPALS

The principals and partners of Weaver Construction and all persons and entities holding more than a 1% interest in Weaver Construction or any principal of Weaver Construction are the following:

FULL NAME	BUSINESS ADDRESS	BUSINESS PHONE
1. Phil Weaver	2590 N. Nellis Blvd. LV, NV	644-1088
2.		
3.		
4.		
5.		
6.		

Continue list until full and complete disclosure is made

I certify under penalty of perjury, that the foregoing list is full and complete.

Weaver Construction

BY: Phyllis Weaver
Phyllis Weaver, Office Mgr.

Subscribed and sworn to before me
this 28 day of October, 1999.

Stephanie D. Dunn
Notary Public

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
STEPHANIE D. DUNN
Appt. No. 91-2737-1
My Appointment Expires March 1, 2000

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
AWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

NOTICE OF PUBLIC HEARINGS
NOVEMBER 17, 2004

Pursuant to Section 302 of the Uniform Code for the Abatement of Dangerous Buildings adopted as Section 16.08 of the Las Vegas Municipal Code. NOTICE IS HEREBY GIVEN THAT ON **Wednesday, November 17, 2004,** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

> Abatement of the property by boarding and securing the detached garage, removing all refuse waste and litter including concrete blocks, pallets, wood, lumber, plywood, boxes, doors, cans, bottles, paper and branches from the property and posting "No Trespassing" signs on property located at **504 ROSE STREET** legally described as **PT NW4 SW4 SEC 33 20 61.** Owner of record at time of abatement: **MATHEW OSAYAREN – WARD 5 (WEEKLY)**
>
> The Director of Neighborhood Services certifies in the report that the sum of $1,762.50 was expended ($1,250.00 to Weaver, Inc. for cleaning and boarding the property; $325.00 Boarding Fee and $187.50 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-6/04

CASENO 15020 CODEENF **02424-51**

Address: **504 ROSE ST** **CITZ**

HOUSE WITH JUST CHIMNEY AND FOUNDATION, HIGH WEEDS SEE COMP #032703-042 (STILL OPEN). COMPLAINANT IS WONDERING WHEN SOMETHING WILL BE DONE ABOUT THIS EYESORE (AND WOULD LIKE WEEDS CUT)

Parcel(s)

Parcel:	*Size:*	*Subdivision Name:*
13933301009	0.23 ACRE	PT NW4 SW4 SEC 33 20 61

Owner Information:

10-Aug-02	16-Jun-04	OSAYAREN MATHEW 10050 S EASTERN AVE #160; HENDERSON, NV 89052
16-Jun-04	28-Jul-04	OSAYAREN MATHEW 9817 BISCAYNE LN; LAS VEGAS, NV 89117
28-Jul-04		OSAYAREN MATHEW 504 ROSE ST; LAS VEGAS, NV 89106-4021

Inspection Summary

Inspector:	*Status:*		*Scheduled DT:*	*Start Dt:*	*Comp DT:*	*Min:*
880076	Failed		5/17/2004	05/17/2004 7:37	05/17/2004 7:47	10
880076	Passed	Partial	6/1/2004	05/19/2004 9:34	05/19/2004 9:39	5
880076	Failed		6/4/2004	06/09/2004 9:12	06/09/2004 9:16	4
870076	Passed	Partial	6/11/2004	06/28/2004 12:36	06/28/2004 12:47	11
880076	Passed	Partial	7/12/2004	07/01/2004 8:59	07/01/2004 9:05	6
880076	Failed		7/12/2004	07/12/2004 8:25	07/12/2004 8:29	4
880076	Failed		7/14/2004	07/16/2004 14:12	07/16/2004 14:22	10
880076	Passed	Partial	8/20/2004	08/20/2004 14:07	08/20/2004 14:10	3
880076	Failed		8/24/2004	08/27/2004 8:00	08/27/2004 8:05	5
880076	Passed	Partial	9/14/2004	09/14/2004 8:36	09/14/2004 8:40	4
870076	Passed		9/16/2004	09/15/2004 8:01	09/15/2004 8:09	8
880076	Passed	Partial	9/20/2004	09/10/2004 9:20	09/10/2004 9:27	7
					Time in Minutes:	77

Violation Details

Violation	*Violation DT*	*Resolve DT*	*Location:*
A-WEEDS	5/17/2004	9/15/2004	HIGH VEG ON PROPERTY
A-REFUSE/WST	5/17/2004	9/15/2004	CONCRETE BLOCKS, PALLETS, WOOD, LUMBER, PLYWOOD, BOXES, DO
A-LITTER	5/17/2004	9/15/2004	PAPER & SCATTERED LITTER ON PROPERTY.
A-BLD DNGR	5/17/2004	9/15/2004	GARAGE OPEN

Log

Type:	Date:	Employee:	Min:
MISC	9/24/2004 1:28:00 PM	LAURA DEARMOND	0
Ld) SENT WEAVER INVOICE $1,250.00 TO FINANCE			
INSP	9/15/2004 8:01:00 AM	LAURA DEARMOND	0
24).....R/W REMOVED. LOT IS CLEAN. A "NO TRESPASSING" SIGN HAS NOT BEEN POSTED BUT THERE IS A "NO TRESPASSING CALL POLICE" NOTICE PAINTED ON THE FIREPLACE/CHIMNEY THAT STANDS IN MIDDLE OF LOT WHERE THE HOUSE USED TO BE			
INSP	9/15/2004 8:01:00 AM	LAURA DEARMOND	8
24) ALL WEEDS/HIGH VEG SCRAPED & REMOVED. DILAPIDATED CHAIN LINK FENCING REMOVED. THE GARAGE STRUCTURE IS BOARDED SECURE TO SPEC (THE 2 BOARDS ARE NOT PAINTED BUT THIS STRUCTURE SETS BACK IN REAR OF LOT & THE BOARDS DO NOT FACE THE STREET) ALL (CONT....)			
INSP	9/14/2004 8:36:00 AM	VICTORIA ROSEMORE	4
23) PROPERTY CLEANED, GARAGE SECURED BY WEAVER. TOOK PHOTOS. RE-24.			
VIDREQ	9/13/2004 11:27:00 AM	LAURA DEARMOND	0
Ld) SPOKE W/PHYLLIS FROM WEAVER, SHE HAS COMPLETED ABATEMENT, SENT VIDEO REQUEST TO P.H.			
INSP	9/10/2004 9:20:00 AM	LYNN NIHIPALI	7
23)MET WITH WEAVER CONST ON SITE ABATEMENT IN PROGRESS, CB 9/14			
MISC	9/8/2004 10:50:00 AM	LAURA DEARMOND	0
Ld) WEAVER WILL START ABATEMENT FRIDAY 9-10			
PHONE	8/31/2004 8:45:00 AM	MARIA VIGIL	6
23) CALLED PHILLIS, 644-1088, WITH WEAVER CONST. WITH START DATE. LEFT MESSAGE. C/B 9/10			
INSP	8/27/2004 8:00:00 AM	LYNN NIHIPALI	5
23)STILL UNABATED, EMAILED LAURA TO SEND FOR BIDS, 45.00 FEE RE LAURA			
INSP	8/20/2004 2:07:00 PM	LYNN NIHIPALI	3
23)PROPERTY TRASHED, WEEDS, GARAGE STILL OPEN CB 8/27			
RECORD	8/12/2004 3:16:00 PM	JESSICA LARRAMENDY	0
JL) Recorded N&O at Clark County. Book: 20040812 Inst: 02480.			
MISC	8/9/2004 11:29:00 AM	KATHY STEWART	0
Sent file to Laura deArmond.			
LETTER	8/9/2004 10:27:00 AM	KATHY STEWART	0
Award letter attached in OLE.			
BIDA	8/9/2004 10:26:00 AM	KATHY STEWART	0
Faxed Award letter to Weaver, Inc. Contractor to call with a start date.			
DIRECT	8/9/2004 8:23:00 AM	KATHY STEWART	0
Per David Semenza, Send Award letter to lowest bidder, Weaver, Inc.			
BIDR	8/9/2004 7:00:00 AM	KATHY STEWART	0
Received bids from contractors (1) Weaver, Inc. - $1,250; (2) K.O. Construction - $1,569; (3) C&W Enterprises - $2,200.			
BIDS	8/2/2004 8:54:00 AM	KATHY STEWART	0
Faxed Invitation to Bid to contractors. Bids due back close of business on Friday, 8/6.			
DIRECT	7/30/2004 3:43:00 PM	KATHY STEWART	0
Per David Semenza, Send Invitation to Bid to contractors (boarding/cleaning).			
INSP	7/16/2004 2:12:00 PM	KATHY STEWART	10
23) No complaince, owner was notified by phone, 492-1010, that we would be sending out for bid. Never called me back, no response to call. Proceed with abatement. Refer to LD per PH			
MISC	7/13/2004 10:36:00 AM	KATHY STEWART	0
Received Certified Card back signed. Sent card to C/E for filing.			
CONTCT	7/12/2004 8:25:00 AM	MARIA VIGIL	4
MATHEW OSAYAREN, 492-1010.			
INSP	7/12/2004 8:25:00 AM	MARIA VIGIL	4
23) NO COMPLIANCE. RESEARCH FOR OWNERS #. C/B 7/14. ASSESS FEE. CALLED MATHEW. INFORMED HIM WE WERE SENDING CLEAN UP TO BID. WILL CALL ME BACK 7/15.			

NOPOST	7/1/2004 8:59:00 AM	LYNN NIHIPALI	6
23)POSTED N&O ON GARAGE			
INSP	7/1/2004 8:59:00 AM	LYNN NIHIPALI	6
23)NO COMPLIANCE, PROPERTY STILL TRASHED, GARAGE OPEN CB 7/12			
LETTER	6/30/2004 2:18:00 PM	KATHY STEWART	0
N&O letter attached in OLE.			
NOTICE	6/30/2004 2:00:00 PM	KATHY STEWART	15
Sent Notice & Order to Abate Dangerous Building letter to owner, Matthew Osayaren. POST: 7/1. C/B: 7/12. Sent file to #23			
DIRECT	6/30/2004 11:55:00 AM	KATHY STEWART	0
Per David Semenza, re-send N&O to owner, Matthew Osayaren @ 9817 Biscayne Lane, LV, NV 89117-3647			
VIDREQ	6/28/2004 12:36:00 PM	KATHY STEWART	11
CONT'D)24) Pre-Video) was put up after the fire (when main building was demo'd) has been vandalized is partially fallen & sections stolen. Tape to DS & file to LD for bids please.			
VIDREQ	6/28/2004 12:36:00 PM	KATHY STEWART	11
24) Pre video completed. Open garage structure that has been accessed & trashed, the garage door is bent, it should b removed & opening boarded; if we don't demo. Scattered refuse & waste, weeds & vegetation & overgrown palm trees. The temp fencing that			
INSP	6/9/2004 9:12:00 AM	MARIA VIGIL	4
23) NON COMPLIANCE, VAGRANTS LIVING IN OPEN GARAGE, REFER TO 24 TO CONTINUE ABATEMENT. C/B 6/11 (ASSESS $75.00 FEE)			
MISC	6/2/2004 8:16:00 AM	LAURA DEARMOND	0
Ld) CERT LETTER TO OWNER MATTHEW OSAYAREN RETURNED...ATTEMPTED NOT KNOWN			
MISC	5/28/2004 2:17:00 PM	LAURA DEARMOND	0
23 ON VACATION, CB CHANGED TO 6/4			
MISC	5/28/2004 10:30:00 AM	LAURA DEARMOND	0
Ld) REG LETTER TO OWNER RETURNED...ATTEMPT UNKNOWN			
INSP	5/19/2004 9:34:00 AM	LYNN NIHIPALI	5
23)NO COMPLIANCE CB 6/1			
NOPOST	5/19/2004 9:34:00 AM	LYNN NIHIPALI	5
23)POSTED N&O ON PROPERTY			
NOTICE	5/18/2004 1:21:00 PM	LAURA DEARMOND	0
Ld) SENT N&O TO OWNER: MATHEW OSAYAREN; POST 5/19; CB 6/1			
INSP	5/17/2004 7:37:00 AM	LAURA DEARMOND	10
23) GATE DOWN HOUSE WAS DEMOED, BUT GARAGE WAS & CHIMNEY WERE LEFT, GARAGE NOW OPEN, WOOD PALLETS, CONCRETE BLOCK, PLYWOOD, WEEDS, REFUSE, T&T ON V/L, SEND N&O TOOK PIX			
		Time in minutes:	**124**

APN 139-33-301-009
Ref # - 15020

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MATHEW OSAYAREN**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 139-33-301-009**
Commonly known as:	**504 ROSE STREET**
Legal Description:	**PT NW4 SW4**
	SEC 33 20 61

On **September 13, 2004**, as provided in the Municipal Code, 16.08, Section 302, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **$1,762.50** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on **November 17, 2004**, ordered the above charges in the amount of **$1,762.50**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 23rd day of November, 2004

NOTARY PUBLIC, in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005
No. 93-4081-1

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101

City of Las Vegas

Agenda Item No. 90

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Public hearing on local improvement district for Special Improvement District No. 1480 - Buffalo Drive (Cheyenne Avenue to Lone Mountain Road) ($308,608.02 - Capital Projects Fund/Special Assessments) - Ward 4 (Brown)

Fiscal Impact:

☐	**No Impact**	**Amount:**	$308,608.02
☒	**Budget Funds Available**	**Dept./Division:**	Public Works/SID
☐	**Augmentation Required**	**Funding Source:**	Capital Projects Fund/Special Assessments

PURPOSE/BACKGROUND:

Public hearing on the Final Assessment Roll for the construction and installation of pavement, curb and gutter, sidewalk, driveways, streetlights, water laterals, water mains, sewer laterals, and sewer mains.

RECOMMENDATION:

Public Hearing only; no action required.

BACKUP DOCUMENTATION:

Public hearing notice

MOTION:

None required. Public hearing held.

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

RICHARD GOECKE, Director, Public Works, stated the Special Improvement District on Buffalo Drive covered the area from Cheyenne Avenue to Lone Mountain Road. The cost for the entire project was $11,759,710, which included street improvements, curb and gutter, sidewalks and street lights. He presented a diagram displaying the project's location and pointed out the specific project of the special improvement district that totaled $308,608.02. He confirmed the item is in order.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.
(1:24 - 1:25)
2-569

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1480 – BUFFALO DRIVE (CHEYENNE AVENUE TO LONE MOUNTAIN ROAD).

NOTICE IS HEREBY GIVEN, that the Final Assessment Roll No. 2004-9 for City of Las Vegas, Nevada, Special Improvement District No. 1480 – Buffalo Drive (Cheyenne Avenue to Lone Mountain Road) (hereinafter the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on October 20, 2004, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1480 Creation Ordinance heretofore adopted (hereinafter the "Creation Ordinance"). The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below) or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements. Pursuant to NRS 271.305 certain segments of the improvements were deleted from the Project as noted below. The streets to be improved by the improvements are:

Ahey Road (BOTH SIDES) – (Deleted) from the centerline of Buffalo Drive westerly along Ahey Road a distance of approximately 330-feet. (60-foot right-of-way)

Buckskin Avenue (NORTH SIDE) – from the centerline of Buffalo Drive easterly along Buckskin Avenue a distance of approximately 330-feet. (60-foot right-of-way)

Buffalo Drive (BOTH SIDES) - from the centerline of Buckskin Avenue northerly along Buffalo Drive to the centerline of Lone Mountain Road. (100-foot right-of-way)

Constantinople Avenue (SOUTH SIDE) – (Deleted) from the centerline of Buffalo Drive westerly along Constantinople Avenue a distance of approximately 330-feet. (60-foot right-of-way)

Gilmore Avenue (BOTH SIDES) – (Deleted North Side) from the centerline of Buffalo Drive westerly along Gilmore Avenue a distance of approximately 330-feet. (60-foot right-of-way)

Gowan Road (NORTH SIDE) – (Deleted) from the centerline of Buffalo Drive easterly along Gowan Road a distance of approximately 330-feet and westerly from the centerline of Buffalo Drive a distance of approximately 613-feet. (80-foot right-of-way)

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases) provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or tracts of lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform.

The assessments will be levied on a front foot method for the installation of pavement, curb, gutter, sidewalk, residential driveways and streetlights and on a square foot method for the installation of commercial (option "B") driveways. Each property owner will be assessed for the cost of a pavement section, curb and gutter, sidewalks, driveway approaches and streetlights, where not already existing. The owners of property who elect to have water or sewer laterals installed will be assessed on a per service or unit lot method. The water and sewer main extensions will be assessed on a front foot method. THE CITY HAS NO OBLIGATION TO PROVIDE WATER OR SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT REGARDLESS OF WHETHER THE CITY COUNCIL PROCEEDS WITH ALL OR ANY PART OF THE PROJECT.

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the improvements in the Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, November 17, 2004, at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Friday, November 12, 2004, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the correctness of such assessments, the amount levied on any particular lot, tract or parcel of land to be assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its discretion, to revise, correct, confirm, or set aside any assessment and to order that such assessment may be made de novo. The owners of the property to be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

(1) He is entitled to be represented by counsel at the hearing;

(2) Any evidence he desires to present on these issues must be presented at the hearing; and

(3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.395.

Assessments shall be due and payable at the office of the City Treasurer without interest and without demand within 30 days after the ordinance levying the assessments becomes effective. All or any part of such assessments may also, at the election of the owner, be paid thereafter in twenty (20) substantially equal semi-annual installments of principal. After the adoption of the assessment ordinance and before assessment bonds are issued (or if bonds are not issued) the City Council shall by resolution provide the maximum rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, such rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the time bids for such bonds are received, or at a time a negotiated offer for the sale of such bonds is accepted. Penalties (at a rate not exceeding two percent (2%) per month on the unpaid balance of the assessment and accrued interest, or at any higher rate authorized by statute) shall be due for delinquencies. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any installment of the unpaid principal with interest accruing thereon to the next interest payment date and the payment of a penalty for such prepayment of up to three percent (3%) of the installment or installments of principal so prepaid. The City Council, in the ordinance levying the assessments, will establish a prepayment penalty or premium of up to three percent (3%) of the principal of deferred installments so prepaid.

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a hardship determination. A person whose application for a hardship determination has been approved by the City Council is

entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City Council for the assessments. A person desiring to apply for a hardship determination shall file an application no later than November 12, 2004, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this October 20, 2004.

BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 91

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Public hearing on local improvement district for Special Improvement District No. 1495 - Buffalo Drive (Cheyenne Avenue to Lone Mountain Road) ($12,759.92 - Capital Projects Fund/Special Assessments) - Ward 4 (Brown)

Fiscal Impact:

☐	**No Impact**	**Amount:**	$12,759.92
☒	**Budget Funds Available**	**Dept./Division:**	Public Works/SID
☐	**Augmentation Required**	**Funding Source:**	Capital Projects Fund/Special Assessments

PURPOSE/BACKGROUND:

Public hearing on the Final Assessment Roll for the construction and installation of pavement, curb and gutter, sidewalk, and streetlights.

RECOMMENDATION:

Public Hearing only; no action required.

BACKUP DOCUMENTATION:

Public hearing notice

MOTION:

None required. Public hearing held.

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

RICHARD GOECKE, Director, Public Works, stated this segment was also on Buffalo Drive from Cheyenne Avenue to Lone Mountain Road. When the first Special Improvement District was created, there were challenges to negotiate the funding arrangement with the County. This occurred while four other properties were annexed into the City that were then included with this assessment district. He confirmed $11,759,710 covered this area and specified the project for the additional properties total $12,759.92.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:25 - 1:26)

2-612

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1495 – BUFFALO DRIVE (CHEYENNE AVENUE TO LONE MOUNTAIN ROAD).

NOTICE IS HEREBY GIVEN, that the Final Assessment Roll No. 2004-10 for City of Las Vegas, Nevada, Special Improvement District No. 1495 – Buffalo Drive (Cheyenne Avenue to Lone Mountain Road) (hereinafter the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on October 20, 2004, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1495 Creation Ordinance heretofore adopted (hereinafter the "Creation Ordinance"). The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below) or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements. The streets to be improved by the improvements are:

Buffalo Drive (BOTH SIDES) - from the centerline of Constantinople Avenue north along Buffalo Drive to the centerline of Lone Mountain Road (100-foot right-of-way).

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases) provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or tracts of lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform.

The assessments will be levied on a front foot method for the installation of a pavement section, curb, gutter, sidewalk, and streetlights. Each property owner will be assessed for the cost of a pavement section, curb and gutter, sidewalks, and streetlights, where not already existing.

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the improvements in the Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, November 17, 2004, at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Friday, November 12, 2004, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the correctness of such assessments, the amount levied on any particular lot,

tract or parcel of land to be assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its discretion, to revise, correct, confirm, or set aside any assessment and to order that such assessment may be made de novo. The owners of the property to be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

(1) He is entitled to be represented by counsel at the hearing;

(2) Any evidence he desires to present on these issues must be presented at the hearing; and

(3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.395.

Assessments shall be due and payable at the office of the City Treasurer without interest and without demand within 30 days after the ordinance levying the assessments becomes effective. All or any part of such assessments may also, at the election of the owner, be paid thereafter in twenty (20) substantially equal semi-annual installments of principal. After the adoption of the assessment ordinance and before assessment bonds are issued (or if bonds are not issued) the City Council shall by resolution provide the maximum rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, such rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the time bids for such bonds are received, or at a time a negotiated offer for the sale of such bonds is accepted. Penalties (at a rate not exceeding two percent (2%) per month on the unpaid balance of the assessment and accrued interest, or at any higher rate authorized by statute) shall be due for delinquencies. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any installment of the unpaid principal with interest accruing thereon to the next interest payment date and the payment of a penalty for such prepayment of up to three percent (3%) of the installment or installments of principal so prepaid. The City Council, in the ordinance levying the assessments, will establish a prepayment penalty or premium of up to three percent (3%) of the principal of deferred installments so prepaid.

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a hardship determination. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City Council for the assessments. A person desiring to apply for a hardship determination shall file an application no later than November 12, 2004, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this October 20, 2004.

Barbara Jo Ronemus

BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 92

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT

EOT-5421 - APPLICANT/OWNER: JAMES AND ELIZABETH BRACY, JR. - Request for a Second Extension of Time of an approved Special Use Permit (U-0072-00) WHICH ALLOWED A CHURCH/ HOUSE OF WORSHIP at 330 North 9th Street (APN 139-35-112-001), R-4 (High Density Residential) Zone, Ward 5 (Weekly). Staff recommends APPROVAL

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

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN - APPROVED Item 92 [EOT-5421], Item 93 [EOT-5402], Item 94 [EOT-5403], Item 95 [EOT-5404], Item 96 [EOT-5436], Item 97 [EOT-5437], Item 98 [EOT-5438], Item 99 [EOT-5439] and Item 100 [EOT-5440] subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

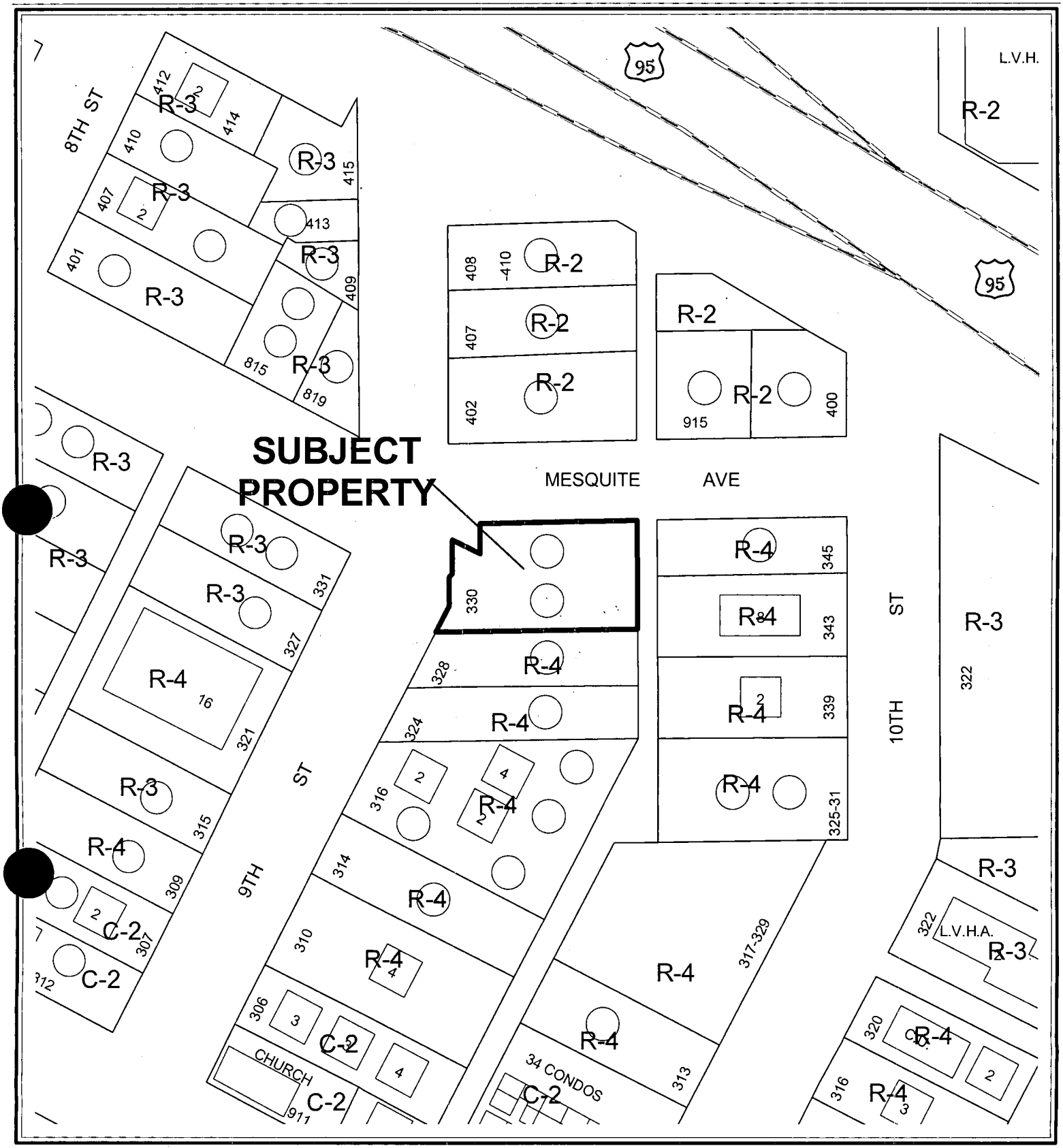
There was no discussion.
(1:26 - 1:27)
2-642

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on October 18, 2006 unless another Extension of Time is approved by the City Council.

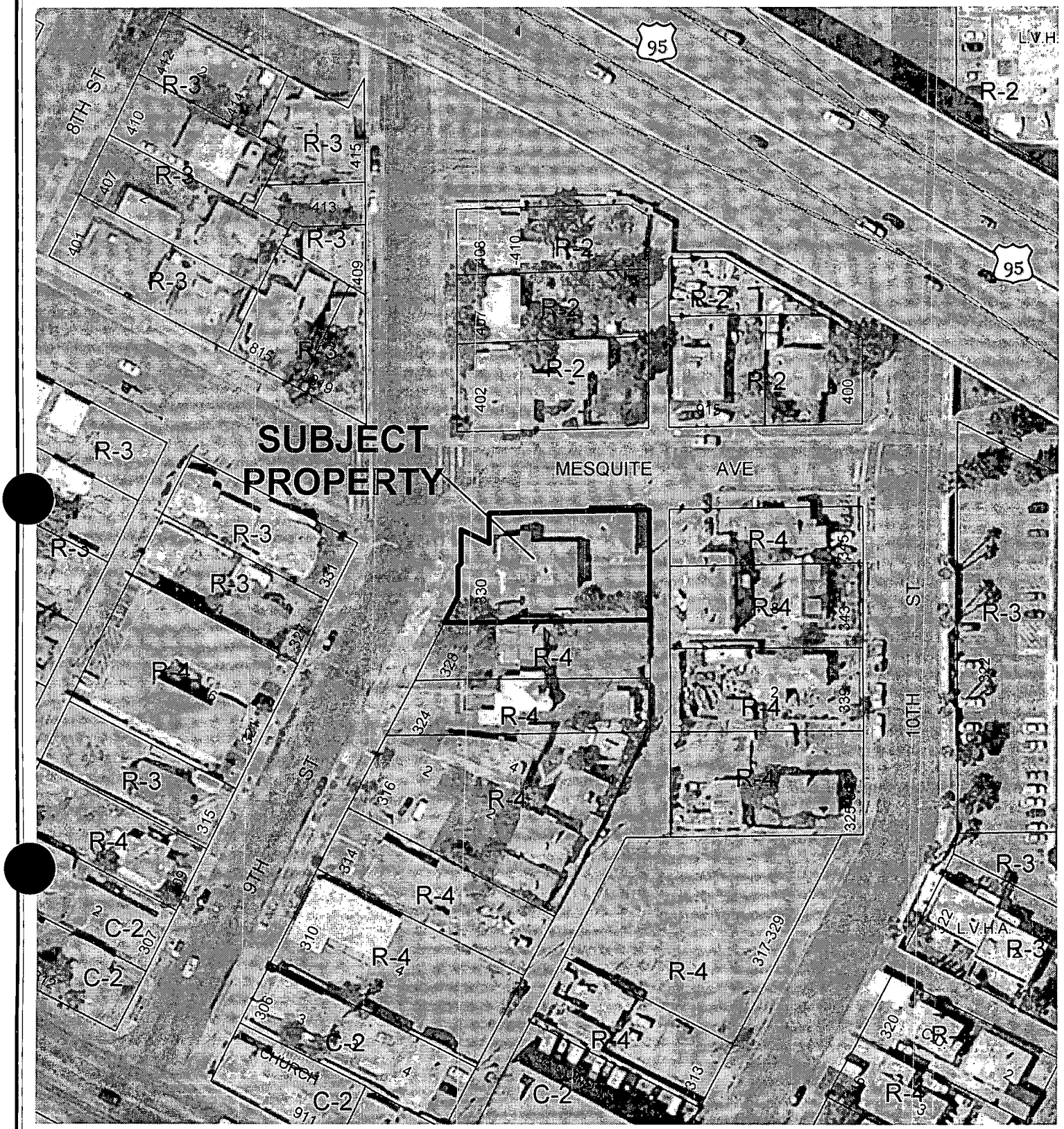
2. Conformance to the Conditions of Approval for Special Use Permit U-0072-00 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.



CASE: EOT-5421

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

N



0 80 160 Feet

CASE: EOT-5421

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-5421 - APPLICANT/OWNER: JAMES AND ELIZABETH BRACY, JR.

** CONDITIONS **

Staff recommends APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on October 18, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Special Use Permit U-0072-00 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Second Extension of Time of an approved Special Use Permit (U-0072-00) which allowed a church/ house of worship at 330 North 9th Street.

B) Applicant's Justification

The applicant's justification letter indicates additional time is needed due to the cost of converting the existing single family residence to a church.

BACKGROUND INFORMATION

A) Previous Actions

10/18/00 The City Council approved a Special Use Permit (U-0072-00) to allow the church/house of worship on this site. The Planning Commission and staff recommended approval on September 14, 2000.

01/22/03 The City Council approved an Extension of Time (EOT-1227) for the Special Use Permit (U-0072-00) which allowed the church/house of worship on this site with an expiration date of October 18, 2004. The Planning Commission and staff recommended approval on December 19, 2002.

To date, no building permits have been filed for the proposed church/house of worship.

B) Pre-Application Meeting

A pre-application meeting is not required for an Extension of Time application.

C) Neighborhood Meetings

A neighborhood meeting is not required for an Extension of Time application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.25

B) Existing Land Use

Subject Property:	Single Family Residence
North:	Single Family Residence
South:	Single Family Residence
East:	Single Family Residence and Apartments
West:	Single Family Residence

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-4 (High Density Residential)
North:	R-2 (Medium-Low Density Residential)
South:	R-4 (High Density Residential)
East:	R-4 (High Density Residential)
West:	R-3 (Medium Density Residential)

E) General Plan Compliance

The subject site is located on the Southeast Sector Map of the General Plan. The site is designated as MXU (Mixed Use) on the Redevelopment Plan Area Map of the General Plan. The approved church/house of worship is in compliance with the MXU (Mixed Use) designation.

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

This site is located within Redevelopment Area Plan, which encourages the continuing development of downtown Las Vegas as a regional center for finance, business, governmental services, entertainment and recreation, while retaining the gaming and tourism vital to economic prosperity.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Las Vegas Zoning Code Section 19.04, the following Parking Standards apply to the subject proposal:

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Church/House of Worship	340 SF in gathering room.	One for each four fixed seats or 1/100 square feet of non-fixed seating in gathering room, whichever is greater	5 (340 SF/100 SF = 3.4 spaces PLUS 2 spaces for residence)	1	5	1

The site plan is in conformance with Title 19 parking requirements.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the approved church/house of worship use; however, there are 2 similar uses within the original 750' notification distance.

B) General Analysis and Discussion

- Zoning

A church/house of worship is allowed in an R-4 (High Density Residential) zone with approval of a Special Use Permit.

- Use

A church/house of worship in an R-4 (High Density Residential) Zone requires certain base standards to be met for approval of the Special Use Permit. The following base standards apply:

1. The Special Use Permit may include such activities as religious services, religious instruction, church club activities and similar activities.

2. Functions, such as child care facilities, formal educational programs, preschool classes and similar related activities which, in the opinion of the Director of the Department of Planning and Development, are ancillary to the primary use are also permitted provided, however, that all proposed uses shall be specifically stated in the application.

3. If, after approval of the Special Use Permit, additional uses not specifically covered by the existing Special Use Permit are proposed, an additional public hearing process shall be required to add the uses.

4. Thrift shops, homeless shelters and other similar activities are prohibited in residential districts and are permitted only in the zoning districts which permit such uses as primary uses.*

5. Churches on sites larger than five acres shall not be permitted in the U District of an R-prefixed district.*

*Denotes conditions that cannot be waived

The approved church/house of worship use remains appropriate at this location, therefore the recommendation for this request is approval subject to another two year time limit.

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 church/house of worship can be conducted in a manner that is harmonious and compatible with surrounding land uses.

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

   The subject site is suitable for the type and intensity of land use proposed.

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 is located on the southeast corner of 9th Street and Mesquite Avenue, which is one block south of Interstate 515 and one block north of Stewart Avenue. The streets providing access to the property will be adequate in size 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 church/house of worship will be subject to permitting and inspection for initial construction and periodic City inspections for code compliance, and will therefore not compromise the public health, safety and welfare.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT. 5421 APN: 139-35-112-001

Name of Property Owner: JAMES + ELIZ. BRACY JR.

Name of Applicant: JAMES + ELIZ. BRACY JR.

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: Pastor James Bracy Jr. / Bracy

Print Name: James Bracy / Elizabeth Bracy

Subscribed and sworn before me

This 30th day of September, 2004.

_____

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
R. SORBORO
My Appointment Expires
July 11, 2005
No: 01-69579-1

Revised 2/12/02

f:\depot\Application Packet\Statement of Financial Interest.doc

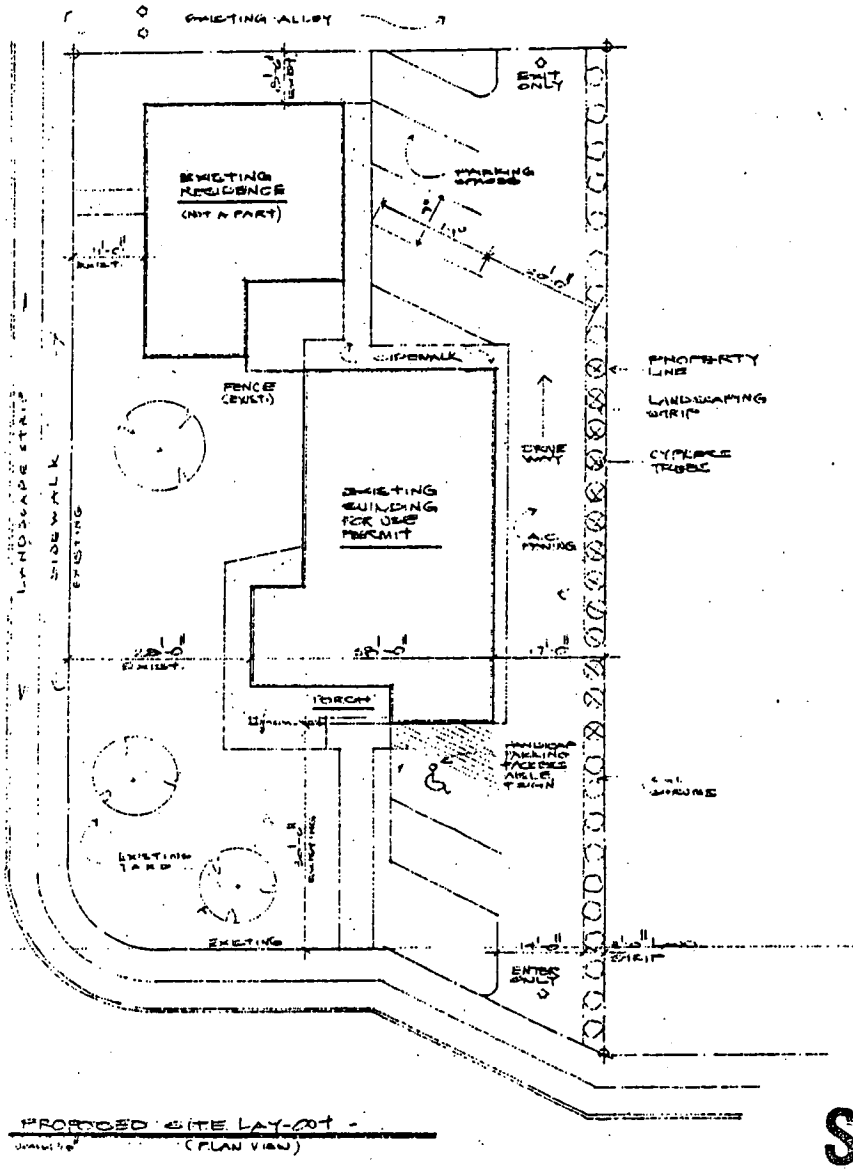
USE PERMIT

FOR

BRACY RESIDENCE

ADDRESS

330 NINTH STREET
LAS VEGAS, NEVADA
CLARK COUNTY



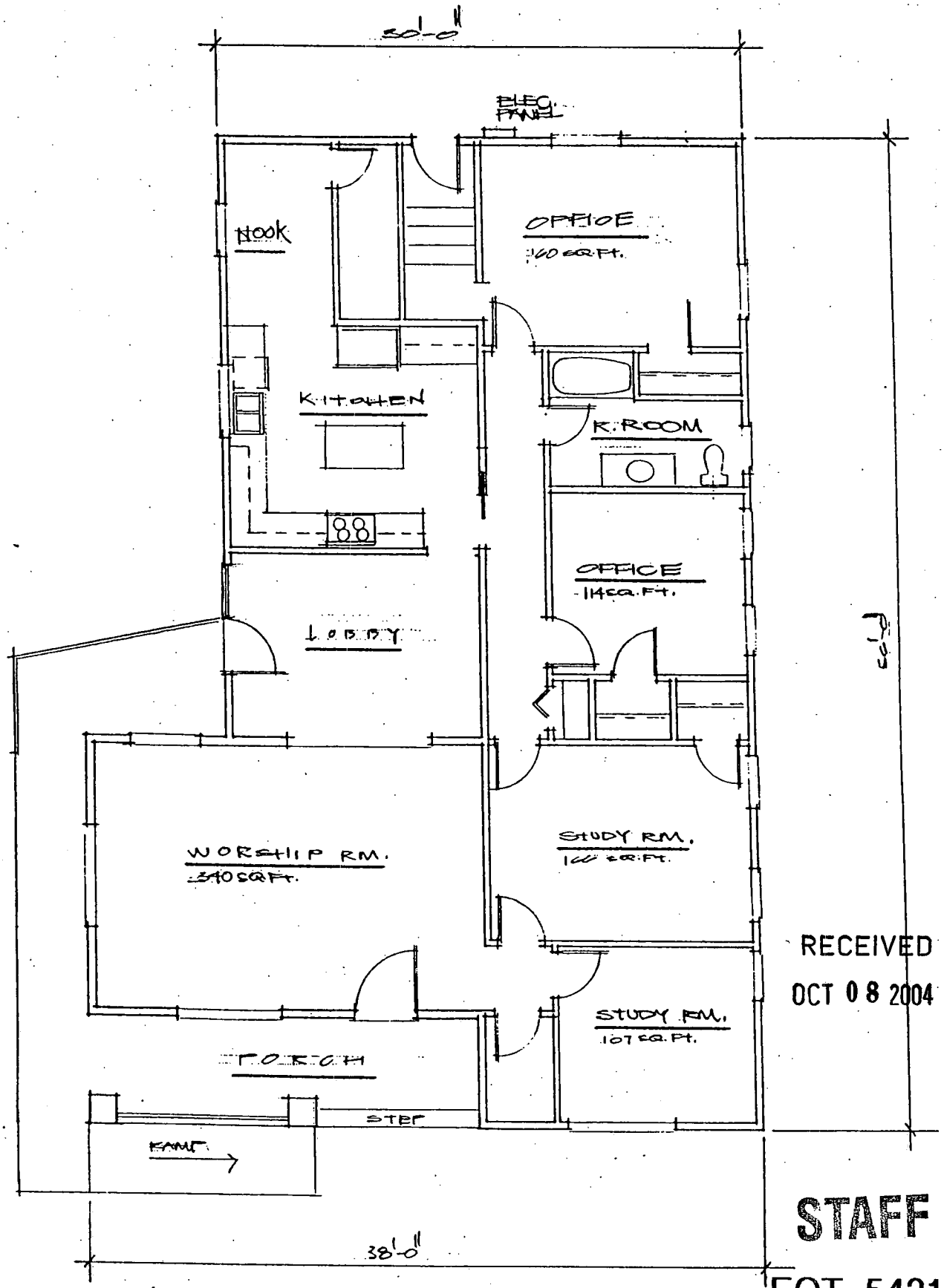
PROPOSED SITE LAY-OUT -
(PLAN VIEW)

RECEIVED
OCT 08 2004

STAFF

EOT-5421

11-17-04 CC



FLOOR PLAN - (AS BUILT)

SCALE - 1/4"

RECEIVED
OCT 08 2004

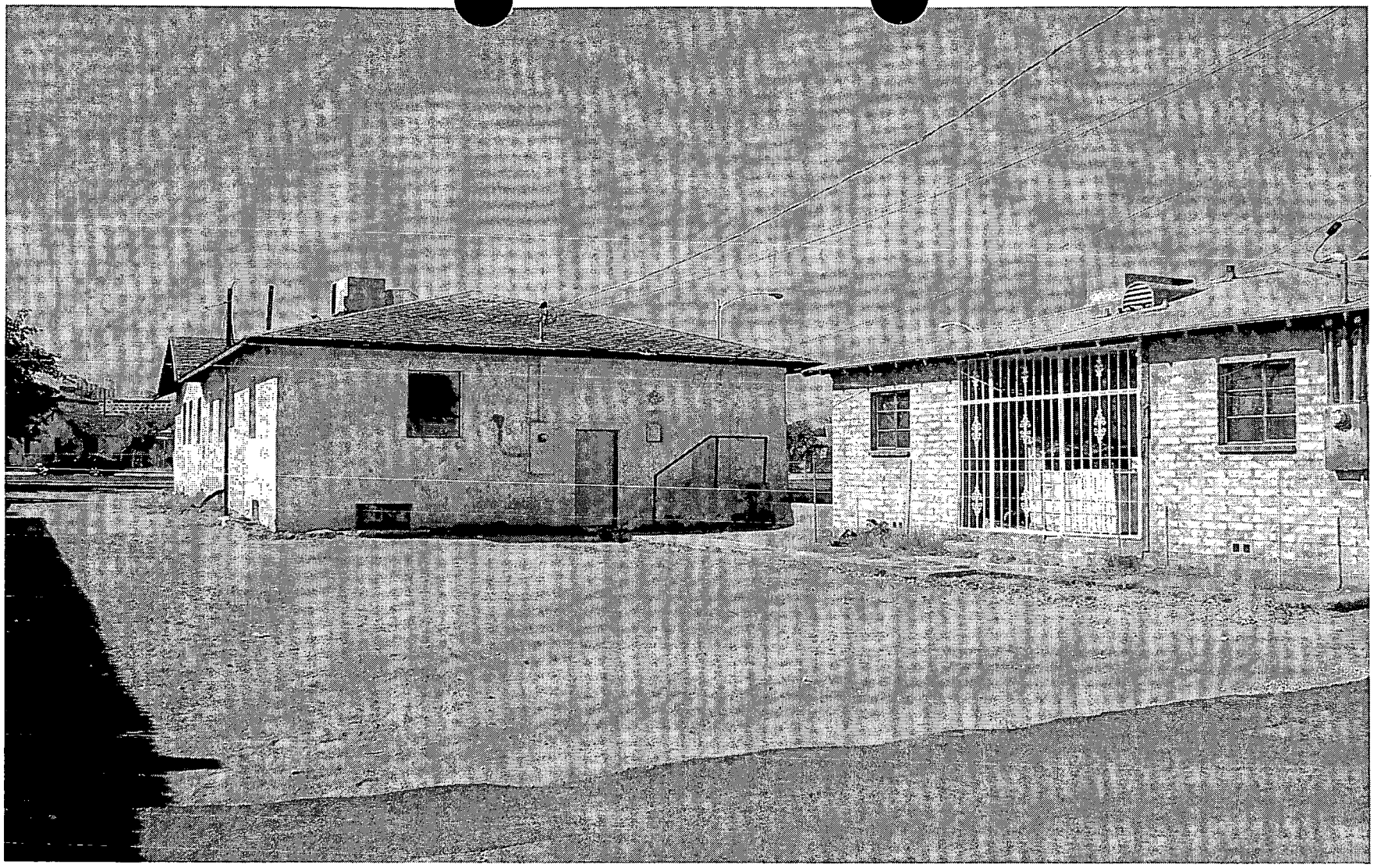
STAFF

EOT-5421
11-17-04 CC



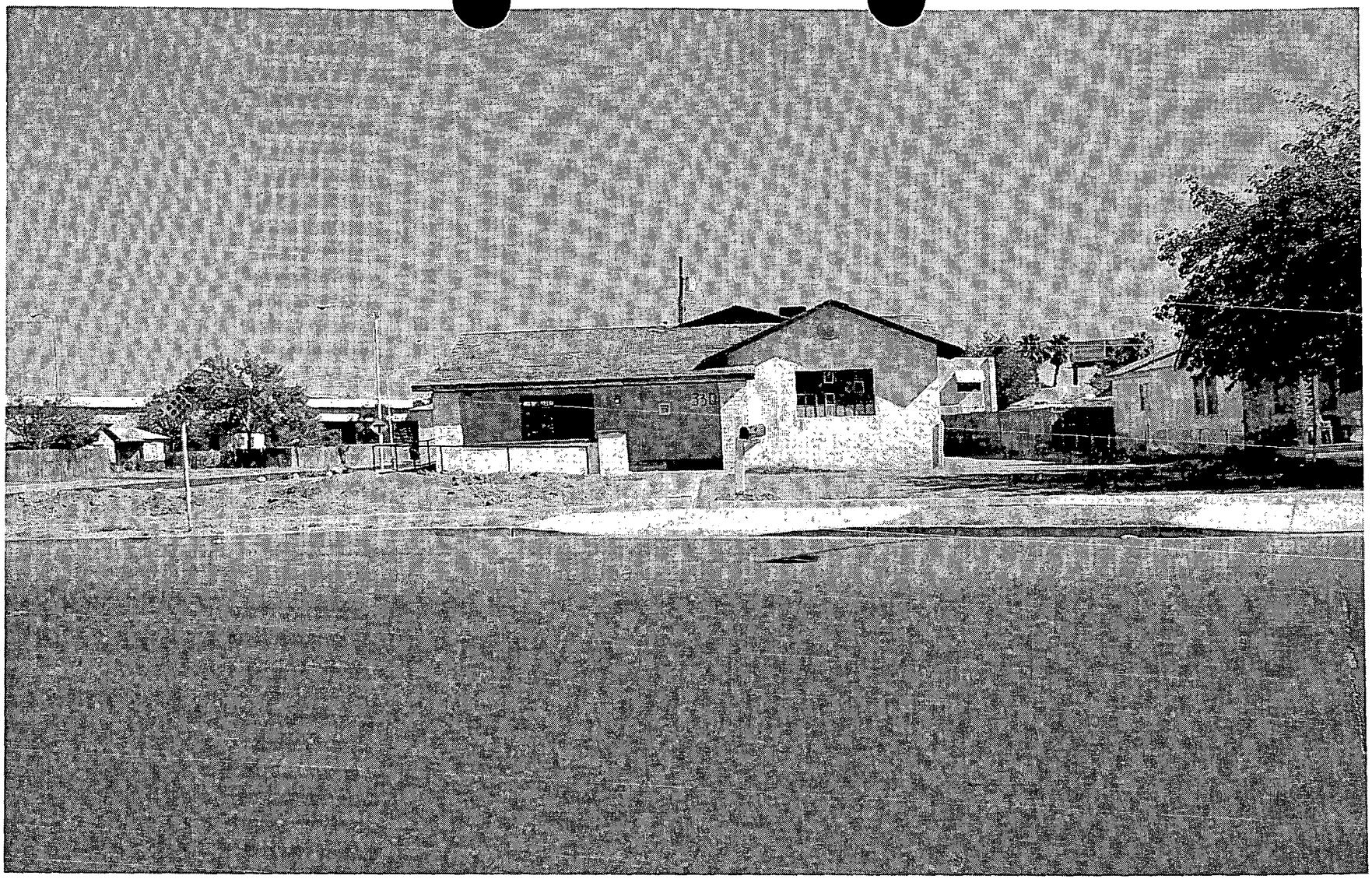
EOT-5421 - APPLICANT/OWNER: JAMES AND ELIZABETH BRACY, JR.
330 North 9th Street
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04



EOT-5421 - APPLICANT/OWNER: JAMES AND ELIZABETH BRACY, JR.
330 North 9th Street
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04



EOT-5421 - APPLICANT/OWNER: JAMES AND ELIZABETH BRACY, JR.
330 North 9th Street
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04

City of Las Vegas

Agenda Item No. 93

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

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

SUBJECT:
EXTENSION OF TIME - REZONING

EOT-5402 - APPLICANT/OWNER: BONANZA REALTY, LLC - Request for an Extension of Time for an approved Rezoning (Z-0046-02) FROM: R-2 (MEDIUM LOW DENSITY RESIDENTIAL) AND C-M (COMMERCIAL/INDUSTRIAL) TO: C-1 (LIMITED COMMERCIAL) on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road (APN 139-27-707-008, 139-27-712-046 through 051 and 139-27-810-001 through 004), Ward 5 (Weekly). Staff recommends APPROVAL

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions.

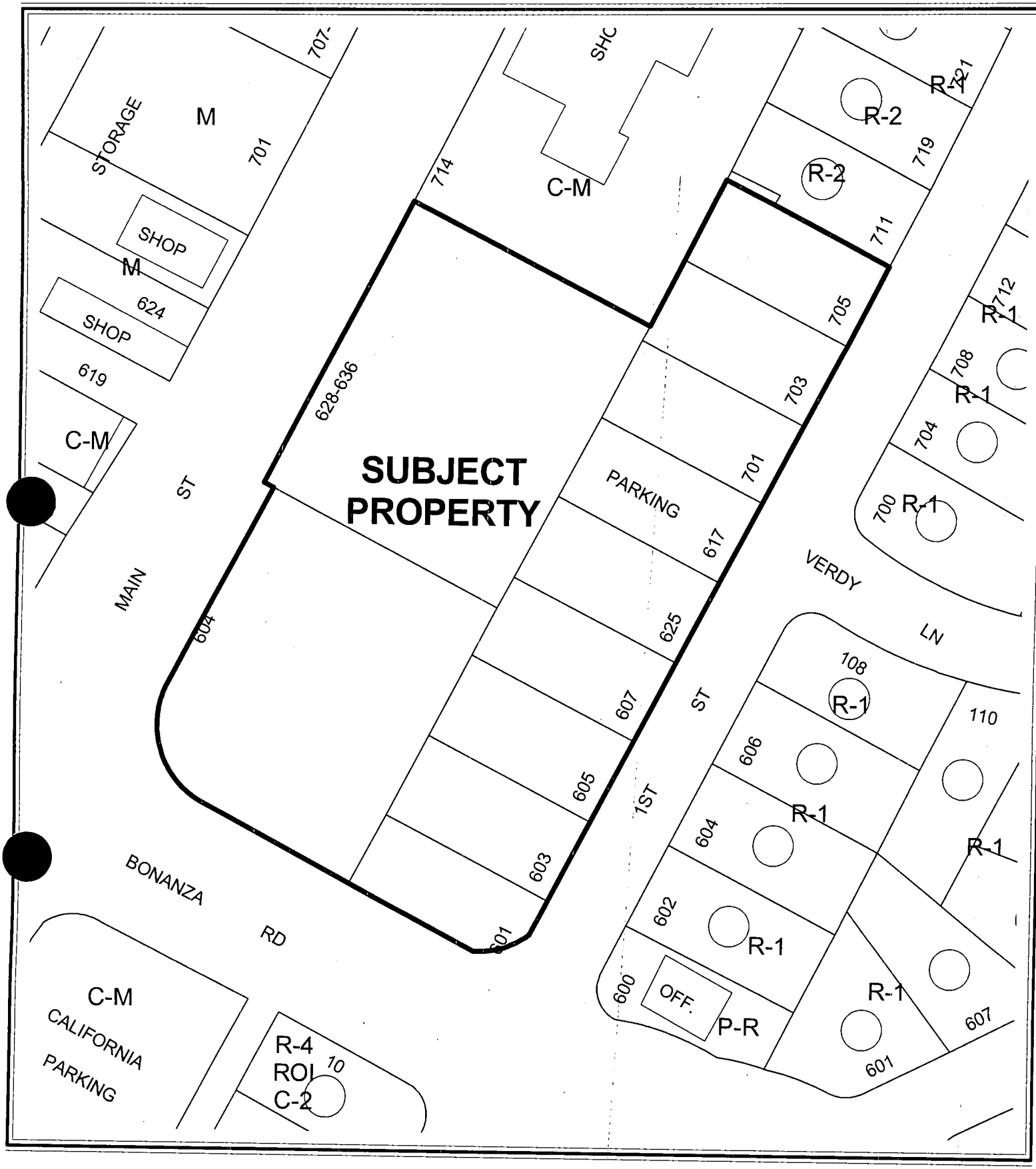
BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:
BROWN - APPROVED Item 92 [EOT-5421], Item 93 [EOT-5402], Item 94 [EOT-5403], Item 95 [EOT-5404], Item 96 [EOT-5436], Item 97 [EOT-5437], Item 98 [EOT-5438], Item 99 [EOT-5439] and Item 100 [EOT-5440] subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:
There was no discussion.
(1:26 - 1:27)
2-642

CONDITIONS:
Planning and Development
1. This Extension of Time will expire on November 20, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Rezoning Z-0046-02, Special Use Permit U-0114-02 and Site Development Plan Review Z-0046-02(1) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.



CASE: **EOT-5402**

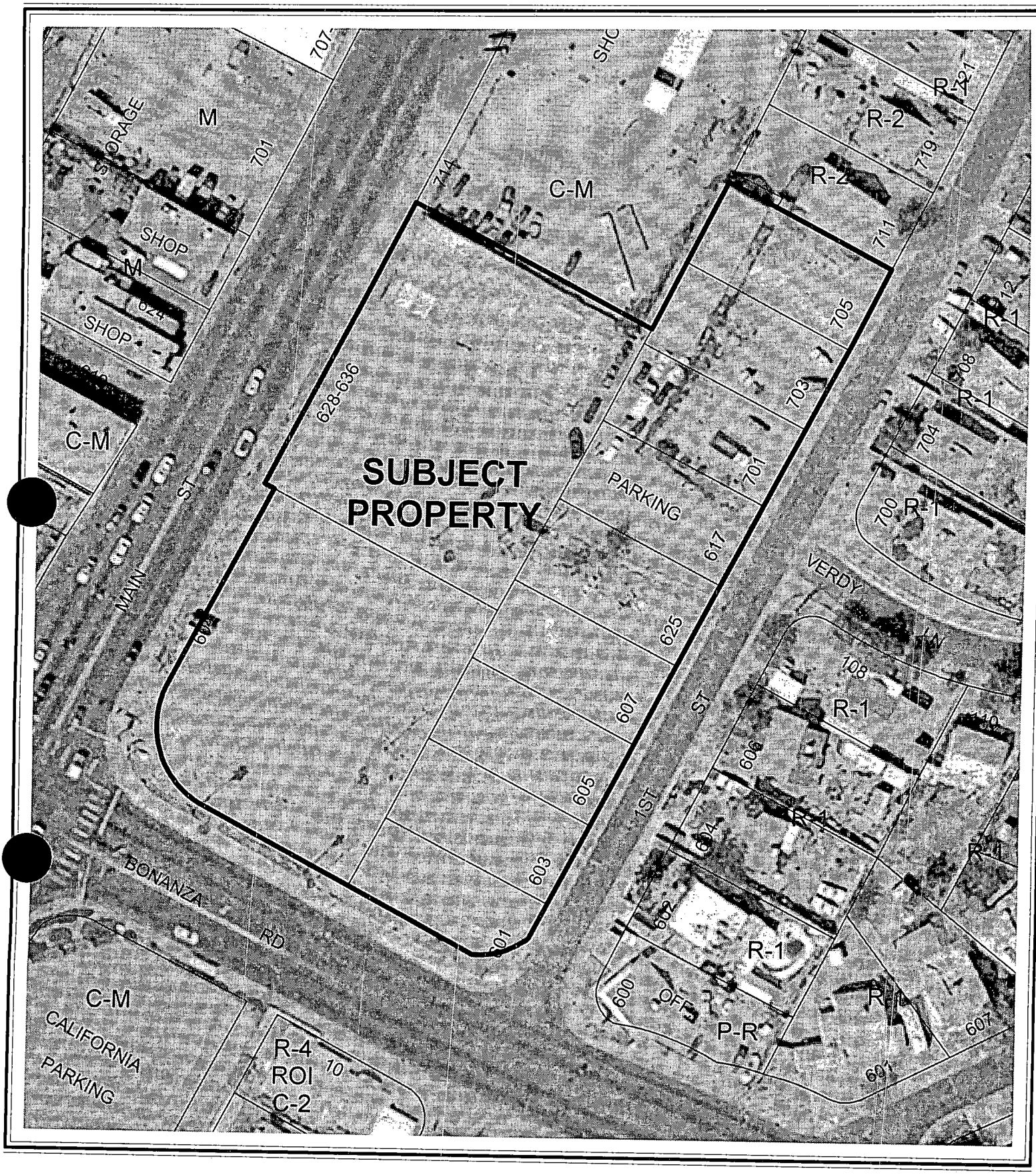
0 70 140 Feet

ZONING OF SUBJECT PROPERTY:
R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) AND C-M (COMMERCIAL/INDUSTRIAL)

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

N

093



CASE: **EOT-5402**

0 70 140 Feet

ZONING OF SUBJECT PROPERTY:

R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) AND C-M (COMMERCIAL/INDUSTRIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-5402 - APPLICANT/OWNER: BONANZA REALTY, LLC

** CONDITIONS **

Staff recommends APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on November 20, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Rezoning Z-0046-02, Special Use Permit U-0114-02 and Site Development Plan Review Z-0046-02(1) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for an Extension of Time for an approved Rezoning (Z-0046-02) from: R-2 (Medium Low Density Residential) and C-M (Commercial/Industrial) to: C-1 (Limited Commercial) on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.

B) Applicant's Justification

The applicant's justification letter indicates additional time is needed to secure funding and prepare plans to submit for building permits.

BACKGROUND INFORMATION

A) Previous Actions

11/20/02 The City Council approved a Rezoning (Z-0046-02) to C-1 (Limited Commercial), a Special Use Permit (U-0114-02) for the multi family senior apartment complex and a Site Development Plan Review [Z-0046-02(1)] for the 256-unit multi-family senior apartment complex with 20,000 square feet of commercial development on this site. The Planning Commission and staff recommended approval on October 24, 2002.

11/17/04 The City Council will hear a request for an Extension of Time (EOT-5404) for the Special Use Permit (U-0114-02) which allowed the multi family senior apartment complex and an Extension of Time (EOT-5404) for the Site Development Plan Review [Z-0046-02(1)] for the 256-unit multi-family senior apartment complex with 20,000 square feet of commercial development on this site.

To date, no building permits have been filed for the proposed 256-unit multi-family senior apartment complex with 20,000 square feet of commercial development.

B) Pre-Application Meeting

A pre-application meeting is not required for an Extension of Time application.

C) Neighborhood Meetings

A neighborhood meeting is not required for an Extension of Time application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.87

B) Existing Land Use

Subject Property:	Undeveloped
North:	Shops/Industrial
South:	Single Family Residence and Parking Lot
East:	Single Family Residences and Office
West:	Single Family Residences and Shops/Industrial

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-2 (Medium Low Density Residential) and C-M (Commercial/Industrial) under Resolution of Intent to C-1 (Limited Commercial)
North:	R-2 (Medium Low Density Residential) and C-M (Commercial/Industrial)
South:	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial) and C-M (Commercial/Industrial)
East:	R-1 (Single Family Residential) and P-R (Professional Office and Parking)
West:	C-M (Commercial/Industrial) and M (Industrial)

E) General Plan Compliance

The subject site is located on the Southeast Sector Map of the General Plan. The site is designated as MXU (Mixed Use) on the Redevelopment Plan Area Map of the General Plan. The approved 256-unit multi-family senior apartment complex with 20,000 square feet of commercial development is in compliance with the MXU (Mixed Use) designation.

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

This site is located within Redevelopment Area Plan, which encourages the continuing development of downtown Las Vegas as a regional center for finance, business, governmental services, entertainment and recreation, while retaining the gaming and tourism vital to economic prosperity.

ANALYSIS

A) Zoning Code Compliance

Development Standards

The design of the site and conformance to code requirements was determined with the approved Site Development Plan Review [Z-0046-02(1)].

B) General Analysis and Discussion

The applicant is requesting additional time in order to secure funding and prepare plans to submit for building permits. The proposed development remains appropriate at this location, therefore approval is recommended with another two year time limit.

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 approved rezoning is in conformance to the City of Las Vegas Redevelopment Plan.

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

   The uses allowed by the C-1 (Limited Commercial) district are compatible with the established development pattern of this area of the City.

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

   This project will help to revitalize this area of the City and will assist in redevelopment efforts.

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."**

Bonanza Road and Main Street, both 100 foot right-of-way Primary Arterials are adequate to meet the needs of this development.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT.5402 APN: 139-27-7-7-008, 046 to 051, 810-001 to 004

Name of Property Owner: BONANZA REALTY LLC

Name of Applicant: BONANZA REALTY 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: Moshe Schnapp

Print Name: Moshe Schnapp - Manager

Subscribed and sworn before me

This 15 day of September, 2004

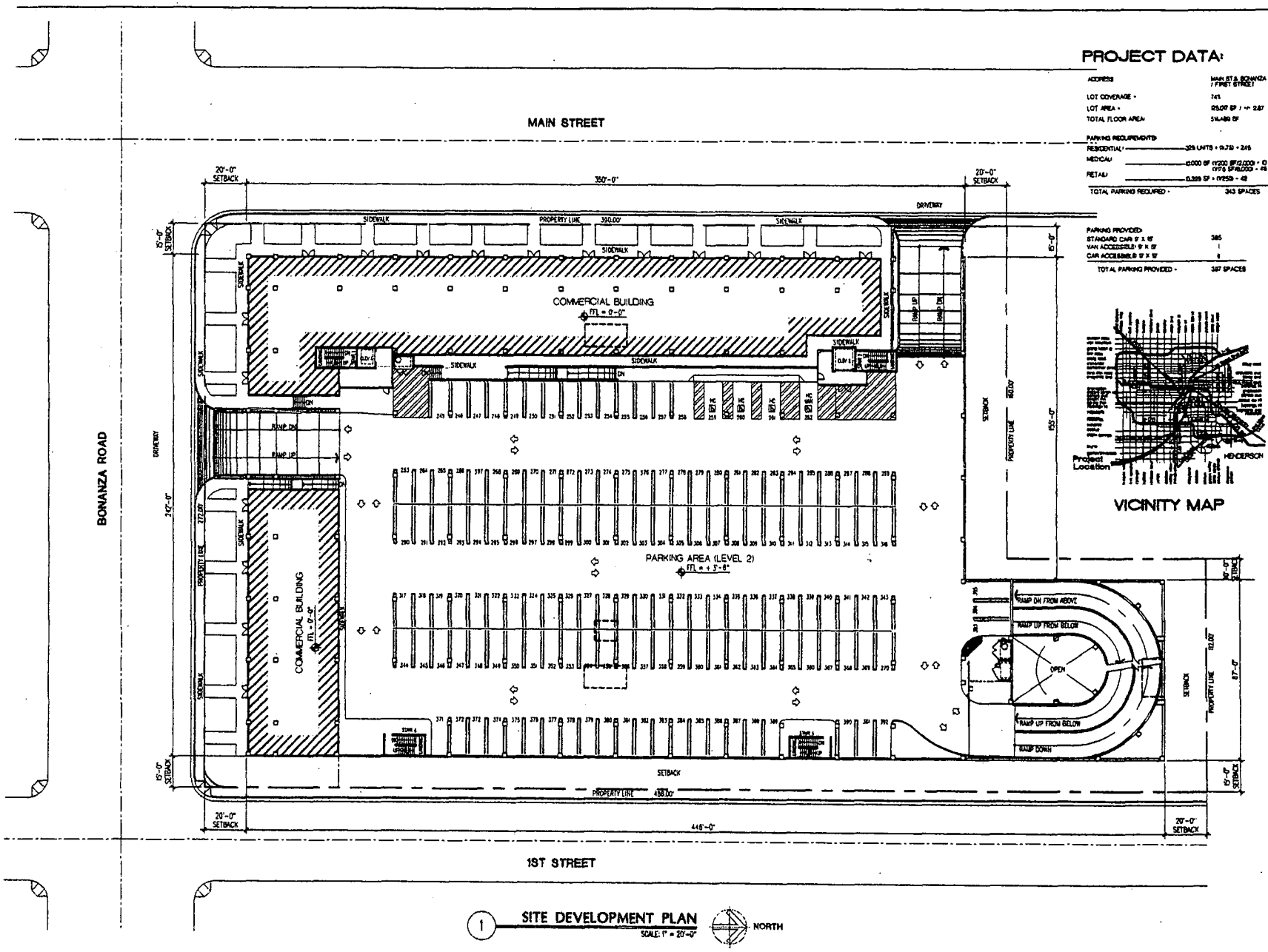
A. Vaysfeld

Notary Public in and for said County and State

ALEX VAYSFELD
COMM. #1483880
Notary Public · California
Los Angeles County
My Comm. Expires Apr. 16, 2008

NRO1 NRO1

Revised 2/12/02 f:\dcpot\Application Packet\Statement of Financial Interest.doc



PROJECT DATA:

ADDRESS	MAIN ST & BONANZA RD. / FIRST STREET
LOT COVERAGE =	74%
LOT AREA =	25.09' SF / +/- 2.87 ACRES
TOTAL FLOOR AREA=	514,486 SF
PARKING REQUIREMENTS:	
RESIDENTIAL =	325 UNITS + 9,730 = 249
MEDICAL =	10,000 SF (1/200 SF) 10,000 = 10 (1/75 SF) 40,000 = 46
RETAIL =	9,395 SF + (1/250) = 42
TOTAL PARKING REQUIRED =	343 SPACES
PARKING PROVIDED:	
STANDARD CAR 9' X 18'	385
VAN ACCESSIBLE 9' X 18'	1
CAR ACCESSIBLE 9' X 18'	1
TOTAL PARKING PROVIDED =	387 SPACES

VICINITY MAP

Project Location

HENDERSON

DENNIS E. RUSK ARCHITECT, LLC

SITE DEVELOPMENT PLAN

GOLDEN AGE LEISURE VILLAS

MAIN AND BONANZA
LAS VEGAS NV

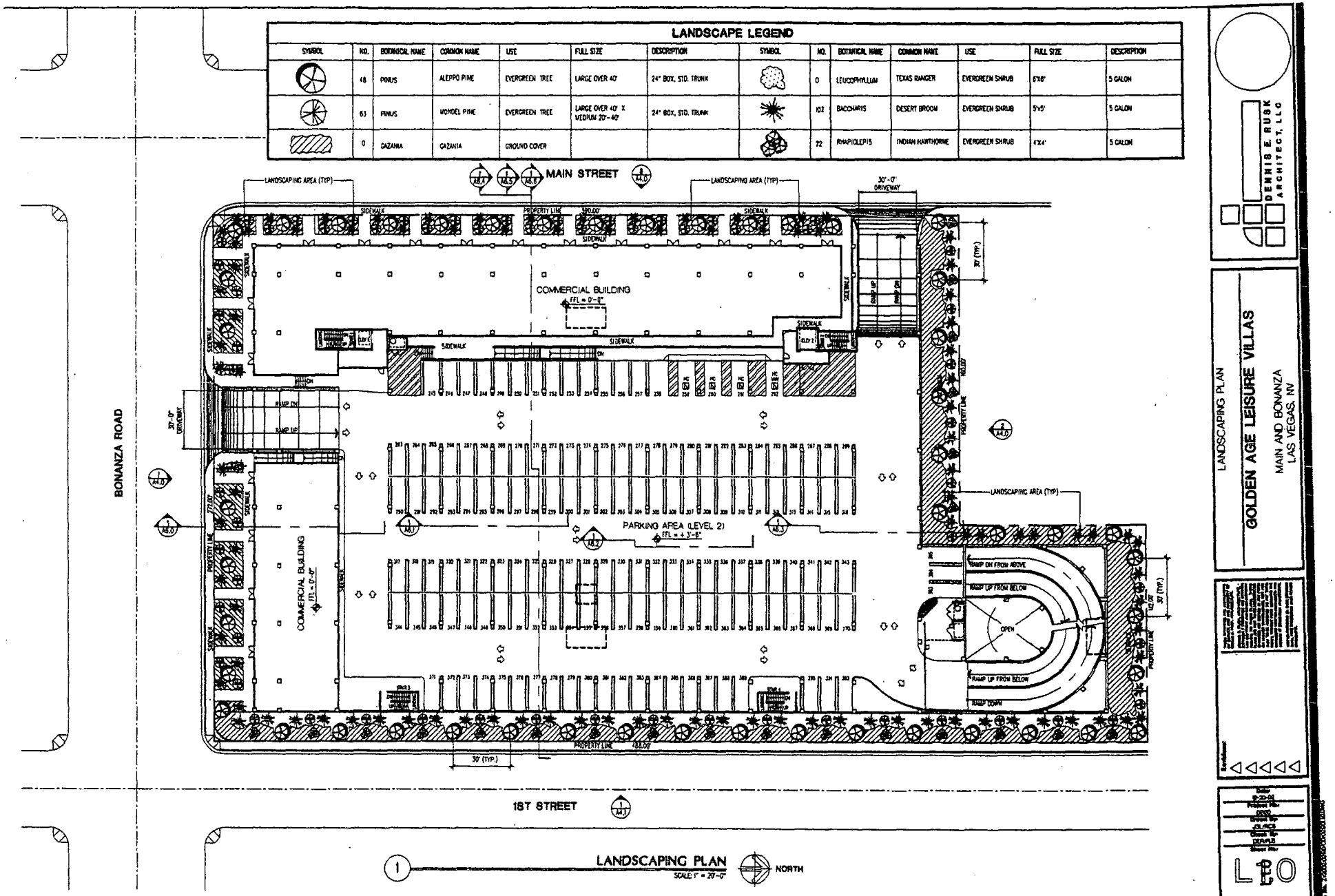
SP1.0

1 SITE DEVELOPMENT PLAN
SCALE: 1" = 20'-0"

NORTH

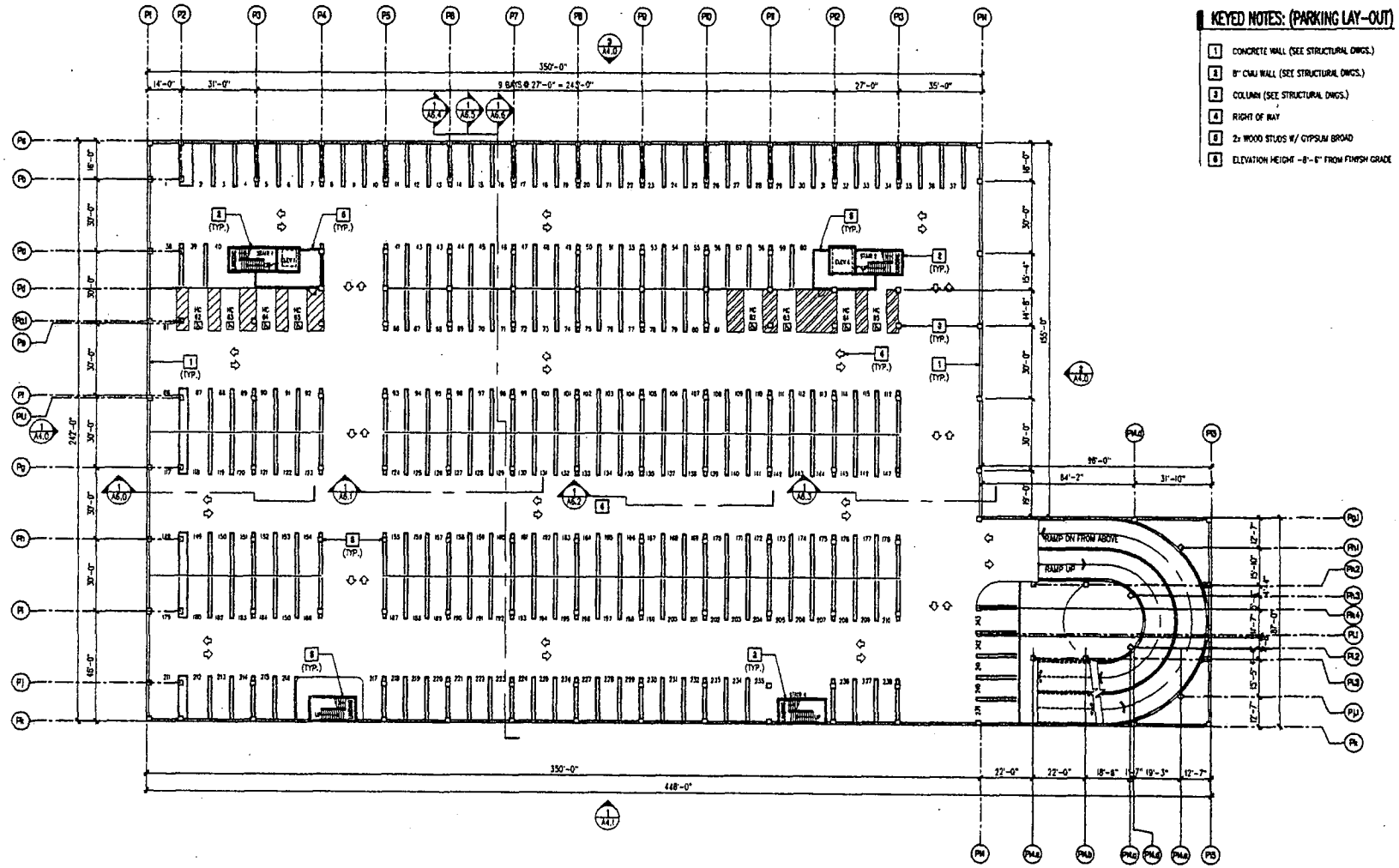
EOT-5402
EOT-5403
EOT-5404

11-17-04 CC



EOT-5402
EOT-5403
EOT-5404

11-17-04 CC



1 PARKING LAY-OUT PLAN (LEVEL 1)
SCALE: 1" = 20'-0"

NORTH

DENNIS E. RUSK
ARCHITECT, LLC

PARKING LAYOUT PLAN
LEVEL 1

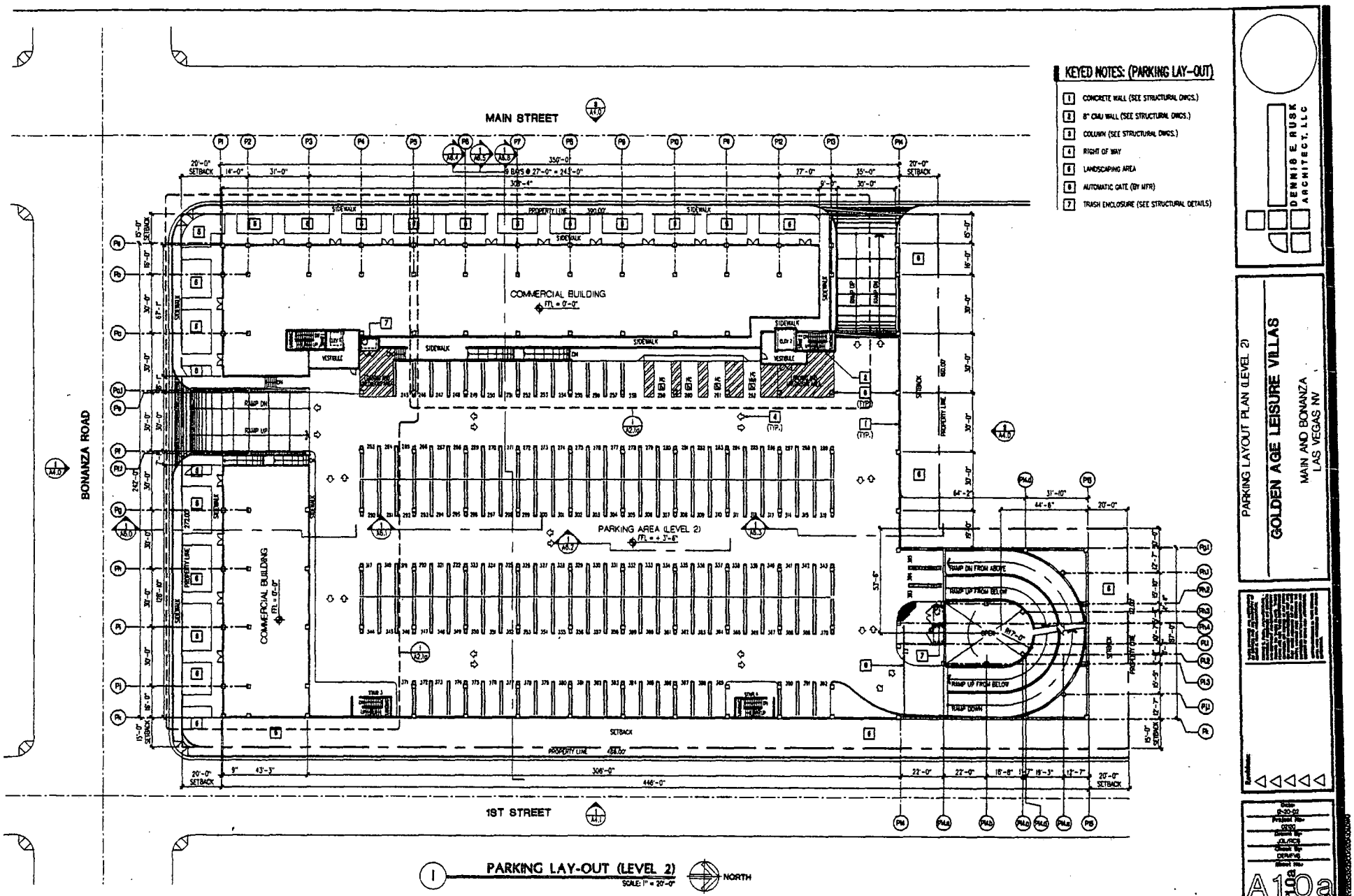
GOLDEN AGE LEISURE VILLAS

MAIN AND BONANZA
LAS VEGAS, NV

A1.0

EOT-5402
EOT-5403
EOT-5404

11-17-04 CC



DENNIS E RUSK ARCHITECT, LLC

PARKING LAYOUT PLAN (LEVEL 2)

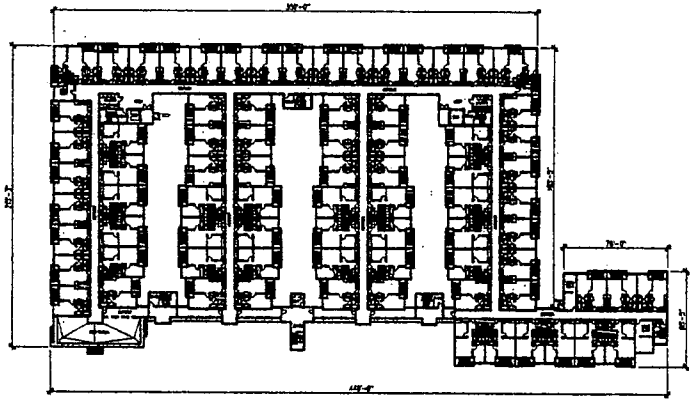
GOLDEN AGE LEISURE VILLAS

MAIN AND BONANZA
LAS VEGAS NV

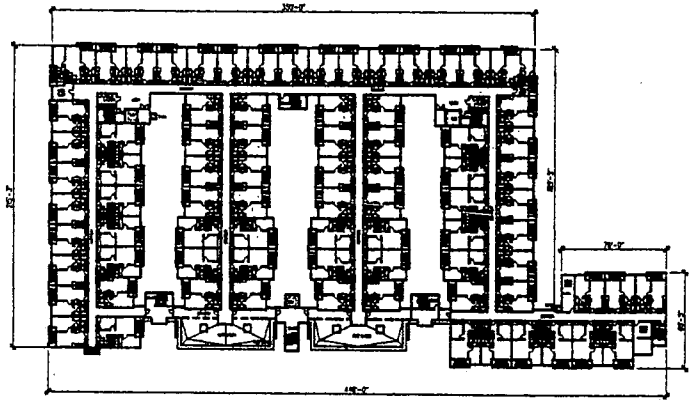
A10a

EOT-5402
EOT-5403
EOT-5404

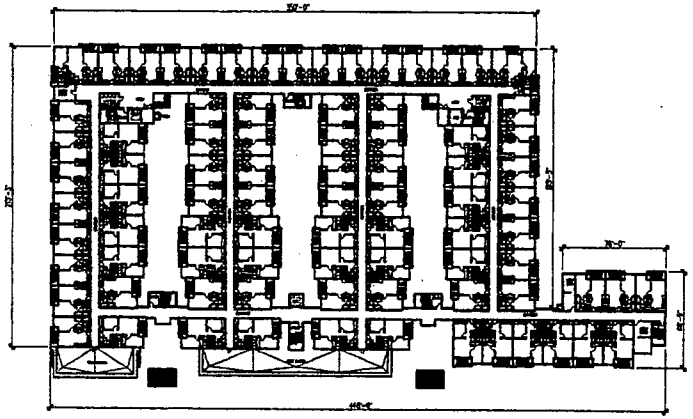
11-17-04 CC



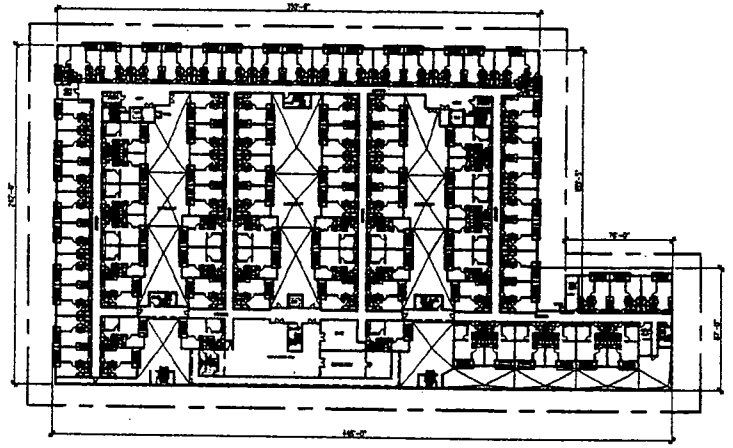
4 BUILDING PLAN - SEVENTH FLOOR PLAN
SCALE: 1" = 40'-0" NORTH



3 BUILDING PLAN - SIXTH FLOOR PLAN
SCALE: 1" = 40'-0" NORTH



2 BUILDING PLAN - FIFTH FLOOR PLAN
SCALE: 1" = 40'-0" NORTH



1 BUILDING PLAN - FOURTH FLOOR PLAN
SCALE: 1" = 40'-0" NORTH

DENNIS E. RUSK
ARCHITECT, LLC

BUILDING PLANS - FOURTH, FIFTH,
SIXTH AND SEVENTH FLOOR PLANS

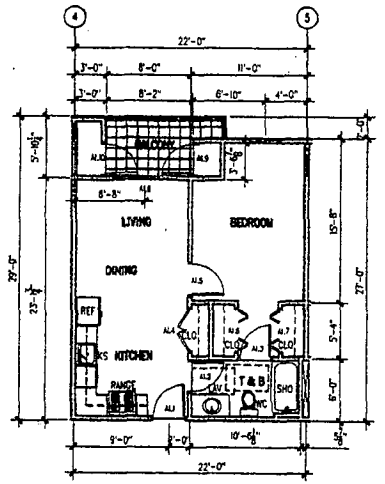
GOLDEN AGE LEISURE VILLAS

MAIN AND BONANZA
LAS VEGAS, NV

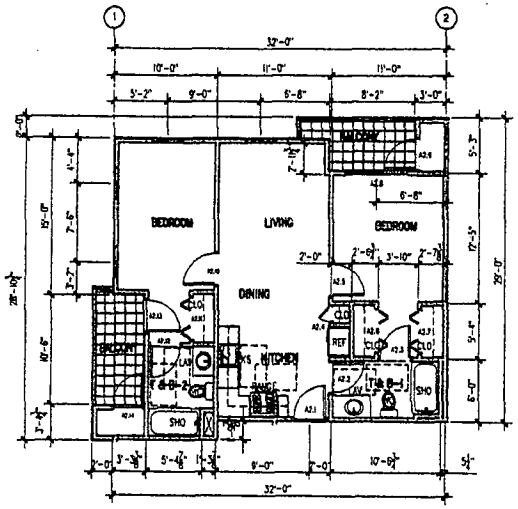
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EOT-5402
EOT-5403
EOT-5404

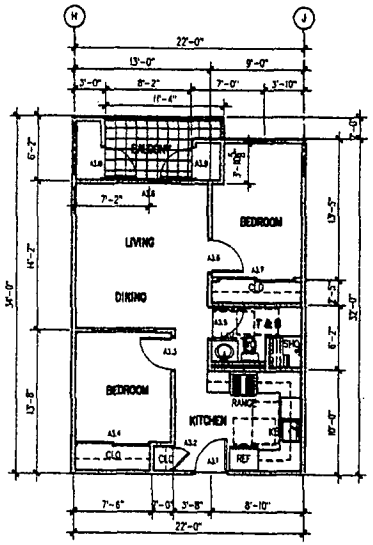
11-17-04 CC



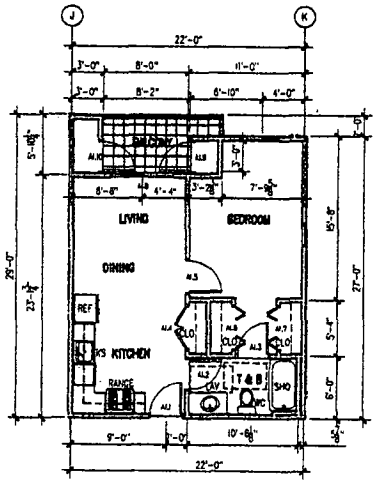
1 ENLARGED FLOOR PLAN (TYPE A1)
SCALE: 3/16" = 1'-0"



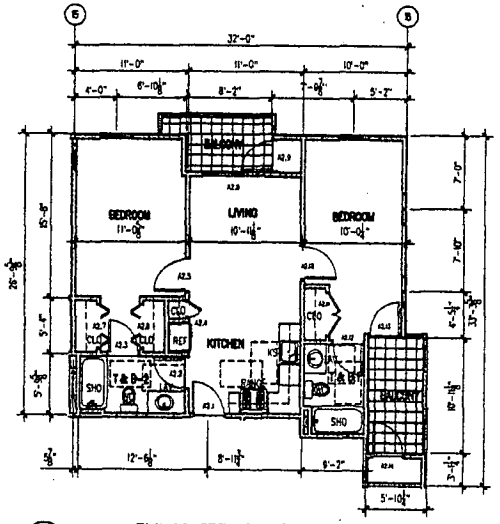
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SCALE: 3/16" = 1'-0"



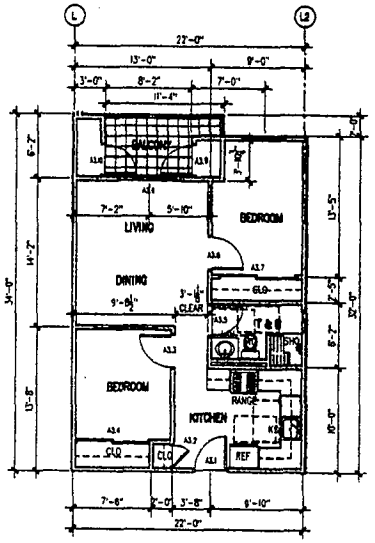
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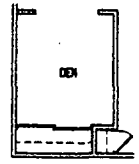
2 ENLARGED FLOOR PLAN (TYPE A1.1)
SCALE: 3/16" = 1'-0"



4 ENLARGED FLOOR PLAN (TYPE A2.1)
SCALE: 3/16" = 1'-0"



5 ENLARGED FLOOR PLAN (TYPE A3.1)
SCALE: 3/16" = 1'-0"



6 TYPE A3 & A3.1 WITH DEN OPTIONS
SCALE: 3/16" = 1'-0"

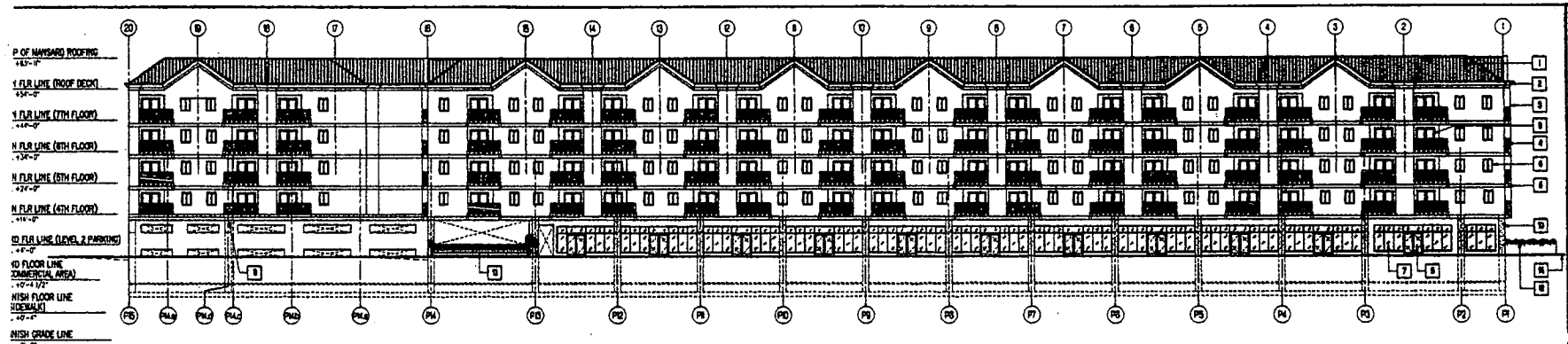
DENNIS E. RUSK ARCHITECT, LLC

ENLARGED FLOOR PLANS
TYPE A1, A1.1, A2, A2.1, A3 AND A3.1
GOLDEN AGE LEISURE VILLAS
MAIN AND BONANZA
LAS VEGAS, NV

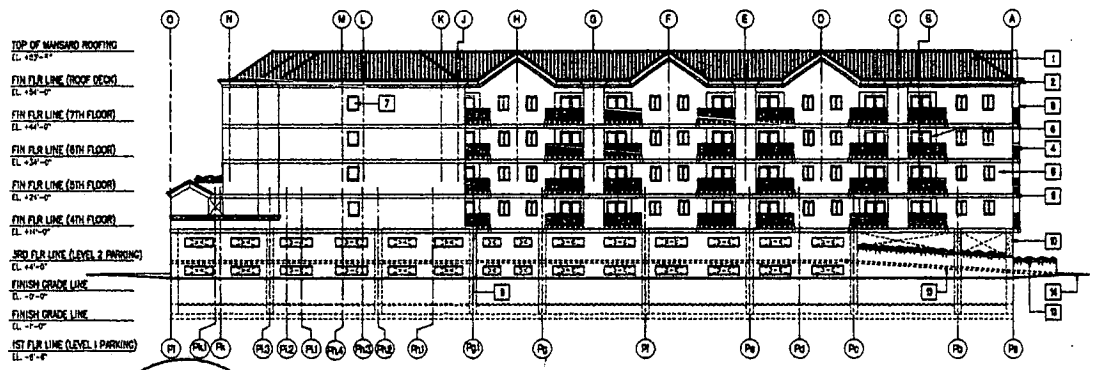
A2.1

EOT-5402
EOT-5403
EOT-5404

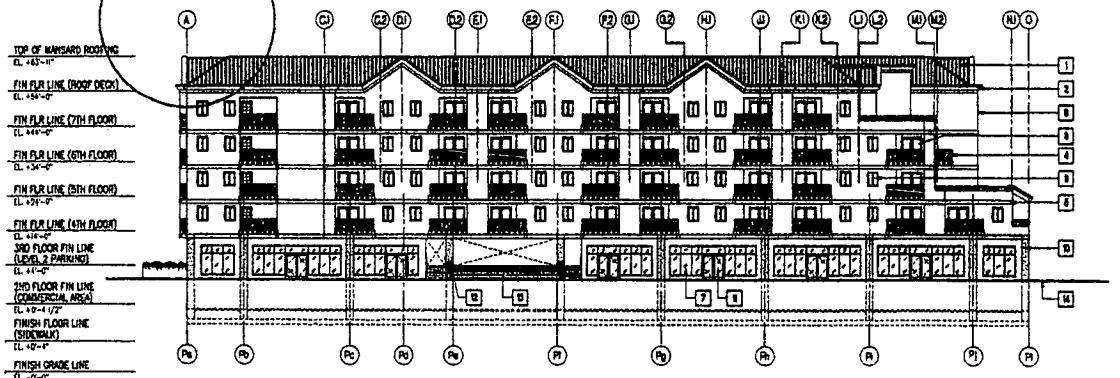
11-17-04 CC



3 WEST/MAIN STREET ELEVATION
SCALE: 1/16" = 1'-0"



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



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

KEYED NOTES: (BLDG. ELEVATION)

1. MANSARD ROOFING SYSTEM
2. CORNICE
3. 7/8" STUCCO FINISH
4. GALVANIZE STEEL RAILING W/ PAINT FINISH
5. POP-OUT
6. SLIDING WINDOW (PER WINDOW SCHEDULE)
7. FIXED GLASS WINDOW (PER WINDOW SCHEDULE)
8. ALUMINUM SLIDING DOOR (PER DOOR SCHEDULE)
9. ALUMINUM GLASS DOOR (PER DOOR SCHEDULE)
10. CONCRETE COLUMN (PER STRUCTURAL DWGS.)
11. CONCRETE BEAM (PER STRUCTURAL DWGS.)
12. LANDSCAPE ELEMENTS
13. RAMP
14. SIDEWALK

EOT-5402
EOT-5403
EOT-5404

11-17-04 CC

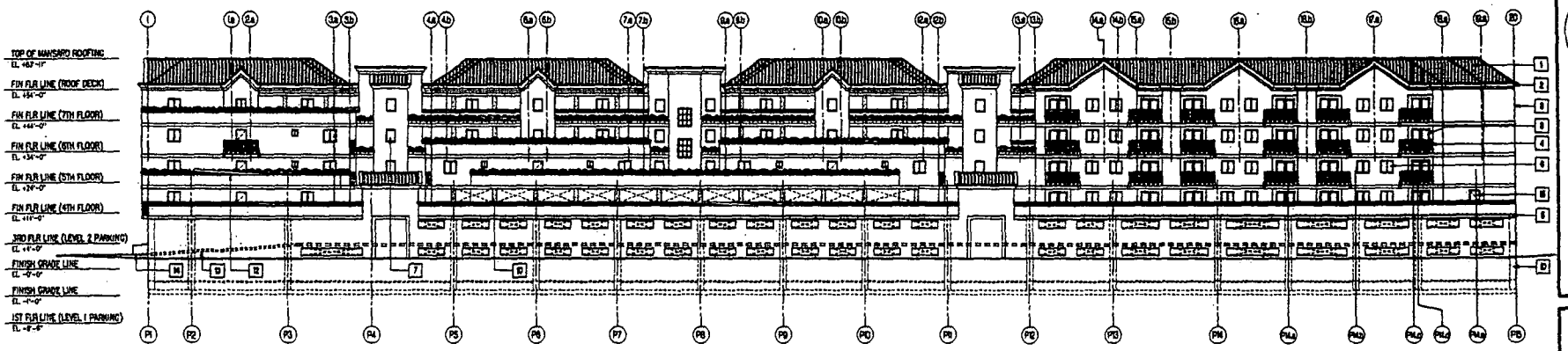
DENNIS E RUSK ARCHITECT, LLC

BUILDING ELEVATIONS

GOLDEN AGE LEISURE VILLAS

MAIN AND BONANZA
LAS VEGAS NV

A2.0



1 **EAST/FIRST STREET ELEVATION**
SCALE: 1/16" = 1'-0"

KEYED NOTES: (BLDG. ELEVATION)

1. MANSARD ROOFING SYSTEM
2. CORNICE
3. 7/8" STUCCO FINISH
4. GALVANIZE STEEL RAILING W/ PAINT FINISH
5. POP-OUT
6. SLIDING WINDOW (PER WINDOW SCHEDULE)
7. FIXED GLASS WINDOW (PER WINDOW SCHEDULE)
8. ALUMINUM SLIDING DOOR (PER DOOR SCHEDULE)
9. ALUMINUM GLASS DOOR (PER DOOR SCHEDULE)
10. CONCRETE COLUMN (PER STRUCTURAL DWGS.)
11. CONCRETE BEAM (PER STRUCTURAL DWGS.)
12. LANDSCAPE ELEMENTS
13. RAMP
14. SIDEWALK
15. DOOR (PER DOOR SCHEDULE)

DENNIS E RUSK
ARCHITECT, LLC

BUILDING ELEVATIONS

GOLDEN AGE LEISURE VILLAS

MAIN AND BONANZA
LAS VEGAS NV

EOT-5402
EOT-5403
EOT-5404

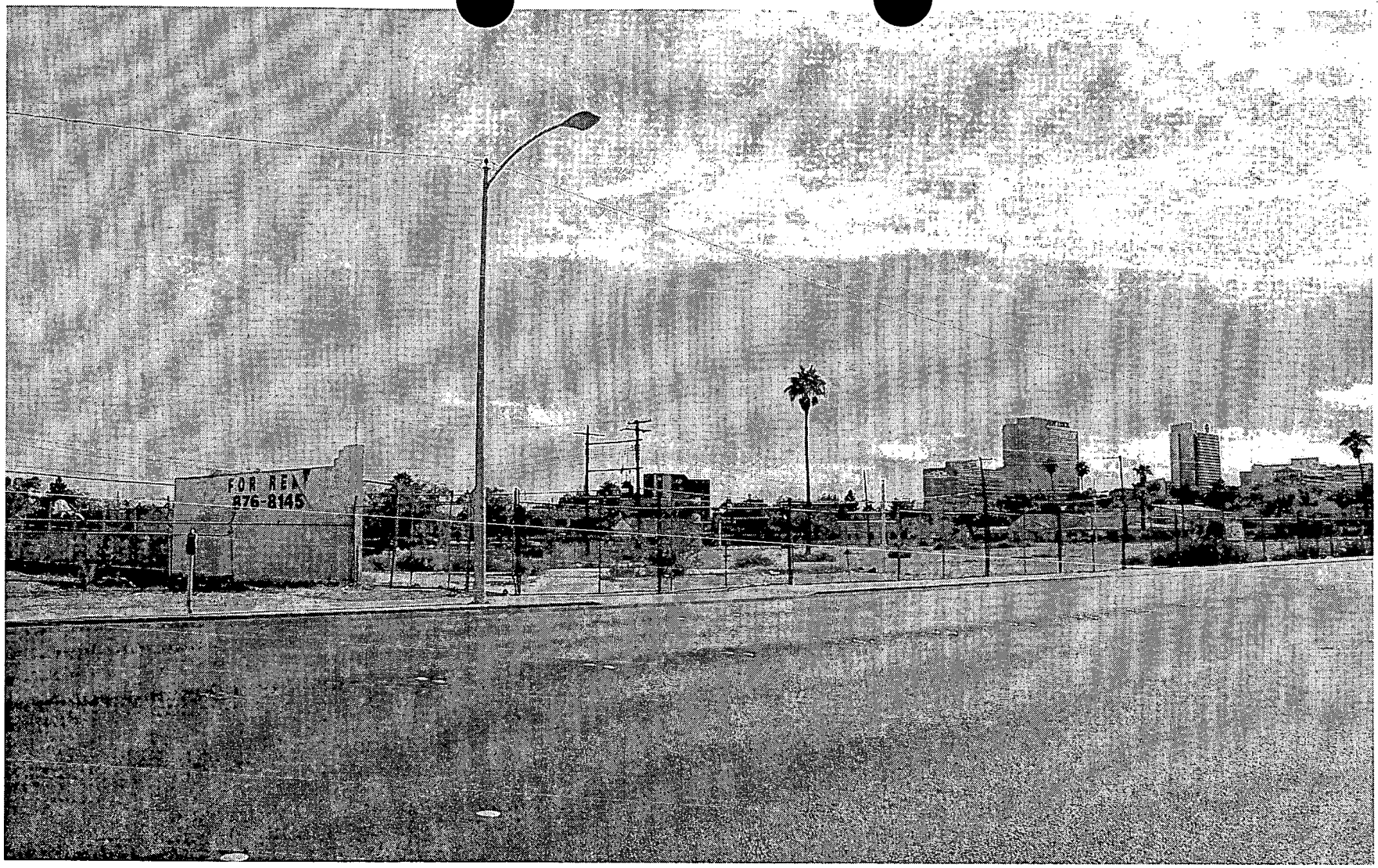
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A1.1



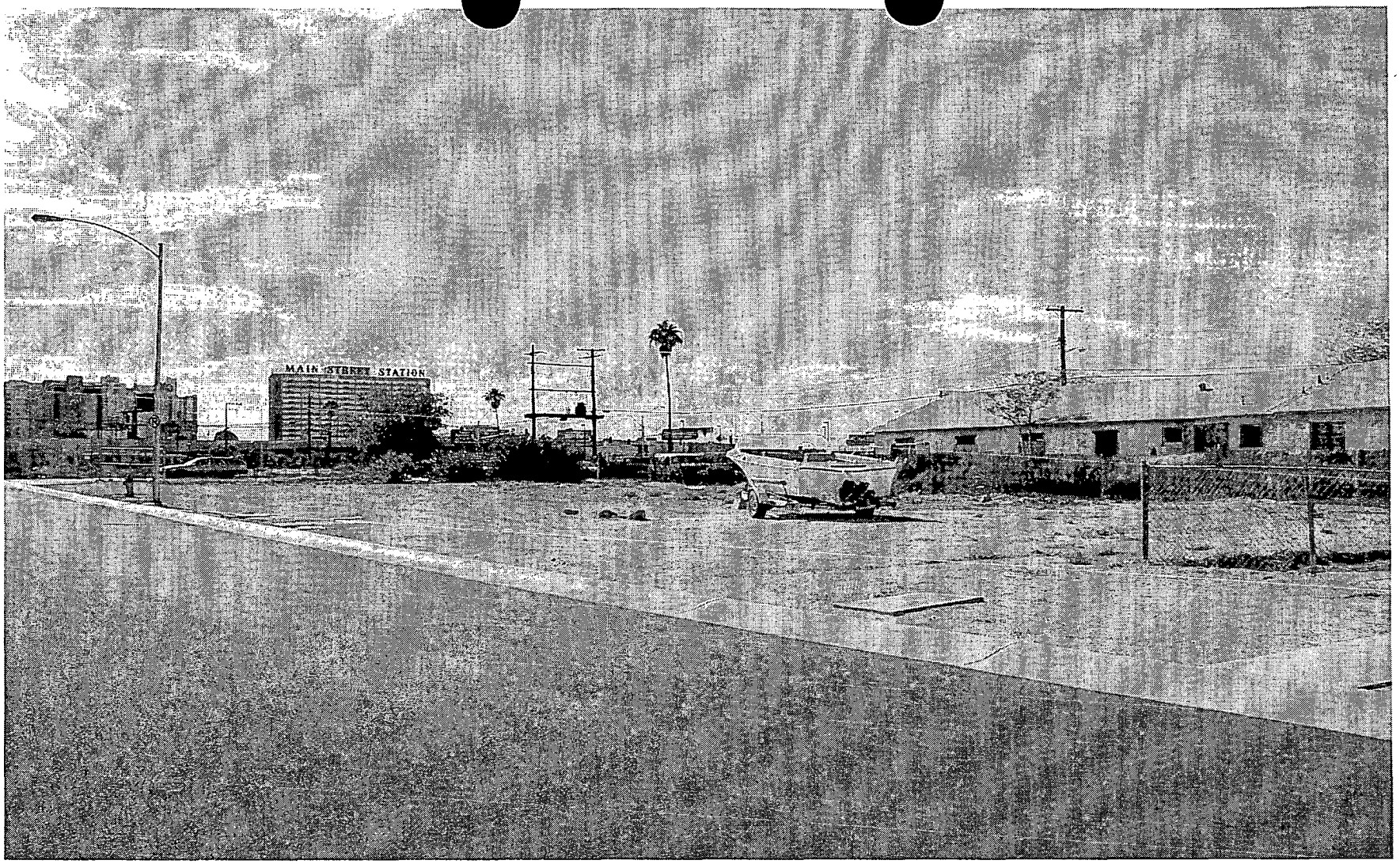
EOT-5402 - APPLICANT/OWNER: BONANZA REALTY, LLC
Adjacent to the northeast corner of Main Street and Bonanza Road
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04



EOT-5402 - APPLICANT/OWNER: BONANZA REALTY, LLC
Adjacent to the northeast corner of Main Street and Bonanza Road
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04



EOT-5402 - APPLICANT/OWNER: BONANZA REALTY, LLC
Adjacent to the northeast corner of Main Street and Bonanza Road
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04

City of Las Vegas

Agenda Item No. 94

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:

EXTENSION OF TIME RELATED TO EOT-5402 - SITE DEVELOPMENT PLAN REVIEW

EOT-5403 - APPLICANT/OWNER: BONANZA REALTY, LLC - Request for an Extension of Time for an approved Site Development Plan Review [Z-0046-02(1)] FOR A 326 UNIT MULTI-FAMILY SENIOR APARTMENT COMPLEX WITH 20,000 SQUARE FEET OF COMMERCIAL DEVELOPMENT on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road (APN 139-27-707-008, 139-27-712-046 through 051 and 139-27-810-001 through 004), R-2 (Medium Low Density Residential) and C-M (Commercial/Industrial) Zones under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Weekly). Staff recommends APPROVAL

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

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN - APPROVED Item 92 [EOT-5421], Item 93 [EOT-5402], Item 94 [EOT-5403], Item 95 [EOT-5404], Item 96 [EOT-5436], Item 97 [EOT-5437], Item 98 [EOT-5438], Item 99 [EOT-5439] and Item 100 [EOT-5440] subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

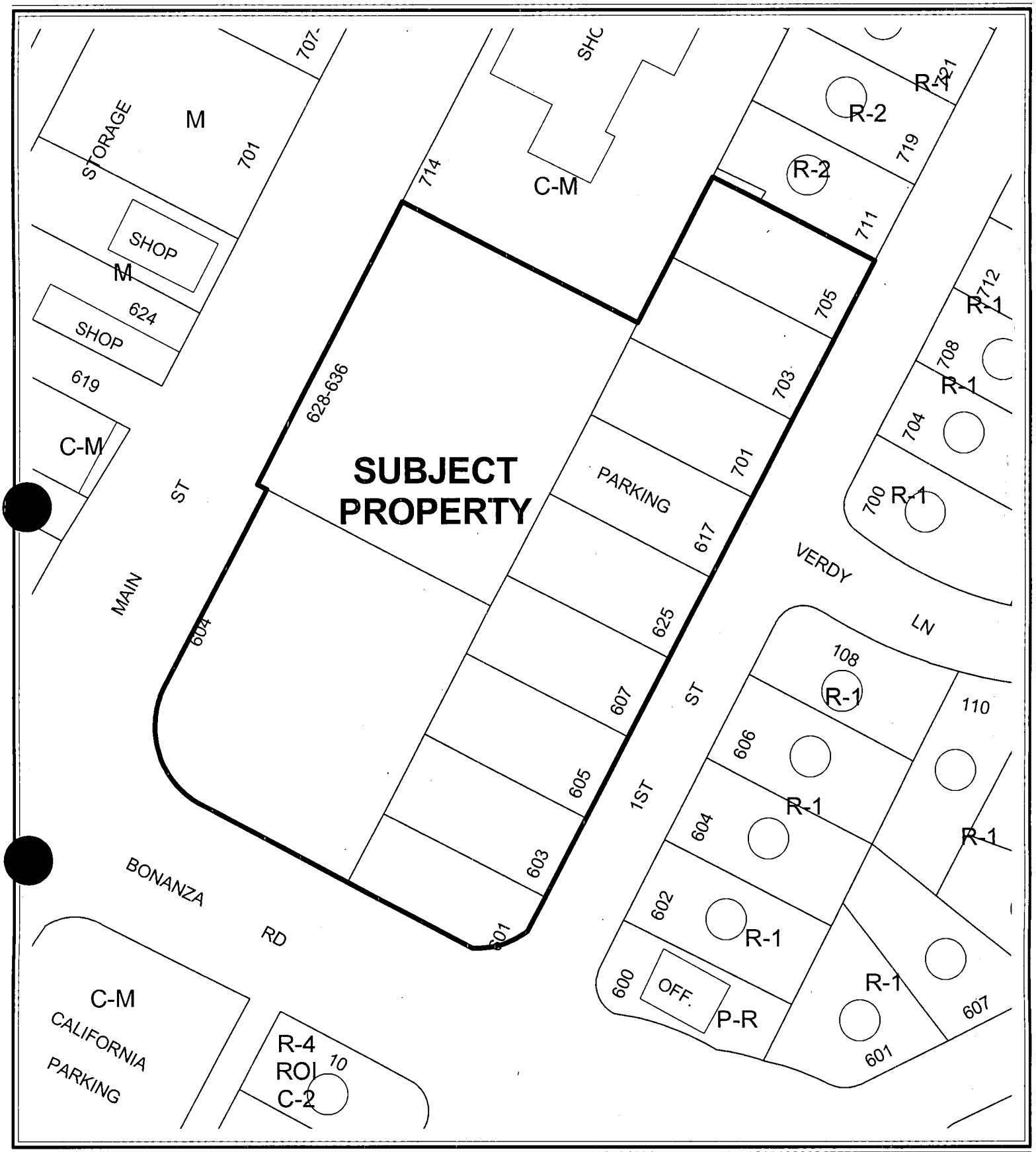
There was no discussion.
(1:26 - 1:27)
2-642

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on November 20, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Rezoning Z-0046-02, Special Use Permit U-0114-02 and Site Development Plan Review Z-0046-02(1) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.



CASE: **EOT-5403**

ZONING OF SUBJECT PROPERTY:

R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) AND C-M (COMMERCIAL/INDUSTRIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-5403 - APPLICANT/OWNER: BONANZA REALTY, LLC

** CONDITIONS **

Staff recommends APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on November 20, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Rezoning Z-0046-02, Special Use Permit U-0114-02 and Site Development Plan Review Z-0046-02(1) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for an Extension of Time for an approved Site Development Plan Review [Z-0046-02(1)] for a 256-unit multi-family senior apartment complex with 20,000 square feet of commercial development on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.

B) Applicant's Justification

The applicant's justification letter indicates additional time is needed to secure funding and prepare plans to submit for building permits.

BACKGROUND INFORMATION

A) Previous Actions

11/20/02 The City Council approved a Rezoning (Z-0046-02) to C-1 (Limited Commercial), a Special Use Permit (U-0114-02) for the multi family senior apartment complex and a Site Development Plan Review [Z-0046-02(1)] for the 256-unit multi-family senior apartment complex with 20,000 square feet of commercial development on this site. The Planning Commission and staff recommended approval on October 24, 2002.

11/17/04 The City Council will hear a request for an Extension of Time (EOT-5402) for the Rezoning (Z-0046-02) to C-1 (Limited Commercial) and an Extension of Time (EOT-5404) for the Special Use Permit (U-0114-02) which allowed the multi family senior apartment complex on this site.

To date, no building permits have been filed for the proposed 256-unit multi-family senior apartment complex with 20,000 square feet of commercial development.

B) Pre-Application Meeting

A pre-application meeting is not required for an Extension of Time application.

C) Neighborhood Meetings

A neighborhood meeting is not required for an Extension of Time application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.87

B) Existing Land Use

Subject Property:	Undeveloped
North:	Shops/Industrial
South:	Single Family Residence and Parking Lot
East:	Single Family Residences and Office
West:	Single Family Residences and Shops/Industrial

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-2 (Medium Low Density Residential) and C-M (Commercial/Industrial) under Resolution of Intent to C-1 (Limited Commercial)
North:	R-2 (Medium Low Density Residential) and C-M (Commercial/Industrial)
South:	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial) and C-M (Commercial/Industrial)
East:	R-1 (Single Family Residential) and P-R (Professional Office and Parking)
West:	C-M (Commercial/Industrial) and M (Industrial)

E) General Plan Compliance

The subject site is located on the Southeast Sector Map of the General Plan. The site is designated as MXU (Mixed Use) on the Redevelopment Plan Area Map of the General Plan. The approved 256-unit multi-family senior apartment complex with 20,000 square feet of commercial development is in compliance with the MXU (Mixed Use) designation.

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

This site is located within Redevelopment Area Plan, which encourages the continuing development of downtown Las Vegas as a regional center for finance, business, governmental services, entertainment and recreation, while retaining the gaming and tourism vital to economic prosperity.

PROJECT DESCRIPTION

Access to the site is via 27-foot wide driveways from Main Street and Bonanza Road. The commercial portion of the project is located along the Main Street and Bonanza Road frontages, setback 15 and 20 feet respectively from the right-of-way. Parking area is provided on the ground floor behind the commercial portion, and then on the second and third levels. Levels four through seven are then devoted to apartment units.

Twenty four inch box trees are provided thirty foot on center along the Main Street and Bonanza Road frontages. Full perimeter landscaping is provided along the First Street frontage within a 15 foot wide landscape planter, and along the north property line in a 10 to 15 foot wide landscape planter. Other on-site landscaping materials are provided in landscaped terraces along the east elevation.

ANALYSIS

A) Zoning Code Compliance

Since no changes have been made to the approved site plan, the plan remains in compliance with applicable code requirements and development standards.

B) General Analysis and Discussion

The applicant is requesting additional time in order to secure funding and prepare plans to submit for building permits. The proposed development remains appropriate at this location, therefore approval is recommended with another two year time limit.

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 Senior Apartments/Mixed Use facility is compatible with and will promote positive redevelopment within the surrounding area.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, wall and buffer standards, and other duly-adopted City plans, policies, and standards."**

   The proposed office development is consistent with Title 19, and with the intent of the Landscape, Wall and Buffer Standards subject to meeting the Conditions of Approval for the Site Development Plan Review [Z-0046-02(1)].

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

   Bonanza Road and Main Street, both 100 foot right-of-way Primary Arterials are adequate to meet the needs of this development.

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

   All building and landscape materials proposed in conjunction with the proposed Senior Apartment/Mixed Use complex are appropriate for the area and for the City based on the Conditions of Approval for the original Site Development Plan Review [Z-0046-02(1)] which require increased amounts of landscaping materials.

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 approved building elevations remain appropriate for this development subject to meeting the Conditions of Approval for the Site Development Plan Review [Z-0046-02(1)].

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

   The proposed development will be subject to inspections for Certificate of Occupancy, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT · 5403 APN: 139-27-7-7-008, 046 to 051, 810-001 to 004

Name of Property Owner: BONANZA REALTY LLC

Name of Applicant: BONANZA REALTY 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: Moshe Schnapp

Print Name: MOSHE SCHNAPP MANAGER

Subscribed and sworn before me

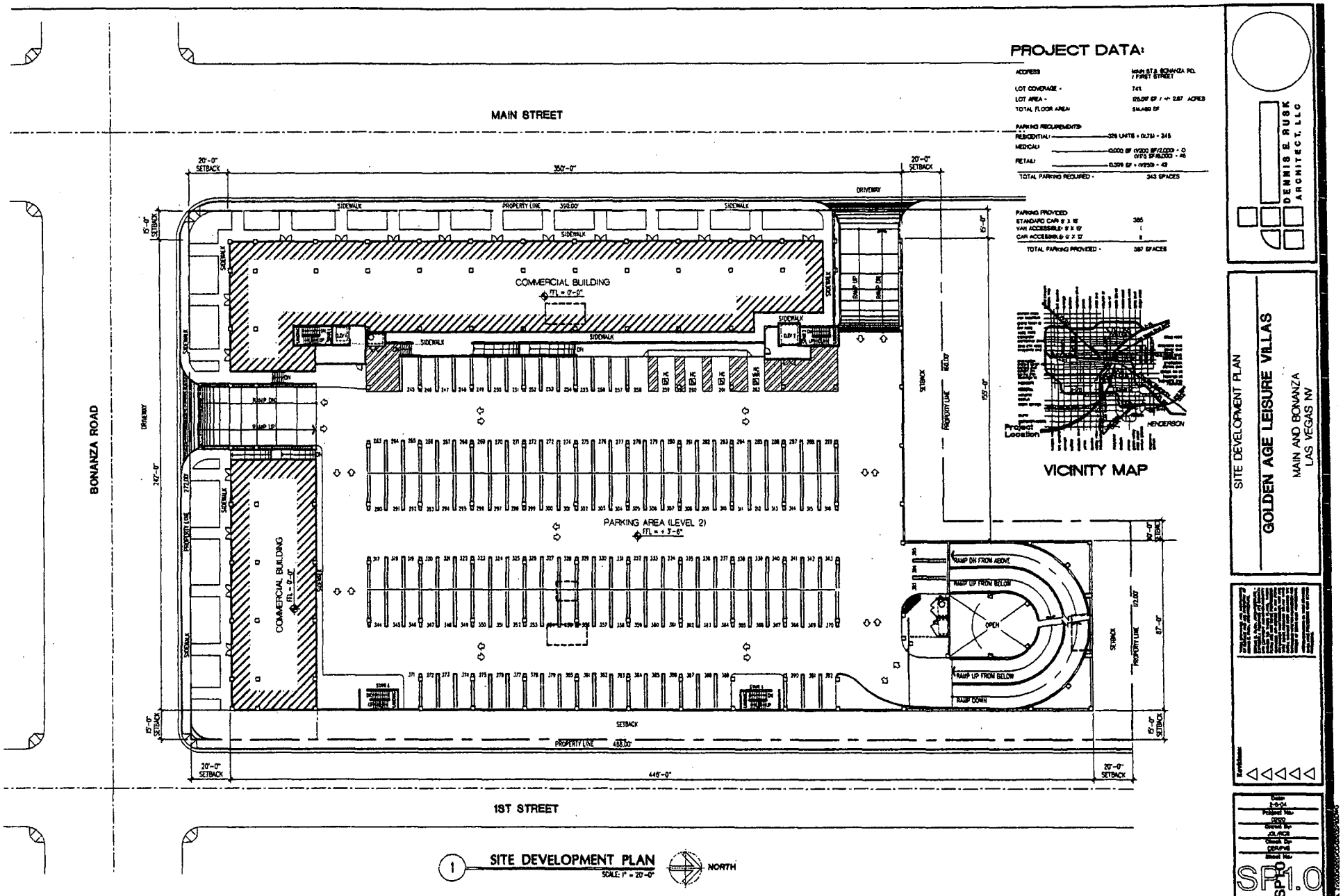
This 29 day of September, 2004

Notary Public in and for said County and State CA

YOSSI ATTIA
Comm. #1509893
NOTARY PUBLIC-CALIFORNIA
County of Los Angeles
My Comm. Expires August 26, 2006

Revised 2/12/02

f:\dcpot\Application Packet\Statement of Financial Interest.doc



1 SITE DEVELOPMENT PLAN
SCALE: 1" = 20'-0"

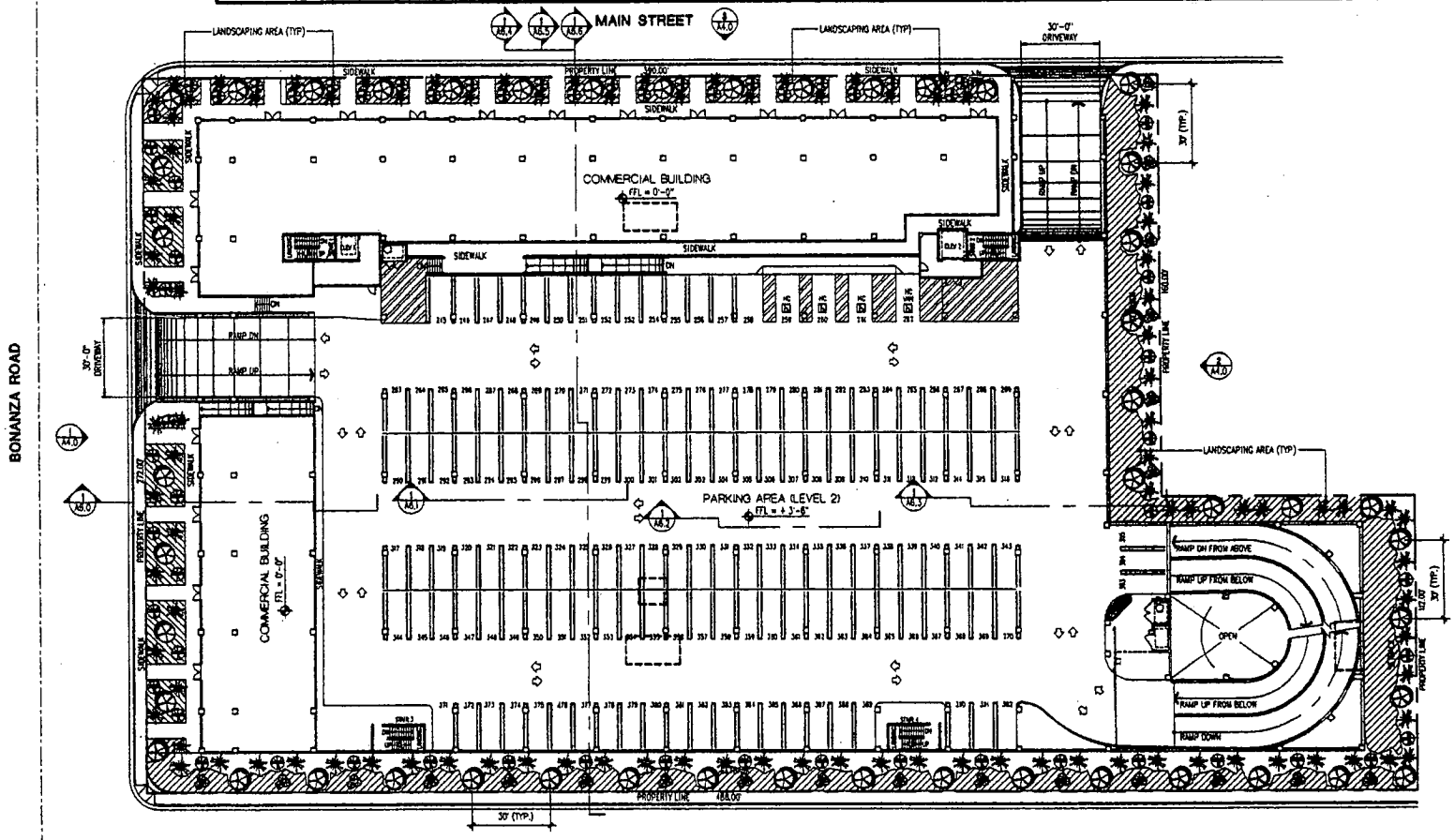
NORTH

EOT-5402
EOT-5403
EOT-5404

11-17-04 CC

LANDSCAPE LEGEND

SYMBOL	NO.	BOTANICAL NAME	COMMON NAME	USE	FULL SIZE	DESCRIPTION	SYMBOL	NO.	BOTANICAL NAME	COMMON NAME	USE	FULL SIZE	DESCRIPTION
	48	PINUS	ALEPPO PINE	EVERGREEN TREE	LARGE OVER 40'	24" BOX, STD. TRUNK		0	LEUCOPHYLLUM	TEXAS RANGER	EVERGREEN SHRUB	6'X6'	5 GALON
	83	PINUS	MONDEL PINE	EVERGREEN TREE	LARGE OVER 40' X MEDIUM 20'-40'	24" BOX, STD. TRUNK		102	BACCHARIS	DESERT BROOM	EVERGREEN SHRUB	5'x5'	5 GALON
	0	GAZANIA	GAZANIA	GROUND COVER				22	RHAPIOLEPIS	INDIAN HAWTHORNE	EVERGREEN SHRUB	4'X4'	5 GALON



LANDSCAPING PLAN
SCALE: 1" = 20'-0"
NORTH

DENNIS E. RUSK ARCHITECT, LLC

LANDSCAPING PLAN

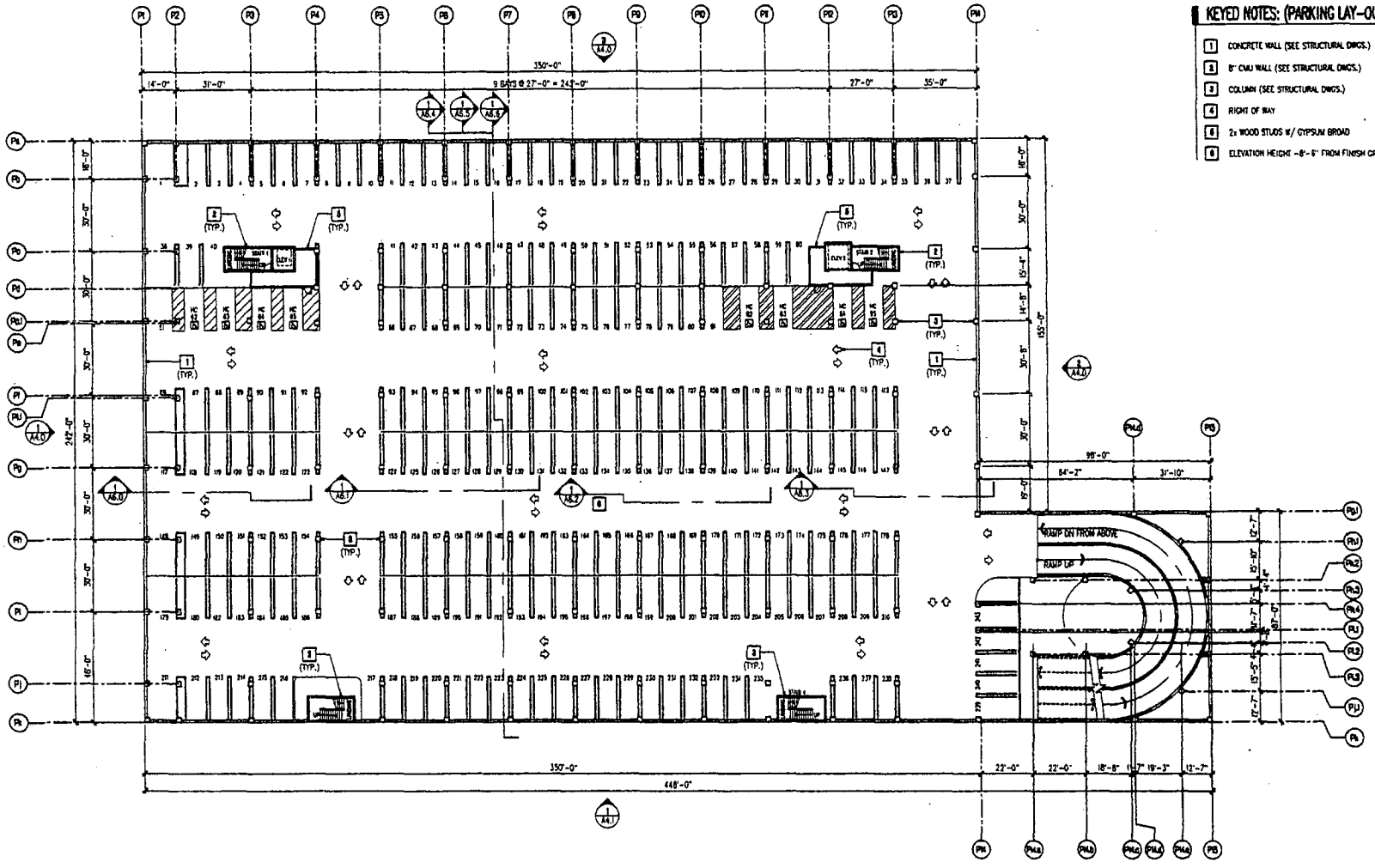
GOLDEN AGE LEISURE VILLAS

MAIN AND BONANZA
LAS VEGAS, NV

L1.0

EOT-5402
EOT-5403
EOT-5404

11-17-04 CC



1 PARKING LAY-OUT PLAN (LEVEL 1) NORTH
SCALE: 1" = 20'-0"

DENNIS E RUSK ARCHITECT, LLC

PARKING LAYOUT PLAN
LEVEL 1

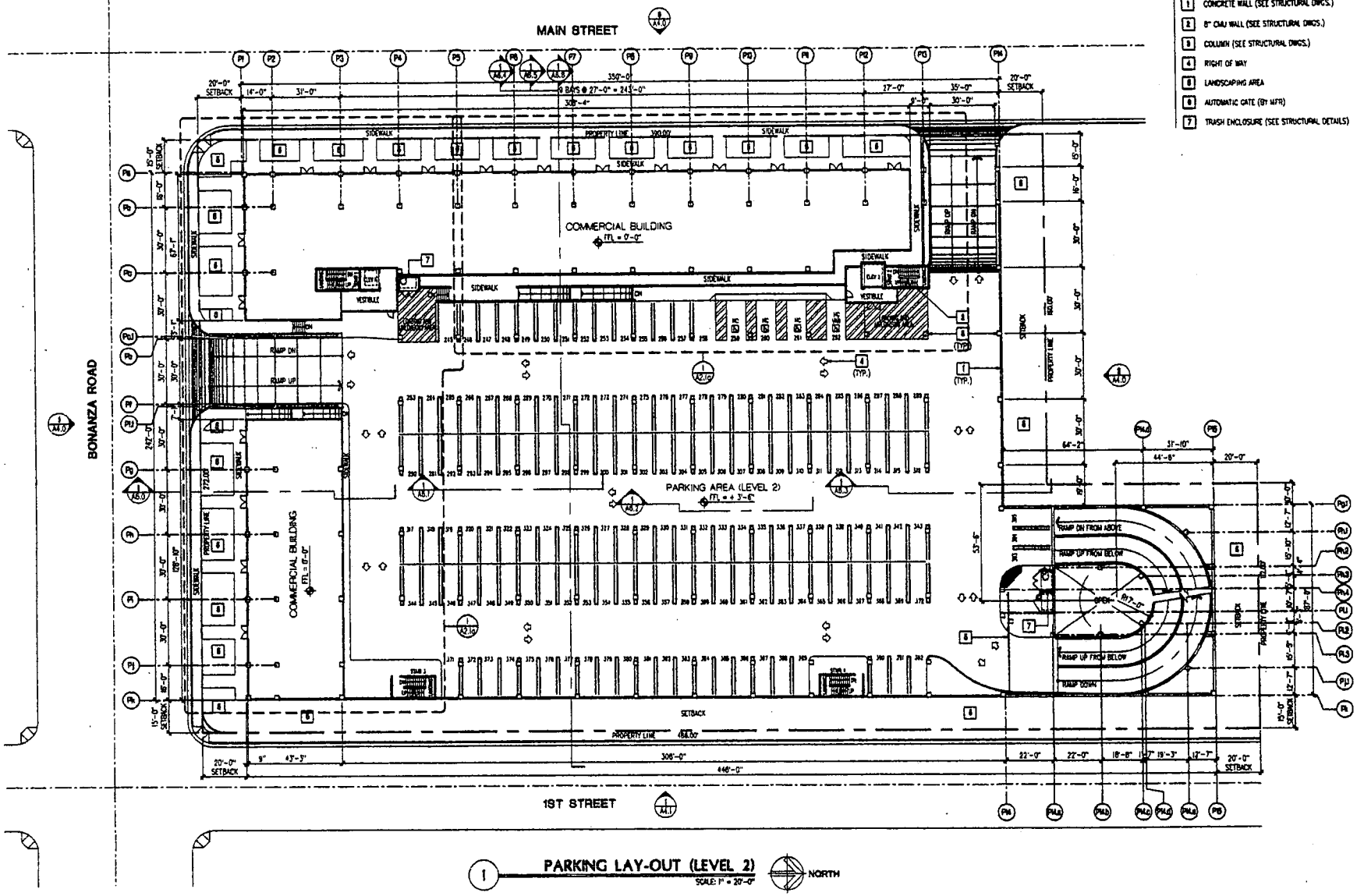
GOLDEN AGE LEISURE VILLAS

MAIN AND BONANZA
LAS VEGAS, NV

A1.0

EOT-5402
EOT-5403
EOT-5404

11-17-04 CC



KEYED NOTES: (PARKING LAY-OUT)

1. CONCRETE WALL (SEE STRUCTURAL DWGS.)
2. 8" CMU WALL (SEE STRUCTURAL DWGS.)
3. COLUMN (SEE STRUCTURAL DWGS.)
4. RIGHT OF WAY
5. LANDSCAPING AREA
6. AUTOMATIC GATE (BY MFR)
7. TRASH ENCLOSURE (SEE STRUCTURAL DETAILS)

1 PARKING LAY-OUT (LEVEL 2)
SCALE: 1" = 20'-0"

NORTH

DENNIS E. RUSK ARCHITECT, LLC

PARKING LAYOUT PLAN (LEVEL 2)

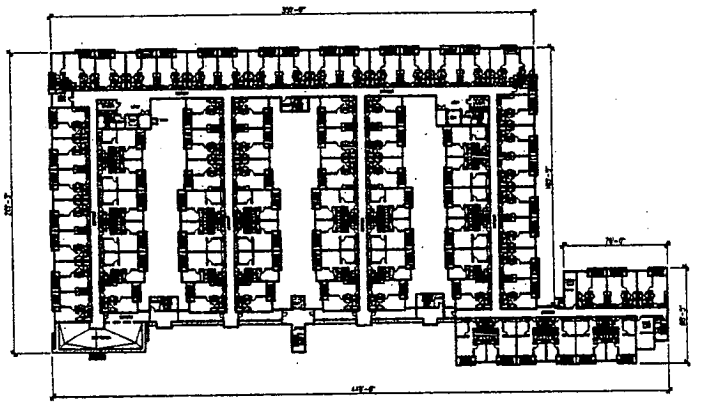
GOLDEN AGE LEISURE VILLAS

MAIN AND BONANZA
LAS VEGAS NV

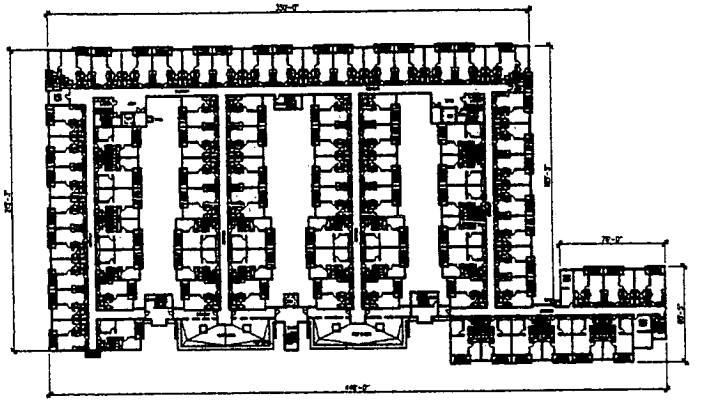
A10a

EOT-5402
EOT-5403
EOT-5404

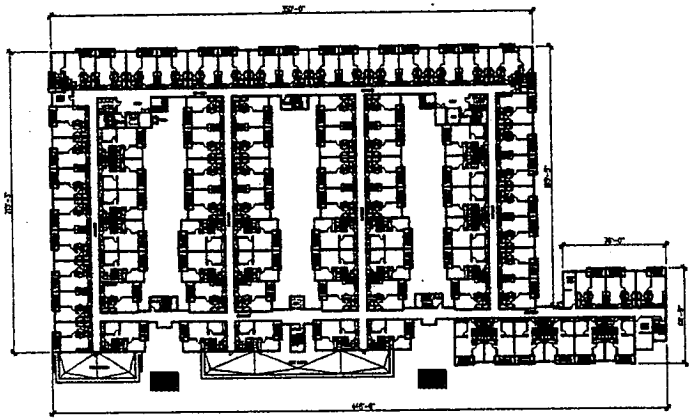
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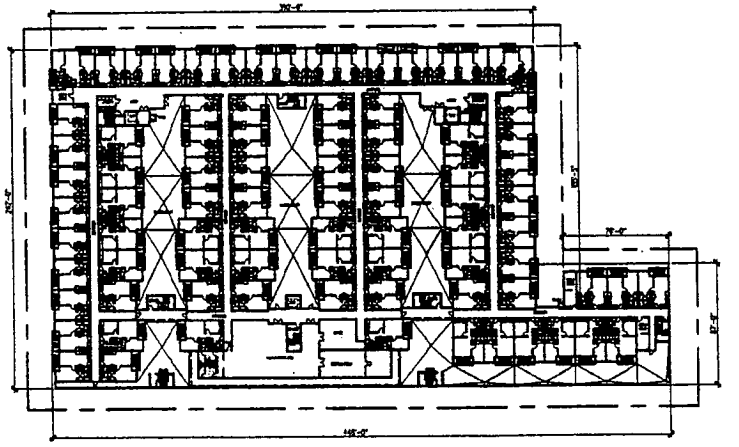
4 BUILDING PLAN - SEVENTH FLOOR PLAN
SCALE: 1" = 40'-0" NORTH



3 BUILDING PLAN - SIXTH FLOOR PLAN
SCALE: 1" = 40'-0" NORTH



2 BUILDING PLAN - FIFTH FLOOR PLAN
SCALE: 1" = 40'-0" NORTH



1 BUILDING PLAN - FOURTH FLOOR PLAN
SCALE: 1" = 40'-0" NORTH

DENNIS E. RUSK
ARCHITECT, LLC

BUILDING PLANS - FOURTH, FIFTH,
SIXTH AND SEVENTH FLOOR PLANS

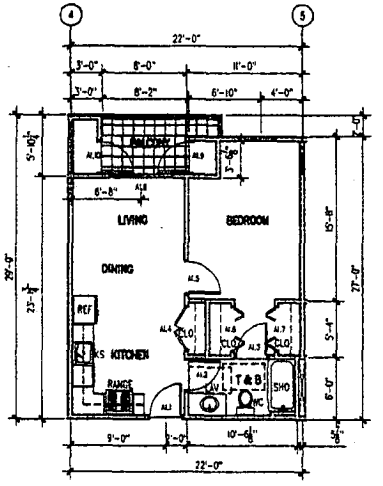
GOLDEN AGE LEISURE VILLAS

MAIN AND BONANZA
LAS VEGAS, NV

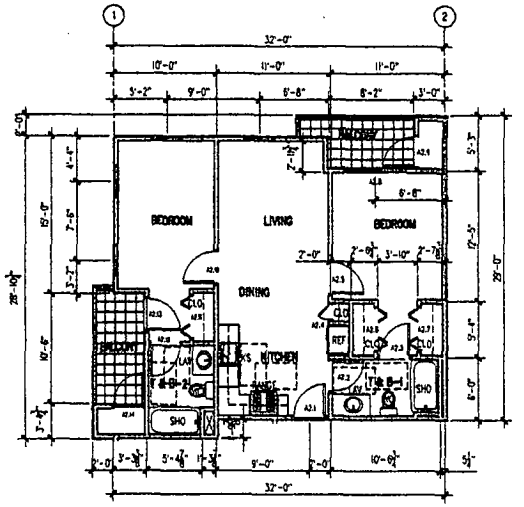
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EOT-5402
EOT-5403
EOT-5404

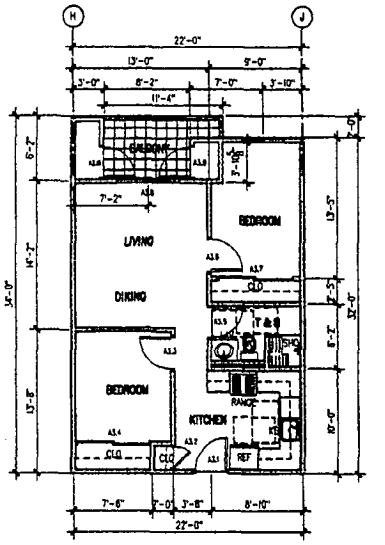
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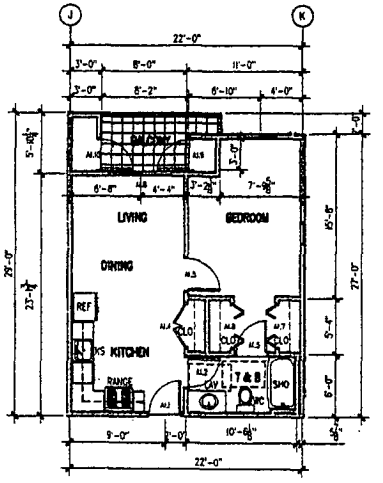
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SCALE: 3/16" = 1'-0"



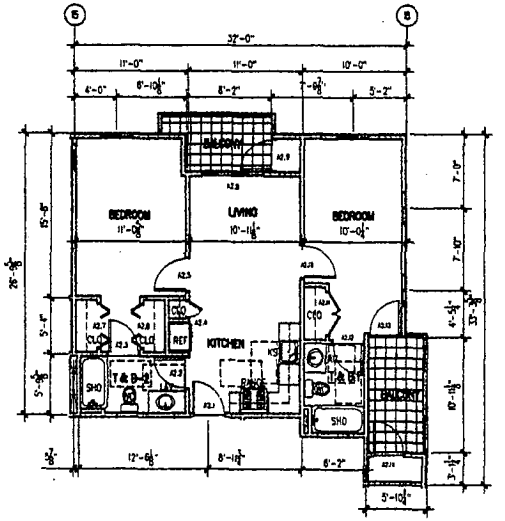
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SCALE: 3/16" = 1'-0"



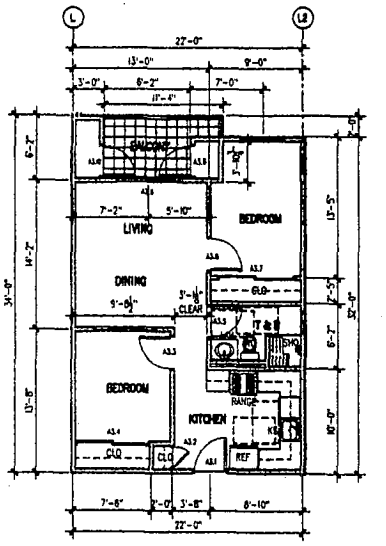
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SCALE: 3/16" = 1'-0"



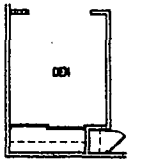
2 ENLARGED FLOOR PLAN (TYPE A1.1)
SCALE: 3/16" = 1'-0"



4 ENLARGED FLOOR PLAN (TYPE A2.1)
SCALE: 3/16" = 1'-0"



5 ENLARGED FLOOR PLAN (TYPE A3.1)
SCALE: 3/16" = 1'-0"



6 TYPE A3 & A3.1 WITH DEN OPTIONS
SCALE: 3/16" = 1'-0"

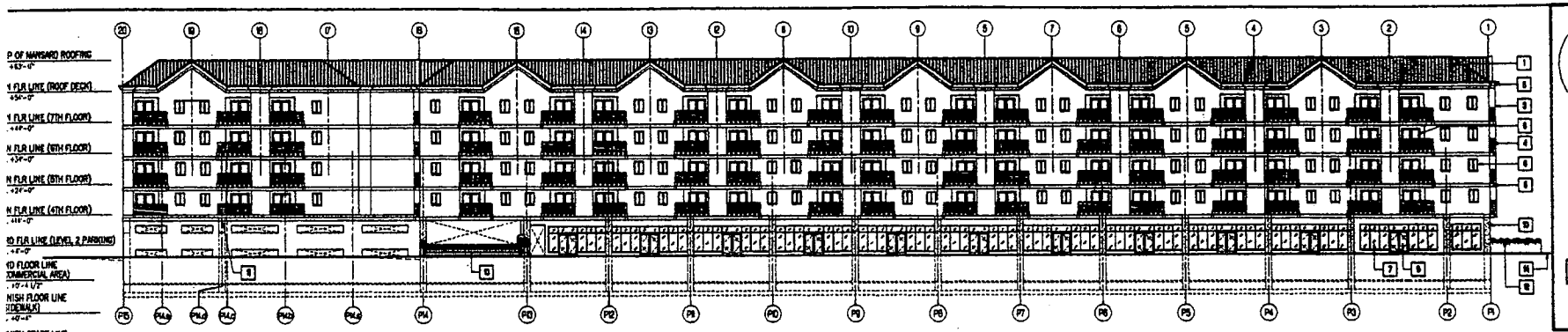
DENNIS E RUSK
ARCHITECT, LLC

ENLARGED FLOOR PLANS
TYPE A1, A1.1, A2, A2.1, A3 AND A3.1
GOLDEN AGE LEISURE VILLAS
MAIN AND BONANZA
LAS VEGAS, NV

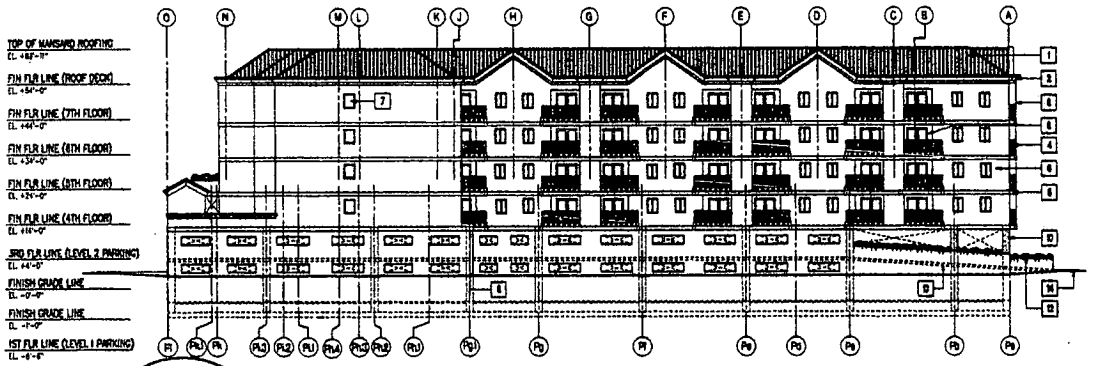
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EOT-5402
EOT-5403
EOT-5404

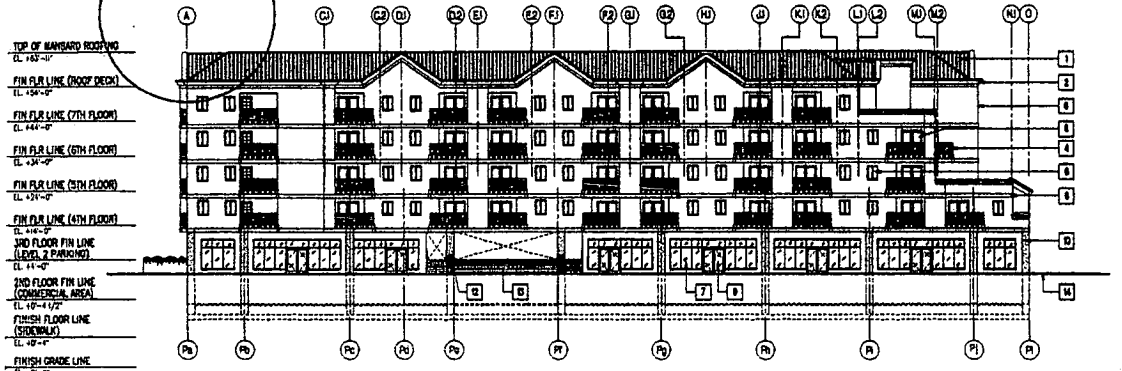
11-17-04 CC



3 WEST/MAIN STREET ELEVATION
SCALE: 1/16" = 1'-0"



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



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

KEYED NOTES: (BLDG. ELEVATION)

1	MANSARD ROOFING SYSTEM
2	CORNICE
3	7/8" STUCCO FINISH
4	GALVANIZE STEEL RAILING W/ PAINT FINISH
5	POP-OUT
6	SLIDING WINDOW (PER WINDOW SCHEDULE)
7	FIXED GLASS WINDOW (PER WINDOW SCHEDULE)
8	ALUMINUM SLIDING DOOR (PER DOOR SCHEDULE)
9	ALUMINUM GLASS DOOR (PER DOOR SCHEDULE)
10	CONCRETE COLUMN (PER STRUCTURAL DWGS.)
11	CONCRETE BEAM (PER STRUCTURAL DWGS.)
12	LANDSCAPE ELEMENTS
13	RAMP
14	SIDEWALK

EOT-5402
EOT-5403
EOT-5404

11-17-04 CC

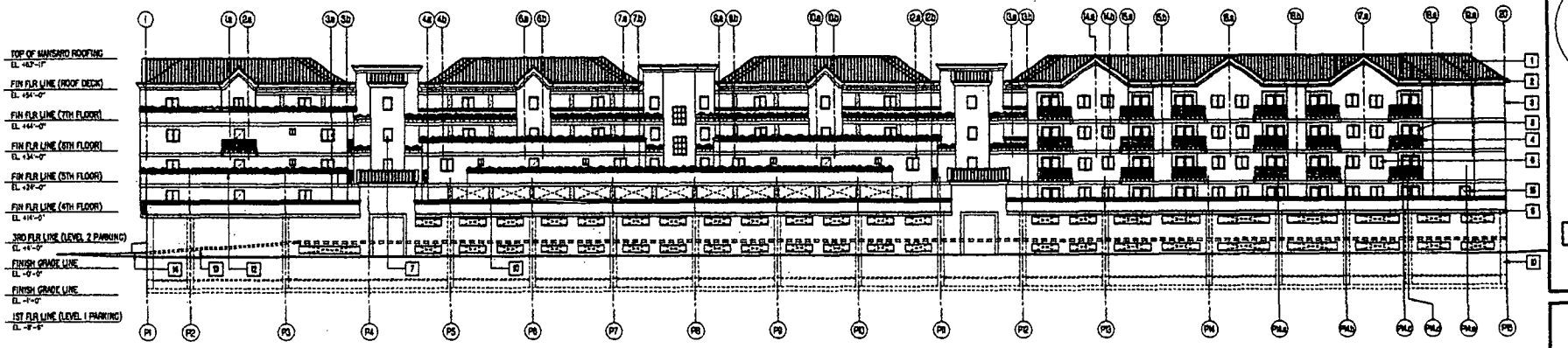
DENNIS E. RUSK ARCHITECT, LLC

BUILDING ELEVATIONS

GOLDEN AGE LEISURE VILLAS

MAIN AND BONANZA
LAS VEGAS NV

A4.0



1 EAST/FIRST STREET ELEVATION
SCALE: 1/16" = 1'-0"

KEYED NOTES: (BLDG. ELEVATION)

1. MANSARD ROOFING SYSTEM
2. CORNICE
3. 7/8" STUCCO FINISH
4. GALVANIZE STEEL RAILING W/ PAINT FINISH
5. POP-OUT
6. SLIDING WINDOW (PER WINDOW SCHEDULE)
7. FIXED GLASS WINDOW (PER WINDOW SCHEDULE)
8. ALUMINUM SLIDING DOOR (PER DOOR SCHEDULE)
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10. CONCRETE COLUMN (PER STRUCTURAL DWGS.)
11. CONCRETE BEAM (PER STRUCTURAL DWGS.)
12. LANDSCAPE ELEMENTS
13. RAMP
14. SIDEWALK
15. DOOR (PER DOOR SCHEDULE)

DENNIS E RUSK
ARCHITECT, LLC

BUILDING ELEVATIONS

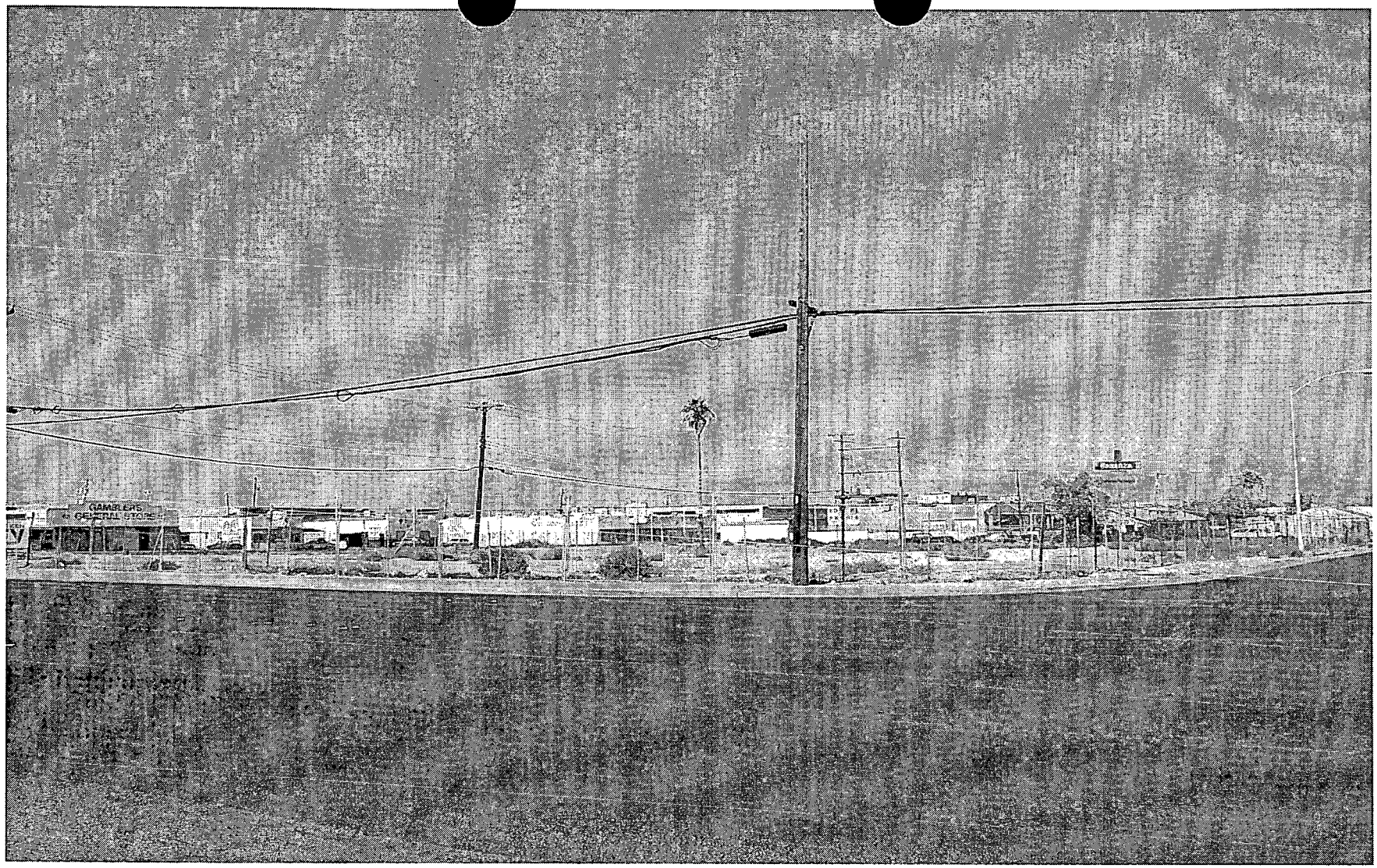
GOLDEN AGE LEISURE VILLAS

MAIN AND BONANZA
LAS VEGAS NV

EOT-5402
EOT-5403
EOT-5404

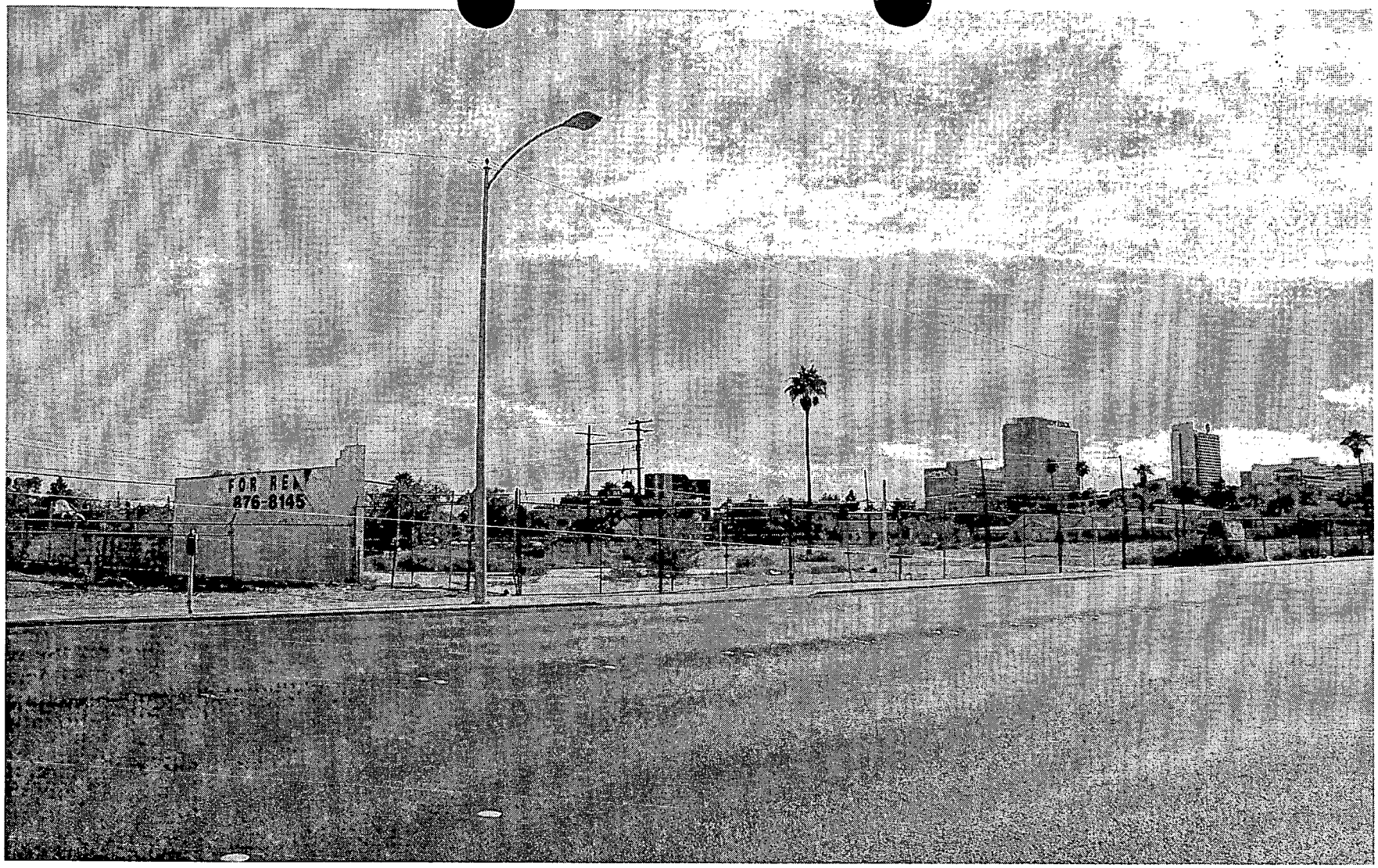
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A1.1



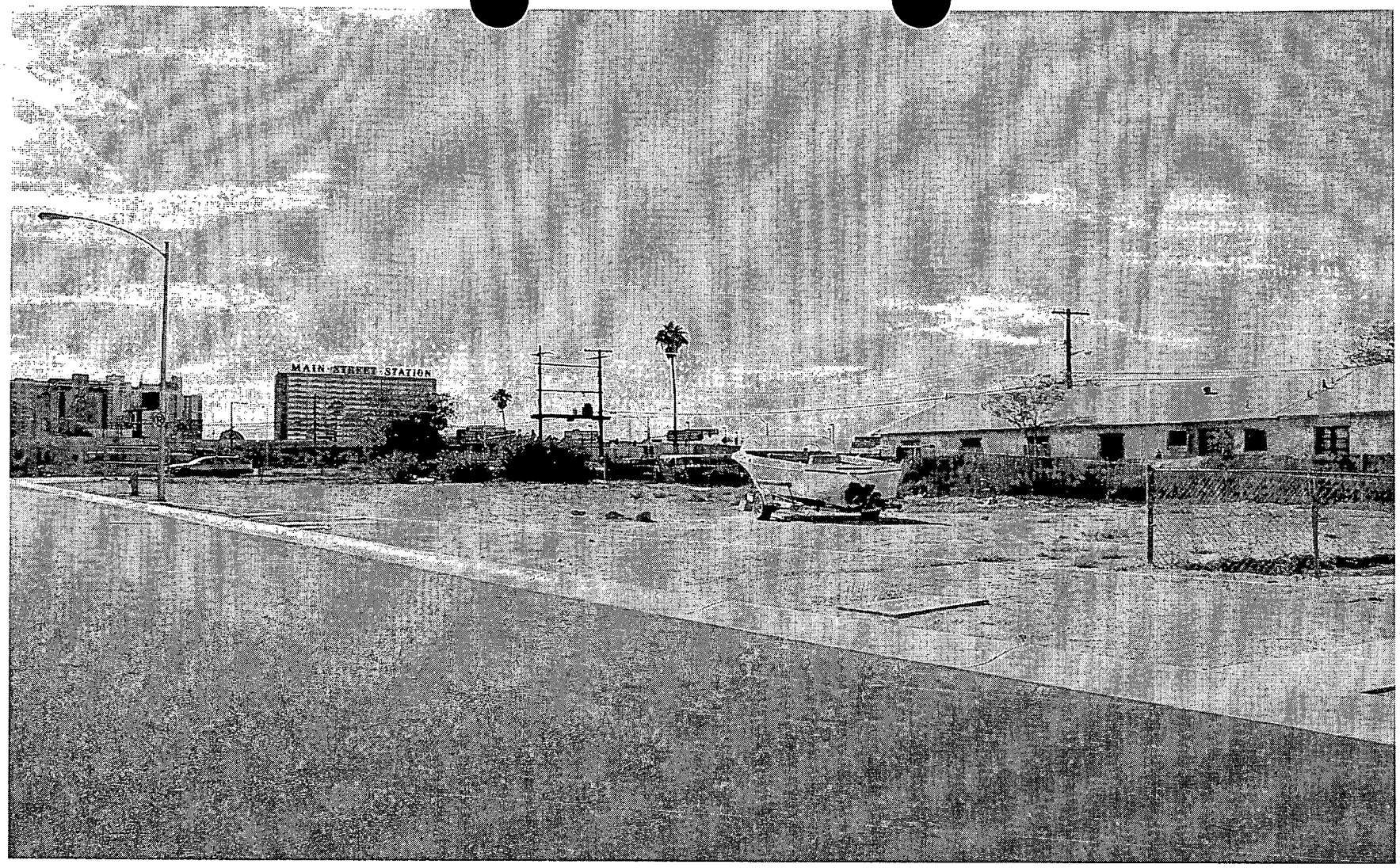
EOT-5403 - APPLICANT/OWNER: BONANZA REALTY, LLC
Adjacent to the northeast corner of Main Street and Bonanza Road
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04



EOT-5403 - APPLICANT/OWNER: BONANZA REALTY, LLC
Adjacent to the northeast corner of Main Street and Bonanza Road
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04



EOT-5403 - APPLICANT/OWNER: BONANZA REALTY, LLC
Adjacent to the northeast corner of Main Street and Bonanza Road
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04

City of Las Vegas

Agenda Item No. 95

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:

EXTENSION OF TIME RELATED TO EOT-5402 AND EOT-5403 - SPECIAL USE PERMIT

EOT-5404 - APPLICANT/OWNER: BONANZA REALTY, LLC - Request for an Extension of Time for an approved Special Use Permit (U-0114-02) WHICH ALLOWED A MULTI-FAMILY SENIOR APARTMENT COMPLEX on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road (APN 139-27-707-008, 139-27-712-046 through 051 and 139-27-810-001 through 004), R-2 (Medium Low Density Residential) and C-M (Commercial/Industrial) Zones under Resolution of Intent to C-1 (LIMITED COMMERCIAL), Ward 5 (Weekly). Staff recommends APPROVAL

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

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN - APPROVED Item 92 [EOT-5421], Item 93 [EOT-5402], Item 94 [EOT-5403], Item 95 [EOT-5404], Item 96 [EOT-5436], Item 97 [EOT-5437], Item 98 [EOT-5438], Item 99 [EOT-5439] and Item 100 [EOT-5440] subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

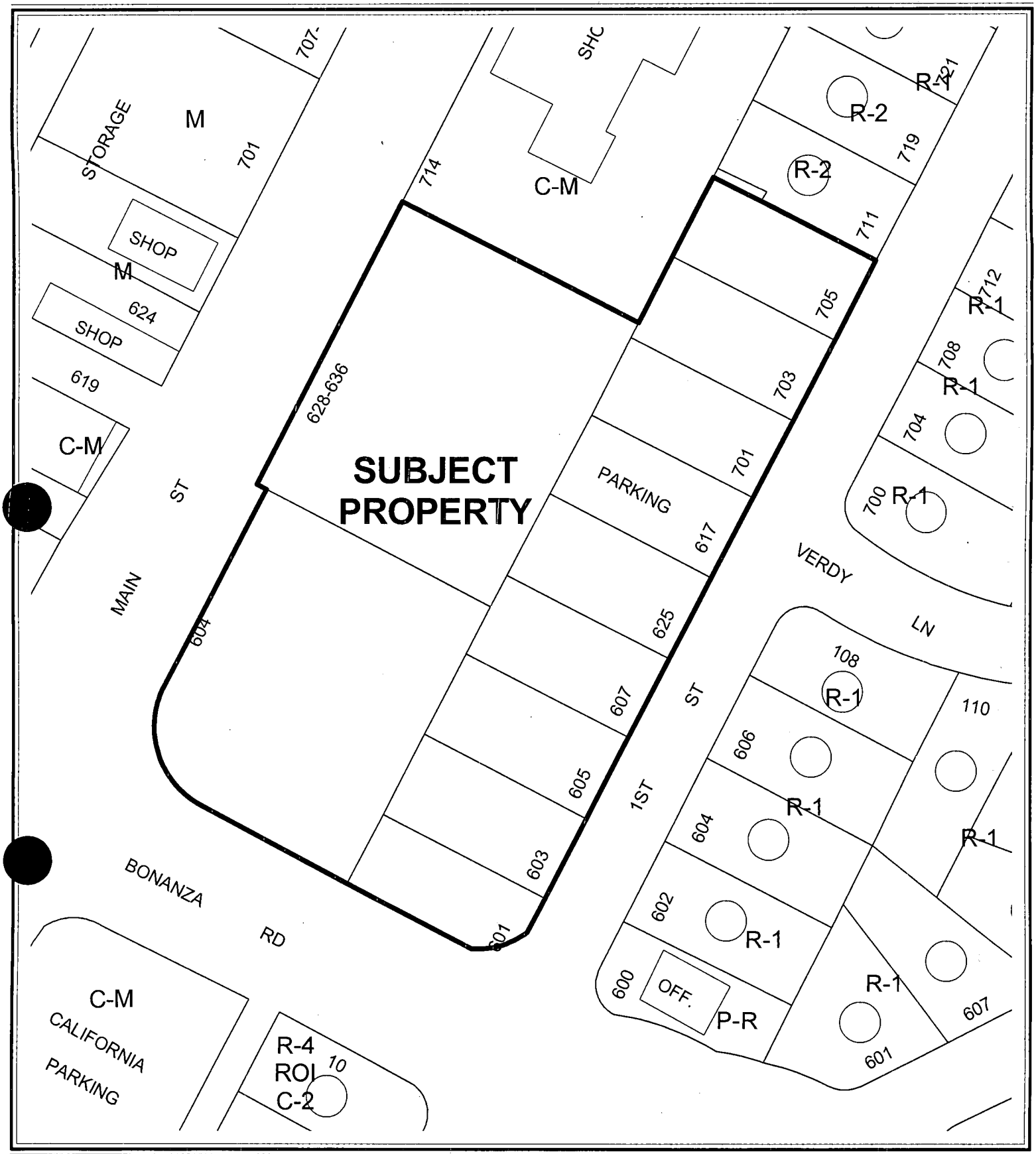
There was no discussion.
(1:26 - 1:27)
2-642

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on November 20, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Rezoning Z-0046-02, Special Use Permit U-0114-02 and Site Development Plan Review Z-0046-02(1) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.



CASE: **EOT-5404**

0 70 140 Feet

ZONING OF SUBJECT PROPERTY:

R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) AND C-M (COMMERCIAL/INDUSTRIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

N

095

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-5404 - APPLICANT/OWNER: BONANZA REALTY, LLC

** CONDITIONS **

Staff recommends APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on November 20, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Rezoning Z-0046-02, Special Use Permit U-0114-02 and Site Development Plan Review Z-0046-02(1) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for an Extension of Time for an approved Special Use Permit (U-0114-02) which allowed a multi-family senior apartment complex on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.

B) Applicant's Justification

The applicant's justification letter indicates additional time is needed to secure funding and prepare plans to submit for building permits.

BACKGROUND INFORMATION

A) Previous Actions

11/20/02 The City Council approved a Rezoning (Z-0046-02) to C-1 (Limited Commercial), a Special Use Permit (U-0114-02) for the multi family senior apartment complex and a Site Development Plan Review [Z-0046-02(1)] for the 256-unit multi-family senior apartment complex with 20,000 square feet of commercial development on this site. The Planning Commission and staff recommended approval on October 24, 2002.

11/17/04 The City Council will hear a request for an Extension of Time (EOT-5402) for the Rezoning (Z-0046-02) to C-1 (Limited Commercial) and an Extension of Time (EOT-5403) for the Site Development Plan Review [Z-0046-02(1)] for the 256-unit multi-family senior apartment complex with 20,000 square feet of commercial development on this site.

To date, no building permits have been filed for the proposed 256-unit multi-family senior apartment complex with 20,000 square feet of commercial development.

B) Pre-Application Meeting

A pre-application meeting is not required for an Extension of Time application.

C) Neighborhood Meetings

A neighborhood meeting is not required for an Extension of Time application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.87

B) Existing Land Use

Subject Property:	Undeveloped
North:	Shops/Industrial
South:	Single Family Residence and Parking Lot
East:	Single Family Residences and Office
West:	Single Family Residences and Shops/Industrial

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-2 (Medium Low Density Residential) and C-M (Commercial/Industrial) under Resolution of Intent to C-1 (Limited Commercial)
North:	R-2 (Medium Low Density Residential) and C-M (Commercial/Industrial)
South:	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial) and C-M (Commercial/Industrial)
East:	R-1 (Single Family Residential) and P-R (Professional Office and Parking)
West:	C-M (Commercial/Industrial) and M (Industrial)

E) General Plan Compliance

The subject site is located on the Southeast Sector Map of the General Plan. The site is designated as MXU (Mixed Use) on the Redevelopment Plan Area Map of the General Plan. The approved 256-unit multi-family senior apartment complex with 20,000 square feet of commercial development is in compliance with the MXU (Mixed Use) designation.

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

This site is located within Redevelopment Area Plan, which encourages the continuing development of downtown Las Vegas as a regional center for finance, business, governmental services, entertainment and recreation, while retaining the gaming and tourism vital to economic prosperity.

ANALYSIS

A) Zoning Code Compliance

The design of the site and conformance to code requirements was determined with the approved Site Development Plan Review [Z-0046-02(1)].

Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed multi-family senior apartment complex use; and there are no similar approved uses within the original 750' notification distance.

B) General Analysis and Discussion

The applicant is requesting additional time in order to secure funding and prepare plans to submit for building permits. The proposed development remains appropriate at this location, therefore approval is recommended with another two year time limit.

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."**

   This site is within the redevelopment area of the City and can be conducted in a manner that is harmonious and compatible with the established land development pattern of the area.

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

   The site is of adequate size and suitable for the proposed senior apartment complex.

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."**

Both Bonanza Road and Main Street are adequate to accommodate the request.

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

The approved development will assist the redevelopment plans of this area of the City.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-5404 APN: 139-27-7-7-008, 046 to 051, 810-001 to 004

Name of Property Owner: BONANZA REALTY LLC

Name of Applicant: BONANZA REALTY 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: Moshe Schnapp

Print Name: MOSHE SCHNAPP MANAGER

Subscribed and sworn before me

This 29 day of September, 2004

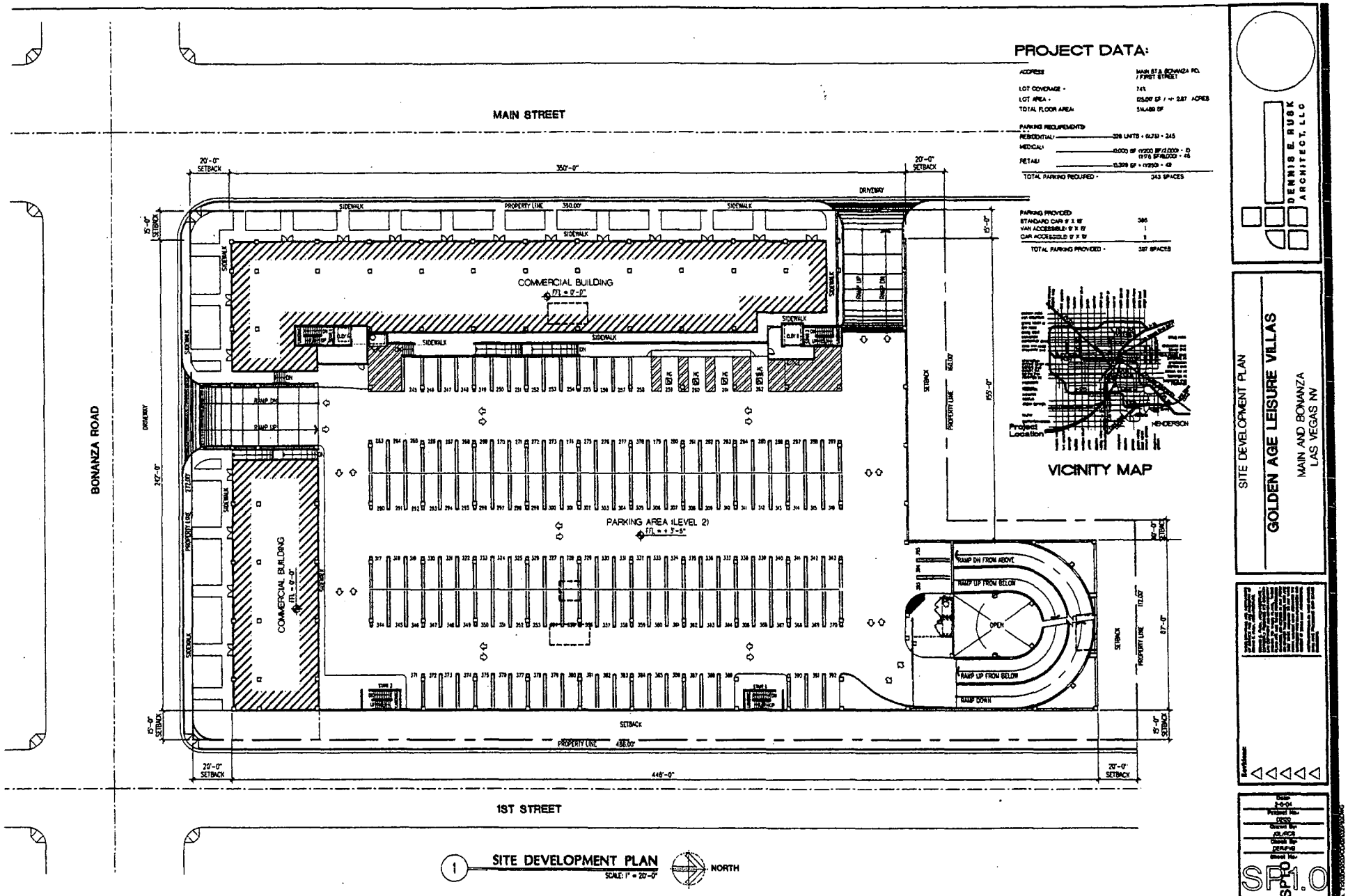
_____

Notary Public in and for said County and State

YOSSI ATTIA
Comm. # 1509893
NOTARY PUBLIC - CALIFORNIA
County of Los Angeles
My Comm. Expires August 26, 2008

Revised 2/12/02

f:\depot\Application Packet\Statement of Financial Interest.doc



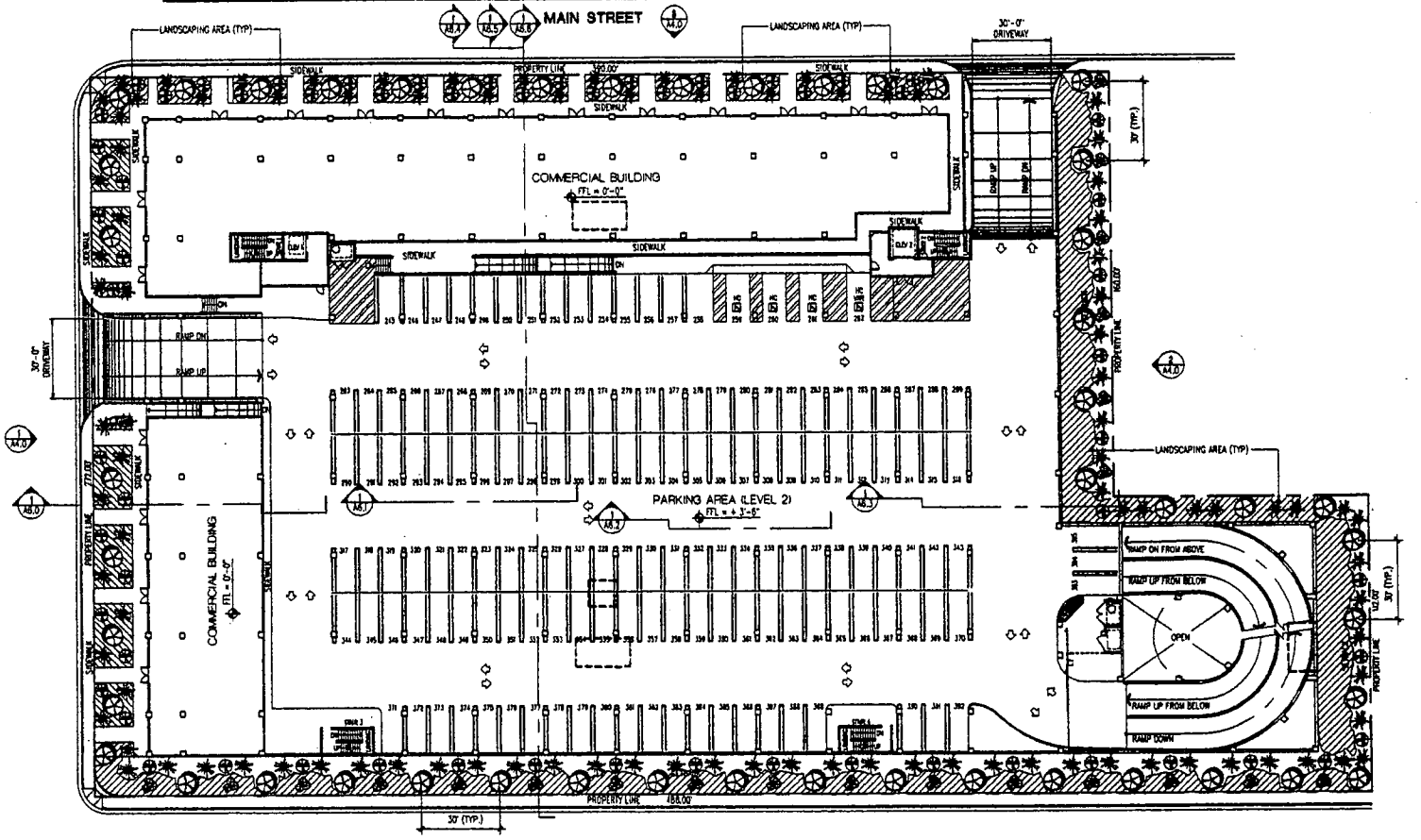
EOT-5402
EOT-5403
EOT-5404

11-17-04 CC

LANDSCAPE LEGEND

SYMBOL	NO.	BOTANICAL NAME	COMMON NAME	USE	FULL SIZE	DESCRIPTION
	46	PINUS	ALEPPO PINE	EVERGREEN TREE	LARGE OVER 40'	24" BOX, STD. TRUNK
	63	PINUS	MONDEL PINE	EVERGREEN TREE	LARGE OVER 40' X MEDIUM 20'-40'	24" BOX, STD. TRUNK
	0	GAZANIA	GAZANIA	GROUND COVER		

SYMBOL	NO.	BOTANICAL NAME	COMMON NAME	USE	FULL SIZE	DESCRIPTION
	0	LEUCOPHYLLUM	TEXAS RANGER	EVERGREEN SHRUB	6'X6'	5 GALON
	102	BACCHARIS	DESERT BROOM	EVERGREEN SHRUB	5'x5'	5 GALON
	72	RHAPIOLEPIS	INDIAN HAWTHORNE	EVERGREEN SHRUB	4'X4'	5 GALON



1 LANDSCAPING PLAN
SCALE: 1" = 20'-0"

NORTH

DENNIS E. RUSK ARCHITECT, LLC

LANDSCAPING PLAN

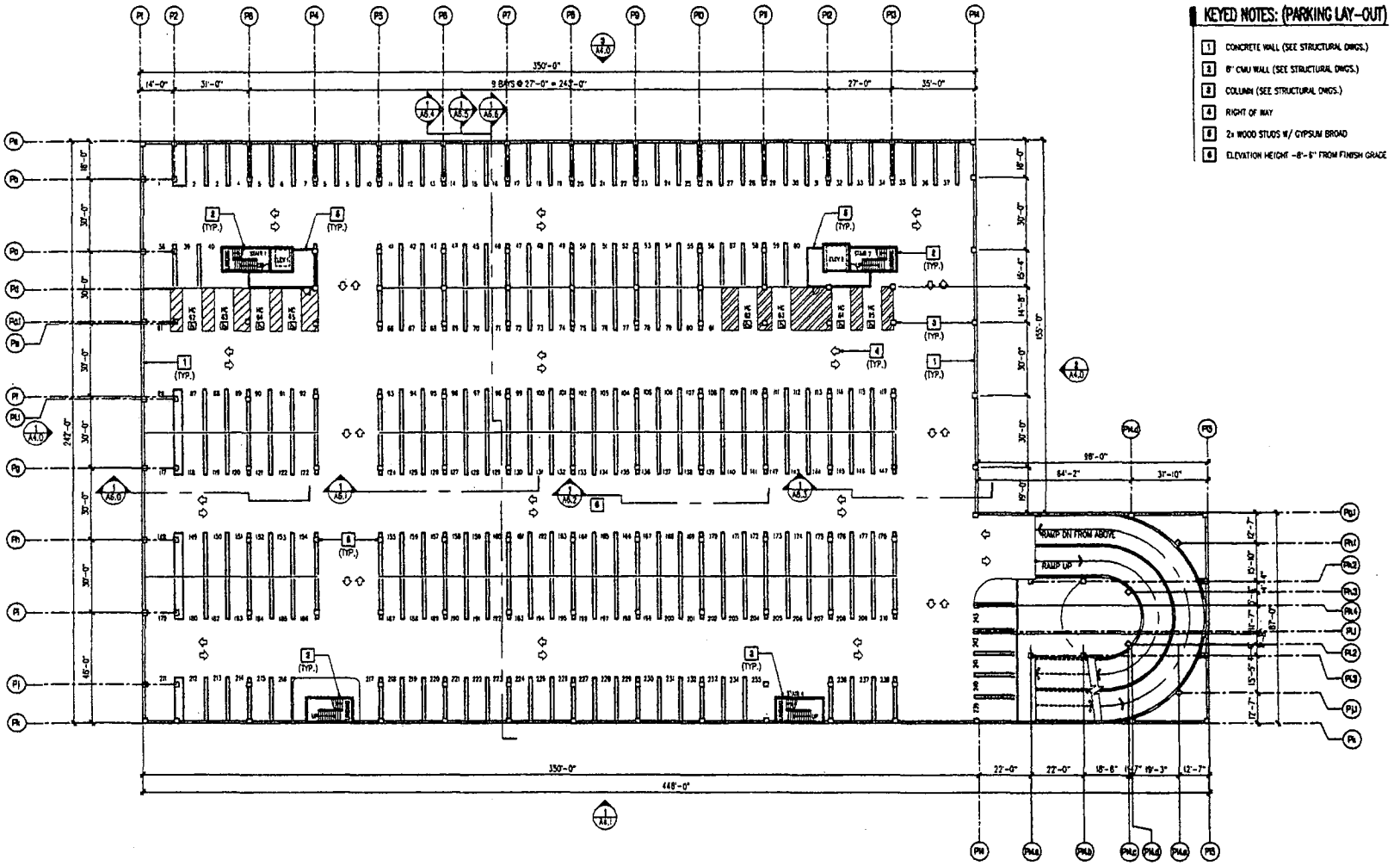
GOLDEN AGE LEISURE VILLAS

MAIN AND BONANZA
LAS VEGAS, NV

L0

EOT-5402
EOT-5403
EOT-5404

11-17-04 CC



1 PARKING LAY-OUT PLAN (LEVEL 1)
SCALE: 1" = 20'-0"

NORTH

DENNIS E RUSK ARCHITECT, LLC

PARKING LAYOUT PLAN
LEVEL 1

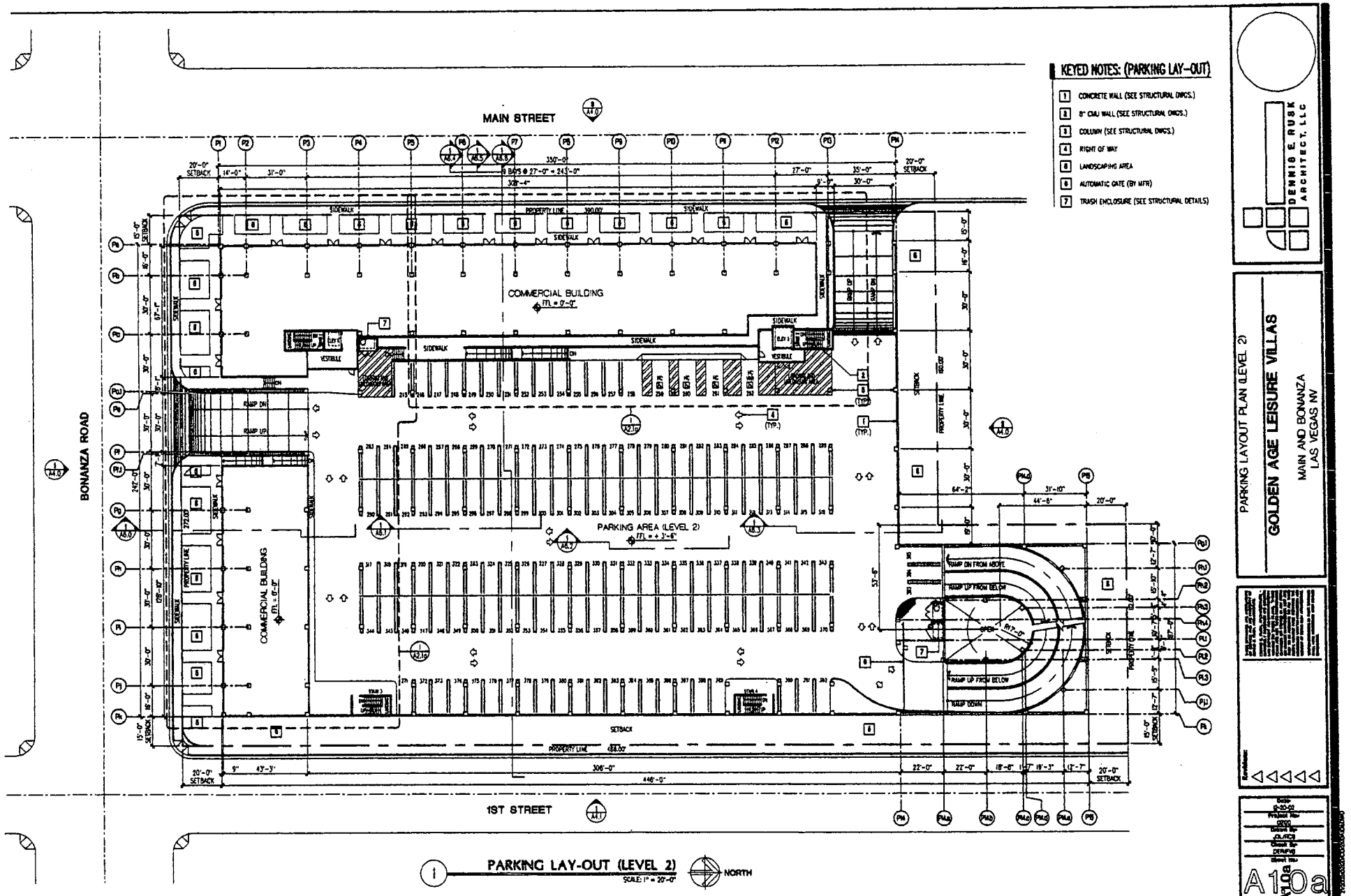
GOLDEN AGE LEISURE VILLAS

MAIN AND BONANZA
LAS VEGAS, NV

A1.0

EOT-5402
EOT-5403
EOT-5404

11-17-04 CC



DENNIS E. RUSK ARCHITECT, LLC

PARKING LAYOUT PLAN (LEVEL 2)

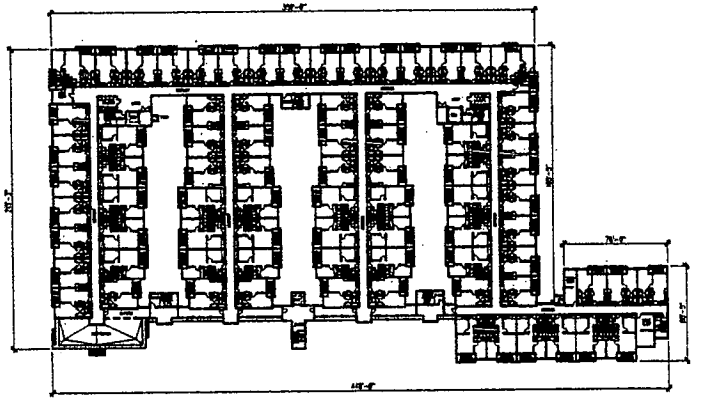
GOLDEN AGE LEISURE VILLAS

MAIN AND BONANZA
LAS VEGAS NV

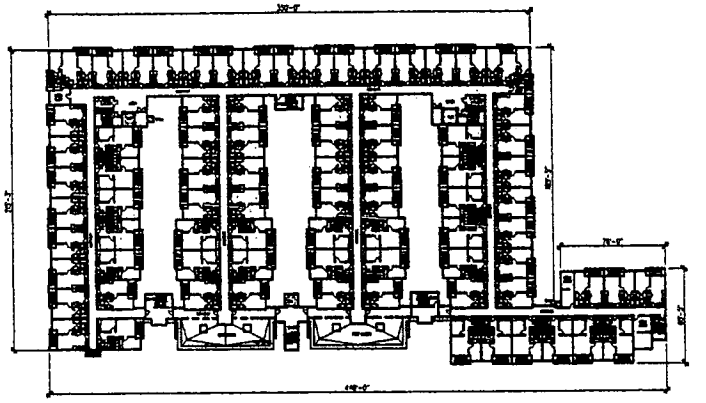
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EOT-5403
EOT-5404

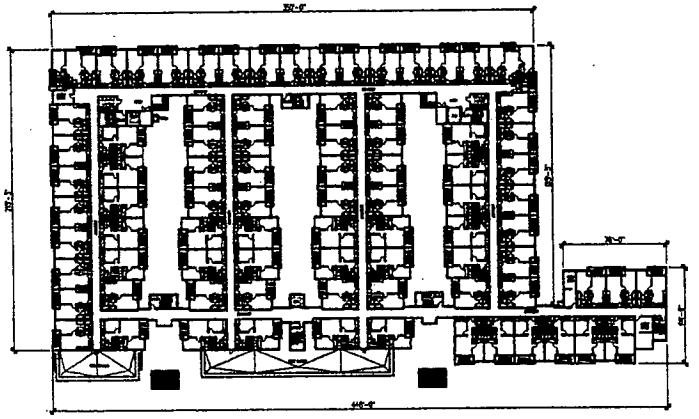
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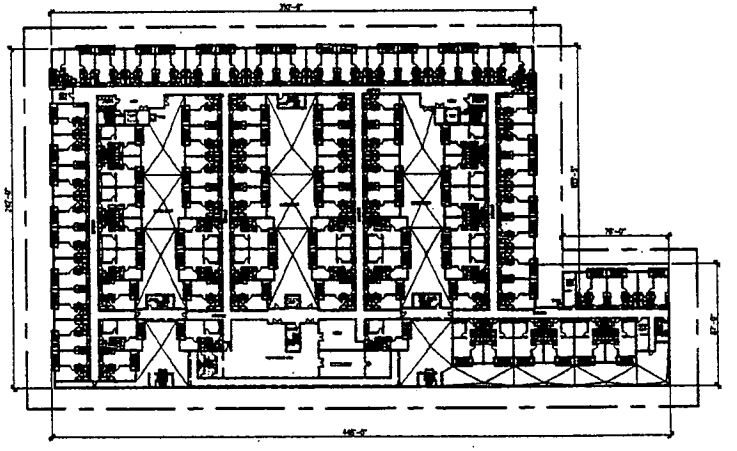
4 BUILDING PLAN - SEVENTH FLOOR PLAN
SCALE: 1" = 40'-0" NORTH



3 BUILDING PLAN - SIXTH FLOOR PLAN
SCALE: 1" = 40'-0" NORTH



2 BUILDING PLAN - FIFTH FLOOR PLAN
SCALE: 1" = 40'-0" NORTH



1 BUILDING PLAN - FOURTH FLOOR PLAN
SCALE: 1" = 40'-0" NORTH

DENNIS E RUSK
ARCHITECT, LLC

BUILDING PLANS - FOURTH, FIFTH,
SIXTH AND SEVENTH FLOOR PLANS

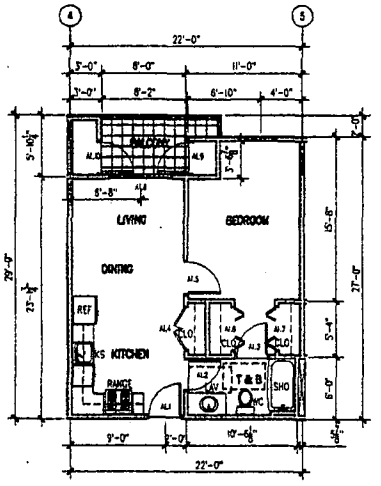
GOLDEN AGE LEISURE VILLAS

MAIN AND BONANZA
LAS VEGAS, NV

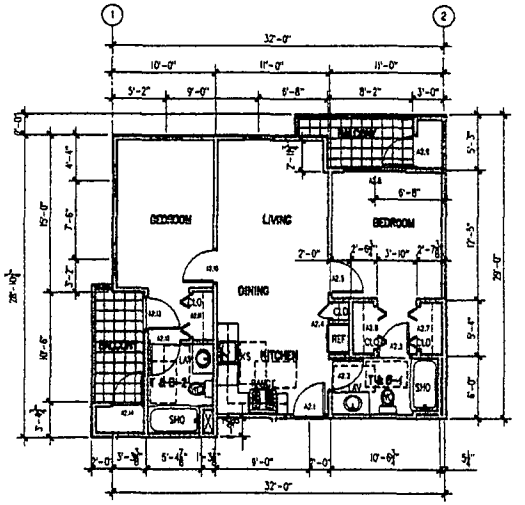
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EOT–5402
EOT–5403
EOT–5404

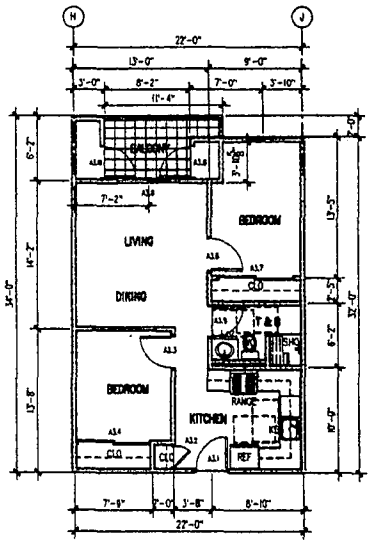
11–17–04 CC



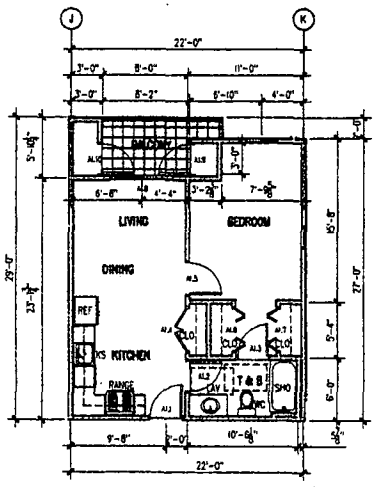
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SCALE: 3/16" = 1'-0"



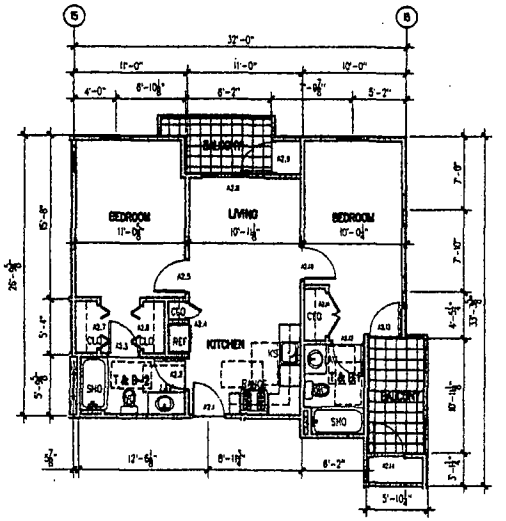
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SCALE: 3/16" = 1'-0"



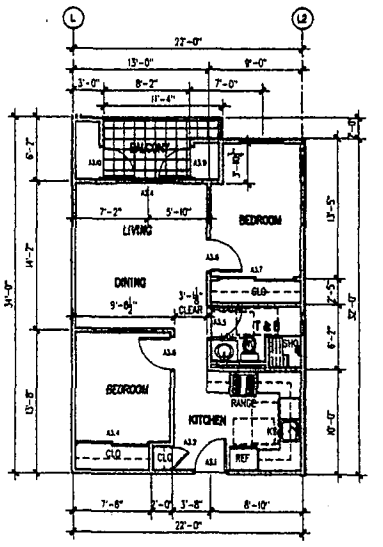
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SCALE: 3/16" = 1'-0"



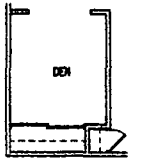
2 ENLARGED FLOOR PLAN (TYPE A1.1)
SCALE: 3/16" = 1'-0"



4 ENLARGED FLOOR PLAN (TYPE A2.1)
SCALE: 3/16" = 1'-0"



5 ENLARGED FLOOR PLAN (TYPE A3.1)
SCALE: 3/16" = 1'-0"



6 TYPE A3 & A3.1 WITH DEN OPTIONS
SCALE: 3/16" = 1'-0"

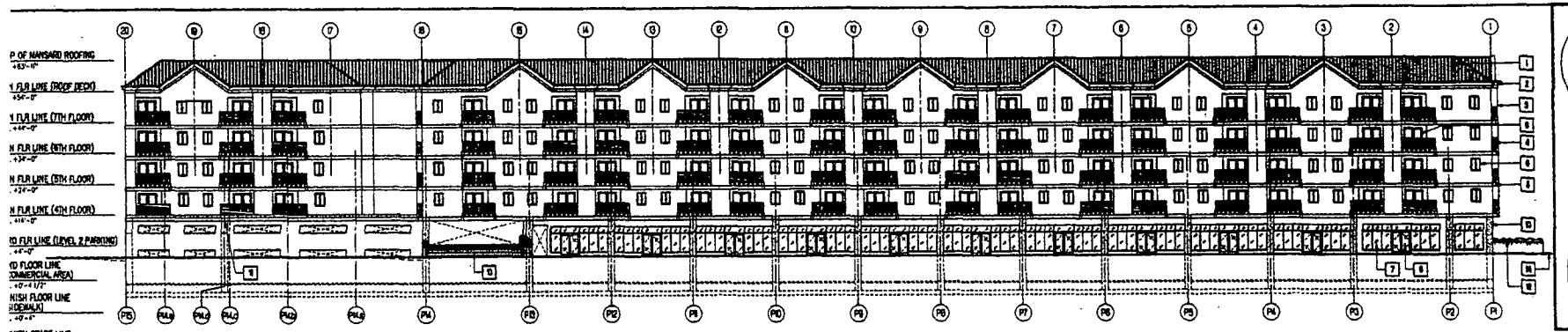
DENNIS E RUSK ARCHITECT, LLC

ENLARGED FLOOR PLANS
TYPE A1, A1.1, A2, A2.1, A3 AND A3.1
GOLDEN AGE LEISURE VILLAS
MAIN AND BONANZA
LAS VEGAS, NV

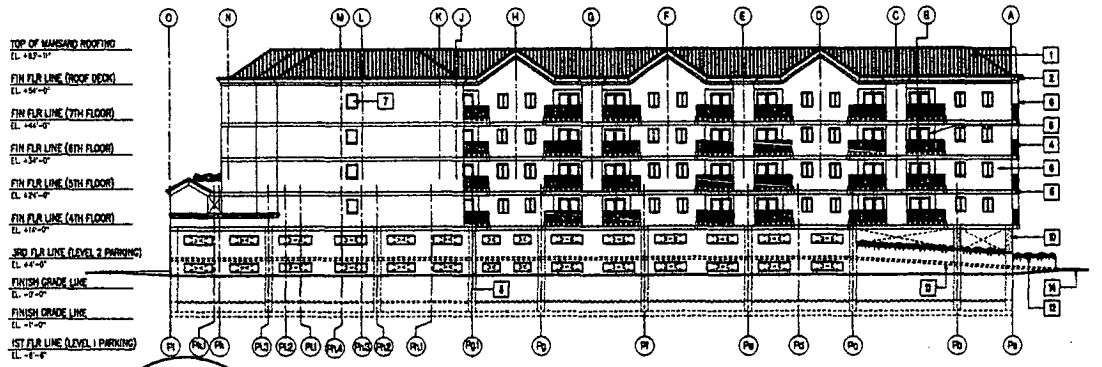
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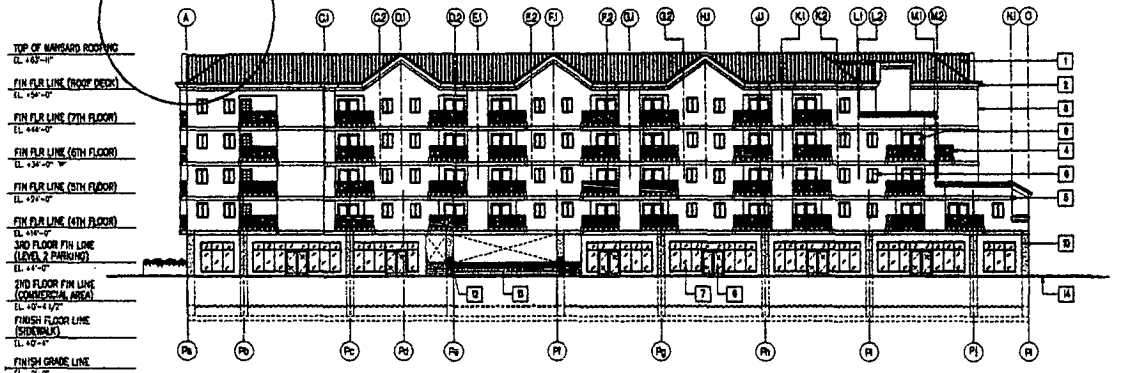
11-17-04 CC



3 WEST/MAIN STREET ELEVATION
SCALE: 1/16" = 1'-0"



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



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

KEYED NOTES: (BLDG. ELEVATION)

1. MANSARD ROOFING SYSTEM
2. CORNICE
3. 7/8" STUCCO FINISH
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8. ALUMINUM SLIDING DOOR (PER DOOR SCHEDULE)
9. ALUMINUM GLASS DOOR (PER DOOR SCHEDULE)
10. CONCRETE COLUMN (PER STRUCTURAL DWGS.)
11. CONCRETE BEAM (PER STRUCTURAL DWGS.)
12. LANDSCAPE ELEMENTS
13. RAMP
14. SIDEWALK

EOT-5402
EOT-5403
EOT-5404

11-17-04 CC

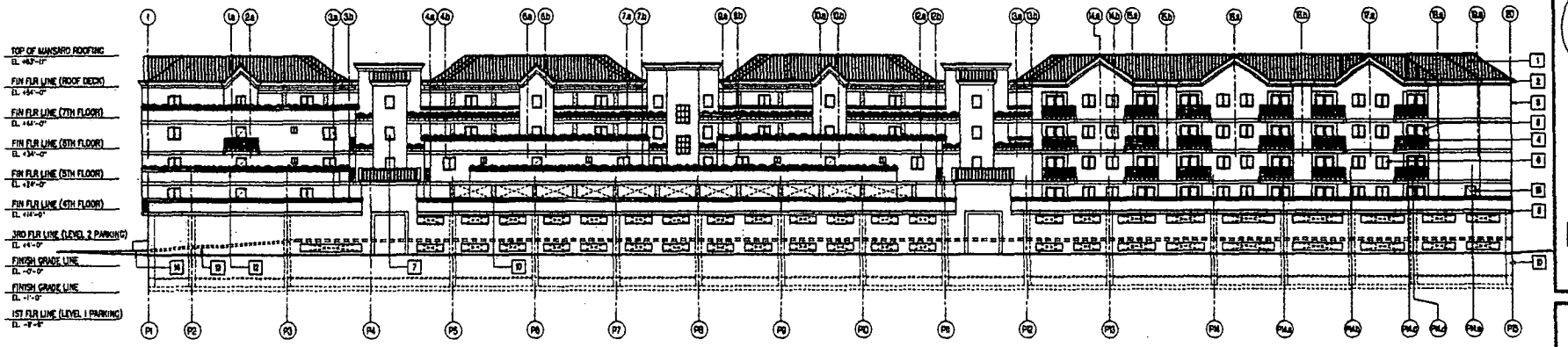
DENNIS E RUSK
ARCHITECT, LLC

BUILDING ELEVATIONS

GOLDEN AGE LEISURE VILLAS

MAIN AND BONANZA
LAS VEGAS NV

A2.0



1 **EAST/FIRST STREET ELEVATION**
SCALE: 1/16" = 1'-0"

KEYED NOTES: (BLDG. ELEVATION)

1. MANSARD ROOFING SYSTEM
2. CORNICE
3. 7/8" STUCCO FINISH
4. GALVANIZE STEEL RAILING W/ PAINT FINISH
5. POP-OUT
6. SLIDING WINDOW (PER WINDOW SCHEDULE)
7. FIXED GLASS WINDOW (PER WINDOW SCHEDULE)
8. ALUMINUM SLIDING DOOR (PER DOOR SCHEDULE)
9. ALUMINUM GLASS DOOR (PER DOOR SCHEDULE)
10. CONCRETE COLUMN (PER STRUCTURAL DWGS.)
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13. RAMP
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15. DOOR (PER DOOR SCHEDULE)

DENNIS E RUSK
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BUILDING ELEVATIONS

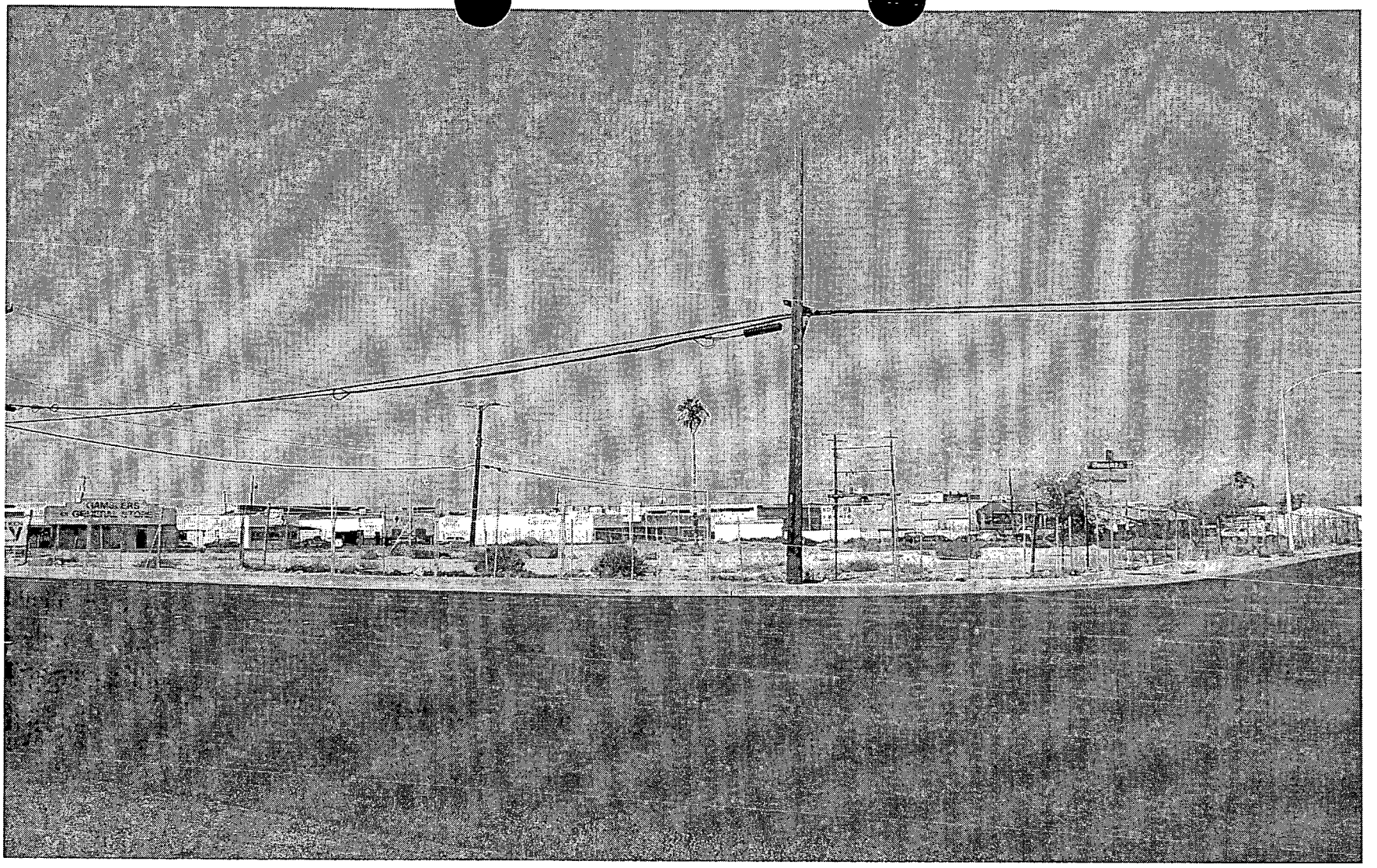
GOLDEN AGE LEISURE VILLAS

MAIN AND BONANZA
LAS VEGAS NV

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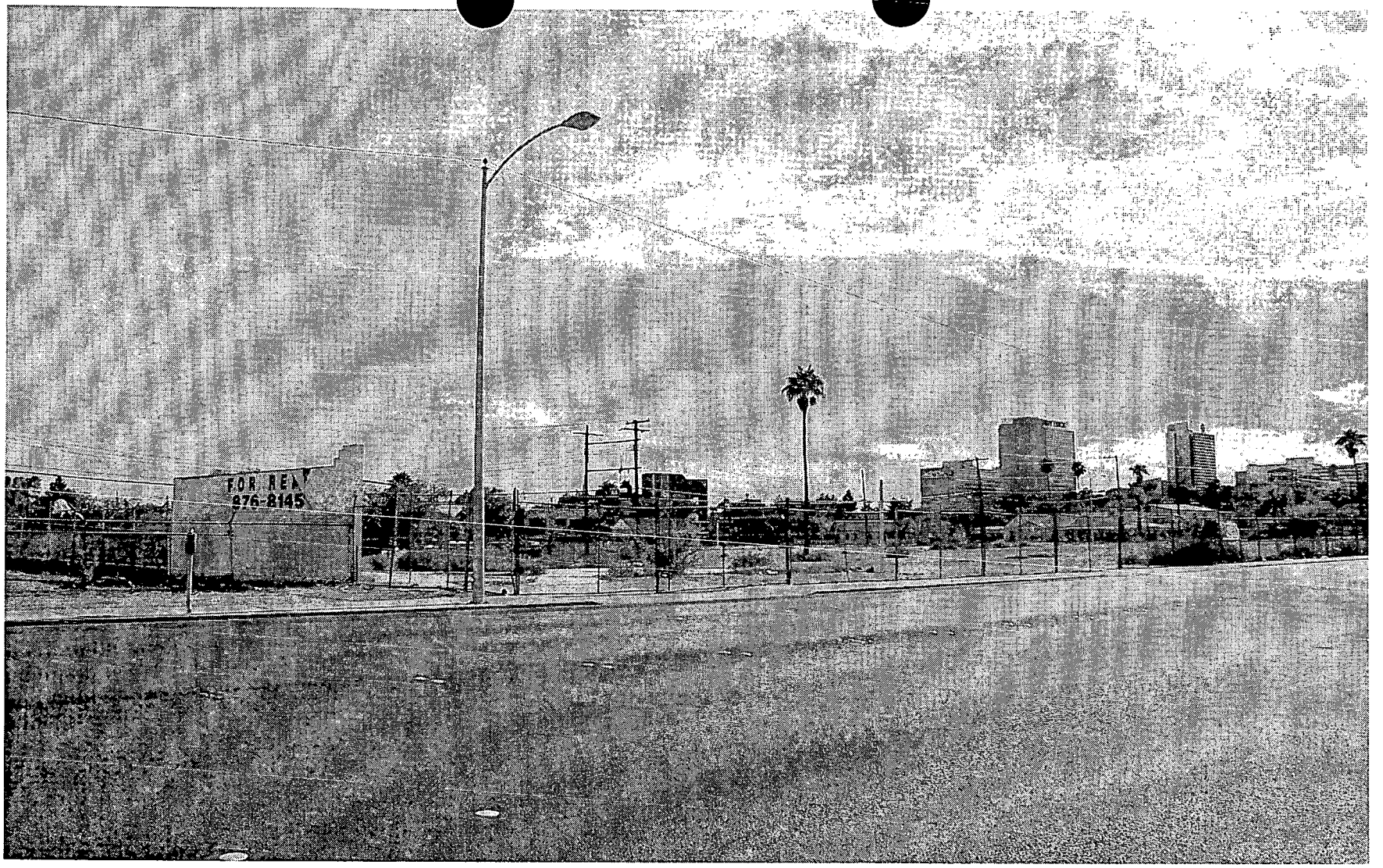
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EOT-5403
EOT-5404

11-17-04 CC



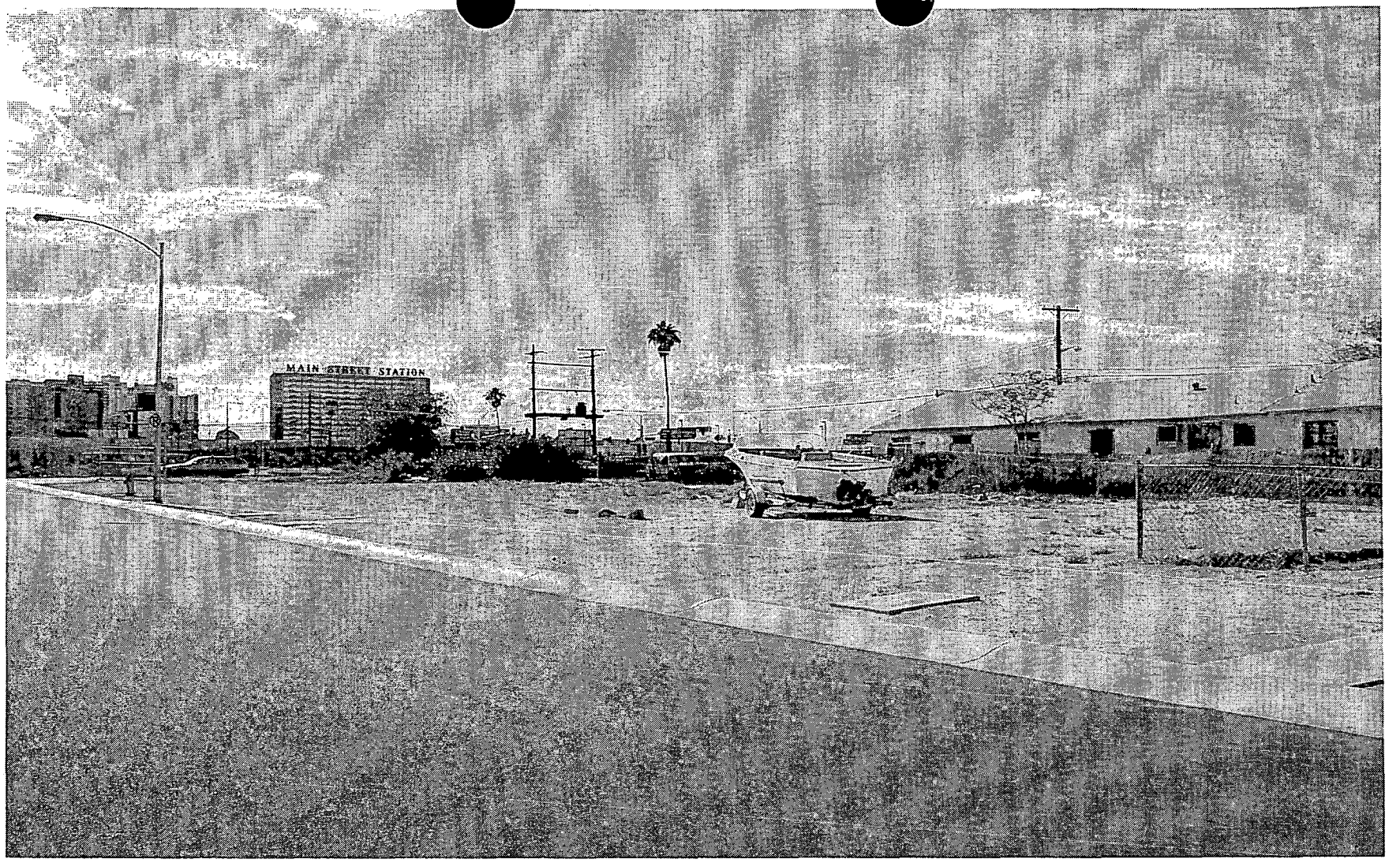
EOT-5404 - APPLICANT/OWNER: BONANZA REALTY, LLC
Adjacent to the northeast corner of Main Street and Bonanza Road
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04



EOT-5404 - APPLICANT/OWNER: BONANZA REALTY, LLC
Adjacent to the northeast corner of Main Street and Bonanza Road
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04



EOT-5404 - APPLICANT/OWNER: BONANZA REALTY, LLC
Adjacent to the northeast corner of Main Street and Bonanza Road
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04

City of Las Vegas

Agenda Item No. 96

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:

EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW

EOT-5436 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC - Request for an Extension of Time of an approved Site Development Plan Review [Z-0076-98(18)] WHICH ALLOWED A 8,144 SQUARE FOOT COMMERCIAL DEVELOPMENT on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive (APN 125-20-402-008), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends APPROVAL

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

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN - APPROVED Item 92 [EOT-5421], Item 93 [EOT-5402], Item 94 [EOT-5403], Item 95 [EOT-5404], Item 96 [EOT-5436], Item 97 [EOT-5437], Item 98 [EOT-5438], Item 99 [EOT-5439] and Item 100 [EOT-5440] subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

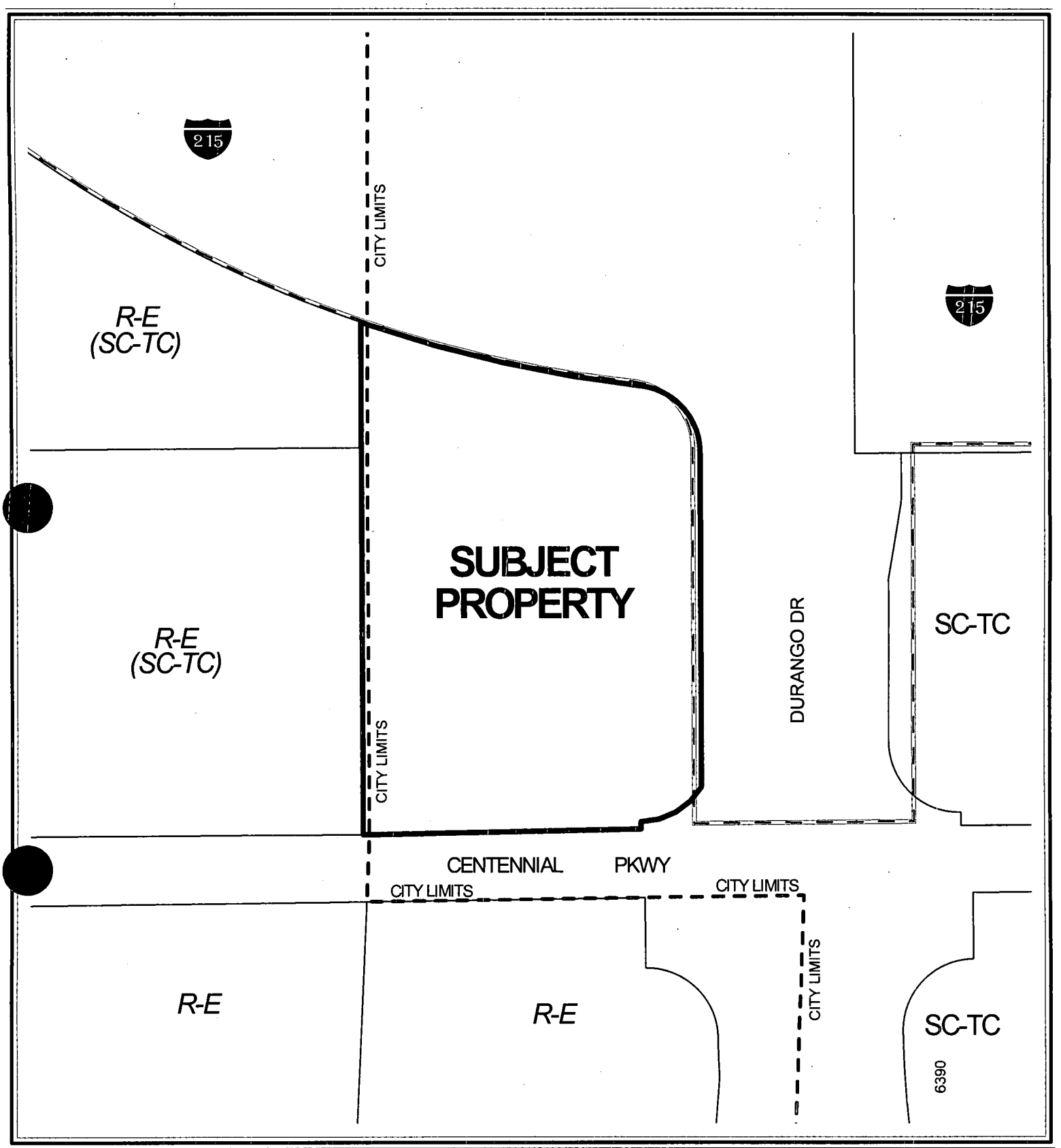
There was no discussion.
(1:26 - 1:27)
2-642

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on November 1, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Site Development Plan Review Z-0076-98(18), Special Use Permit U-0114-00, Special Use Permit U-0115-00, Special Use Permit U-0116-00 and Special Use Permit U-0161-00 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

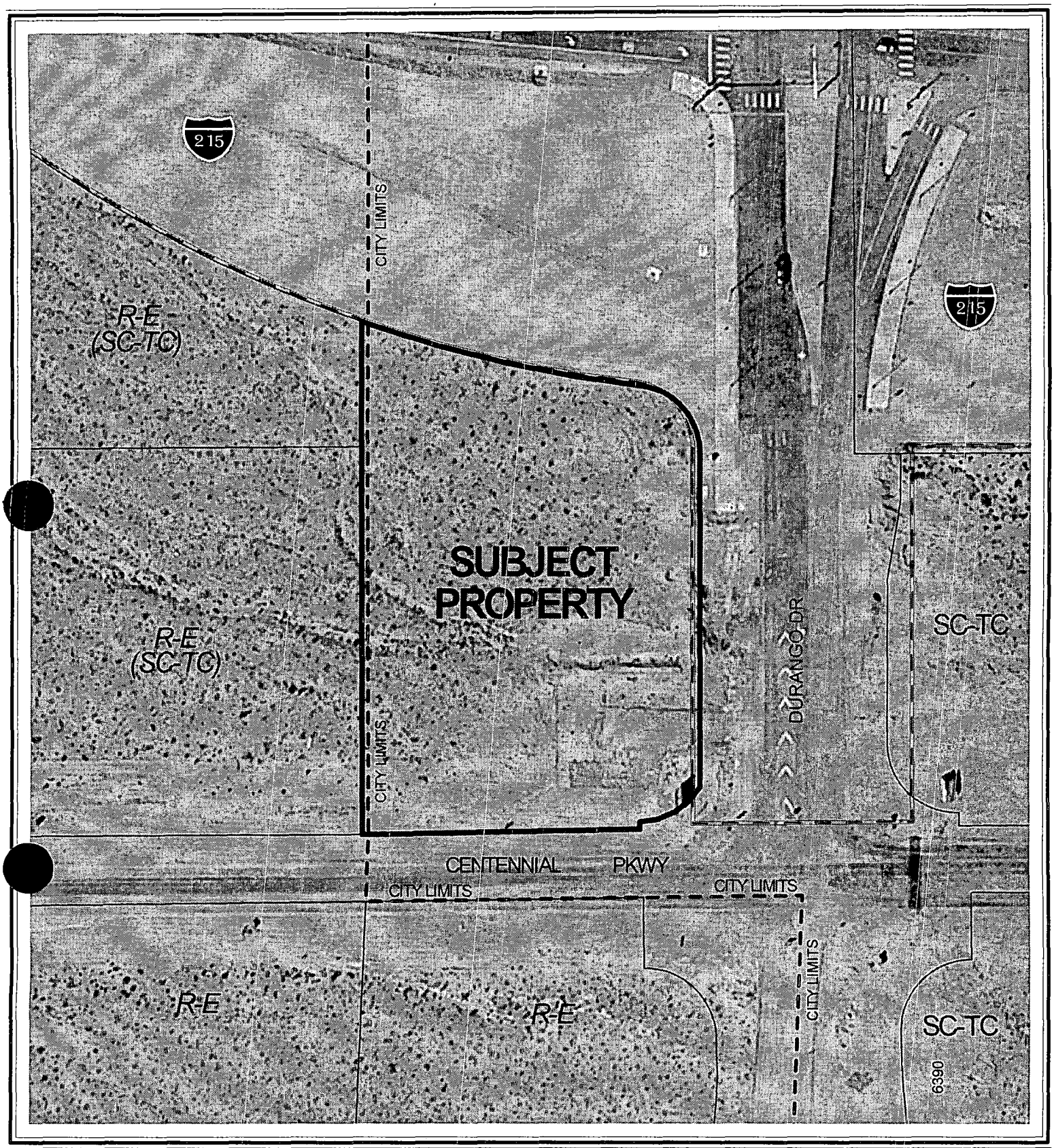


0 80 160 Feet

CASE: EOT-5436

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL) TOWN CENTER SPECIAL LAND USE DESIGNATION]

N



0 80 160 Feet

CASE: EOT-5436

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL) TOWN CENTER SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-5436 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC

** CONDITIONS **

Staff recommends APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on November 1, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Site Development Plan Review Z-0076-98(18), Special Use Permit U-0114-00, Special Use Permit U-0115-00, Special Use Permit U-0116-00 and Special Use Permit U-0161-00 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for an Extension of Time of an approved Site Development Plan Review [Z-0076-98(18)] which allowed a 8,144 square foot commercial development on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.

B) Applicant's Justification

The applicant's justification letter indicates additional time is needed to find a tenant for the proposed development on this site.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on the subject property as part of a larger request. The Planning Commission and Staff recommended approval on November 5, 1998.

11/01/00 The City Council approved a Site Development Plan Review [Z-0076-98(18)] for the 8,144 square foot commercial development, a Special Use Permit (U-0114-00) which allowed gasoline sales in conjunction with a proposed convenience store, a Special Use Permit (U-0115-00) which allowed the sale of packaged liquor in conjunction with a proposed convenience store, a Special Use Permit (U-0116-00) which allowed a restaurant with drive-up and a Special Use Permit (U-0161-00) which allowed gaming (restricted) in conjunction with a proposed convenience store on this site. The Planning Commission and Staff recommended approval on September 28, 2000.

12/18/02 The City Council approved an Extension of Time (EOT-1028) for the Site Development Plan Review [Z-0076-98(18)] for the 8,144 square foot commercial development, an Extension of Time (EOT-1039) for the Special Use Permit (U-0114-00) which allowed gasoline sales in conjunction with a proposed convenience store, an Extension of Time (EOT-1038) for the Special Use Permit (U-0115-00) which allowed the sale of packaged liquor in conjunction with a

proposed convenience store, an Extension of Time (EOT-1036) for the Special Use Permit (U-0116-00) which allowed a restaurant with drive-up and an Extension of Time (EOT-1037) for the Special Use Permit (U-0161-00) which allowed gaming (restricted) in conjunction with a proposed convenience store on this site. All of these Extensions of Time have an expiration date of November 1, 2004. The Planning Commission and Staff recommended approval on November 21, 2002.

11/17/04 The City Council will hear an Extension of Time (EOT-5440) for the Special Use Permit (U-0114-00) which allowed gasoline sales in conjunction with a proposed convenience store, an Extension of Time (EOT-5439) for the Special Use Permit (U-0115-00) which allowed the sale of packaged liquor in conjunction with a proposed convenience store, an Extension of Time (EOT-5437) for the Special Use Permit (U-0116-00) which allowed a restaurant with drive-up and an Extension of Time (EOT-5438) for the Special Use Permit (U-0161-00) which allowed gaming (restricted) in conjunction with a proposed convenience store on this site.

To date, no building permits have been filed for the proposed commercial development on this site.

B) Pre-Application Meeting

A pre-application meeting is not required for an Extension of Time application.

C) Neighborhood Meetings

A neighborhood meeting is not required for an Extension of Time application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.19

B) Existing Land Use

Subject Property:	Undeveloped
North:	I-215 Beltway
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	TC (Town Center)
North:	ROW (Right-of-Way)
South:	ML (Medium Low Density Residential)
East:	TC (Town Center)
West:	TC (Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	I-215 Beltway
South:	Unincorporated Clark County
East:	T-C (Town Center)
West:	Unincorporated Clark County

E) General Plan Compliance

The subject site is located on the Centennial Hills Sector Map of the General Plan and is Designated as TC (Town Center). The approved commercial development is in compliance with the TC (Town Center) designation

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
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

This site is designated SC-TC (Service Commercial). This land use category permits low to medium intensity retail, office or other commercial uses that are intended to serve primarily the Centennial Hills area and do not include more intense general commercial characteristics. The proposed development is in compliance with this designation.

ANALYSIS

A) Zoning Code Compliance

The subject site is zoned TC (Town Center). The proposed commercial center is a permitted use within the TC Zoning District, and therefore remains appropriate for the site.

B) General Analysis and Discussion

The applicant is requesting additional time in order to secure tenants for the approved commercial development. The proposed development remains appropriate at this location, therefore approval is recommended with another two year time limit.

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 commercial development remains appropriate in terms of the type and intensity of anticipated uses, as neighborhood convenience store and restaurant uses for existing and planned residential development in the surrounding area.

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

   The proposed commercial development remains consistent with the General Plan and all other city codes and policies as long as all conditions of approval of Z-0076-98(18) are addressed.

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

   The proposed commercial development will not negatively impact adjacent roadways or neighborhood traffic.

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

   The proposed commercial development will incorporate the appropriate building and landscape materials for the Town Center Area. This determination is appropriate with the implementation of the conditions in the original site development plan review regarding revisions to the landscape plan and to the elevations that must be approved by staff.

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

   The proposed commercial development remains be acceptable in appearance, harmonious and compatible with development in the area.

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

   In approving the initial request, the City Council found the proposed commercial development would not compromise the public health, safety or welfare. This development remains appropriate for the area.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-5436 APN: 125-20-402-008

Name of Property Owner: Nevada Acquisitions, LLC

Name of Applicant: Nevada Acquisitions, LLC

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

_____Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

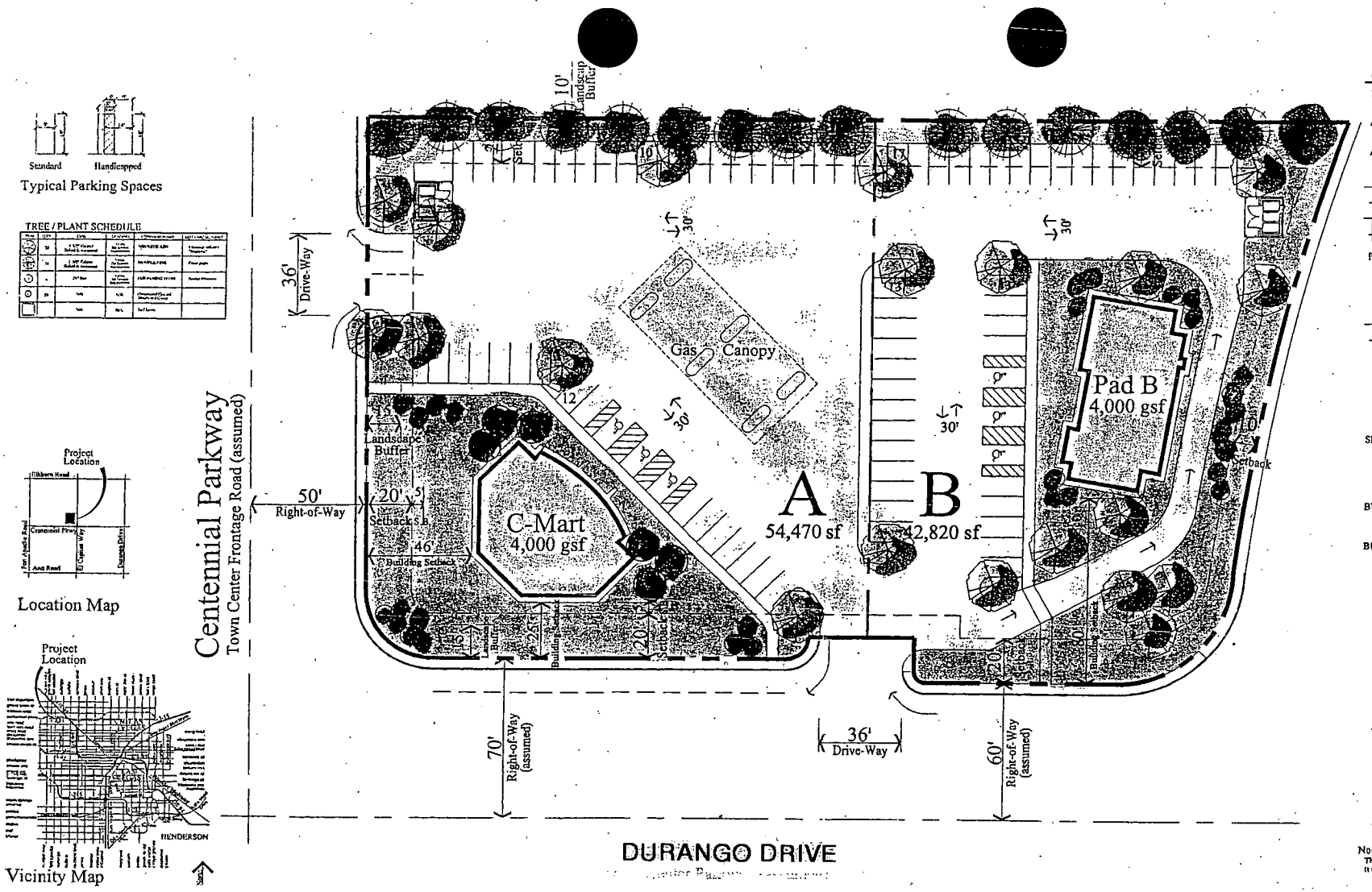
Subscribed and sworn before me

This 1 day of October, 2004

Amanda Dalton

Notary Public in and for said County and State

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



SITE INFORMATION

ZONING - Las Vegas (Town Center)
C - 2 General Commercial District

AREA (Approximate, to be verified)

Net Area:	95,288 sf	2.19 acres

AREAS (Approx)	Area - sf	Acres	Building Area
Pad A	52,470 sf	1.20	4,000 gsf
Pad B	42,820 sf	0.99	4,000 gsf
TOTALS	95,288 sf	2.19 ac	8,000 gsf
FAR (net)			0.084

PARKING REQUIREMENTS

Parking Calculations (per Code)		Required	Provided
Pad A	C-Mart 4,000/250 =	16	16
Pad B	Rest. w/ Drive Thru 4,000/100 =	40	43
Parking Required:		56	
PARKING PROVIDED:			81
Parking Ratio		1 per 100 sf	10.1 per 1000
Handicapped Required:			4
Handicapped Provided:			6
Loading Spaces Required:			2
Loading Spaces Provided:			2

SETBACKS

Front:	20 ft
Rear:	20 ft
Side:	10 ft
Corner Street Side:	15 ft
Street Landscape Buffer:	15 ft

BUILDING HEIGHT

Allowed:	No Restrictions
Provided:	1-Story - up to 35 feet

BUILDING COVERAGE

Allowed:	50 %
Provided:	8.4 %

Note:
This plan has been prepared without benefit of a complete survey. It is Conceptual in Nature and No Guarantee of its accuracy is implied.

El Durango Retail Center

Centennial Parkway & El Capitan Way, Las Vegas, Nevada Conceptual Site Plan - Scheme B

J.O.M.B.I. Development Company
David James
(702) 395-6734

North

Scale: 1" = 20'

Date: September 5, 2000
Project Number: 100121

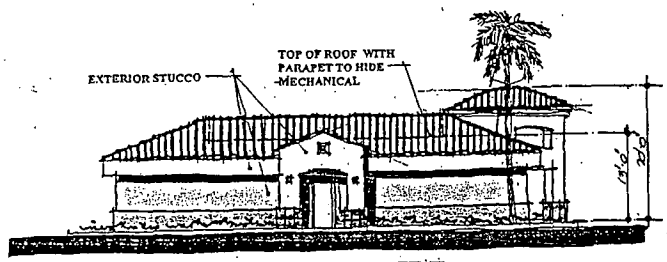
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

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EOT-5436 EOT-5437
EOT-5438 EOT-5439
EOT-5440

11-17-04 CC

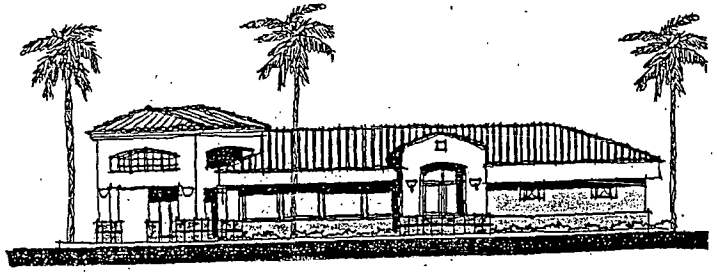
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OCT 08 2004



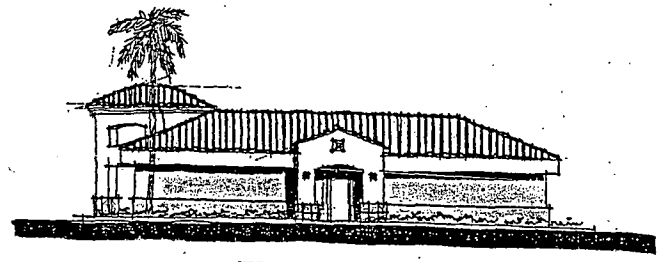
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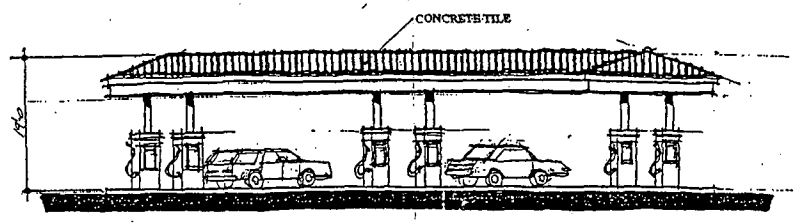
TYPICAL FRONT



TYPICAL FRONT



TYPICAL SIDE



EOT-5436 EOT-5437
EOT-5438 EOT-5439
EOT-5440

11-17-04 CC

El Durango Retail Center

Centennial Parkway & El Capitan Way, Las Vegas, Nevada

J.O.M.B.I. Development Company
David James (702) 395-6734

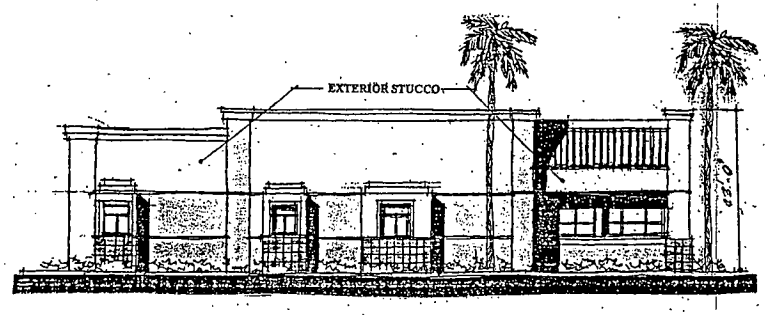
Conceptual Elevations Pad A

Scale: 1/8" = 1'
Date: September 5, 2000
Project Number: 100121

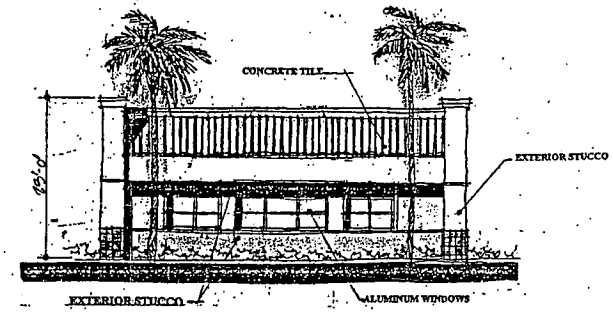
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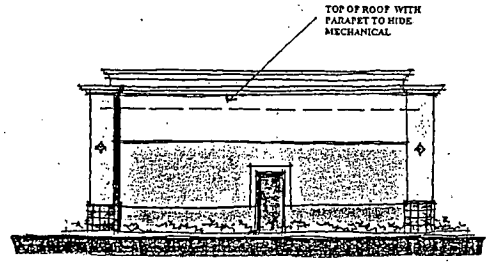


Side

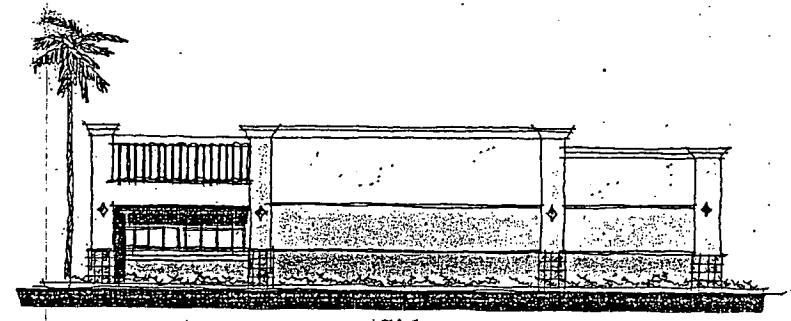


Front

FAST FOOD RESTAURANT



Rear



Side

EOT-5436 EOT-5437
EOT-5438 EOT-5439
EOT-5440

11-17-04 CC

El Durango Retail Center

Centennial Parkway & El Capitan Way, Las Vegas, Nevada

J.O.M.B.I. Development Company
David James (702) 395-6734

Conceptual Elevations Pad B

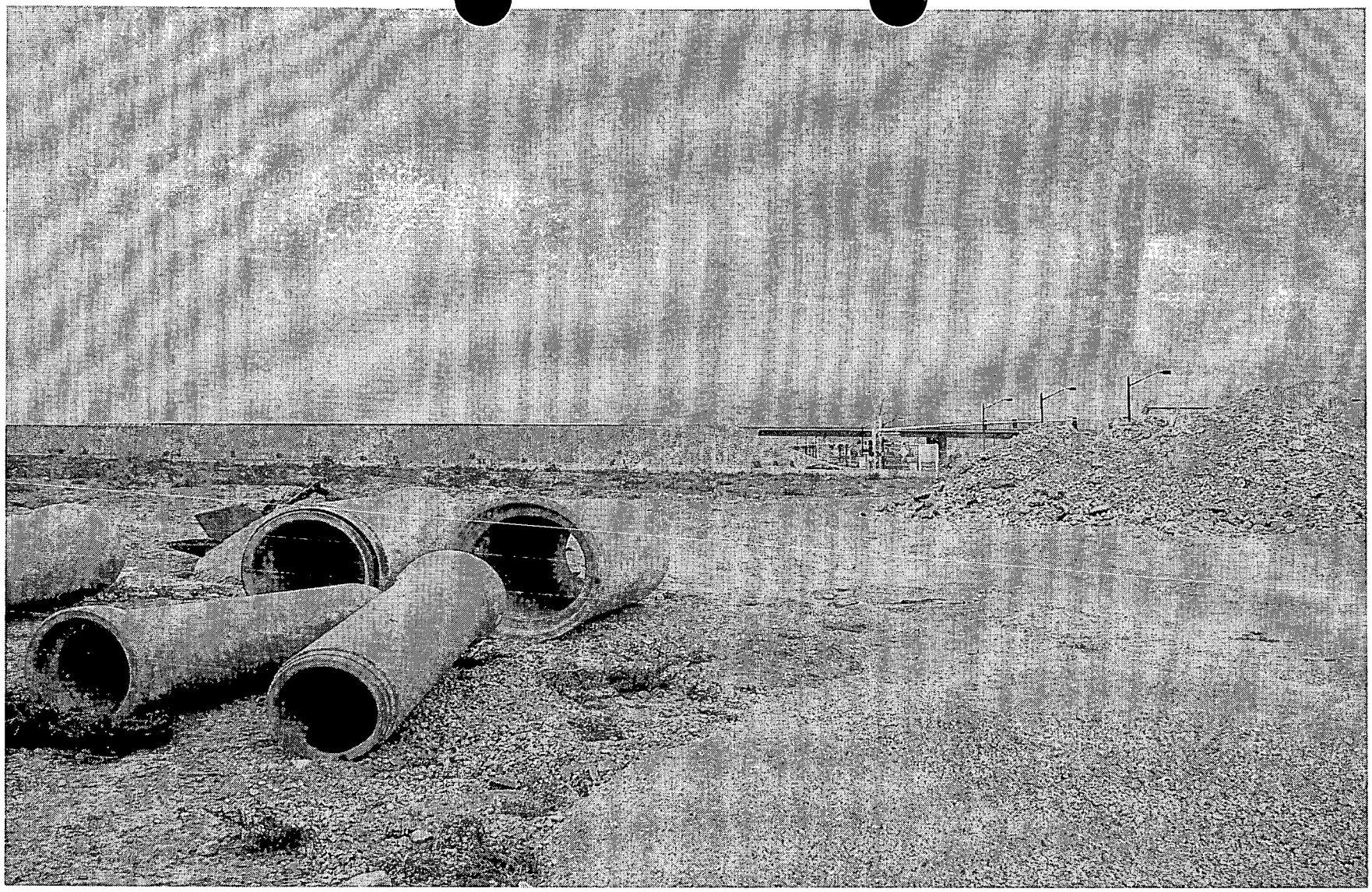
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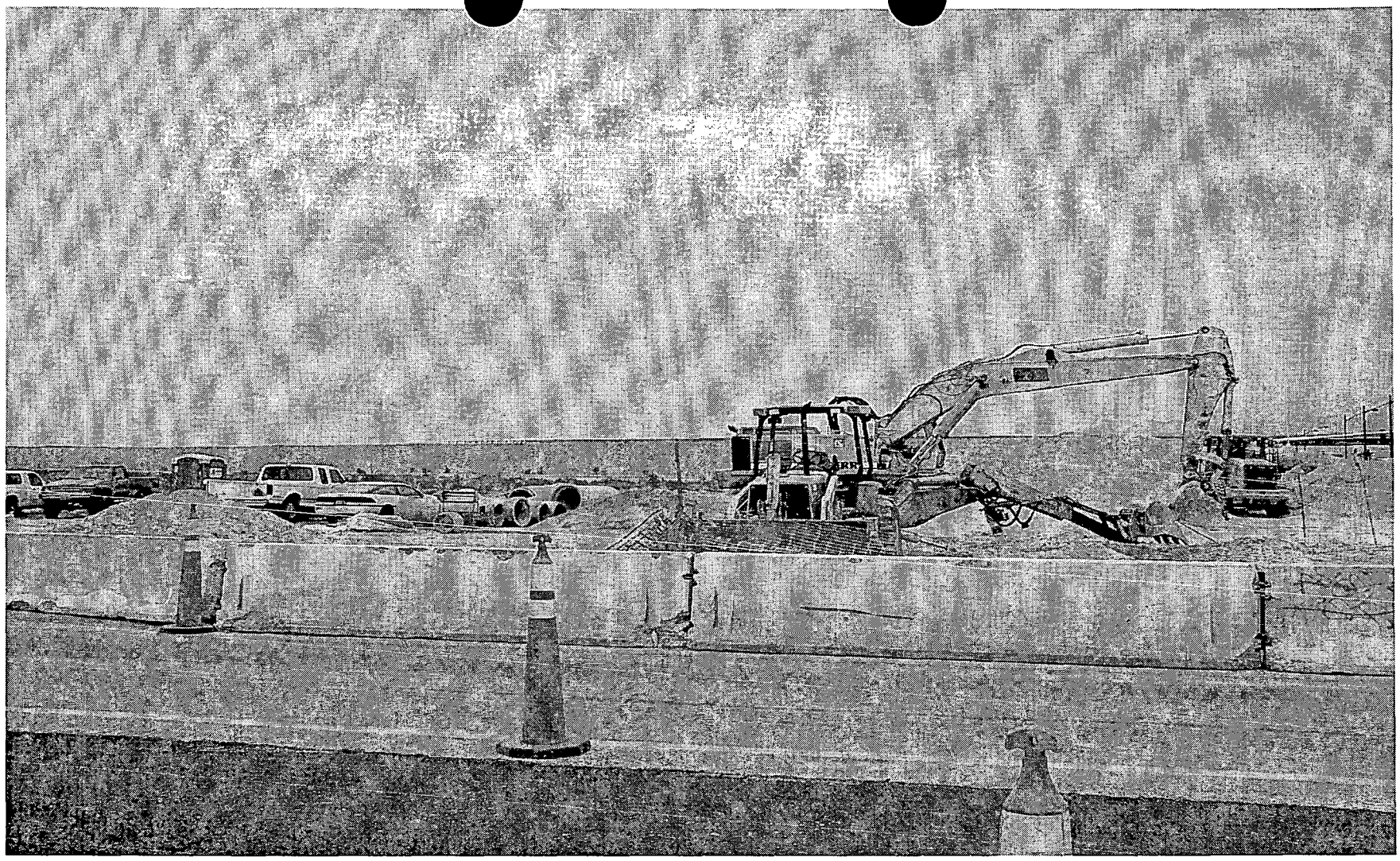
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OCT 08 2004



EOT-5436 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC
Adjacent to the northwest corner of Centennial Parkway and Durango Drive
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/26/04



EOT-5436 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC
Adjacent to the northwest corner of Centennial Parkway and Durango Drive
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/26/04

City of Las Vegas

Agenda Item No. 97

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:

EXTENSION OF TIME RELATED TO EOT-5436 - SPECIAL USE PERMIT

EOT-5437 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC - Request for an Extension of Time of an approved Special Use Permit (U-0116-00) WHICH ALLOWED A RESTAURANT WITH DRIVE-THROUGH on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive (APN 125-20-402-008), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends APPROVAL

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

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN - APPROVED Item 92 [EOT-5421], Item 93 [EOT-5402], Item 94 [EOT-5403], Item 95 [EOT-5404], Item 96 [EOT-5436], Item 97 [EOT-5437], Item 98 [EOT-5438], Item 99 [EOT-5439] and Item 100 [EOT-5440] subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

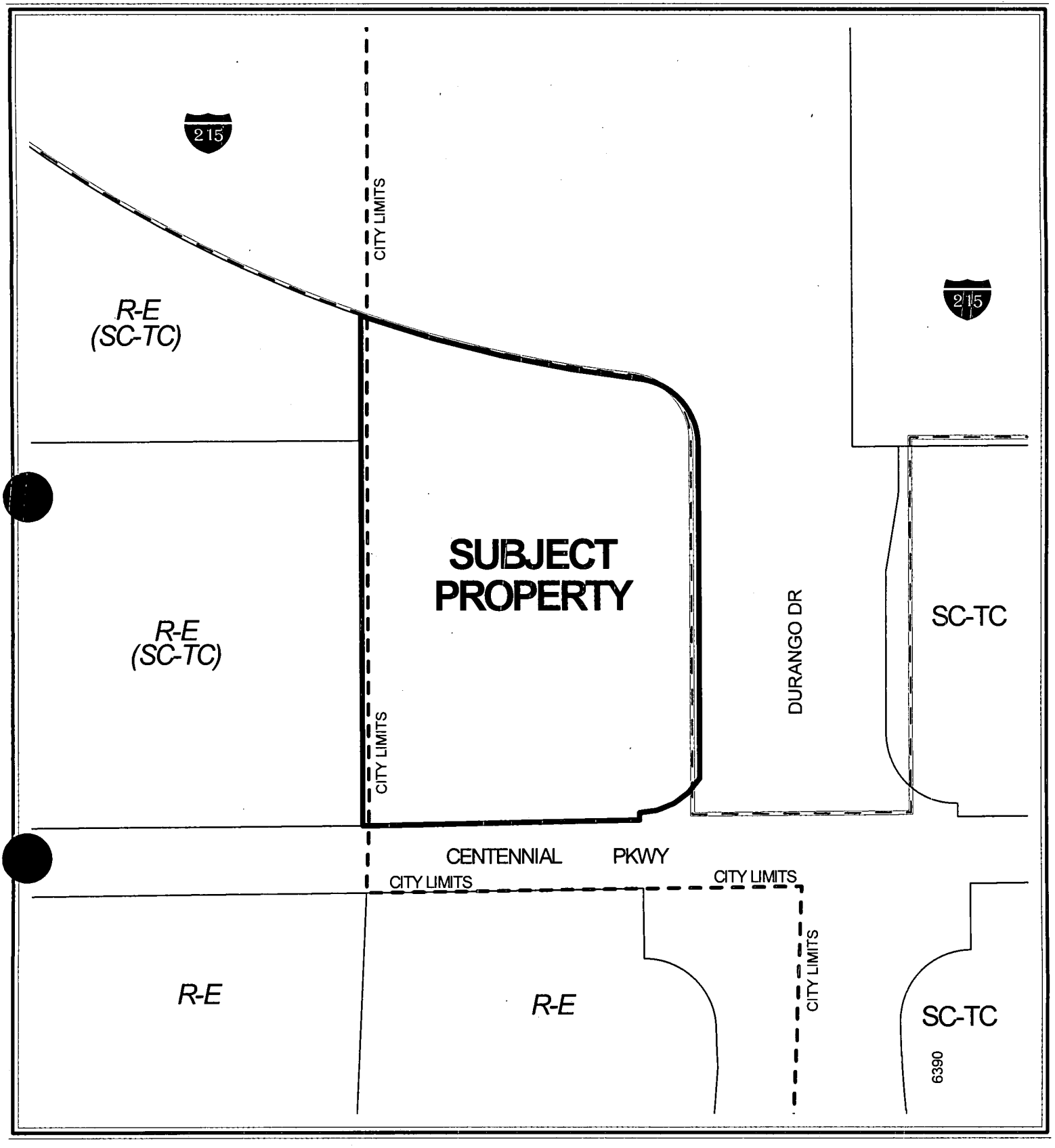
There was no discussion.
(1:26 - 1:27)
2-642

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on November 1, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Site Development Plan Review Z-0076-98(18), Special Use Permit U-0114-00, Special Use Permit U-0115-00, Special Use Permit U-0116-00 and Special Use Permit U-0161-00 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.



0 80 160 Feet

CASE: EOT-5437

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL) TOWN CENTER SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-5437 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC

** CONDITIONS **

Staff recommends APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on November 1, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Site Development Plan Review Z-0076-98(18) and Special Use Permit U-0116-00 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for an Extension of Time of an approved Special Use Permit (U-0116-00) which allowed a restaurant with drive-through on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.

B) Applicant's Justification

The applicant's justification letter indicates additional time is needed to find a tenant for the proposed development on this site.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on the subject property as part of a larger request. The Planning Commission and Staff recommended approval on November 5, 1998.

11/01/00 The City Council approved a Site Development Plan Review [Z-0076-98(18)] for the 8,144 square foot commercial development, a Special Use Permit (U-0114-00) which allowed gasoline sales in conjunction with a proposed convenience store, a Special Use Permit (U-0115-00) which allowed the sale of packaged liquor in conjunction with a proposed convenience store, a Special Use Permit (U-0116-00) which allowed a restaurant with drive-up and a Special Use Permit (U-0161-00) which allowed gaming (restricted) in conjunction with a proposed convenience store on this site. The Planning Commission and Staff recommended approval on September 28, 2000.

12/18/02 The City Council approved an Extension of Time (EOT-1028) for the Site Development Plan Review [Z-0076-98(18)] for the 8,144 square foot commercial development, an Extension of Time (EOT-1039) for the Special Use Permit (U-0114-00) which allowed gasoline sales in conjunction with a proposed convenience store, an Extension of Time (EOT-1038) for the Special Use Permit (U-0115-00) which allowed the sale of packaged liquor in conjunction with a proposed convenience store, an Extension of Time (EOT-1036) for the Special Use Permit (U-0116-00) which allowed a restaurant with drive-up and an Extension of Time (EOT-1037) for the Special Use Permit (U-0161-00) which allowed gaming (restricted) in conjunction with a proposed convenience store on this site. All of these Extensions of Time have an expiration date of November 1, 2004. The Planning Commission and Staff recommended approval on November 21, 2002.

11/17/04 The City Council will hear an Extension of Time (EOT-5436) for the Site Development Plan Review [Z-0076-98(18)] for the 8,144 square foot commercial development, an Extension of Time (EOT-5440) for the Special Use Permit (U-0114-00) which allowed gasoline sales in conjunction with a proposed convenience store, an Extension of Time (EOT-5439) for the Special Use Permit (U-0115-00) which allowed the sale of packaged liquor in conjunction with a proposed convenience store and an Extension of Time (EOT-5438) for the Special Use Permit (U-0161-00) which allowed gaming (restricted) in conjunction with a proposed convenience store on this site.

To date, no building permits have been filed for the proposed commercial development on this site.

B) Pre-Application Meeting

A pre-application meeting is not required for an Extension of Time application.

C) Neighborhood Meetings

A neighborhood meeting is not required for an Extension of Time application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.19

B) Existing Land Use

Subject Property:	Undeveloped
North:	I-215 Beltway
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	TC (Town Center)
North:	ROW (Right-of-Way)
South:	ML (Medium Low Density Residential)
East:	TC (Town Center)
West:	TC (Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	I-215 Beltway
South:	Unincorporated Clark County
East:	T-C (Town Center)
West:	Unincorporated Clark County

E) General Plan Compliance

The subject site is located on the Centennial Hills Sector Map of the General Plan and is Designated as TC (Town Center). The approved commercial development is in compliance with the TC (Town Center) designation

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
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

This site is designated SC-TC (Service Commercial). This land use category permits low to medium intensity retail, office or other commercial uses that are intended to serve primarily the Centennial Hills area and do not include more intense general commercial characteristics. The proposed development is in compliance with this designation.

ANALYSIS

A) Zoning Code Compliance

The site is designated for Service Commercial land uses by the City of Las Vegas Town Center Land Use Plan. This proposal is in conformance with that designation, and compatible with existing and future land uses as projected by the Town Center Plan.

B) General Analysis and Discussion

The City Council determined, in approving the original request, the proposed Restaurant with drive-up will be similar to other uses allowed in the SC-TC (Service Commercial – Town Center) land use district and will be an appropriate use for this location. The restaurant with drive-up is a use that will be an appropriate element of a commercial development on a site near the US 95 freeway and designated Town Center SC-TC (Service Commercial).

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 proposal is in conformance with the SC-TC (Service Commercial) designation. The proposed restaurant with drive-up is a use typically associated with commercial development as anticipated in the Town Center SC-TC (Service Commercial) land use category. The restaurant with drive-up will be harmonious and compatible with future development in the Town Center planning area

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

   The proposed Restaurant with drive-up will be located on a vacant piece of property and the use itself will not change the characteristics of the site. There are no physical constraints to the location of the use on the subject site.

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

   The Restaurant with drive-up will have adequate access to Durango Drive, 100 foot wide primary arterial.

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 City Council found, in approving the original request, the proposed project will not compromise the public health, safety, welfare or General Plan.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-5437 APN: 125-20-402-008

Name of Property Owner: Nevada Acquisitions, LLC

Name of Applicant: Nevada Acquisitions, LLC

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

_____Yes _____✓_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

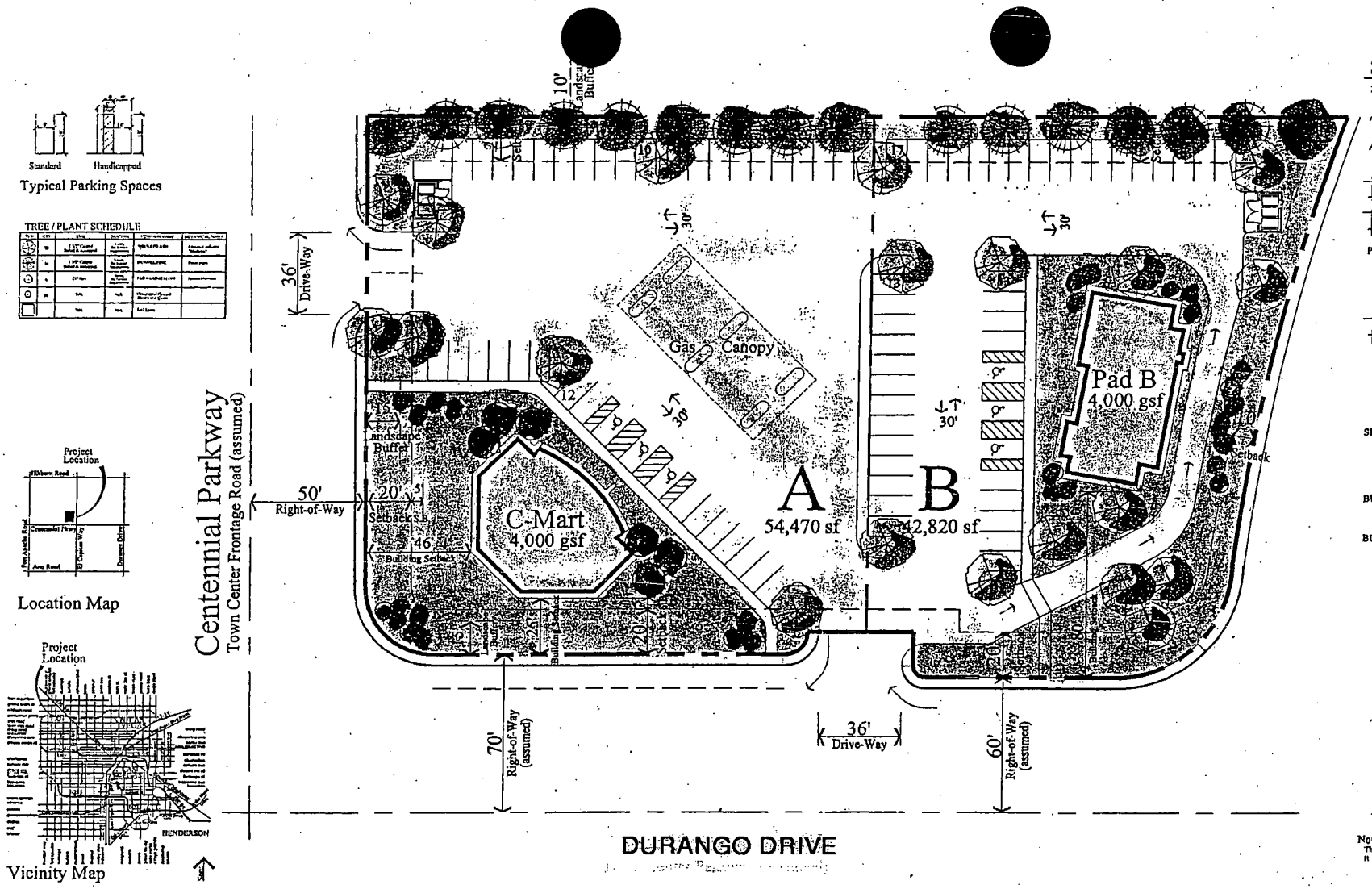
Subscribed and sworn before me

This 1 day of October, 2004

Amanda Dalton

Notary Public in and for said County and State

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



SITE INFORMATION

ZONING - Las Vegas (Town Center)
C - 2 General Commercial District

AREA (Approximate, to be verified)

Net Area:	95,288 sf	2.19 acres

AREAS (Approx.)	Area - sf	Acres	Building Area
Pad A	52,470 sf	1.20	4,000 gsf
Pad B	42,820 sf	0.99	4,000 gsf
TOTALS	95,288 sf	2.19 ac	8,000 gsf
FAR (net)			0.084

PARKING REQUIREMENTS

Parking Calculations (per Code)		Required	Provided
Pad A	4,000/1000 =	16	38
Pad B	4,000/100 =	40	43
Parking Required:		56	
PARKING PROVIDED:			81
Parking Ratio	1 per 100 sf	10.1 per 1000	
Handicapped Required:			4
Handicapped Provided:			6
Loading Spaces Required:			2
Loading Spaces Provided:			2

SETBACKS

Front:	20 ft
Rear:	20 ft
Side:	10 ft
Corner Street Side:	15 ft
Street Landscape Buffer:	15 ft

BUILDING HEIGHT

Allowed:	No Restrictions
Provided:	1-Story - up to 35 feet

BUILDING COVERAGE

Allowed:	50 %
Provided:	8.4 %

Note:
This plan has been prepared without benefit of a complete survey. It is Conceptual in Nature and No Guarantee of its accuracy is implied.

El Durango Retail Center

Centennial Parkway & El Capitan Way, Las Vegas, Nevada Conceptual Site Plan - Scheme B

J.O.M.B.I. Development Company
David James
(702) 395-6734

North
Scale: 1" = 20'
Date: September 5, 2000
Project Number: 100121

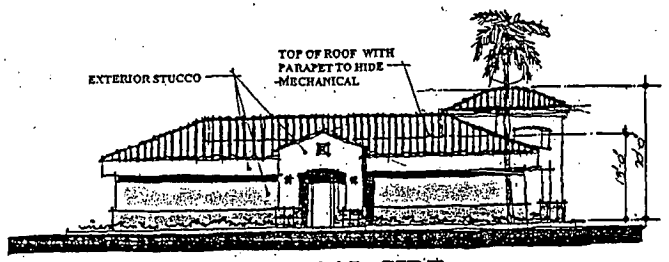
Perlman ARCHITECTS
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

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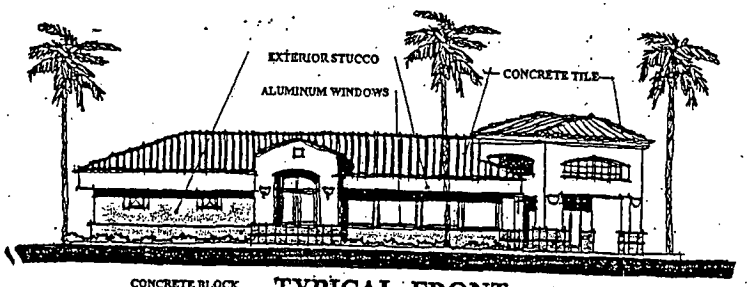
EOT-5436 EOT-5437
EOT-5438 EOT-5439
EOT-5440

11-17-04 CC

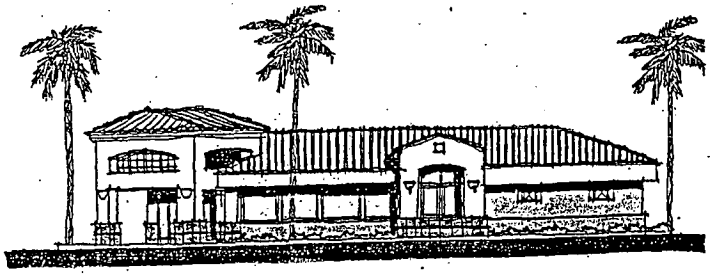
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OCT 08 2004



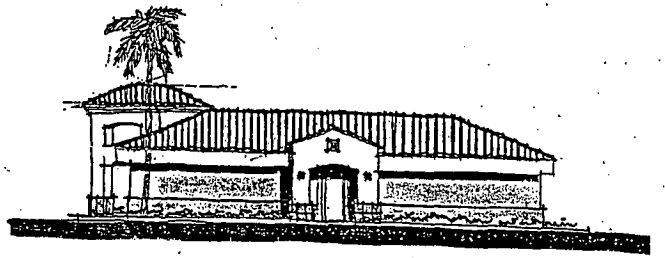
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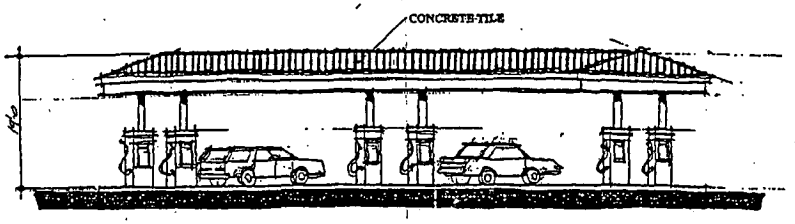
TYPICAL FRONT



TYPICAL FRONT



TYPICAL SIDE



EOT-5436 EOT-5437
EOT-5438 EOT-5439
EOT-5440

11-17-04 CC

El Durango Retail Center

Centennial Parkway & El Capitan Way, Las Vegas, Nevada

J.O.M.B.I. Development Company
David James (702) 395-6734

Conceptual Elevations Pad A

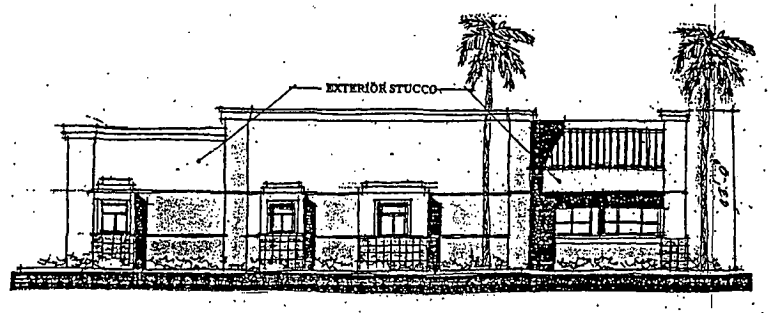
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Date: September 5, 2000
Project Number: 100121

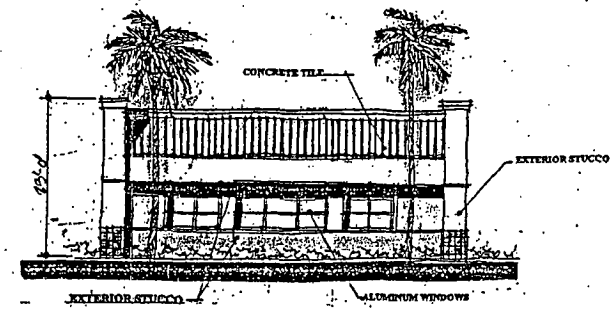
Perlman ARCHITECTS
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

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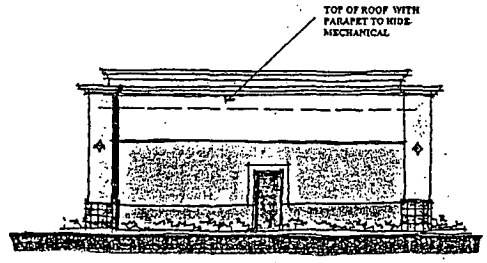


Side

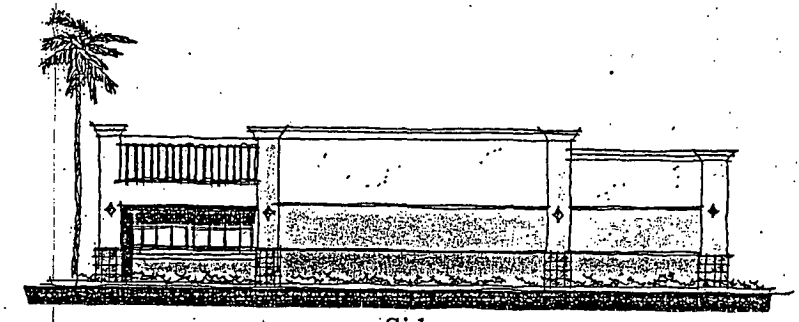


Front

FAST FOOD RESTAURANT



Rear



Side

EOT-5436 EOT-5437
EOT-5438 EOT-5439
EOT-5440

11-17-04 CC

El Durango Retail Center

Centennial Parkway & El Capitan Way, Las Vegas, Nevada

J.O.M.B.I. Development Company
David James (702) 395-6734

Conceptual Elevations Pad B

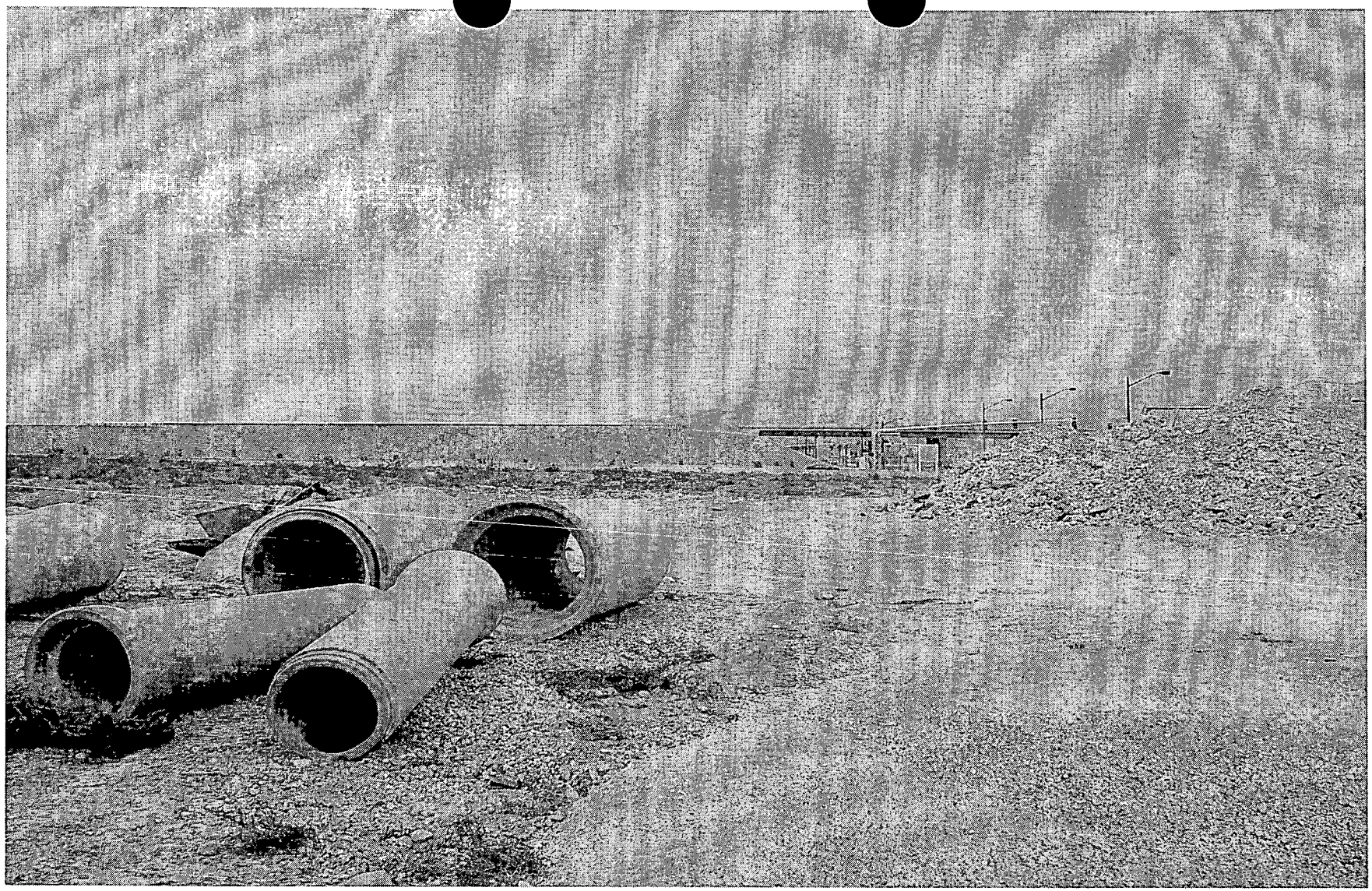
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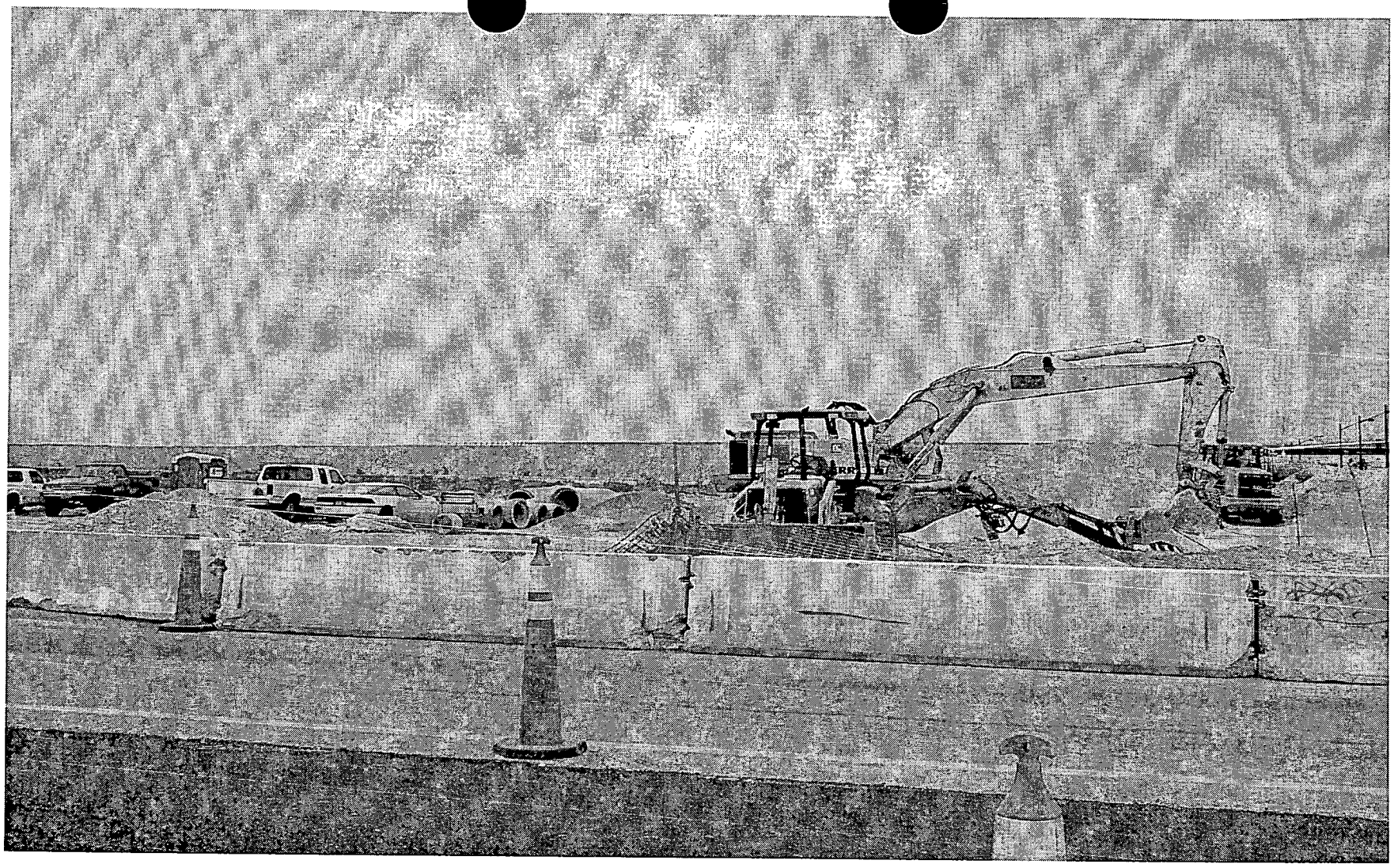
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OCT 08 2004



EOT-5437 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC
Adjacent to the northwest corner of Centennial Parkway and Durango Drive
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/26/04



EOT-5437 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC
Adjacent to the northwest corner of Centennial Parkway and Durango Drive
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/26/04

City of Las Vegas

Agenda Item No. 98

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:

EXTENSION OF TIME RELATED TO EOT-5436 AND EOT-5437 - SPECIAL USE PERMIT

EOT-5438 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC - Request for an Extension of Time of an approved Special Use Permit (U-0161-00) WHICH ALLOWED RESTRICTED GAMING IN CONJUNCTION WITH A CONVENIENCE STORE on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive (APN 125-20-402-008), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends APPROVAL

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

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN - APPROVED Item 92 [EOT-5421], Item 93 [EOT-5402], Item 94 [EOT-5403], Item 95 [EOT-5404], Item 96 [EOT-5436], Item 97 [EOT-5437], Item 98 [EOT-5438], Item 99 [EOT-5439] and Item 100 [EOT-5440] subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

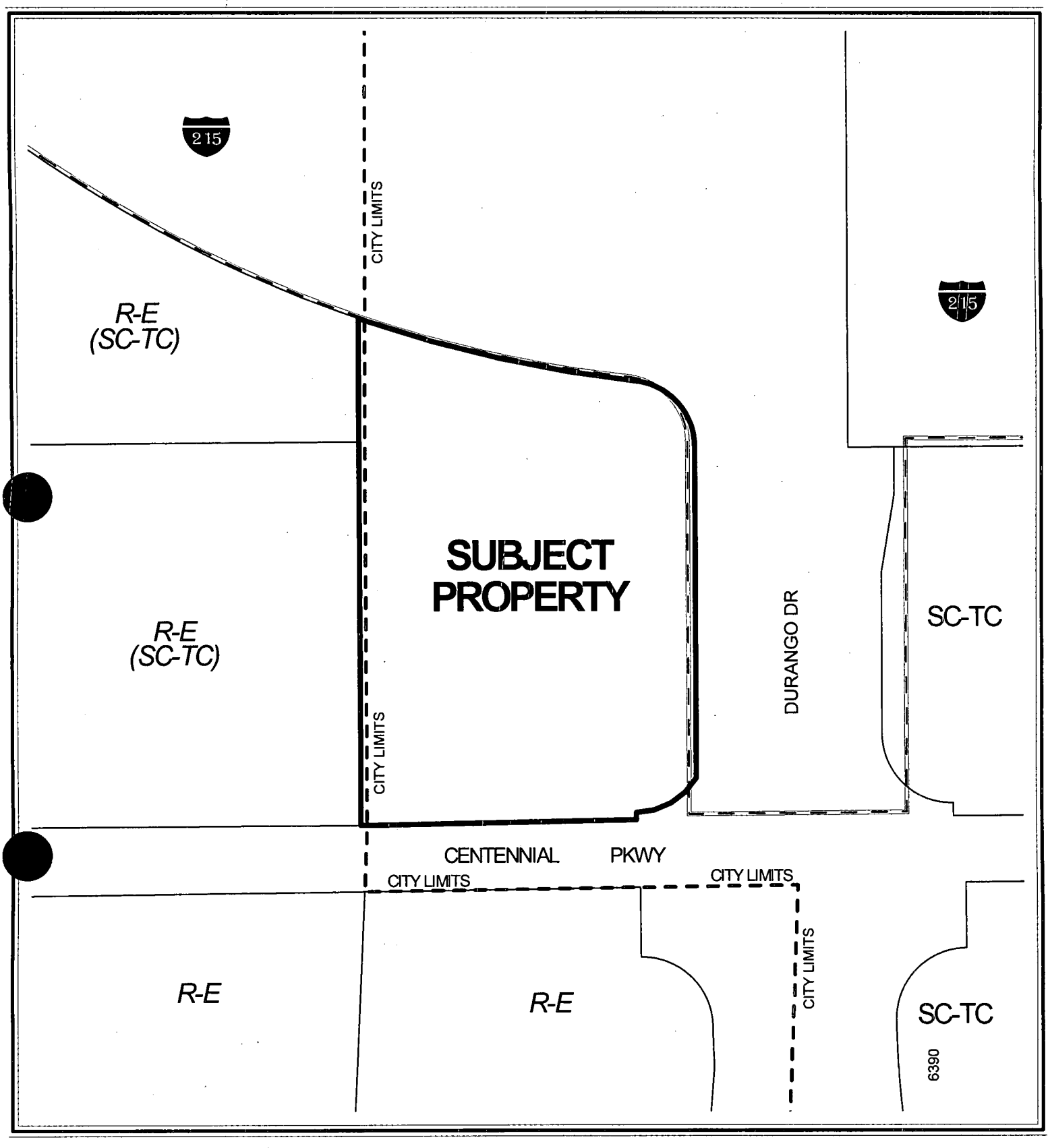
There was no discussion.
(1:26 - 1:27)
2-642

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on November 1, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Site Development Plan Review Z-0076-98(18) and Special Use Permit U-0161-00 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.



0 80 160 Feet

CASE: EOT-5438

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL) TOWN CENTER SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-5438 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for an Extension of Time of an approved Special Use Permit (U-0161-00) which allowed restricted gaming in conjunction with a convenience store on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.

B) Applicant's Justification

The applicant's justification letter indicates additional time is needed to find a tenant for the proposed development on this site.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on the subject property as part of a larger request. The Planning Commission and Staff recommended approval on November 5, 1998.

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To date, no building permits have been filed for the proposed commercial development on this site.

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A pre-application meeting is not required for an Extension of Time application.

C) Neighborhood Meetings

A neighborhood meeting is not required for an Extension of Time application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.19

B) Existing Land Use

Subject Property:	Undeveloped
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West:	Undeveloped

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D) Existing Zoning

Subject Property:	T-C (Town Center)
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E) General Plan Compliance

The subject site is located on the Centennial Hills Sector Map of the General Plan and is Designated as TC (Town Center). The approved commercial development is in compliance with the TC (Town Center) designation

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
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

This site is designated SC-TC (Service Commercial). This land use category permits low to medium intensity retail, office or other commercial uses that are intended to serve primarily the Centennial Hills area and do not include more intense general commercial characteristics. The proposed development is in compliance with this designation.

ANALYSIS

A) Zoning Code Compliance

The site is designated for Service Commercial land uses by the City of Las Vegas Town Center Land Use Plan. This proposal is in conformance with that designation, and compatible with existing and future land uses as projected by the Town Center Plan.

B) General Analysis and Discussion

The City Council determined, in approving the original request, the proposed restricted gaming in conjunction with a proposed convenience store will be similar to other uses allowed in the SC-TC (Service Commercial – Town Center) land use district and will be an appropriate use for this location. The proposed restricted gaming use in conjunction with a proposed convenience store will be a characteristic element of a convenience store operation, and an appropriate element of a commercial development on a site near the U.S. 95 freeway and designated as Town Center SC-TC (Service Commercial).

The Town Center Development Guidelines require that restricted gaming not be within 330 feet of any single-family dwelling. The separation is measured in a straight line from property line to property line. Based on the current method of measurement, the closest single-family dwelling is approximately 360 feet away from the proposed gaming establishment.

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 proposal is in conformance with the SC-TC (Service Commercial) designation. The proposed restricted gaming in conjunction with a proposed convenience store is a use typically associated with commercial development as anticipated in the Town Center SC-TC (Service Commercial) land use category. The restricted gaming in conjunction with a proposed convenience store will be harmonious and compatible with future development in the Town Center planning area

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

   The proposed restricted gaming in conjunction with a proposed convenience store will be located on a vacant piece of property and the use itself will not change the characteristics of the site. There are no physical constraints to the location of the use on the subject site.

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

   The restricted gaming in conjunction with a convenience store will have adequate access to Durango Drive, 100 foot wide primary arterial.

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 City Council found, in approving the original request, the proposed project will not compromise the public health, safety, welfare or General Plan.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-5438 APN: 125-20-402-008

Name of Property Owner: Nevada Acquisitions, LLC

Name of Applicant: Nevada Acquisitions, LLC

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

_____Yes _____✓_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

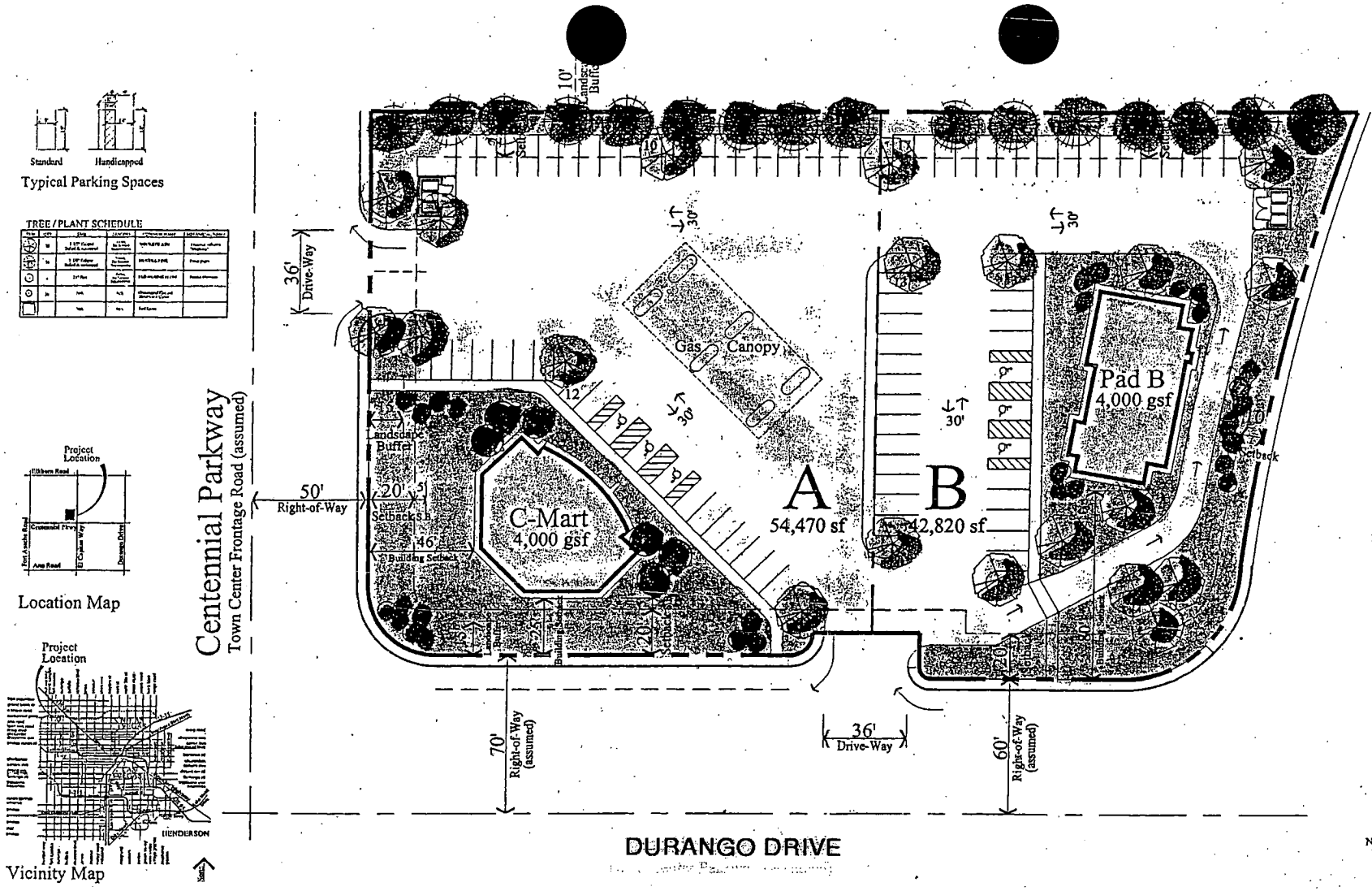
Subscribed and sworn before me

This 1 day of October 20 04

Amanda Dalton

Notary Public in and for said County and State

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



SITE INFORMATION

ZONING - Las Vegas (Town Center)
C - 2 General Commercial District

AREA (Approximate, to be verified)

Net Area:	95,288 sf	2.19 acres

AREAS (Approx)	Area - sf	Acres	Building Areas
Pad A	52,470 sf	1.20	4,000 gsf
Pad B	42,820 sf	0.99	4,000 gsf
TOTALS	95,288 sf	2.19 ac	8,000 gsf
FAR (net)			0.084

PARKING REQUIREMENTS

Parking Calculations (per Code)		Required	Provided
Pad A	4,000 / 250 =	16	38
Pad B	4,000 / 100 =	40	43
Parking Required:		56	
PARKING PROVIDED:			81

Parking Ratio: 1 per 100 sf | 10.1 per 1000

Handicapped Required:	4
Handicapped Provided:	6
Loading Spaces Required:	2
Loading Spaces Provided:	2

SETBACKS

Front:	20 ft
Rear:	20 ft
Side:	10 ft
Corner Street Side:	15 ft
Street Landscape Buffer:	15 ft

BUILDING HEIGHT

Allowed:	No Restrictions
Provided:	1-Story - up to 35 feet

BUILDING COVERAGE

Allowed:	50 %
Provided:	8.4 %

Note:
This plan has been prepared without benefit of a complete survey. It is Conceptual in Nature and No Guarantee of its accuracy is implied.

El Durango Retail Center

J.O.M.B.I. Development Company
David James
(702) 395-6734

Centennial Parkway & El Capitan Way, Las Vegas, Nevada Conceptual Site Plan - Scheme B

North
Scale: 1" = 20'
0 20 40

Date: September 5, 2000
Project Number: 100121

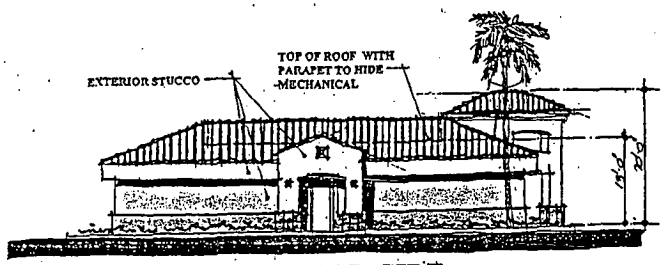
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HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

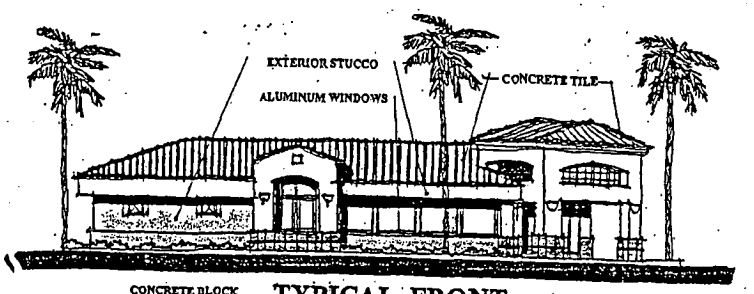
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EOT-5438 EOT-5439
EOT-5440

11-17-04 CC

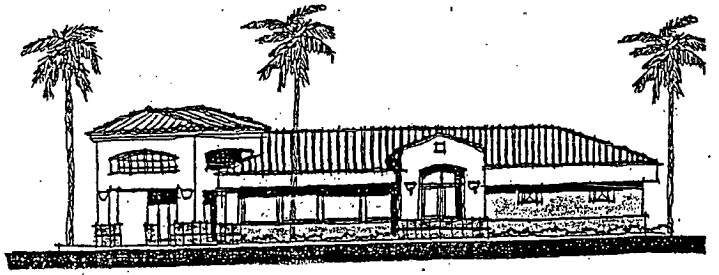
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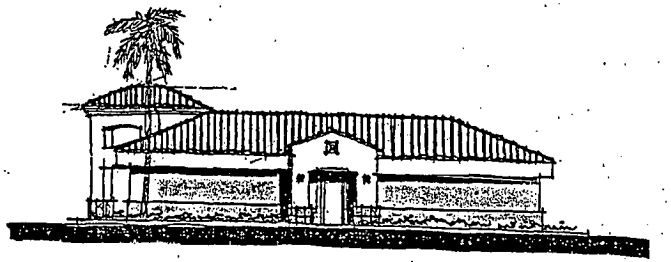
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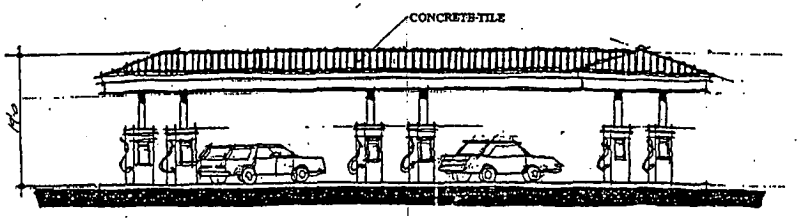
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TYPICAL FRONT



TYPICAL SIDE



EOT-5436 EOT-5437
EOT-5438 EOT-5439
EOT-5440

11-17-04 CC

El Durango Retail Center

Centennial Parkway & El Capitan Way, Las Vegas, Nevada

J.O.M.B.I. Development Company
David James (702) 395-6734

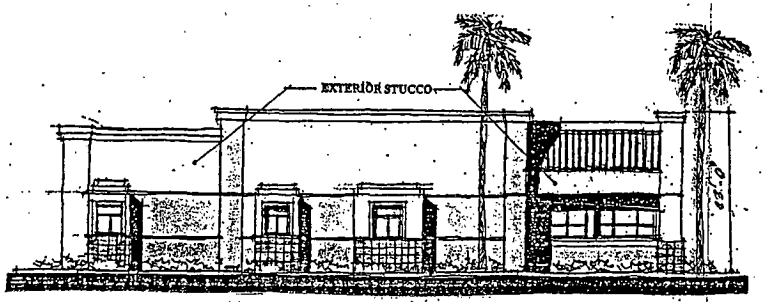
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Scale: 1/8" = 1'
Date: September 5, 2000
Project Number: 100121

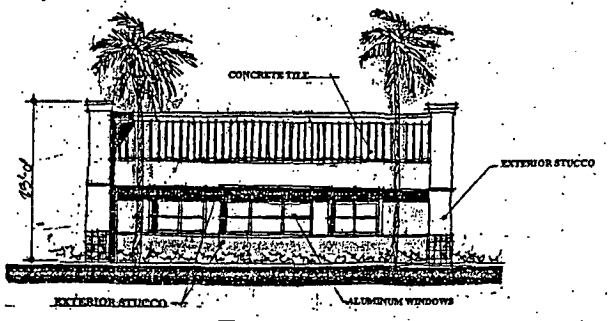
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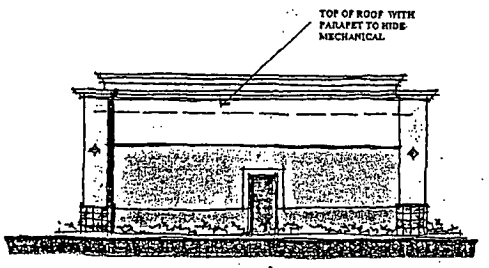


Side

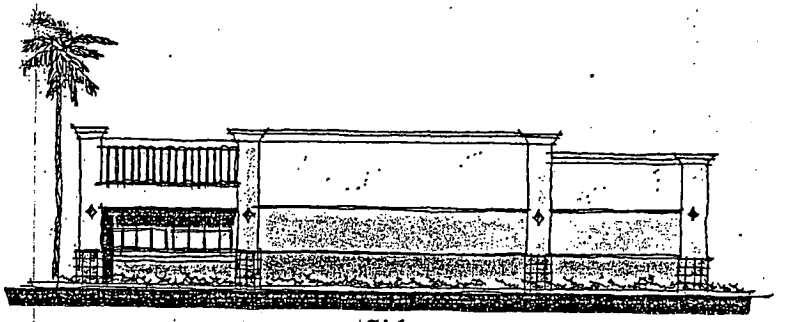


Front

FAST FOOD RESTAURANT



Rear



Side

EOT-5436 EOT-5437
EOT-5438 EOT-5439
EOT-5440

11-17-04 CC

El Durango Retail Center

Centennial Parkway & El Capitan Way, Las Vegas, Nevada

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Conceptual Elevations Pad B

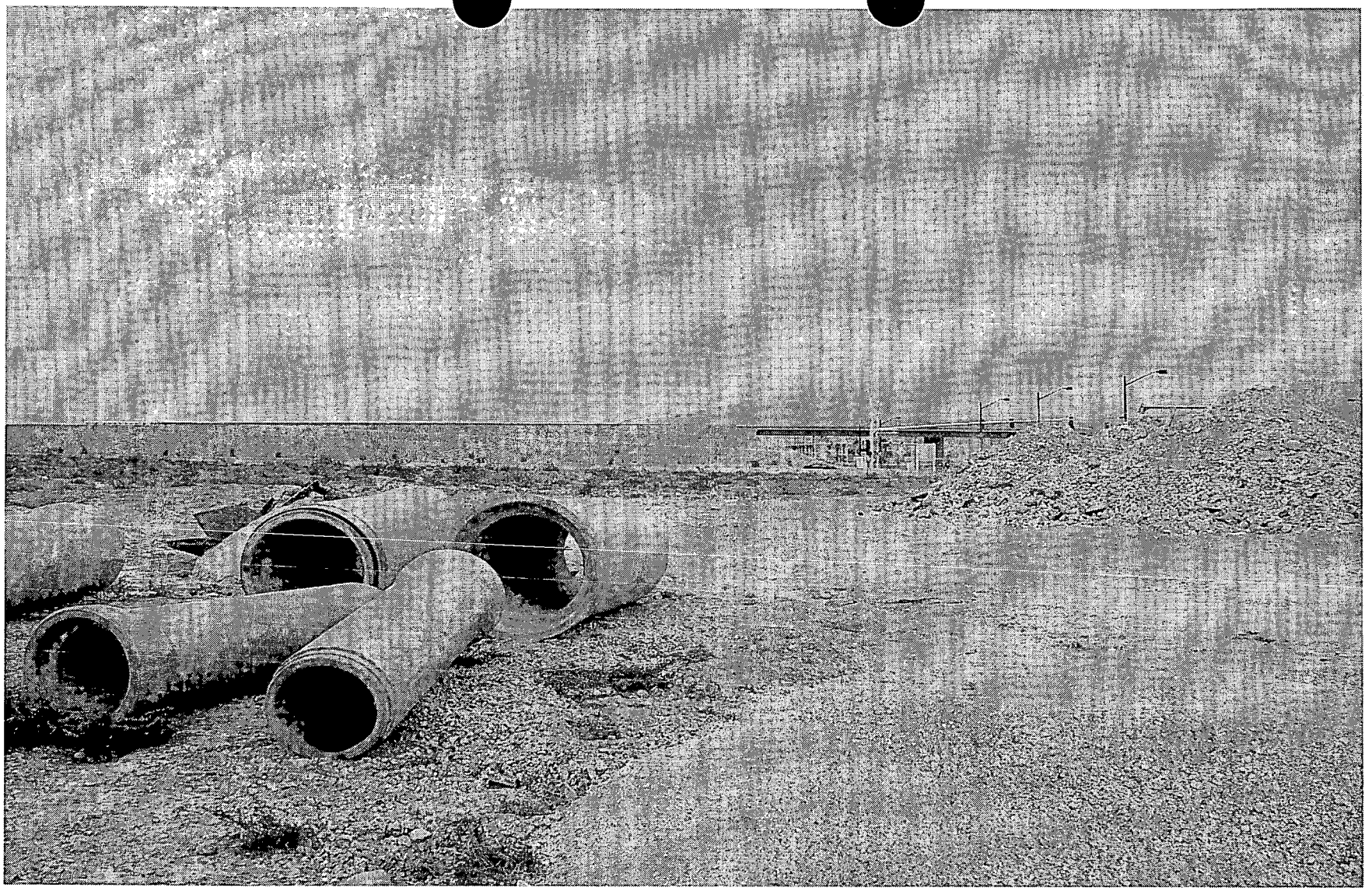
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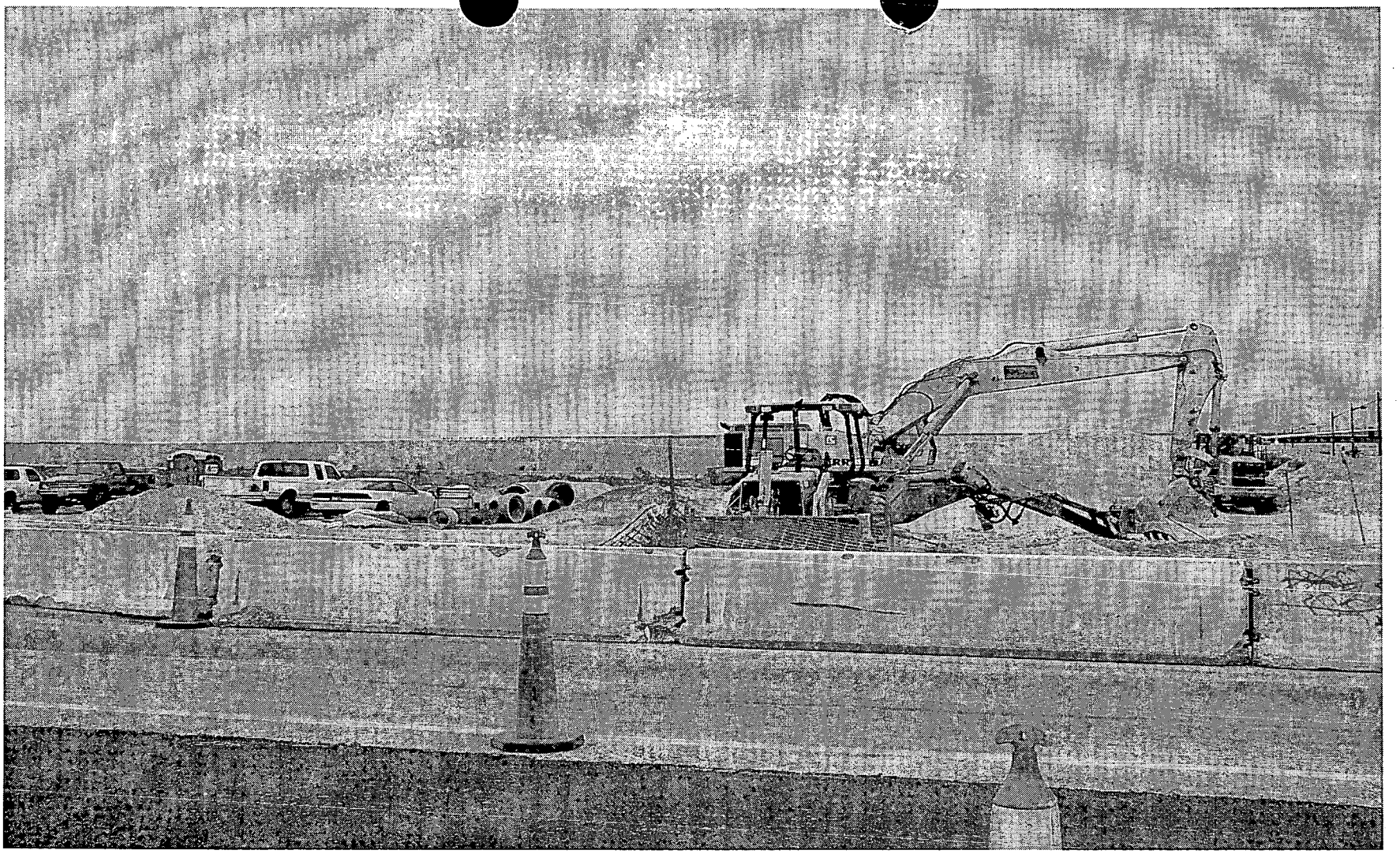
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EOT-5438 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC
Adjacent to the northwest corner of Centennial Parkway and Durango Drive
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/26/04



EOT-5438 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC
Adjacent to the northwest corner of Centennial Parkway and Durango Drive
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/26/04

City of Las Vegas

Agenda Item No. 99

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:

EXTENSION OF TIME RELATED TO EOT-5436, EOT-5437 AND EOT-5438 - SPECIAL USE PERMIT

EOT-5439 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC - Request for an Extension of Time of an approved Special Use Permit (U-0115-00) WHICH ALLOWED THE SALE OF PACKAGED LIQUOR FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH A CONVENIENCE STORE on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive (APN 125-20-402-008), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends APPROVAL

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

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN - APPROVED Item 92 [EOT-5421], Item 93 [EOT-5402], Item 94 [EOT-5403], Item 95 [EOT-5404], Item 96 [EOT-5436], Item 97 [EOT-5437], Item 98 [EOT-5438], Item 99 [EOT-5439] and Item 100 [EOT-5440] subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

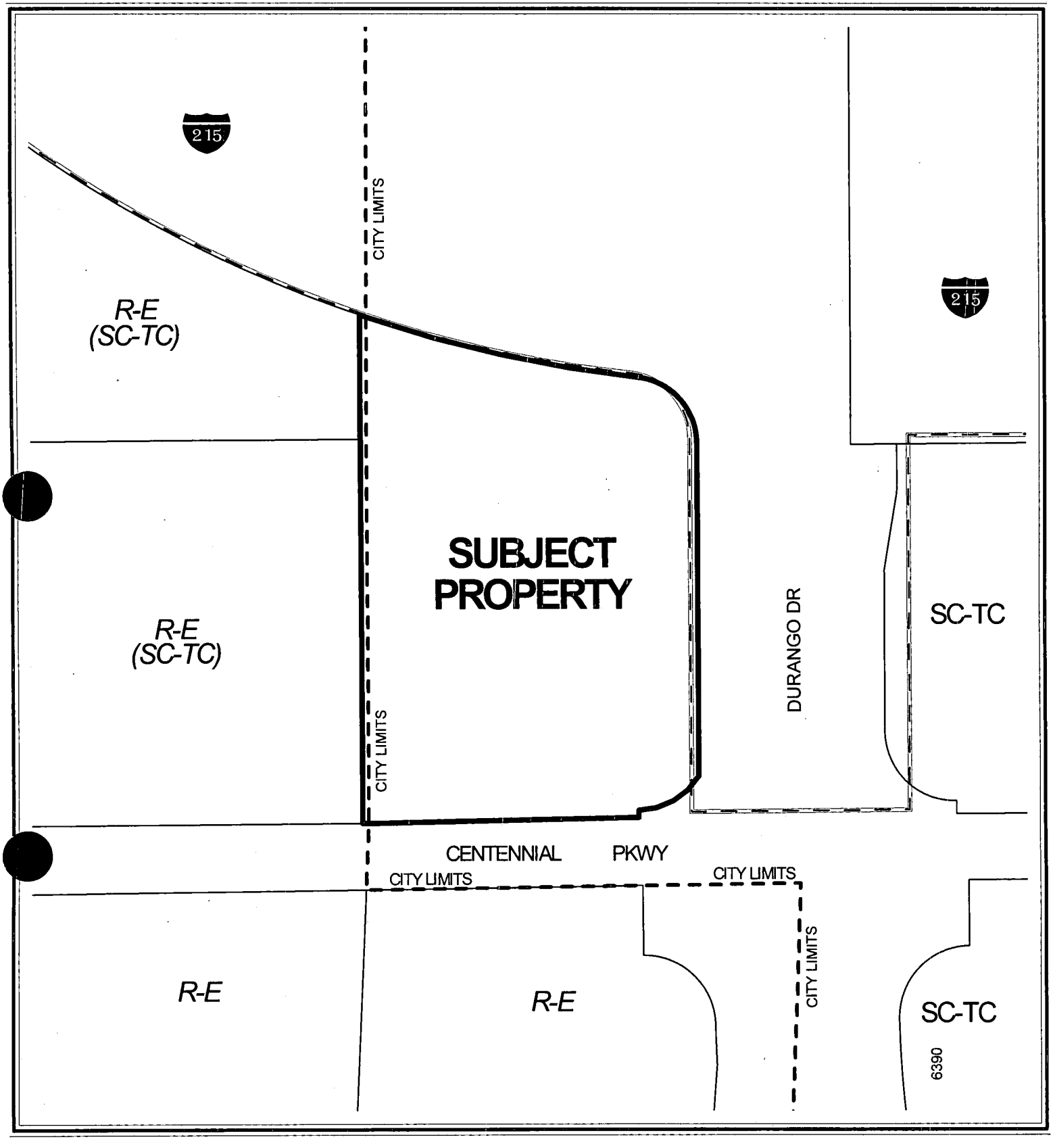
There was no discussion.
(1:26 - 1:27)
2-642

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on November 1, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Site Development Plan Review Z-0076-98(18) and Special Use Permit U-0115-00 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.



0 80 160 Feet

CASE: EOT-5439

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL) TOWN CENTER SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-5439 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC

** CONDITIONS **

Staff recommends APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on November 1, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Site Development Plan Review Z-0076-98(18) and Special Use Permit U-0115-00 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for an Extension of Time of an approved Special Use Permit (U-0115-00) which allowed the sale of packaged liquor for off-premise consumption in conjunction with a convenience store on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.

B) Applicant's Justification

The applicant's justification letter indicates additional time is needed to find a tenant for the proposed development on this site.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on the subject property as part of a larger request. The Planning Commission and Staff recommended approval on November 5, 1998.

11/01/00 The City Council approved a Site Development Plan Review [Z-0076-98(18)] for the 8,144 square foot commercial development, a Special Use Permit (U-0114-00) which allowed gasoline sales in conjunction with a proposed convenience store, a Special Use Permit (U-0115-00) which allowed the sale of packaged liquor in conjunction with a proposed convenience store, a Special Use Permit (U-0116-00) which allowed a restaurant with drive-up and a Special Use Permit (U-0161-00) which allowed gaming (restricted) in conjunction with a proposed convenience store on this site. The Planning Commission and Staff recommended approval on September 28, 2000.

12/18/02 The City Council approved an Extension of Time (EOT-1028) for the Site Development Plan Review [Z-0076-98(18)] for the 8,144 square foot commercial development, an Extension of Time (EOT-1039) for the Special Use Permit (U-0114-00) which allowed gasoline sales in conjunction with a proposed convenience store, an Extension of Time (EOT-1038) for the Special Use Permit (U-0115-00) which allowed the sale of packaged liquor in conjunction with a proposed convenience store, an Extension of Time (EOT-1036) for the Special Use Permit (U-0116-00) which allowed a restaurant with drive-up and an Extension of Time (EOT-1037) for the Special Use Permit (U-0161-00) which allowed gaming (restricted) in conjunction with a proposed convenience store on this site. All of these Extensions of Time have an expiration date of November 1, 2004. The Planning Commission and Staff recommended approval on November 21, 2002.

11/17/04 The City Council will hear an Extension of Time (EOT-5436) for the Site Development Plan Review [Z-0076-98(18)] for the 8,144 square foot commercial development, an Extension of Time (EOT-5440) for the Special Use Permit (U-0114-00) which allowed gasoline sales in conjunction with a proposed convenience store, an Extension of Time (EOT-5437) for the Special Use Permit (U-0116-00) which allowed a restaurant with drive-up and an Extension of Time (EOT-5438) for the Special Use Permit (U-0161-00) which allowed gaming (restricted) in conjunction with a proposed convenience store on this site.

To date, no building permits have been filed for the proposed commercial development on this site.

B) Pre-Application Meeting

A pre-application meeting is not required for an Extension of Time application.

C) Neighborhood Meetings

A neighborhood meeting is not required for an Extension of Time application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.19

B) Existing Land Use

Subject Property:	Undeveloped
North:	I-215 Beltway
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	TC (Town Center)
North:	ROW (Right-of-Way)
South:	ML (Medium Low Density Residential)
East:	TC (Town Center)
West:	TC (Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	I-215 Beltway
South:	Unincorporated Clark County
East:	T-C (Town Center)
West:	Unincorporated Clark County

E) General Plan Compliance

The subject site is located on the Centennial Hills Sector Map of the General Plan and is Designated as TC (Town Center). The approved commercial development is in compliance with the TC (Town Center) designation

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
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

This site is designated SC-TC (Service Commercial). This land use category permits low to medium intensity retail, office or other commercial uses that are intended to serve primarily the Centennial Hills area and do not include more intense general commercial characteristics. The proposed development is in compliance with this designation.

ANALYSIS

A) Zoning Code Compliance

The site is designated for Service Commercial land uses by the City of Las Vegas Town Center Land Use Plan. This proposal is in conformance with that designation, and compatible with existing and future land uses as projected by the Town Center Plan

B) General Analysis and Discussion

The City Council determined, in approving the original request, the proposed sale of packaged liquor for off-premise consumption in conjunction with a proposed convenience store will be similar to other uses allowed in the SC-TC (Service Commercial – Town Center) land use district and will be an appropriate use for this location. The sale of packaged liquor is an allowed use within the SC-TC (Service Commercial) land use category of the T-C (Town Center) Zoning District, with the approval of a Special Use Permit. The Town Center Development Guidelines require that sales of packaged liquor not be within 400 feet of any church, synagogue, school, child care facility licensed for more than twelve children, or City park. The separation is measured in a straight line from property line to property line. Based on the current method of measurement, none of these protected uses exist within 400 feet of the proposed liquor use

FINDINGS

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

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

   The proposed convenience store with packaged liquor sales is a use typically associated with commercial development such as anticipated in the Town Center SC-TC (Service Commercial) land use category, and that the convenience store with packaged liquor sales will be harmonious and compatible with future development in the Town Center planning area.

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

   There are no physical constraints to the location for this use on the subject site.

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

   The packaged liquor sales in conjunction with a convenience store will have adequate access to Durango Drive, 100 foot wide primary arterial.

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 City Council found, in approving the original request, the proposed project will not compromise the public health, safety, welfare or General Plan.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-5439 APN: 125-20-402-008

Name of Property Owner: Nevada Acquisitions, LLC

Name of Applicant: Nevada Acquisitions, LLC

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

_____Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

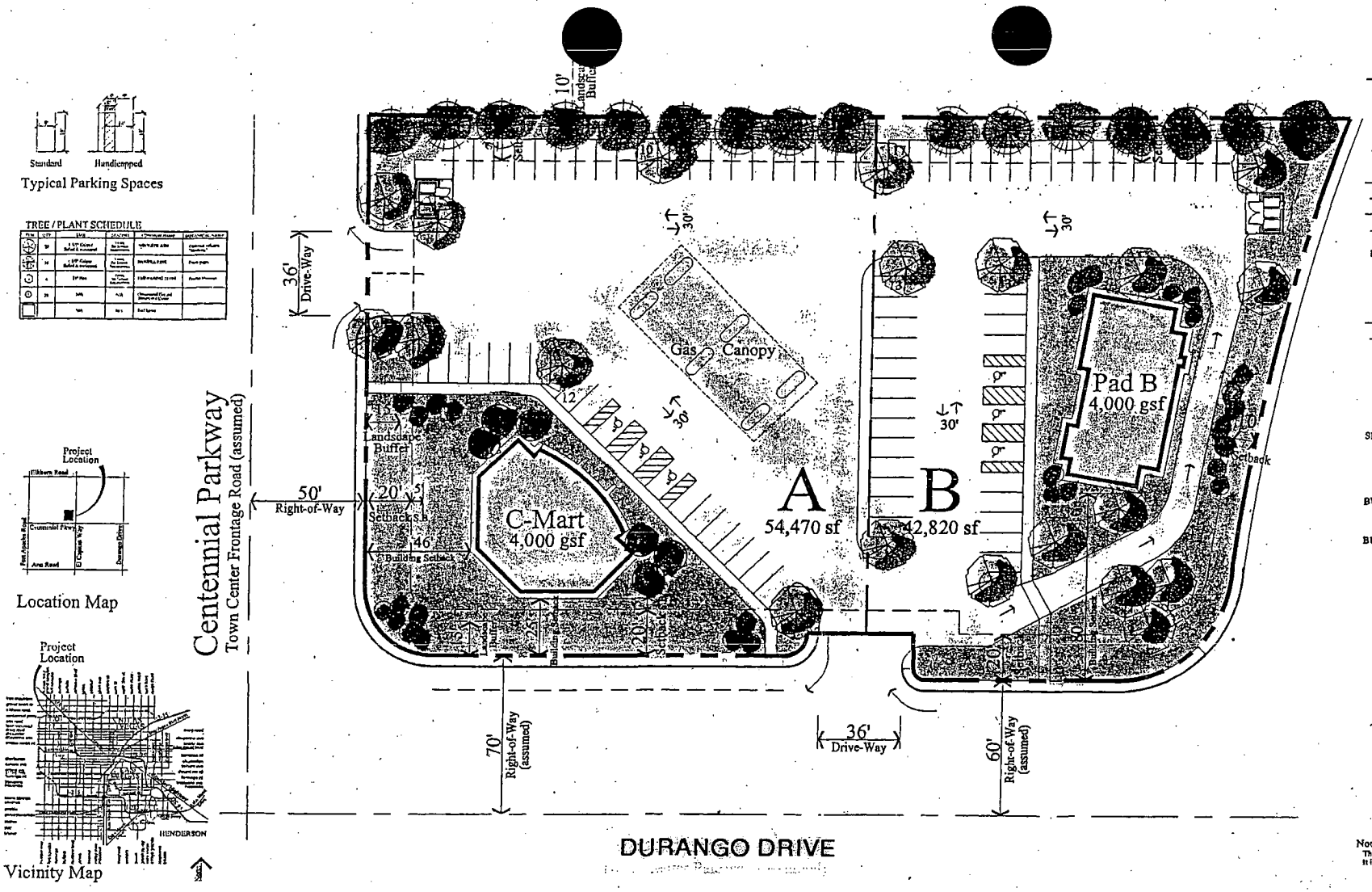
Subscribed and sworn before me

This 1 day of October, 2004

Amanda Dalton

Notary Public in and for said County and State

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



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PARKING PROVIDED:			81
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Handicapped Provided:			6
Loading Spaces Required:			2
Loading Spaces Provided:			2

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Rear:	20 ft
Side:	10 ft
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Provided:	1-Story - up to 35 feet

BUILDING COVERAGE

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Provided:	8.4 %

Note:
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El Durango Retail Center

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Centennial Parkway & El Capitan Way, Las Vegas, Nevada Conceptual Site Plan - Scheme B

North
Scale: 1" = 20'
0 20 40

Date: September 5, 2000
Project Number: 100121

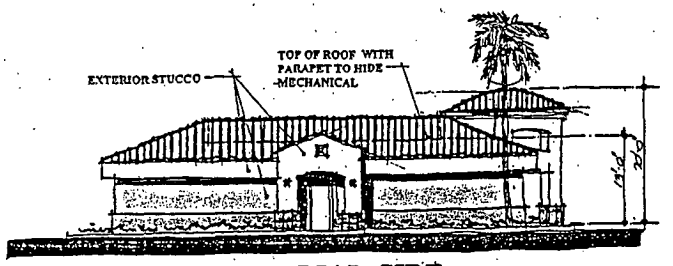
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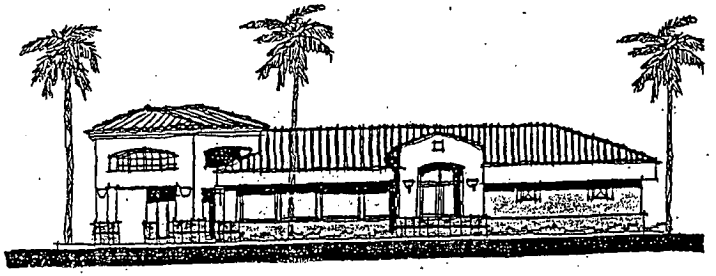
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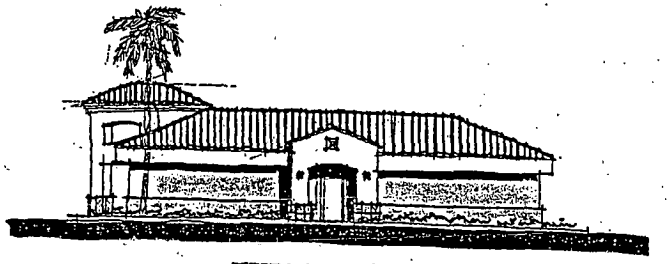
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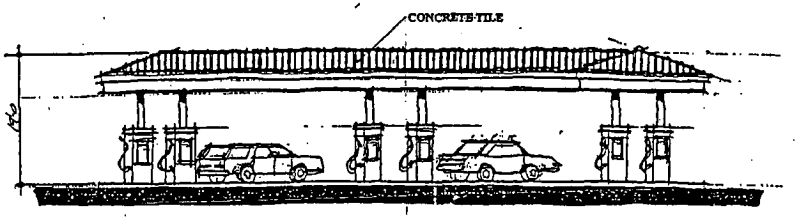
TYPICAL FRONT



TYPICAL FRONT



TYPICAL SIDE



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EOT-5440

11-17-04 CC

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Centennial Parkway & El Capitan Way, Las Vegas, Nevada

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Conceptual Elevations Pad A

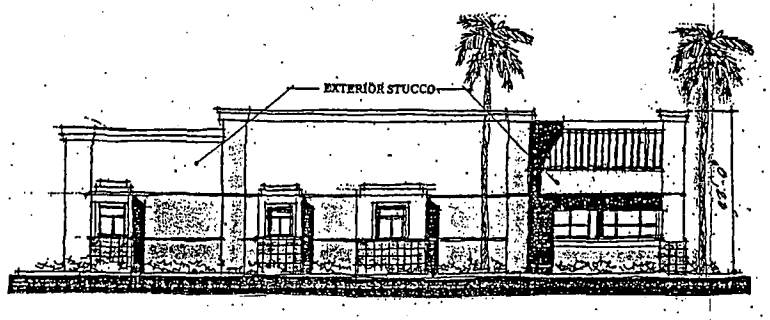
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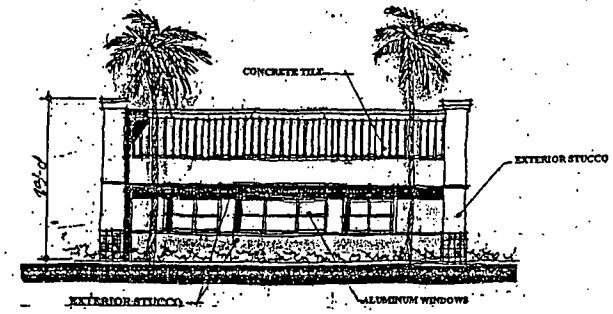
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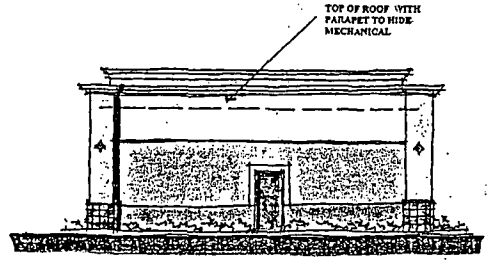


Side

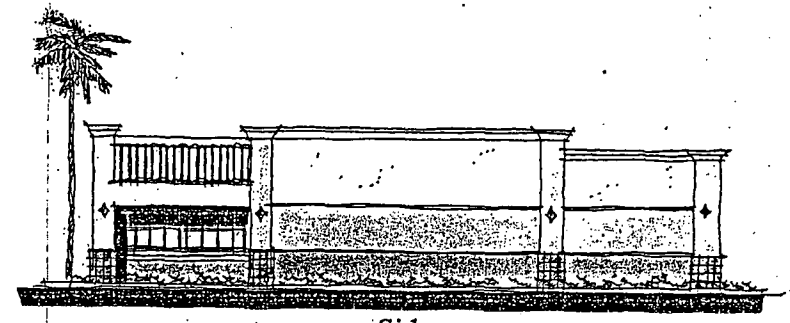


Front

FAST FOOD RESTAURANT



Rear



Side

EOT-5436 EOT-5437
EOT-5438 EOT-5439
EOT-5440

11-17-04 CC

El Durango Retail Center

Centennial Parkway & El Capitan Way, Las Vegas, Nevada

J.O.M.B.I. Development Company
David James (702) 395-6734

Conceptual Elevations Pad B

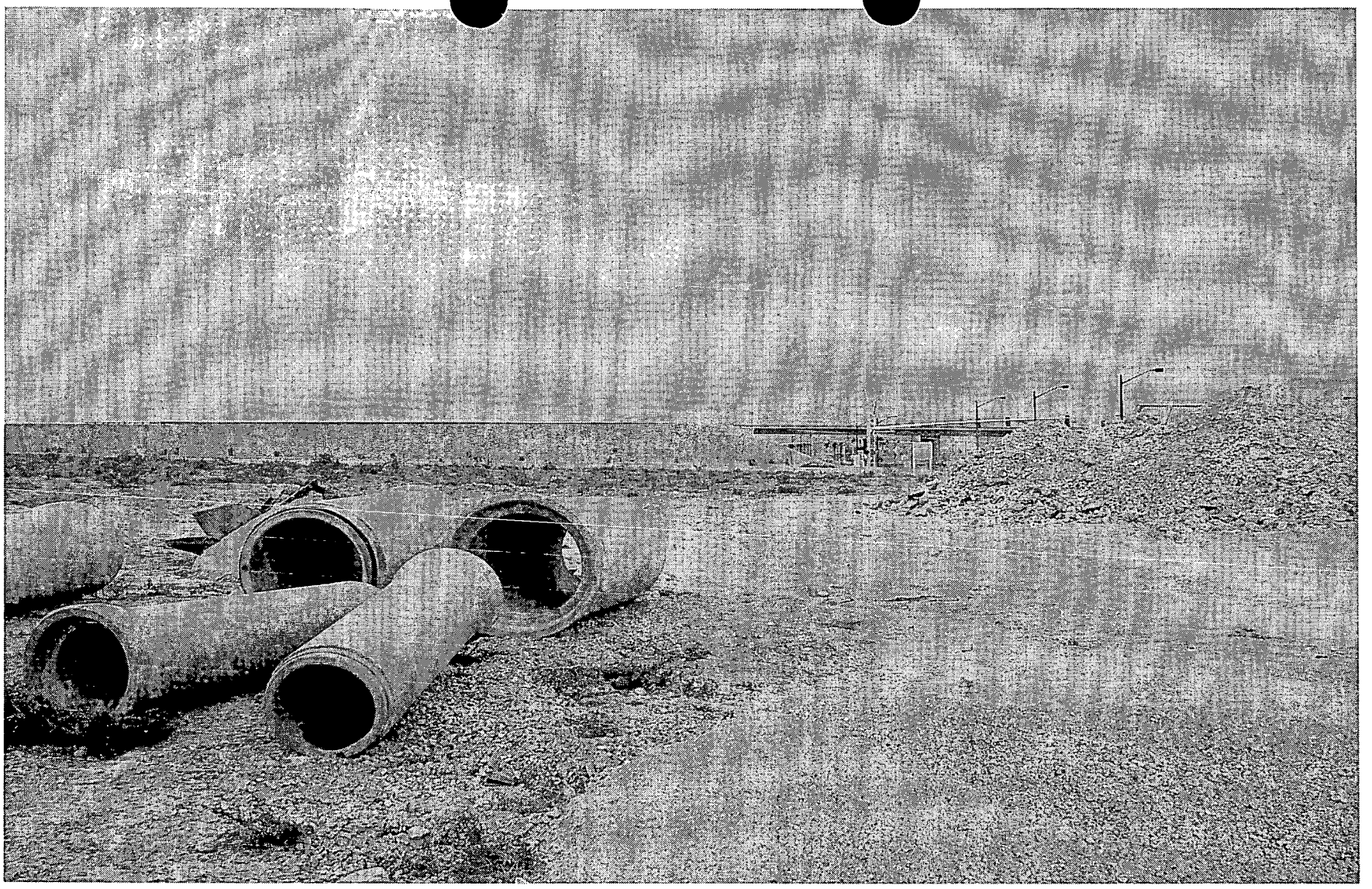
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Date: September 5, 2000
Project Number: 100121

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2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

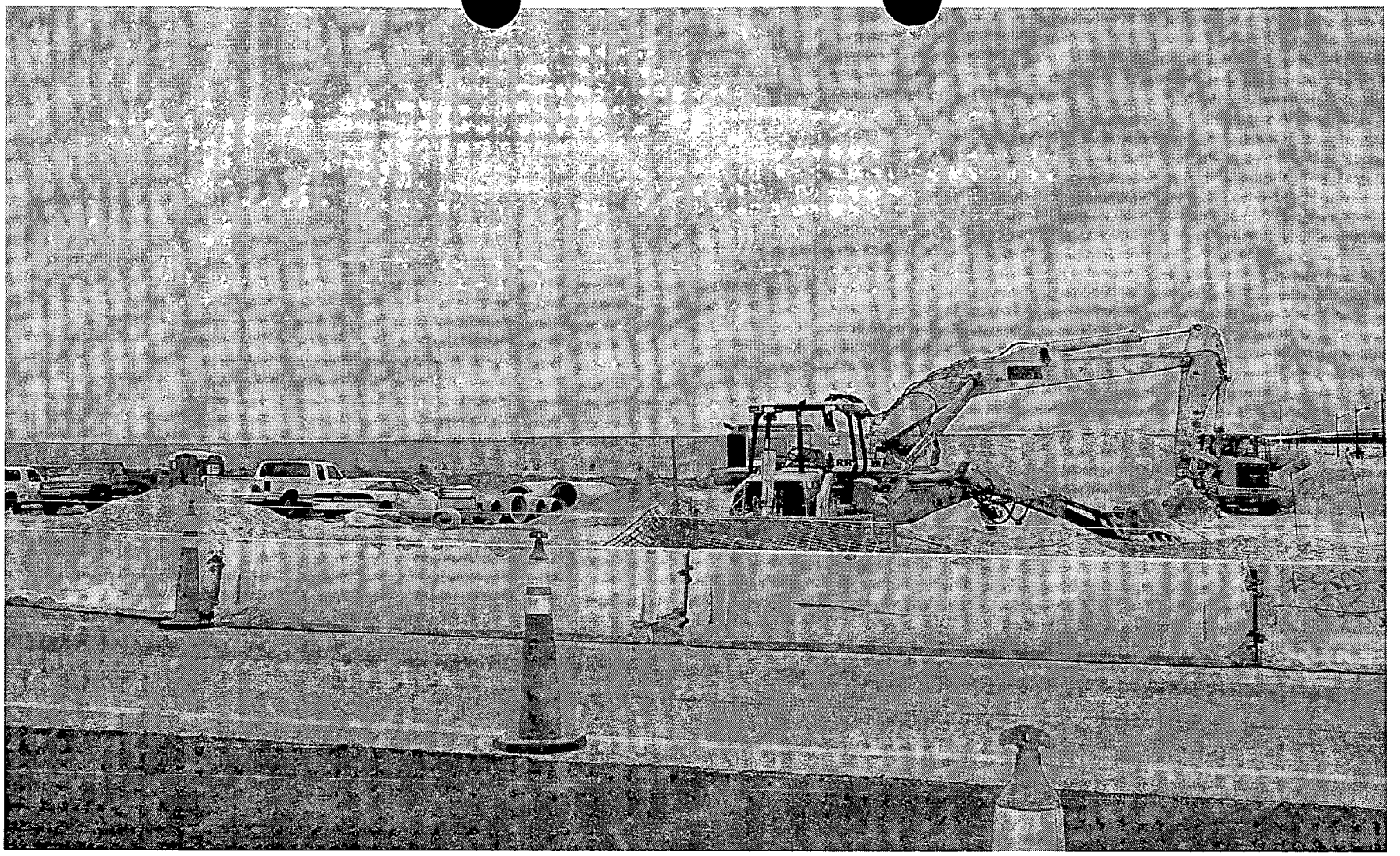
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EOT-5439 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC
Adjacent to the northwest corner of Centennial Parkway and Durango Drive
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/26/04



EOT-5439 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC
Adjacent to the northwest corner of Centennial Parkway and Durango Drive
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/26/04

City of Las Vegas

Agenda Item No. 100

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:

EXTENSION OF TIME RELATED TO EOT-5436, EOT-5437, EOT-5438 AND EOT-5439 - SPECIAL USE PERMIT

EOT-5440 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC - Request for an Extension of Time of an approved Special Use Permit (U-0114-00) WHICH ALLOWED FUEL PUMPS IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive (APN 125-20-402-008), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends APPROVAL

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

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN - APPROVED Item 92 [EOT-5421], Item 93 [EOT-5402], Item 94 [EOT-5403], Item 95 [EOT-5404], Item 96 [EOT-5436], Item 97 [EOT-5437], Item 98 [EOT-5438], Item 99 [EOT-5439] and Item 100 [EOT-5440] subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

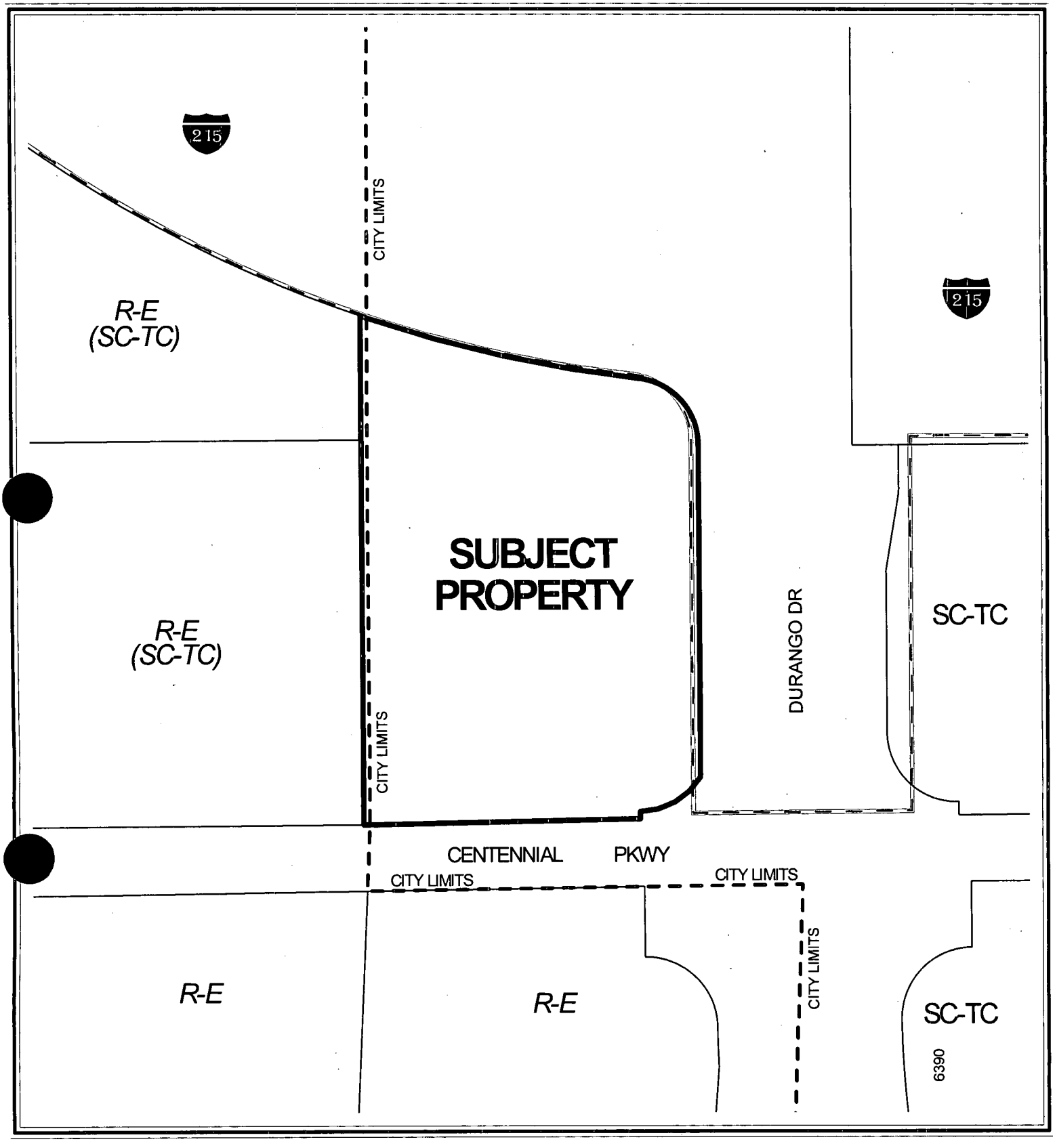
There was no discussion.
(1:26 - 1:27)
2-642

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on November 1, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Site Development Plan Review Z-0076-98(18) and Special Use Permit U-0114-00 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.



0 80 160 Feet

CASE: EOT-5440

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL) TOWN CENTER SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-5440 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC

** CONDITIONS **

Staff recommends APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on November 1, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Site Development Plan Review Z-0076-98(18) and Special Use Permit U-0114-00 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for an Extension of Time of an approved Special Use Permit (U-0114-00) which allowed fuel pumps in conjunction with a proposed convenience store on 2.19 acres adjacent to the northwest corner of Centennial Parkway and Durango Drive.

B) Applicant's Justification

The applicant's justification letter indicates additional time is needed to find a tenant for the proposed development on this site.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on the subject property as part of a larger request. The Planning Commission and Staff recommended approval on November 5, 1998.

11/01/00 The City Council approved a Site Development Plan Review [Z-0076-98(18)] for the 8,144 square foot commercial development, a Special Use Permit (U-0114-00) which allowed gasoline sales in conjunction with a proposed convenience store, a Special Use Permit (U-0115-00) which allowed the sale of packaged liquor in conjunction with a proposed convenience store, a Special Use Permit (U-0116-00) which allowed a restaurant with drive-up and a Special Use Permit (U-0161-00) which allowed gaming (restricted) in conjunction with a proposed convenience store on this site. The Planning Commission and Staff recommended approval on September 28, 2000.

12/18/02 The City Council approved an Extension of Time (EOT-1028) for the Site Development Plan Review [Z-0076-98(18)] for the 8,144 square foot commercial development, an Extension of Time (EOT-1039) for the Special Use Permit (U-0114-00) which allowed gasoline sales in conjunction with a proposed convenience store, an Extension of Time (EOT-1038) for the Special Use Permit (U-0115-00) which allowed the sale of packaged liquor in conjunction with a proposed convenience store, an Extension of Time (EOT-1036) for the Special Use Permit (U-0116-00) which allowed a restaurant with drive-up and an Extension of Time (EOT-1037) for the Special Use Permit (U-0161-00) which allowed gaming (restricted) in conjunction with a proposed convenience store on this site. All of these Extensions of Time have an expiration date of November 1, 2004. The Planning Commission and Staff recommended approval on November 21, 2002.

11/17/04 The City Council will hear an Extension of Time (EOT-5436) for the Site Development Plan Review [Z-0076-98(18)] for the 8,144 square foot commercial development, an Extension of Time (EOT-5439) for the Special Use Permit (U-0115-00) which allowed the sale of packaged liquor in conjunction with a proposed convenience store, an Extension of Time (EOT-5437) for the Special Use Permit (U-0116-00) which allowed a restaurant with drive-up and an Extension of Time (EOT-5438) for the Special Use Permit (U-0161-00) which allowed gaming (restricted) in conjunction with a proposed convenience store on this site.

To date, no building permits have been filed for the proposed commercial development on this site.

B) Pre-Application Meeting

A pre-application meeting is not required for an Extension of Time application.

C) Neighborhood Meetings

A neighborhood meeting is not required for an Extension of Time application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.19

B) Existing Land Use

Subject Property:	Undeveloped
North:	I-215 Beltway
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	TC (Town Center)
North:	ROW (Right-of-Way)
South:	ML (Medium Low Density Residential)
East:	TC (Town Center)
West:	TC (Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	I-215 Beltway
South:	Unincorporated Clark County
East:	T-C (Town Center)
West:	Unincorporated Clark County

E) General Plan Compliance

The subject site is located on the Centennial Hills Sector Map of the General Plan and is Designated as TC (Town Center). The approved commercial development is in compliance with the TC (Town Center) designation

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
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

This site is designated SC-TC (Service Commercial). This land use category permits low to medium intensity retail, office or other commercial uses that are intended to serve primarily the Centennial Hills area and do not include more intense general commercial characteristics. The proposed development is in compliance with this designation.

ANALYSIS

A) Zoning Code Compliance

The convenience store with gasoline sales is an allowed use within the SC-TC (Service Commercial) land use category of the T-C (Town Center) Zoning District, with the approval of a Special Use Permit

B) General Analysis and Discussion

The City Council found, in approving the original request, the proposed gasoline sales in conjunction with a proposed convenience store will be similar to other uses allowed in the SC-TC (Service Commercial – Town Center) land use district and will be an appropriate use for this location. The proposed gasoline sales in conjunction with a proposed convenience store will be a characteristic element of a convenience store operation, and an appropriate element of a commercial development on a site near the U.S. 95 freeway and designated as Town Center SC-TC (Service Commercial).

The Town Center Development Guidelines require that a convenience store with fuel pumps not be within 330 feet of any single-family dwelling. The separation is measured in a straight line from property line to property line. Based on the current method of measurement, the closest single-family dwelling is approximately 360 feet away from the proposed convenience store with fuel pumps.

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 convenience store with gasoline sales is a use typically associated with commercial development such as anticipated in the Town Center SC-TC (Service Commercial) land use category, and that the convenience store with gasoline sales will be harmonious and compatible with future development in the Town Center planning area.

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

   There are no physical constraints to the location for this use on the subject site.

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

   The gasoline sales in conjunction with a convenience store will have adequate access to Durango Drive, 100 foot wide primary arterial.

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 City Council found, in approving the original request, the proposed project will not compromise the public health, safety, welfare or General Plan.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-5440 APN: 125-20-402-008

Name of Property Owner: Nevada Acquisitions, LLC

Name of Applicant: Nevada Acquisitions, LLC

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

_____Yes __✓__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

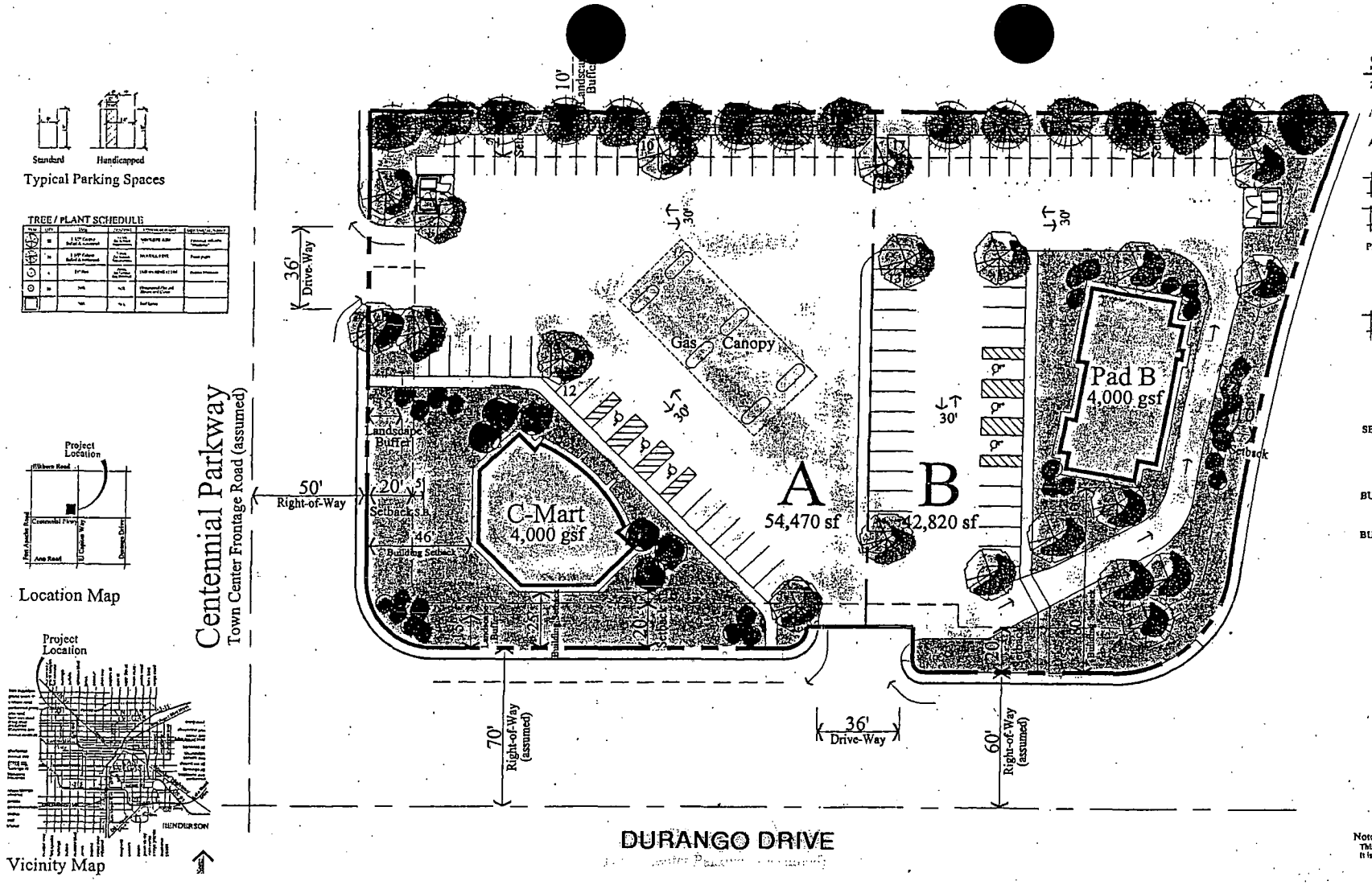
Subscribed and sworn before me

This 1 day of October, 20 04

Amanda Dalton

Notary Public in and for said County and State

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



SITE INFORMATION

ZONING - Las Vegas (Town Center)
C - 2 General Commercial District

AREA (Approximate, to be verified)

Net Area:	95,288 sf	2.19 acres

AREAS (Approx.)	Area - sf	Acres	Building Area
Pad A	52,470 sf	1.20	4,000 gsf
Pad B	42,820 sf	0.99	4,000 gsf
TOTALS	95,288 sf	2.19 ac	8,000 gsf
FAR (net)			0.084

PARKING REQUIREMENTS

Parking Calculations (per Code)		Required	Provided
Pad A	C-Mart 4,000/200 =	16	16
Pad B	Rest. w/ Drive-Thru 4,000/100 =	40	43
Parking Required:		56	
PARKING PROVIDED:			81
Parking Ratio		1 per 100 sf	10.1 per 1000
Handicapped Required:			4
Handicapped Provided:			6
Loading Spaces Required:			2
Loading Spaces Provided:			2

SETBACKS

Front:	20 ft
Rear:	20 ft
Side:	10 ft
Corner Street Side:	15 ft
Street Landscape Buffer:	15 ft

BUILDING HEIGHT

Allowed:	No Restrictions
Provided:	1-Story - up to 35 feet

BUILDING COVERAGE

Allowed:	50 %
Provided:	8.4 %

Note:
This plan has been prepared without benefit of a complete survey. It is Conceptual in Nature and No Guarantee of its accuracy is implied.

El Durango Retail Center

Centennial Parkway & El Capitan Way, Las Vegas, Nevada Conceptual Site Plan - Scheme B

J.O.M.B.I. Development Company
David James
(702) 395-6734

North
Scale: 1" = 20'
0 20 40

Date: September 5, 2000
Project Number: 100121

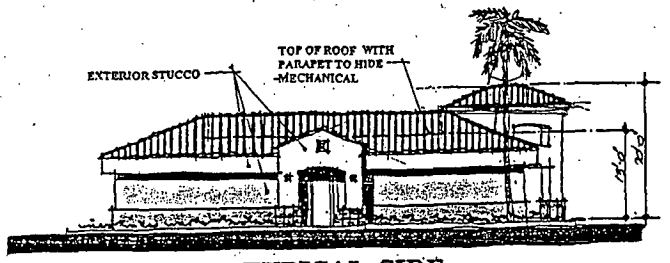
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HENDERSON, NEVADA 89014
702.990.9900 702.932.3222 fax

EOT-5436 EOT-5437
EOT-5438 EOT-5439
EOT-5440

11-17-04 CC

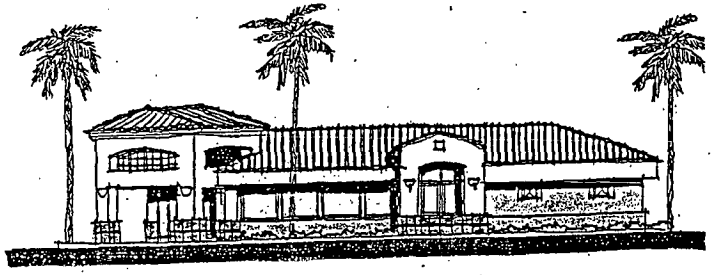
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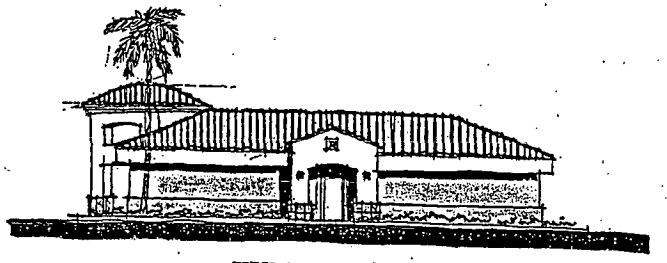
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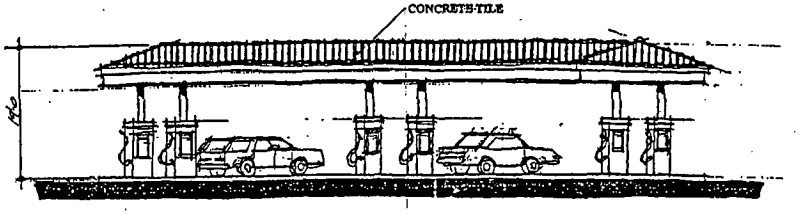
TYPICAL FRONT



TYPICAL FRONT



TYPICAL SIDE



EOT-5436 EOT-5437
EOT-5438 EOT-5439
EOT-5440

11-17-04 CC

El Durango Retail Center

Centennial Parkway & El Capitan Way, Las Vegas, Nevada

J.O.M.B.I. Development Company
David James (702) 395-6734

Conceptual Elevations Pad A

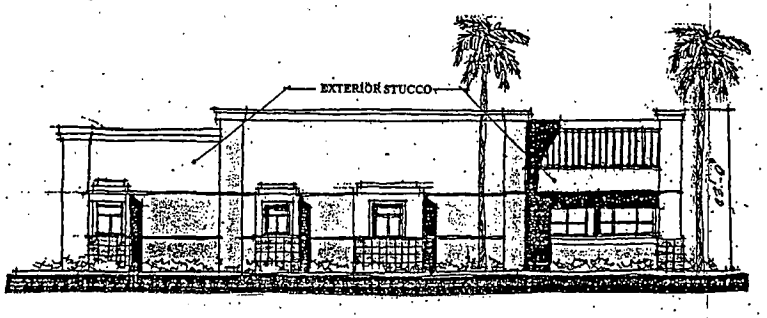
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Project Number: 100121

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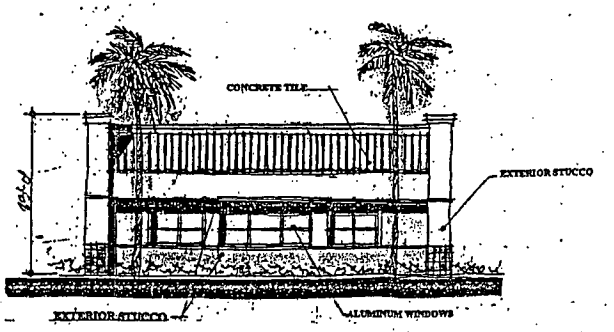
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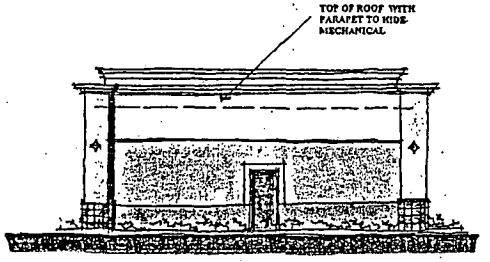


Side

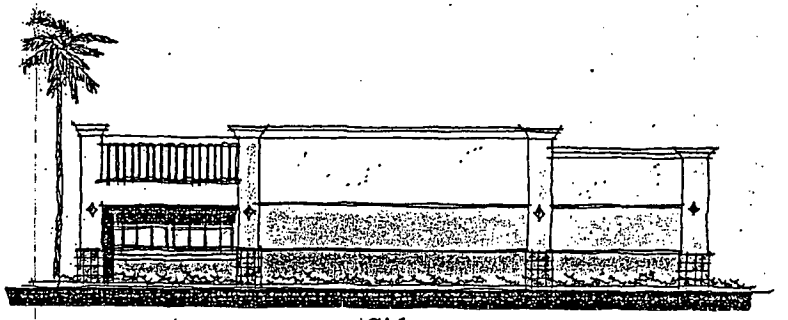


Front

FAST FOOD RESTAURANT



Rear



Side

EOT-5436 EOT-5437
EOT-5438 EOT-5439
EOT-5440

11-17-04 CC

El Durango Retail Center

Centennial Parkway & El Capitan Way, Las Vegas, Nevada

J.O.M.B.I. Development Company
David James (702) 395-6734

Conceptual Elevations Pad B

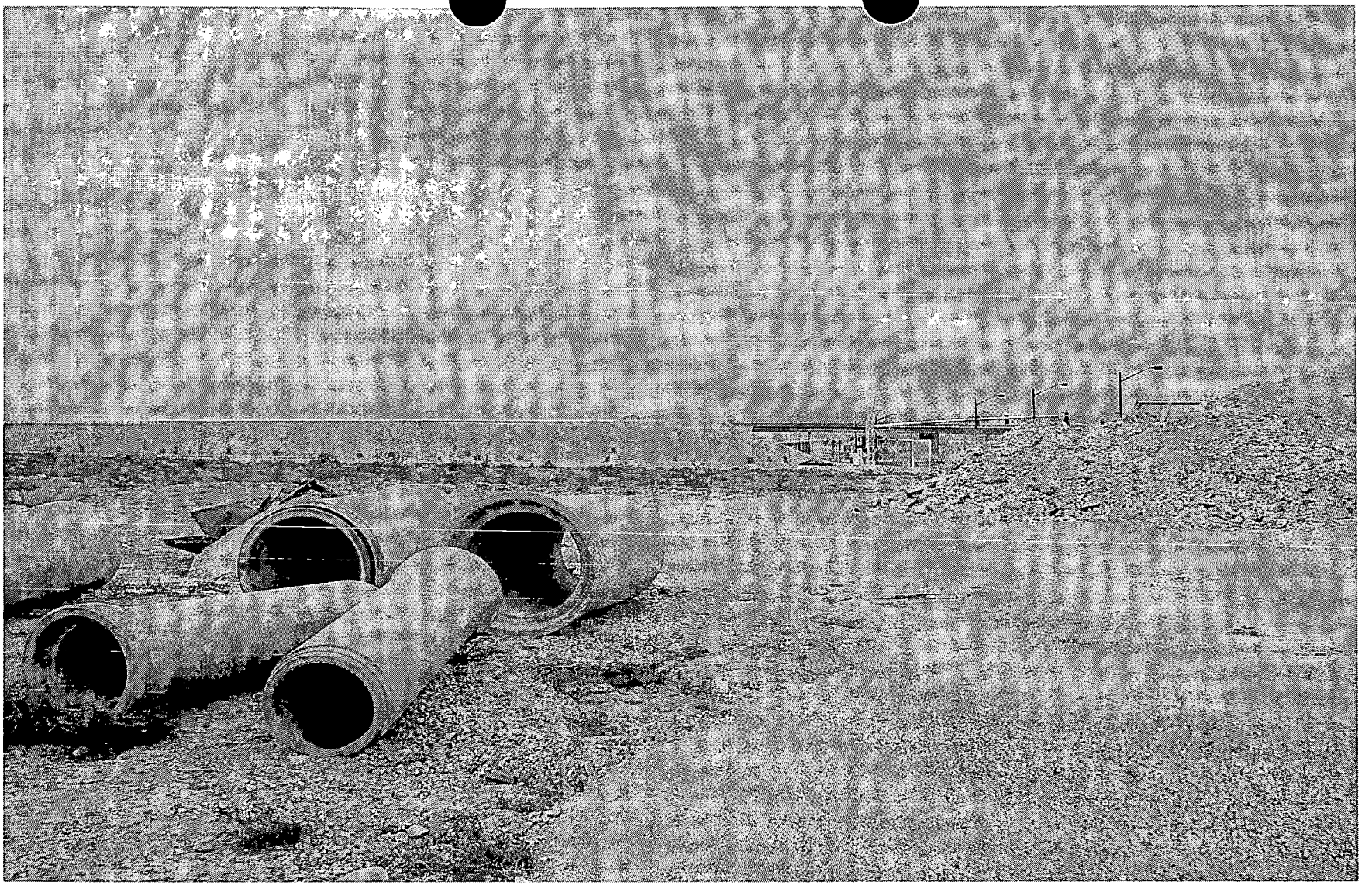
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Date: September 3, 2000
Project Number: 100121

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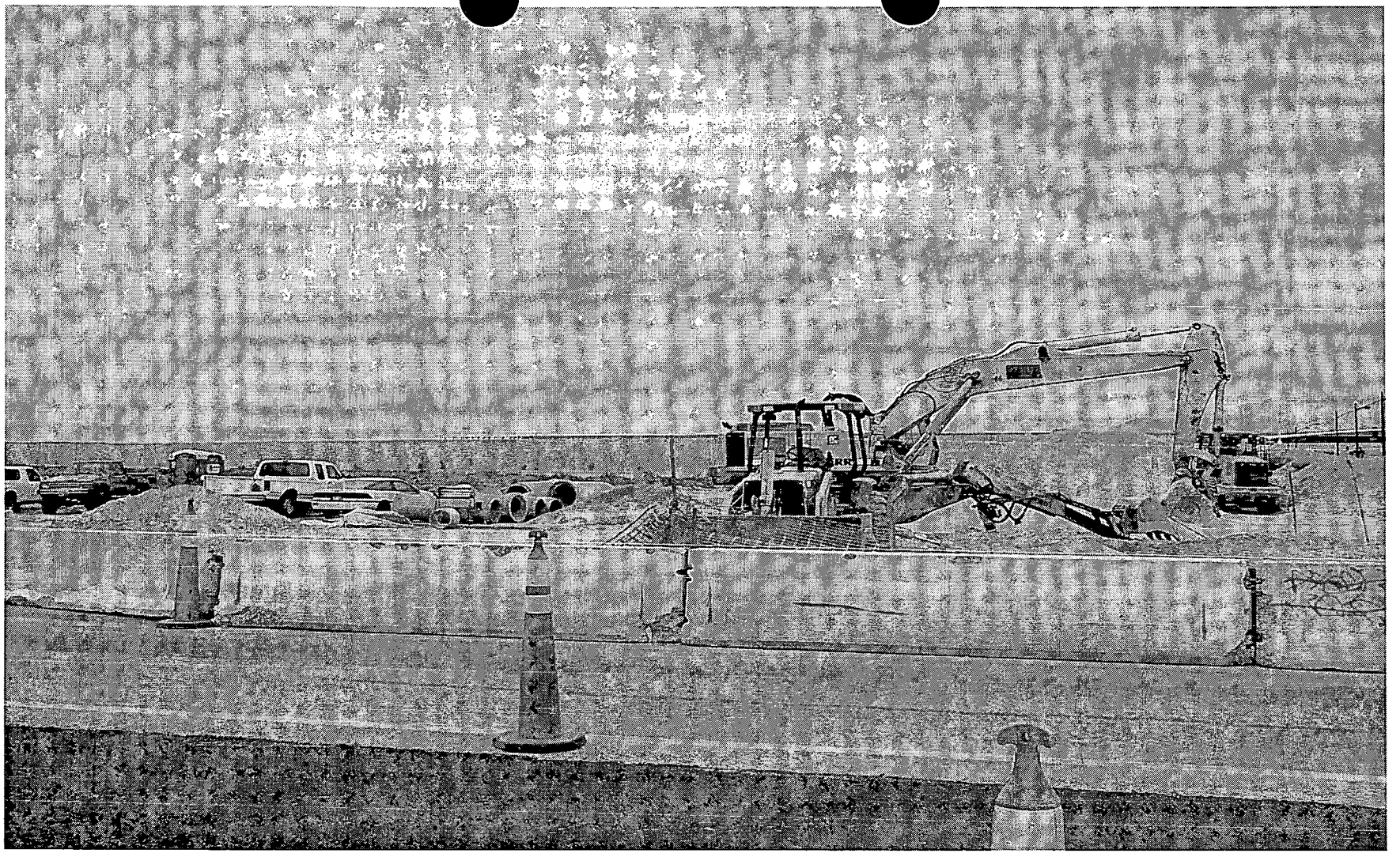
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EOT-5440 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC
Adjacent to the northwest corner of Centennial Parkway and Durango Drive
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/26/04



EOT-5440 - APPLICANT/OWNER: NEVADA ACQUISITIONS, LLC
Adjacent to the northwest corner of Centennial Parkway and Durango Drive
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/26/04

City of Las Vegas

Agenda Item No. 101

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

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

SUBJECT:
WATER FEATURE EXEMPTION

DIR-5444 - APPLICANT/OWNER: CANYON GATE AT LAS VEGAS, INC. - Request for a Water Feature Exemption TO ALLOW THE OPERATION OF TWO WATER FEATURES for a Single Family Development and Golf Course adjacent to the north side of Sahara Avenue, approximately 1,000 feet west of Durango Drive, (APN 163-05-813-019 and 047), Ward 1 (Moncrief). Staff recommends APPROVAL

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions.

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

MOTION:
MONCRIEF - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

The applicant was not present and no one appeared in opposition.

COUNCILWOMAN MONCRIEF expressed her appreciation for Canyon Gate's removal of one million square feet of grass from their golf course and payment to the City of $42,000 in exchange for the water feature's operation.

MAYOR PRO TEM REESE declared the Public Hearing closed.
(1:27 - 1:28)
2-688

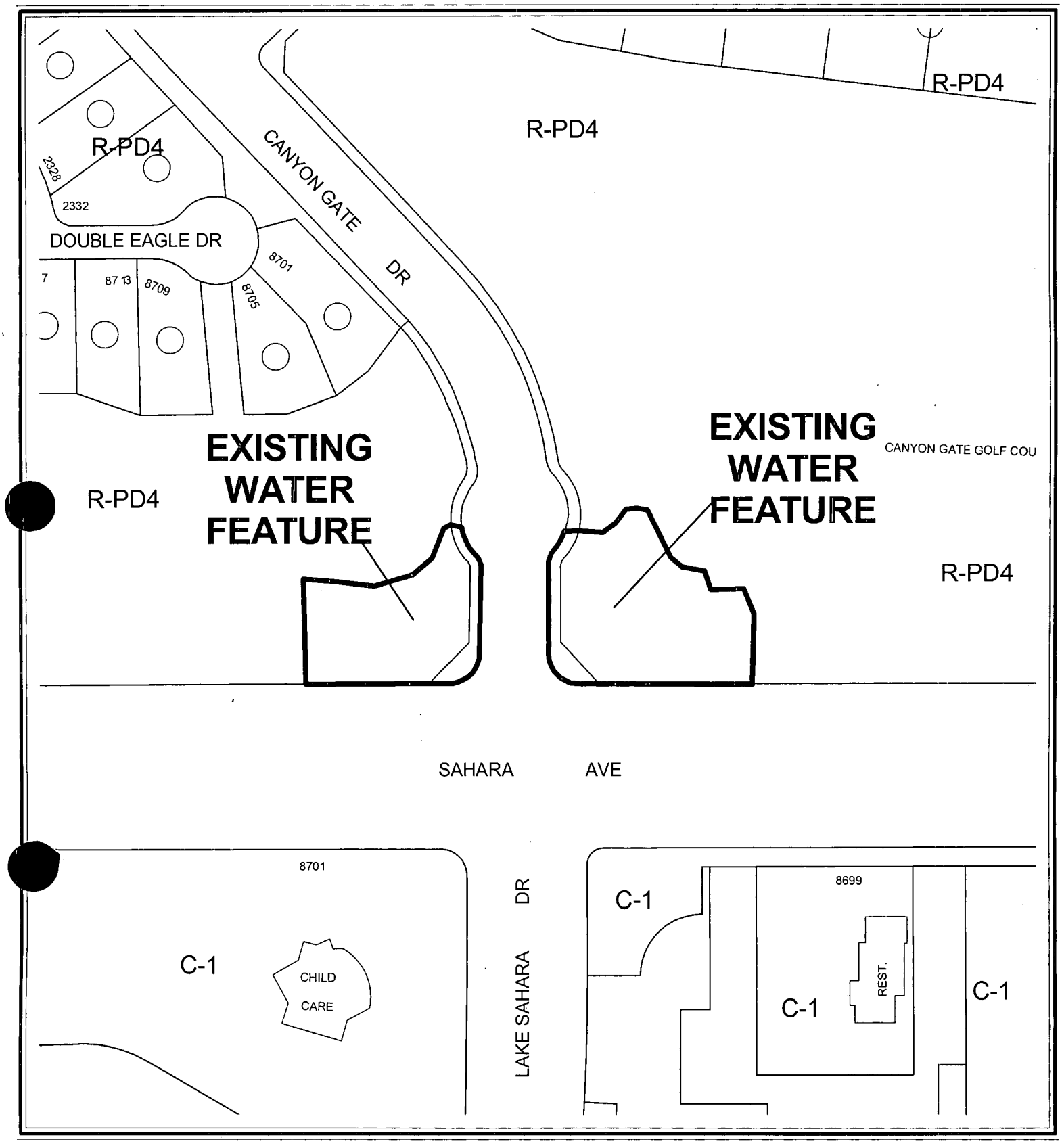
CONDITIONS:
1. The applicant shall submit a landscape plan, showing drought tolerant landscaping being placed in the 1,130,102 square foot turf conversion area to the Planning and Development Department. The new landscaping on the approved plan shall be installed and inspected by the Planning and Development Department prior to the operation of the water feature.

2. In addition to the turf conversion, the applicant shall pay a fee to the City through the Planning and Development Department of $42,960 to operate the two water features through December 31, 2005. For subsequent years in which Drought Watch or Drought Alert is declared, an annual fee of $250.00 shall be paid.

CONDITIONS - Continued:

3. This exemption does not apply in years which Drought Emergency is declared.

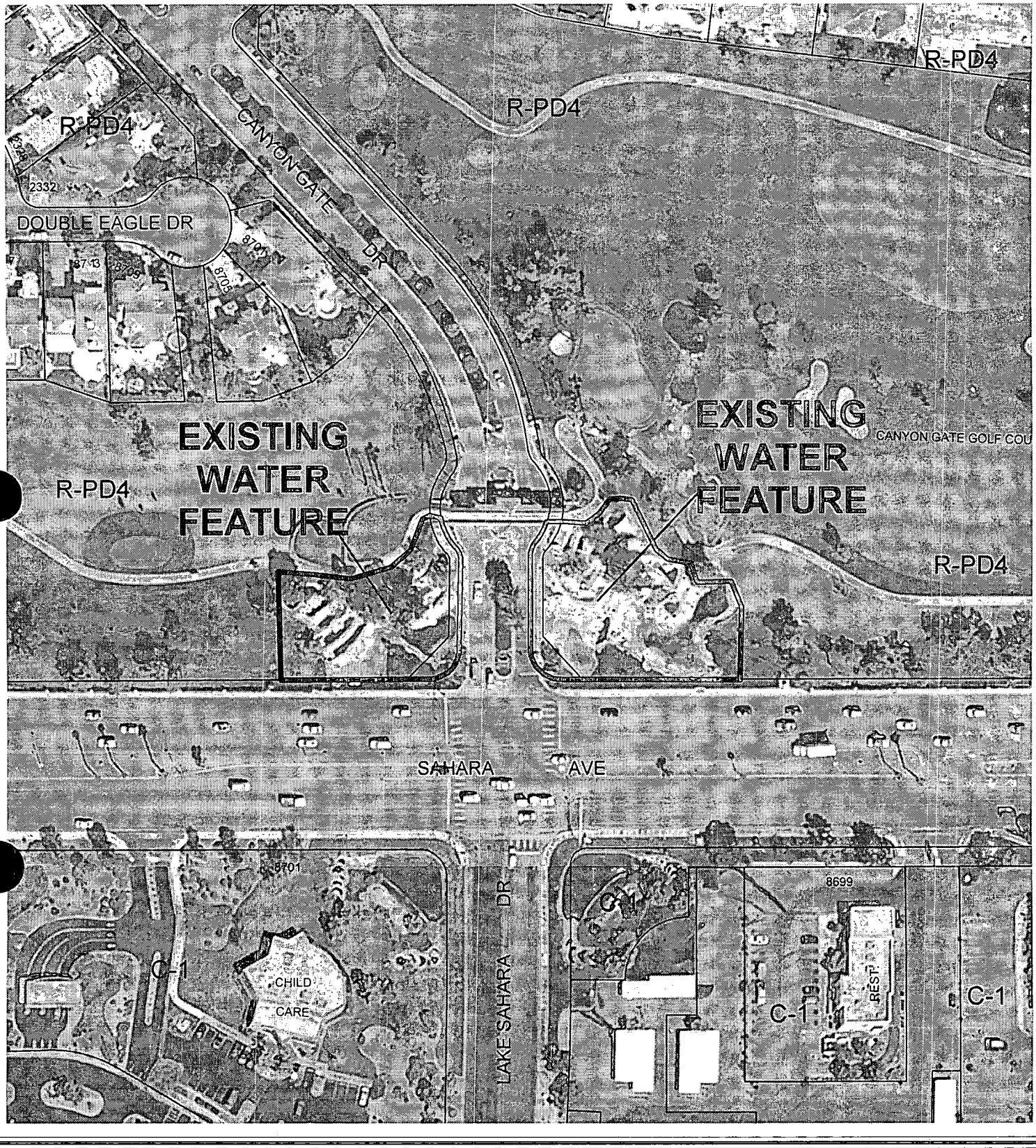
4. The applicant shall post a sign at the water feature to indicate they have received an exemption to allow its operation.



0 100 200 Feet

CASE: DIR-5444

N



0 100 200 Feet

CASE: DIR-5444

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT
ITEM DESCRIPTION: DIR-5444 - APPLICANT/OWNER: CANYON GATE AT LAS VEGAS, INC.

** CONDITIONS **

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

1. The applicant shall submit a landscape plan, showing drought tolerant landscaping being placed in the 1,130,102 square foot turf conversion area to the Planning and Development Department. The new landscaping on the approved plan shall be installed and inspected by the Planning and Development Department prior to the operation of the water feature.

2. In addition to the turf conversion, the applicant shall pay a fee to the City through the Planning and Development Department of $42,960 to operate the two water features through December 31, 2005. For subsequent years in which Drought Watch or Drought Alert is declared, an annual fee of $250.00 shall be paid.

3. This exemption does not apply in years which Drought Emergency is declared.

4. The applicant shall post a sign at the water feature to indicate they have received an exemption to allow its operation.

** STAFF REPORT **

APPLICATION REQUEST

This request is for a Water Feature Exemption to allow the operation of two water features for a single family development and golf course adjacent to the north side of Sahara Avenue, approximately 1,000 feet west of Durango Drive.

DETAILS OF APPLICATION REQUEST

The applicant is requesting to allow the operation of two water features located at the entrance of the single family development and golf course development.

ANALYSIS & FINDINGS

Pursuant to Title 14.11.190, the City Council may approve exemptions to allow the operation of water features during Drought Watch and Drought Alert upon meeting certain requirements. On sites where turf exists at the time of the exemption request, 50 square feet of turf shall be converted to a drought tolerant landscaping (such as desert landscaping) to allow for 1 square foot of water feature area. In cases where there is not enough turf to meet this ratio, a fee of $10 per square foot of surface area shall be paid for the remaining portion of the water feature area not covered by the turf conversion. In cases where there is no turf on the subject site, the $10 per square foot of water feature area shall be applied.

In this case, the submitted plans indicate the subject water features are a total of 26,898 square feet. The plans indicate the applicant is proposing to convert 1,130,102 square feet of turf area to drought tolerant landscaping. That amount of turf conversion will allow 22,602 square feet of water feature area (1,130,102 square feet of turf divided by 50 to achieve the required 50 to 1 savings). That leaves a balance of water feature area in the amount of 4,296 square feet, which requires the applicant to pay a fee of $42,960, in addition to the turf conversion, to allow for the operation of the water features during the current declaration of Drought Alert. In subsequent years when either Drought Watch or Drought Alert is declared, the property owner shall pay an annual fee of $250 to allow for the continued operation of the water feature. This exemption shall not apply in years which Drought Emergency is declared.

In order to inform the public that an exemption has been received for the subject water feature, the applicant shall post a sign indicating such adjacent to the subject water feature.

On October 14, 2004, the Planning and Development Department performed a site inspection to confirm the subject water feature is not in operation at the time of this exemption request.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: DIR-5444 APN: _____

Name of Property Owner: CANYON GATE @ LAS VEGAS, INC. (OWNER)

Name of Applicant: LADONICE WALDREP

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: James P McTeigue

Print Name: JIM MCTEIGUE

Subscribed and sworn before me

This 5 day of October, 2004

Notary Public in and for said County and State

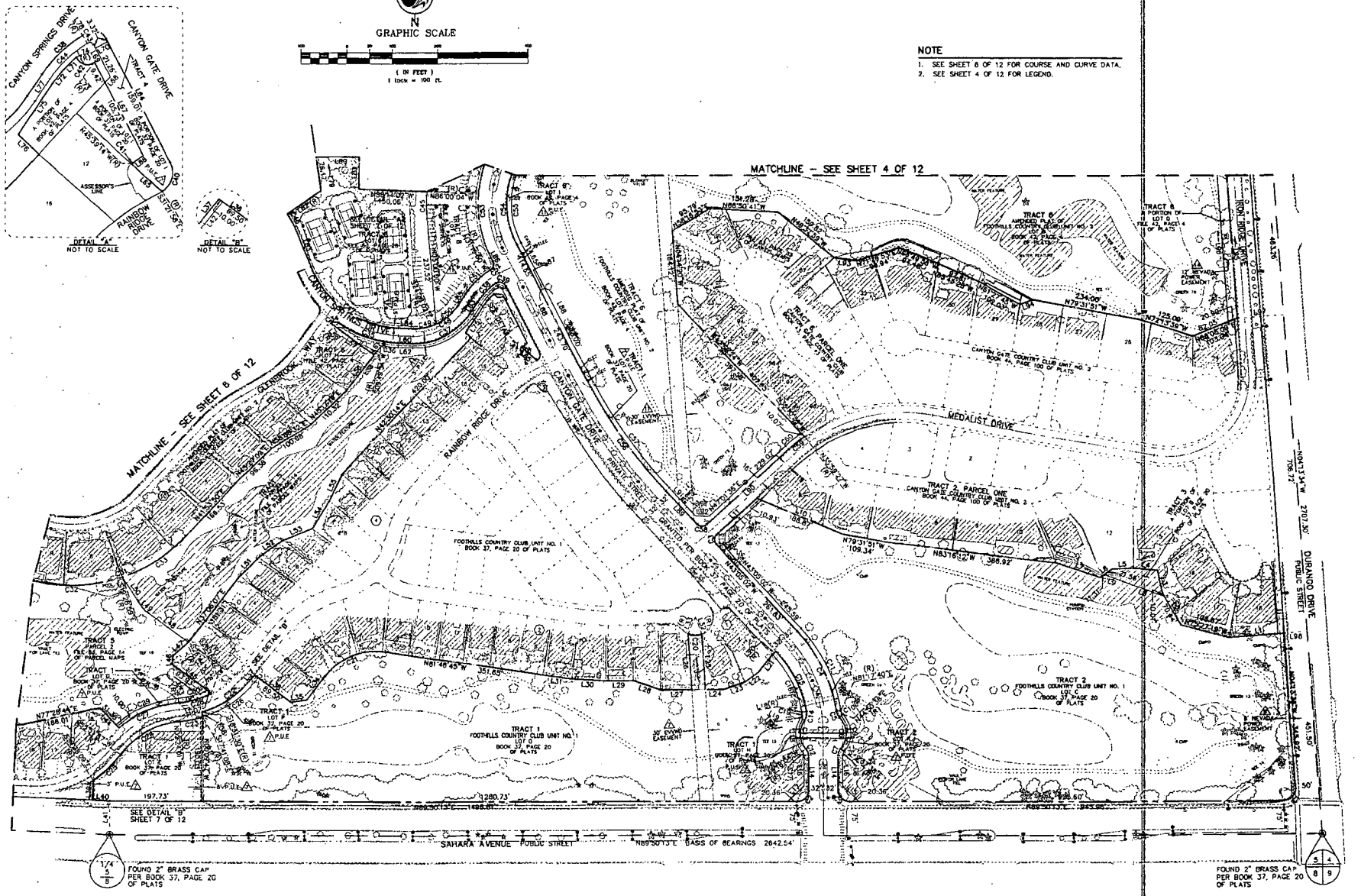
KIMBERLY ANNE KENNEY
MY COMMISSION EXPIRES
April 21, 2006

Revised 2/12/02 f:\depot\Application Packet\Statement of Financial Interest.doc

DIR-5444
11-17-04 CC

PRO FORMA ALTA/ACSM LAND TITLE SURVEY

A PORTION OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M.,
CITY OF LAS VEGAS, CLARK COUNTY, NEVADA



NOTE

1. SEE SHEET 8 OF 12 FOR COURSE AND CURVE DATA.
2. SEE SHEET 4 OF 12 FOR LEGEND.

NO.	DESCRIPTION	DATE
2	UPDATED ALTA	6/7/03
1	REVISED LEGAL DESCRIPTION	1/9/03
0	ORIGINAL SUBMITTAL	12/24/02

DATE : 6/7/2003
PM : PS
DRAWN BY : DESIGNED BY : BDB
CHECKED BY : ASA CHECKED :
JOB NO. : 60600109
SCALE : 1"=100'

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PRO FORMA ALTA/ACSM LAND TITLE SURVEY

SHEET 3 OF 12

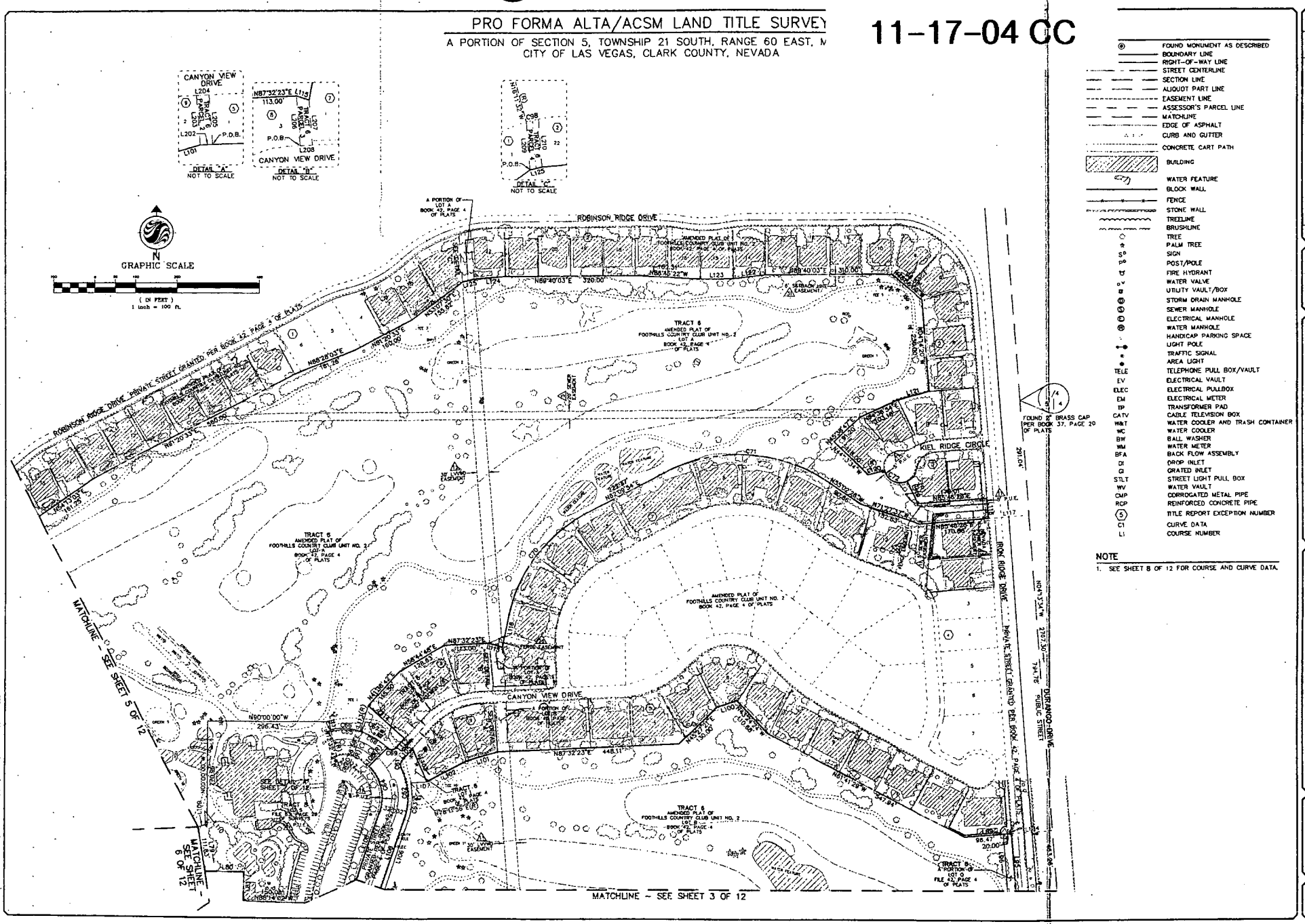
JUN 03 2003

R-5444

11-17-04 CC

PRO FORMA ALTA/ACSM LAND TITLE SURVEY

A PORTION OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M
CITY OF LAS VEGAS, CLARK COUNTY, NEVADA



- FOUND MONUMENT AS DESCRIBED
- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- STREET CENTERLINE
- SECTION LINE
- ALIQUOT PART LINE
- EASEMENT LINE
- ASSESSOR'S PARCEL LINE
- MATCHLINE
- EDGE OF ASPHALT
- CURB AND GUTTER
- CONCRETE CART PATH
- BUILDING
- WATER FEATURE
- BLOCK WALL
- FENCE
- STONE WALL
- TREELINE
- BRUSHLINE
- TREE
- PALM TREE
- SIGN
- POST/POLE
- FIRE HYDRANT
- WATER VALVE
- UTILITY VAULT/BOX
- STORM DRAIN MANHOLE
- SEWER MANHOLE
- ELECTRICAL MANHOLE
- WATER MANHOLE
- HANDICAP PARKING SPACE
- LIGHT POLE
- TRAFFIC SIGNAL
- AREA LIGHT
- TELE — TELEPHONE PULL BOX/VAULT
- EV — ELECTRICAL VAULT
- ELEC — ELECTRICAL PULLBOX
- EM — ELECTRICAL METER
- TP — TRANSFORMER PAD
- CATV — CABLE TELEVISION BOX
- W&T — WATER COOLER AND TRASH CONTAINER
- WC — WATER COOLER
- BW — BALL WASHER
- WM — WATER METER
- BFA — BACK FLOW ASSEMBLY
- DI — DROP INLET
- GI — GRATED INLET
- STLT — STREET LIGHT PULL BOX
- WV — WATER VAULT
- CMP — CORROGATED METAL PIPE
- RCP — REINFORCED CONCRETE PIPE
- (5) — TITLE REPORT EXCEPTION NUMBER
- C1 — CURVE DATA
- L1 — COURSE NUMBER

NOTE

1. SEE SHEET 8 OF 12 FOR COURSE AND CURVE DATA.

NO.	DESCRIPTION	DATE
2	REVISED ALTA	8/7/03
1	REVISED LEGAL DESCRIPTION	4/7/03
0	ORIGINAL CERTIFICATION	12/31/02

DATE : 8/7/2003
PM : FD
DRAWN BY : MS
DESIGNED BY : BS
CHECKED BY : MS
QA CHECKED :
JOB NO. : 209000.19
SCALE : 1"=100'

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SHEET 4 OF 12

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A PORTION OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M.,
CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

DIR-5444
11-17-04 CC

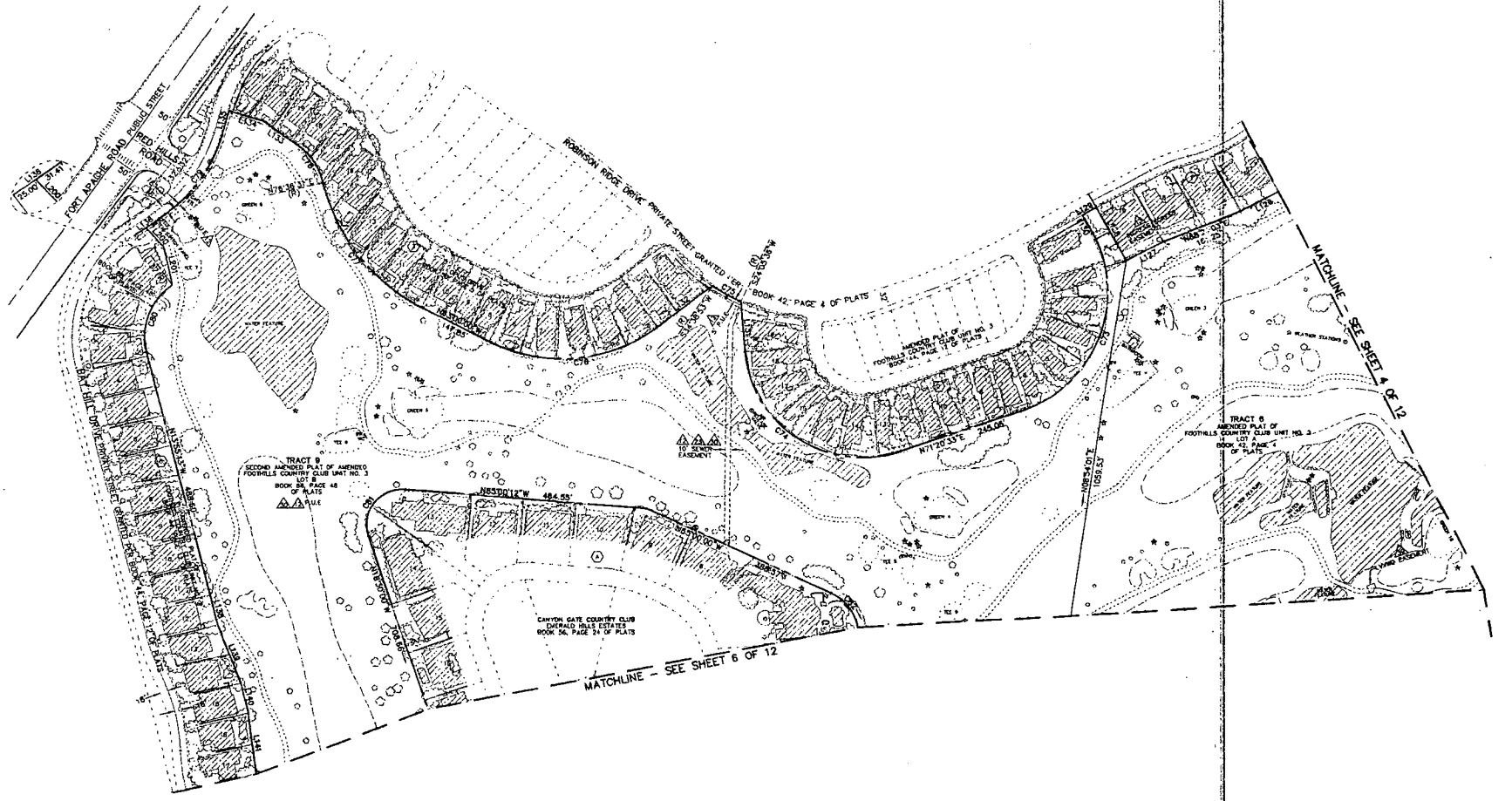
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GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

NOTE

1. SEE SHEET 8 OF 12 FOR COURSE AND CURVE DATA.
2. SEE SHEET 4 OF 12 FOR LEGEND.



NO.	DESCRIPTION	DATE	APP'D
2	UPDATED ALTA	6/7/03	
1	REVISED LEGAL DESCRIPTION	1/9/03	
0	ORIGINAL CERTIFICATION	12/24/02	

DATE: 6/7/2003
PM:
DRAWN BY: PG
DESIGNED BY:
CHECKED BY: RSB
QA CHECKED BY:
JOB NO.: 80500198
SCALE: 1"=100'

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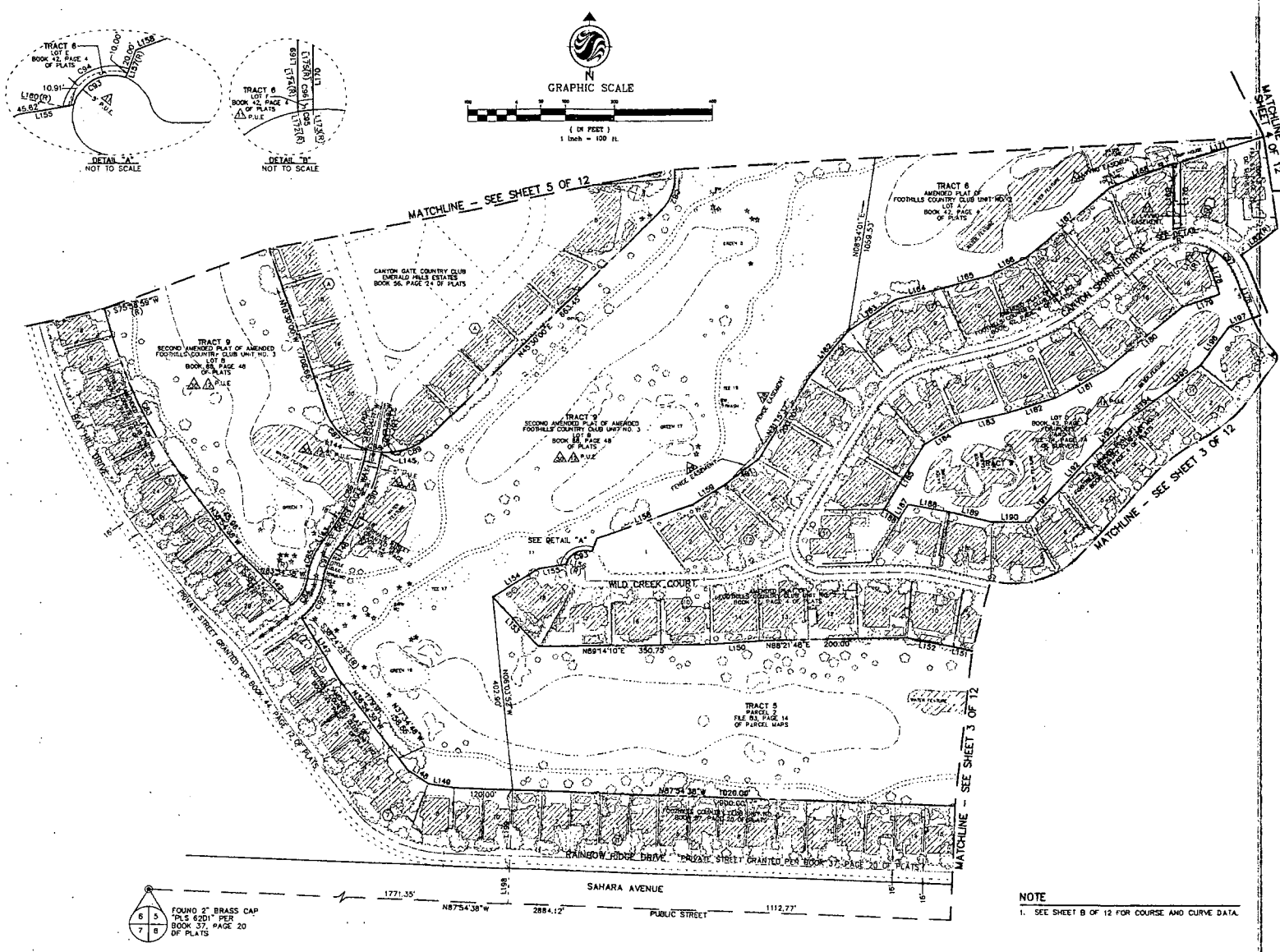
SHEET 5 OF 12

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11-17-04 CC

PRO FORMA ALTA/ACSM LAND TITLE SURVEY

A PORTION OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M.,
CITY OF LAS VEGAS, CLARK COUNTY, NEVADA



LEGEND

- FOUND MONUMENT AS DESCRIBED
- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- STREET CENTERLINE
- SECTION LINE
- ALIQUOT PART LINE
- EASEMENT LINE
- ASSESSOR'S PARCEL LINE
- MATCHLINE
- EDGE OF ASPHALT
- CURB AND GUTTER
- CONCRETE CART PATH
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NOTE

1. SEE SHEET 8 OF 12 FOR COURSE AND CURVE DATA.

NO.	DESCRIPTION	DATE	APP'D
3	UPDATED ALTA	9/7/03	
2	REVISED LEGAL DESCRIPTION	1/9/03	
1	ORIGINAL CERTIFICATION	12/9/03	

DATE : 9/12/2003
PM :
DRAWN BY : PG
DESIGNED BY :
CHECKED BY : BOB
QUA. CHECKED :
JOB NO. : 8060018
SCALE : 1"=100'

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SHEET 6 OF 12

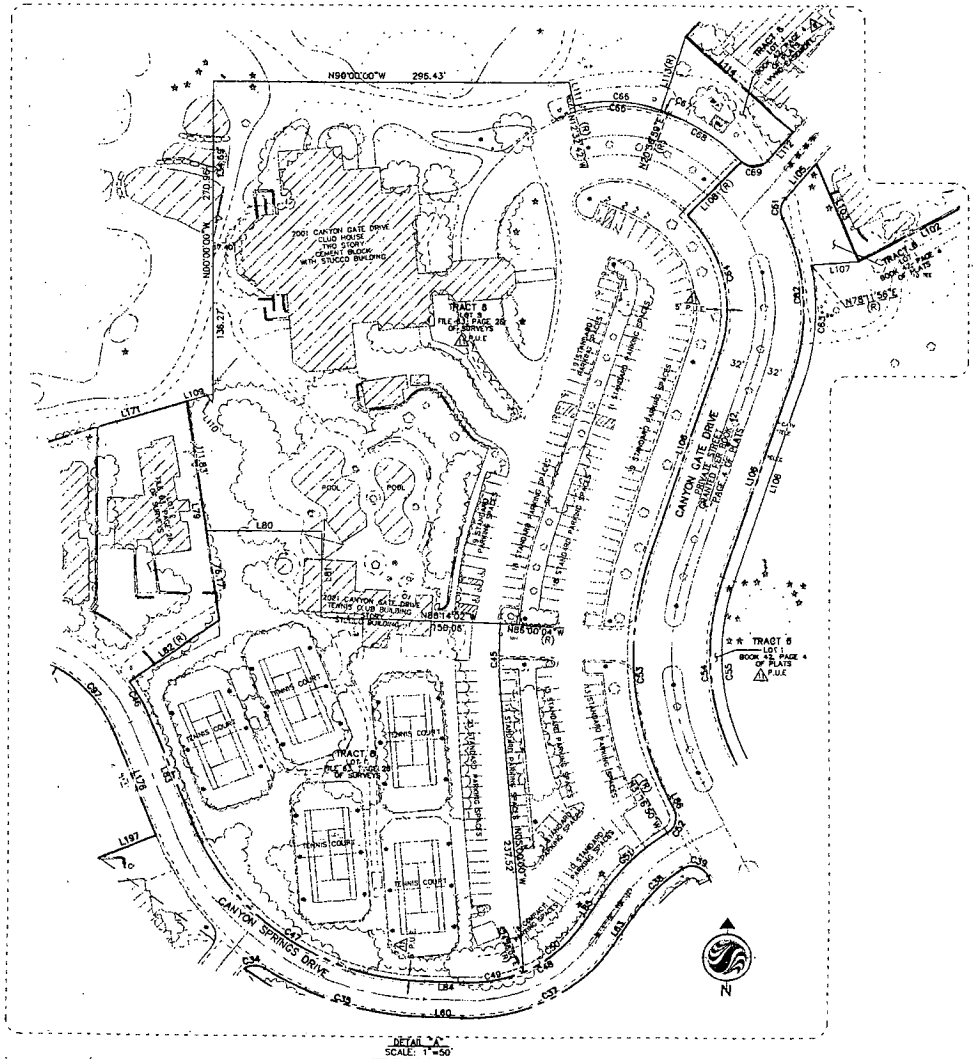
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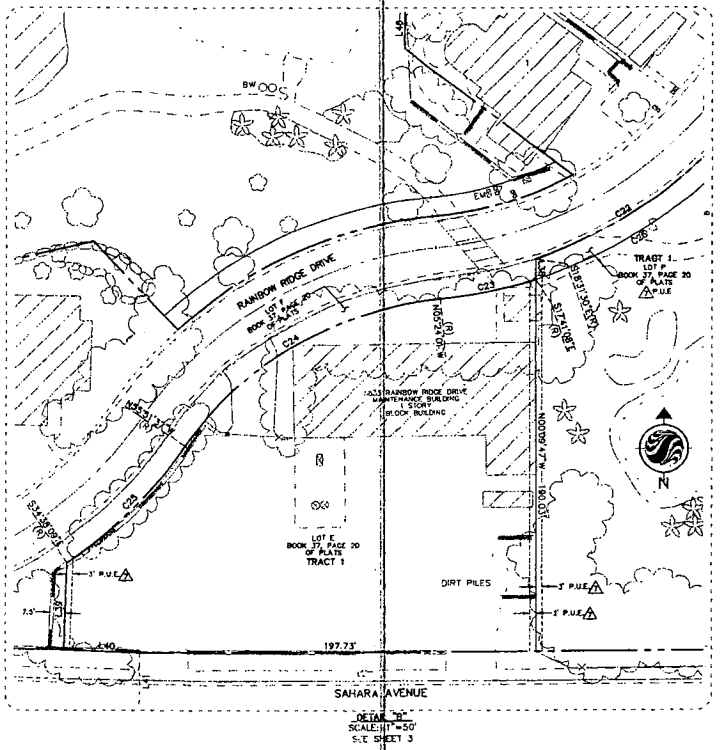
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A PORTION OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M.,
CITY OF LAS VEGAS, CLARK COUNTY, NEVADA





LEGEND

1. SEE SHEET 8 OF 12 FOR COURSE AND CURVE DATA.
2. SEE SHEET 4 OF 12 FOR LEGEND.

NO.	DESCRIPTION	DATE
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1	UPDATED ALTA	1/9/03
0	ORIGINAL CONSTRUCTION	2/4/02

DATE: 9/5/2003
PM: PD
DRAWN BY: DESIGNED BY: BDB
CHECKED BY:
KDA CHECKED:
JOB NO.: 83900019
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PRO FORMA ALTA/ACSM LAND TITLE SURVEY

SHEET 7 OF 12

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A PORTION OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M.,
CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

DIR-5444
11-17-04 CC

N
GRAPHIC SCALE
(IN FEET)
1 inch = 100 ft.



NO.	DESCRIPTION	DATE
3	UPDATED ALTA	1/7/03
2	REVISED LEGAL DESCRIPTION	1/6/03
1	ORIGINAL CERTIFICATION	12/24/02

DATE: 6/2/2003
PM: PD
DRAWN BY:
DESIGNED BY: BDB
CHECKED BY:
QA/QC CHECKED:
JOB NO.: 85900179
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SHEET 9 OF 12

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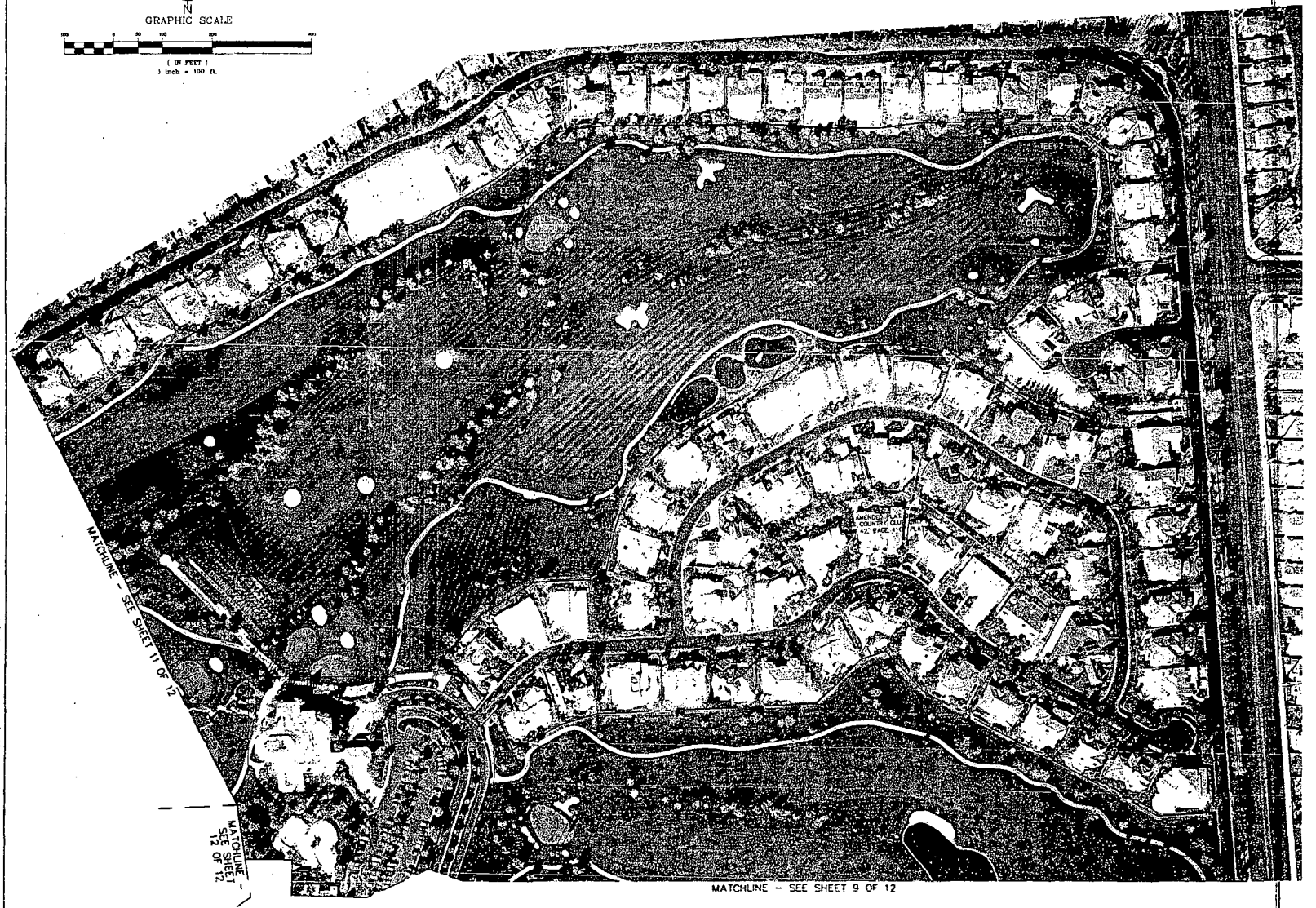
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CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

DIR-5444
11-17-04 CC

N

GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.



NO.	DESCRIPTION	DATE	APP'D
0	ORIGINAL CERTIFICATION	1/24/03	
1	REVISED LEGAL DESCRIPTION	4/9/03	
2	UPDATED ALTA	8/7/03	

DATE : 8/7/2003
By :
Drawn BY : PD
Designed BY :
CHECKED BY : BDD
QA CHECKED :
JOB NO. : 85900104
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SHEET 10 OF 12

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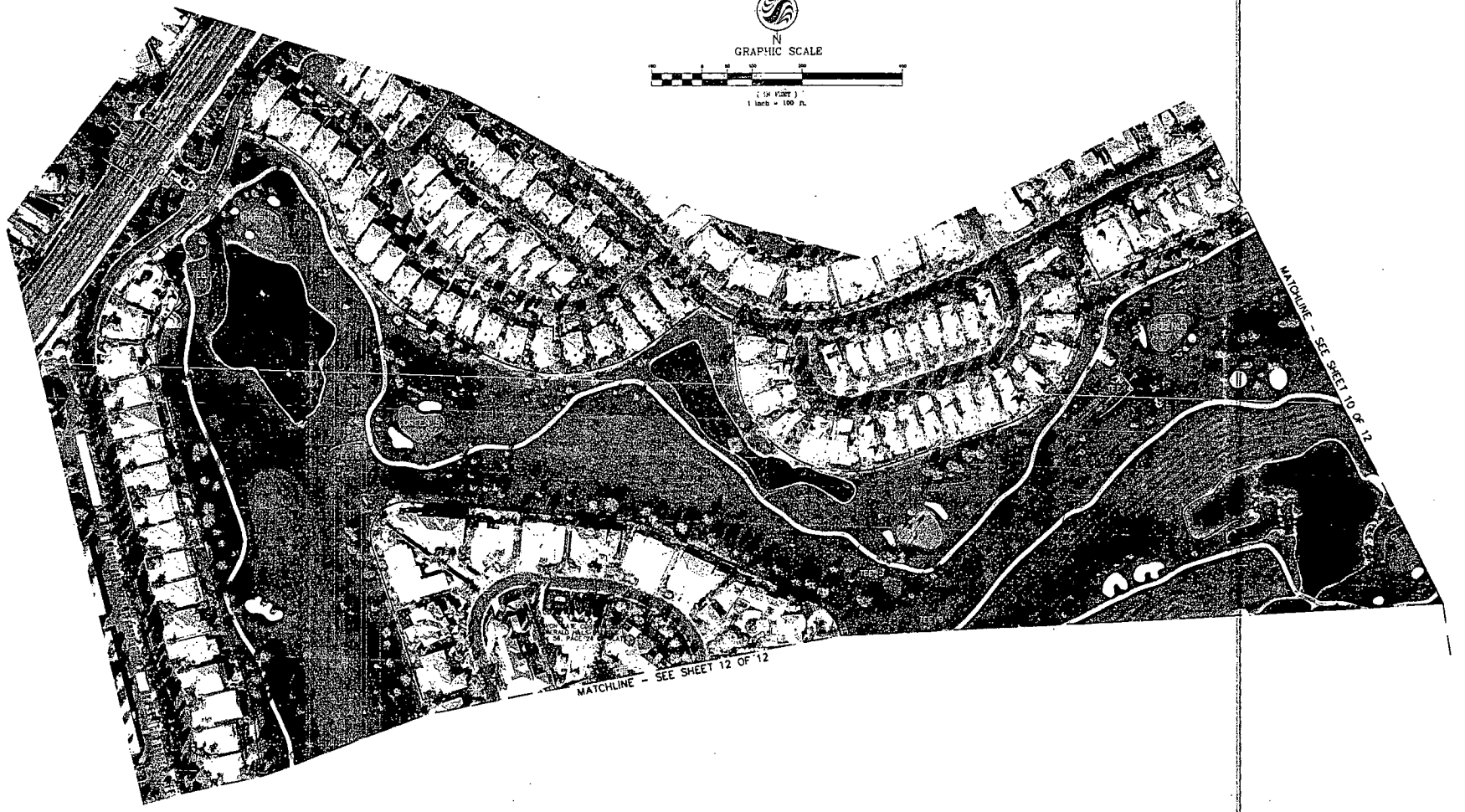
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CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

DIR-5444
11-17-04 CC

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GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.



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1	REVISED LEGAL DESCRIPTION	4/9/03	
0	ORIGINAL CERTIFICATION	2/24/03	

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DESIGNED BY:
CHECKED BY: BDD
ADD. CHECKED:
JOB NO: 1809008109
SCALE: 1"=100'

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SHEET 11 OF 12

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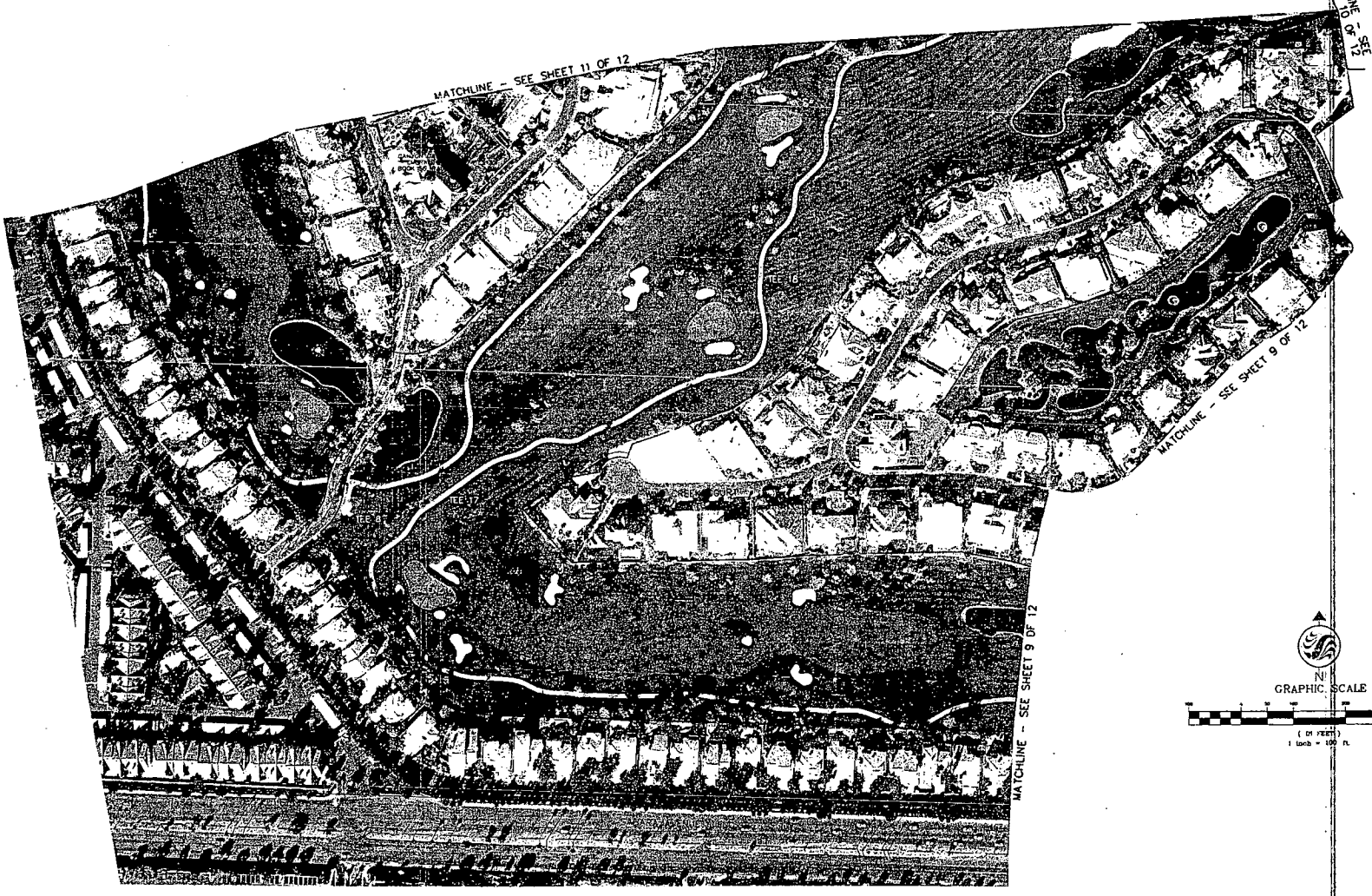
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11-17-04 CC

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A PORTION OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M.,
CITY OF LAS VEGAS, CLARK COUNTY, NEVADA



N
GRAPHIC SCALE
(IN FEET)
1 inch = 100 ft.

NO.	DESCRIPTION	DATE	APP'D
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1	UPDATED ALTA	3/24/03	
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DATE : 8/2/2002
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DESIGNED BY :
CHECKED BY : DDB
QA CHECKED :
JOB NO. : 60600109
SCALE : 1" = 100'

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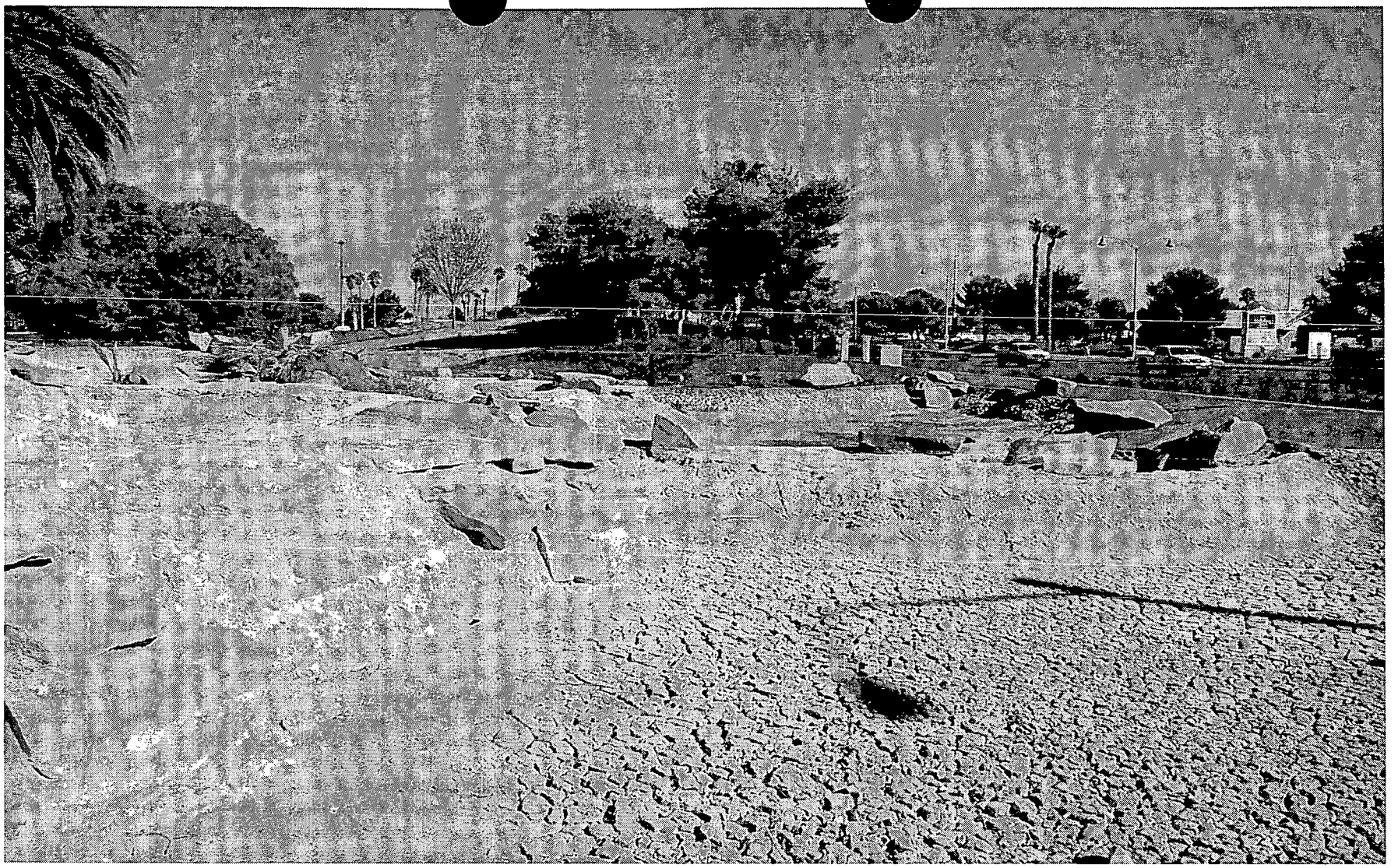
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PRO FORMA ALTA/ACSM LAND TITLE SURVEY

SHEET
12
OF 12

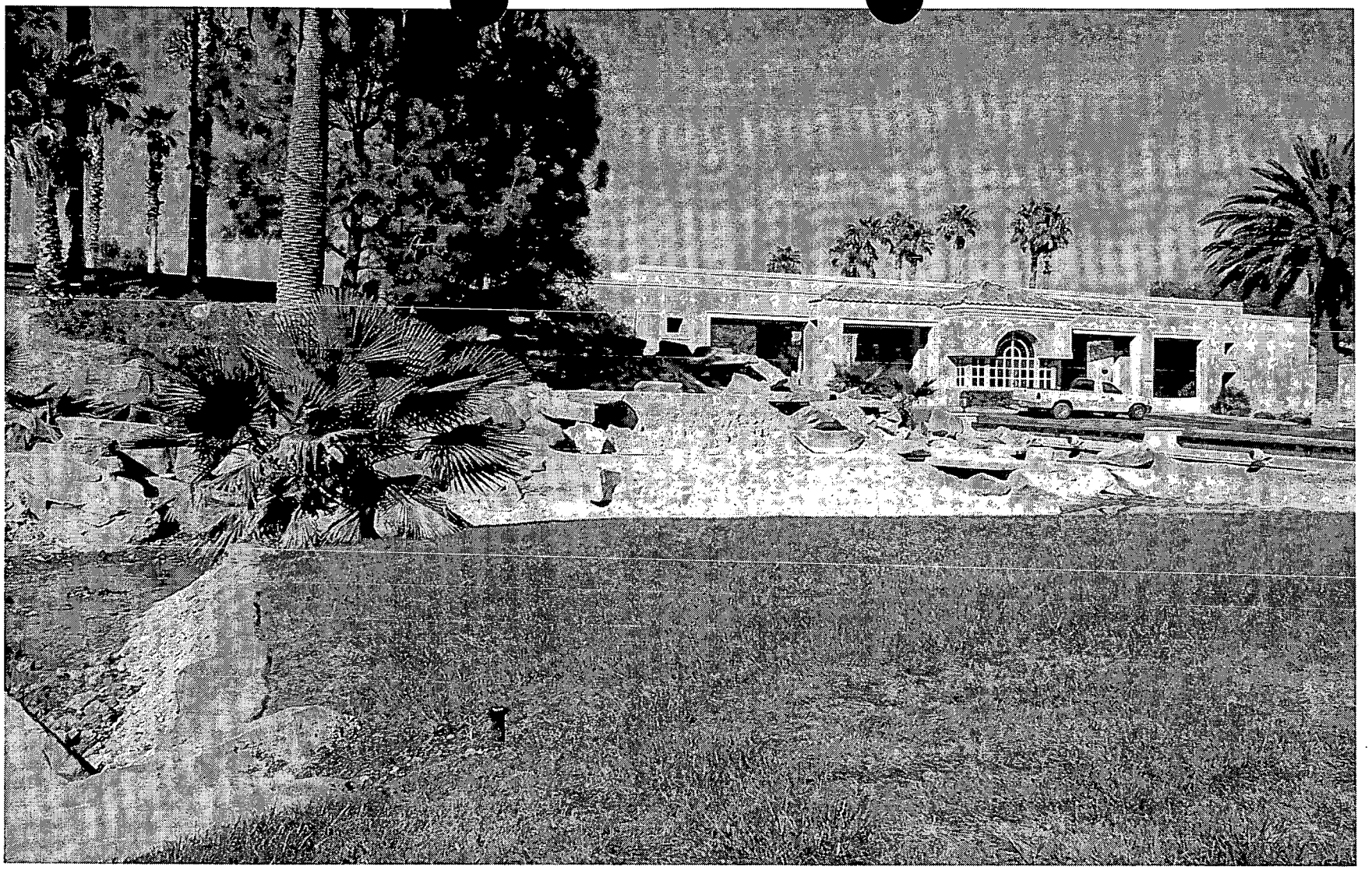
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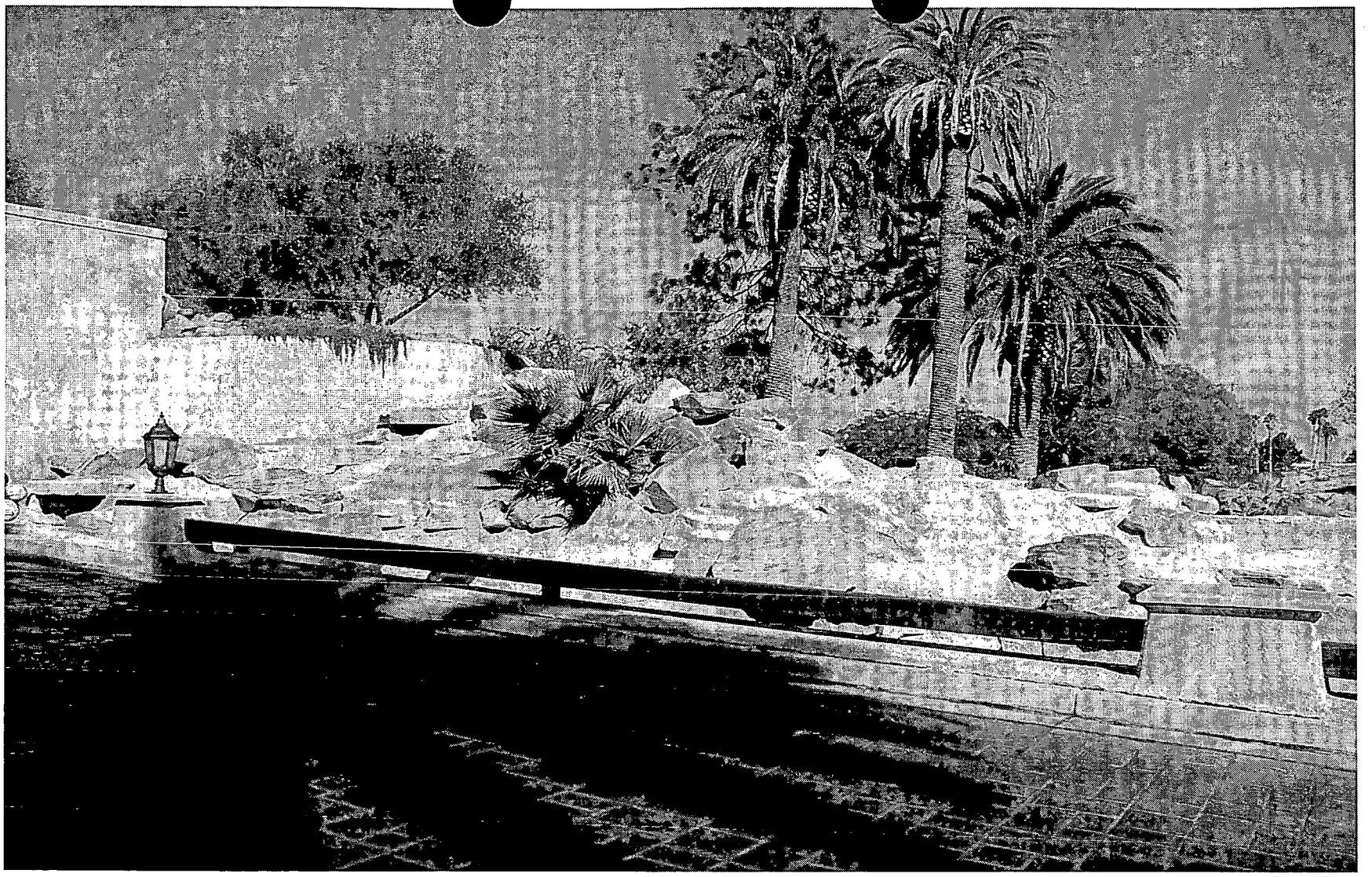
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Adjacent to the north side of Sahara Avenue, approximately 1,000 feet west of Durango Drive
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04



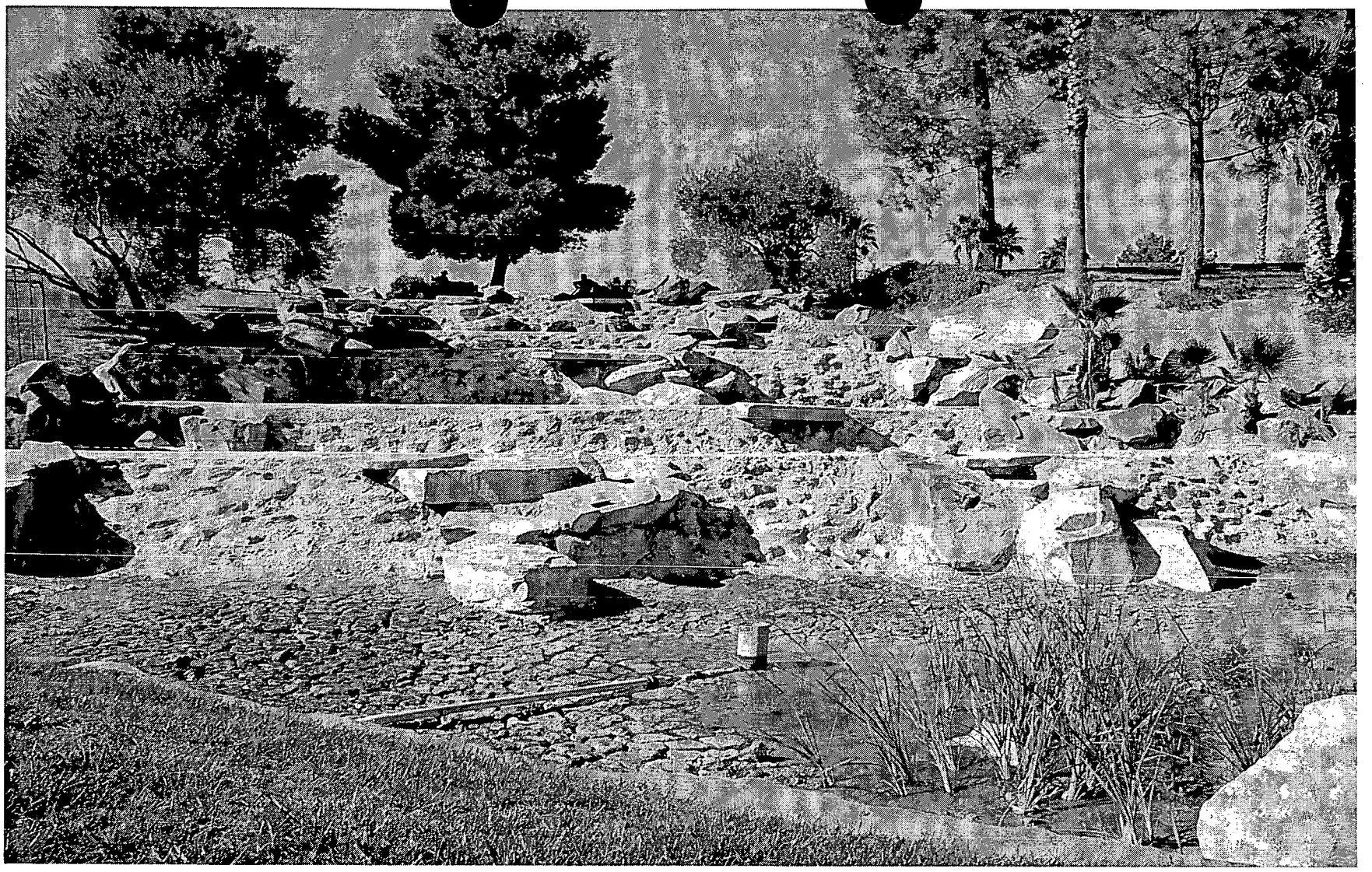
DIR-5444 - APPLICANT/OWNER: CANYON GATE AT LAS VEGAS, INC.
Adjacent to the north side of Sahara Avenue, approximately 1,000 feet west of Durango Drive
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04



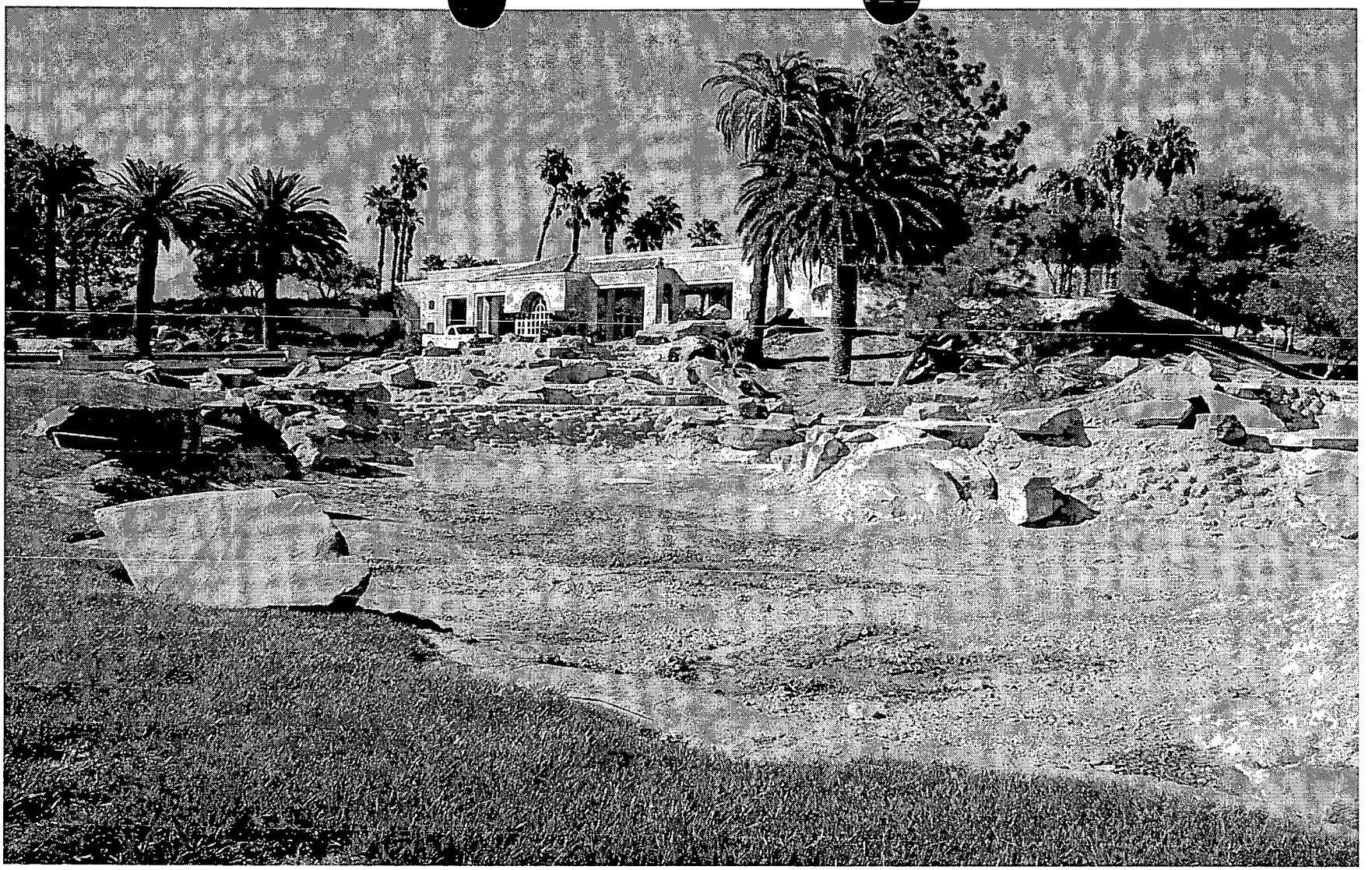
DIR-5444 - APPLICANT/OWNER: CANYON GATE AT LAS VEGAS, INC.
Adjacent to the north side of Sahara Avenue, approximately 1,000 feet west of Durango Drive
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04



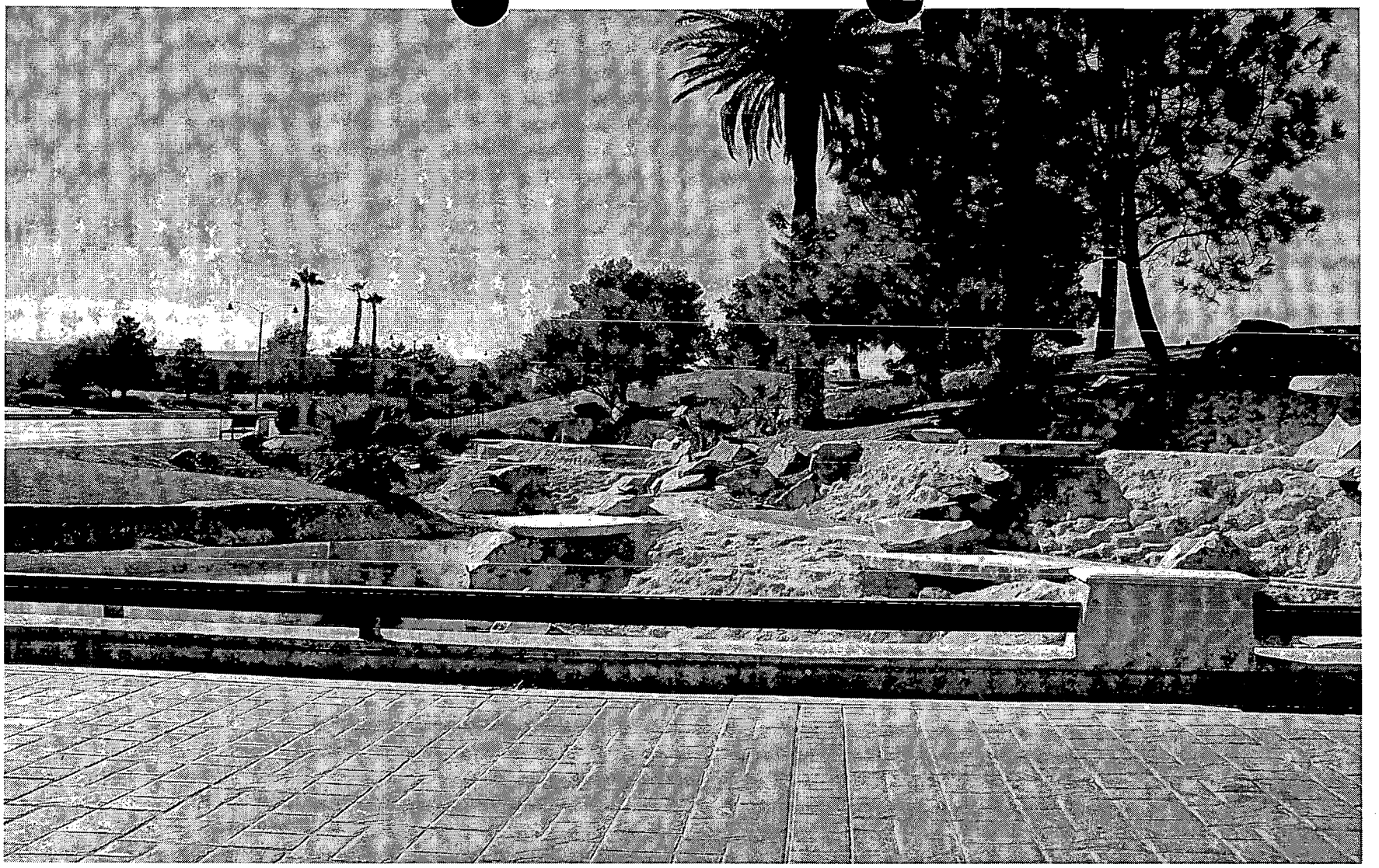
DIR-5444 - APPLICANT/OWNER: CANYON GATE AT LAS VEGAS, INC.
Adjacent to the north side of Sahara Avenue, approximately 1,000 feet west of Durango Drive
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04



DIR-5444 - APPLICANT/OWNER: CANYON GATE AT LAS VEGAS, INC.
Adjacent to the north side of Sahara Avenue, approximately 1,000 feet west of Durango Drive
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04



DIR-5444 - APPLICANT/OWNER: CANYON GATE AT LAS VEGAS, INC.
Adjacent to the north side of Sahara Avenue, approximately 1,000 feet west of Durango Drive
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04

City of Las Vegas

Agenda Item No. 102

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

REQUIRED ONE YEAR REVIEW

RQR-5238 - PUBLIC HEARING - APPLICANT/OWNER: COSTCO WHOLESALE - Required One Year Review of an approved Review of Condition (ROC-2882) of an approved Special Use Permit (U-0171-00) WHICH ALLOWED THE DELIVERY OF PACKAGED LIQUOR BETWEEN THE HOURS OF 6 AM AND 9 PM WHERE THE DELIVERY HOURS WERE RESTRICTED TO 6 AM TO NOON at 801 South Pavilion Center Drive (APN 137-35-714-001), P-C (Planned Community) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL. NOTE: THIS ITEM IS BEING RENOTICED AS THE PREVIOUS NOTICE SENT FOR THE OCTOBER 20, 2004 CITY COUNCIL MEETING HAD AN ERROR REGARDING THE PREVIOUSLY APPROVED HOURS OF DELIVERY

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

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council letter of approval for U-0171-00
5. City Council leter of approval for U-0171-00(1)
6. City Council letter of approval for ROC-2882

MOTION:

WOLFSON - APPROVED subject to condition - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

JERRY SLATER, 5740 South Arville, appeared on behalf of the applicant and concurred with the conditions.

COUNCILMAN WOLFSON requested that ROBERT GENZER, Director, Planning and Development, brief the public on the item. MR. GENZER explained this was to review the delivery hours approved for the Costco at this location. When originally approved, there were concerns raised by some of the residents in the neighborhood who were not sure if disruption would occur because of the extended delivery hours. He stated there have been no complaints since the business has been open and pointed out that staff has recommended approval with no further reviews. COUNCILMAN WOLFSON confirmed with the representative that no problems have arisen.

No one appeared in opposition.

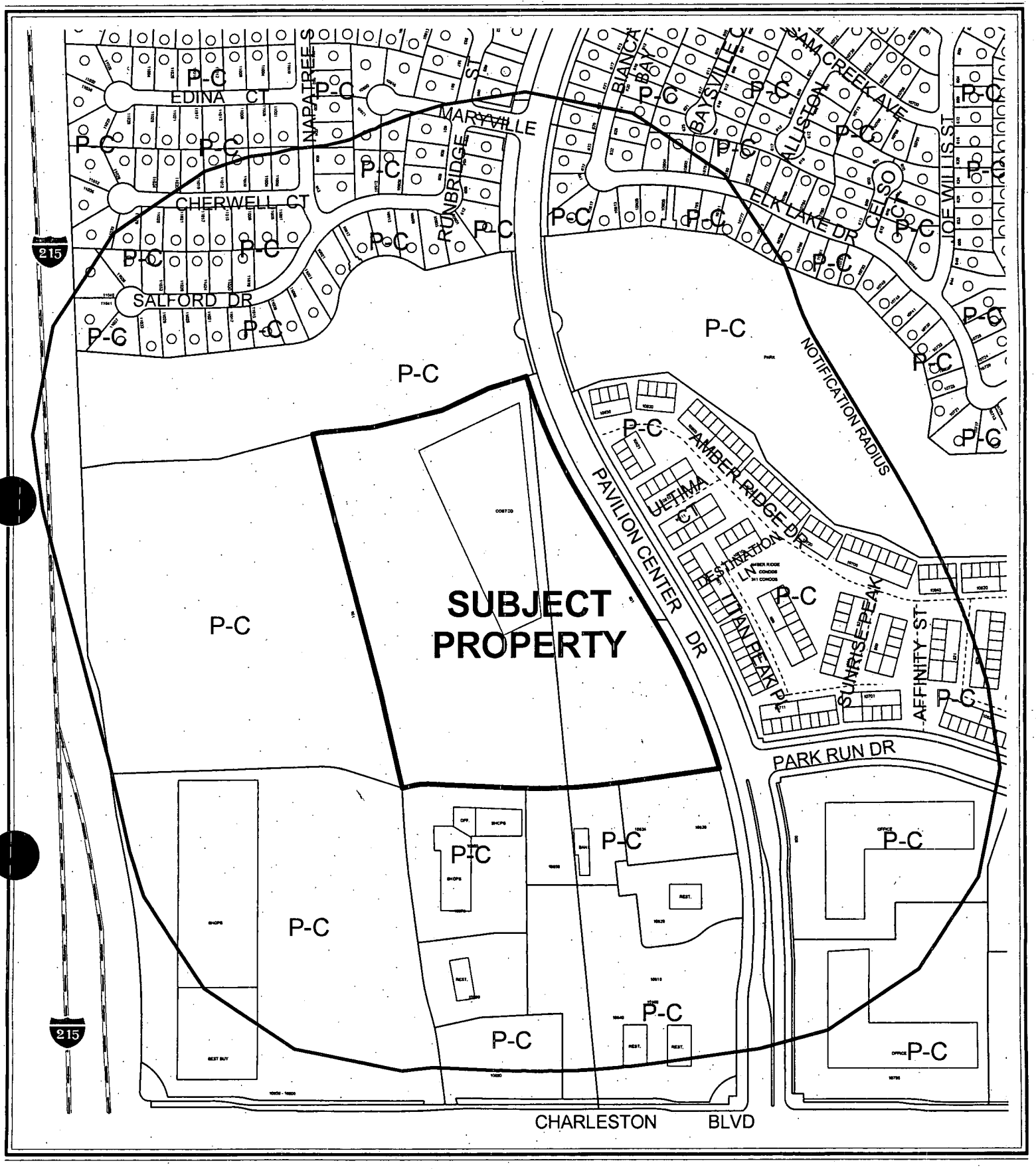
MINUTES - Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed.
(1:28 - 1:30)
2-702

CONDITIONS:

Planning and Development

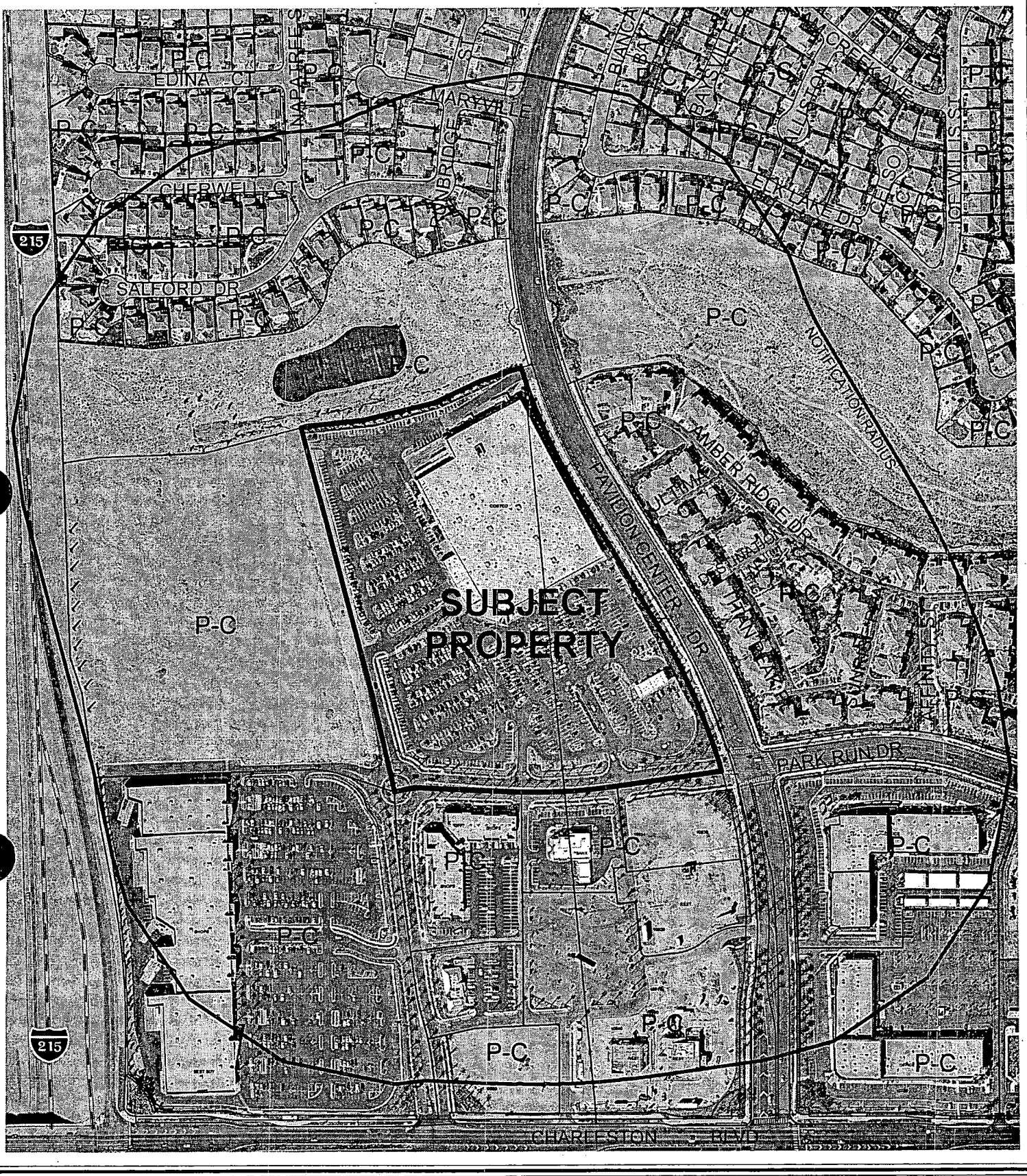
1. Conformance to the Conditions of Approval for Special Use Permit U-0171-00.



CASE: **RQR-5238**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)



0 300 600 Feet

CASE: **RQR-5238**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-5238 - APPLICANT/OWNER: COSTCO WHOLESALE

THIS ITEM WAS STRICKEN AT THE OCTOBER 20, 2004 CITY COUNCIL MEETING SO THAT PROPER NOTIFICATION COULD BE DONE.

** CONDITIONS **

Staff recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit U-0171-00.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Required One Year Review of an approved Review of Condition (ROC-2882) of an approved Special Use Permit (U-0171-00) which allowed the delivery of packaged liquor between the hours of 6 am and 9 pm where the original delivery hours were restricted to 6 am to noon by Special Use Permit approved in 2000 at 801 South Pavilion Center Drive.

B) Applicant's Justification

A justification letter is not required for a Required Review application.

BACKGROUND INFORMATION

A) Previous Actions

02/16/94 The City Council approved a Rezoning to P-C (Planned Community) on this site as part of a larger request (Z-0135-93).

12/20/00 The City Council approved a Special Use Permit (U-0171-00) to allow the sale of packaged liquor in conjunction with the operation of the Costco Wholesale Center. The Council imposed several conditions pertaining to the operation of the business, including the subject condition regarding the packaged liquor delivery hours of 6 am to noon. The Planning Commission and staff recommended approval on 10/26/00.

10/02/02 The City Council approved the Required One Year Review [U-0171-00(1)] of the Special Use Permit which allowed package liquor sales in conjunction with retail/wholesale facility (Costco) on this site. No additional reviews were be required for the package liquor sales per the condition imposed at the time of this approval.

10/01/03 The City Council approved a Review of Condition (ROC-2882) of the Special Use Permit (U-0171-00) to allow the delivery of packed liquor between the hours of 6 am and 9 pm where the delivery hours were originally restricted to 6 am to noon subject to a One Year Review.

B) Pre-Application Meeting

A pre-application meeting is not required for a Required Review application.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Required Review application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 16.93

B) Existing Land Use

Subject Property:	Retail/Wholesale Facility
North:	Open Space
South:	Retail Commercial
East:	Condominiums
West:	Undeveloped

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	PR (Parks Recreation/Open Space)
South:	SC (Service Commercial)
East:	M (Medium Density Residential)
West:	SC (Service Commercial)

D) Existing Zoning

Subject Property:	P-C (Planned Community)
North:	P-C (Planned Community)
South:	P-C (Planned Community)
East:	P-C (Planned Community)
West:	P-C (Planned Community)

E) General Plan Compliance

The subject parcel is designated SC (Service Commercial) on the Southwest Sector Map of the City of Las Vegas General Plan. The approved P-C (Planned Community) zoning and retail/wholesale facility are in conformance with the General Plan.

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

The subject site is located within the Summerlin Master Plan Area and is designated as EC (Employment Center) on the plan. The existing retail/wholesales facility is an allowed use in this land use designation. The Summerlin Standards require the approval of a Special Use Permit to allow the liquor establishment (off-premises consumption).

ANALYSIS

A) Zoning Code Compliance

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)	Minimum 400-foot separation from any church, synagogue, school, child care facility licensed for more than 12 children, or City park	No protected uses within 400 feet of convenience store

The use complies with the 400-foot distance separation requirement in the Zoning Code.

B) General Analysis and Discussion

- Zoning

The sale of beer and wine for off-premises consumption is allowed in the P-C (Planned Community) zoning district with the approval of a Special Use Permit.

- Use

The delivery hours and other conditions of approval were originally imposed to alleviate any conflicts that may arise from the operation of the Costco business or the delivery of packaged liquor. By approving the Review of Condition (ROC-2882) in 2003, the City Council found that amending the hours to 6:00 a.m. to 9:00 p.m. for deliveries was appropriate, subject to this one year review. To date, there is no record of complaints filed by the neighbors. Since no adverse affects can be linked to the approved delivery hours, the recommendation for this request is approval with no further reviews required.

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 liquor establishment (off-premises consumption) is a use typically associated with a retail/wholesale facility in a commercial area, and can be conducted in a manner compatible with the residential and commercial development in the surrounding area.

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

The subject site has no physical constraints to the approved liquor establishment (off-premises consumption).

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 abutting street network will be adequate to meet the access requirements of the approved use in that Charleston Boulevard and Pavilion Center Parkway are all fully improved arterial roadways.

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 subject establishment meets the minimum distance requirements for the projected uses as detailed in Section 19A.040.050 of the City of Las Vegas Municipal Code. The business will be subject to regular inspection by City and County regulatory agencies for business licensing, and will not compromise the public health, safety, and welfare.

NOTICES MAILED 325 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

ZQR-5238

Case Number: 2882 APN: 137 35 714 001

Name of Property Owner: COSTCO WHOLESALE

Name of Applicant: PETER CLEMENT

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

____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature] AUTHORIZED AGENT

Print Name: PETER CLEMENT

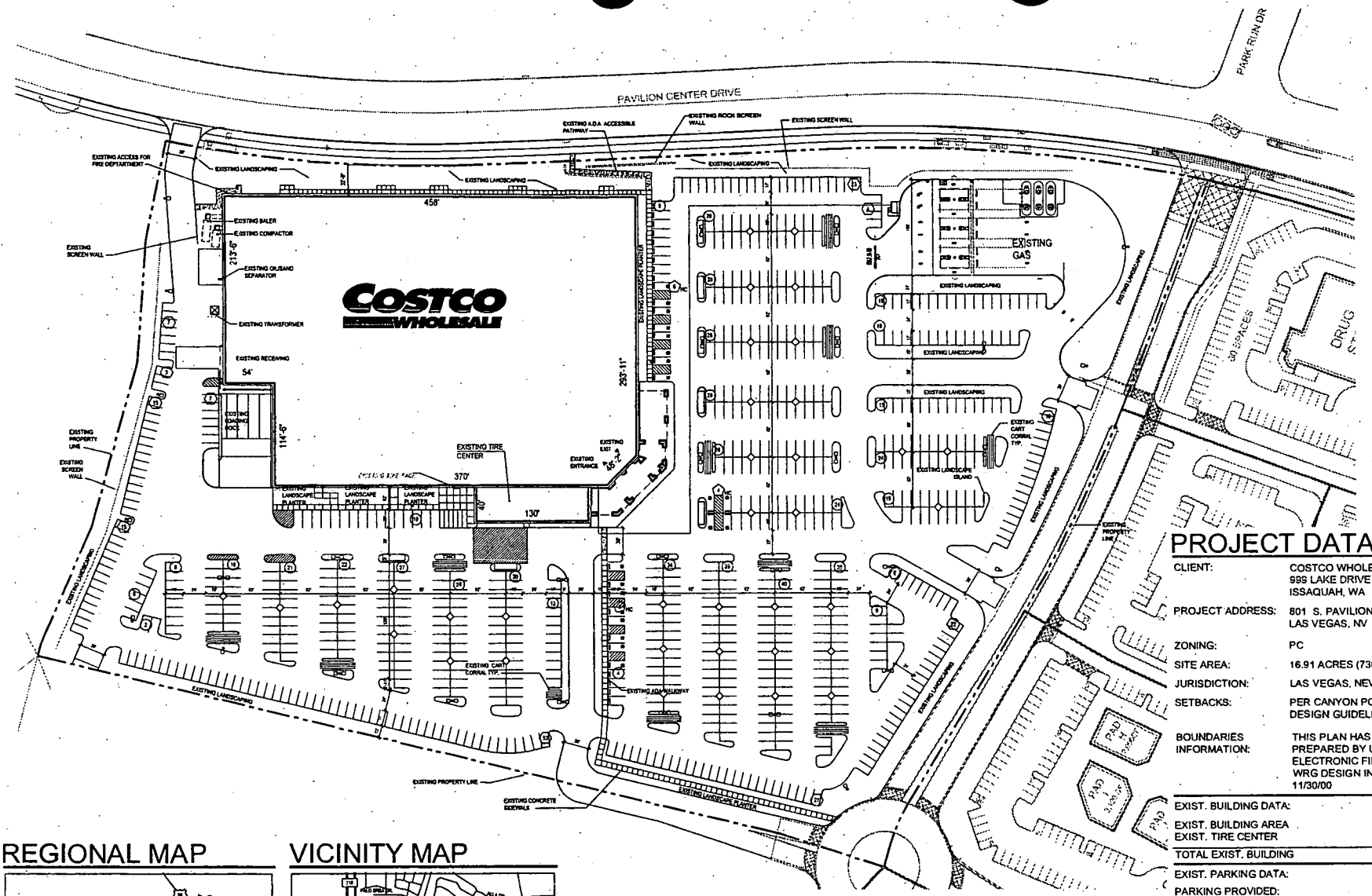
Subscribed and sworn before me

This 9 day of September, 2004

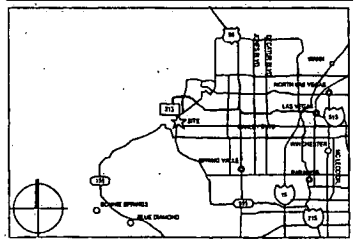
Amy L. Slater

Notary Public in and for said County and State

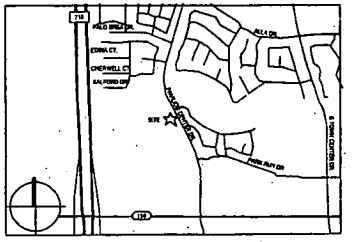
AMY L. SLATER
Notary Public State of Nevada
No. 01-67528-1
My appt. exp. Mar. 20, 2005



REGIONAL MAP



VICINITY MAP



PROJECT HISTORY					
SCOPE	DATE(mm/yy)	UPDATED BY	PROJ. MGR.	WRKS. PLAN'G.	COMMENTS
A	02/03	ARC	PM		UPDATE FOR EXISTING PLANS
B	02/03	ARC	PM		UPDATE FOR EXISTING PLANS

PROJECT DATA

CLIENT:	COSTCO WHOLESALE 999 LAKE DRIVE ISSAQUAH, WA 98027
PROJECT ADDRESS:	801 S. PAVILION CENTER DR. LAS VEGAS, NV
ZONING:	PC
SITE AREA:	16.91 ACRES (736,828 S.F.)
JURISDICTION:	LAS VEGAS, NEVADA
SETBACKS:	PER CANYON POINT DESIGN GUIDELINES
BOUNDARIES INFORMATION:	THIS PLAN HAS BEEN PREPARED BY USING THE ELECTRONIC FILE FROM WRG DESIGN INC. DATED: 11/30/00

EXIST. BUILDING DATA:	
EXIST. BUILDING AREA	143,463 S.F.
EXIST. TIRE CENTER	5,200 S.F.
TOTAL EXIST. BUILDING	148,663 S.F.

EXIST. PARKING DATA:	
PARKING PROVIDED:	
(P) 10' WIDE STALLS	812 STALLS
(P) 9' WIDE STALLS	203 STALLS
(P)HC HANDICAP STALLS	20 STALLS
TOTAL EXIST. PARKING	835 STALLS
NO. OF STALLS PER 1000 S.F. OF BUILDING AREA:(148,663 S.F.)	5.82 STALLS

NOTES:
EXISTING CONDITIONS TO BE FIELD VERIFIED.

COSTCO WHOLESALE
SUMMERLIN, NV.
#685
801 S. PAVILION CENTER DRIVE
LAS VEGAS, NV

MULVANNY G2
1118 112TH AVE. NE. | SUITE 100
BELLEVUE, WA | 98004
(425) 453-2000 | (425) 453-2002
MulvannyG2.com

00-3420
NOVEMBER 05, 2002
EXISTING
SITE PLAN

EX1.1

COSTCO WHOLESALE

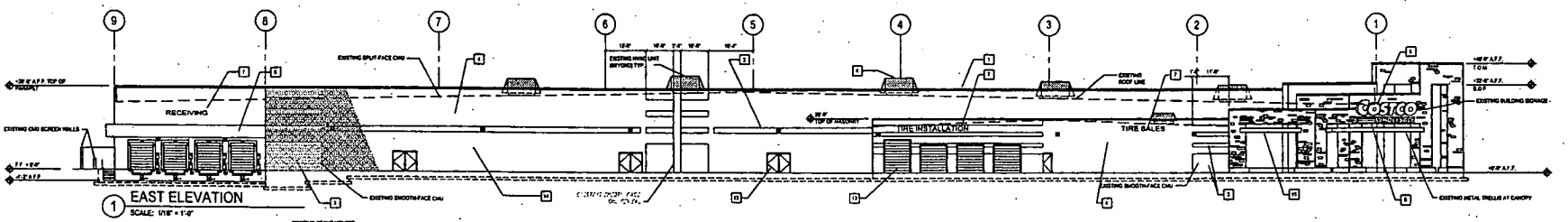
LAS VEGAS, NEVADA

RQR-5238

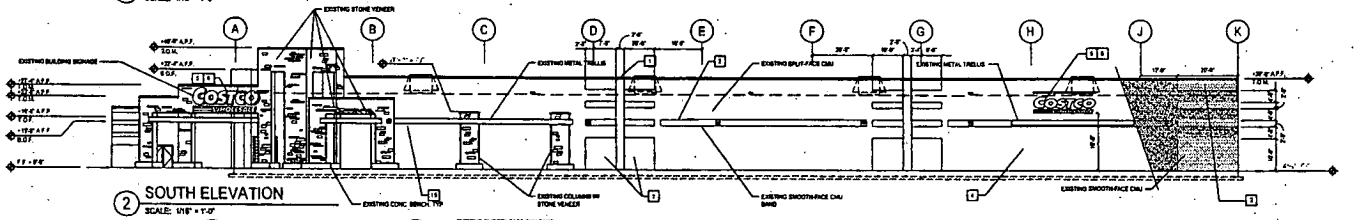
10-20-04 CC

EXISTING SITE PLAN

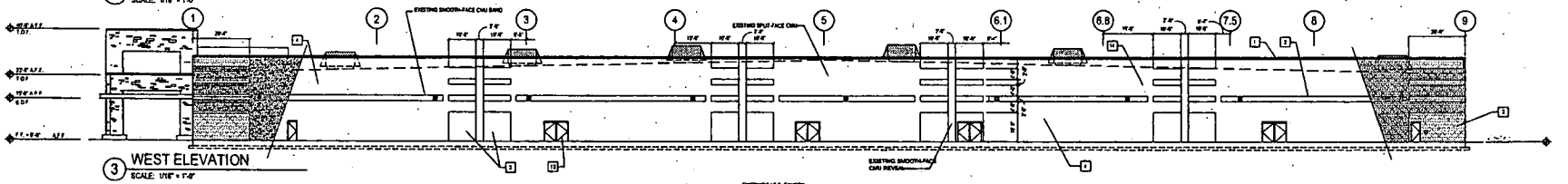
FEBRUARY 03, 2003



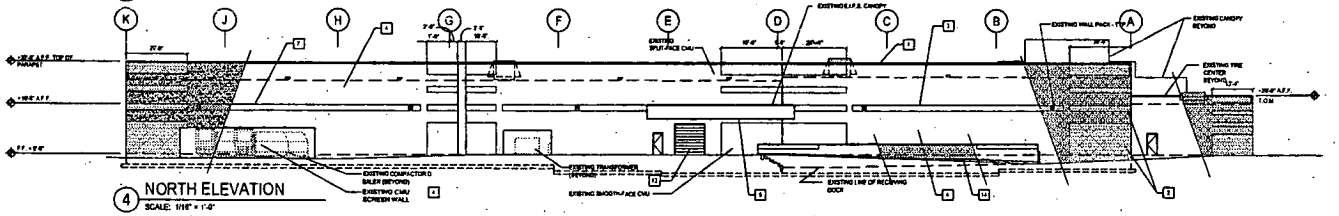
1 EAST ELEVATION
SCALE: 1/16" = 1'-0"



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



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



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

EXTERIOR FINISH SCHEDULE

#	ITEM	MATERIAL	FINISH	COLOR	MANUFACTURER	NOTES
1	CAP FLASHING	GALV. SHEET METAL		MATCH MAIN BLDG C.M.U.		
2	ACCENT BAND	S.M.F. C.M.U.	INTEGRAL COLOR	DESERT SUNRISE	CSR MASONRY PROD.	
3	ACCENT ENDS	S.M.F. C.M.U.	INTEGRAL COLOR	TAN WITH BLACK AGGREGATE	CSR MASONRY PROD.	
4	MAIN BUILDING	S.F. C.M.U.	INTEGRAL COLOR	TAN WITH BLACK AGGREGATE	CSR MASONRY PROD.	
5	"COSTCO" SIGN		METAL PAN LETTERS	SAFETY RED S.W. 4061		BY M.B.S.
6	"WHOLESALE" SIGN		METAL PAN LETTERS	LAPIS LAZULI S.W. 1805		BY M.B.S.
7	MISC. SIGNS		METAL PAN SIGNS	SAFETY RED S.W. 4061		BY M.B.S.
8	RECEIVING CANOPY	E.I.F.S.	PAINT	MATCH MAIN BLDG. C.M.U	SHERWIN WILLIAMS	SEE STRUCT. BY M.B.S.
9	CANOPY FIELD	STONE		SUMMERLIN 034	EL DORADO STONE	"RUSTIC LEDGE"
10	CANOPY FIELD	E.I.F.S.	PAINT	COPPER NAIL S.W. 2315	SHERWIN WILLIAMS	SANDBLAST TEXTURE
11	CANOPY COLUMN	STONE		SUMMERLIN 034	EL DORADO STONE	"RUSTIC LEDGE"
12	EGRESS DOORS	METAL DOOR AND FRAME	PAINT	TO MATCH ADJACENT WALL		
13	ROLL UP DOORS	METAL ROLL UP DOORS	PAINT	TO MATCH ADJACENT WALL		
14	SCREEN WALL	CMU	INTEGRAL COLOR	TAN WITH BLACK AGGREGATE	CSR MASONRY PROD.	
15	TRELLIS	ALUMINUM TUBE STEEL	PAINT	MEADOW WOOD #129	DUNN EDWARDS	SEE STRUCTURAL
16	CANOPY CAP	STONE VENEER	STAIN	TO MATCH SUMMERLIN 034		SEE STRUCTURAL

NOTE: 1. ALL FINISHES ARE TYPICAL UNLESS OTHERWISE NOTICED

PROJECT HISTORY					
SCOPE	DATE mm/dd/yy	UPDATED BY	PROJ. MGR.	MH-S.E., PLMG.	COMMENTS
A	03/03	ARC	PH		UPDATE FOR EXISTING PLANS
B	05/03	ARC	PH		UPDATE FOR EXISTING PLANS

COSTCO WHOLESALE
SUMMERLIN, NV.
#685
801 S. PAVILION CENTER DRIVE
LAS VEGAS, NV

MULVANNY G2
1119 114TH AVE. NE. | SUITE 400
BELLEVUE, WA. | 98004
t 425.453.2008 | f 425.453.2002
mulvannyG2.com

00-3420
NOVEMBER 05, 2002
EXISTING EXTERIOR ELEVATIONS
EX3.1

COSTCO WHOLESALE

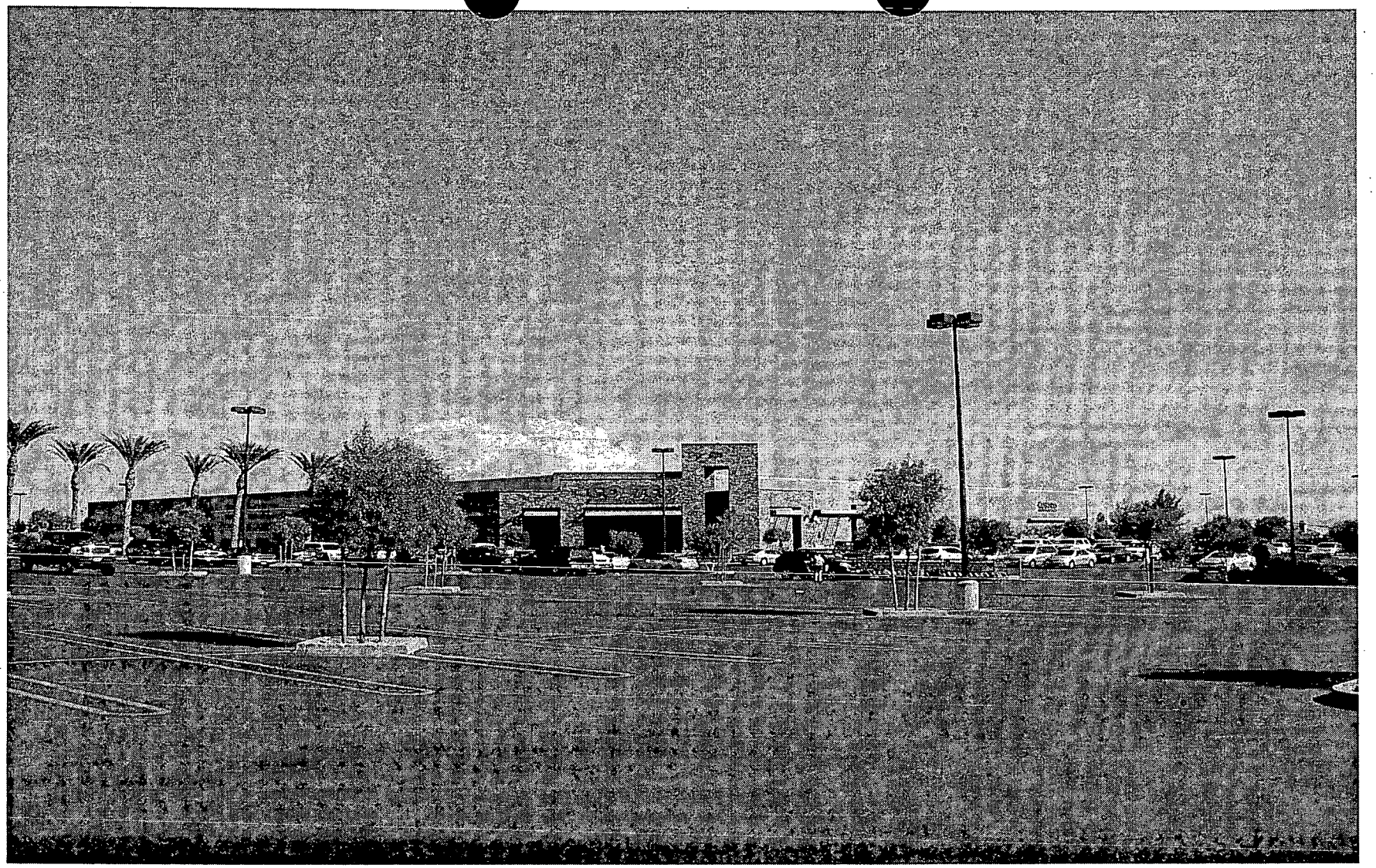
LAS VEGAS, NEVADA

RQR-5238

10-20-04 CC

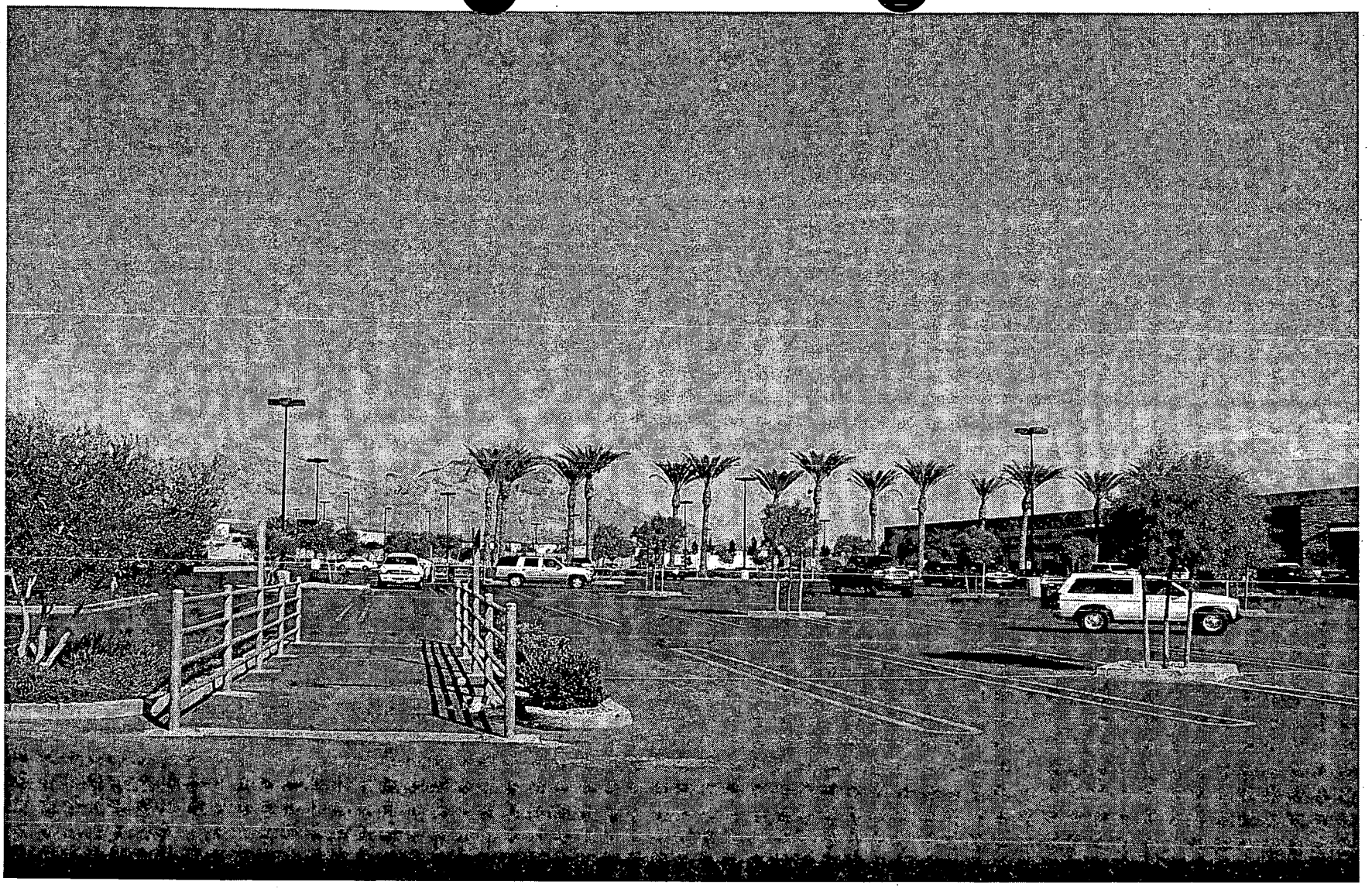
EXISTING ELEVATIONS

FEBRUARY 03, 2003



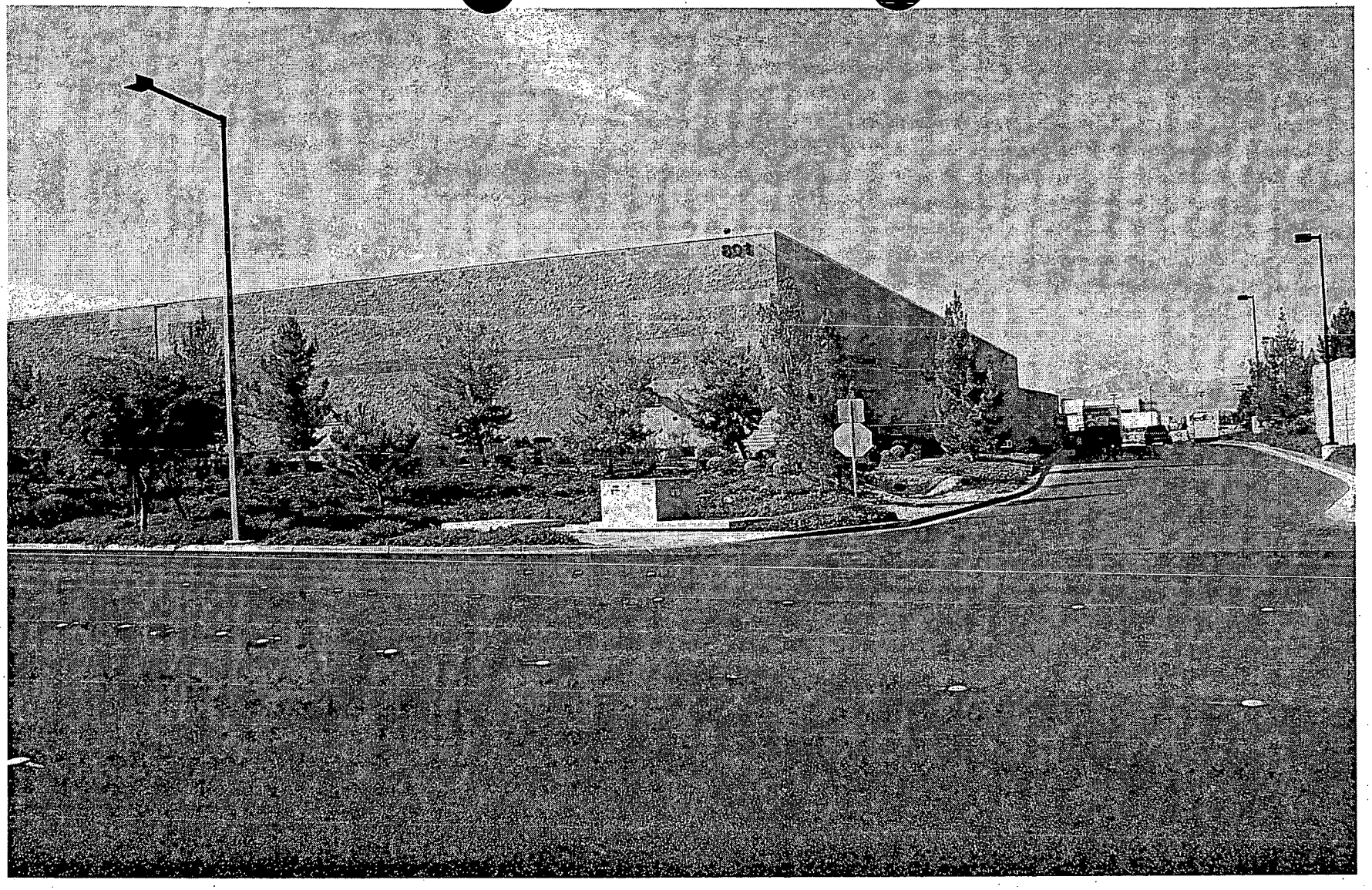
RQR-5238 - APPLICANT/OWNER: COSTCO WHOLESALE
801 South Pavilion Center Drive
OCTOBER 20, 2004 CITY COUNCIL MEETING

Picture taken 10/01/04



RQR-5238 - APPLICANT/OWNER: COSTCO WHOLESALE
801 South Pavilion Center Drive
OCTOBER 20, 2004 CITY COUNCIL MEETING

Picture taken 10/01/04



RQR-5238 - APPLICANT/OWNER: COSTCO WHOLESALE
801 South Pavilion Center Drive
OCTOBER 20, 2004 CITY COUNCIL MEETING

Picture taken 10/01/04

ROR-5238

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
LYNETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

October 30, 2003

Mr. V. Todd Bartok
Costco Wholesale
17300 Red Hill Avenue, Suite 230
Irvine, California 92614

RE: ROC-2882 - REVIEW OF CONDITION - PUBLIC HEARING
CITY COUNCIL MEETING OF OCTOBER 1, 2003

Dear Applicant:

The City Council at a regular meeting held October 1, 2003 APPROVED the request for a Review of Condition No. 1 of an approved Special Use Permit (U-0171-00) WHICH LIMITED DELIVERIES TO THE HOURS BETWEEN 6:00 A.M. AND NOON at 801 South Pavilion Center Drive (APN: 137-35-714-001), P-C (Planned Community) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on October 2, 2003. This approval is subject to:

1. Condition Number 1 of U-0171-00 shall be amended as follows: "The delivery of packaged liquor shall be between the hours of 6:00 a.m. and 9:00 p.m. to coincide with the delivery hours of the retail use."

2. This Review of Condition shall be subject to a Required One Year Review as a public hearing before the City Council.

3. Amended Condition No. 1 shall be reviewed in six months.

Sincerely,

Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

M. Margo Wheeler, AICP
Deputy Director
Planning and Development Department

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

CITY OF LAS VEGAS
00 STEWART AVENUE
VEGAS, NEVADA 89101

OICE 702.229.6011
TY 702.386.9108
v.ci.las-vegas.nv.us

RQR-5238

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
MICHAEL J. McDONALD
LARRY BROWN
LYNETTE B. McDONALD
[illegible]RENCE WEEKLY
[illegible]ICHAEL MACK

CITY MANAGER
DOUGLAS A. SELBY

October 3, 2002

Mr. Peter Kahn
Costco Wholesale
999 Lake Drive
Issaquah, Washington 98027

RE: U-0171-00(1) - REQUIRED ONE YEAR REVIEW
CITY COUNCIL MEETING OF OCTOBER 2, 2002

Dear Mr. Kahn:

The City Council at a regular meeting held October 2, 2002 APPROVED the Required One Year Review of an approved Special Use Permit which allowed the sale of Package Liquor in conjunction with a Costco Wholesale Store on 16.95 acres at the northwest corner of the intersection of Charleston Boulevard and Pavilion Center Drive (APN: 137-35-714-001), PC (Planned Community) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on October 3, 2002. This approval is subject to:

1. Condition Number 4, requiring a one year review of the hours of operation effective from the time Costco opens, shall be deleted.

Sincerely,

Angela Crolli

ANGELA CROLLI
DEPUTY CITY CLERK II for
BARBARA JO RONEMUS, CITY CLERK

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Mr. V. Todd Bartok
Costco Wholesale, Inc.
17300 Red Hill Avenue, Suite 230
Irvine, California 92614

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

RQR-5238

CORRECTED LETTER

February 1, 2001

Mr. Mike Bryne
Howard Hughes Properties, Inc.
10000 West Charleston Boulevard, Suite #200
Las Vegas, Nevada 89135

RE: U-0171-00 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF DECEMBER 20, 2000
Related to U-0170-00 & U-0172-00

Dear Mr. Bryne:

The City Council at a regular meeting held December 20, 2000 APPROVED the request for a Special Use Permit FOR THE SALE OF PACKAGED LIQUOR IN CONJUNCTION WITH A PROPOSED COSTCO WHOLESALE STORE on 16.95 acres at the northwest corner of the intersection of Charleston Boulevard and Pavilion Center Drive (APN: 137-35-811-001), PC (Planned Community) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on December 21, 2000. This approval is subject to:

Planning and Development

1. Delivery of packaged liquor shall be between the hours of 6 a.m. and noon to coincide with the delivery hours for the retail use.

2. Relative to the northern driveway, this will be a service only entrance to the northern portion of the site going onto Pavilion Center.

3. The sale of packaged liquor shall coincide with the hours of operation of the wholesale store which shall be as follows: Monday through Friday, 9 a.m. to 8:30 p.m., Saturday, 9:30 a.m. to 7 p.m., and Sunday, 10 a.m. to 6 p.m. However, the store may have extended holiday hours during the months of November, December and on Federal and State holidays. Any review of this condition shall be conducted as a public hearing by the City Council.

4. One year review of the hours of operation effective from the time Costco opens.

5. Conformance to the Conditions of Approval for Site Development Plan Review of SV-0022-00 as provided on a corrected letter dated December 11, 2000.

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
MICHAEL J. McDONALD
LARRY BROWN
LYNETTE B. McDONALD
[illegible]ENCE WEEKLY
[illegible]CHAEL MACK

CITY MANAGER
VIRGINIA VALENTINE

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.ci.las-vegas.nv.us

6. Approval of this Special Use Permit does not constitute approval of a liquor license.

7. This approval is for COSTCO or similar "BIG BOX" retailer only.

8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

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

10. All City Code Requirements and all City Departments' design standards shall be met.

Sincerely,

BARBARA JO RONEMUS
CITY CLERK

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. of Fire Services
Land Development Services

Mr. Greg Borgel
Mendenhall Moreno & Associates
300 South Fourth Street, Suite #1500
Las Vegas, Nevada 89101

Mr. Peter Kahn
COSTCO Wholesale
999 Lake Drive
Issaquah, Washington 98027

City of Las Vegas

Agenda Item No. 103

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

REVIEW OF CONDITION

ROC-5384 - PUBLIC HEARING - APPLICANT/OWNER: RANCHO COURTYARD, LLC - Request for a Review of Condition Number 10 of an approved Rezoning (Z-0013-01) TO ELIMINATE THE REQUIREMENT FOR A MASTER SIGN PLAN TO BE SUBMITTED FOR APPROVAL OF PLANNING COMMISSION AND CITY COUNCIL PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY BUILDING ON THE SITE for an approved office building on 2.82 acres adjacent to the east side of Rancho Drive, approximately 300 feet south of Charleston Boulevard (APN 162-04-101-021), R-E (Residence Estates) Zone under Resolution of Intent to P-R (Professional Office and Parking), Ward 1 (Moncrief). Staff recommends APPROVAL

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

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council approval letter for Z-0013-01

MOTION:

MONCRIEF - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

LUCY STEWART, 856 East Sahara Avenue, stated a Code referenced in the staff report required a master sign plan for properties that were 2.5 acres or larger. When the ordinance was changed a year ago, the property owners believed the condition went away for this 2.75-acre property. They were surprised by the need for a master sign plan and staff suggested this alternative. The plan shows monument signage on low level stone work and clarified it would be the only sign.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.
(1:30 - 1:32)
2-773

CONDITIONS:

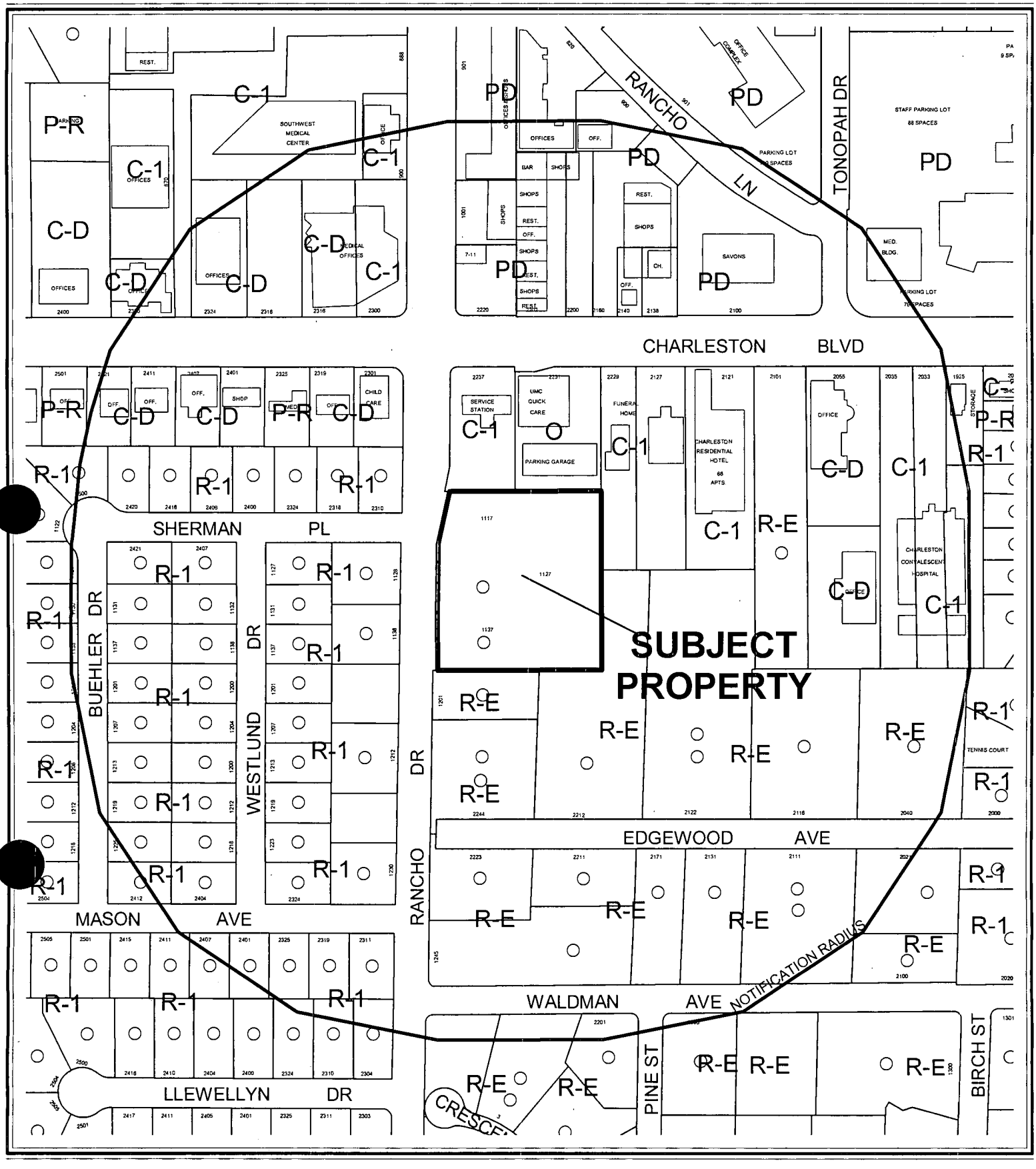
Planning and Development

1. Condition of Approval Number 10 is hereby eliminated.

CONDITIONS - Continued:

2. All signage shall be in conformance with Title 19.14.

3. Conformance to all other Conditions of Approval for Rezoning Z-0013-01and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

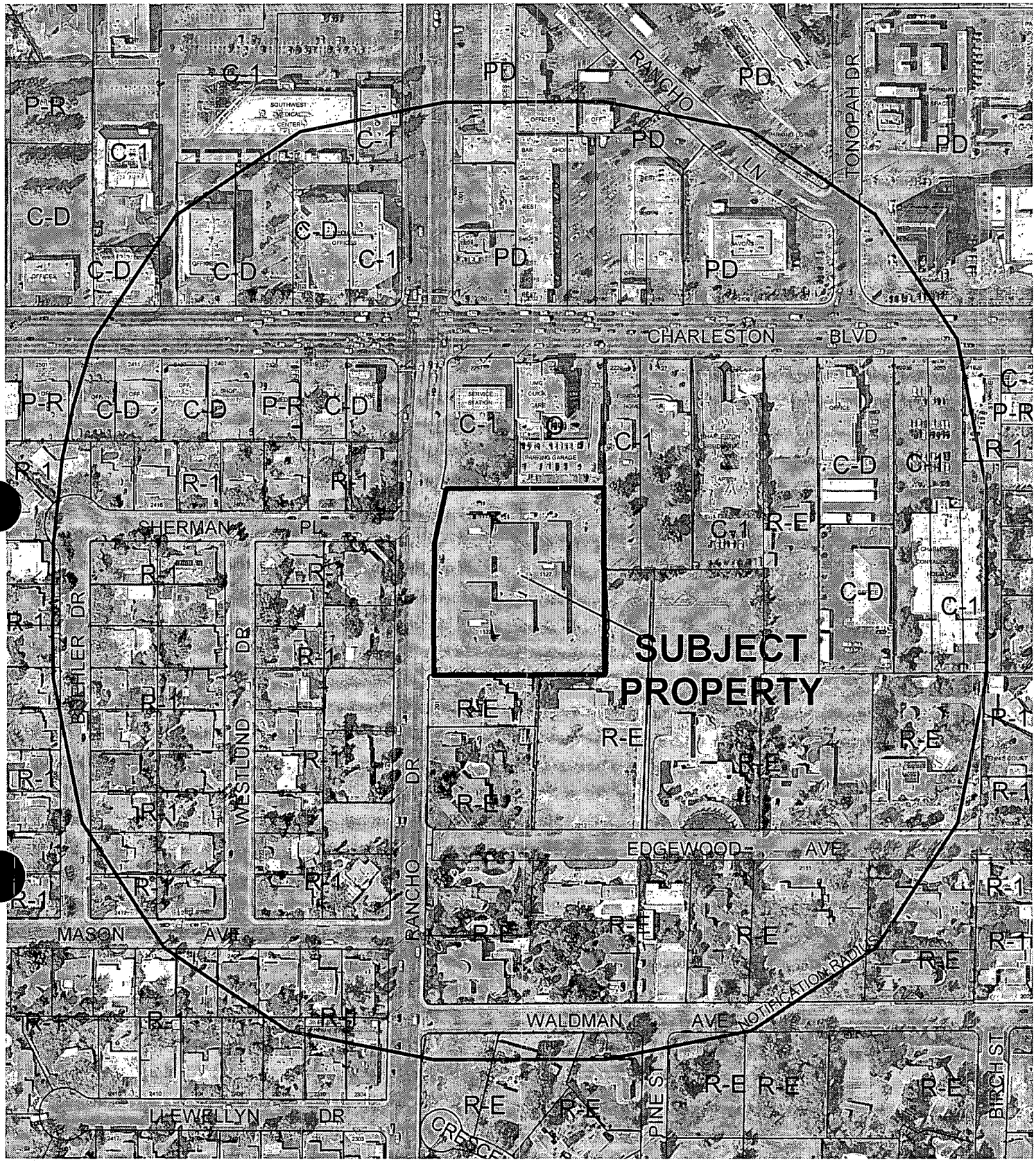


CASE: **ROC-5384**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO P-R (PROFESSIONAL OFFICE AND PARKING)



0 200 400 Feet

CASE: **ROC-5384**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO P-R (PROFESSIONAL OFFICE AND PARKING)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-5384 - APPLICANT/OWNER: RANCHO COURTYARD, LLC

** CONDITIONS **

Staff recommends APPROVAL, subject to:

Planning and Development

1. Condition of Approval Number 10 is hereby eliminated.

2. All signage shall be in conformance with Title 19.14.

3. Conformance to all other Conditions of Approval for Rezoning Z-0013-01and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Review of Condition Number 10 of an approved Rezoning (Z-0013-01) to eliminate the requirement for a master sign plan to be submitted for approval of Planning Commission and City Council prior to the issuance of a Certificate of Occupancy for any building on the site for an approved office building on 2.82 acres adjacent to the east side of Rancho Drive, approximately 300 feet south of Charleston Boulevard.

B) Applicant's Justification

The applicant's justification letter indicates the ordinance has changed and a Master Sign Plan is now required on much larger projects.

BACKGROUND INFORMATION

A) Previous Actions

06/20/01 The City Council approved a General Plan Amendment (GPA-0003-01) to O (Office) and a Rezoning (Z-0013-01) to P-R (Professional Office and Parking) on this site. The Planning Commission recommended approval on May 10, 2001. Staff recommendation was for denial.

06/19/02 The City Council approved a Site Development Plan Review [Z-0013-01(1)] for a proposed 30,058 square-foot office complex on this site. The Planning Commission and staff recommended denial on May 9, 2002.

B) Pre-Application Meeting

09/29/04 The applicant was advised of the requirements for a Review of Condition application.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Review of Condition application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.75

B) Existing Land Use

Subject Property:	Office Complex (Under Construction)
North:	Service Station and Medical Office
South:	Single Family Residences
East:	Single Family Residences and Funeral Home
West:	Single Family Residences

C) Planned Land Use

Subject Property:	O (Office)
North:	O (Office) and SC (Service Commercial)
South:	DR (Desert Rural Density Residential)
East:	DR (Desert Rural Density Residential) and O (Office)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) under Resolution of Intent to P-R (Professional Office and Parking)
North:	C-D (Designed Commercial) and C-1 (Limited Commercial)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates) and C-1 (Limited Commercial)
West:	R-1 (Single Family Residential)

E) General Plan Compliance

The subject site is located on the Southeast Sector Map of the General Plan. The site is designated as O (Office) on the Redevelopment Plan Area Map of the General Plan. The approved P-R (Professional Office and Parking) zoning is in compliance with O (Office) designation.

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

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ROC-5384 APN: 142-04-101-021

Name of Property Owner: RANCHO COURTYARD LLC

Name of Applicant: DAVE MASON

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

____ Yes __X__ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: DAVID MASON

Subscribed and sworn before me

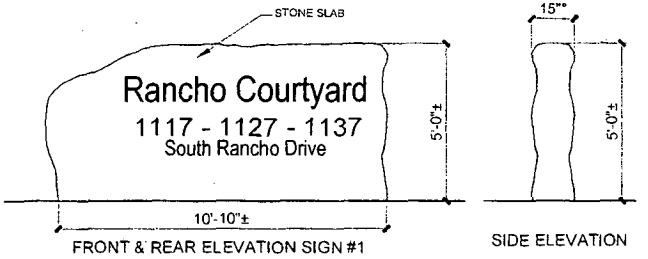
This 29th day of Sept., 2004

Rubye L. Klaman
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
RUBYE L. KLAMAN
No: 02-74403-1
My Appointment Expires Feb. 20, 2006

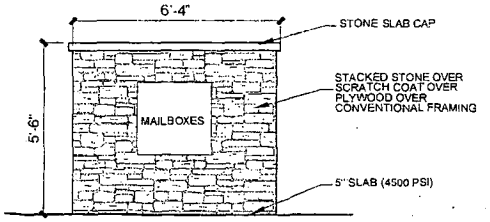
ROC-5384

11-17-04 CC

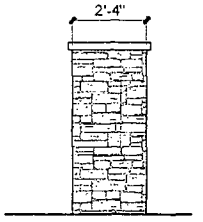


FRONT & REAR ELEVATION SIGN #1

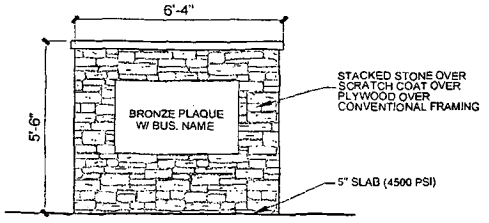
SIDE ELEVATION



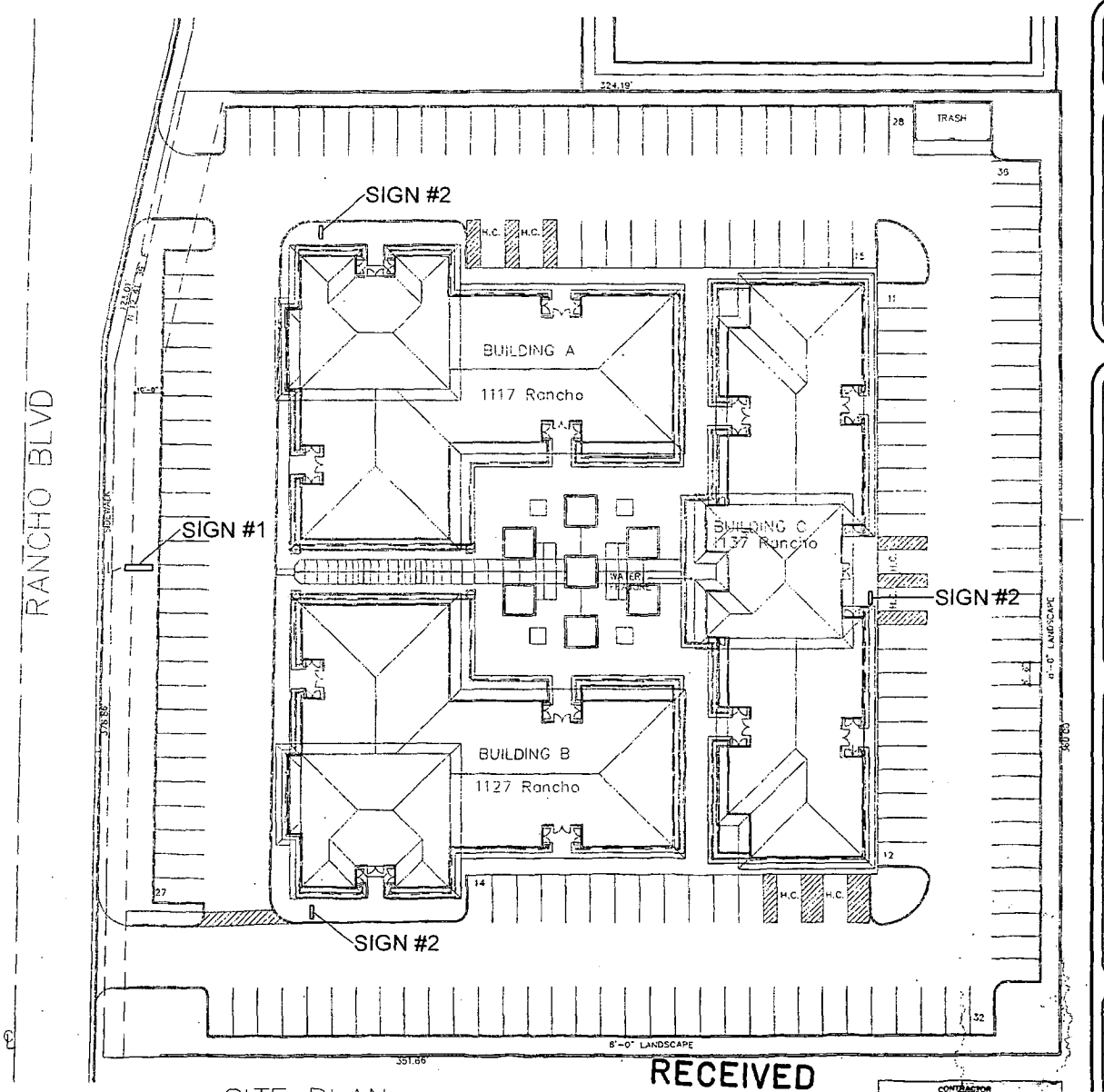
REAR ELEVATION SIGN #2



SIDE ELEVATION SIGN #2



FRONT ELEVATION SIGN #2



SITE PLAN

SCALE 1"=20'-0"

RECEIVED

OCT 05 2004

CONTRACTOR

Orbit Custom Builders

Courtney Fray

CRISCI CUSTOM BUILDERS

REVISIONS

PROJECT: RANCHO COURTYARD

1117 - 1127 - 1137 S RANCHO DRIVE

LAS VEGAS, NEVADA

SHEET: MASTER SIGN PLAN

DATE: 8-10-2004

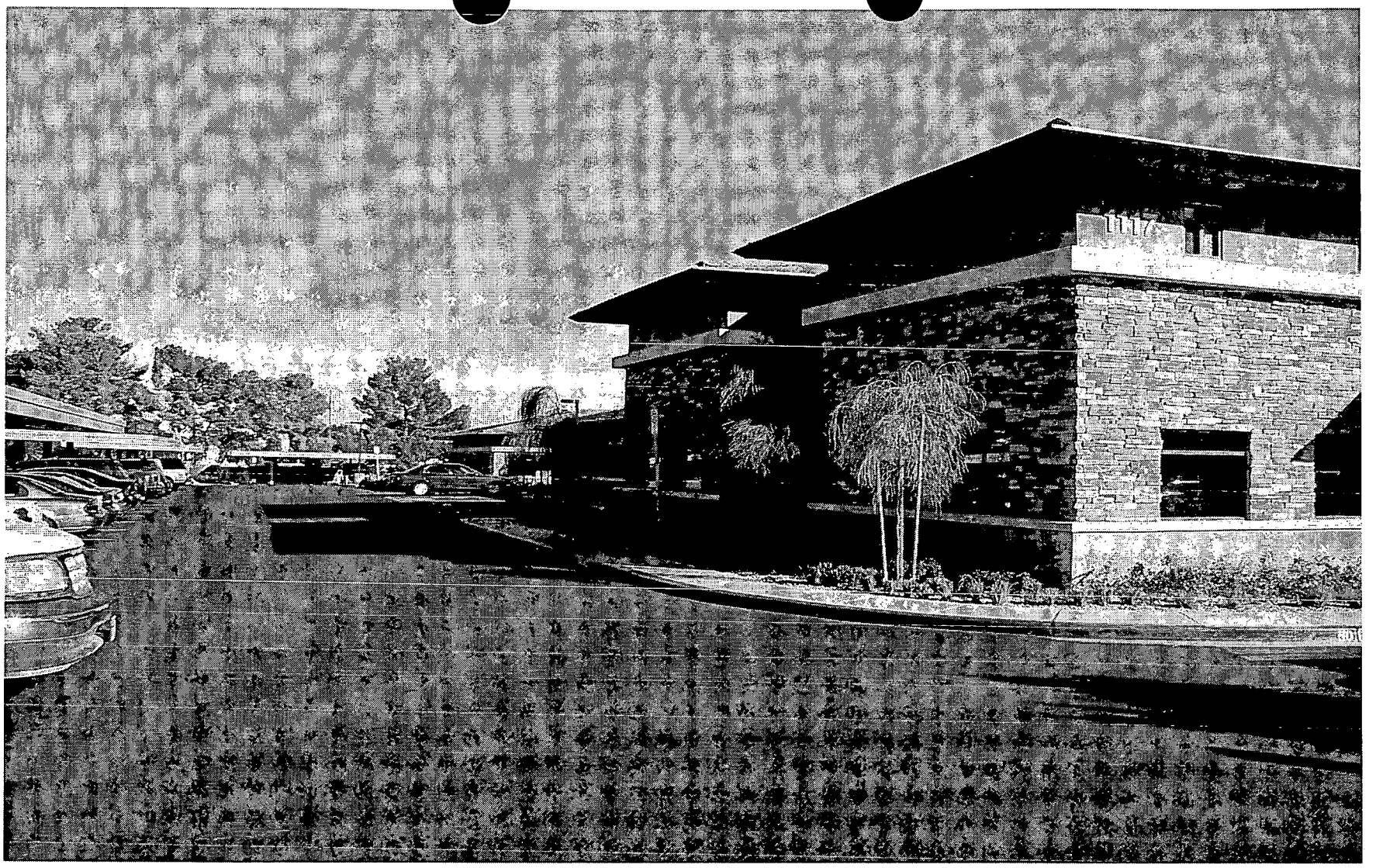
SCALE:

DRAWN BY:

CHECKED BY:

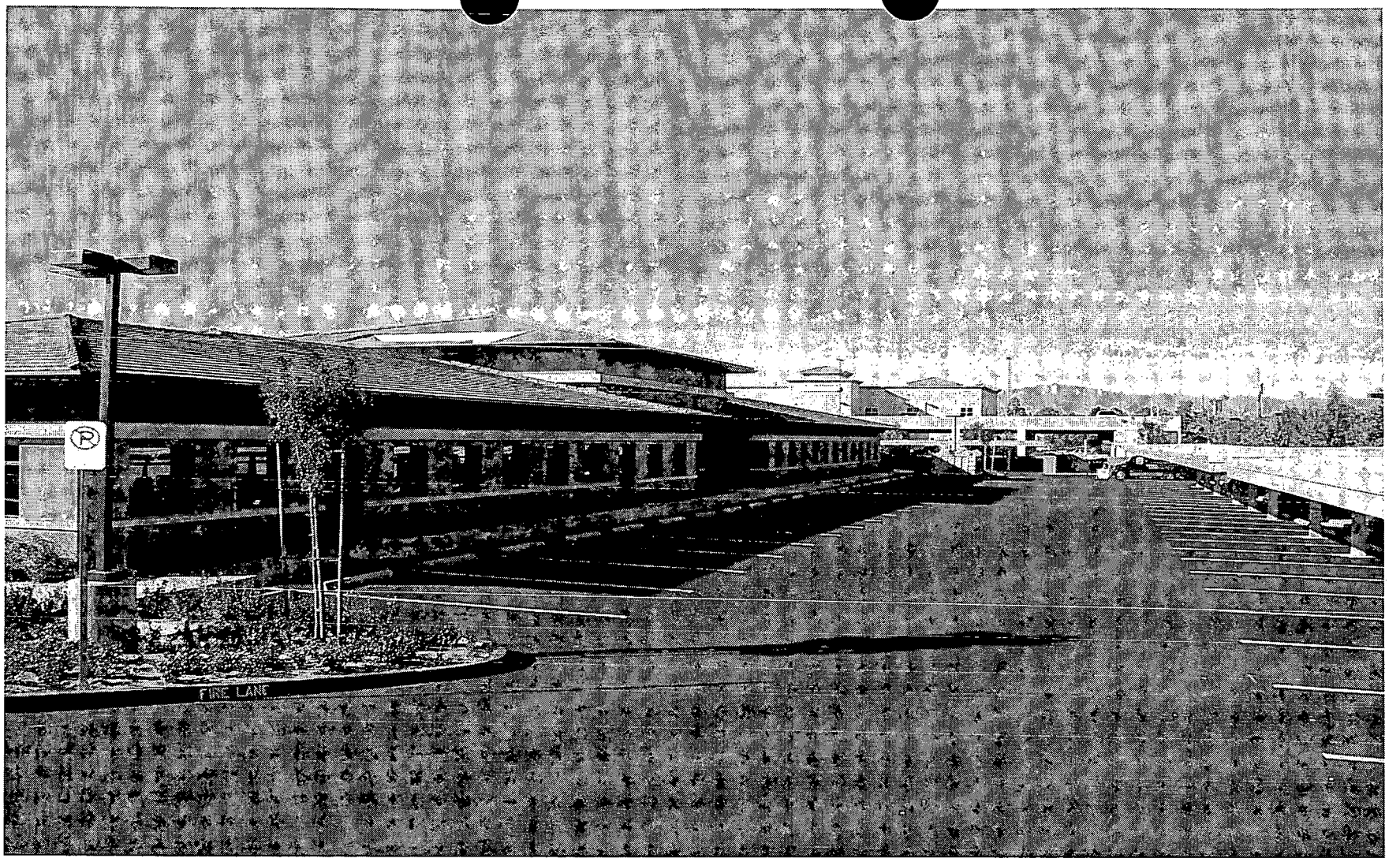
PROJECT #:

SHEET: MSP



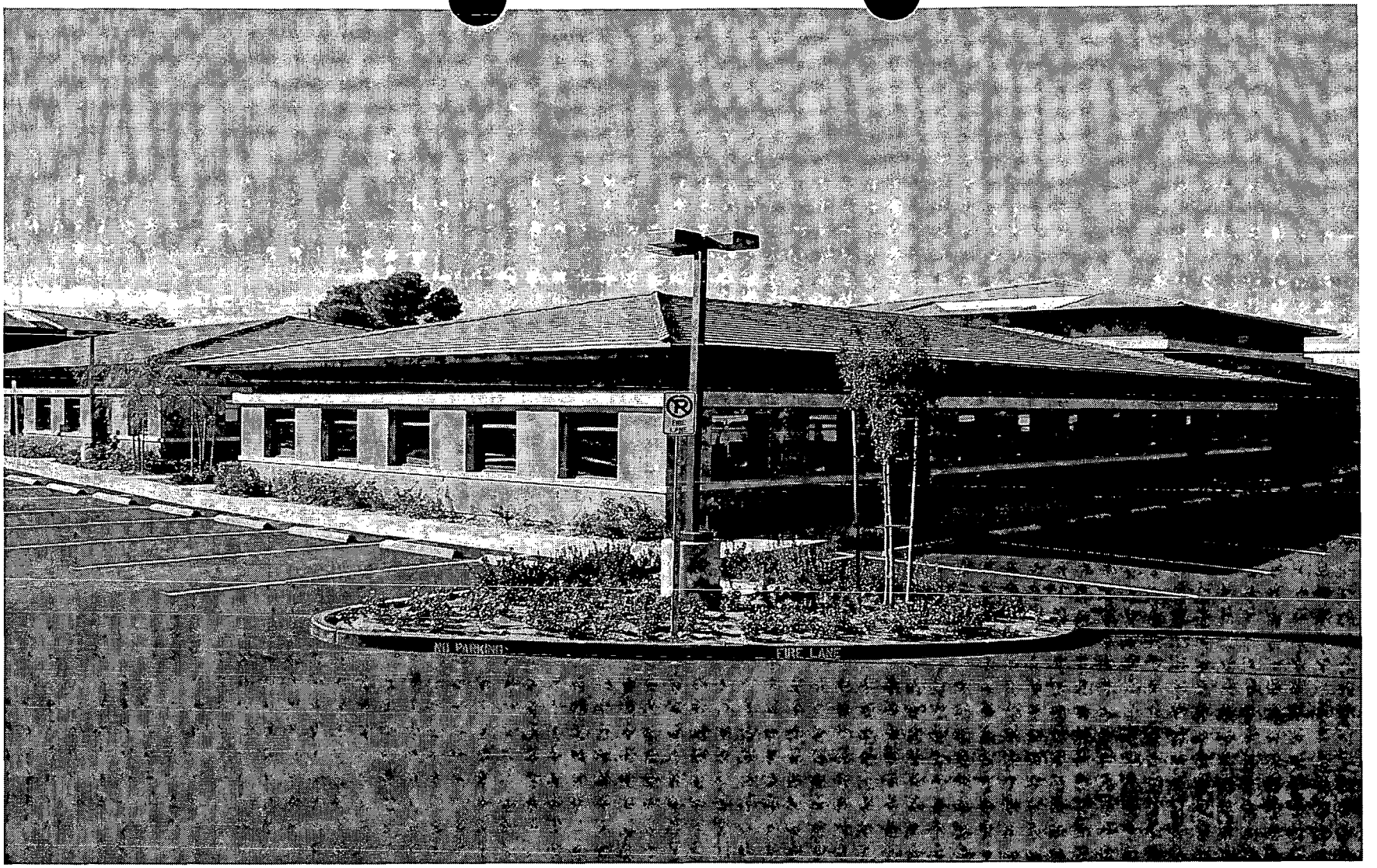
ROC-5384 - APPLICANT/OWNER: RANCHO COURTYARD, LLC
Adjacent to the east side of Rancho Drive, approximately 300 feet south of Charleston Boulevard
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04



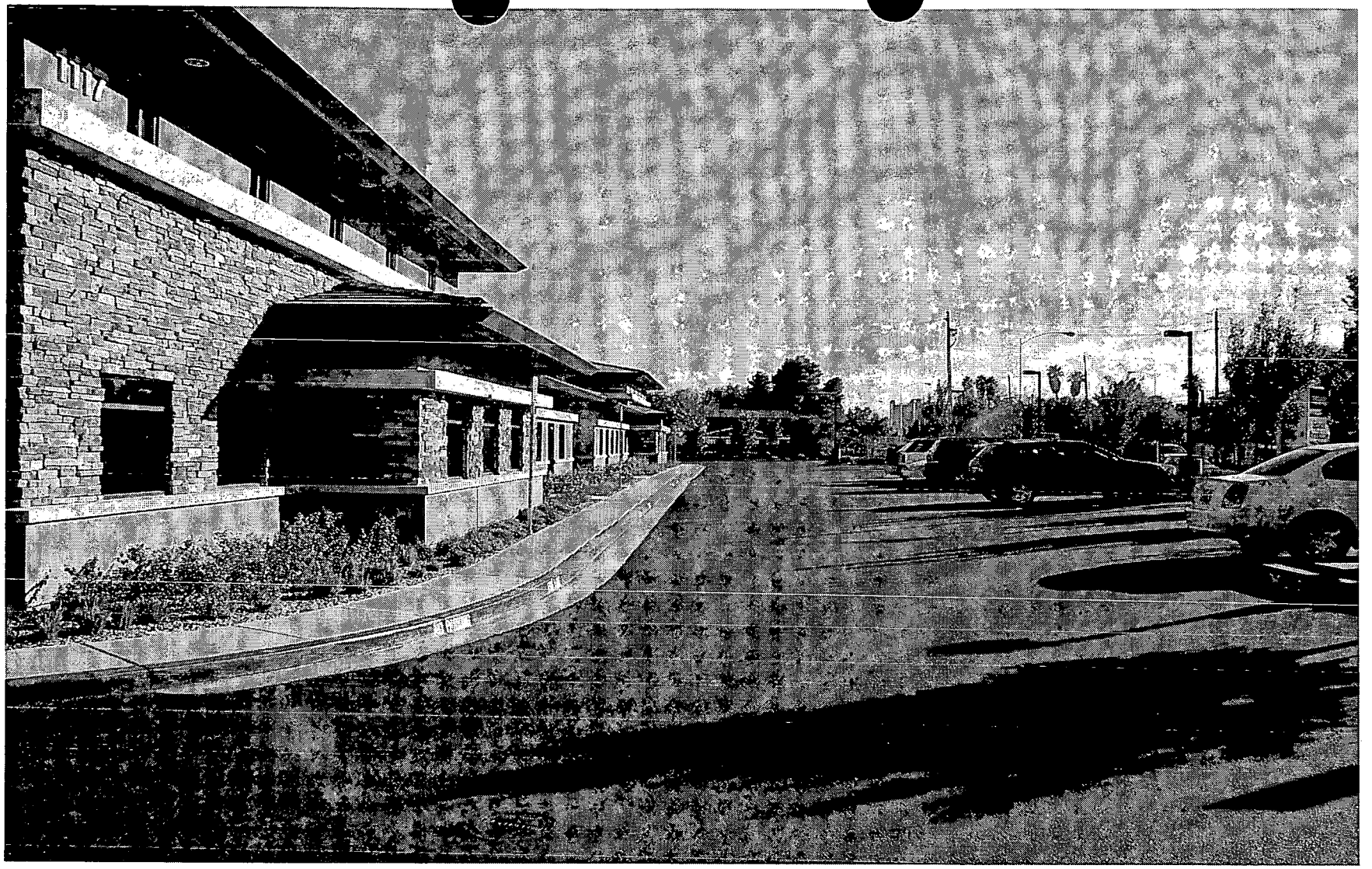
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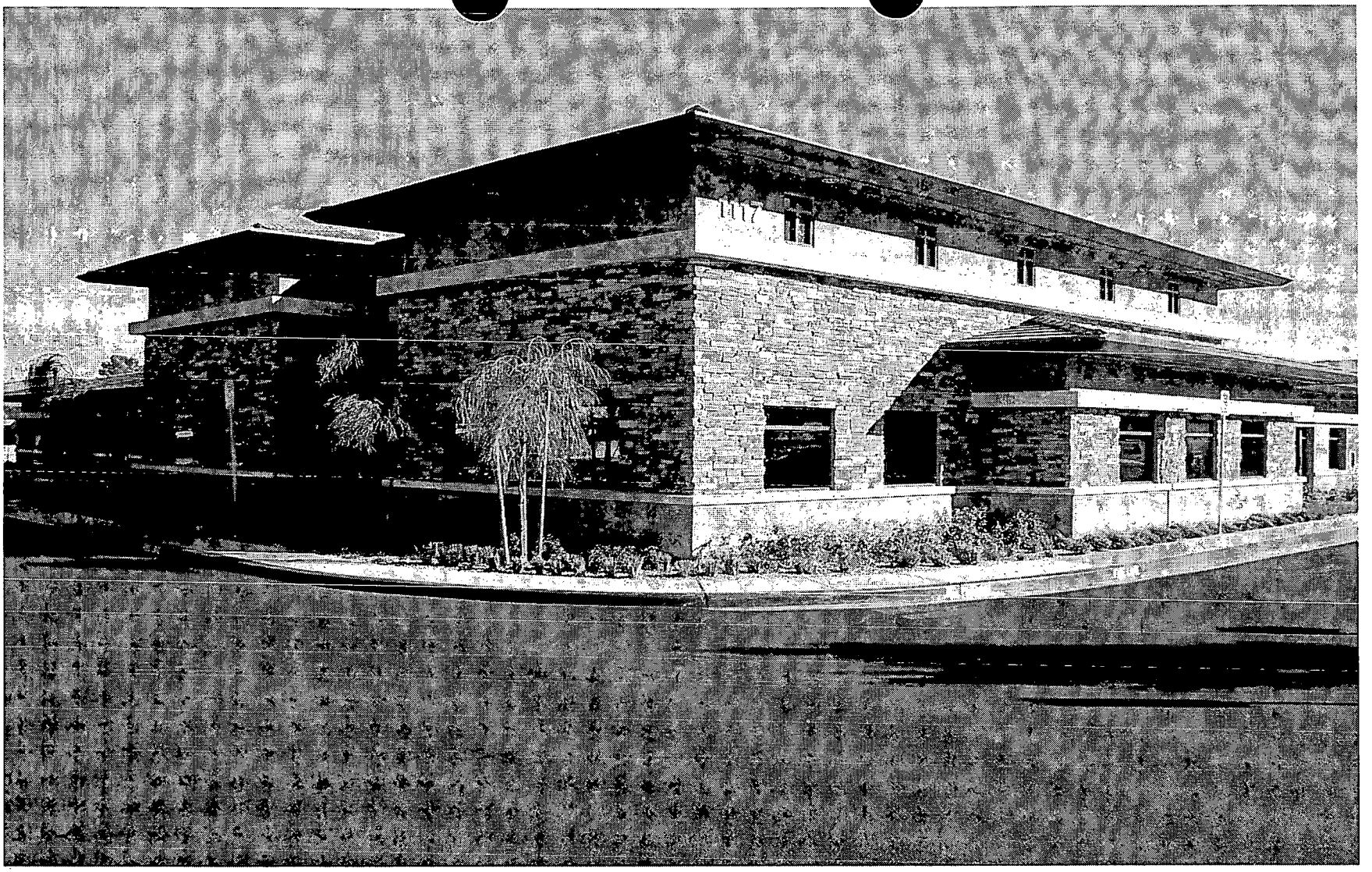
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Picture taken 10/14/04



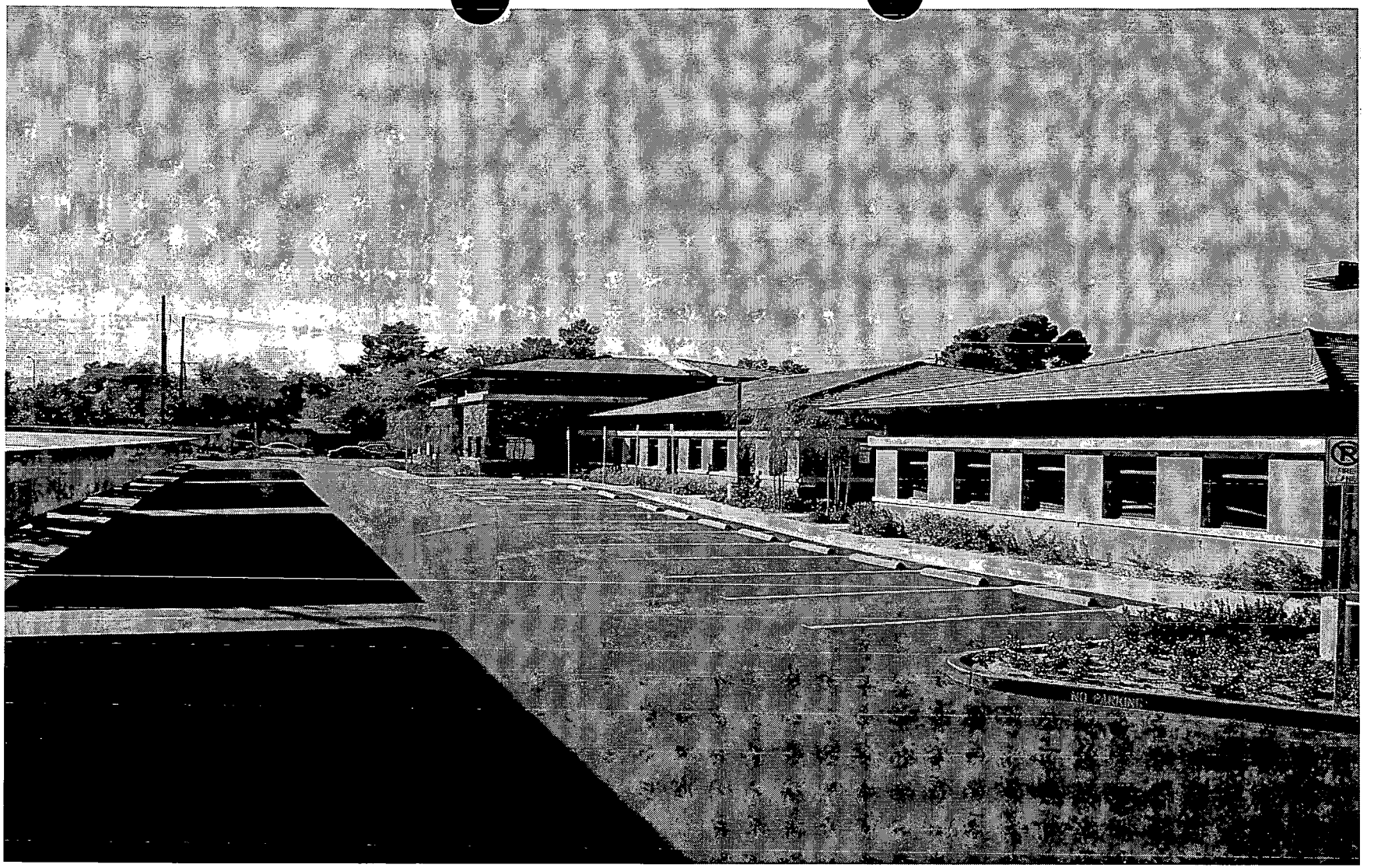
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Picture taken 10/14/04



ROC-5384 - APPLICANT/OWNER: RANCHO COURTYARD, LLC
Adjacent to the east side of Rancho Drive, approximately 300 feet south of Charleston Boulevard
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04



ROC-5384 - APPLICANT/OWNER: RANCHO COURTYARD, LLC
Adjacent to the east side of Rancho Drive, approximately 300 feet south of Charleston Boulevard
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04

ROC-5384

July 18, 2001

Ms. Lucy Stewart
Steinberg Living Trust
516 South 6th Street, #400
Las Vegas, Nevada 89101

RE: Z-0013-01 - REZONING
CITY COUNCIL MEETING OF JUNE 20, 2001
Related to GPA-0003-01

Dear Ms. Stewart:

The City Council at a regular meeting held June 20, 2001 APPROVED the requestfor a Rezoning FROM: R-E (Residence Estates) TO: P-R (Professional Office and Parking) Zone on 2.82 Acres on the east side of Rancho Drive, approximately 300 feet south of Charleston Boulevard (APN's: 162-04-101-011, 012 and 014), PROPOSED USE: OFFICE BUILDINGS. The Notice of Final Action was filed with the Las Vegas City Clerk on June 21, 2001. This approval is subject to:

Planning and Development

1. Increase the wall height to 8 feet as measured from APN-162-04-101-017.

2. Plant 36-inch box evergreen trees on office property along south and east property line.

3. Plant 5-10 gallon evergreen trees on APN-162-04-101-017 along north and western (adjacent to office project) property lines, staggered to provide additional screening between the trees planted on the office side.

4. Install motion activated lights behind existing house on APN-162-04-101-017.

5. Plant 5-10 gallon evergreen trees on APN-162-04-101-105 along north (adjacent to office project) property line, staggered to provide additional screening between the trees planted on the office side.

6. Provide an 8-foot wall as measured from APN-162-04-101-015 along the common property line, to be stair stepped closer to Rancho Drive to provide visibility.

7. Provide an electric wrought iron gate on Rancho Drive, subject to approval of the Traffic Engineer.

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
MICHAEL J. McDONALD
LARRY BROWN
LYNETTE B. McDONALD
[redacted]RENCE WEEKLY
[redacted]CHAEL MACK

CITY MANAGER
VIRGINIA VALENTINE

CITY OF LAS VEGAS
400 STEWART AVENUE
AS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.ci.las-vegas.nv.us

8. Provide a double electric wrought iron gate on Rancho Drive, subject to approval of the Traffic Engineer.

9. All development shall consist of single story buildings.

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

11. The applicant shall submit a Site Development Plan Review for Planning Commission consideration at a Public Hearing prior to the issuance of building permits.

Public Works

12. Dedicate an additional 10 feet of right-of-way for a total half-street width of 40 feet on Rancho Drive adjacent to this site prior to the issuance of any permits for this site.

13. Construct all incomplete half-street improvements on Rancho Drive adjacent to this site concurrent with development of this site.

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

15. 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.

16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Comply with the recommendations of the Traffic Engineering Representative. Driveways shall be aligned opposite to existing drives on the west side of Rancho Drive, or offset a sufficient distance there from, unless a median is constructed to prevent conflicting left-turn movements. The proposed driveway(s) accessing Rancho Drive shall be designed, located and constructed in accordance with Standard Drawing #222a and shall also receive approval from the Nevada Department of Transportation.

17. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved

Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits this 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. 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.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

18. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

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

20. Submit an encroachment agreement and/or an application for an Occupancy Permit (as appropriate) for all landscaping and private improvements in the Rancho Road public right-of-way adjacent to this site prior to the issuance of any permits.

Standard Conditions

21. A Resolution of Intent with a two-year time limit.

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

Sincerely,

Angela Crolli

ANGELA CROLLI
DEPUTY CITY CLERK II for
BARBARA JO RONEMUS, CITY CLERK AR

cc: Planning and Development Dept.
Development Coordination – DPW
Dept. of Fire Services

Ms. Trina Fierro
Political Science
2754 Highland Drive, Suite A
Las Vegas, Nevada 89109

City of Las Vegas

Agenda Item No. 104

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

REVIEW OF CONDITION

ROC-5406 - PUBLIC HEARING - APPLICANT/OWNER: ASTORIA HOMES - Request for a Review of Condition Number 5 of an approved Site Development Plan Review (SDR-2669) TO ALLOW A 6 FOOT CORNER SIDE YARD SETBACK WHERE 9 FEET IS THE MINIMUM SETBACK REQUIRED for an approved 282 lot single family detached cluster development on 30.85 acres approximately 660 feet east of Cliff Shadows Parkway, between Gilmore Avenue and Gowan Road (APN 137-12-212-001 through 282), PD (Planned Development) Zone and U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). Staff recommends APPROVAL

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

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council approval letter for SDR-2669
5. Submitted after final agenda - Protest letter from Southwest Regional Council of Carpenters
6. Submitted at meeting - Written Opinion Memorandum from Deputy City Attorney Scott regarding abstentions for Item 104 [ROC-5406]

MOTION:

BROWN - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused and MACK abstaining because of a contract he has with Astoria Homes

NOTE: COUNCILMAN MACK disclosed he currently has a contract with Astoria Homes and would therefore be abstaining. DEPUTY CITY ATTORNEY BRYAN SCOTT submitted to the City Clerk a memorandum of opinion given to COUNCILMAN MACK regarding his abstention.

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

ATTORNEY TOM AMICK, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with the staff recommendation.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.
(1:32 - 1:34)
2-833

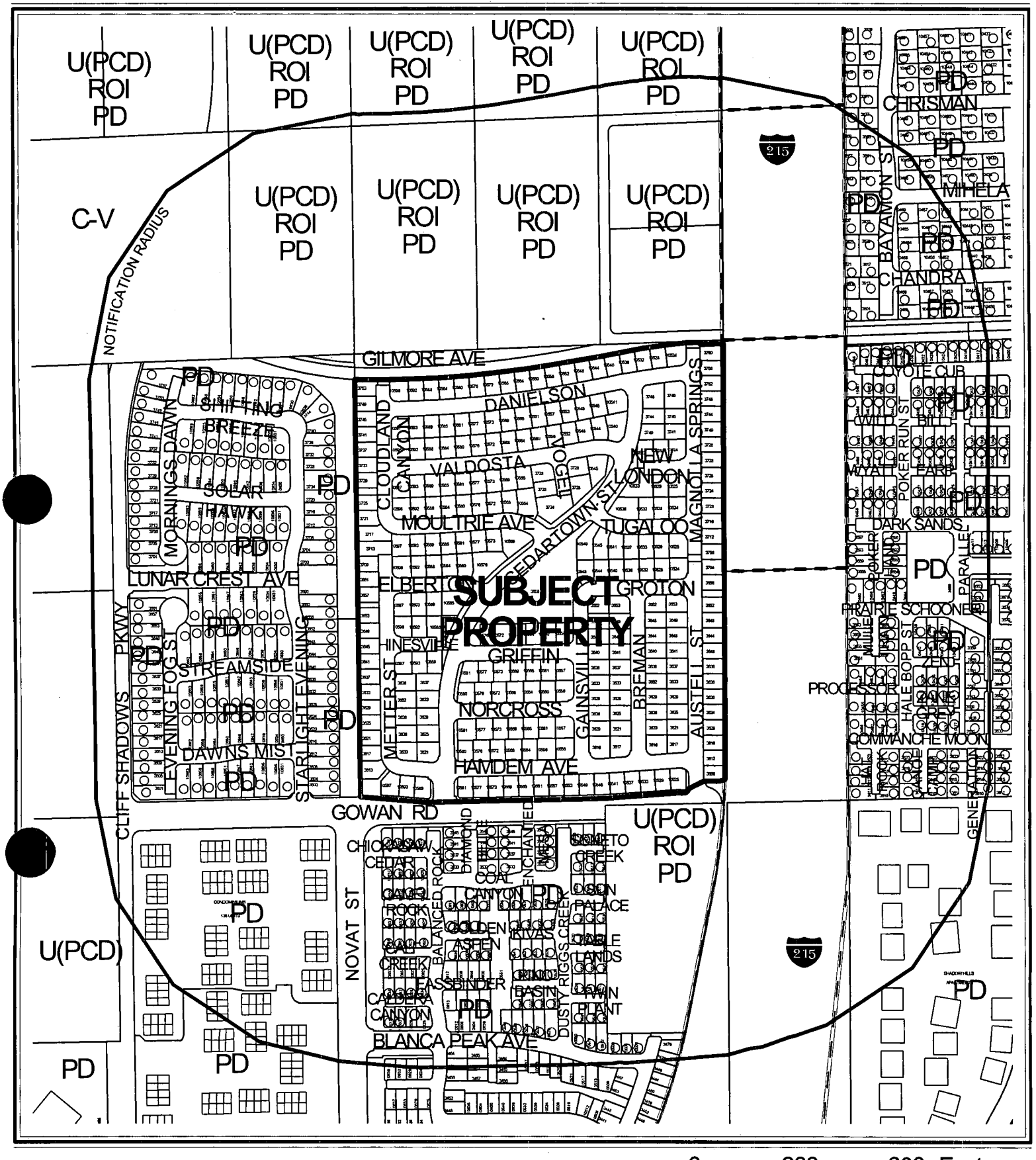
CONDITIONS:

Planning and Development

1. Condition Number 5 of Site Development Plan Review (SDR-2669) shall read:

"The setbacks for this development shall be a minimum of 8 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3 feet on the side, 6 feet on the corner side, and 3 feet in the rear."

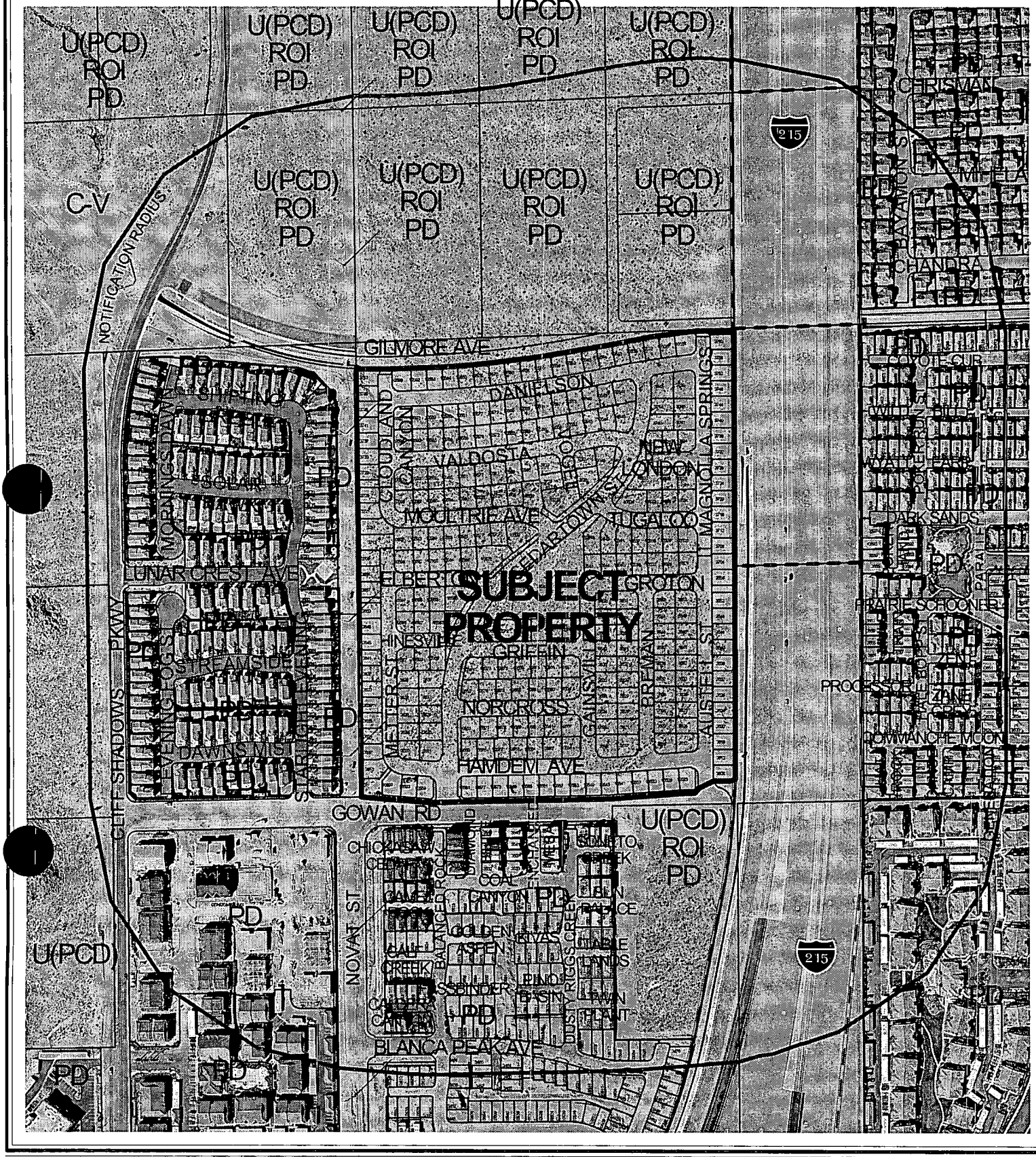
2. Conformance to all other Conditions of Approval for Site Development Plan Review (SDR-2669) and all other applicable site-related actions as required by the Planning and Development Department and the Department of Public Works.



CASE: **ROC-5406**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
PD (PLANNED DEVELOPMENT) AND U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNTIY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT)



0 300 600 Feet

CASE: **ROC-5406**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
PD (PLANNED DEVELOPMENT) AND U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNTIY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-5406 - APPLICANT/OWNER: ASTORIA HOMES

** CONDITIONS **

Staff recommends APPROVAL, subject to:

Planning and Development

1. Condition Number 5 of Site Development Plan Review (SDR-2669) shall read:

   "The setbacks for this development shall be a minimum of 8 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3 feet on the side, 6 feet on the corner side, and 3 feet in the rear."

2. Conformance to all other Conditions of Approval for Site Development Plan Review (SDR-2669) and all other applicable site-related actions as required by the Planning and Development Department and the Department of Public Works.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Review of Condition Number 5 of an approved Site Development Plan Review (SDR-2669) to allow a 6 foot corner side yard setback where 9 feet is the minimum setback required for an approved 282 lot single family detached cluster development on 30.85 acres approximately 660 feet east of Cliff Shadows Parkway, between Gilmore Avenue and Gowan Road.

B) Applicant's Justification

The applicant's justification letter indicates an issue arose on the lots where 3 foot internal sidewalks are provided. This shortened the setback area by 3 feet requiring the change to the corner side yard setback.

BACKGROUND INFORMATION

A) Previous Actions

09/17/03 The City Council approved a Major Modification (MOD-2579) to the Lone Mountain West Plan to ML (Medium Low Density Residential) on this site. The Planning Commission recommended approval on August 14, 2003. The Planning and Development Department recommendation was for denial.

11/19/03 The City Council approved a Rezoning (ZON-2667) to PD (Planned Development) and a Site Development Plan Review (SDR-2669) for the 282 lot single family detached cluster development on this site. The Planning Commission recommended approval on October 23, 2003. The Planning and Development Department recommended approval of the Rezoning and denial of the Site Development Plan Review.

B) Pre-Application Meeting

10/06/04 The applicant was advised of the requirements for a Review of Condition application.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Review of Condition application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 30.85

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped and Single Family Residences
East:	I-215 Beltway
West:	Single Family Residences

C) Planned Land Use

Subject Property:	PCD (Planned Community Development)
North:	PCD (Planned Community Development)
South:	PCD (Planned Community Development)
East:	ROW (Right-of-Way)
West:	PCD (Planned Community Development)

D) Existing Zoning

Subject Property:	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) and PD (Planned Development)
North:	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)
South:	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) and PD (Planned Development)
East:	I-215 Beltway
West:	PD (Planned Development)

E) General Plan Compliance

The subject site is located on the Centennial Hills Sector Map of the General Plan and is designated as PCD (Planned Community Development). The approved PD (Planned Development) zoning is in compliance with PCD (Planned Community Development) designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Lone Mountain West	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 subject site is located within the Lone Mountain West Master Development Plan and is designated as ML (Medium Low Density Residential)". The approved single family detached cluster development is compatible with the ML land use designation.

A Multi-Use Transportation Trail is required on the Nevada Power easement outside the western boundary of this site. A Multi-Use Transportation Trail is also required along the eastern boundary of the property and Subject to agreement by Clark County, this trail may be located along the western side of the Beltway within the right-of-way. The proposed setback change does not affect the required Trails.

PROJECT DESCRIPTION

This project consists of 308 Z-shaped lots containing detached two-story, single-family dwellings. The floor plans submitted indicate all units will contain two-car garages. Access to the site will be solely from Gowan Road, which borders the south edge of the site. As Gowan Road terminated at the Beltway at the southeast corner of the site, access along Gowan Road will be from Cliff Shadows Parkway to the west. The site is bordered by the Gilmore Channel alignment to the north, the Western Beltway to the east, and a Nevada Power easement and proposed residential development to the west. Lands to the south are undeveloped, but are planned for residential and commercial uses. The site plan indicates that 103,341 acres of pocket parks and open space are provided within the development, which meets the requirements of Section 2.3.7 of the Lone Mountain West Master Development Plan.

ANALYSIS

A) Zoning Code Compliance

The following Development Standards apply to the subject proposal:

Standards	Approved	Requested
Min. Setbacks		
• Front	8 Feet to the front of the house, 18 Feet to the garage.	8 Feet to the front of the house, 18 Feet to the garage.
• Side	3 Feet	3 Feet
• **Corner**	**9 Feet**	**6 Feet**
• Rear	3 Feet	3 Feet

A 6-foot corner side setback is requested for all corner lots in the proposed subdivision where 9 feet was the approved minimum corner side yard setback. No other changes are proposed.

B) General Analysis and Discussion

The text of Condition Number 5 of Site Development Plan Review (SDR-2669) reads: "The setbacks for this development shall be a minimum of 8 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is

A 20 foot multi-use transportation trail is required along the east side of Rancho Drive, however this Review of Condition does not affect this requirement.

ANALYSIS

Condition of Approval Number 10 for the approved Rezoning (Z-0013-01) states:

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

The applicant is requesting this condition be removed in order to allow Certificates of Occupancy to be issued without submittal of a Master Sign Plan.

FINDINGS

On July 16, 2003 the City Council approved an amendment to Title 19.14 to require Master Sign Plans for non-residential developments that are 15 acres or greater. Previously the Code required Master Sign Plans for sites 2.5 acres or greater. Because this site is 2.75 acres a Master Sign Plan is not required and the condition is no longer necessary for this development. Therefore, the recommendation for this request is approval.

NOTICES MAILED 106 by Planning Department

APPROVALS 0

PROTESTS 0

provided, 3 feet on the side, 9 feet on the corner side, and 3 feet in the rear." The applicant requests to amend the condition so that 6 feet is the minimum corner side yard setback. As the condition applies to all corner lots within the development, the change would also affect all corner lots.

FINDINGS

It appears that the 9-foot corner side yard setback originally approved for lots in the development did not consider instances where sidewalks would be provided. The result is a relocation of the corner side property line 3 feet to accommodate the internal private sidewalk. Since the dwellings will remain the same distance from the back of curb, the recommendation is for approval subject to conformance to the other conditions of approval of Site Development Plan Review (SDR-2669).

NOTICES MAILED 475 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ROC-5406 APN: FB 118-4

Name of Property Owner: ASTORIA LAKE MOUNTAIN 30 LLC

Name of Applicant: ASTORIA HOMES

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Thomas McCormick

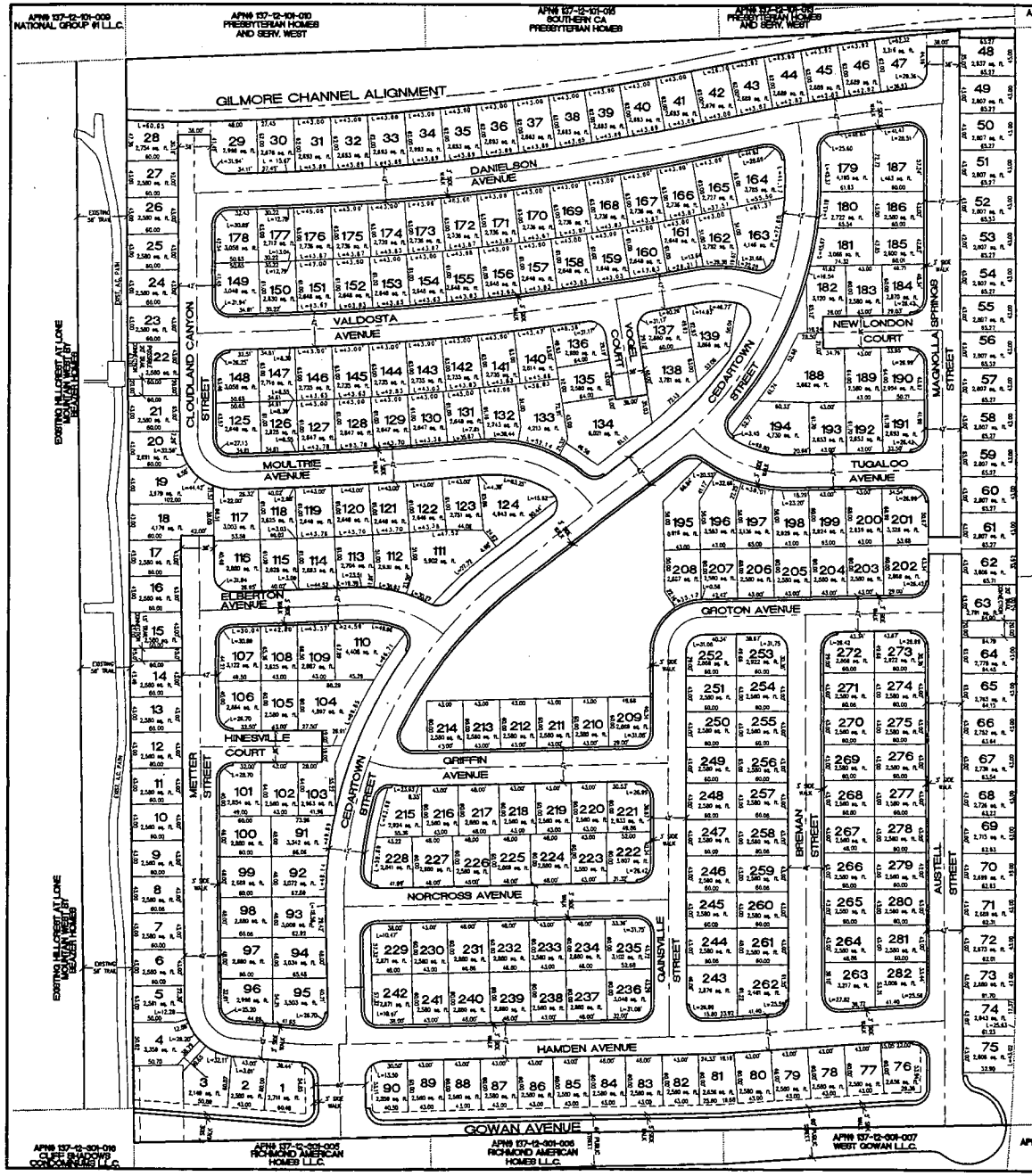
Subscribed and sworn before me

This 30 day of September, 2004

Stacy Rainwater

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
STACY RAINWATER
No. 04-87498-1 My Appointment Expires March 12, 2006

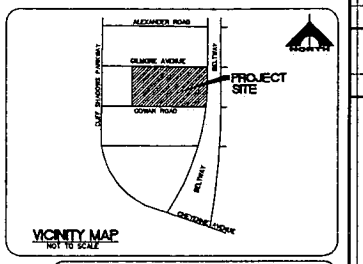


NORTH

SCALE 1"=60'

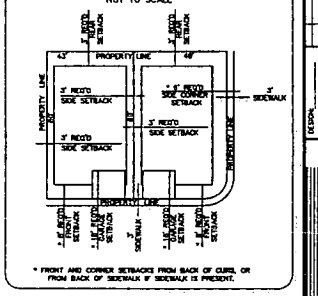
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SCALE FEET



TYPICAL LOT DIMENSIONS AND SETBACKS

NOT TO SCALE



* FRONT AND CORNER SETBACKS FROM BACK OF CURB, OR FROM BACK OF SIDEWALK IF SIDEWALK IS PRESENT.

ROC-5406

11-17-04 CC

PROJECT ASSUMPTIONS, DATA & NOTES:

1) TYPICAL LOT SIZE IS 43' WIDE X 60' DEEP

LOT COUNT:
282 LOTS

TYPICAL STREET WIDTHS:

MAIN ENTRANCE	60'
TYPICAL	42'
STUB STREETS	38'

OPEN SPACE:

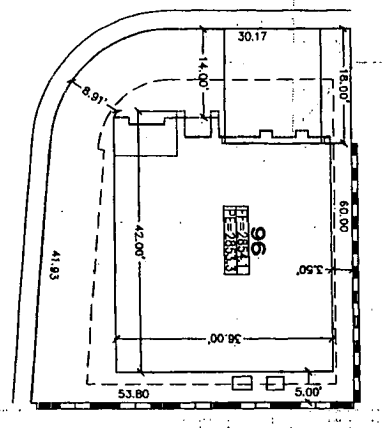
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PROVIDED	- 76,865 S.F.

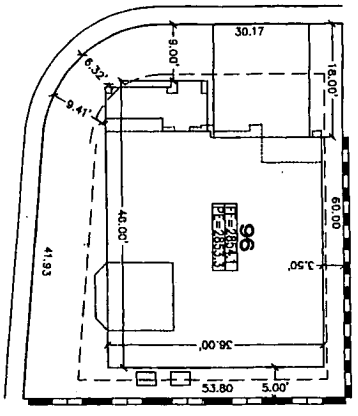
DENSITY:
GROSS ACREAGE - 30.89± ACRES = 9.13 D.U.A.

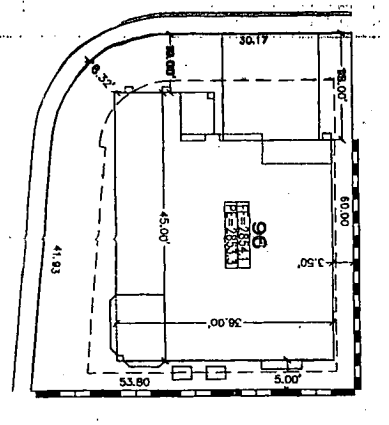
G.C. WALLACE, INC.
Engineering/Architecture
1555 SOUTH RAINBOW BLVD. LAS VEGAS, NEVADA 89146
TELEPHONE: (702) 804-2000 FAX: (702) 804-2299

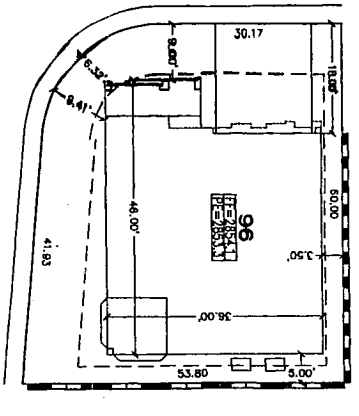
ASTORIA HOMES
LONE MOUNTAIN
SITE PLAN

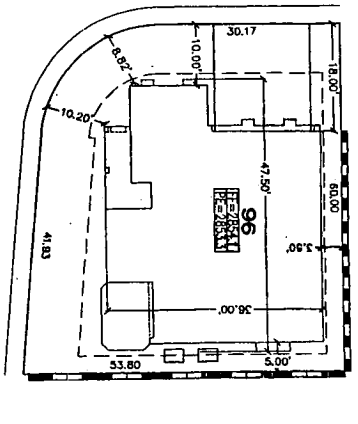
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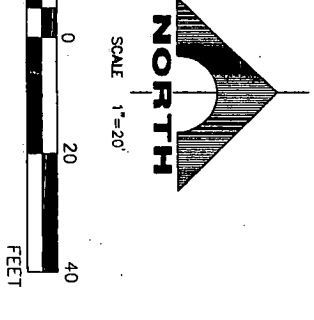










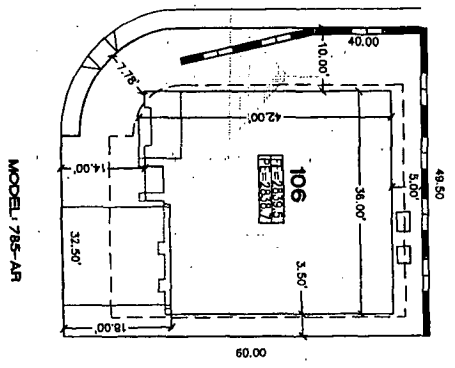


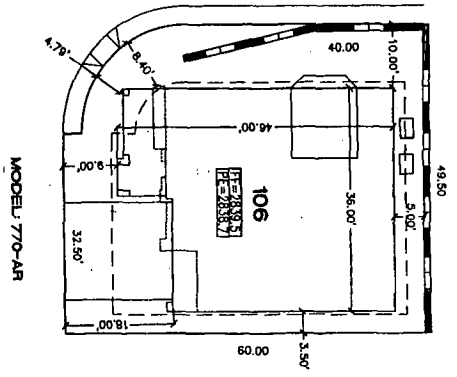
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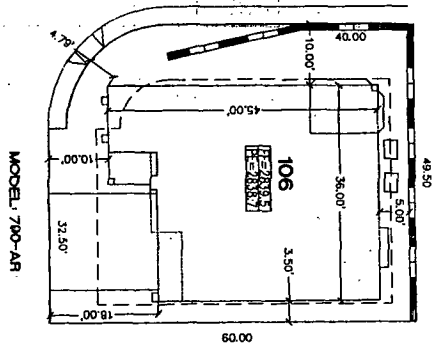
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11-17-04 CC

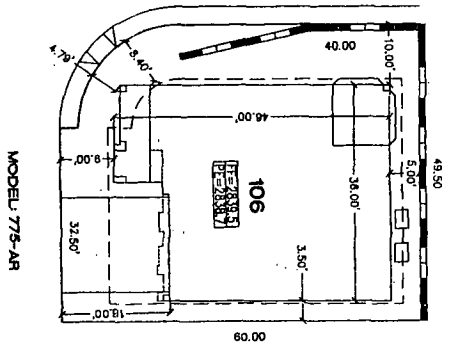
CORNERSTONE AT LONE MOUNTAIN	G.C. WALLACE, INC. Engineers/Planners/Surveyors 1555 SOUTH RAINBOW BLVD./LAS VEGAS, NEVADA 89146 TELEPHONE: (702) 804-2000 • FAX: (702) 804-2299
ASTORIA HOMES	
LOT 96 FOOT PRINT CHECK	

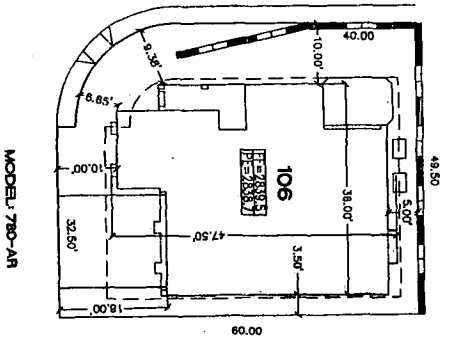
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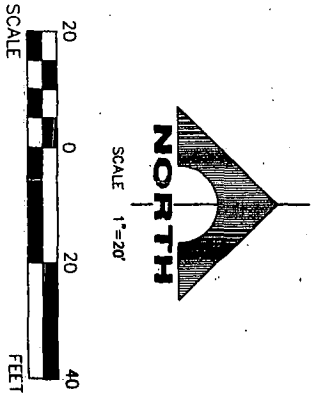








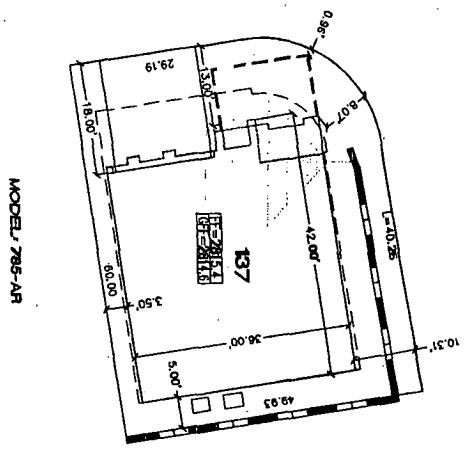


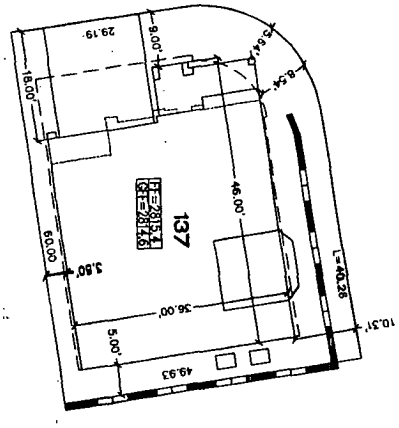


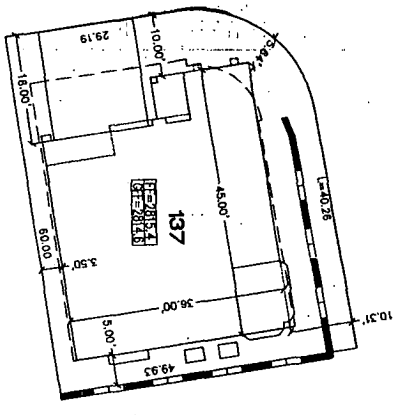
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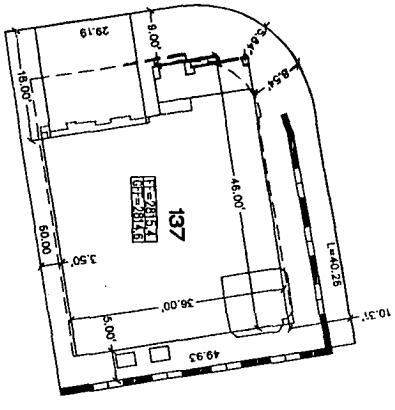
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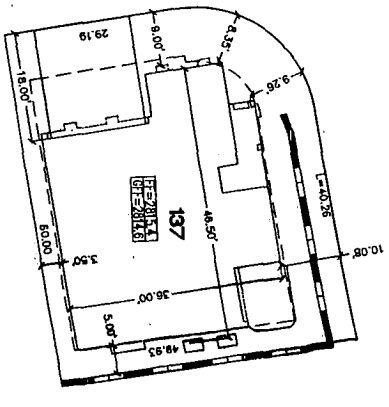
SHEET FC 1 OF 5 SHTS	CORNERSTONE AT LONE MOUNTAIN ASTORIA HOMES LOT 106 FOOT PRINT CHECK	G.C. WALLACE, INC. Engineers/Planners/Surveyors 1555 SOUTH RAINBOW BLVD./LAS VEGAS, NEVADA 89146 TELEPHONE: (702) 804-2000 • FAX: (702) 804-2299

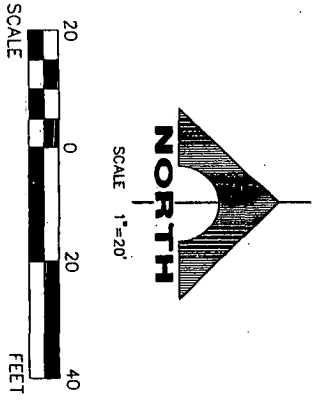








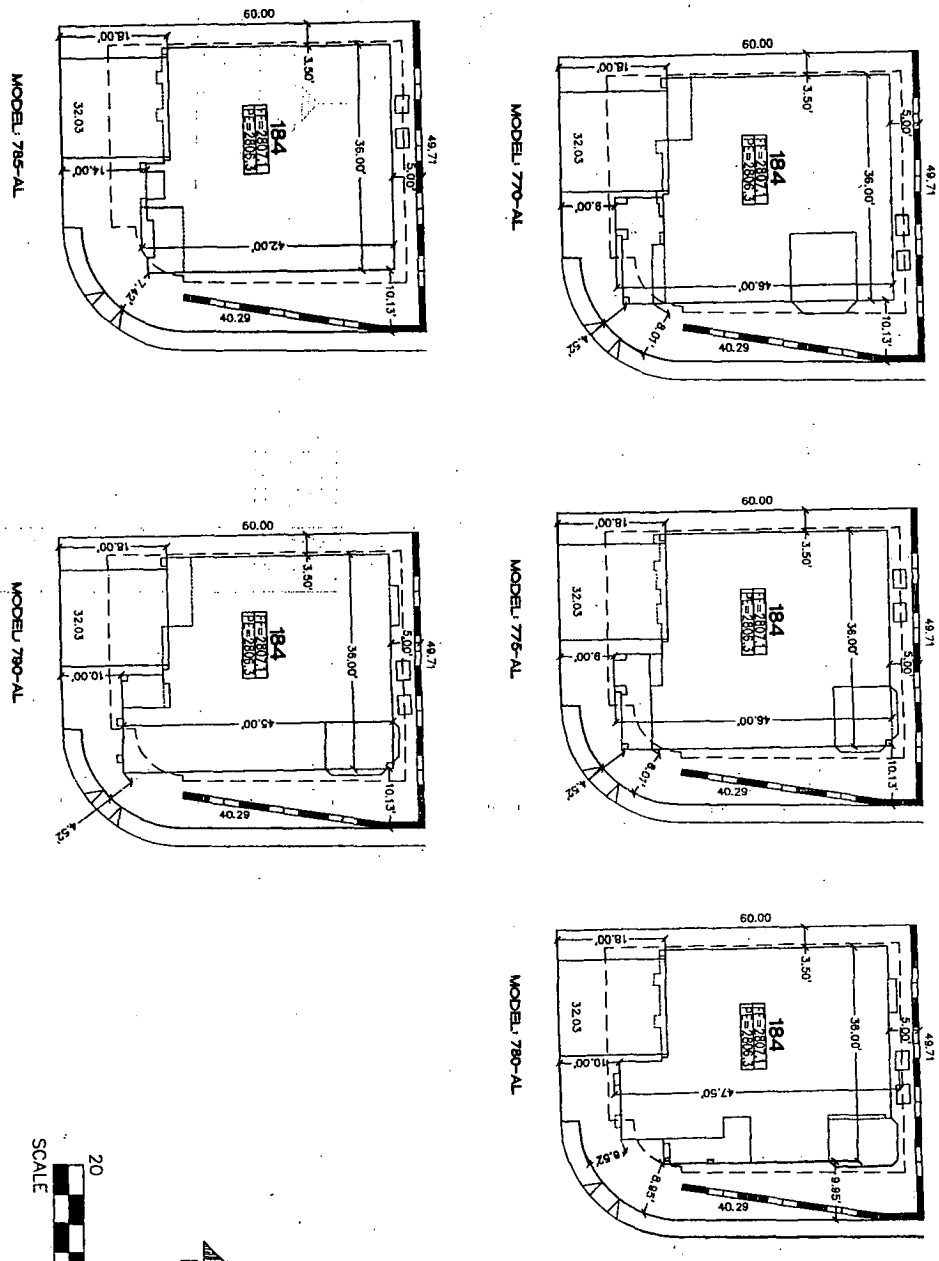




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1 OF 5 SHTS	ASTORIA HOMES
	LOT 137
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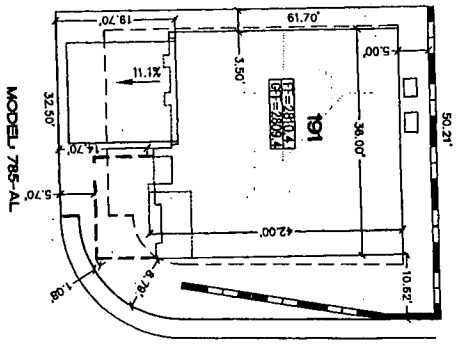
G.C. WALLACE, INC.
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1555 SOUTH RAINBOW BLVD./LAS VEGAS, NEVADA 89146
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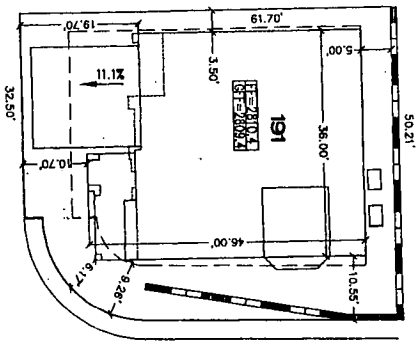


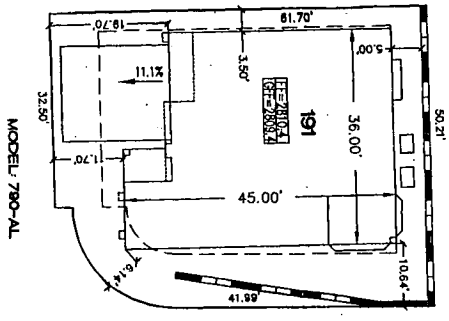
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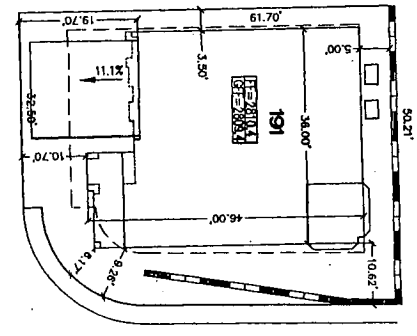
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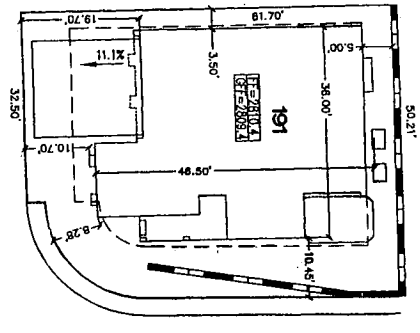
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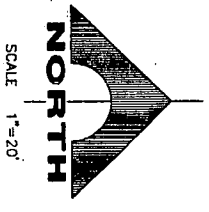






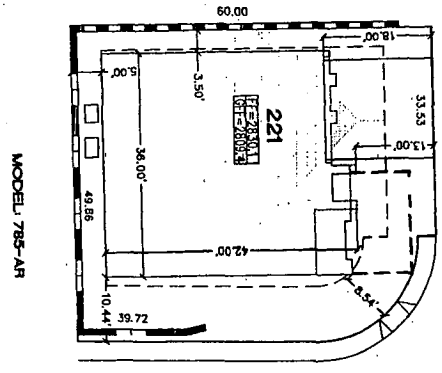


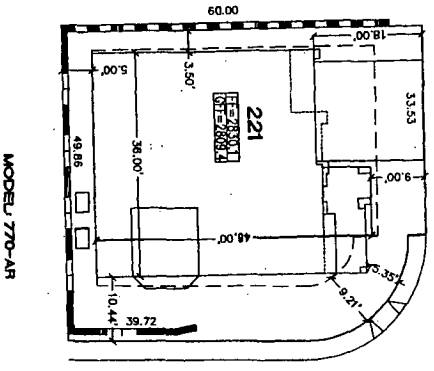


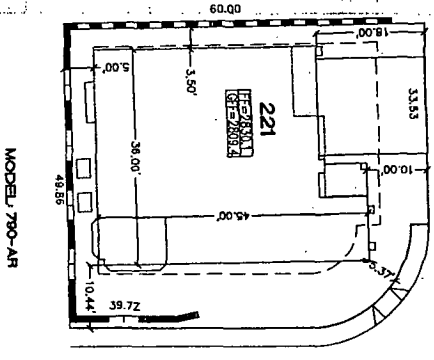


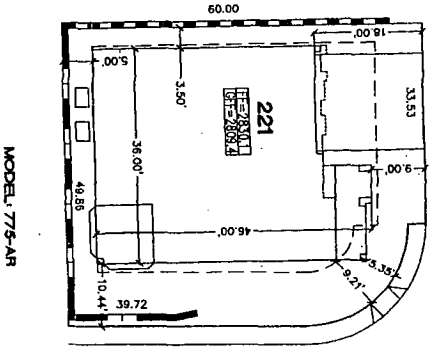
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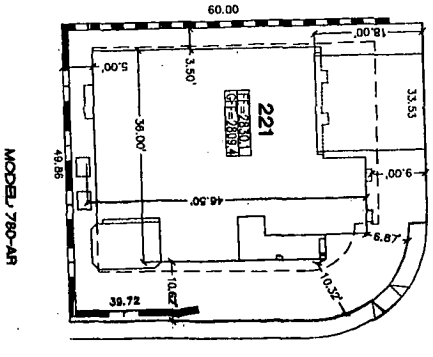
SHEET FC 1 OF 5 SHTS	CORNERSTONE AT LONE MOUNTAIN ASTORIA HOMES LOT 191 FOOT PRINT CHECK	G.C. WALLACE, INC. Engineers/Planners/Surveyors 1555 SOUTH RAINBOW BLVD./LAS VEGAS, NEVADA 89146 TELEPHONE: (702) 804-2000 • FAX: (702) 804-2299











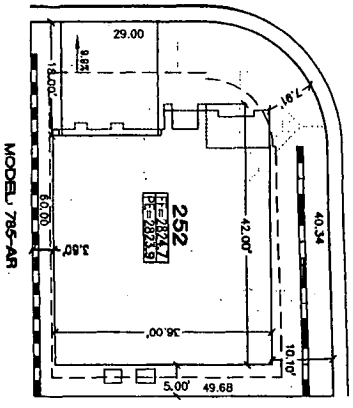


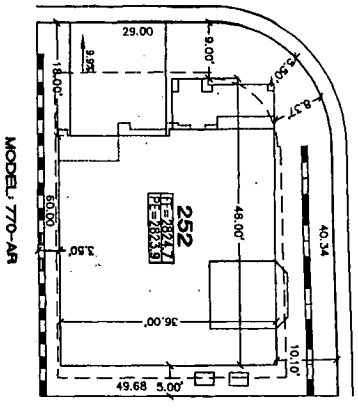


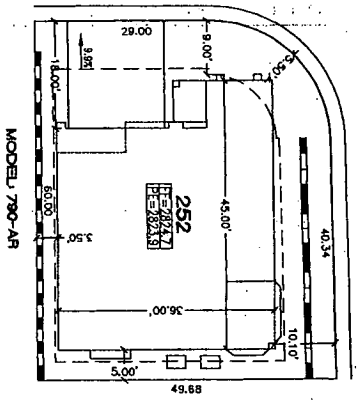
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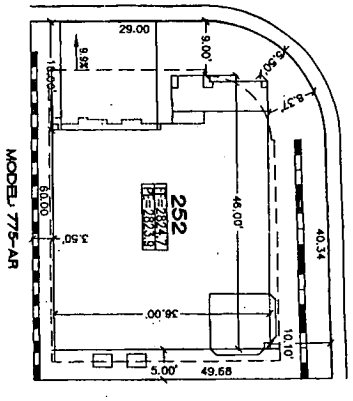
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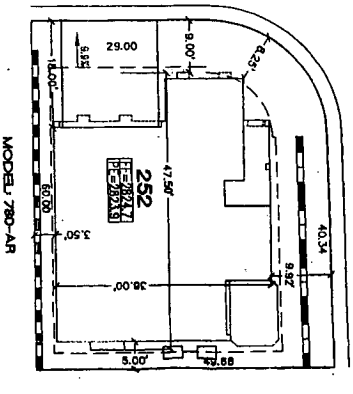
SHEET FC 1 OF 5 SHTS	CORNERSTONE AT LONE MOUNTAIN ASTORIA HOMES LOT 221 FOOT PRINT CHECK	G.C. WALLACE, INC. Engineers/Planners/Surveyors 1555 SOUTH RAINBOW BLVD./LAS VEGAS, NEVADA 89146 TELEPHONE: (702) 804-2000 • FAX: (702) 804-2299

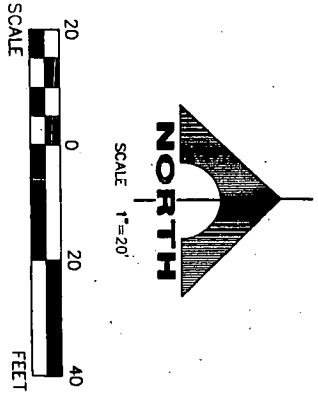












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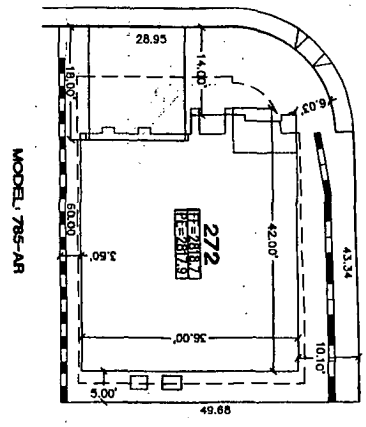
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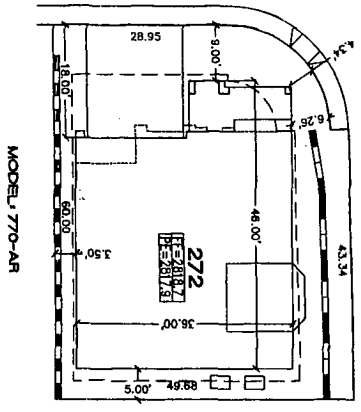
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LOT 252 FOOT PRINT CHECK	

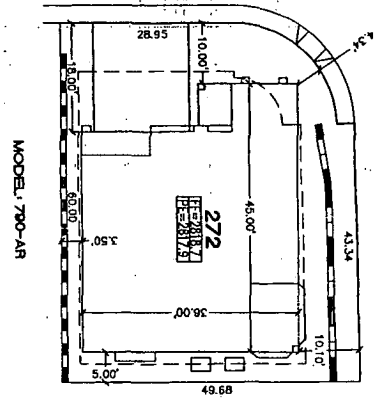
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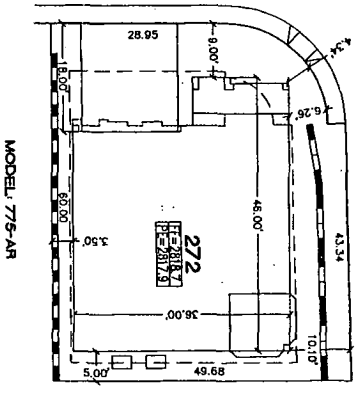
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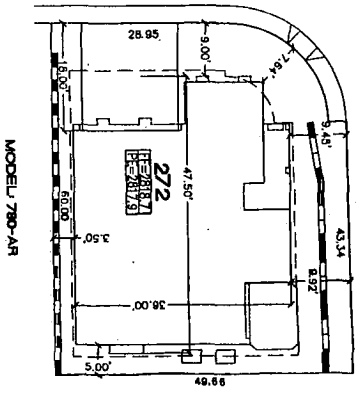
G.C. WALLACE, INC.
Engineers/Planners/Surveyors
1555 SOUTH RAINBOW BLVD./LAS VEGAS, NEVADA 89146
TELEPHONE: (702) 804-2000 • FAX: (702) 804-2299



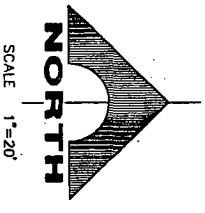










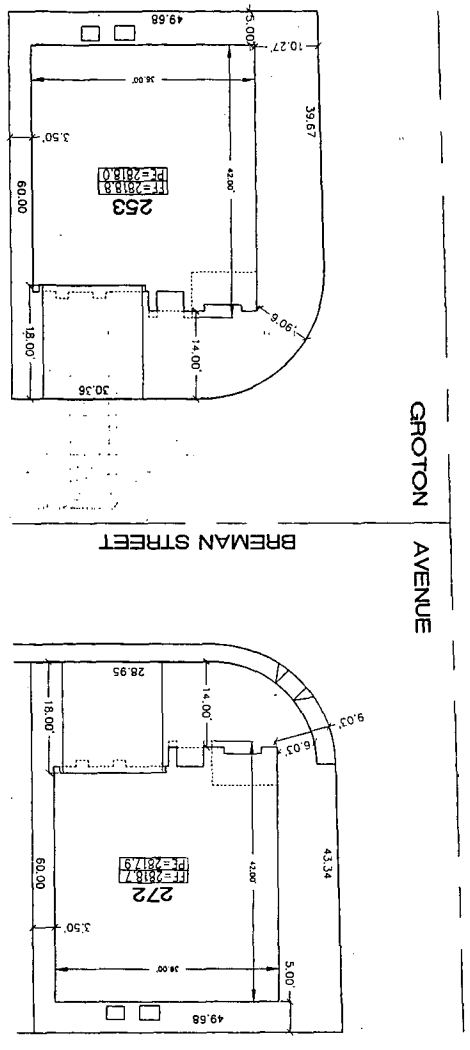


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SHEET FC
1 OF 5 SHTS

CORNERSTONE AT LONE MOUNTAIN
ASTORIA HOMES
LOT 272
FOOT PRINT CHECK

G.C. WALLACE, INC.
Engineers/Planners/Surveyors
1555 SOUTH RAINBOW BLVD./LAS VEGAS, NEVADA 89146
TELEPHONE: (702) 804-2000 • FAX: (702) 804-2299

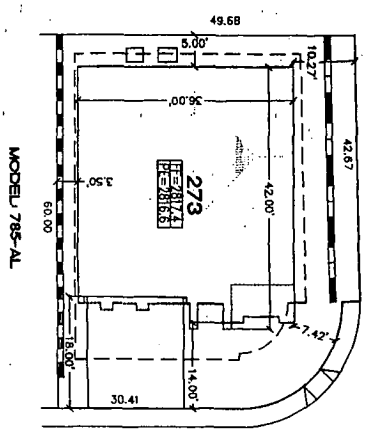


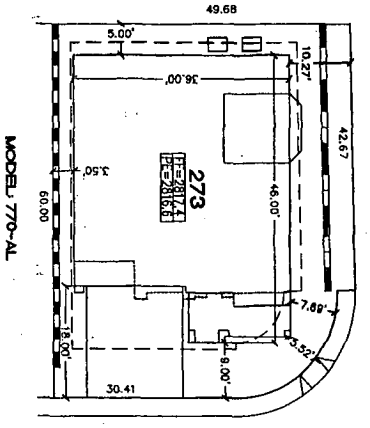
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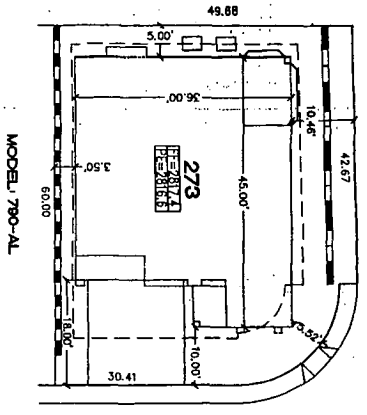
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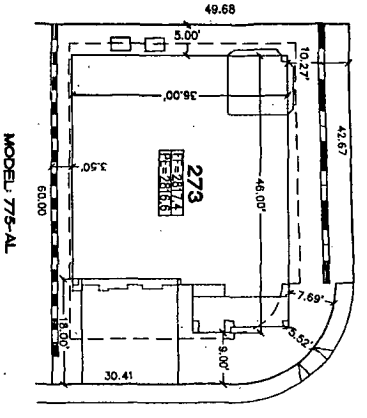
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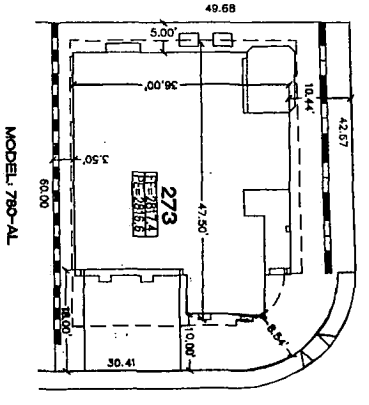
G.C. WALLACE, INC.
Engineers/Planners/Surveyors
1555 SOUTH RAINBOW BLVD./LAS VEGAS, NEVADA 89146



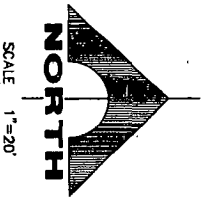








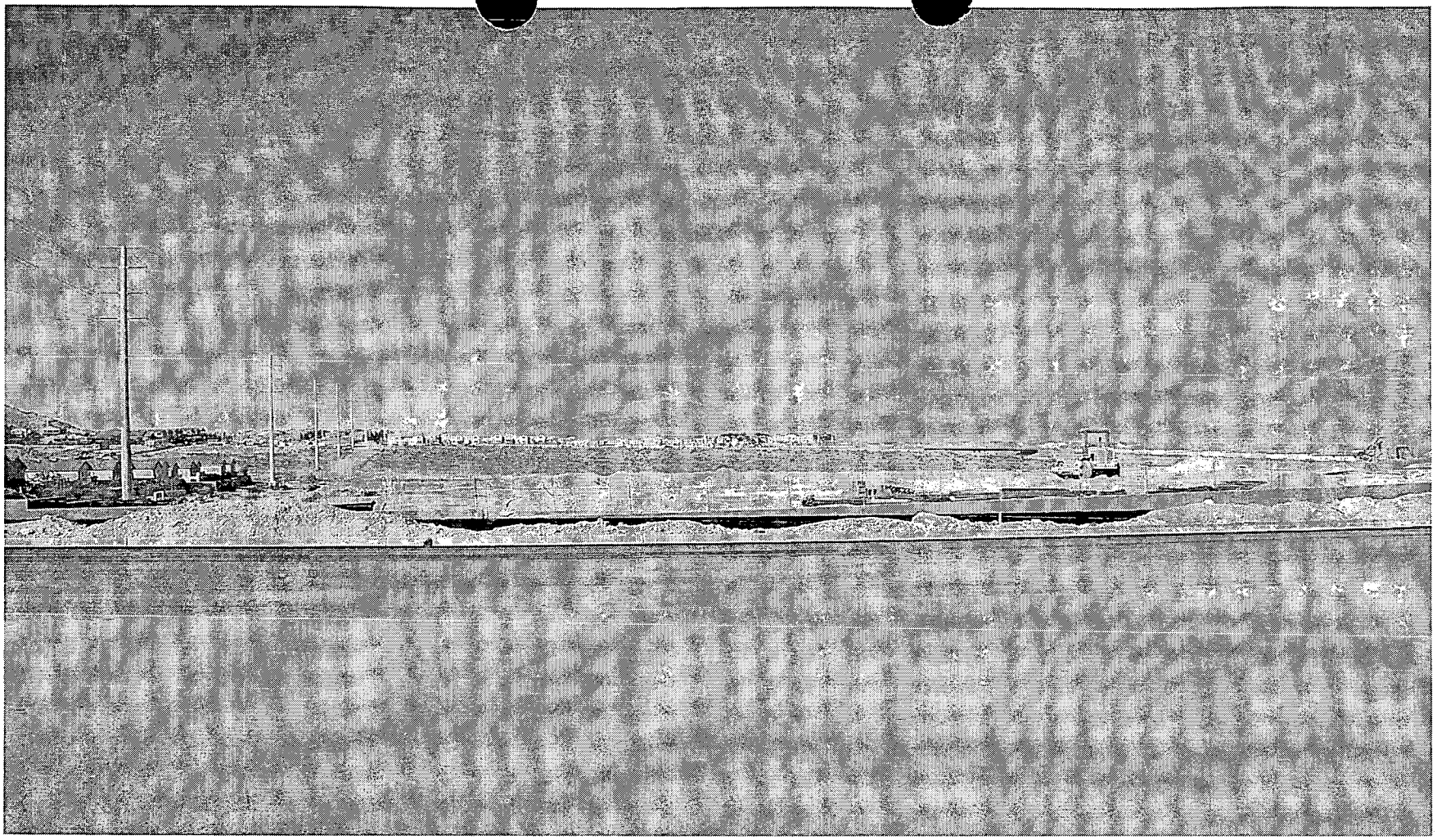




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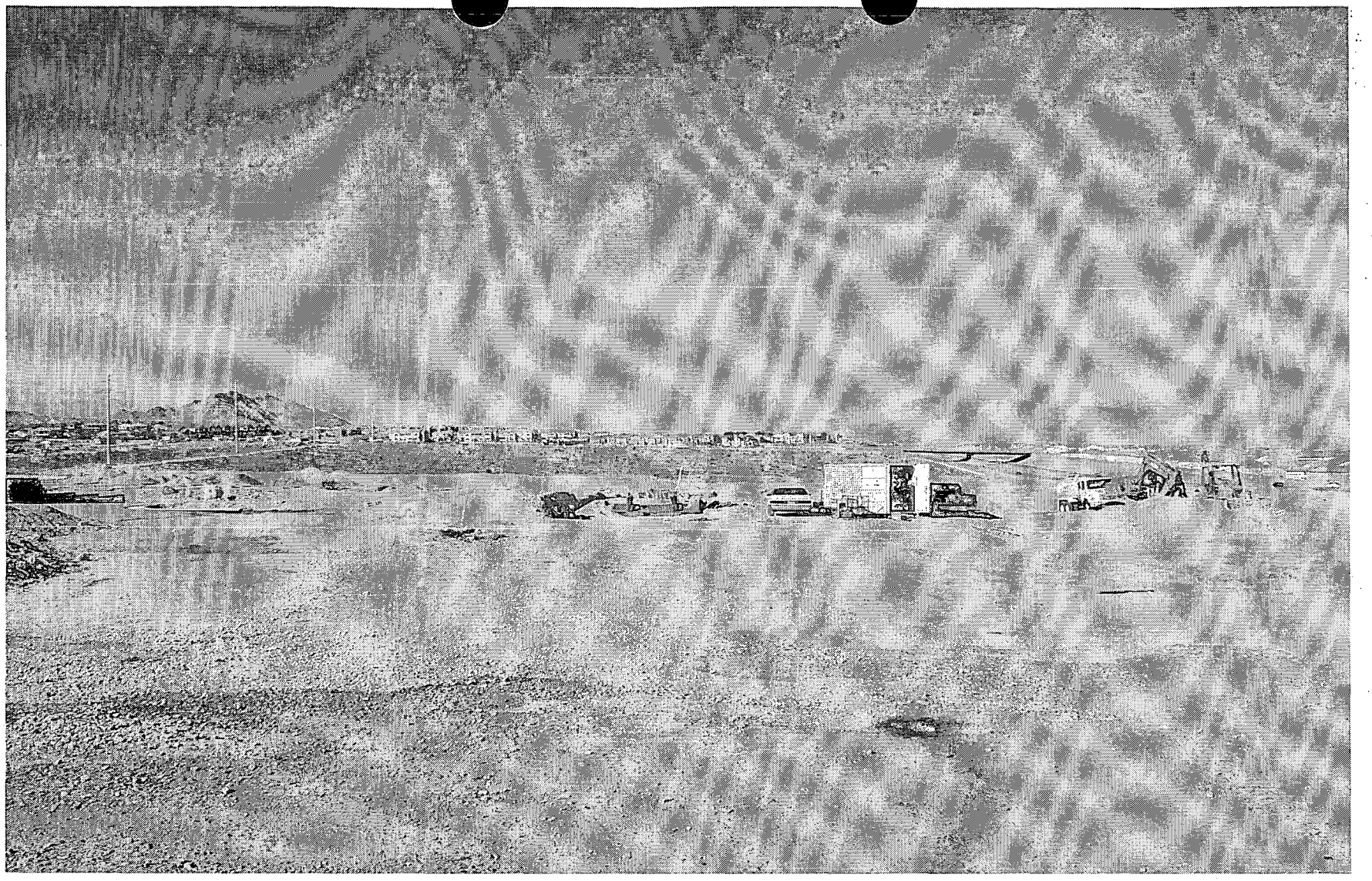
SHEET FC	CORNERSTONE AT LONE MOUNTAIN ASTORIA HOMES LOT 273 FOOT PRINT CHECK	G.C. WALLACE, INC. Engineers/Planners/Surveyors 1555 SOUTH RAINBOW BLVD./LAS VEGAS, NEVADA 89146 TELEPHONE: (702) 804-2000 • FAX: (702) 804-2299

1 OF 5 SHTS



ROC-5406 - APPLICANT/OWNER: ASTORIA HOMES
Approximately 660 feet east of Cliff Shadows Parkway, between Gilmore Avenue and Gowan Road
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04

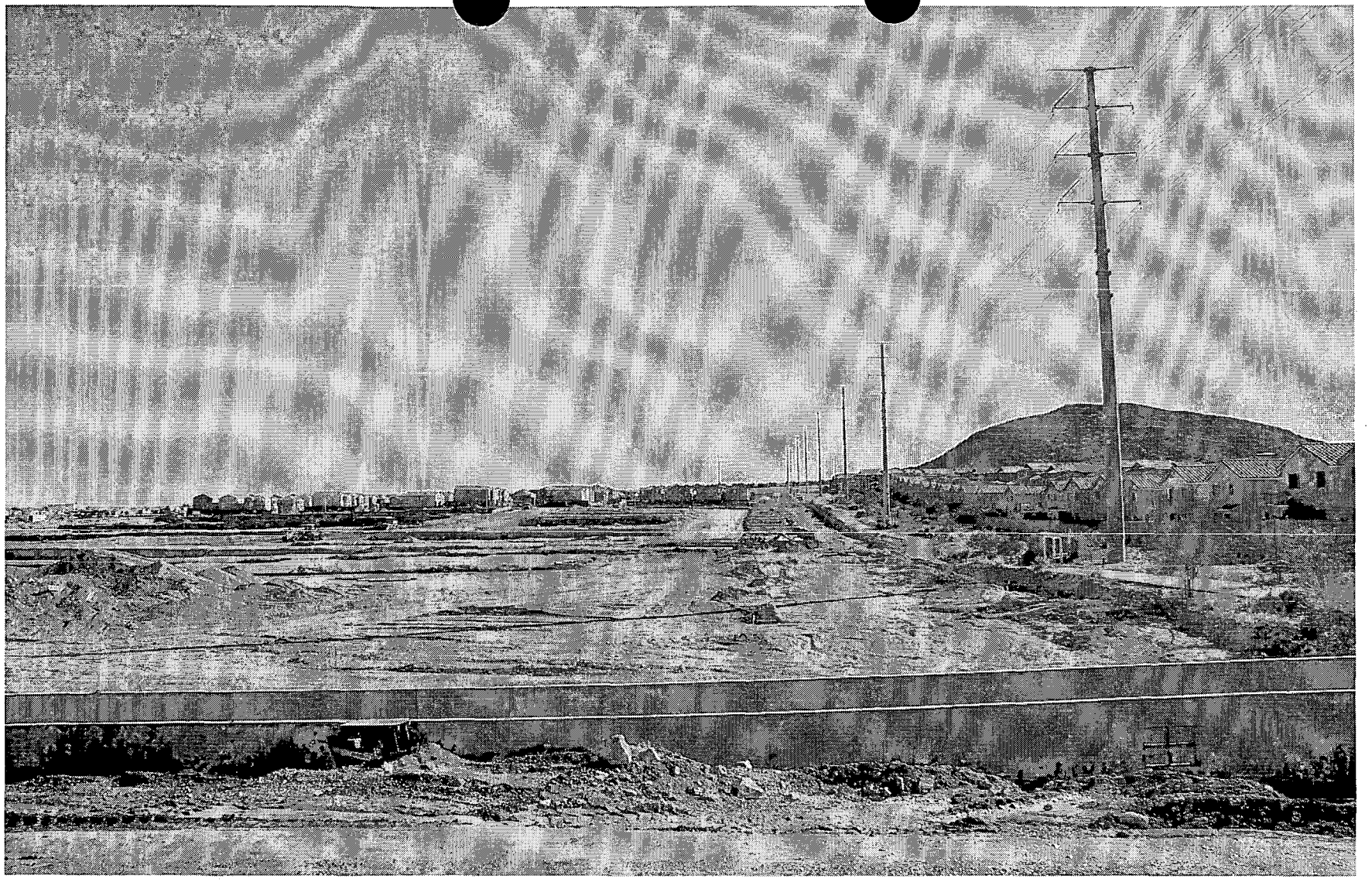


ROC-5406 - APPLICANT/OWNER: ASTORIA HOMES

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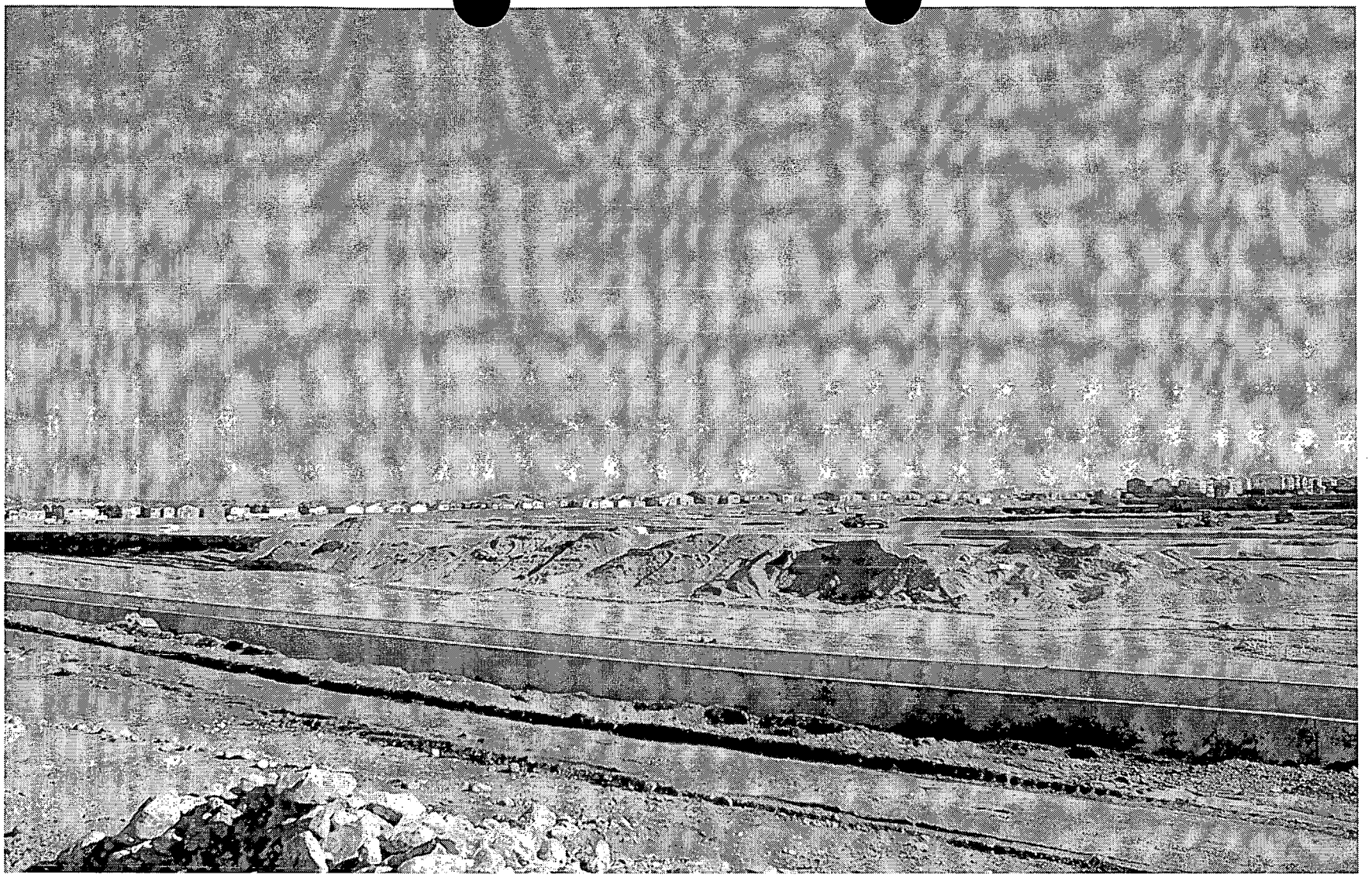
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04



ROC-5406 - APPLICANT/OWNER: ASTORIA HOMES
Approximately 660 feet east of Cliff Shadows Parkway, between Gilmore Avenue and Gowan Road
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04



ROC-5406 - APPLICANT/OWNER: ASTORIA HOMES
Approximately 660 feet east of Cliff Shadows Parkway, between Gilmore Avenue and Gowan Road
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/14/04

ROC-5406

December 24, 2003

Mr. Rick Barron
Astoria Lone Mountain 30, Limited Liability Company
9555 Del Webb Boulevard
Las Vegas, Nevada 89134

RE: SDR-2669 - SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF NOVEMBER 19, 2003
RELATED TO GPA-3077, MOD-3074, ZON-2667 AND VAR-3081

Dear Mr. Barron:

The City Council at a regular meeting held November 19, 2003 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 308 LOT SINGLE FAMILY DETACHED CLUSTER DEVELOPMENT on 30.85 acres approximately 660 feet east of Cliff Shadows Parkway, between Gilmore Avenue and Gowan Road (APN: 137-12-201-004, 010, 014 and a portion of 137-12-201-011), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [Proposed: PD (Planned Development)], and U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development). The Notice of Final Action was filed with the Las Vegas City Clerk on November 20, 2003. This approval is subject to:

Planning and Development

1. A Major Modification to the Lone Mountain West Master Development Plan (MOD-2579) to ML (Medium-Low Density Residential) and a Rezoning (ZON-2667) to a PD (Planned Development) Zoning District shall be approved by the City Council at a Public Hearing.

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

3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

4. The standards for this development shall include the following: minimum lot size of 2,580 square feet, minimum distance between buildings of 7 feet, and building height shall not exceed two stories or 35 feet, whichever is less.

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
LYNETTE B. McDONALD
[illegible]WRENCE WEEKLY
[illegible]ICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

5. The setbacks for this development shall be a minimum of 8 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3 feet on the side, 9 feet on the corner side, and 3 feet in the rear.

6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect full independent vehicular access to both garage spaces in all units.

7. The applicant shall maintain the ability to provide access to the multi-use transportation trail located along the western side of the Beltway. The applicant will provide such access within 60 days of receiving notice from the City that the City has obtained the authority necessary to allow access to the trail

8. Patio covers shall conform to the setback requirements contained in Title 19.08.

9. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters. The landscape plan shall demonstrate compliance with the Plant Palette listed in Appendix B of the Lone Mountain West Master Development Plan.

10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

11. Air conditioning units shall not be mounted on rooftops.

12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

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

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

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

Public Works

16. A Petition of Vacation to vacate the existing public sewer easement along the eastern perimeter and a portion of the existing 40 foot BLM Grant along the Gowan Road alignment per document 20000321:00169 shall be submitted and acted upon by City Council prior to the issuance of any permits for this site. Said Petition of Vacation must record prior to the recordation of a Final Map overlying or abutting the area to be vacated. If said vacation is not approved, a new Site Development Plan shall be submitted acknowledging the existing public sewer easement and BLM Grant within the boundaries of this site.

17. Provide a mountable curb where private drives access private streets.

18. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

19. 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.

20. Site development to comply with all applicable conditions of approval for ZON-2667 and all other subsequent site-related actions.

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

22. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of 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.

23. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

Sincerely,

Kristene Honzik
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

M. Margo Wheeler, AICP
Deputy Director
Planning and Development Department

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Mr. Rick Barron
Astoria Homes
9555 Del Webb Boulevard
Las Vegas, Nevada 89134

Ms. Susan LeCavalier
G.C. Wallace, Inc.
1555 South Rainbow Boulevard
Las Vegas, Nevada 89146

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1553	Hawthorne
1607	Los Angeles
1780	Las Vegas
1800	Arroyo Grande
1827	Las Vegas
1914	Phoenix
1977	Las Vegas
2007	Orange
2093	Phoenix
2361	Orange
2375	Wilmington

DATE: NOVEMBER 10, 2004 — FAXED 11/10/04 FAXED TO 385-7268

TO: CURRENT PLANNING

FROM: POLLY STROOT, HOMEOWNER
PARCEL #137-12-211-014
HILLCREST COMMUNITY
3600 STARLIGHT EVENING STREET
LAS VEGAS, NV 89129

Protest

RE: PROTEST CASE ROC-5406
CITY COUNCIL NOVEMBER 17, 2004 MEETING

PAGES: 2

Please consider this a **PROTEST** to Astoria Homes' Request for a Review of Condition Number 5 of an approved site development plan review (SDR-2669) to allow a 6 foot corner side yard setback where 9 feet is the minimum setback. Since I will be unable to attend the November 17th meeting, please consider this my written objection.

As you can see on the enclosed map, my property will be directly affected by the approval of this request. I am already upset by the fact that Astoria Homes will be building two-story homes on the land behind my house that will disrupt my city view. I waited to buy my corner lot because of the beautiful view it offered of the city. I added a balcony onto the back of my house to further enjoy the view of the city.

If you approve this request, you will be sending the message that developers always get what they want when they build in Las Vegas. I believe Astoria Homes can afford to divide the corner lot in question and offer it as "premium" lots to the adjacent parcels' future homeowners or put a nice community sign on it with landscaping. I realize if Astoria took this position, they would make less money than if they sold a house on it. But sometimes, the right decision isn't always the financial one. The "people factor" needs to be considered in this decision. Developers already squeeze people in like sardines and charge outrageous prices for their homes. It's time that the community leaders listen to the "little people" and start to make decisions as if they were personally involved in the situation. Thank you for your time.

Submitted after final agenda

cc: Mayor Oscar B. Goodman
Councilman Larry Brown, Ward 4

Date 11/12/04 Item #104

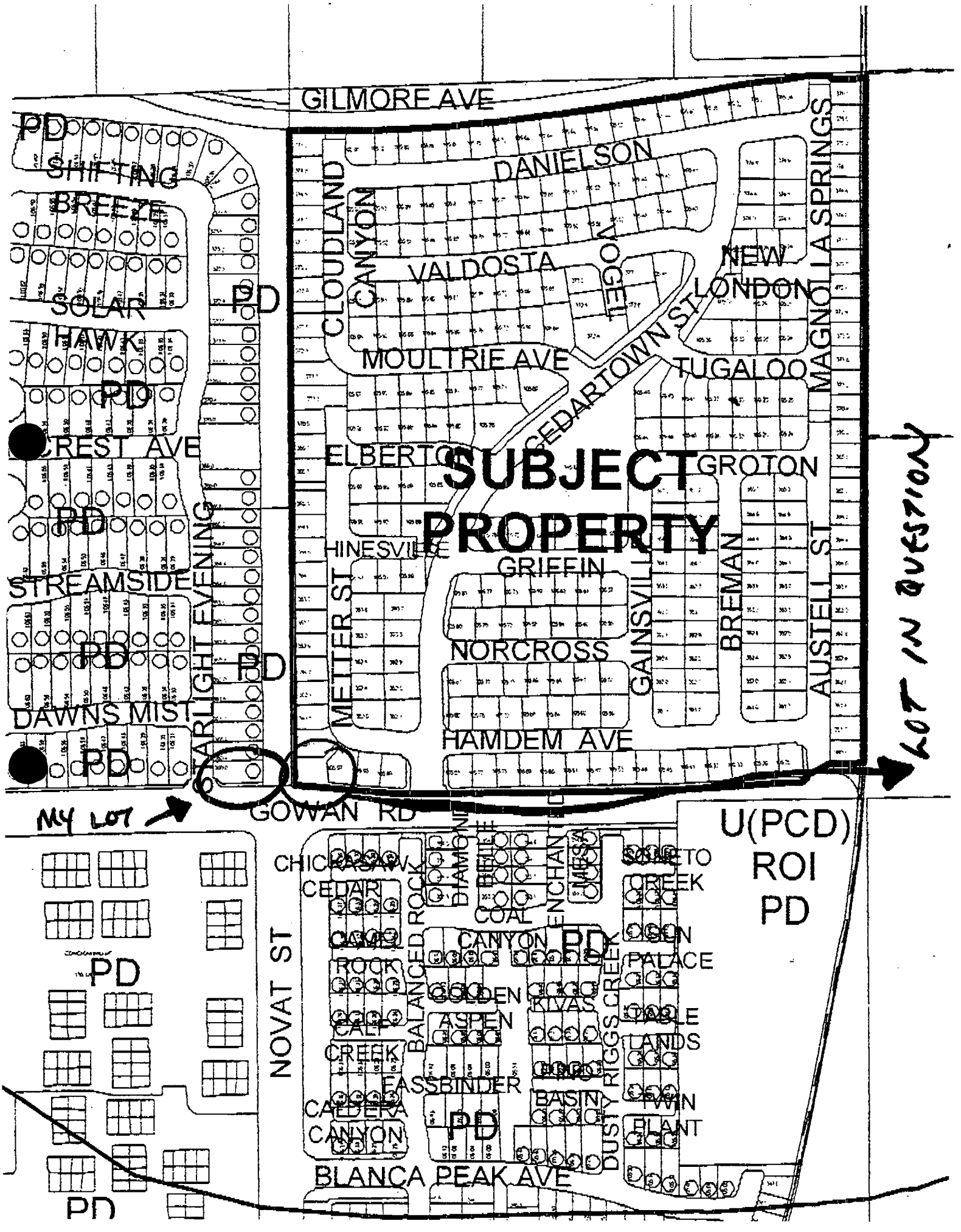
533 S. Fremont Ave., 10th Fl. Los Angeles, CA 90071 (213) 385-1457 Fax (213) 385-3759

501 North Lamb Blvd. Las Vegas, NV 89110 (702) 531-1800 Fax (702) 531-1844

1150 Terminal Way Reno, Nevada 89502 (775) 323-1409 Fax (775) 323-6561

1401 North 29th Ave. Phoenix, AZ 85009 (602) 272-2700 Fax (602) 272-1928

8149 S. Welby Park Dr. West Jordan, UT 84088 (801) 280-0292 Fax: (801) 280-0370


GILMORE AVE
PD
SHIFTING BREEZE
SOLAR HAWK
PD
CREST AVE
PD
STREAMSIDE
PD
DAWNS MIST
PD
STARLIGHT EVENING
PD
DANIELSON
CLOUDLAND CANYON
VALDOSTA
TEGOLA
NEW LONDON
MAGNOLA SPRINGS
MOULTRIE AVE
CEDARTOWN ST
TUGALOO
ELBERT
SUBJECT PROPERTY
GROTON
HINESVILLE
GRIFFIN
METTER ST
GAINSVILLE
BREMAN
AUSTELL ST
NORCROSS
HAMDEM AVE
LOT IN QUESTION
MY LOT
GOWAN RD
U(PCD)
ROI
PD
CHICKASAW
CEDAR
DIAMOND
BELLE
ENCHANTED
MESA
SORRETO
CREEK
COAL
CANYON
PD
SUN
PALACE
ROCK
GOLDEN
RIVAS
TABLE
LANDS
ASPEN
CALF
CREEK
FASSBINDER
BASIN
TWIN
PLANT
CALDERA
CANYON
PD
BLANCA PEAK AVE
NOVAT ST
BALANCED ROCK
RIGGS CREEK
DUSTY
PD
PD
PD

Memorandum

City of Las Vegas
Office of the City Attorney

To: Councilman Michael Mack

From: Bryan K. Scott
Deputy City Attorney

CC: Bradford R. Jerbic
City Attorney

Date: November 16, 2004

Re: Request for Opinion on Abstentions for 11/17/04 City Council Meeting

---

This memorandum is written in response to your request for an opinion regarding whether you are required to abstain on items 104, 118, 119, 120, 121, 122, 123, 124, 125 and 129 which are scheduled to be considered by the Las Vegas City Council on November 17, 2004.

Item 104 is a request for a Review of Condition of an approved Site Development Plan Review for Astoria Homes. You have informed me that you are currently in a contractual relationship with Astoria Homes for the purchase of your new home.

Items 118, 119, 120, 121, 122, 123, 124 and 125 involve required reviews of previously approved off-premise advertising signs (billboards) at various locations within the City of Las Vegas. You have informed me that you are a paid consultant, through Mack Consulting, and as such you advise various companies on advertising and public relations issues. Clients of Mack Consulting have contracts with Lamar Outdoor Advertising for billboard advertisement space. You have further informed me that you have personally negotiated in the past and will negotiate in the future with Lamar Outdoor Advertising representatives for advertising space on behalf of clients of Mack Consulting. The approval or disapproval of the review for this billboard could affect your clients, and possibly your business relationship with those clients.

Item 129 involves a request for a Special Use Permit for a proposed Auto Title Loan business. You have informed me that Super Pawn is owned by your Brother, Steven Mack, and that you are a paid consultant for Super Pawn. Part of Super Pawn's business involves the loaning of money to individuals on a short-term basis, similar to that of the applicant in item 129. The approval or disapproval of these Special Use Permits could affect Super Pawn's business.

NRS 281.501(2) provides:

> In addition to the requirements of the code of ethical standards, a public officer shall not vote upon or advocate the passage or failure of. . .a matter with respect to which the independence of judgment of a reasonable person in his situation would be materially affected by (c) his commitment in a private

Submitted at City Council
Date 11/17/04 Item 104, 129

capacity to the interests of others.

NRS 281.501(8) defines "commitment in a private capacity to the interests of others" as a commitment to a person: (b) who is related to him by blood, adoption or marriage within the third degree of consanguinity or affinity, (c) who employs him . . . or (d) with whom he has a substantial and continuing business relationship.

It is the conclusion of the City Attorney's Office that you should disclose the factual circumstances surrounding your potential conflicts on the record and abstain from the discussions and votes on all of the above-referenced items.

If any of the above-referenced items are abeyed, tabled or withdrawn at the November 17, 2004 Council meeting, you may vote on the motion to abey, table or withdraw the item since abeyance, withdrawal or tabling motions are not substantive motions. If any of the above-referenced items come back to the City Council for a hearing, you will again need to disclose your conflicts and abstain from the discussion and vote.

If you have any additional questions regarding any of the above, please feel free to contact me at ext. 6621.

BKS:b

City of Las Vegas

Agenda Item No. 105

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

REVIEW OF CONDITION

ROC-5445 - PUBLIC HEARING - APPLICANT/OWNER: CARINA CORPORATION - Request for a Review of Condition Number 5 of an approved Site Development Plan Review (SDR-4370) TO ALLOW A 5 FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED FOR LOTS THAT HAVE A SIDE PROPERTY LINE ADJACENT TO HUALAPAI WAY (LOTS 3, 4, 9, 10, 15 and 16 ON THE APPROVED SITE PLAN) for an approved 68 lot single family on 10.52 acres adjacent to the northwest corner of Farm Road and Hualapai Way (APN 126-13-601-004, 006, 008 and 009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units Per Acre), Ward 6 (Mack). Staff recommends APPROVAL

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

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council approval letter for SDR-4370

MOTION:

MACK - APPROVED subject to condition as amended and read for the record as follows:
1. The side yard setback for lots 3, 4, 9, 10, 15, and 16 on the site plan submitted 11/17/04, that have side property lines adjacent to Hualapai Way, shall be 5 feet, and a minimum rear yard setback on Lots 64 through 69 and 42 through 47 of 5 feet.
- UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

REBECCA RALSTON, 1050 Indigo Drive, appeared on behalf of Carina Homes to confirm this was the same plan before Council on 9/15/2004 with modifications to the trail adjacent to Hualapai Way. The amended condition should read the minimum side yard setback on Lots 3, 4, 9, 10, 15, and 16 of 5 feet, and proposed a minimum rear yard setback on Lots 64 through 69 and 42 through 47 of 5 feet. The intent is to maximize the rear and side yards respectively.

ATTORNEY MARK FIORENTINO, 3800 Howard Hughes, appeared on behalf of Focus Group, confirmed the condition read was the compromise reached. He expressed concurrence and appreciation to the applicant for working to maintain consistency of the planned development and thanked Council for the opportunity to achieve the planned goals.

MINUTES - Continued:

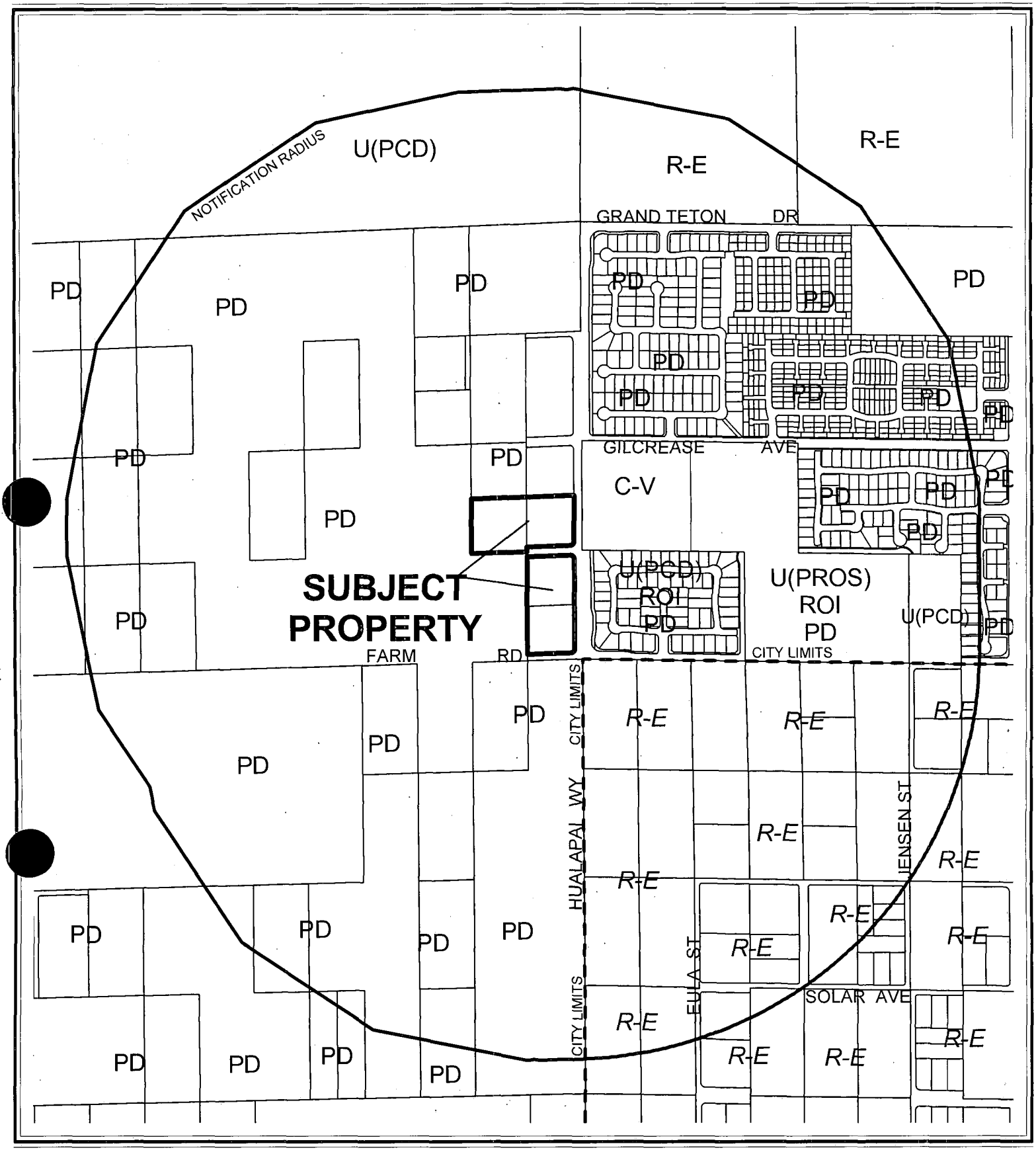
No one appeared in opposition.

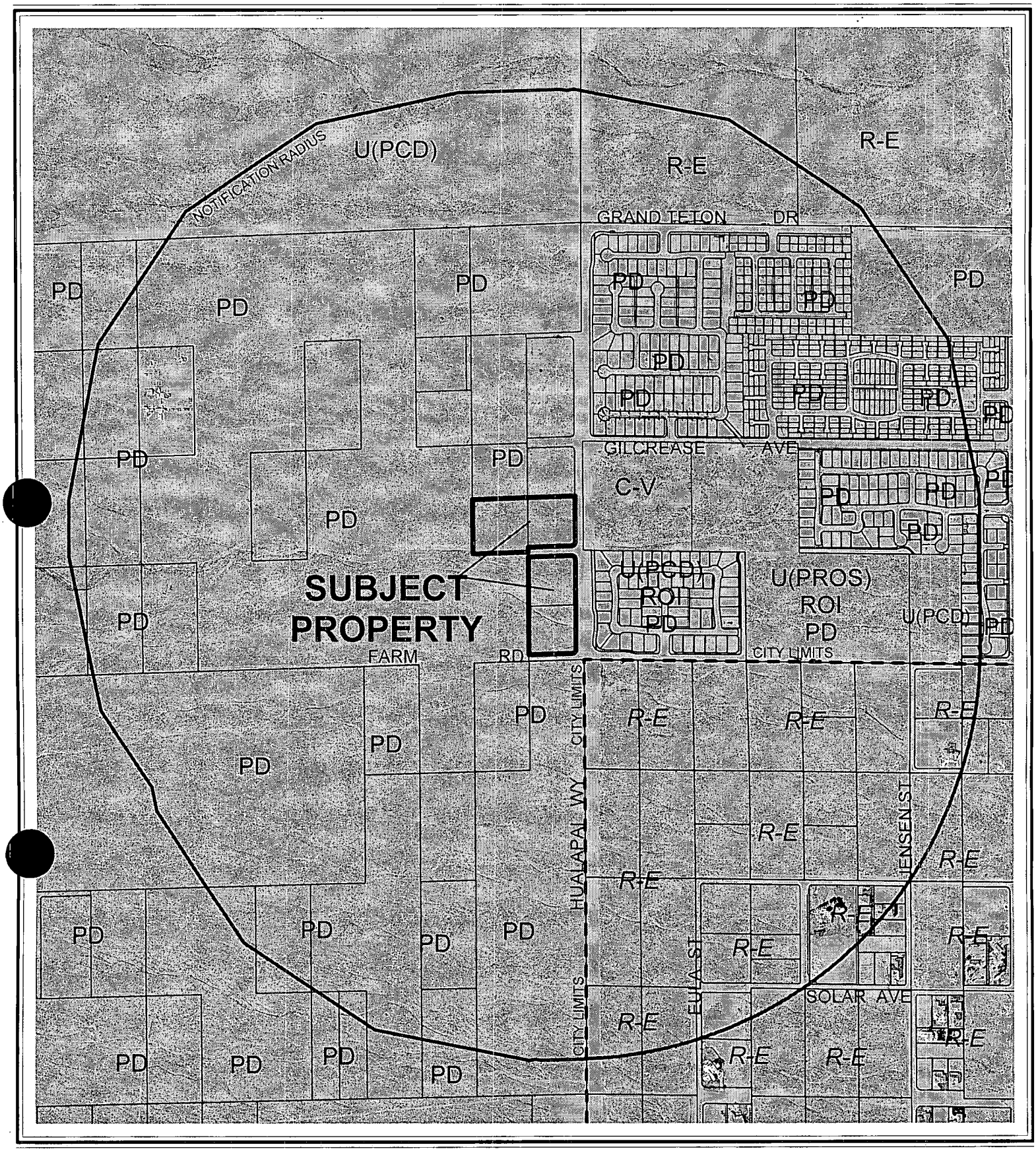
MAYOR PRO TEM REESE declared the Public Hearing closed.
(1:34 - 1:37)
2-907

CONDITIONS:

Planning and Development

1. The side yard setback for lots 3, 4, 9, 10, 15 and 16 on the approved site plan date stamped September 13, 2004, that have side property lines adjacent to Hualapai Way, shall be 5 feet.


NOTIFICATION RADIUS
U(PCD)
R-E
R-E
GRAND TETON DR
PD
PD
PD



CASE: **ROC-5445**

RADIUS: 2500 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-5445 - APPLICANT/OWNER: CARINA CORPORATION

** CONDITIONS **

Staff recommends APPROVAL, subject to:

Planning and Development

1. The side yard setback for lots 3, 4, 9, 10, 15 and 16 on the approved site plan date stamped September 13, 2004, that have side property lines adjacent to Hualapai Way, shall be 5 feet.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Review of Condition Number 5 of an approved Site Development Plan Review (SDR-4370) to allow a 5 foot side yard setback where 10 feet is the minimum setback required for lots that have a side property line adjacent to Hualapai Way (lots 3, 4, 9, 10, 15 and 16 on the approved site plan) for an approved 68 lot single family development on 10.52 acres adjacent to the northwest corner of Farm Road and Hualapai Way.

B) Applicant's Justification

The applicant's justification letter indicates the required 10 foot side setback cannot be met sue to the requirement for the 20 foot wide trail along the west side of Hualapai Way.

BACKGROUND INFORMATION

A) Previous Actions

09/15/04 The City Council approved a Rezoning (ZON-4368) to R-PD7 (Residential Planned Development – 7 Units Per Acre) and a Site Development Plan Review (SDR-4370) for the 68 lot single family development on this site. The Planning Commission and staff recommended approval on July 22, 2004.

11/07/04 The Planning Commission approved the Tentative Map for Farm and Hualapai (TMP-4920) for the 68 lot single family development on this site. Staff recommendation was for approval.

B) Pre-Application Meeting

10/12/04 The applicant was advised of the requirements for a Review of Condition application.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Review of Condition application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.52

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	PCD (Planned Community Development)
North:	PCD (Planned Community Development)
South:	PCD (Planned Community Development) and PF (Public Facility)
East:	PCD (Planned Community Development) and PROS (Public Recreation Open Space)
West:	PF (Public Facility)

D) Existing Zoning

Subject Property:	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development – 7 Units Per Acre)
North:	PD (Planned Development)
South:	PD (Planned Development)
East:	C-V (Civic) and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)
West:	PD (Planned Development)

E) General Plan Compliance

This site is located on the Centennial Hills Sector Plan Map of the General Plan and is designated PCD (Planned Community Development). The allowable density is up to 8 units per acre. The approved zoning change to R-PD7 (Residential Planned Development - 7 Units per Acre), which allows up to 7.49 units per acre, is in conformance with the PCD (Planned Community Development) land use designation.

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

A Multi-use Transportation Trail is planned for the west side of Hualapai Way. The trail shall be incorporated in the improvements of the west side of Hualapai Way and the proposed development.

PROJECT DESCRIPTION

The approved site plan illustrates a development that consists of 68 single-family lots on the 10.52-acre site. The project will be served by 33-foot wide private roads, and will be accessed through a gated entry from Hualapai Way. The site will contain a total of 52,614 square feet of open space, including 32,973 square feet of park areas, 8,802 square feet of trails and 10,839 square feet of landscaped sidewalks which in total exceeds the minimum open space requirement of the Zoning Code. The average proposed lot size is 2,898 square feet in area.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the following Development Standards were approved by the original Site Development Plan Review and apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	2,898 sq. ft.	Y
Min. Lot Width	N/A	46 feet	Y
Min. Setbacks			
• Front	N/A	10 feet	Y
• Side	N/A	3 feet	Y
• Corner	N/A	10 feet	Y
• Rear	N/A	15 feet	Y
Max. Lot Coverage	N/A	N/A	Y
Max. Building Height	2 Stories / 35Feet	2 Stories / 35Feet	Y

Condition Number 5 of the Site Development Plan Review (SDR-4370), approved by the City Council on September 15, 2004, requires a 10 foot minimum setback for lots that have a side property line adjacent to Hualapai Way (lots 3, 4, 9, 10, 15 and 16 on the approved site plan date stamped September 13, 2004).

B) General Analysis and Discussion

Condition Number 5 of the approved Site Development Plan Review (SDR-4370) requires lots with side property lines adjacent to Hualapai Way to have a minimum side yard setback of 10 feet. This affects lots 3, 4, 9, 10, 15 and 16 on the approved site plan date stamped September 13, 2004.

FINDINGS

The 10 foot side yard setback originally approved for the subjects lots was required when the required trail along Hualapai Way was incorrectly shown at 15 feet wide. The approved Tentative Map provides a 20 foot wide trail as required by the Trails Plan element. Therefore, with the new 5 foot side yard setback, the single family dwellings will be the same distance, 25 feet, from the Hualapai right-of-way. The recommendation for this request is approval.

NOTICES MAILED 38 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ~~SDR-4370~~ ROC-5445 APN: **126-13-601-004,006,008,009**

Name of Property Owner: **Carina Corporation**

Name of Applicant: **Scott Shade**

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

_____ Yes x No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: SCOTT SHADE

Subscribed and sworn before me

This 11TH day of OCTOBER ,20 04

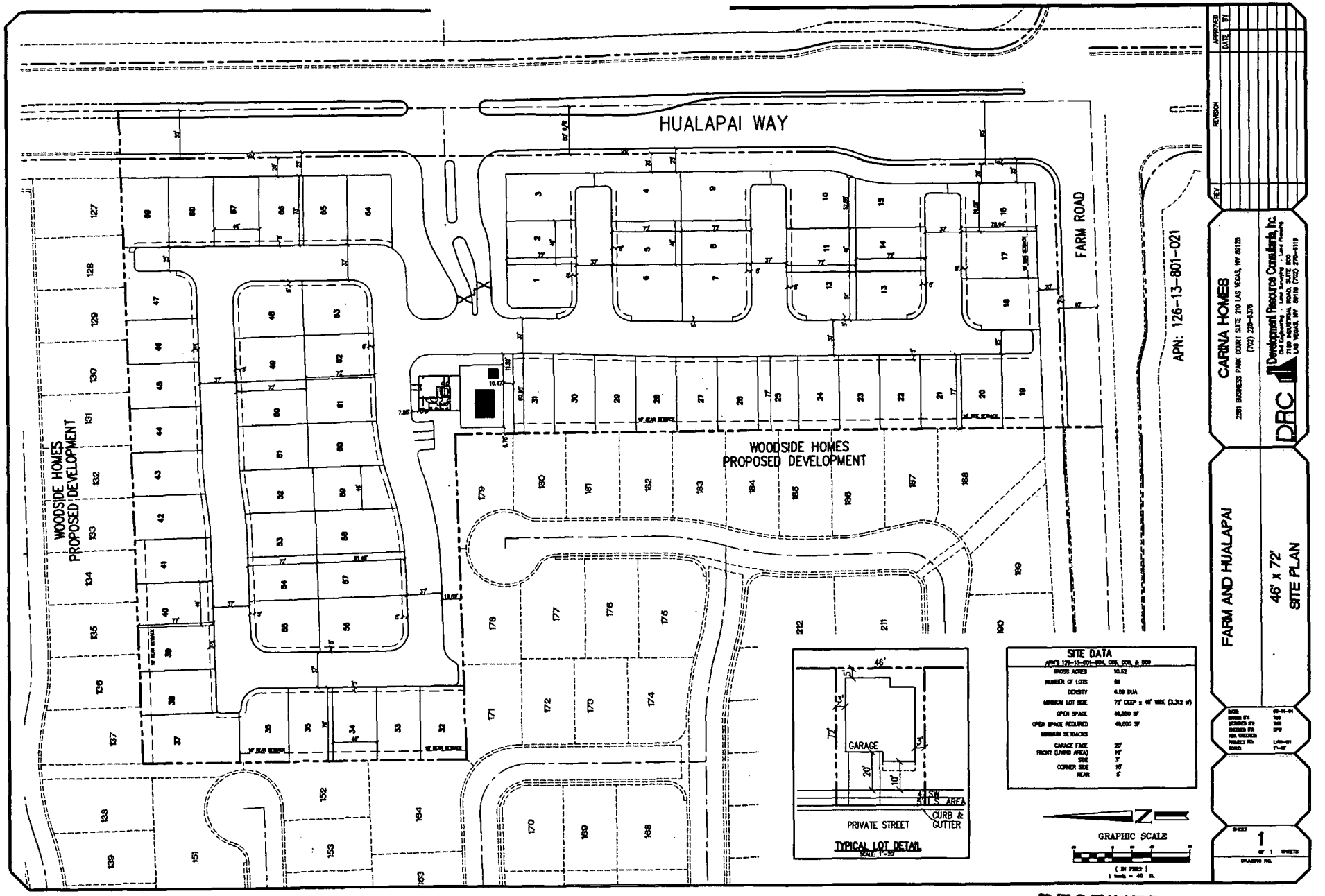
Dorothea Tannenbaum

Notary Public in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
DOROTHEA TANNENBAUM
My Appointment Expires
January 28, 2007
No. 98-37386-1

ROC-5445

11-17-04 CC

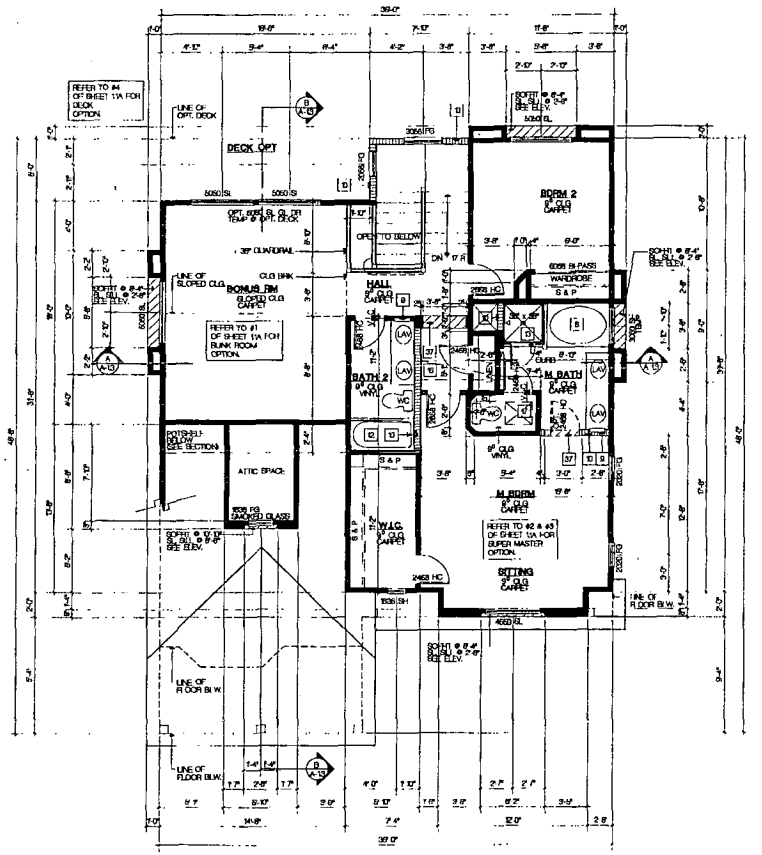


RECEIVED

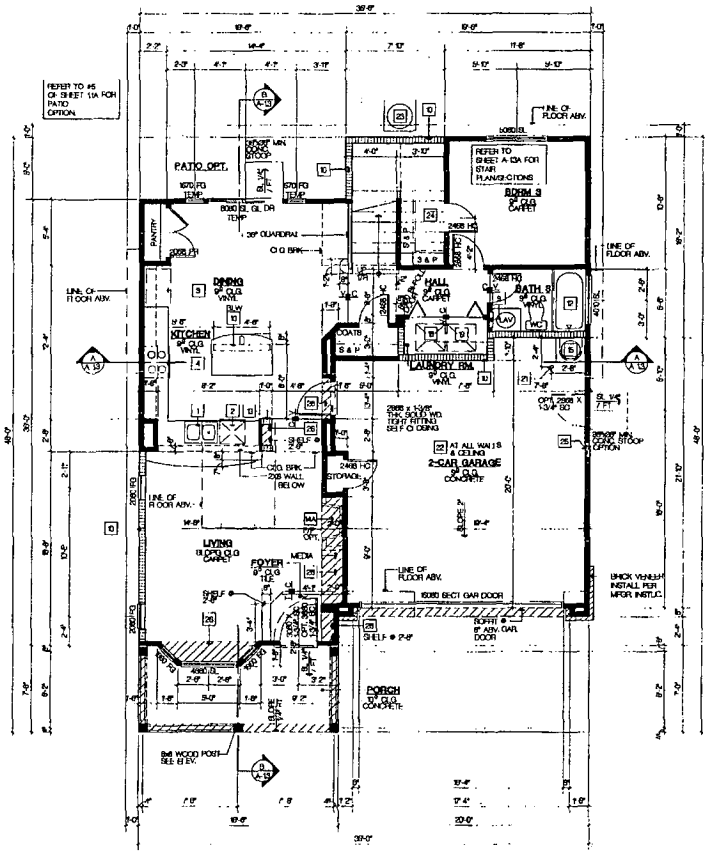
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ROC-5445

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SECOND FLOOR



FIRST FLOOR

NOTE:
STUCCO O/DIAMOND METAL LATHE OVER O/ BUILDING PAPER @ ALL PROCHES & PATIOS

NOTE:
8'-0" HIGH INTERIOR DOORS ARE OPTIONAL

RECEIVED

OCT 12 2004

INTERIOR ELEVATIONS

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

KEYNOTES

1. DOUBLE SINK WITH GARBAGE DISPOSAL
2. DISHWASHER (24" WIDE, X 24" DEEP W/ AIR GAP) VERIFY DIMENSIONS WITH MANUFACTURER
3. 39" CLEAR REFRIGERATOR SPACE. (PROVIDE RECESSED COLD WATER BIB AND SHUT-OFF FOR ICE-MAKER)
4. 30" RANGE/OVEN. REFER TO MANUFACTURES SPECIFICATIONS (MUST TO OUTSIDE)
5. 30" DOUBLE OVEN. SEE MANUFACTURES SPECIFICATIONS.
6. NOT USED
7. PANTRY WIDTH NOTED ON PLANS
8. 42"x60" FIBERGLASS OVAL TUB WITH TILE SURROUND OVER WATER RESISTANT GYP. BOARD ABOVE RIM/FLANGE. CONTROL VALVES TO BE PRESSURE BALANCED THERMOSTATIC MIXING VALVES PER 2003 UPC
9. RECESSED MEDICINE CABINET
10. 2 X 6 STUD WALL
11. "SUPER SIMPLEX DISAPPEARING STAIRWAY BY PRECISION LADDERS OR APPROVED EQUAL. PROVIDE MIN. MIN. FIRE-RATING @ LADDERS IN GARAGE WHERE OCCURS
12. 30" X 60" 3-PIECE FIBERGLASS TUB/ SHWR WITH CERAMIC TILE SURROUND OVER WATER RESISTANT GYP. BOARD ABV. TUB FLANGE. PROVIDE CURTAIN ROD. CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER 2003 UPC (OPT. TEMP. GL. ENCLOSURE)
13. HOT-MOPPED CERAMIC TILE SHOWER PAN SEE PLAN FOR SIZE WITH 8"x7" (MIN.) TILE SURROUND OVER WATER RESISTANT GYP. BOARD WITH TEMPERED GLASS SHOWER ENCLOSURE. CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER 2003 UPC
14A. 42" SINGLE SIDED, DIRECT VENT FIREPLACE BY "HEAT-N-GLO" OR APPROVED EQUAL, (LL LISTING: LVT(HM)5234) (MODEL # SI -6507R-C)
14C. 42" SINGLE SIDED, EXTERIOR FIREPLACE BY "HEAT-N-GLO" OR APPROVED EQUAL, (LL LISTING: DEF(HM)5623) (MODEL: MONTANA - FORMERLY SITE-42XLT-42)
15. 35" TWO SIDED, UNVENTED, VENT FIREPLACE BY "HEAT N GLO" OR APPROVED EQUAL, (LL LISTING: LVT(HM)5394) (MODEL # 1-FI CORNER IV)
16. 76 GAL ON WATER HEATER ON 18" HIGH PLATFORM, RISERS/ STRAPS PROVIDED ON WATER HEATERS WITHIN 24" UPPER ONE THIRD (1/3) AND LOWER ONE-THIRD (1/3) OF ITS VERTICAL DIMENSIONS (2003 UPC/ SECT. 510.5) PROVIDE PRESSURE RELIEF VALVE W/ DRAIN TO OUTSIDE. COMBUSTION AIR PER UMC CHAPT 7 AND VENT TO OUTSIDE. SEE OPTIONAL TANKLESS
17. FAU IN ATTIC PER UMC. PROVIDE LIGHT, POWER, GAS, ACCESS AND 30" WIDE WORK SPACE. PROVIDE COMBUSTION AIR PER 2003 UMC & VENT TO OUTSIDE
18. 22" X 30" ATTIC ACCESS MIN. WITH 30" MIN. CLEAR HEADROOM PROVIDED FAU MAY PASS THROUGH. PROVIDE SWITCHED 110V OUTLET AND 24" PLATFORM TO FAU
19. WASHER SPACE : PROVIDE RECESSED WATER AND DRAIN CONNECTIONS (RECESSED BOX IN GARAGE PREFAU SHALL BE METAL) PROVIDE 110V OUTLET RECESSED FLOOR W/ DRAIN
20. DRYER SPACE : PROVIDE DRYER VENT TO OUTSIDE PER 2003 UMC. 14' MAX LENGTH) WITH 2 ELBOWS MAX OR 9' DUCT WITH MECHANICAL CALCULATIONS
21. LAUNDRY SINK
22. 3" DIA. PIPE COLUMN CONCRETE FILLED, EXTENDING 30" ABOVE SLAB AND 24" INTO FOOTING W/ 8" GRAVEL BED (SEE DETAIL 10/D) &
23. OCCUPANCY SEPARATION PER 2003 IRC BETWEEN GARAGE AND LIVING WALLS. PROVIDE: (1) LAYER 5/8" TYPE 'X' GYP. BOARD ON THE GARAGE SIDE OF WALLS AND CEILINGS ADJACENT TO HABITABLE AREAS AND AT ELEMENTS SUPPORTING SEPERATION ABOVE GARAGE
24. 3/4" PLYWOOD SHEET ON CONCRETE PAD (VARY SIZE AND LOCATION) PROVIDE 220 WATERPROOF DISCONNECT AND, WITHIN 25', ADJACENT 110V WATERPROOF OUTLET.
25. 5/8" TYPE 'X' GYP. BOARD AT WALLS AND CEILINGS AT USABLE SPACE UNDER STAIRS.
26. PROVIDE: HIGH/LOW VENTS FOR MAKE UP AIR AT GARAGE PER 2003 UMC

27. 8'-4" SOFFIT
28. 9'-0" SOFFIT
29. 9'-6" SOFFIT
30. 9'-0" SOFFIT
31. 9'-6" SOFFIT
32. 9'-12" SOFFIT
33. 1/2 ROUND SOFFIT TOP @ 8'-4", HINGE PT. @ 8'-4" MINUS 1/2 OF OPENING
34. 1/2 ROUND SOFFIT TOP @ 9'-0", HINGE PT. @ 9'-0" MINUS 1/2 OF OPENING
35. 10'-0" SOFFIT
36. 11'-0" SOFFIT
37. 11'-6" SOFFIT
38. ELLIPTICAL SOFFIT SEE PLAN FOR EXPAND PT. & TOP

NOTES

1. REFER TO INTERIOR ELEVATIONS FOR KITCHEN, BATH AND SERVICE ROOM FINISHES
2. ALL GLAZING SHALL COMPLY WITH 2003 INTERNATIONAL RESIDENTIAL CODE AND LOCAL ORDINANCES. REFER TO THE MODEL ENERGY CODE FOR THE REQUIRED U VALUE OF ALL GLAZING
3. REFER TO GENERAL NOTES SHEET 11 E GENERAL CONSTRUCTION METHODS AND CONDITIONS.
4. ALL EXTERIOR DOORS OF CONDITIONED SPACES SHALL BE FULLY WEATHER STRIPPED.
5. CEILING AND SOFFIT HEIGHTS INDICATED ON PLANS ARE NOMINAL DIMENSIONS. CEILING HEIGHTS NOTED AS 7'-6" WILL HAVE A ROUGH FRAMED HEIGHT OF 8'-1", 7'-6" CLEAR FINISHED OPENING IS REQUIRED PER THE 2003 INTERNATIONAL RESIDENTIAL CODE.
6. EGRESS REQUIREMENTS ALL ALL BEDROOMS MIN IS OPERABLE WINDOW WITH A MIN. NET CLEAR OPENABLE AREA OF 5.7 SQ. FT. THE MIN. NET CLEAR OPENABLE HEIGHT SHALL BE 24" IN, AND WIDTH SHALL BE 20 INCHES.
7. REFER TO FLOOR PLAN FOR FLOOR FINISHES

BUILDING DEPT. NOTES

1. THE STREET ADDRESS SHALL BE POSTED ON THE BUILDING IN SUCH A POSITION TO BE PLAINLY LEGIBLE FROM STREET FRONTING THE PROPERTY. MUST BE ILLUMINATED
2. PROVIDE INSULATION EQUAL TO R-5 IN EXTERIOR WALLS AND R-30 IN ATTIC. VERIFY WITH MODEL ENERGY CODE
3. ALL FIREPLACES CONSTRUCTED AFTER JULY 1, 1990 IN RESIDENTIAL DWELLINGS UNITS TO COMPLY TO SPECIFIED LISTING OR EPA REQUIREMENTS, OF WHICH FOUNDATION IS TO BE DECORATIVE ELECTRICAL APPLIANCES
4. ONLY APPROVED STUCCO MATERIALS AND METHODS WILL BE ACCEPTABLE. SUBMIT SPECIFICATION FOR APPROVAL.
5. ENTRY DOOR PANEL DESIGNS ARE AS SELECTED BY OWNER
6. EXCEPT WHERE OTHERWISE NOTED IN INC SECTION 2802 ALL FOAM PLASTIC OR FOAM PLASTIC CORES IN MANUFACTURED ASSEMBLIES USED IN BUILDING CONSTRUCTION (WALL, DOOR, FLOOR-CEILING, ROOF-CEILING OR ROOF) MORE THAN 10 AND SHALL HAVE A FLAME-SPREAD RATING OF NOT MORE THAN 75 AND SHALL HAVE A SMOKE-DEVELOPED RATING OF NOT MORE THAN 450 WHEN TESTED IN THE MANNER AND THICKNESS INTENDED FOR USE IN ACCORDANCE WITH ASTM E 84

2x4 STUDS AT 16" o.c. U.N.O.
2x6 STUDS AT 16" o.c. U.N.O.
SOFFIT
INTERIOR POTSHELF

SQUARE FOOTAGE

FLOOR AREA

FIRST FLOOR	932 S.F.
SECOND FLOOR	1004 S.F.
TOTAL	1936 S.F.
2 CAR GARAGE	413 S.F.
PORCH	101 S.F.
OPT. COVERED PATIO	84 S.F.
OPT. DECK	84 S.F.

CADPLT PLOT DATE:

No.	Date	Issue / Description
	03.19.04	25% Progress Set
	04.09.04	45% Progress Set
	05.19.04	85% Progress Set
	07.20.04	BLDG. DEPT. SUBMITTAL

Consultant:

Project:
LAMPLIGHT SQUARE II
HENDERSON

CARINA CORPORATION
2881 BUSINESS PARK CT.
SUITE #210
LAS VEGAS, NV 89128

2003-817

KTGY GROUP, INC.
Architecture · Planning
17992 MITCHELL SOUTH
IRVINE, CA 92614
(949) 833-3333
(949) 833-0196 FAX
Irvine, California

License Stamp:

07/20/04

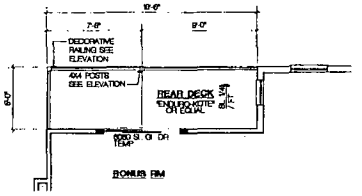
Principal In Charge:	J. TULLY
Project Director:	M. FOWLER
Project Manager:	D. NGUYEN
Project Designer:	J. TSAI
Checked By:	F. YONEMORI

Sheet Title:
PLAN 1936
'A' FLOOR PLAN

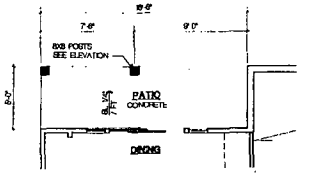
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ROC-5445

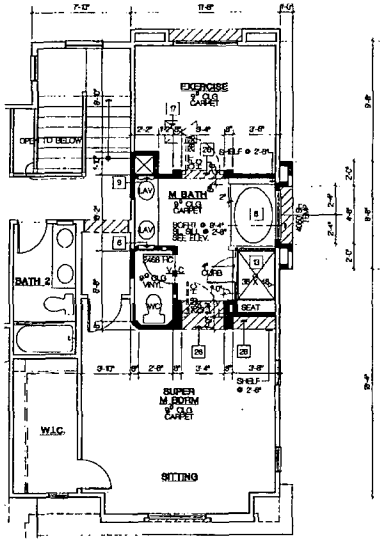
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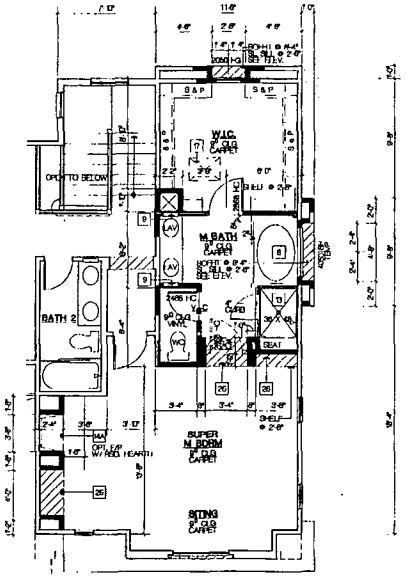
DECK OPTION - SECOND FLOOR SCALE: 1/4" = 1'-0" 4



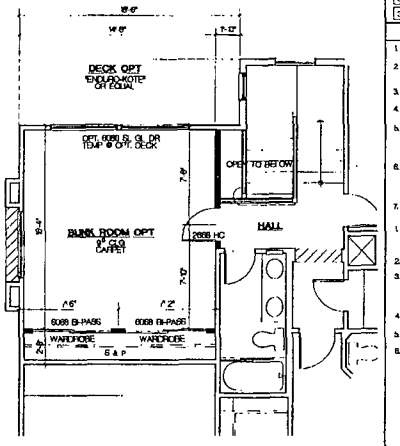
PATIO OPTION - FIRST FLOOR SCALE: 1/4" = 1'-0" 5



SUPER MASTER BDRM. W/ EXERCISE OPTION SCALE: 1/4" = 1'-0" 3



SUPER MASTER BDRM. W/ F/P OPTION SCALE: 1/4" = 1'-0" 2



NOTE: 6'-0" NON INTERIOR DOORS ARE OPTIONAL

BUNK ROOM OPTION SCALE: 1/4" = 1'-0" 1

KEYNOTES

1. DOUBLE SINK WITH GARBAGE DISPOSAL
2. DISHWASHER (24" WIDE X 24" DEEP W/ AIR GAP) VERIFY DIMENSIONS WITH MANUFACTURER
3. 30" CLEAR REFRIGERATOR SPACE. PROVIDE RECESSED COLD WATER B/B AND SHUT-OFF FOR ICE MAKER)
4. 30" RANGE/OVEN REFER TO MANUFACTURER'S SPECIFICATIONS (M.N.T. TO OUTSIDE)
5. 30" DOUBLE OVEN SEE MANUFACTURES SPECIFICATIONS
6. NOT USED
7. PANTRY WIDTH NOTED ON PLANS
8. 42"x60" HEIGHT ADJ OVAL TUB WITH TILE SURROUND OVER WATER RESISTANT GYP. BOARD) ABOVE TRIM FLANGE CONTROL VALVES TO BE PRESSURE BALANCED THERMOSTATIC MIXING VALVES PER 2000 UPC
9. RECESSED MEDICINE CABINET
10. 2 X 6 STUD WALL
11. "SUPER SIMPLEX DISAPPEARING STAIRWAY" BY PRECISION (ADDERS OR APPROVED EQUAL PROVIDE MIN. HR. FIRE-RATING IF LOCATED IN GARAGE WASTE OCCUPS.
12. 32" X 60" 1 PIECE FIBERGLASS TUB/ SHWR WITH CERAMIC TILE SURROUND OVER WATER RESISTANT GYP. BOARD ABV. TRIM FLANGE. PROVIDE CURTAIN ROD. CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER 2000 UPC. (OPT. TEMP. GL. ENCLOSURE)
13. HOT-MOPPED CERAMIC TILE SHOWER PAN W/ FLR PLAN FOR SIZE WITH 6"-0" MIN.) TILE SURROUND OVER WATER RESISTANT GYP. BOARD WITH TEMPERED GLASS SHOWER ENCLOSURE. CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER 2000 UPC
14. 42" SINGLE GLIDED DIRECT VENT HIGH ADJ. BY "HEAT-N-GLO" OR APPROVED EQUAL (U.L. LISTING LVTT-MH-25394) (MODEL # SI-350TR C)
15. 42" SINGLE SLIDED, INTERIOR HIGH ADJ. BY "HEAT-N-GLO" APPROVED EQUAL (U.L. LISTING GDFDM-11503) (MODEL: MONTANA FORMERLY STS-42/OUT 42)
16. 30" DVQ SLIDED DIRECT VENT FIREPLACE BY "HEAT-N-GLO" OR APPROVED EQUAL (U.L. LISTING LVTT-MH-25394) (MODEL # LVT DOMED-IV)
17. 76 GALLON WATER HEATER ON 18" HIGH PLATFORM, SEISMIC STRAPS REQUIRED ON WATER HEATERS WITHIN THE UPPER ONE-THIRD (1/3) AND LOWER ONE THIRD (1/3) OF ITS VERTICAL DIMENSIONS (2000 UPC SECT. 510.2) PROVIDE PRESSURE RELIEF VALVE W/ DRAIN TO OUTSIDE/ COMBUSTION AIR PER UMC CHAPT 7 AND VENT TO OUTSIDE SEE DETAIL 9/A3.
18. F-A-U IN ATTIC PER UMC. PROVIDE LIGHT, POWER, GAS, ACCESS AND 30" WIDE WORK SPACE. PROVIDE COMBUSTION AIR PER 2000 UMC & VENT TO OUTSIDE.
19. 22" X 30" ATTIC ACCESS MIN. WITH 30" MIN CLEAR HEADROOM PROVIDED F.A.U. MAY PASS THROUGH. PROVIDE SWITCHED 1/2HP, 110V OUTLET AND 20# PLATFORM TO F.A.U.
20. WASHER SPACE : PROVIDE RECESSED WATER AND DRAIN CONNECTIONS (RECESSED BOX IN GARAGE FIREWALL SHALL BE METAL) PROVIDE "SAFETY PAN AT SECOND FLOOR W/ DRAIN
21. DRYER SPACE (PROVIDE DRYER VENT TO OUTSIDE PER 2000 UMC. W/ MAX. LENGTH WITH 2 ELBOWS MAX OR 9' DUCT WITH MECHANICAL CALCULATIONS
22. LAUNDRY SINK
23. 9" DIA. PIPE COLUMN, CONCRETE FILLED, EXTENDING 30" ABOVE SLAB AND 24" INTO FOOTING W/ 9" GRAVEL BELOW. SEE DETAIL D/A1.5
24. OCCUPANCY SEPARATION PER 2000 IRC BETWEEN GARAGE AND LIVING WALLS. PROVIDE (1) LAYER 5/8" TYPE 'X' GYP. BOARD ON THE GARAGE SIDE OF WALLS AND CEILINGS ADJACENT TO HABITABLE AREAS AND AT ELEMENTS SUPPORTING SEPERATION ABOVE CEILING.
25. AC CONDENSER ON CONCRETE PAD (VERIFY SIZE AND LOCATION) PROVIDE 220 WATERPROOF DISCONNECT AND, WITHIN 25', ADJACENT 110V WATERPROOF OUTLET.
26. 5/8" TYPE 'X' GYP. BOARD AT WALLS AND CEILING AT USABLE SPACE UNDER STAIRS.
27. PROVIDE HIGH/LOW VENTS FOR MAKE UP AIR AT GARAGE PER 2000 UMC

28	9'-4" SOFFIT	32	17'-0" SOFFIT
29	9'-6" SOFFIT	33	10'-6" SOFFIT
30	9'-10" SOFFIT	34	10'-10" SOFFIT
31	9'-0" SOFFIT	35	11'-0" SOFFIT
32	9'-8" SOFFIT	36	11'-6" SOFFIT
33	9'-10" SOFFIT		

37. 1/2 ROUND SOFFIT TOP @ 8'-6", HINGE PT. @ 8'-4" MINUS 1/2 OF OPENING
38. 1/2 ROUND SOFFIT TOP @ 9'-6", HINGE PT. @ 9'-4" MINUS 1/2 OF OPENING
39. ELLIPTICAL SOFFIT SEE PLAN FOR SPRING PT. & TOP

NOTES

1. REFER TO INTERIOR ELEVATIONS FOR KITCHEN, BATH AND SERVICE ROOM FINISHES
2. ALL GLAZING SHALL COMPLY WITH 2000 INTERNATIONAL RESIDENTIAL CODE AND LOCAL ORDINANCES. REFER TO THE MOST RECENT ENERGY CODE FOR THE REQUIRED U VALUE OF ALL GLAZING
3. REFER TO GENERAL NOTE SHEETS FOR THE GENERAL CONSTRUCTION METHODS AND CONDITIONS.
4. ALL EXTERIOR DOORS OR CONDITIONED SPACES SHALL BE FULLY WEATHER STRIPPED.
5. CEILING AND SOFFIT HEIGHTS INDICATED ON PLANS ARE NOMINAL DIMENSIONS. CEILING HEIGHTS NOTED AS 7'-0" WILL HAVE A ROUGH FRAMED HEIGHT OF 7'-1". 7'-0" CLEAR (FINISHED) OPENING IS REQUIRED PER THE 2000 INTERNATIONAL RESIDENTIAL CODE.
6. EGRESS REQUIREMENTS AT ALL BEDROOMS: MIN. (1) OPERABLE WINDOW WITH A MIN. NET CLEAR OPENABLE AREA OF 5.0 SQ. FT. THE MIN. NET CLEAR OPENABLE HEIGHT SHALL BE 24 IN. AND WIDTH SHALL BE 20 INCHES.
7. REFER TO FLOOR PLAN FOR HIGH KNEE WALLS

BUILDING DEPT. NOTES

1. THE STREET ADDRESS SHALL BE POSTED ON THE BUILDING IN SUCH A POSITION TO BE PLAINLY VISIBLE FROM STREET FRONTING THE PROPERTY, MUST BE ILLUMINATED.
2. PROVIDE INSULATION EQUAL TO R-13 IN EXTERIOR WALLS AND R-30 IN ATTIC CEILING WITH MODEL ENERGY CODES
3. ALL FIREPLACES CONSTRUCTED AFTER JULY 1, 1991 IN RESIDENTIAL DWELLING UNITS TO CONFORM TO SPECIFIED LISTING OR EPA REQUIREMENTS, OR THEIR EQUIVALENT, OR TO BE DECORATIVE ELECTRICAL APPLIANCES.
4. ENERGY CONSERVATION PLUGS, MATERIALS AND METHODS WILL BE ACCEPTABLE SUBMIT SPECIFICATION FOR APPROVAL.
5. ENTRY DOOR PANEL DESIGNS ARE AS SELECTED BY OWNER
6. EXCEPT WHERE OTHERWISE NOTED IN SEC SECTION 2902 ALL FOAM PLASTIC OR FOAM PLASTIC CORES IN MANUFACTURED ASSEMBLIES USED IN BUILDING CONSTRUCTION SHALL HAVE A FLAME-SPREAD RATING OF NOT MORE THAN 75, AND SHALL HAVE A SMOKE-DEVELOPED RATING OF NOT MORE THAN 450, WHEN TESTED TO THE MAXIMUM THICKNESS INTENDED FOR USE IN ACCORDANCE WITH ASTM E 84

2x4 STUDS AT 16" o.c. U.N.O.
2x6 STUDS AT 16" o.c. U.N.O.
SCHAFT
INTERIOR PORTERLE

No.	Date	Issue / Description
	03.19.04	25% Progress Set
	04.09.04	49% Progress Set
	05.19.04	89% Progress Set
	07.20.04	BLDG. DEPT. SUBMITTAL

Consultants

Project:

LAMPLIGHT SQUARE II
HENDERSON

CARINA CORPORATION
2881 BUSINESS PARK CT.
SUITE #210
LAS VEGAS, NV 89128

2003-817

KTGYGROUP, INC.
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License Stamp

01/20/04

Principal In Charge: J. TULLY
Project Director: M. FOWLER
Project Manager: D. NGUYEN
Project Designer: J. TSAI
Checked By: F. YONEMORI

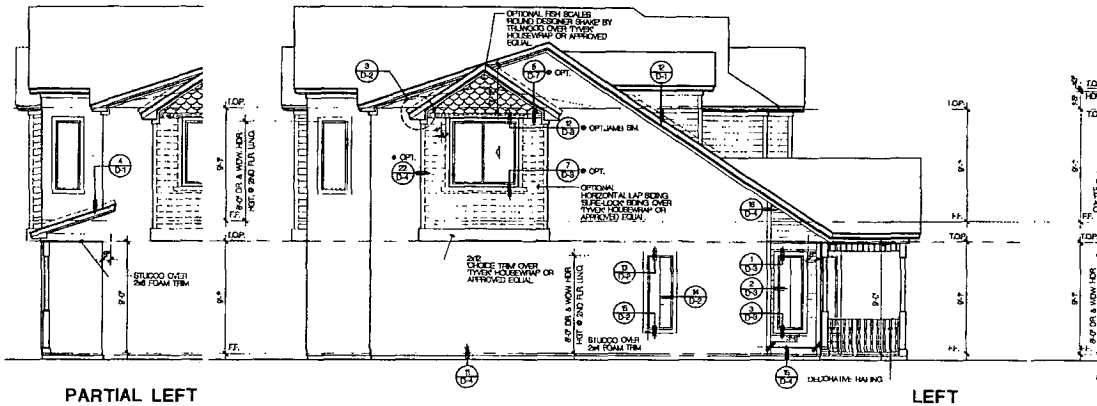
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PLAN 1936
'A' FLOOR PLAN
OPTIONS

Sheet No.: A-1.1A

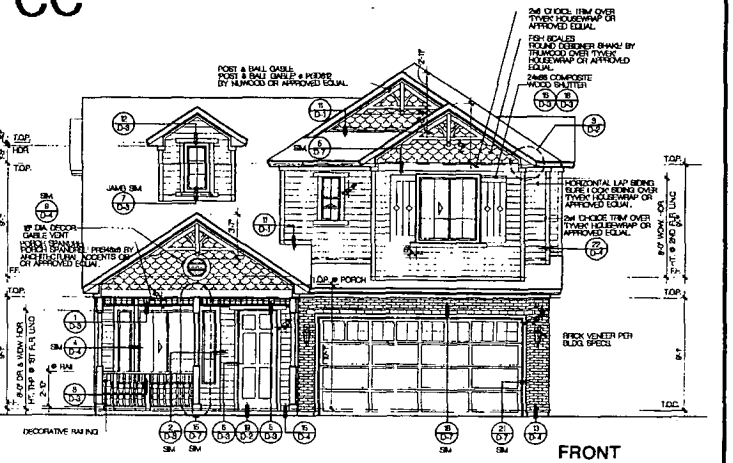
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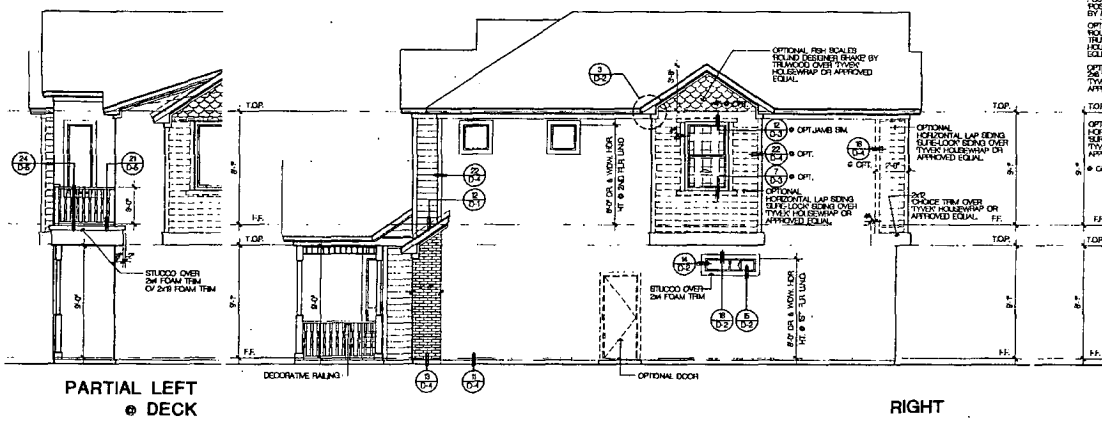


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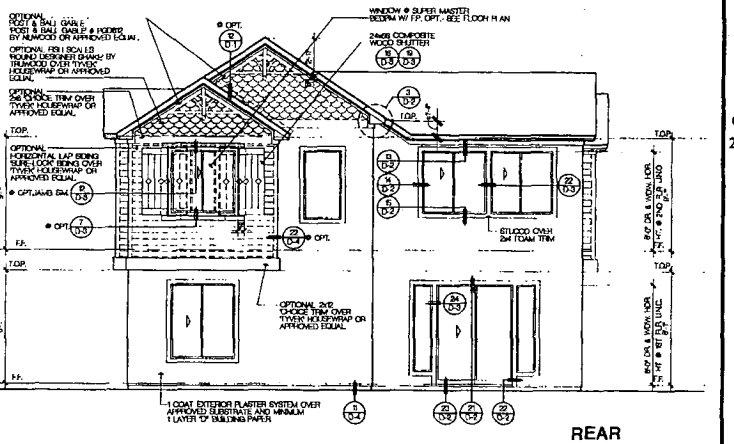


LEFT

FRONT



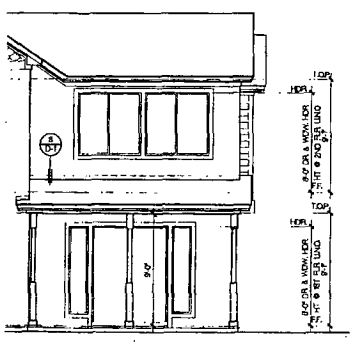
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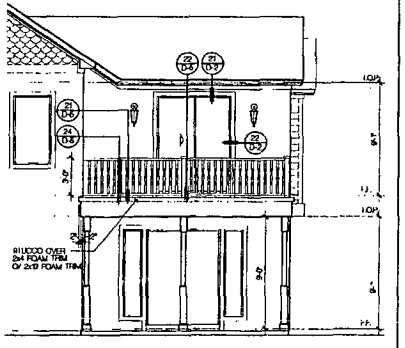
RIGHT

REAR

'A' EXTERIOR ELEVATIONS | SCALE: 1/4" = 1'-0" | 3



COVERED PATIO



DECK

PARTIAL COVERD PATIO AND DECK ELEVATIONS

NOTES

1. IN CALIFORNIA DOUBLE FRAMING AREAS PROVIDE OPENINGS INTO MAIN ATTIC SPACE FOR ADEQUATE VENTILATION, PER 2828 RC. IF CALIFORNIA DOUBLE FRAME AREA HAS MORE THAN 30' HEADROOM PROVIDE A 20"x30" ACCESS THROUGH MAIN ROOF SHEATHING. VERIFY DIMENSION IN ROOF SHEATHING WITH STRUCTURAL ENGINEER
2. ALL BOX COLUMNS AND POP-OUTS SHALL REMAIN OPEN AT TOP PLATE LINE TO ALLOW FOR VENTILATION.
3. PROVIDE TWO (2) LAYERS GRADE 'D' MIN BUILDING PAPER UNDER STUCCO WHERE SHEAR WALL OCCURS.

ATTIC VENTILATION

ATTIC VENTILATION - IRC SECTION R806
THE TOTAL NET FREE VENTILATING AREA SHALL NOT BE LESS THAN 1 TO 150 OF THE AREA OF THE SPACE VENTILATED EXCEPT THAT THE TOTAL AREA IS PERMITTED TO BE REDUCED TO 1 TO 300, PROVIDED AT LEAST 50 PERCENT AND NOT MORE THAN 80 PERCENT OF THE REQUIRED VENTILATING AREA IS PROVIDED BY VENTILATORS LOCATED IN THE UPPER PORTION OF THE SPACE TO BE VENTILATED AT LEAST 3 FEET ABOVE EAVE OR CORNICE VENTS.

FLAT TILE VENTS
MODEL # LAT 460045 BY "CHASKINS INC." OR APPROVED EQUAL
ICBO NO. ER-5049
79 SQ. IN. NET FREE AREA

GABLE END VENTS
LASER MODEL BY MS STEEL
(186 SQ. IN. NET FREE AREA)

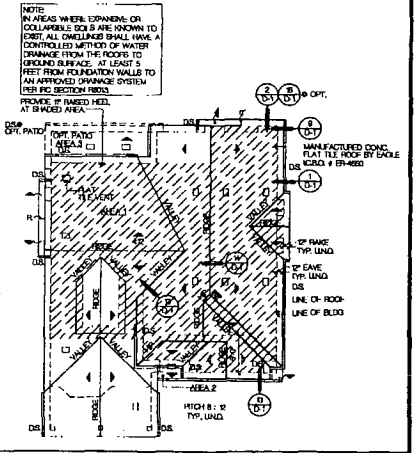
AREA 1
ATTIC SQUARE FOOTAGE= 1412 SQ. FT.
1412 SQ. FT. x 1/300= 4.91 SQ. FT. (707 SQ. IN.)

20 CHASKINS VENTS AT 79 SQ. IN. EACH — 395 SQ. IN. HIGH
20 CHASKINS VENTS AT 79 SQ. IN. EACH — 395 SQ. IN. LOW
TOTAL FREE AREA = — 790 SQ. IN.

AREA 2
ATTIC SQUARE FOOTAGE= 14 SQ. FT.
14 SQ. FT. x 1/150= 099 SQ. FT. (14 SQ. IN.)
1 CHASKINS VENTS AT 79 SQ. IN. EACH — 79 SQ. IN.
TOTAL FREE AREA = — 79 SQ. IN.

AREA 3 - OPT. PATIO
ATTIC SQUARE FOOTAGE= 84 SQ. FT.
84 SQ. FT. x 1/150= .56 SQ. FT. (81 SQ. IN.)
2 CHASKINS VENTS AT 79 SQ. IN. EACH — 158 SQ. IN.

ATTIC VENTILATION



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

No.	Date	Issue / Description
	03.19.04	2% Progress Set
	04.09.04	45% Progress Set
	05.19.04	85% Progress Set
	07.20.04	BI DG. DEPT. SUBMITTAL

Consultant

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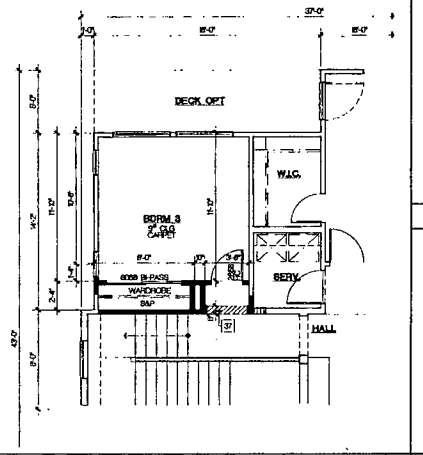
Principal In Charge:	J. TULLY
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PLAN 1936
'A' ROOF PLAN
'A' EXTERIOR ELEVATIONS

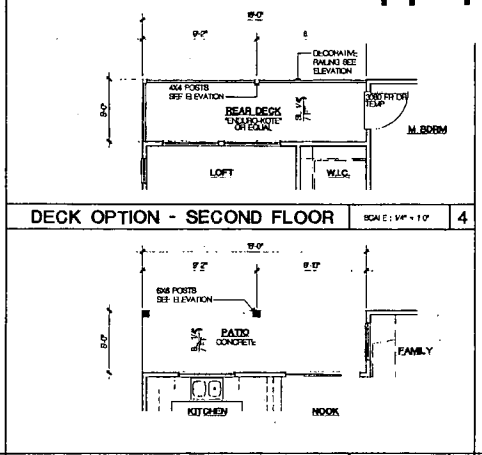
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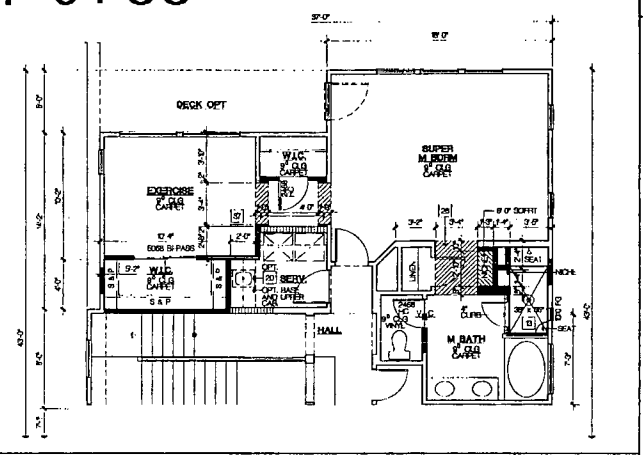


BEDROOM 3 OPTION | SCALE : 1/4" = 1'-0" | 5

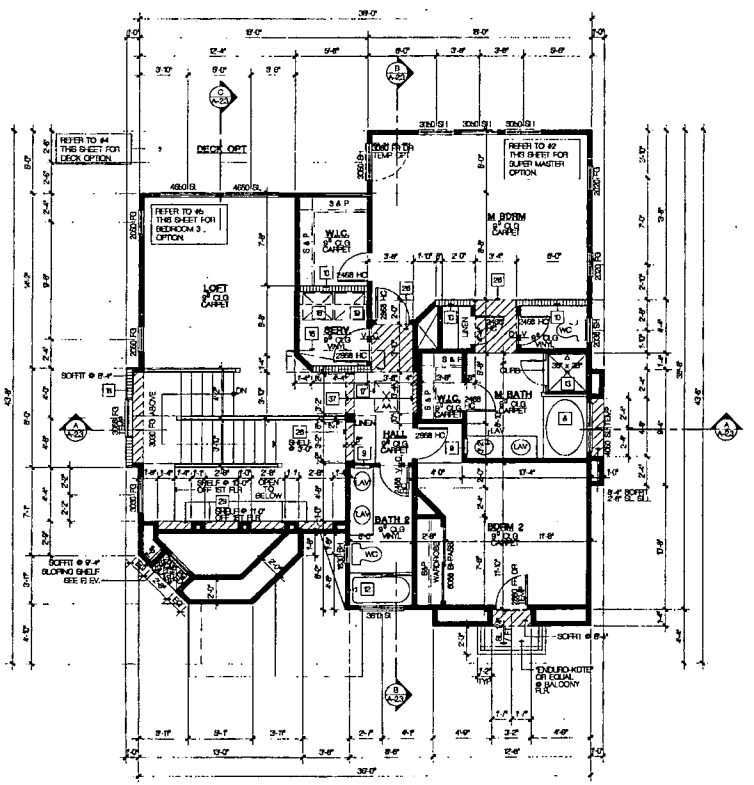


DECK OPTION - SECOND FLOOR | SCALE : 1/4" = 1'-0" | 4

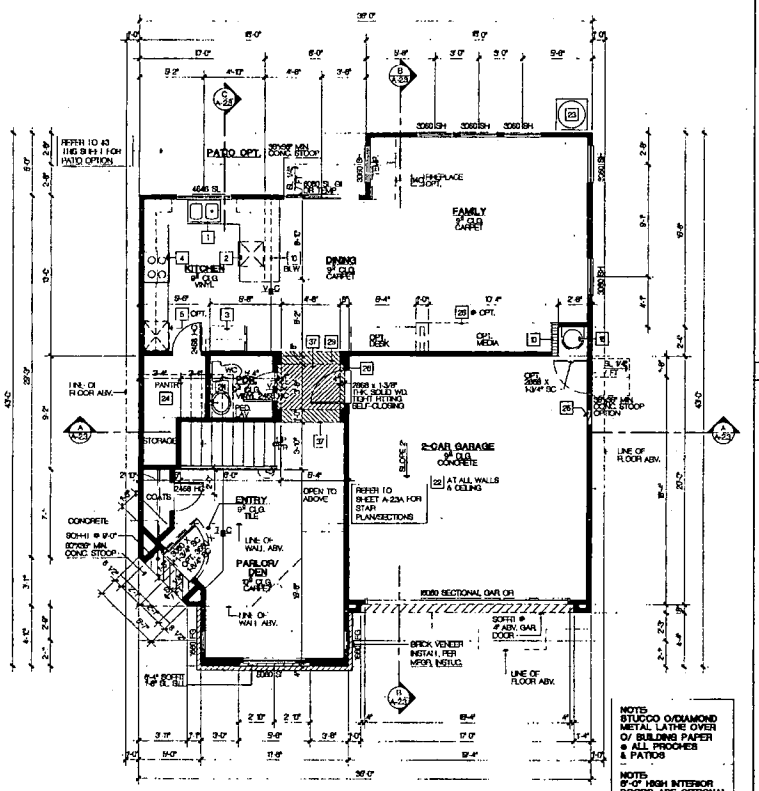
DECK OPTION - FIRST FLOOR | SCALE : 1/4" = 1'-0" | 3



SUPER MASTER BEDROOM W/ EXERCISE OPTION | SCALE : 1/4" = 1'-0" | 2



SECOND FLOOR



FIRST FLOOR

INTERIOR ELEVATIONS

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

KEYNOTES

1. DOUBLE SINK WITH GARBAGE DISPOSAL
2. DISHWASHER (24" WIDE, X 24" DEEP W/ AIR GAP) VERIFY DIMENSIONS WITH MANUFACTURER.
3. 30" CLEAR REFRIGERATOR SPACE (PROVIDE RECESSED COLD WATER BIB AND SHUT-OFF FOR ICE-MAKER)
4. 30" RANGE/OVEN, REFER TO MANUFACTURER SPECIFICATIONS (VENT TO OUTSIDE)
5. 30" DOUBLE OVEN, SEE MANUFACTURERS SPECIFICATIONS
6. NOT USED
7. PANTRY WIDTH NOTED ON PLANS
8. 42"X60" FIBERGLASS OVAL TUB WITH TILE SURROUND OVER WATER RESISTANT GYP. BOARD ABOVE, W/ARLANCE; CONTROL VALVES TO BE PRESSURE BALANCED THERMOSTATIC MIXING VALVES PER 2000 UPC
9. RECESSED MEDICINE CABINET
10. 2 X 6 STUD WALL
11. "SUPER SIMPLEX DISAPPEARING STAIRWAY" BY WILCOXON INDUSTRIES OR APPROVED EQUAL ; PROVIDE MIN. 1HR. FIRE RATING @ LADDERS IN GARAGE WHERE OCCURS
12. 30" X 60" (PIECE FIBERGLASS TUB/ SHWR WITH CERAMIC TILE SURROUND OVER WATER RESISTANT GYP. BOARD ABV. W/ 4" FLANGE; PROVIDE CURTAIN ROD; CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER 2000 UPC (OPT. TEMP. GL. ENCLOSURE)
13. HOT MOPPED CERCAMIC TILE SHOWER PAN (SEE H.M.P.A.N.) OVER (2) 5/8" (MIN.) T&G SUBFLOOR AND OVER WATER RESISTANT GYP. BOARD WITH TEMPERED GLASS SHOWER ENCLOSURE; CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER 2000 UPC
14A. 42" SINGLE SIDED, DIRECT VENT FIREPLACE BY HEAT-N-GLO OR APPROVED EQUAL, (LL LISTING 1 VTFM#25894) MODEL # 9'0' -42DTR-C2
14B. 42" SINGLE SIDED, EXTERIOR FIREPLACE, BY HEAT-N-GLO OR APPROVED EQUAL, (LL LISTING REFER#25893) MODEL: MONTANA - FORMERLY SITS-42/OUT-42
14C. 39" TWO SIDED, DIRECT VENT, FIREPLACE, BY HEAT-N-GLO OR APPROVED EQUAL, (LL LISTING 1 VTFM#25894) MODEL # 1 / FI CORNER HV)
15. 6 GALLON WATER HEATER ON 18" HIGH PLATFORM. BENDING STRAPS REQUIRED ON WATER HEATERS WITH IN THE UPPER ONE THIRD (1/3) AND LOWER ONE-THIRD (1/3) OF ITS VERTICAL DIMENSIONS (2000 UPC SECT. 510.2) PROVIDE PRESSURE RELIEF VALVE W/ DRAIN TO OUTSIDE. COMBUSTION AIR FOR UNIT DIRECT / AND VENT TO OUTSIDE. SEE DETAIL 9/D5.
16. 24" X 30" ATTIC ACCESS MIN. WITH 30" MIN CLEAR HEADROOM PROVIDED FALL MAY PASS THROUGH. PROVIDE SWITCHED LIGHT, 110V OUTLET AND 24" PLATFORM TO FAU
17. WASHER SPACE ; PROVIDE RECESSED WATER AND DRAIN CONNECTIONS (RECESSED BOX IN GARAGE FIREWALL SHALL BE METAL) PROVIDE "EMITTY" PAN AT SECOND FLOOR W/ DRAIN
18. DRYER SPACE ; PROVIDE DRYER VENT TO OUTSIDE PER 2000 UMC. 14' MAX. LENGTH (WITH 2 ELBOWS MAX. OR 8' DUCT WITH 45 CHANGE) CALCULATIONS
19. LAUNDRY SINK
20. 5" DIA. PIPE COLUMN. CONCRETE FILLED, EXTENDING 30" ABOVE SLAB AND 24" INTO FOOTING W/ 6" GRAVEL BED (SEE DETAIL 10/D5.
21. OCCUPANCY SEPARATION PER 2000 IRC BETWEEN GARAGE AND LIVING WALLS. PROVIDE (1) LAYER 5/8" TYPE 'X' GYP. BOARD ON THE GARAGE SIDE OF WALLS AND CEILINGS ADJACENT TO HABITABLE SPACE AND AT ELEMENTS SUPPORTING SEPERATION ABOVE CEILING.
22. AC CONDENSER ON CONCRETE PAD (VERIFY SIZE AND LOCATION) PROVIDE 220 WATERPROOF DISCONNECT AND, WITHIN 25' ADJACENT 110V WATERPROOF OUTLET.
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24. PROVIDE HIGH/LOW VENTS FOR MAKE-UP AIR AT GARAGE PER 2000 UMC

25	8'-4" SOFFIT	33	12'-0" SOFFIT
26	8'-6" SOFFIT	34	12'-6" SOFFIT
27	8'-10" SOFFIT	35	12'-10" SOFFIT
28	8'-6" SOFFIT	36	11'-6" SOFFIT
29	8'-6" SOFFIT	37	11'-6" SOFFIT
30	9'-10" SOFFIT		

31. 1/2 ROUND SOFFIT (TOP @ 8'-4", HINGE PT. @ 8'-4" MINUS 1/2 OF OPENING)
32. 1/2 ROUND SOFFIT TOP @ 9'-0", HINGE PT. @ 8'-0" MINUS 1/2 OF OPENING)
33. ELLIPTICAL SOFFIT (SEE PLAN FOR STRING P1, & 1 OPT.

NOTES

1. REFER TO INTERIOR ELEVATIONS FOR KITCHEN, BATH AND SERVICE ROOM FINISHES.
2. ALL GLAZING SHALL COMPLY WITH 2000 INSHINATIONAL RESIDENCE CODE AND LOCAL ORDINANCES. REFER TO THE MODEL ENERGY CODE FOR THE REQUIRED U VALUE OF ALL GLAZING
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7. REFER TO FLOOR PLAN FOR FLOOR FINISHES

BUILDING DEPT. NOTES

1. THE STREET ADDRESS SHALL BE POSTED ON THE BUILDING IN SUCH A POSITION TO BE PLAINLY LEGIBLE FROM STREET FRONTING THE PROPERTY. MUST BE ILLUMINATED.
2. PROVIDE INSULATION EQUAL TO R-13 IN EXTERIOR WALLS AND R-19 IN ATTIC OVERLY MODEL ENERGY CODE
3. ALL FIREPLACES CONSTRUCTED AFTER JULY 1, 1991 IN RESIDENTIAL DWELLING UNITS TO COMPLY TO SPECIFIED LISTING OR EPA REQUIREMENTS, OR THEN FOR GAS LINE OR TO BE DECORATIVE ELECTRICAL APPLIANCES
4. ONLY APPROVED STUCCO MATERIALS AND METHODS WILL BE ACCEPTABLE. SUBMIT SAMPLES FOR APPROVAL.
5. ENTRY DOOR PANEL DESIGNS ARE AS SELECTED BY OWNER
6. EXCEPT WHERE OTHERWISE NOTED IN 2C SECTION 3102 ALL FOAM PLASTIC OR FOAM PLASTIC CORES IN MANUFACTURED ASSEMBLIES USED IN BUILDING CONSTRUCTION SHALL HAVE A FLAME-SPREAD RATING OF NOT MORE THAN 75 AND SHALL HAVE A SMOKE-DEVELOPED RATING OF NOT MORE THAN 450 WHEN TESTED IN THE MINIMUM THICKNESS INTENDED FOR USE IN ACCORDANCE WITH ASTM E 84

2x4 STUDS AT 16" oc. U.N.O.
2x6 STUDS AT 16" oc. U.N.O.
SOFFIT
INTERIOR FURRING

SQUARE FOOTAGE

FLOOR AREA	
FIRST FLOOR	924 S.F.
SECOND FLOOR	1072 S.F.
TOTAL	1996 S.F.
2 CAR GARAGE	408 S.F.
OPT. COVERED PATIO	90 S.F.
OPT. DECK	90 S.F.

No.	Date	Issue / Description
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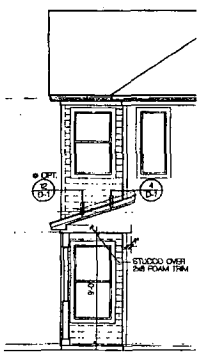
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Project Designer:	J. TSAI
Checked By:	F. YONEMORI

Sheet Title:
PLAN 1996
'A' FLOOR PLAN

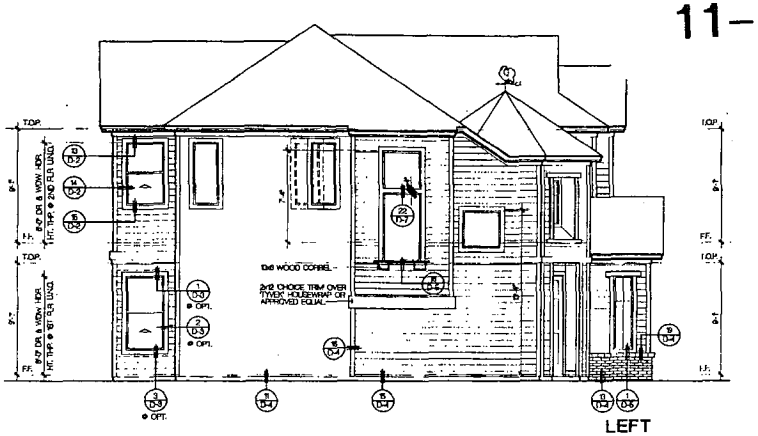
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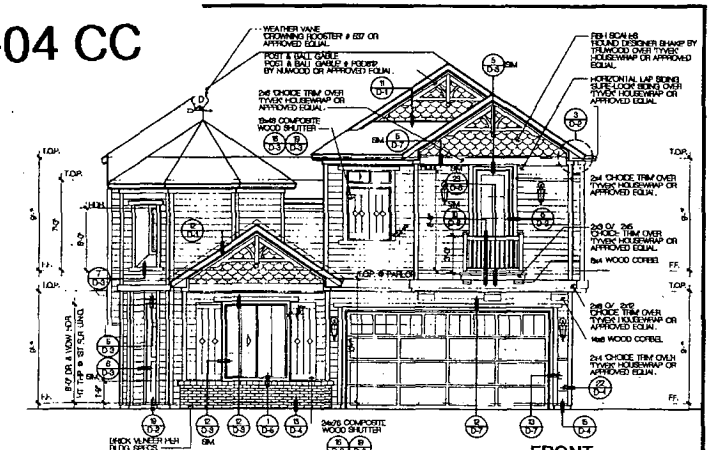
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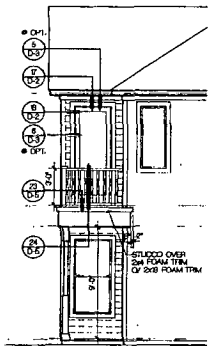
PARTIAL LEFT
@ COVERED PATIO



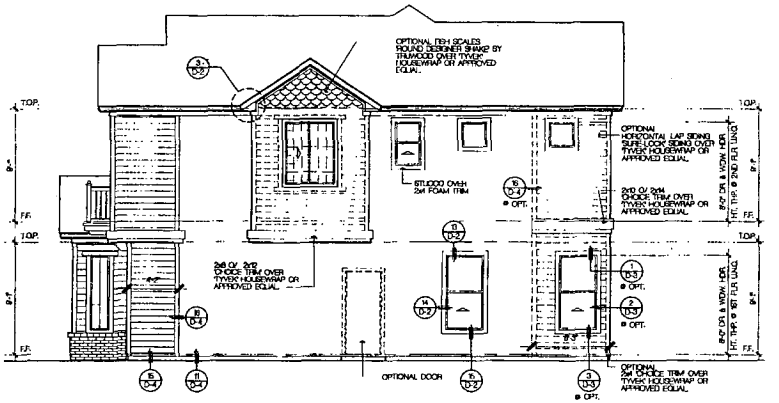
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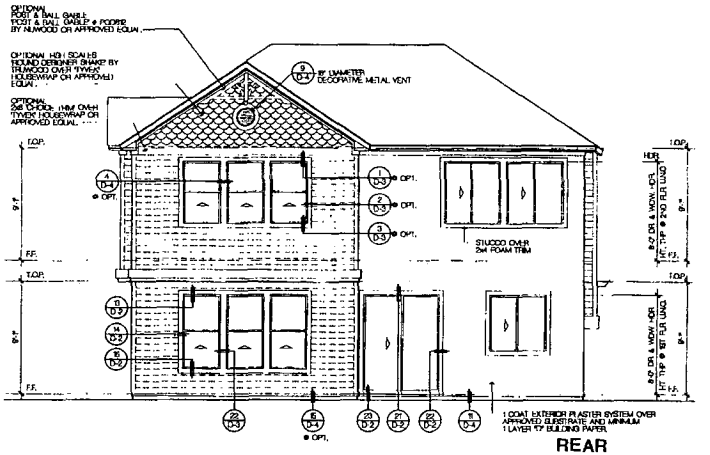
FRONT



PARTIAL LEFT
@ DECK

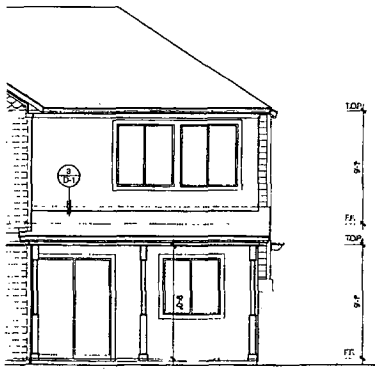


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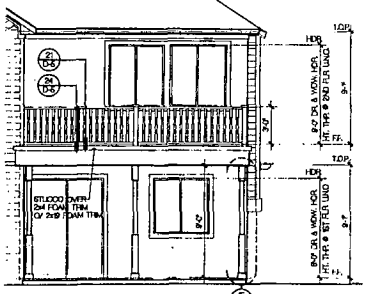


REAR

'A' EXTERIOR ELEVATIONS | SCALE: 1/4" = 1'-0"



COVERED PATIO



DECK

PARTIAL COVERD PATIO AND DECK ELEVATIONS

NOTES

1. IN CALIFORNIA DOUBLE FRAMING AREAS PROVIDE OPENINGS INTO MAIN ATTIC SPACE FOR ADEQUATE VENTILATION PER 2022 RC. IF CALIFORNIA DOUBLE FRAME AREA HAS MORE THAN 30" HEADROOM PROVIDE A 20"x20" ACCESS THROUGH MAIN ROOF SHEATHING. VERIFY OPENINGS IN ROOF SHEATHING WITH STRUCTURAL ENGINEER.
2. ALL BOX COLUMNS AND POP-OUTS SHALL REMAIN OPEN AT TOP PLATE LINE TO ALLOW FOR VENTILATION.
3. PROVIDE TWO (2) LAYERS GRADE D MIN BUILDING PAPER UNDER STUCCO WHERE SHEAR WALL OCCURS.

ATTIC VENTILATION

ATTIC VENTILATION, IRC SECTION R806.2
THE TOTAL NET FREE VENTILATING AREA SHALL NOT BE LESS THAN 1 TO 150 OF THE AREA OF THE SPACE VENTILATED EXCEPT THAT THE TOTAL AREA IS PERMITTED TO BE REDUCED TO 1 TO 300, PROVIDED AT LEAST 10 PERCENT AND NOT MORE THAN 50 PERCENT OF THE REQUIRED VENTILATING AREA IS PROVIDED BY VENTILATORS LOCATED IN THE UPPER PORTION OF THE SPACE TO BE VENTILATED AT LEAST 3 FEET ABOVE EAVE OR CORNICE VENTS.

FLAT TILE VENTS
MODEL FLAT #2040 BY "CHAGINS INC" OR APPROVED EQUAL.
ICBO NO. ER-4294
79 SQ. IN. NET FREE AREA

ALL DORMER VENTS TO BE LOCATED THE SAME DISTANCE FROM THE EAVE LINE
EAVE VENTS SHALL BE UNIFORMLY SPACED AT EAVES/SOFFIT TO PROVIDE ADEQUATE CROSS VENTILATION.

AREA 1
ATTIC SQUARE FOOTAGE= 1294 SQ. FT.
1294 SQ. FT. x 1/300= 4.31 SQ. FT. (621 SQ. IN.)

(4) CHAGINS VENTS AT 79 SQ. IN. EACH — 316 SQ. IN. HIGH
(4) CHAGINS VENTS AT 79 SQ. IN. EACH — 316 SQ. IN. LOW
TOTAL FREE AREA = — 632 SQ. IN.

AREA 2
ATTIC SQUARE FOOTAGE= 65 SQ. FT.
65 SQ. FT. x 1/300= .26 SQ. FT. (40 SQ. IN.)

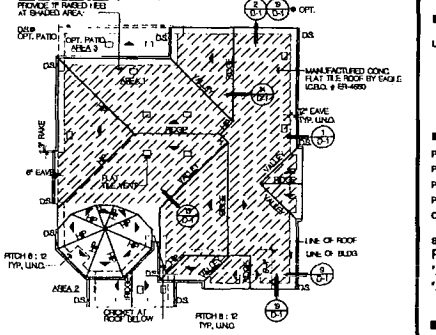
(1) CHAGINS VENTS AT 79 SQ. IN. EACH — 79 SQ. IN. HIGH
(1) CHAGINS VENTS AT 79 SQ. IN. EACH — 79 SQ. IN. LOW
TOTAL FREE AREA = — 158 SQ. IN.

AREA 3 - OPT. PATIO
ATTIC SQUARE FOOTAGE= 90 SQ. FT.
90 SQ. FT. x 1/150= .6 SQ. FT. (87 SQ. IN.)

(2) CHAGINS VENTS AT 79 SQ. IN. EACH — 158 SQ. IN.
TOTAL FREE AREA = — 158 SQ. IN.

ATTIC VENTILATION

NOTE:
IN AREAS WHERE EXPANSIVE OR COLLAPSIBLE SOILS ARE KNOWN TO EXIST, ALL DWELLINGS SHALL HAVE A CONTROLLED METHOD OF WATER DRAINAGE FROM THE ROOFS TO GROUND SURFACE, AT LEAST 5 FEET FROM FOUNDATION WALLS TO AN APPROVED DRAINAGE SYSTEM (R3I3 IRC SECTION R403).
PROVIDE 1% RAISED FLOOR AT SHADED AREA.



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

No.	Date	Issue / Description
	03.19.04	25% Progress Set
	04.09.04	45% Progress Set
	05.19.04	85% Progress Set
	07.20.04	BI DG. DEPT. SUBMITTAL

Consultants

Project:
LAMPLIGHT SQUARE II
HENDERSON

CARINA CORPORATION
2881 BUSINESS PARK CT.
SUITE #210
LAS VEGAS, NV 89128

2003-817

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Irvine, California

License Stamp

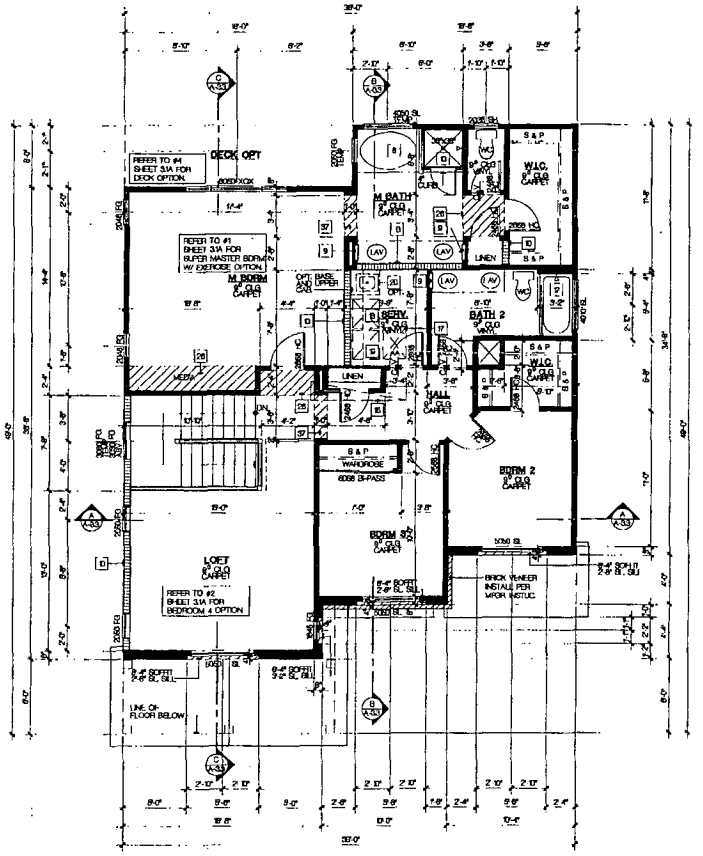
07/20/04

Principal In Charge: J. TULLY
Project Director: M. FOWLER
Project Manager: D. NGUYEN
Project Designer: J. TSAI
Checked By: F. YONEMORI

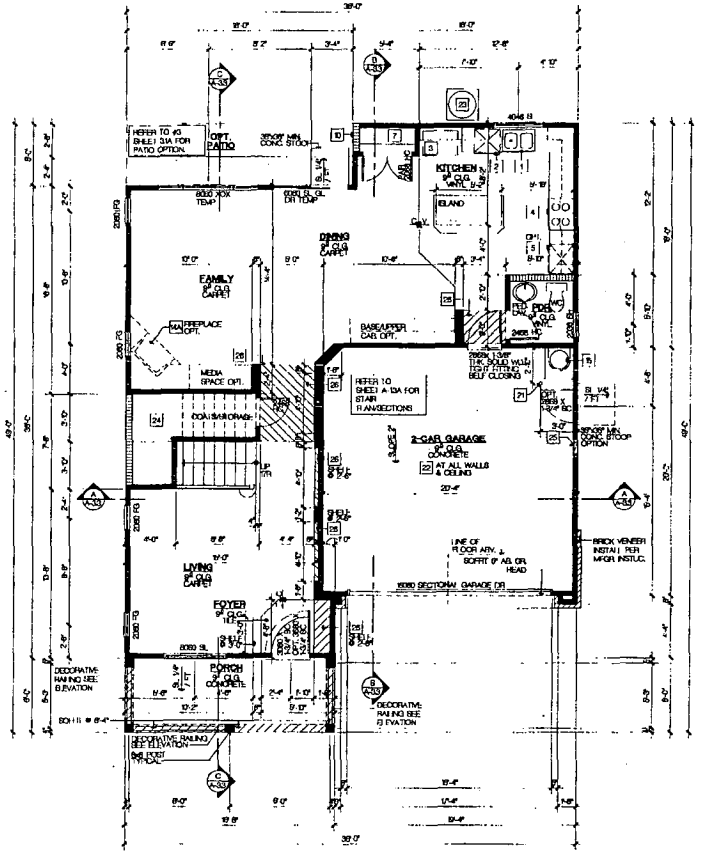
Sheet Title:
PLAN 1998
'A' ROOF PLAN
'A' EXTERIOR ELEVATIONS

Sheet No.: A-2.4

ROC-5445
11-17-04 CC



SECOND FLOOR



FIRST FLOOR

KEYNOTES

1	DOUBLE SINK WITH GARBAGE DISPOSAL
2	DISHWASHER (24" WIDE X 24" DEEP W/ AIR GAP) VERIFY DIMENSIONS WITH MANUFACTURER
3	36" CLEAR REFRIGERATOR SPACE. PROVIDE RECESSED COLD WATER BIB AND SHUT OFF FOR ICE MAKER)
4	30" RANGE/OVEN. REFER TO MANUFACTURERS SPECIFICATIONS. VENT TO OUTSIDE
5	30" DOUBLE OVEN. SEE MANUFACTURERS SPECIFICATIONS.
6	NOT USED
7	PANTRY WIDTH NOTED ON PLANS
8	42"x60" RECTANGULAR/OVAL TUB WITH TILE SURROUND OVER WATER RESISTANT GYP. BOARD ABOVE RIM/FLANGE CONTROL VALVES TO BE PRESSURE BALANCED THERMOSTATIC MIXING VALVES PER 2000 UPC
9	RECESSED MEDICINE CABINET
10	2 X 6 STUD WALL
11	"SUPER SHAFT EX DISAPPEARING STAIRWAY" BY PRECISION LADDERS OR APPROVED EQUAL. PROVIDE MIN. 1-HR. FIRE RATING @ LADDERS IN GARAGE WHERE OCCURS.
12	32" X 60" FIBRE-REINFORCED TUB/ SHWR WITH CERAMIC TILE SURROUND OVER WATER RESISTANT GYP. BOARD ABV. RIM/ FLANGE. PROVIDE CURTAIN ROD. CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER 2000 UPC (DEPT. TEMP. CTL. ENCLOSURE)
13	(E) 36"Wx36"D CERAMIC TILE SHOWER PAN (SEE PLAN FOR SIZE) WITH 9'-0" (MIN.) TILE SURROUND OVER WATER RESISTANT GYP. BOARD WITH TEMPERED GLASS SHOWER ENCLOSURE. CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER 2000 UPC
14A	42" SINGLE (SEMI) DIRECT VENT HEATER ACE BY "HEAT-N-GLO" OR APPROVED EQUAL, ILL LISTING (VTI MH-25390) MODEL # SL SEE TH GI
14B	42" SINGLE (SEMI) DIRECT VENT FIREPLACE BY "HEAT-N-GLO" OR APPROVED EQUAL, ILL LISTING (VTI MH-25390) MODEL # LA/A CORNER HV
15	75 GALLON WATER HEATER ON 18" HIGH PLATFORM. BRACE STRAPS REQUIRED ON WATER HEATERS WITHIN 18'-0" (UPPER ONE THIRD R/S AND LOWER ONE THIRD W/S OF ITS VERTICAL DIMENSION) 2000 UPC SECT. 510.5 PROVIDE PRESSURE RELIEF VALVE W/ DRAIN TO OUTSIDE COMBUSTION AIR PER UMC CHAPT 7 AND VENT TO OUTSIDE. SEE DETAIL 9/A3.1
16	FAU IN ATTIC PER UMC PROVIDE 1 SEP. POWER GAS, ACCESS AND 30" WIDE WORK SPACE. PROVIDE COMBUSTION AIR PER 2000 UMC & VENT TO OUTSIDE
17	22" X 30" ATTIC ACCESS MIN. WITH 1 30" MIN. CLEAR HEADROOM PROVIDED HALWAY BETWEEN FURNACE & FARTHEST POINT. PROVIDE SWITCHED LIGHT, 110V OUTLET AND 24" PLATFORM TO FAU
18	WASHER SPACE: PROVIDE RECESSED WATER AND DRAIN CONNECTIONS (RECESSED BOX IN GARAGE PREFERRED, SHALL BE METAL) PROVIDE 120/1/1 FAN AT BEDROOM FLOOR W/ DRAIN
19	DRYER SPACE: PROVIDE 3" MIN. VENT TO OUTSIDE PER 2000 UMC. 14' MAX. LENGTH WITH 2 ELBOWS MAX. OR 8' SLED WITH MECHANICAL CAP OU ATIONS
20	LAUNDRY SINK
21	9" DIA. PIPE COLUMN CONCRETE FILLED, EXTEND MIN. 30" ABOVE GRADE AND 24" INTO FOOTING W/ 6" GRAVEL BELOW. SEE DETAIL 12/A7.1
22	OCCUPANCY SEPARATION MIN. 2000 IRC BETWEEN GARAGE AND LIVING WAY IS. PROVIDE 1/2" LAYER 5/8" TYPE 'X' GYP. BOARD ON 1) GARAGE SIDE OF WALLS AND CEILINGS ADJACENT TO HABITABLE AREAS, AND 2) AT ELEMENTS SUPPORTING SEPARATION ABOVE CEILING.
23	AC CONDENSER ON CONCRETE PAD (VERIFY SIZE AND LOCATION) PROVIDE 220 WATERPROOF DISCONNECT AND, WITHIN 3'-0" ADJACENT 110V WATERPROOF OUTLET.
24	5/8" TYPE 'X' GYP. BOARD AT WALLS AND CEILING AT UNDER STAIR SPACE. UNDER STAIRS.
25	PROVIDE HIGH/LOW VENTS FOR MAKE-UP AIR AT GARAGE PER 2000 UMC

26	8'-4" SOFFIT	30	12'-0" SOFFIT
27	8'-0" SOFFIT	31	10'-8" SOFFIT
28	8'-10" SOFFIT	32	10'-10" SOFFIT
29	9'-8" SOFFIT	33	11'-0" SOFFIT
30	9'-4" SOFFIT	34	11'-2" SOFFIT
31	9'-10" SOFFIT	35	11'-4" SOFFIT
32	1/2 ROUND SOFFIT TOP @ 8'-4", HINGE PT. @ 8'-4" MINUS 10" OF OPENING		
33	1/2 ROUND SOFFIT TOP @ 9'-0", HINGE PT. @ 9'-0" MINUS 10" OF OPENING		
34	ELLIPTICAL SOFFIT (SEE PLAN FOR SPRING PT. & TOP)		

NOTES

1. REFER TO INTERIOR ELEVATIONS FOR KITCHEN, BATH AND SERVICE ROOM FINISHES.
2. ALL GLAZING SHALL COMPLY WITH 2000 INTERNATIONAL RESIDENTIAL CODE AND ENERGY PERFORMANCE REFER TO THE MODEL ENERGY CODE FOR THE REQUIRED U VALUE OF ALL GLAZING
3. REFER TO GENERAL NOTES SHEETS FOR GENERAL CONSTRUCTION METHODS AND CONDITIONS.
4. ALL EXTERIOR DOORS OF CONDITIONED SPACES SHALL BE FULLY WEATHER STRIPPED
5. CEILING AND SOFFIT HEIGHTS INDICATED ON H AND ARE NOMINAL DIMENSIONS. GRADE HEIGHTS NOTED AS 7'-0" WILL HAVE A NOMINAL HEIGHT OF 6'-8" A.F.F. (A.F.F. CLEAR FINISHED OPENING IS REQUIRED PER THE 2000 INTERNATIONAL RESIDENTIAL CODE.
6. EGRESS REQUIREMENTS AT ALL BEDROOMS MIN (1) OPERABLE WINDOW WITH (A MIN. NET CLEAR OPENABLE AREA OF 5.7 SQ. FT. THE MIN NET CLEAR OPENABLE HEIGHT SHALL BE 24 IN, AND WIDTH SHALL BE 20 INCHES.
7. REFER TO FLOOR PLAN FOR HORIZONTAL AND VERTICAL DIMENSIONS

BUILDING DEPT. NOTES

1. THE STREET ADDRESS SHALL BE POSTED ON THE BUILDING IN SUCH A POSITION TO BE PLAINLY LEGIBLE FROM STREET FRONTING THE PROPERTY. MUST BE ILLUMINATED.
2. PROVIDE INSULATION EQUAL TO R-19 IN EXTERIOR WALLS AND R-30 IN ATTIC WORK WITH MODEL ENERGY CODE)
3. ALL FIREPLACES CONSTRUCTED AFTER JULY 1, 1991 IN RESIDENTIAL DWELLINGS SHALL BE DOMESTICALLY CERTIFIED LISTING OR EPA REQUIREMENTS, OR THEIR EQUIVALENT, OR TO BE DECOMMISSIONED. ELECTRICAL APPLIANCES
4. ONLY APPROVED STUCCO MATERIALS AND METHODS WILL BE ACCEPTABLE. SUBMIT SPECIFICATION FOR APPROVAL
5. ENTRY DOOR PANEL THICKNESS ARE AS SELECTED BY OWNER
6. EXCEPT WHERE OTHERWISE NOTED IN SPECIFICATIONS, ALL PLASTIC OR FOAM PLASTIC CORES IN MANUFACTURED ASSEMBLIES USED IN BUILDING CONSTRUCTION SHALL HAVE A FLAME SPREAD RATING OF NOT MORE THAN 75, AND SHALL HAVE A SMOKE DEVELOPED RATING OF NOT MORE THAN 450 WHEN TESTED IN THE MAXIMUM THICKNESS INTENDED FOR USE IN ACCORDANCE WITH ASTM E 84

2x4 STUDS AT 16" oc U.N.O.
2x6 STUDS AT 16" oc U.N.O.
SOFFIT
INTERIOR FURRING

NOTE:
STUCCO O/DIAMOND METAL LATHE OVER D/ BUILDING PAPER @ ALL PROCHES & PATIOS

NOTE:
8'-0" HIGH INTERIOR DOORS ARE OPTIONAL

INTERIOR ELEVATIONS

SQUARE FOOTAGE

FLOOR AREA	
FIRST FLOOR	950 S.F.
SECOND FLOOR	1301 S.F.
TOTAL	2251 S.F.
2 CAR GARAGE	418 S.F.
PORCH	100 S.F.
OPTIONAL PATIO	89 S.F.
OPTIONAL DECK	89 S.F.

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

CADPLD PLOT DATE

No.	Date	Issue / Description
	03.19.04	25% Progress Set
	04.09.04	45% Progress Set
	05.19.04	85% Progress Set
	07.2004	BLDG. DEPT. SUBMITTAL

Consultant

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01/20/04

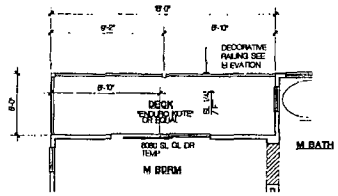
Principal in Charge:	J. TULLY
Project Director:	M. FOWLER
Project Manager:	D. NGUYEN
Project Designer:	J. TSAI
Checked By:	F. YONEMORI

Sheet Title:
PLAN 2251
'A' FLOOR PLAN

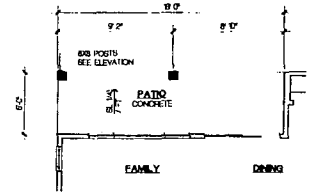
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ROC-5445

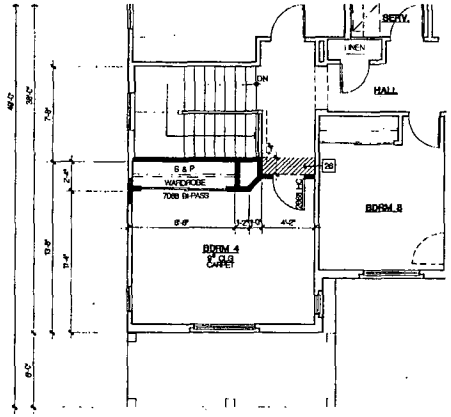
11-17-04 CC



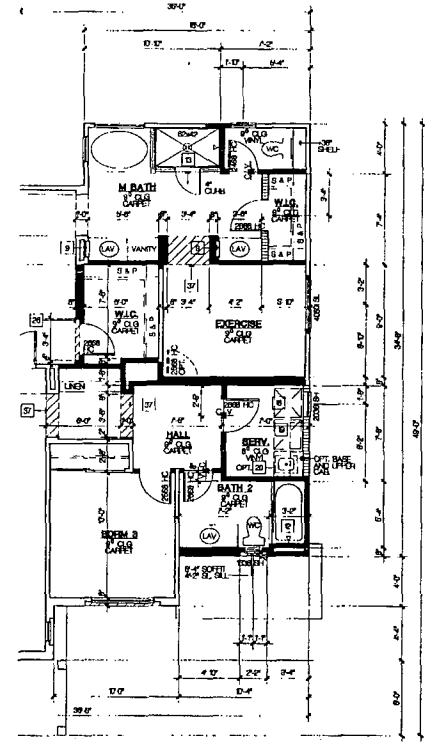
DECK OPTION SECOND FLOOR | SCALE : 1/4" = 1'-0" | 4



DECK OPTION FIRST FLOOR | SCALE : 1/4" = 1'-0" | 3



BEDROOM 4 OPTION | SCALE : 1/4" = 1'-0" | 2



SUPER MASTER BEDROOM/EXERCISE OPTION | SCALE : 1/4" = 1'-0" | 1

INTERIOR ELEVATIONS

KEYNOTES

1. DOUBLE SINK WITH GARBAGE DISPOSAL
2. DISHWASHER (24" WIDE, x 24" DEEP W/ AIR GAP) VERIFY DIMENSIONS WITH MANUFACTURER
3. 30" CLEAR JETTISOUN FOR SPACE. PROVIDE RECESSED COLD WATER BIB AND SHUT-OFF FOR ICE-MAKER)
4. 30" RANGE/OVEN. REFER TO MANUFACTURE'S SPECIFICATIONS (VENT TO OUTSIDE)
5. 30" DOUBLE OVEN. SEE MANUFACTURE'S SPECIFICATIONS
6. NOT USED
7. PANTRY WIDTH NOTED ON PLANS
8. 42"X21" FIBERGLASS OVAL TUB WITH (EN. SURROUND) OVER WATER RESISTANT GYP. BOARD ABOVE RAVA ANGI-CONTROL VALVES TO BE PRESSURE BALANCED) THERMOSTATIC MIXING VALVES PER 2003 UPC
9. RECESSED MEDICINE CABINET
10. 2 X 6 STUD WALL
11. *SUPER SIMPLEX DEMPSHWING STAIRWAY* HY PRECISION LADDER OR APPROVED EQUAL. PROVIDE MIN. 1HR. FIRE-RATING @ LADDERS IN GARAGE WHERE OCCURS
12. 32" X 60" (PIECE FIBERGLASS TUB/ SHWR WITH CERAMIC TILE SURROUND OVER WATER RESISTANT GYP. BOARD) NEW, RAVA FLANGE, PROVIDE CURTAIN ROD, CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER 2003 UPC (OPT. TEMP. GL. ENCLOSURE)
13. HOT MOPPED CERAMIC TILE SHOWER PAN (SEE PLAN FOR SIZE WITH 8'-0" (MIN.) TILE SURROUND OVER WATER RESISTANT GYP. BOARD WITH TEMPERED GLASS) SHOWER ENCLOSURE CONTROL VALVES TO BE PRESSURE BALANCED OR THERMOSTATIC MIXING VALVES PER 2003 UPC
14A. 42" SINGLE SIDED, DIRECT VENT FIREPLACE, HY TEK I-N-GLO OR APPROVED EQUAL, E.I. LISTING (LVTM-MS2344) MODEL # 9-42DTH-O
14B. 42" SINGLE SIDED, DITURCH HIREPLACE, HY TEK I-N-GLO OR APPROVED EQUAL, E.I. LISTING DEPEAM-1560) MODEL: MONTANA+ FORMERLY STS-42OUT 42)
14C. 32" TWO SIDED, UNVENTED VENT FIREPLACE (BY HEAT N GLO OR APPROVED EQUAL, E.I. LISTING LVTM-MS2344) MODEL # 1-FI CORNER HM
15. 76 GALLON WATER HEATER ON 18" HIGH PLATFORM, SEISMIC STRAPS REQUIRED ON WATER HEATERS WITHIN THE UPPER ONE-THIRD (1/3) AND LOWER ONE-THIRD (1/3) OF ITS VERTICAL DIMENSIONS (2000 UPC SECT. 510.5) PROVIDE PRESSURE RELIEF VALVE W/ DRAIN TO OUTSIDE. COMBUSTION AIR PER UMC CHAPT 7 AND VENT TO OUTSIDE. SEE DETAIL 5/A3.1
16. FAU IN ATTIC PER UMC. PROVIDE LIGHT, POWER, GAS, ACCESS AND 30" WIDE WORK SPACE. PROVIDE COMBUSTION AIR PER 2003 UMC & VENT TO OUTSIDE
17. 22" X 30" ATTIC ACCESS MIN. WITH 30" MIN. CLEAR HEADROOM PROVIDED) FAU MAY PASS THROUGH (PROVIDE SWITCHED 110 VOLT OUTLET) AND 24" PLATFORM TO FAU
18. WASHER SPACE : PROVIDE RECESSED WATER AND DRAIN CONNECTIONS (RECESSED BOX IN GARAGE WALL) (WAH BE METAL) PROVIDE "SAFETY" PAN AT SECOND FLOOR W/ DRAIN
19. DRYER SPACE : PROVIDE DRYER VENT TO OUTSIDE PER 2003 UMC. 14' MAX. LENGTH (WITH 2 45 BENDS MAX. OR 8' FLEX WITH MECHANICAL CALCULATIONS
20. LAUNDRY SINK
21. 9" DIA. PIPE COLUMN CONCRETE FILLED, EXTENDING 30" ABOVE SLAB AND 24" INTO FOOTING W/ 9" GRAVEL BELOW. SEE DETAIL 10/D.5.
22. OCCUPANCY SEPARATION PER 2003 IRC BETWEEN GARAGE AND LIVING WALLS. PROVIDE (1) LAYER 5/8" TYPE 'X' GYP. BOARD ON THE GARAGE SIDE OF WALLS AND CEILINGS ADJACENT TO HABITABLE AREAS AND AT CLOSET'S SUPPORTING SEPERATION ABOVE CEILING.
23. AC CONDENSER ON CONCRETE PAD (VERIFY SIZE AND LOCATION) PROVIDE 220 WATERPROOF DISCONNECT AND, WITHIN 25' ADJACENT TO W/ WATERPROOF OUTLET.
24. 5/8" TYPE 'X' GYP. BOARD AT WALLS AND CEILING AT USABLE SPACE UNDER STAIRS.
25. PROVIDE (HIGH/LOW VENTS FOR MAKE-UP AIR AT GARAGE PER 2003 UMC

26	9'-4" SOFFIT	32	10'-0" SOFFIT
27	8'-4" SOFFIT	33	12'-0" SOFFIT
28	8'-10" SOFFIT	34	17' 0" SOFFIT
29	9'-0" SOFFIT	35	11'-0" SOFFIT
30	9'-8" SOFFIT	36	11'-6" SOFFIT
31	9'-10" SOFFIT		

33. 16" ROUND SOFFIT TOP @ 8'-4", HINGE PT. @ 8'-4" MINUS 1/2 OF OPENING
34. 1/2 ROUND SOFFIT TOP @ 9' 0", HINGE PT. @ 9'-0" MINUS 1/2 OF OPENING
35. ELLIPTICAL SOFFIT (SEE PLAN FOR SPRING PT. & TOP)

NOTES

1. REFER TO INTERIOR ELEVATIONS FOR KITCHEN, BATH AND SERVICE ROOM FINISHES.
2. ALL GLAZING SHALL COMPLY WITH 2003 INTERNATIONAL RESIDENTIAL CODE AND LOCAL ORDINANCES. REFER TO THE MODEL ENERGY CODE FOR THE REQUIRED U VALUE OF ALL GLAZING
3. REFER TO GENERAL NOTE SHEETS FOR THE GENERAL CONSTRUCTION NOTES AND CONDITIONS.
4. ALL EXTERIOR DOORS OF CONDITIONED SPACES SHALL BE FULLY WEATHER STRIPPED.
5. CEILING AND SOFFIT HEIGHTS INDICATED ON PLANS ARE NOMINAL DIMENSIONS. CEILING HEIGHTS NOTED AS 7'-0" MIN. = A FOUR INCH (4") HEIGHT OF 7'-0" TO 7'-4" CLEAR FINISHED OPENING IS REQUIRED PER THE 2003 INTERNATIONAL RESIDENTIAL CODE.
6. EGRESS REQUIREMENTS AT ALL BEDROOMS WITH (1) OPERABLE WINDOW WITH A MIN NET CLEAR OPENABLE AREA OF 5.7 SQ.FT., THE MIN NET CLEAR OPENABLE HEIGHT SHALL BE 24 IN. AND WIDTH SHALL BE 20 INCHES
7. REFER TO FLOOR PLAN FOR FLOOR FINISHES

BUILDING DEPT. NOTES

1. THE STREET ADDRESS SHALL BE POSTED ON THE BUILDING IN SUCH A POSITION TO BE PLAINLY LEGIBLE FROM STREET FRONTING THE PROPERTY, MUST BE ILLUMINATED.
2. PROVIDE INSULATION EQUAL TO R-13 IN EXTERIOR WALLS AND R-30 IN ATTIC (MEMPT WITH MODES ENERGY CODE)
3. ALL FIREPLACES CONSTRUCTED AFTER JULY 1, 1991 IN RESIDENTIAL DWELLING UNITS TO COMPLY TO SPECIFIED LISTING OR EPA REQUIREMENTS, OR THEIR EQUIVALENT OR TO BE DECORATIVE ELECTRICAL APPLIANCES.
4. ONLY APPROVED STUCCO MAHERIALS AND METHODS WILL BE ACCEPTABLE SUBMIT SPECIFICATION FOR APPROVAL.
5. ENTRY DOOR PANEL DESIGNS ARE AS SELECTED BY OWNER
6. EXCEPT WHERE OTHERWISE NOTED IN IRC SECTION 316.2 ALL FOAM PLASTIC OR FOAM PLASTIC CORES IN MANUFACTURED ASSEMBLIES USED IN BUILDING CONSTRUCTION SHALL HAVE A FLAME SPREAD RATING OF NOT MORE THAN 75 AND SHALL HAVE A SMOKE-DEVELOPED RATING OF NOT MORE THAN 450 WHEN TESTED IN THE MAXIMUM THICKNESS INTENDED FOR USE IN ACCORDANCE WITH ASTM E 84

2x4 STUDS AT 16" o.c. U.N.O.
2x6 STUDS AT 16" o.c. U.N.O.
SOFFIT
INTERIOR PORTSHED F

SQUARE FOOTAGE

FLOOR AREA

FIRST FLOOR	950 S.F.
SECOND FLOOR	1301 S.F.
TOTAL	2251 S.F.
2 SPACE GARAGE	413 S.F.
PORCH	100 S.F.
COVERED PATIO OPT.	59 S.F.

CARPET
PLOT DATE

No.	Date	Issue / Description
	03.19.04	25% Progress Set
	04.09.04	49% Progress Set
	05.19.04	89% Progress Set
	07.20.04	BLDG. DEPT. SUBMITTAL

Consultant:

Project:

LAMPLIGHT SQUARE II
HENDERSON

CARINA CORPORATION
2881 BUSINESS PARK CT.
SUITE #210
LAS VEGAS, NV 89128

2003-817

KTGY GROUP, INC.
Architecture Planning
17992 MITCHELL SOUTH
IRVINE, CA 92614
(949) 851-2133
(949) 851-2136 FAX
Irvine, California

License Expires

07/20/04

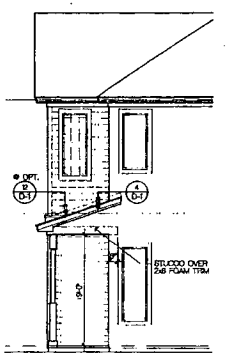
Principal In Charge: J. TULLY
Project Director: M. FOWLER
Project Manager: D. NGUYEN
Project Designer: J. TSAI
Checked By: F. YONEMORI

Sheet Title:
PLAN 2251
'A' FLOOR PLAN
OPTIONS

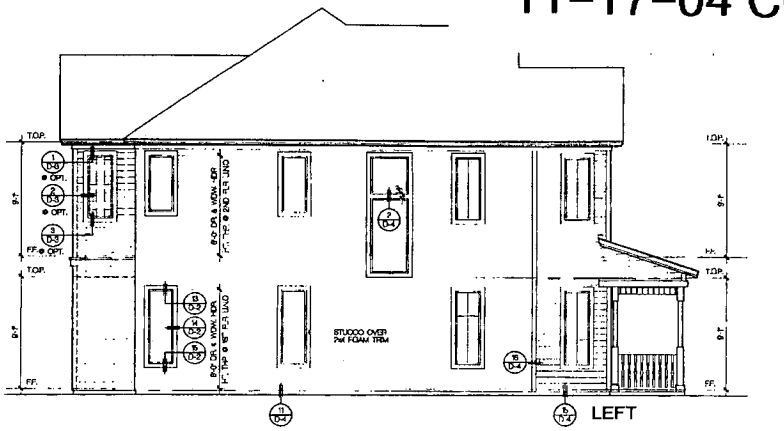
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ROC-5445

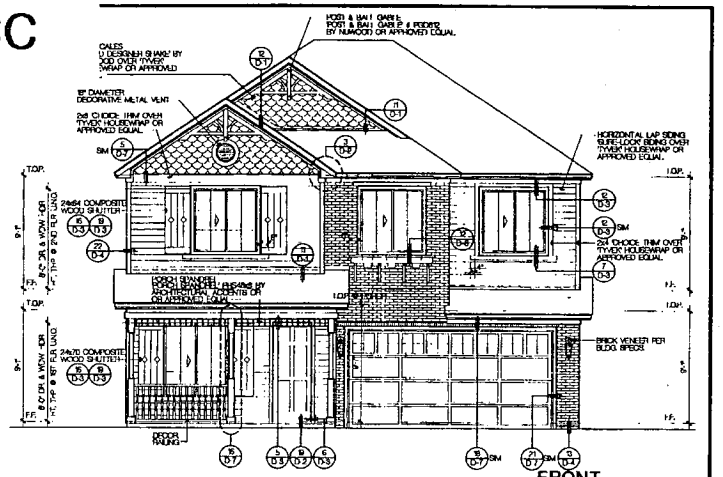
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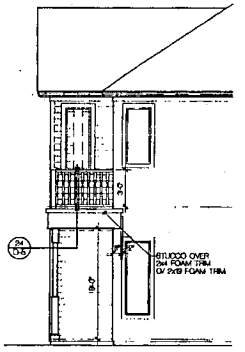
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@ COVERED PATIO



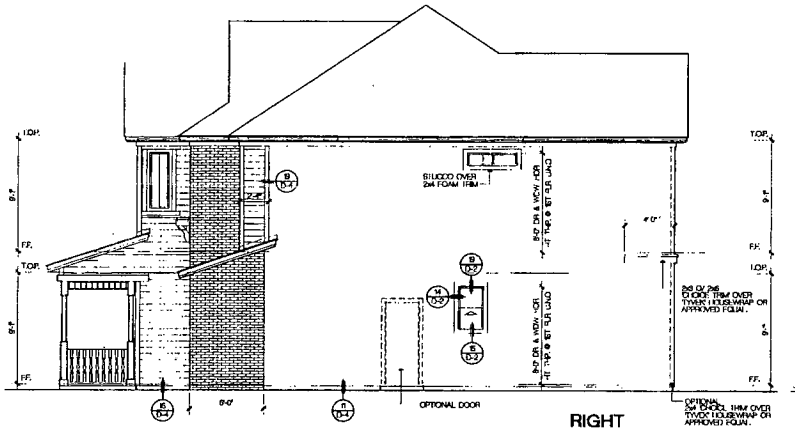
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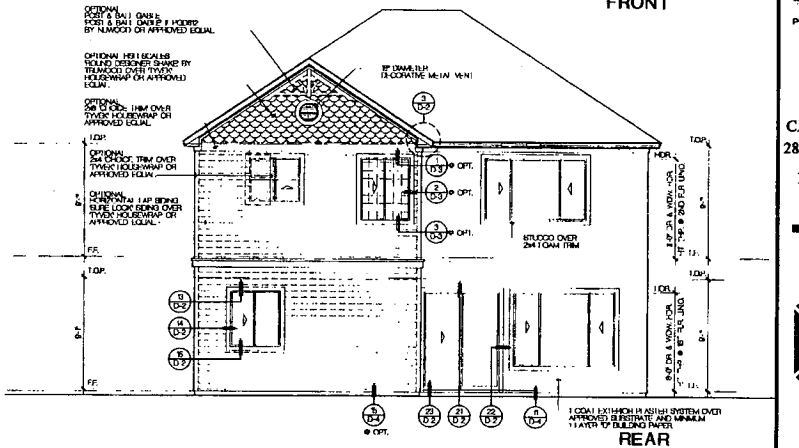
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@ DECK

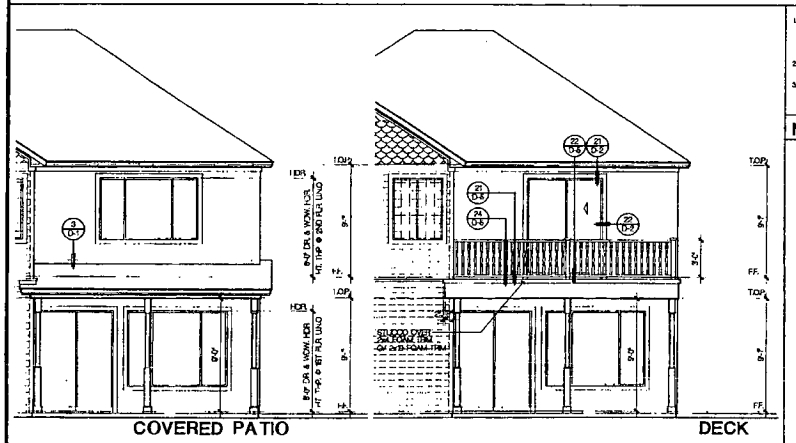


RIGHT



REAR

'A' EXTERIOR ELEVATIONS



COVERED PATIO DECK

PARTIAL COVERD PATIO AND DECK ELEVATIONS

NOTES

1. IN CALIFORNIA DOUBLE FRAMING AREAS PROVIDE OPENINGS INTO MAIN ATTIC SPACE FOR ADDING INSULATION PER 2003 IRC. IF CALIFORNIA DOUBLE FRAME AREA HAS MORE THAN 20' HEADROOM PROVIDE A 22"X30" ACCESS THROUGH MAIN ROOF SHEATHING. VERIFY OPENINGS IN ROOF SHEATHING WITH STRUCTURAL ENGINEER.
2. ALL BOX COLUMNS AND NON LOAD BEARING WALLS TO BE FURRED OUT AT TOP PLATE LINE TO ALLOW FOR VENTILATION.
3. PROVIDE TWO (2) LAYERS GRADE 'D' MIN. BUILDING PAPER UNDER STUCCO WHERE SHEAR WALL OCCURS.

ATTIC VENTILATION

ATTIC VENTILATION. (IRC SECTION R806)
THE TOTAL NET FREE VENTILATING AREA SHALL NOT BE LESS THAN 1/150 OF THE AREA OF THE SPACE VENTILATED EXCEPT THAT THE TOTAL AREA IS PERMITTED TO BE REDUCED TO 1/300, PROVIDED AT LEAST 50 PERCENT AND NOT MORE THAN 80 PERCENT OF THE REQUIRED VENTILATING AREA IS PROVIDED BY VENTILATORS LOCATED IN THE UPPER PORTION OF THE SPACE TO BE VENTILATED AT LEAST 3 FEET ABOVE EAVE OR CORNICE VENTS.

FLAT TILE VENTER
MODEL (FLAT) #6043 BY "OMWING INC" OR APPROVED EQUAL.
ICBO NO. ER 5290
79 SQ. INCH FREE AIR

ALL DORMER VENTS TO BE LOCATED THE SAME DISTANCE FROM THE EAVE LINE.
EAVE VENTS SHALL BE UNIFORMLY SPACED ALL ALONG SOFFIT TO PROVIDE ADEQUATE CROSS VENTILATION.

AREA 1
ATTIC SQUARE FOOTAGE= 1359 SQ. FT.
1359 SQ. FT. x 1/300= 4.53 SQ. FT. (653 SQ. IN.)

52 OMAGINS VENTS AT 79 SQ. IN. EACH = 395 SQ. IN. HIGH
46 OMAGINS VENTS AT 79 SQ. IN. EACH = 316 SQ. IN. LOW
TOTAL FREE AREA = 711 SQ. IN.

AREA 2
ATTIC SQUARE FOOTAGE= 104 SQ. FT.
104 SQ. FT. x 1/300= .69 SQ. FT. (101 SQ. IN.)

02 OMAGINS VENTS AT 79 SQ. IN. EACH = 158 SQ. IN. HIGH

TOTAL FREE AREA = 158 SQ. IN.

AREA 3
ATTIC SQUARE FOOTAGE= 41 SQ. FT.
41 SQ. FT. x 1/300= .28 SQ. FT. (42 SQ. IN.)

01 OMAGINS VENTS AT 79 SQ. IN. EACH = 79 SQ. IN. HIGH

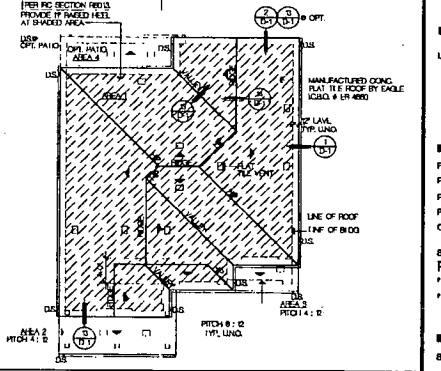
TOTAL FREE AREA = 79 SQ. IN.

AREA 4 - OPT. PATIO
ATTIC SQUARE FOOTAGE= 80 SQ. FT.
80 SQ. FT. x 1/300= .5 SQ. FT. (77 SQ. IN.)

02 OMAGINS VENTS AT 79 SQ. IN. EACH = 158 SQ. IN.

TOTAL FREE AREA = 158 SQ. IN.

NOTE:
IN AREAS WHERE LOW-SLOPE, OR CONCAVE SOILS ARE KNOWN TO EXIST, ALL DWELLINGS SHALL HAVE A CONTROLLED METHOD OF WATER DRAINAGE FROM THE FOOTINGS TO GROUND SURFACE. AT LEAST 5 FEET FROM FOUNDATION WALLS TO AN APPROVED DRAINAGE SYSTEM PER IRC SECTION R801.3.
PROVIDE 1ST RAISED HEEL AT SHADED AREA.



'A' ROOF PLAN

1

No.	Date	Issue / Description
	03.19.04	25% Progress Set
	04.09.04	49% Progress Set
	05.19.04	86% Progress Set
	07.20.04	BLDG. DEPT. SUBMITTAL

Consultant

Project:
LAMPLIGHT
SQUARE II
HENDERSON

CARINA CORPORATION
2881 BUSINESS PARK CT.
SUITE #210
LAS VEGAS, NV 89128

2003-817

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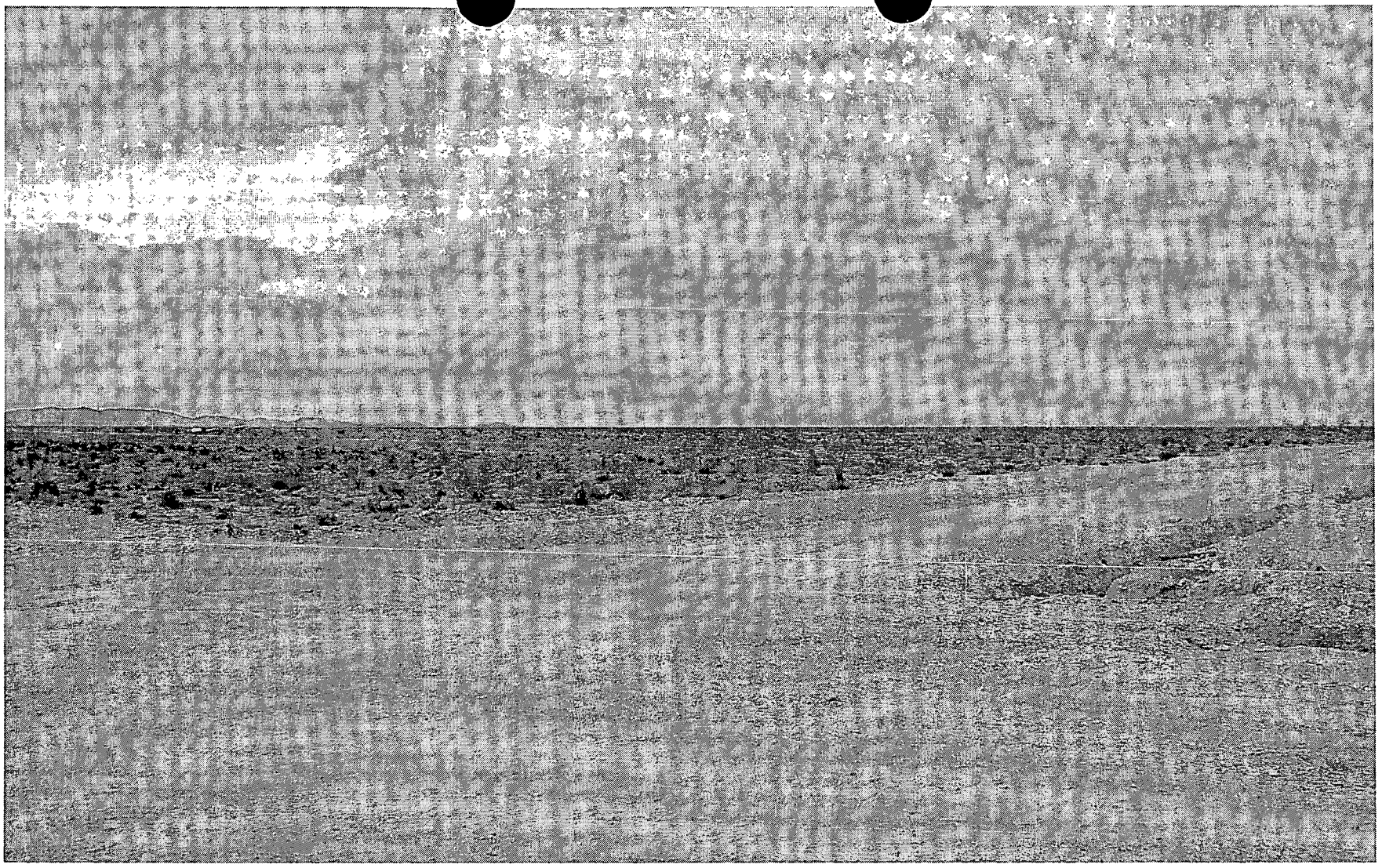
License Stamp

01/20/04

Principal In Charge:	J. TULLY
Project Director:	M. FOWLER
Project Manager:	D. NGUYEN
Project Designer:	J. TSAI
Checked By:	F. YONEMORI

Sheet Title:
PLAN 2251
'A' ROOF PLAN
'A' EXTERIOR ELEVATIONS

Sheet No.:
A-3.4



ROC-5445 - APPLICANT/OWNER: CARINA CORPORATION
Adjacent to the northwest corner of Farm Road and Hualapai Way
NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/26/04

ROC-5445

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

October 26, 2004

Ms. Carolyn Mich'l
C22, Limited Partnership
3075 Rosanna Street
Las Vegas, Nevada 89117

RE: SDR-4370 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Related to ZON-4368 and VAC-4420

Dear Ms. Mich'l:

The City Council at a regular meeting held September 15, 2004 APPROVED the request for a Site Development Plan Review FOR A 73-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.52 acres adjacent to the northwest corner of Farm Road and Hualapai Way (APN 126-13-601-004, 006, 008 and 009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: R-PD6 (Residential Planned Development - 6 Units Per Acre)]. [NOTE: THIS ITEM WILL BE AMENDED TO 69 LOTS [PROPOSED R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT – 7 UNITS PER ACRE)].] The Notice of Final Action was filed with the Las Vegas City Clerk on September 16, 2004. This approval is subject to:

Planning and Development

1. A Rezoning [ZON-4368] to an R-PD6 (Residential Planned Development - 6 Units Per Acre) Zoning District approved by the City Council.

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

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

4. All development shall be in conformance with the site plan and building elevations for a maximum of 69 units, date stamped 9/13/04, except as amended by conditions herein.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-6/04

5. The setbacks for this development shall be a minimum of 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3 feet on the side, 10 feet to the building, 10 feet onthe corner side, and 5 feet in the rear. The properties backing Farm Road shall have 10-foot rear setbacks. Lots 19 through 31 abutting adjacent property to the west shall have 10-foot rear setbacks, and lots 3, 4, 9 and 10 shall have 10-foot side setbacks on Hualapai Way.

6. Air conditioning units shall not be mounted on rooftops.

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.

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

10. The trail shown on the plan along the west side of Hualapai Way shall conform to the Cliff's Edge Multi-Use Transportation Trail Standards.

Public Works

11. A petition of vacation for all right-of-way in conflict with the proposed site plan (Donald Nelson Avenue), such as VAC-4420, shall record prior to the recordation of a Final Map abutting or overlying the area to be vacated, and the Final Map must show the Recorder's numbers of the Vacations.

12. 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.

13. Grant pedestrian access easements and public utility easements for all sidewalks located outside of the public street right-of-way. The sidewalk shall be within a separate common lot.

14. Landscape and maintain all unimproved rights-of-way on Hualapai Way and Farm Road adjacent to this site.

15. Submit an Encroachment Agreement for all landscaping and private improvements located in the Hualapai Way and Farm Road public rights-of-way adjacent to this site prior to occupancy of this site.

16. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

17. Site development to comply with all applicable conditions of approval for ZON-4368 and all other subsequent site-related actions.

18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard private drive/private street intersections are proposed within in this development.

Sincerely,

Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

M. Margo Wheeler, AICP
Deputy Director
Planning and Development Department

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. of Fire Services

Ms. Amber Dolce
Carina Homes
2881 Business Park Court, Suite #210
Las Vegas, Nevada 89128

Ms. Regina Frederick
Wright Engineers
7425 Peak Drive
Las Vegas, Nevada 89128

City of Las Vegas

Agenda Item No. 106

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW

SDR-4978 - PUBLIC HEARING - APPLICANT: LAS TUNIS, LLC - OWNER: CLARK COUNTY DEVELOPMENT CORPORATION - Request for a Site Development Plan Review FOR A 5,660 SQUARE FOOT MEDICAL OFFICE BUILDING AND WAIVERS OF TRASH ENCLOSURE SEPARATION, FRONT YARD SETBACK, AND WIDTH OF PERIMETER LANDSCAPING on 0.45 acres on James Bilbray Drive, approximately 120 feet south of Smoke Ranch Road (APN 138-23-110-032), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking), Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

ADRIAN JONES, 4750 West Flamingo Road, appeared on behalf of the applicant and concurred with all recommendations.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.
(1:37 - 1:38)
2-1010

CONDITIONS:

Planning and Development

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

2. The trash enclosure shall be covered as required by the Commercial Development Standards.

CONDITIONS - Continued:

3. Landscaping shall be provided in accordance with Code standards along the south, east and west property lines. A waiver is approved along the north property line to provide a five foot wide planter along the north property line, with 24 inch box trees 15 feet on center. A revised plan shall be submitted to and approved by the Planning and Development Department prior to the approval of any building permits for this site.

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

5. All development shall be in conformance with the submitted plans date stamped October 12, 2004, except as amended by the recommended conditions.

Public Works

6. Dedicate an additional 10 feet of right-of-way for a total half-street width of 30 feet on James Bilbray Drive adjacent to this site prior to the issuance of any permits.

7. Construct all incomplete half-street improvements on James Bilbray Drive adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

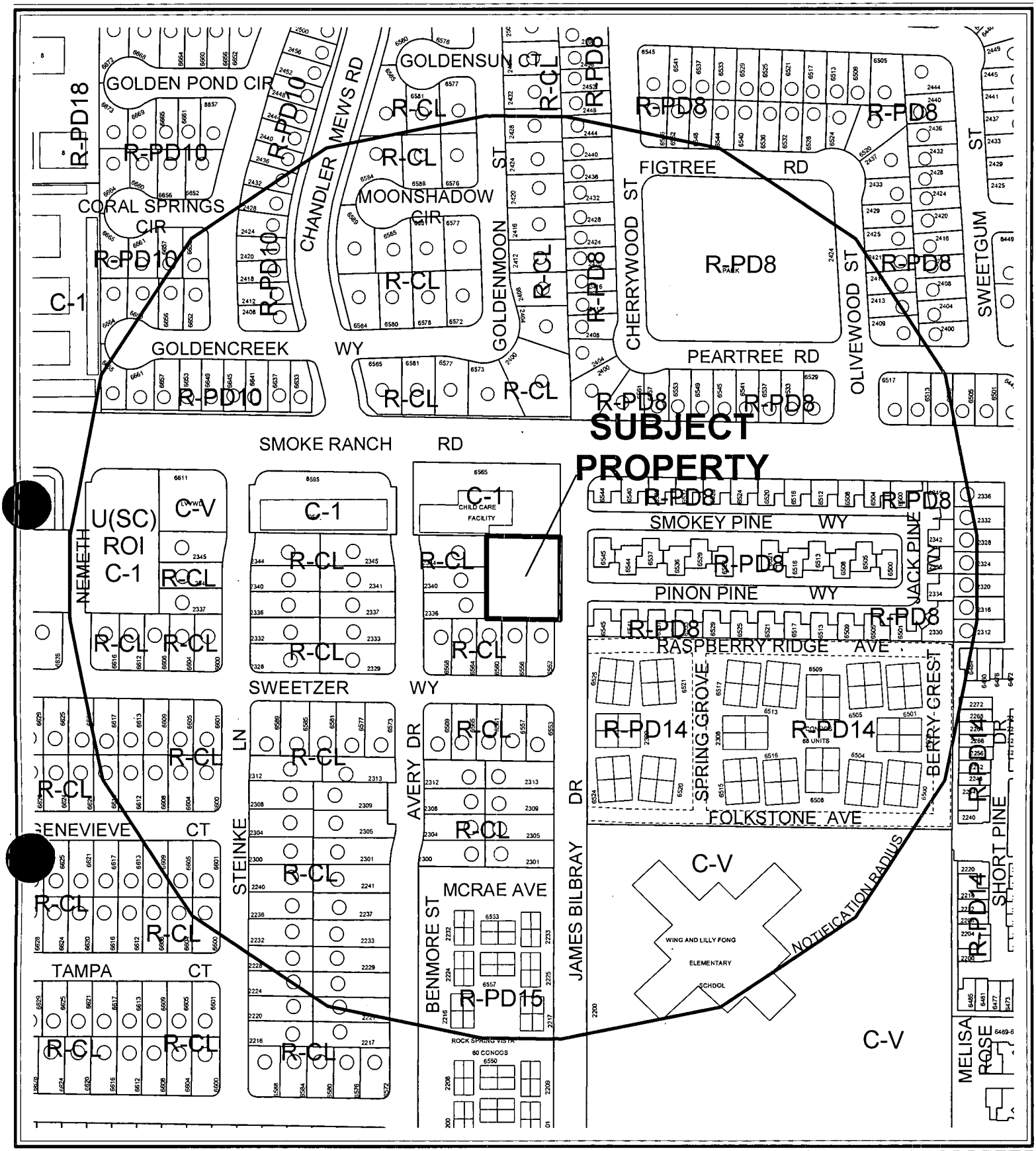
8. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

9. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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

11. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

12. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of construction drawings. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of construction drawings.

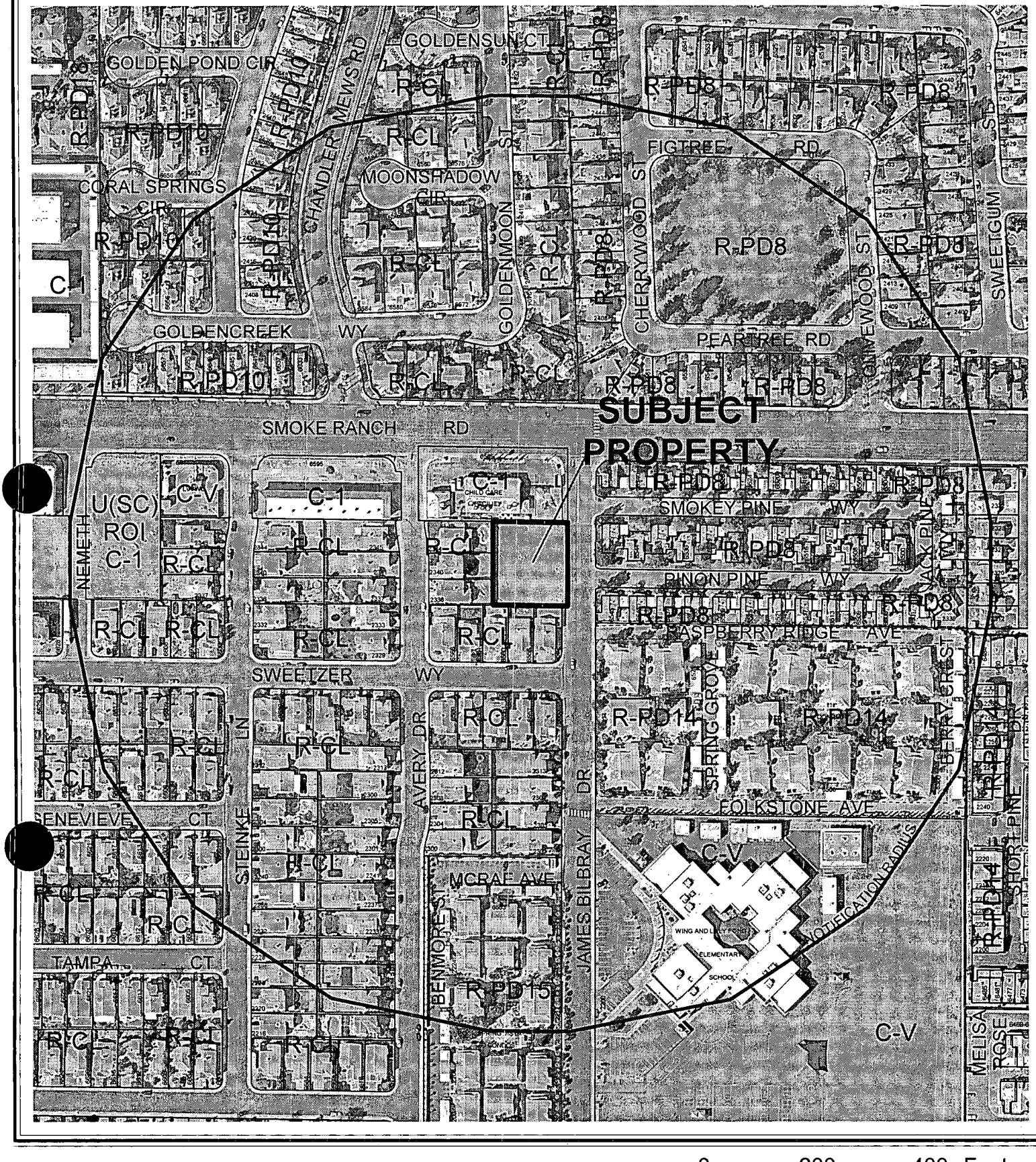


CASE: **SDR-4978**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO P-R (PROFESSIONAL OFFICE AND PARKING)



CASE: **SDR-4978**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO P-R (PROFESSIONAL OFFICE AND PARKING)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4978 - APPLICANT: LAS TUNIS, LLC - OWNER: CLARK COUNTY DEVELOPMENT CORPORATION

** CONDITIONS **

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

2. The trash enclosure shall be covered as required by the Commercial Development Standards.

3. Landscaping shall be provided in accordance with Code standards along the south, east and west property lines. A waiver is approved along the north property line to provide a five foot wide planter along the north property line, with 24 inch box trees 15 feet on center. A revised plan shall be submitted to and approved by the Planning and Development Department prior to the approval of any building permits for this site.

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

5. All development shall be in conformance with the submitted plans date stamped October 12, 2004, except as amended by the recommended conditions.

Public Works

6. Dedicate an additional 10 feet of right-of-way for a total half-street width of 30 feet on James Bilbray Drive adjacent to this site prior to the issuance of any permits.

7. Construct all incomplete half-street improvements on James Bilbray Drive adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

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

9. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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

11. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

12. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of construction drawings. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of construction drawings.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review of a 5,660 square foot office building and waivers of the trash enclosure separation, front yard setback and width of perimeter landscaping on 0.45 acres adjacent to the west side of James Bilbray Drive, approximately 120 feet south of Smoke Ranch Road.

Since the last Planning Commission meeting, the applicant has submitted a revised site development plan, showing the following changes:

1) The location of the trash enclosure has been changed so it now conforms to Title 19 standards. Therefore, a waiver is no longer required.

2) The front yard setback standard of 20 feet is now met, therefore a waiver is no longer required. Two of the sub-level parking spaces have been eliminated and the building has been reduced in size.

3) The landscape planter widths have been amended to show the required eight foot width along all property lines, except for the five foot width along the north property line. Therefore, the only landscaping waiver is along the north property line.

B) Applicant's Justification

The applicant's justification letter indicates they are requesting the waivers to the trash enclosure separation, front setback and perimeter landscape width due to the small size of the site.

BACKGROUND INFORMATION

A) Previous Actions

04/17/96 The City Council approved a General Plan Amendment (GPA-11-96) to SC (Service Commercial) and a Rezoning (Z-20-96) to P-R (Professional Office and Parking) on this site. The Planning Commission and staff recommended denial on March 28, 1996.

06/23/97 The City Council approved an Extension of Time [Z-20-96(1)] for the approved Rezoning (Z-20-96) to P-R (Professional Office and Parking) on this site with no expiration date. The Planning Commission and staff recommended approval on May 22, 1997.

09/23/04 The Planning Commission held this item in abeyance to allow the applicant time to redesign the site.

10/21/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #20/dc).

B) Pre-Application Meeting

07/09/04 The applicant was advised of the requirements of a Site Development Plan Review and that waivers would be necessary to allow the proposed project to deviate from required standards.

C) Neighborhood Meetings

A neighborhood meeting is not required for this request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.45

B) Existing Land Use

Subject Property:	Undeveloped
North:	Retail Commercial
South:	Single Family Residences
East:	Townhouses
West:	Single Family Residences

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	ML (Medium Low Density Residential)
East:	MLA (Medium Low Attached Density Residential)
West:	ML (Medium Low Density Residential)

D) Existing Zoning

Subject Property:	U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking)
North:	C-1 (Limited Commercial)
South:	R-CL (Single Family Compact-Lot)
East:	R-PD8 (Residential Planned Development – 8 Units Per Acre)
West:	R-CL (Single Family Compact-Lot)

E) General Plan Compliance

The site is designated SC (Service Commercial) on the Southwest Sector Plan Map of the General Plan. The existing P-R (Professional Office and Parking) Zoning designation is in conformance with the General Plan designation of SC (Service Commercial).

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

PROJECT DESCRIPTION

The applicant is proposing to construct a 5,165 square foot, two story medical office building on the subject site. The building is located towards the north portion of the site near the existing commercial development on Smoke Ranch Road. Parking is located to south of the building and in a sub-grade parking garage beneath building. A minimum 15 foot wide landscaped planter is provided along James Bilbray Drive, with eight foot wide planters along the south and west property line. The trash enclosure is proposed along the south side of the building, in accordance with Title 19 separation distance standards. The building elevations depict a stucco and masonry exterior with a flat roof and aluminum mullion accents. The floor plans depict three suites will be located on the first floor, with two executive offices on the second floor.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A Square Feet	0.45 Acres	Y
Min. Lot Width	60 Feet	147 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	N/A	N/A
• Rear	15 Feet	15 Feet	Y
Max. Lot Coverage	50 %	29 %	Y

Max. Building Height	2 Stories / 35 Feet	2 Stories / 29.5 Feet	Y
Trash Enclosure	Must be covered and 50 from residential	Meets distance separation, must be covered	Y
Mech. Equipment	Must be screened	Shown screened on the roof of the building	Y

The revised site development plan now conforms to Title 19 standards in terms of setbacks and trash enclosure distance separation standards. No waivers are required from these standards.

A2) Residential Adjacency Standards

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

a) Proximity slope. The submitted plans indicate the portion of the building closest to the residences is only 15 feet high with the 29.5 foot (2 story portion) towards the east of the site where it is within the required proximity slope.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Office, Medical and Dental	5,165 SF.	1 space for each 200 square feet of gross floor area up to 2,000 square feet, plus one space for each additional 175 square feet	26	3	26	3

The submitted plan is in compliance with the parking requirements of the Code.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	3 Trees	3
Buffer: • Min. Trees	1 Tree/20 Linear Feet along James Bilbray Drive and the south and west property lines; 1 Tree/30 Linear Feet along the north property line	31 Trees	31
• Min. Zone Width	15 Feet along James Bilbray Drive; 8 Feet around the remaining perimeter		Minimum 15 Feet along James Bilbray Drive; 8 along the south and west; 5 along the north property line.

The submitted landscape plan meets the standards along the east, south and west sides of the site. A waiver from the standard is requested along the north property line, where the applicant is requesting a five foot planter where eight is required.

A5) Sign Standards

No signs are shown on the proposed plans. All signage shall conform to the standards set forth in Title 19.14 for the P-R (Professional Office and Parking) zoning district.

B) General Analysis and Discussion

- Zoning

The proposed medical office building is an allowed use in the P-R (Professional Office and Parking) zoning district.

- Site Plan

The proposed development meets the minimum code requirements with regards to lot size, parking, building height and Residential Adjacency Standards.

- Waivers

The applicant's request for a waiver to allow a five foot planter in lieu of an eight foot planter along the north property line is recommended for the following reasons:

1. This property line is adjacent to an establish commercial use which has adequate landscaping on its property;
2. The applicant has committed to providing additional landscaping in this planter and an additional landscaped parking landscaped islands to mitigate the impacts of the reduced planter width.

- Landscape Plan

A revised landscaped plan will be necessary showing conformance to all Code standards, with the exception of the north property line landscaped planter. Additional parking finger islands and enhanced landscaping in the five foot wide buffer will be required.

- Elevation

The proposed elevations are appropriate for the proposed use and are compatible with other development in the area.

- Floor Plan

The submitted floor plans depict a layout that is appropriate for the proposed medical office use.

FINDINGS

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

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

   The proposed office use is appropriate along this segment of James Bilbray Drive and is compatible with adjacent development in the area.

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

   The proposed project is not consistent with the General Plan, Title 19 and the Commercial Development Standards with regards to required, trash enclosure separation, landscaping and building setbacks. The only waiver is for the landscaped planter along the north property line, which is appropriate given its location adjacent to commercial property and the enhanced landscaping proposed by the applicant.

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

   Access is provided via a drive from James Bilbray Drive, a 60 foot wide collector street, which connects to Smoke Ranch Road, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. The street facilities are adequate in size to meet the requirements of the proposed uses.

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

   The proposed elevations are appropriate for an office development of this type and are compatible with the surrounding development.

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

   The proposed elevations are appropriate for the proposed use and present a building that will be compatible with the surrounding development.

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

   The proposed use will be subject to regular City and County inspections and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 237 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-4978** APN: 138-23-110-032

Name of Property Owner: CLARK COUNTY DEVELOPMENT CORP.

Name of Applicant: LAND TECH LLC.

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: CLARK COUNTY DEV. CORP. President/Director

Print Name: LARRY HOLMES

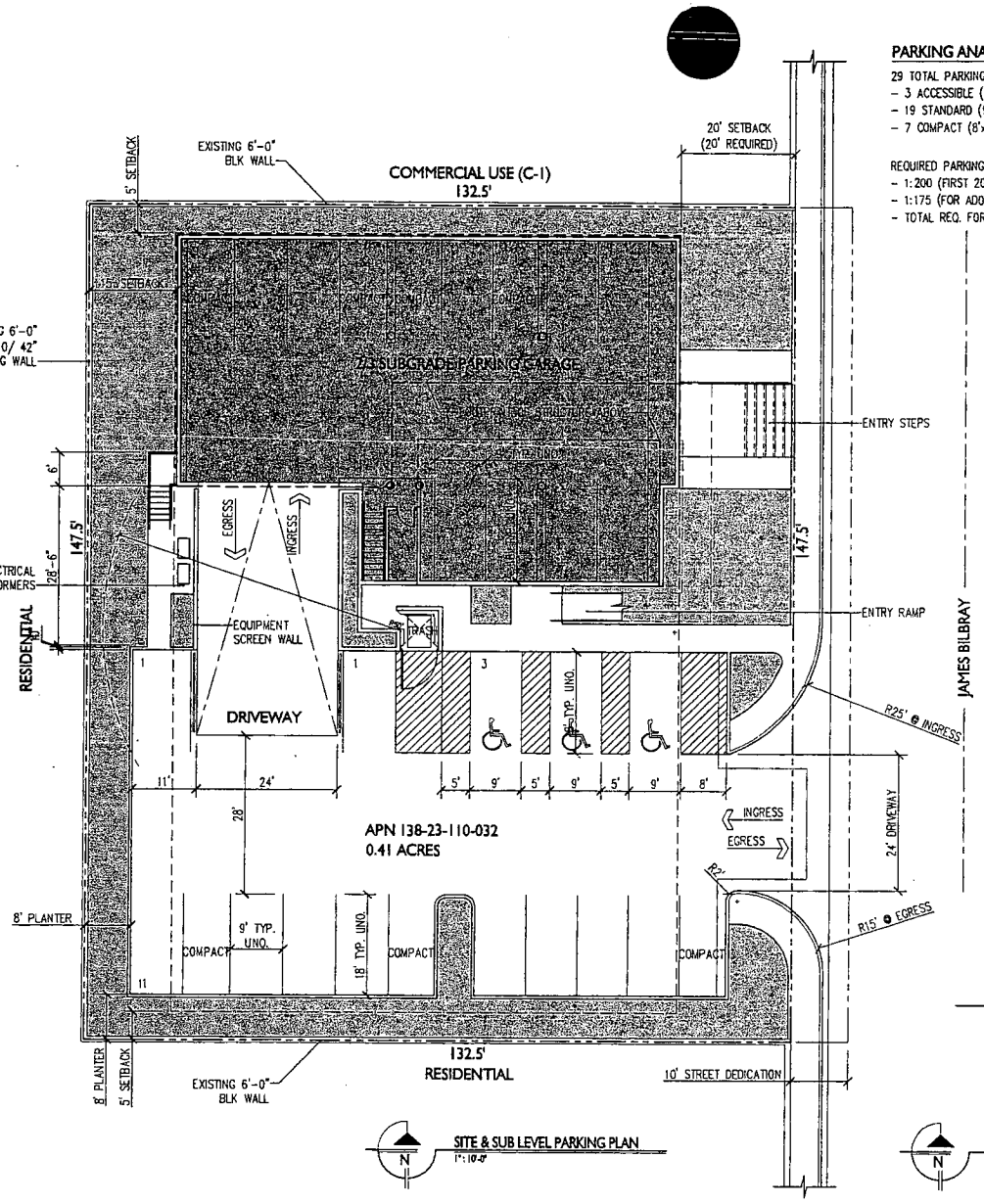
Subscribed and sworn before me

This 27 day of July, 2004

Melissa G. Henegan

Notary Public in and for said County and State

MELISSA G. HENEGAN
Notary Public State of Nevada
No. 01-67489-1
My appt. exp. Dec. 7, 2004

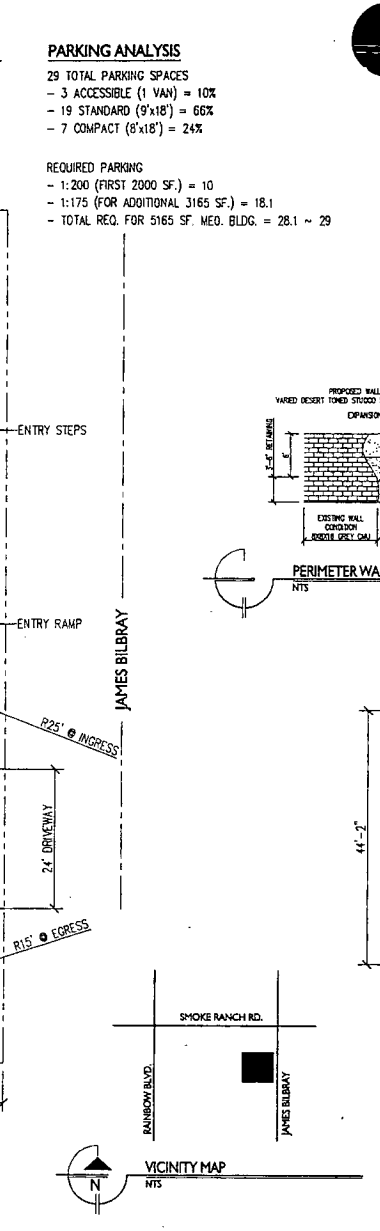


SITE & SUB LEVEL PARKING PLAN
1":10'-0"

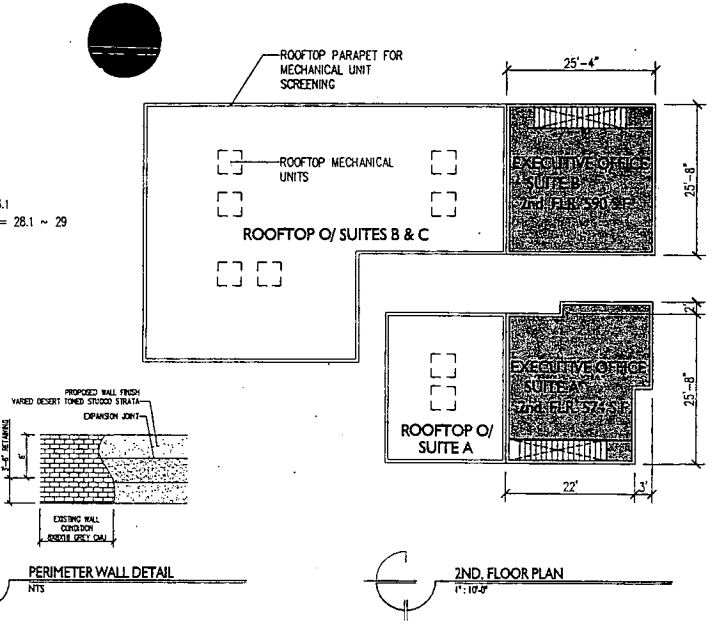
PARKING ANALYSIS

29 TOTAL PARKING SPACES
- 3 ACCESSIBLE (1 VAN) = 10%
- 19 STANDARD (9'x18') = 66%
- 7 COMPACT (8'x18') = 24%

REQUIRED PARKING
- 1:200 (FIRST 2000 SF.) = 10
- 1:175 (FOR ADDITIONAL 3165 SF.) = 18.1
- TOTAL REQ. FOR 5165 SF. MED. BLDG. = 28.1 ~ 29

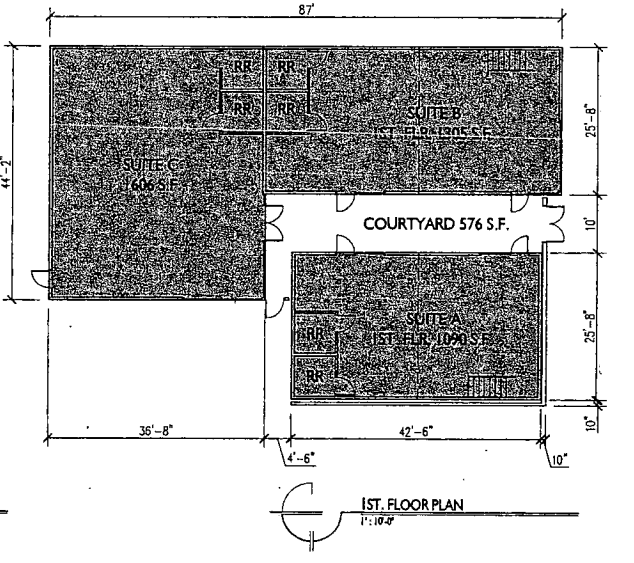


VICINITY MAP
NTS



PERIMETER WALL DETAIL
NTS

2ND. FLOOR PLAN
1":10'-0"



1ST. FLOOR PLAN
1":10'-0"

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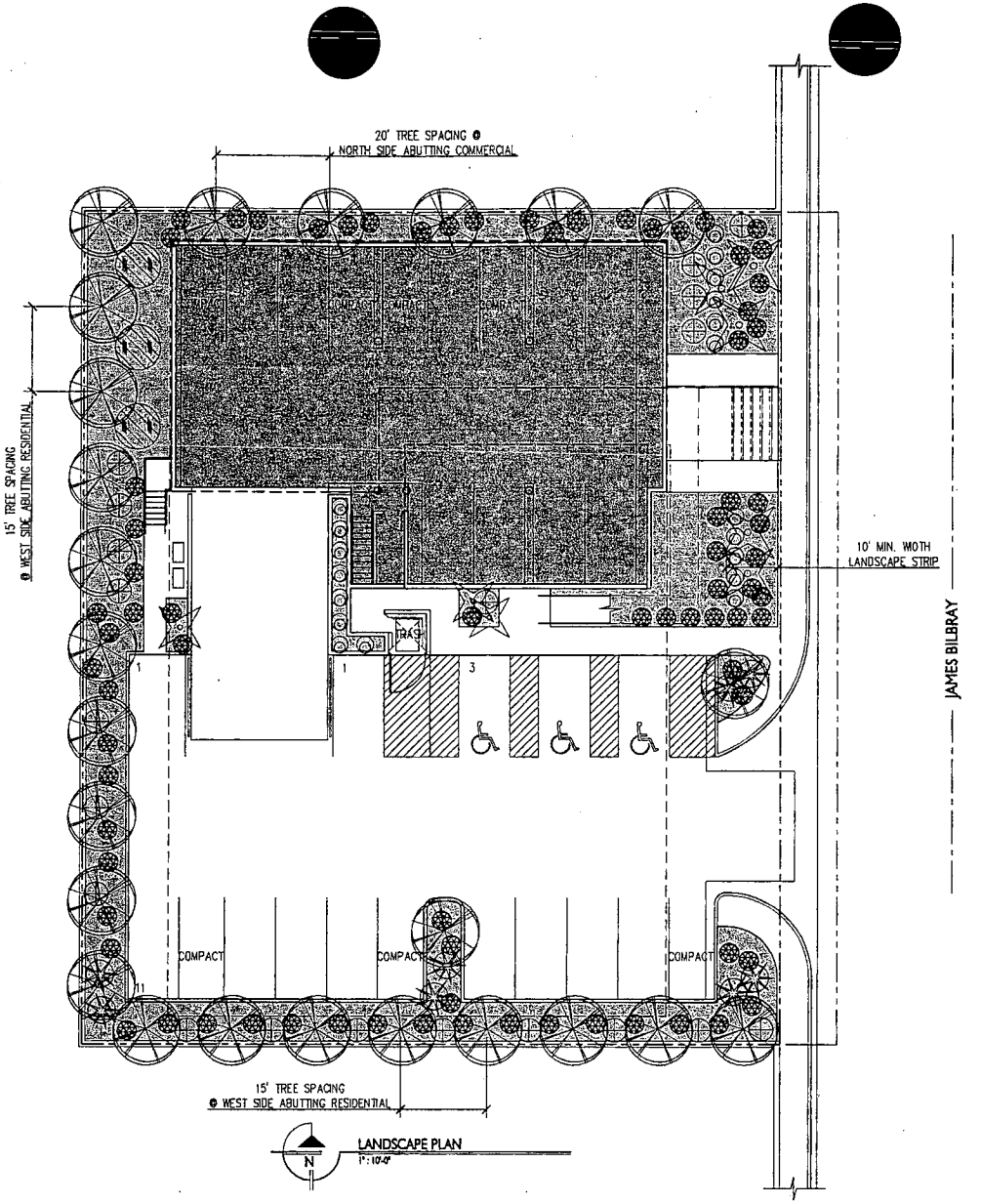
Professional Plaza @ J. Bilbray & Smoke Ranch Road

PR ZONING - PROFESSIONAL MEDICAL OFFICE PROPOSAL — DES. REVIEW SUBMITTAL
APN 138.23.110.032 — DRAWN BY AJ
LAS VEGAS, NEVADA — DATE - 07.27.04 | REVISED - 10.07.04

REVISED 10.12.04

SDR-4978
10/21/04 PC

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OCT 12 2004



PLANTING GENERAL NOTES

1. ALL PLANT AND INGROUND LIGHTING LOCATIONS ARE TO BE FIELD LOCATED AND APPROVED W/ DESIGNER, PRIOR TO FINAL DESIGN IMPLEMENTATION.

2. LANDSCAPE CONTRACTOR TO COORDINATE WITH EXCAVATION CONTRACTOR WHERE REQ. FOR PLANTER AREAS TO ENSURE POSITIVE DRAINAGE IN CONFORMANCE WITH CIVIL ENGINEER REQUIREMENTS. KEEP ALL PLANTING A MINIMUM OF 5'-0" FROM BUILDING FOUNDATIONS AND UNDERGROUND SEWER. ENSURE POSITIVE DRAINAGE AWAY FROM STRUCTURES.

3. PROVIDE MIN. OF 3" DG (DECOMPOSED GRANITE - TYPE AS SPECIFIED IN PLANTING SCHEDULE) AT ALL PLANTER LOCATIONS U.N.O. TO WITHIN 1" OF TOP OF ADJACENT CURBS & SIDEWALKS.

4. DG INSTALL/PREP - PROVIDE PRE-EMERGENT HERBICIDE TO PLANTER SOILS, INSTALL DG, RAKE SMOOTH AND WATER TO FULL DEPTH OF DG, LET DRY AND LIGHTLY SCARIFY SURFACE RELEASING FINE LOOSE GRANULARS ON TOP LAYER.

5. REFER TO L&2 FOR IRRIGATION SPECIFICATIONS

6. KEEP TREE PLANTING A MIN. OF 3'-0" FROM ALL SIDEWALKS. PLANTING WHICH EXCEEDS 24" IN HEIGHT ARE NOT PERMITTED WITHIN SIGHT VISIBILITY ZONES.

PLANT MATERIAL SCHEDULE

EQUIP REF	COMMON NAME / BOTANICAL NAME	QUANTITY	SIZE
	CHILEAN MESQUITE (THORNLESS) PROSOPIS CHILENSIS	25	24" BOX
	MEXICAN FAN PALM (UNSKINNED) WASHINGTONIA ROBUSTA	8	10' BTH
	JAPANESE BLOOD GRASS IMPERATA CYLINDRICA	19	5 GALLON
	FOUNTAIN GRASS PENNISETUM SETACEUM	27	5 GALLON
	LANTANA LANTANA CAMARA	60	1 GALLON
	PAMPAS GRASS CORTADERIA SELLOANA	3	5 GALLON
	RED YUCCA HESPERALOE PARVIFLORA	8	5 GALLON
	ROCK OUTCROPPING FIELD LOCATION TBD W/ DESIGNER		TBD

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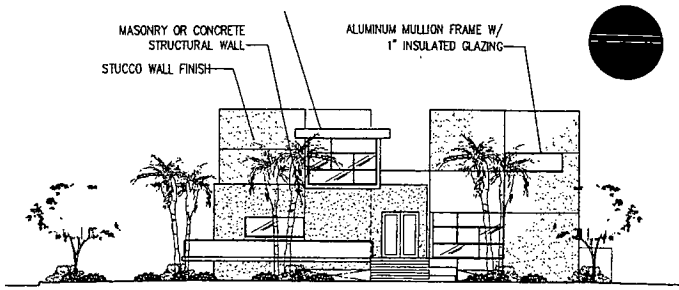
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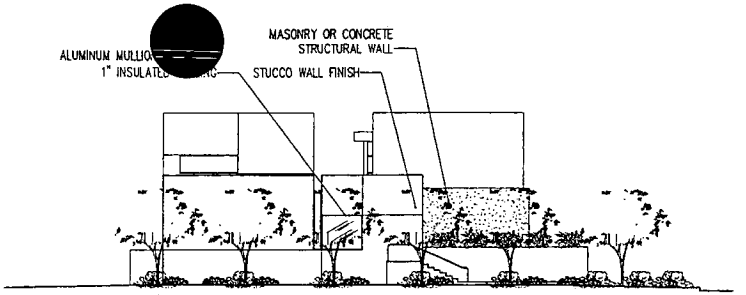


E JAMES BILBRAY ELEVATION
1" : 10'-0"

TOP OF BLDG. 30'-6" AFG

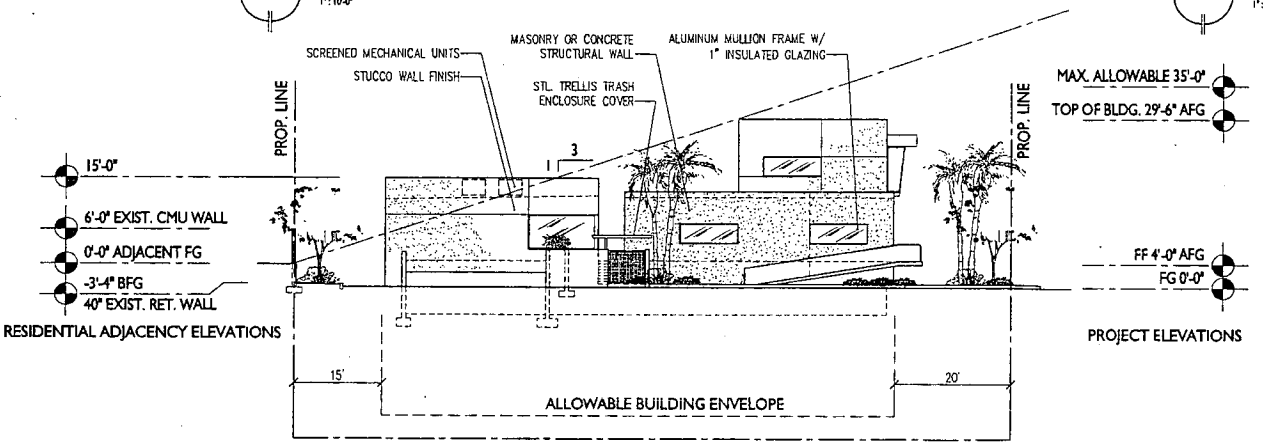
ALL PAINT COLORS TO BE DESERT PALLETTE AS RECOMMENDED BY CLV PLANNING & DEVELOPMENT

FF 4'-0" AFG
FG 0'-0"

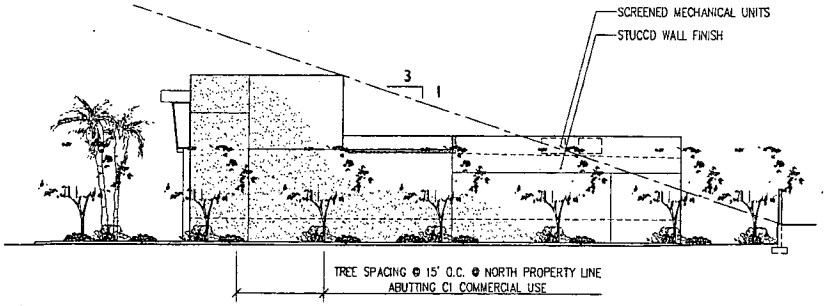


TREE SPACING @ 15' O.C. @ WEST PROPERTY LINE ABUTTING RESIDENTIAL USE

W ELEVATION FROM RESIDENTIAL
1" : 10'-0"



S PARKING LOT ELEVATION
1" : 10'-0"



TREE SPACING @ 15' O.C. @ NORTH PROPERTY LINE ABUTTING CI COMMERCIAL USE

N ELEVATION @ COMMERCIAL SIDE
1" : 10'-0"

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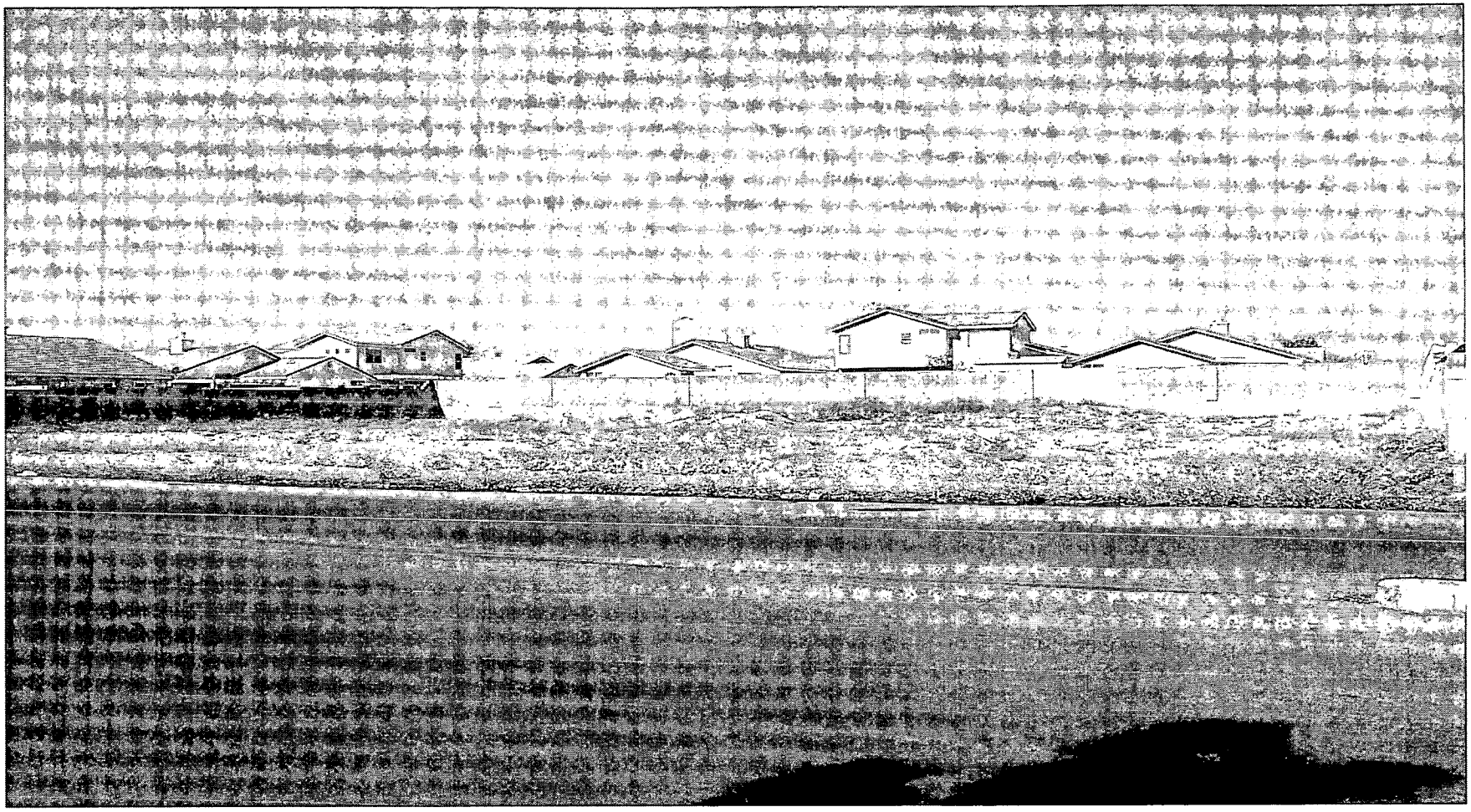
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SDR-4978
10/21/04 PC

REVISED
10.12.04



SDR-4978 - APPLICANT: LAS TUNIS, LLC - OWNER: CLARK COUNTY DEVELOPMENT CORPORATION
JAMES BILBRAY DRIVE APPROXIMATELY 120 FEET SOUTH OF SMOKE RANCH ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

8/26/04

City of Las Vegas

Agenda Item No. 107

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW

SDR-5190 - PUBLIC HEARING - APPLICANT: MG PROPERTIES - OWNER: MARTIN W. GREENWALD - Request for a Site Development Plan Review FOR A 7,660 SQUARE FOOT COMMERCIAL ADDITION AND WAIVERS FROM PERIMETER LANDSCAPING REQUIREMENTS on 2.0 acres adjacent to the northeast corner of Rancho Drive and Lone Mountain Road (APN 125-35-401-006), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions and amending the first bullet of Condition 4 as read for the record:

· The rear property line wall shall consist of a solid decorative block wall with at least 20 percent contrasting materials and evergreen trees planted 20 feet on center shall be planted along the proposed wall/fence.

- And the following additional bullet to Condition 4 as read for the record:

- To have 24-inch box trees planted 20 feet on center with 4 5-gallon shrubs per tree planted along the south property line.

- UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

DARON DORSEY, Jolley Urger Wirth Woodbury & Standish, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with staff recommendation.

COUNCILMAN MACK requested staff provide the additional conditions in regard to the landscaping and block wall. MARGO WHEELER, Deputy Director Planning and Development, read amendments to Condition 4, bullet one, and an additional bullet. COUNCILMAN MACK confirmed MR. DORSEY'S agreement to the amended conditions and requested that the applicant work with the other property owner to clean off and level the far southern portion of the property. MR. DORSEY agreed to the request.

COUNCILMAN BROWN outlined concern with the property when it was part of Ward 4 in 1997. He

MINUTES - Continued:

visited the site that morning and the property to the south was an eyesore and distraction, although not a part of this project. He questioned whether Code Enforcement could investigate if that property constituted a hazard and nuisance by contributing dust to the proposed site. He inquired whether the path cut to Serene Drive across the east boundary line was expected to be formalized. Given the proposed development, it would be a good time to project what is expected for the east side.

BART ANDERSON, Engineering Project Manager, clarified that though Serene Drive still serves as an access for some parcels, it is not a public street and has been vacated. Any arrangement made by the applicant would have to be made strictly with the neighbors to the east. ROBERT GENZER, Director, Planning and Development, indicated that the opening onto Serene Drive is for emergency purposes only and will not become an active access. COUNCILMAN MACK questioned if a crash gate would be put in place and MR. ANDERSON replied the applicant is proposing to install bollards to prevent vehicles from accessing that driveway.

COUNCILMAN BROWN questioned if landscaping on the east section of the property is part of this application as a condition. MR. GENZER reiterated Condition 4 that requires a solid decorative block wall with 20 percent contrasting material along that property line and the second part that requires a solid gate be provided as emergency access at the rear of the property. The bollards are insufficient to meet the condition. MR. GENZER clarified which side of the lot is the legal front.

COUNCILMAN BROWN noted this would be a separate building and MR. DORSEY confirmed there is no access, continuation or extension of the non-conformance source. COUNCILMAN MACK acknowledged appreciation to COUNCILMAN BROWN for obtaining clarification regarding the east property line. Responding to COUNCILMAN MACK'S inquiry about the bollards, MR. ANDERSON explained Condition 4 requires a solid gate, which is technically considered a crash gate if an emergency vehicle is able to go through it. COUNCILMAN MACK expressed appreciation for the applicant's efforts.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.
(1:38 - 1:48)
2-1050

CONDITIONS:

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations dated September 7, 2004, except as amended by conditions herein.

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

CONDITIONS - Continued:

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

The rear property line wall shall consist of a solid decorative block wall with at least 20 percent contrasting materials, or alternatively, evergreen trees planted 20 feet on center shall be planted along the proposed wall/fence.

A solid gate shall be provided to the emergency access at the rear of the property.

A detail of the trash enclosure shall be illustrated and be provided with a roofed enclosure.

A revised landscape plan shall show the total number of trees by variety and show a maximum of 15% of the total landscaped area as turf.

The handicapped parking spaces shall reflect the proper design standards according to Title 19.

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

6. Landscaping and a permanent underground sprinkler system shall be installed and be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

7. All mechanical equipment and air conditioners shall be fully screened of views from Rancho Drive.

8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lightsWallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Lighting shall be directed away or screened and shall not create fugitive lighting on properties in the residential area to the rear of the site.

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

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

Public Works

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

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

CONDITIONS - Continued:

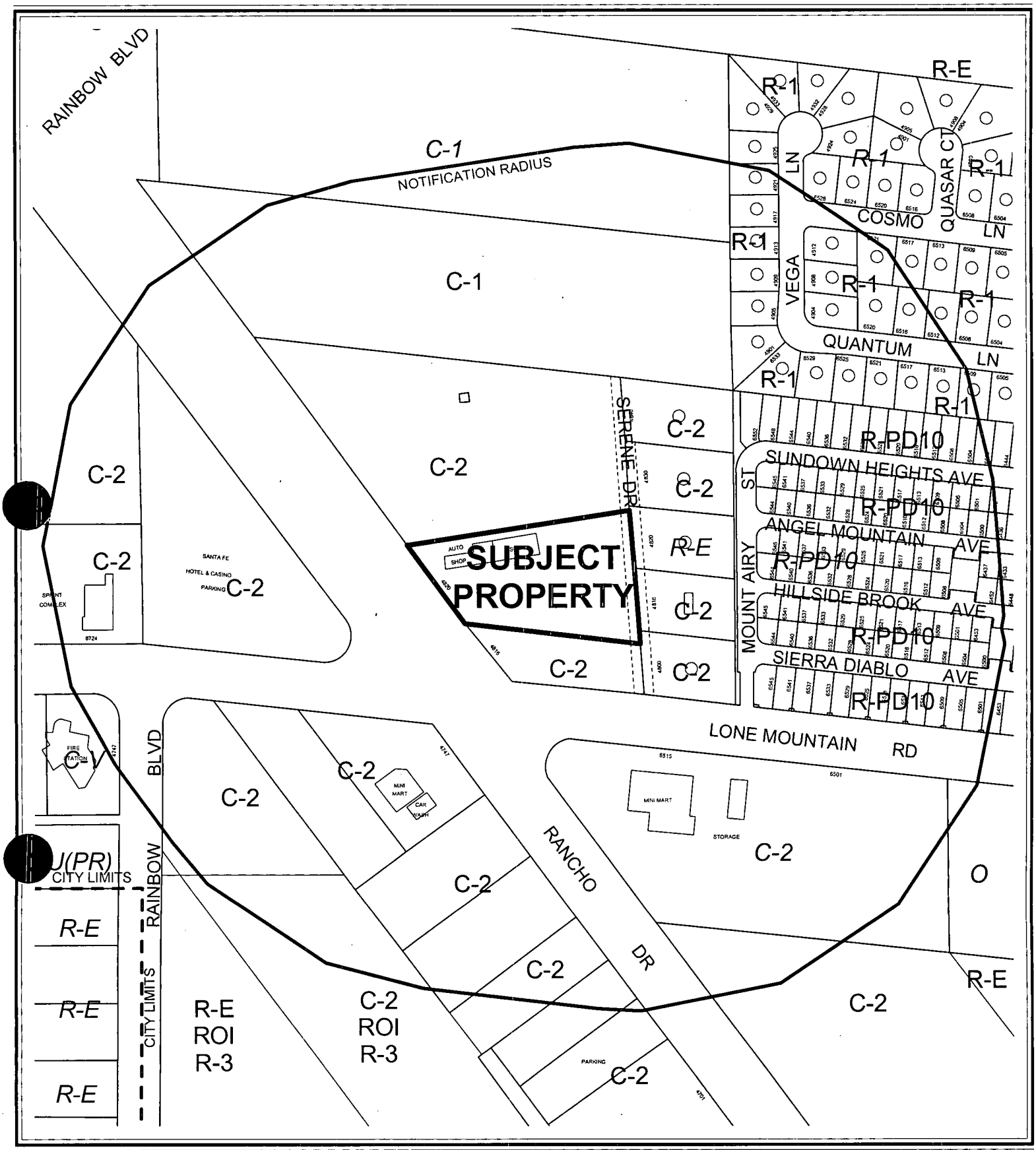
13. Extend public sewer, from the intersection of Airy Mountain Avenue and Lone Mountain Road approximately 200 feet east of this site, to the north edge of this development to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within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

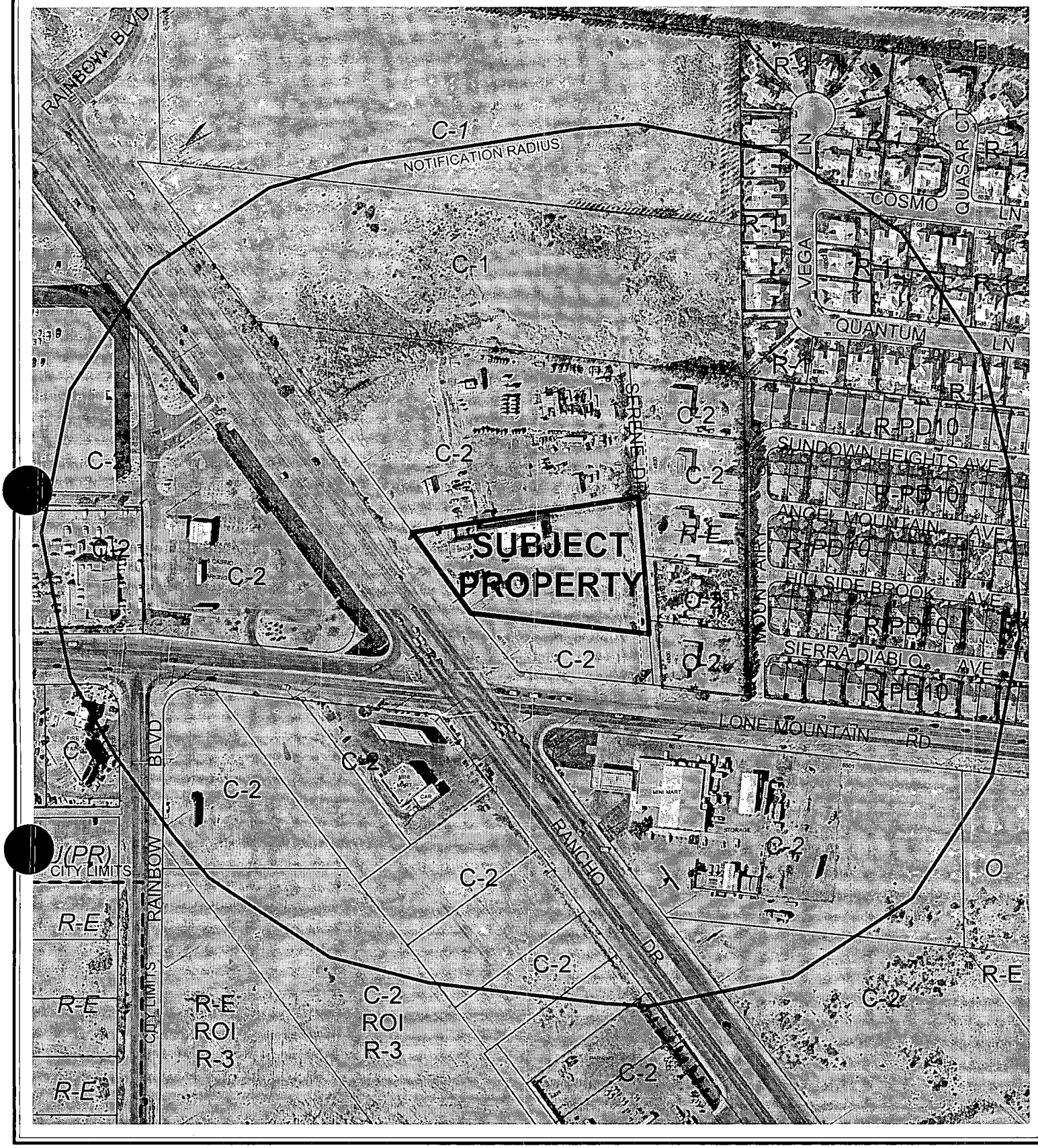
14. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

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

16. Submit an application for an Occupancy Permit for all landscaping and private improvements in the Rancho Drive public right of way adjacent to this site prior to the issuance of any permits.

17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.


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


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

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5190 - APPLICANT: MG PROPERTIES - OWNER: MARTIN W. GREENWALD

** CONDITIONS **

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

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations dated September 7, 2004, except as amended by conditions herein.

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

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

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

6. Landscaping and a permanent underground sprinkler system shall be installed and be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

7. All mechanical equipment and air conditioners shall be fully screened of views from Rancho Drive.

8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Lighting shall be directed away or screened and shall not create fugitive lighting on properties in the residential area to the rear of the site.

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

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

Public Works

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

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

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

14. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

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

16. Submit an application for an Occupancy Permit for all landscaping and private improvements in the Rancho Drive public right-of-way adjacent to this site prior to the issuance of any permits.

17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review and Waivers of the perimeter and parking lot landscape requirements for a 7,660 square foot commercial addition on 2.0 acres adjacent to the northeast corner of Rancho Drive and Lone Mountain Road.

B) Applicant's Justification

The applicant indicates in a letter attached to this application that the new retail store addition will include a facelift of the existing building that contains three businesses. The new addition, landscaping and facelift of the existing building will add eye appeal to the underdeveloped area. The project is expected to provide 20 to 30 new jobs. The applicant has requested a Waiver in certain parking lot and perimeter landscaping standards.

BACKGROUND INFORMATION

A) Previous Actions

07/28/92 The City Council denied a request upon appeal from the Board of Zoning Adjustment for a Special Use Permit (U-0141-92) for a Truck Rental Business. The Board of Zoning Adjustment denied the request on August 25, 1992.

04/02/03 The City Council approved a General Plan Amendment (GPA-1363) to reclassify a large area (Rancho Corridor), which includes the subject property, from an SC (Service Commercial) classification to a GC (General Commercial) classification. The Planning Commission and staff recommended approval.

10/21/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #13/ds).

B) Pre-Application Meeting

08/12/04 The staff met with the prospective applicant to review plans for an addition to an existing business at the subject location. The applicant mentioned that the new addition would contain some adult business sales but at less than 35 percent of the floor area. It was noted that the easterly property line appears to be along the centerline of Serene Drive. If the street exists as a public road easement, dedication of the half street with improvements will be required. NDOT approval will be needed for the driveway access, a drainage study will be required, and there may be a need for a Waiver of the perimeter and parking lot landscaping. It was also mentioned that a multi-use trail is required along the east side of Rancho Drive.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.0

B) Existing Land Use

Subject Property:	Commercial
North:	Undeveloped (limited storage)
South:	Undeveloped
East:	Residential
West:	Commercial

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial)
South:	C-2 (General Commercial)
East:	C-2 (General Commercial) R-E (Residence Estates)
West:	C-2 (General Commercial)

E) General Plan Compliance

The site is located in the Centennial Hills Sector of the General Plan. On the Centennial Hills Interlocal Land Use Map, the land use designation of the property is GC (General Commercial). The property is zoned C-2 (General Commercial) which is a zoning district permitted in the GC land use classification.

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

There are no special plans, study areas or overlays that affect the subject site.

PROJECT DESCRIPTION

This application for a Site Development Plan Review is for improvement of the subject property by a 7,660 square foot retail store addition, a facelift of the existing building on the property, and landscaping. The existing building contains three businesses, including Sun Valley Automotive (automotive repair shop), the Theater Group and Rancho Adult Entertainment Center (a sexually oriented business). The new addition will be for a gift shop. Gifts will include such items as DVD's, fashions, games, novelties, toys, smoking accessories, books, magazines and greeting cards. Gifts will be geared to ages 18 years and older; however, less than 35 percent of the items displayed are to be sexually explicit.

By definition of Title 19.04, an "adult emporium" is a sexually oriented business (SOB) when it engages in the sale, rental or trade of books, films, videotapes, sexual novelties, discs, magazines and other periodicals and which:

1) Will or does derive 35 percent or more of its gross revenue from the sale, rental or trade of sexual novelties or books, films, videotapes, discs, magazines and other periodicals which are distinguished or characterized by their emphasis on mater depicting, describing, or relating to specific sexual activities or specific anatomical areas;
2) At any particular time devotes 35 percent or more of its inventory floor and wall space to the types of inventory described in subparagraph (1) above;
3) At any particular time has, as 35 percent or more of its total inventory or any category thereof, the types of inventory describe in subparagraph (1) above; or
4) Holds itself out, by advertising or otherwise, primarily as an outlet for the types of inventory described in subparagraph (1) above.

The applicant states that the gift shop is not an SOB because "less than 35 percent of the items displayed will be sexually explicit." Nor is the new business an expansion of the existing SOB, because the two businesses are not physically connected in any way. Since an SOB is not permitted in a C-2 (General Business) Zone, the new use could not under any circumstance be established as an SOB.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	NA	NA	NA
Min. Lot Width	100 Feet	200 Feet	Y
Min. Setbacks			
• Front	20 Feet	27 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	NA	NA
• Rear	20 Feet	45 Feet	Y
Max. Lot Coverage	50 %	17 %	Y
Max. Building Height	NA	15 Feet	Y

The development conforms with the required development standards.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, Residential Adjacency Standards, the building is required to be situated a distance equal to three times its height for property designated for residential development for sale. East of the site, properties are zoned C-2 (General Commercial) and R-E (Residence Estates). The lot zoned R-E is located east of the proposed addition. Consequently the building must be located 45 feet from the residential lot, and it appears to meet that requirement.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Existing Garage	1,558		35		35	
Existing Retail	5,213					
Proposed Retail	7,660	1/175	42	2	41	4
Total	14,431		77	2	76	4

The present uses (automotive garage and sexually oriented business) were established prior to the present Title 19 parking requirements. The property has a substandard unstriped parking lot that consists of some asphalt and gravel. Based on the size of the parking lot, there is sufficient area for approximately 35 parking spaces. Since the existing development does not have the required number of parking spaces, it is classified as a "parking-impaired development," i.e. the existing development is not considered nonconforming. However, any expansion of the development must comply with the required number of spaces. Except for the handicapped parking spaces, the new development complies with the parking standards. The handicapped spaces do not meet the Title 19 design standards for the proper width. A recommended condition requires conformance to the handicapped parking standards.

A4) Landscape Standards

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

Standards	**Required Spaces**		**Spaces Provided**
	Ratio	Trees	
Parking Area	1 Tree / 4.2 Spaces	19 Trees	23
Buffer: • Min. Trees	1 Tree/20 Linear Feet	23 Trees	22

The required number of trees for the parking area exceeds the minimum number of trees required; the number of trees required for the street frontage is deficient by one tree; and the required number of trees along the rear perimeter wall equals the number of trees required. There is an abundance of additional trees placed throughout the site, and an additional seven trees are located within the street right-of-way of Rancho Drive. The parking area is deficient by four landscape islands. The applicant has submitted a request for Waivers in the landscape standards for the parking area and perimeter landscaping.

B) General Analysis and Discussion

- Zoning

The subject property is zoned C-2 (General Commercial). The proposed commercial building is a permitted use in this Zone.

- Site Plan

The site plan is an illustration of a well-designed building addition and parking area. Access will be from Rancho Drive and connect to five parking rows on the site. Emergency access is to be provided by way of a private street along the rear lot line. Ample landscaping is proposed throughout the site.

- Waivers

The applicant has submitted a request for Waivers in the landscape standards for the parking area and perimeter landscaping. The waivers are recommended for these reasons.

1. The waivers to the Code are minor,
2. Additional trees are being planted along Rancho Drive to mitigate the impact of the Waivers.

- Landscape Plan

The landscape plan shows an abundance of trees placed across the site. The trees are to consist of Aleppo Pine, Flowering Plum, Swan Hill Olive, and Foothills Palo Verde. The frontage along the site is deficient one tree; however, seven trees are located within the street right-of-way of

Rancho Drive. The perimeter wall along the private street at the rear property line is proposed to consist of a split-face block wall 2.83 feet in height with a 3.17-foot iron fence on top. Capped pilasters are to be provided every 16 feet. The wall/fence is an attractive structure; however, it is inadequate as a screen wall to provide protection to the residential area to the rear. It is recommended that the wall either be a solid wall or that evergreen plantings be provided along the wall to provide a screen to views from the residential area. In lieu of bollards in the emergency access at the rear, it is recommended that a solid gate also be installed to screen views from the residential area. These alterations are addressed as conditions of approval.

- Elevation

Along with a new building addition, the existing building will be refurbished with a new façade that will integrate with the building addition. The stucco on the old building will match the new building in a light tan. Existing overhead doors for the automotive garage will be painted a light tan to match. Existing and proposed windows will be replaced or installed with a medium bronze glass with a dark bronze framing. New canopies with a stucco finish in light brown will be placed over existing and proposed entrances. One-inch wide expansion joints in the canopies will be painted a dark bronze finish to match the window frames. Offsets and a four-foot wide fascia at the roofline are strategically placed around the building. New backlit fascia signage is proposed for each business. The proposal presents a well designed building in subdued colors that is a marked improvement over the existing building.

- Floor Plan

The floor plan is typical of a retail business. Restroom facilities are to be included in the new building addition.

FINDINGS

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

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

   Lots to the east of the subject area are somewhat in transition. Although the lots are occupied by residences, all but one lot are zoned C-2 (General Commercial), and all the lots are designated on the Centennial Hills Interlocal Land Use Map as GC (General Commercial). These lots are accessed by a private drive that also provides emergency access to the subject property. Regardless, the proposed building addition, improvements to the façade of the existing building, improved parking areas, and ample landscaping throughout the site will provide a good transition to the existing residences located to the rear of the site. The commercial properties on both sides are undeveloped, but they will be enhanced by these improvements.

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

The proposed development is located in a GC (General Commercial) land use classification. The proposed use is consistent with the uses intended for this classification. There are a few minor deficiencies and concerns in the development's compliance with the Landscape, Wall and Buffer Standards, which are addressed in the conditions of approval. The applicant has requested Waivers in the landscape standards, and it is recommended that these Waivers be granted.

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

The subject property has access to Rancho Drive from an existing driveway. Rancho Drive is a Primary Arterial (100-foot wide) street according to the Master Plan of Streets and Highways and capable of handling additional traffic from the site.

A multi-use transportation trail is required along the east side of Rancho Drive. The trail path, which also serves as a sidewalk for pedestrian use, is proposed within the street right-of-way of Rancho Drive. The Transportation Trails Element requires that the trail path be located outside the street right-of-way on private property. Accordingly, the 10-foot wide trail path must be located along and abut the front property line on private property, which also will avoid its being eradicated by a future street widening project by the Nevada Department of Transportation that has jurisdiction over Rancho Drive. The trail path may be dedicated to the City for public trail purposes, but the property owner will be responsible for its maintenance. This matter is addressed as a condition of approval with this report.

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

The building and landscape materials for this development are very appealing. The building materials are earth tone colors. Ample landscaping is being provided throughout the site. The rear perimeter wall consists of a split-face block and iron fence. For screening purposes for the residential area to the rear, it is recommended that evergreen trees be placed 20 feet on center in front of the wall/fence or that the proposed wall/fence be replaced with a solid wall.

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

The building elevations are appealing; compatible with newer, recent development in the area; and will foster an aesthetic environment that is compatible with the existing residences to the rear of the site and to future development on both sides.

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

   The proposed development will be subject to permits and final inspection for a Certificate of Occupancy, and therefore will not compromise the health, safety and general welfare.

NOTICES MAILED 143 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5190 APN: 125 35 401 006

Name of Property Owner: GREENWALD, MARTIN W

Name of Applicant: Same

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: MARTIN W GREENWALD

Subscribed and sworn before me

This 28th day of August, 2004

[signature]

Notary Public in and for said County and State

JANIS PERSHA
Notary Public State of Nevada
No. 94-2014-1
My appt. exp. Sept. 4, 2006

LANDSCAPING SCHEDULE

SYMBOL	COMMON NAME / BOTANICAL NAME	SIZE	REMARKS
	ALBERO FIG	24" BOX	
	FICUS NITIDA		
	FLORIDIAN PLUM	24" BOX	
	PRUNUS CERASIFERA 'KRAUTER VESUVIUS'		
	OLEA EUROPAEA 'SWAN HILL'	24" BOX	
	SWAN HILL OLIVE		
	CHRYSALIDOCARPUS LUTESCENS	24" BOX	
	FOXTAILS PALM VERIFY		

LANDSCAPING NOTES

1. SITE PREPARATION. THE CONTRACTOR SHALL REMOVE ALL WEEDS, TREES, BRUSH, AND ALL OTHER OBJECTIONABLE MATERIAL FROM THE LANDSCAPE AREAS TO BE DISPOSED OF IN A SUITABLE AND LAWFUL MANNER.

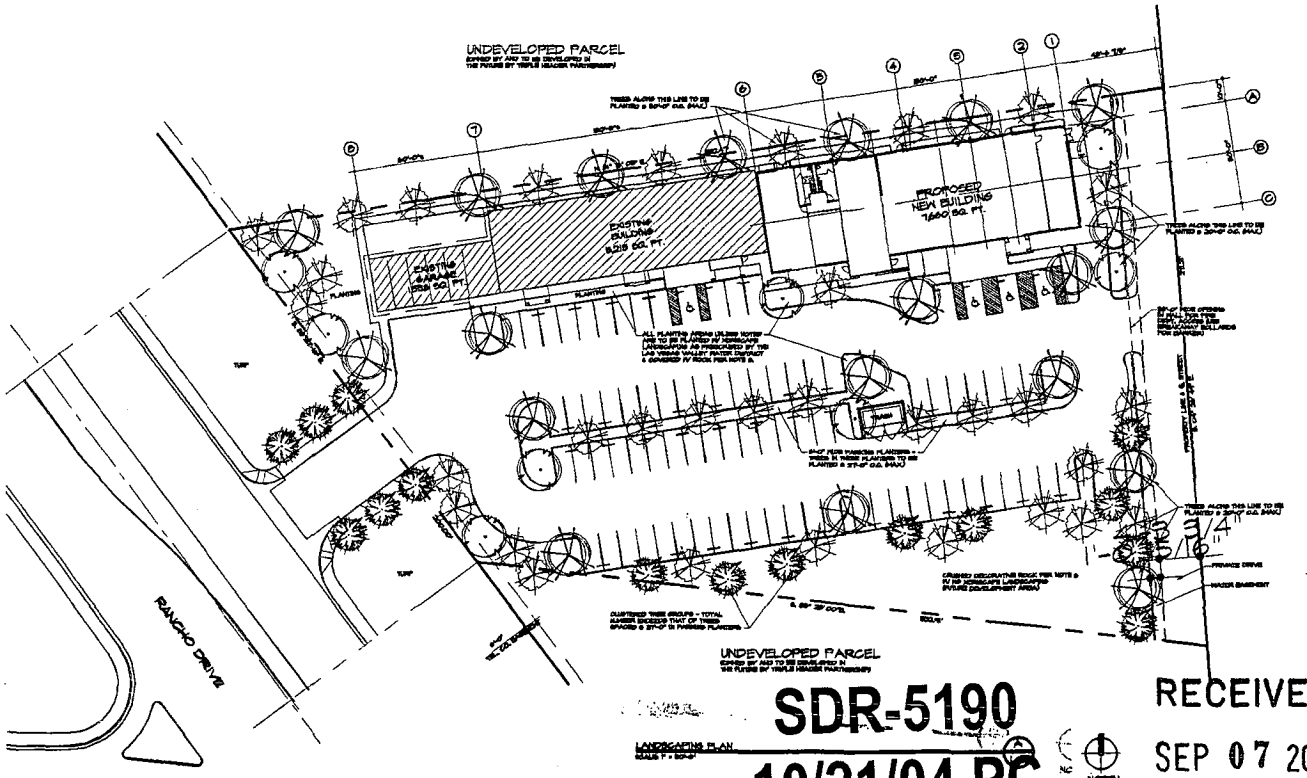
2. GRADING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FINISH GRADING AND PROPER DRAINAGE. SLOPES IN EXCESS OF 3:1 SHALL NOT BE ACCEPTED.

3. FINISH GRADE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FINISH GRADING IN ALL PLANTING AREAS. SOIL SHALL BE PLANTED TO A SMOOTH AND EVEN SURFACE CONFORMING TO SPECIFIED GRADES AFTER SETTLEMENT HAS OCCURRED. FINISH GRADE IN SHRUB AND GROUND COVER AREAS SHALL BE 2" BELOW ADJACENT HARDSCAPE. ALL CHANGES IN GRADE AND GRADES AT THE LIMIT OF WORK SHALL BE BLENDED TO DEFINE A SMOOTH AND EVEN TRANSITION AND ELIMINATE ABRUPT CHANGE.

4. IRRIGATION. NO PLANTING SHALL TAKE PLACE UNTIL THE ENTIRE IRRIGATION SYSTEM IS UNDER FULL AND SATISFACTORY OPERATION. THE DESIGN OF THE IRRIGATION SYSTEM SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR, AND SHALL CONFLICT WITH THE CANYON PARKWAY'S SIGNAGE CRITERIA. IRRIGATION PLANS MUST BE SUBMITTED TO THE CANYON PARKWAY DESIGN REVIEW COMMITTEE AND THE ARCHITECT FOR APPROVAL PRIOR TO COMMENCEMENT OF ANY WORK.

5. PLANTING TABLETOP. TABLETOP SHALL BE PLACED IN THE PLANT PIT AT ONE INCH OF THE DEPTH OF THE ROOT BALL AT THE FOLLOWING RATES: 5 GALLON = TWO TABLETOP, 24" BOX = FOUR TABLETOP, 36" BOX = SIX TABLETOP.

6. ALL PLANTING BEDS TO RECEIVE 2" FINE MINERAL MULCH. FINE ROCK USE PRE-EMERGENT PRIOR TO PLACING ROCK.



SDR-5190

10/21/04 PC

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CONSULTANT

737-8866

WARREN B. BUCHANAN
ARCHITECT
LAS VEGAS, NV.

WBBA

SHEET TITLE: LANDSCAPING PLAN

PROJECT: RETAIL CENTER ADDITION for:
TRIPLE HEADER PARTNERSHIP
@ RANCHO & LONE MOUNTAIN ROADS
LAS VEGAS, NEVADA

DATE 4 JULY '04

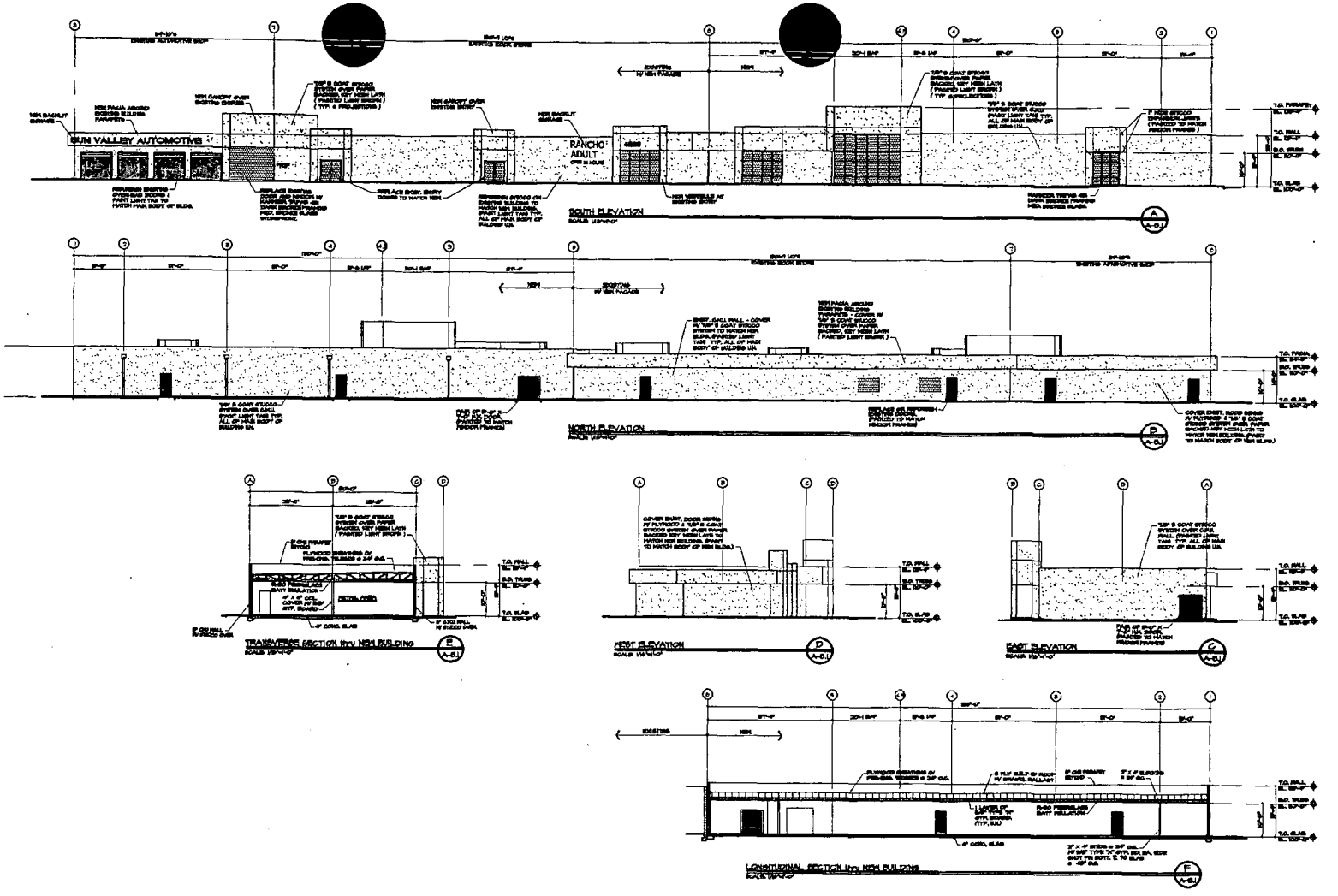
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JOB

SHEET L-1.1

BY



SDR-5190
10/21/04 PC

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737-8866

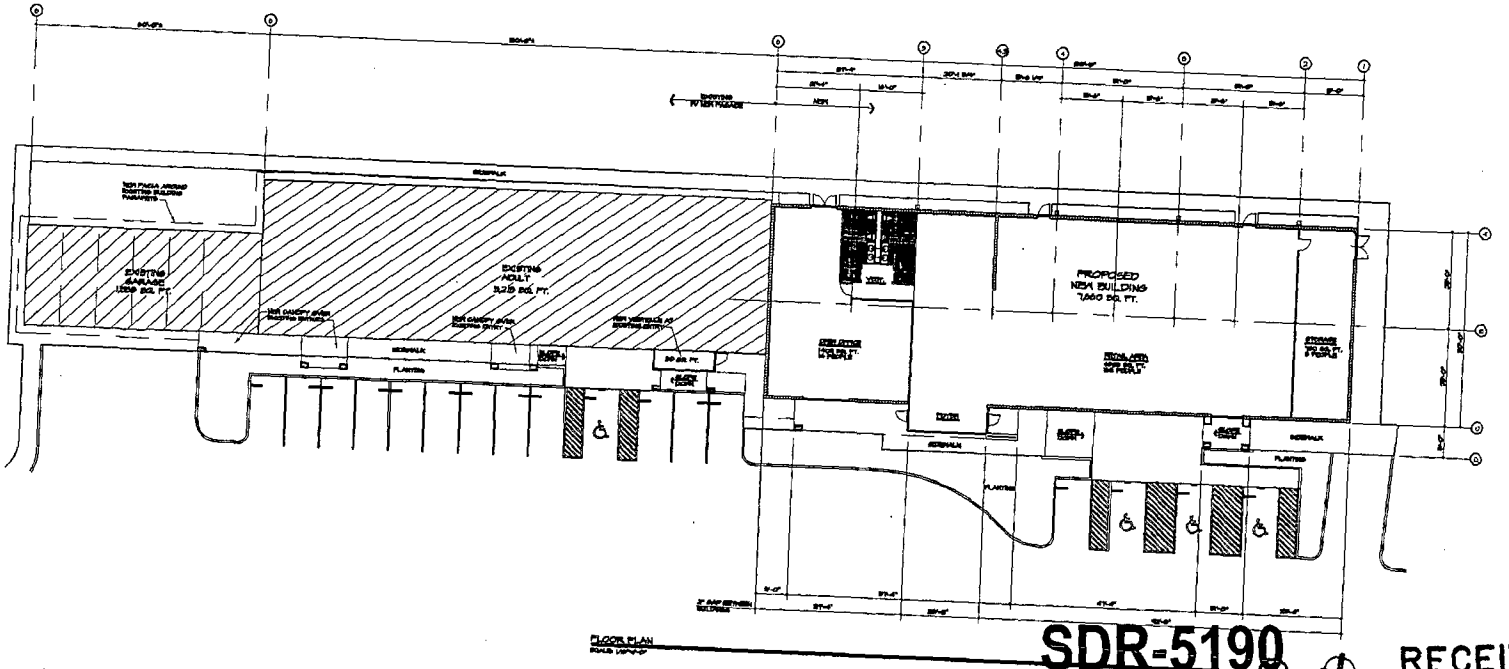
WARREN B. BUCHANAN
ARCHITECT
LAS VEGAS, NV.

SHEET TITLE: BUILDING ELEVATIONS SECTIONS

PROJECT: RETAIL CENTER ADDITION for:
TRIPLE HEADER PARTNERSHIP
@ RANCHO & LONE MOUNTAIN ROADS
LAS VEGAS, NEVADA

DATE 4 JULY '04
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JOB

SHEET A-3. OF



SDR-5190

10/21/04 PC

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SEP 07 2004

REVISIONS

CONSULTANT

737-8866

WARREN B. BUCHANAN
ARCHITECT
LAS VEGAS, NV.

WBB

SHEET TITLE FLOOR PLAN

PROJECT
RETAIL CENTER ADDITION for:
TRIPLE HEADER PARTNERSHIP
@ RANCHO & LONE MOUNTAIN ROADS
LAS VEGAS, NEVADA

DATE 4 JULY 04

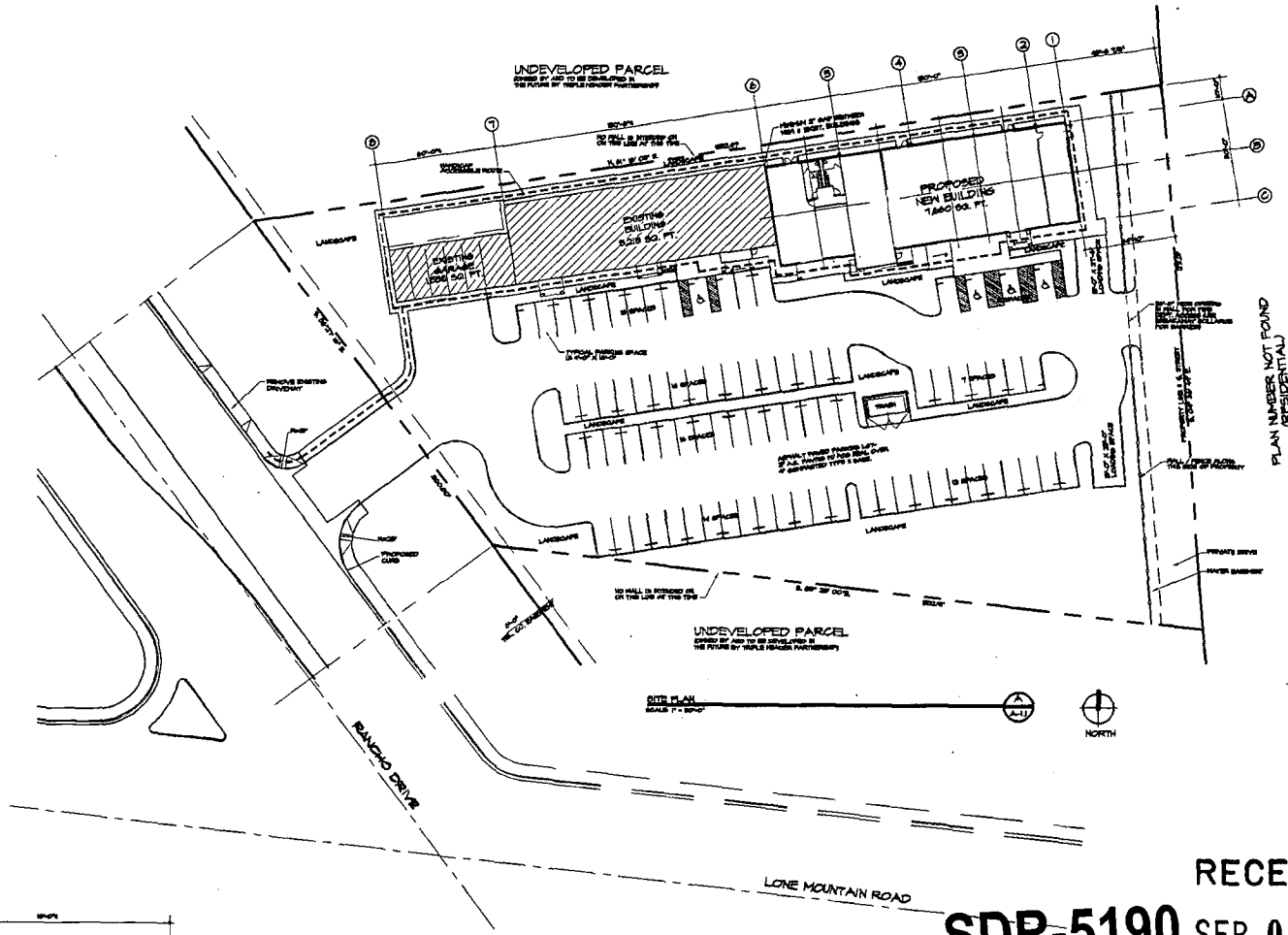
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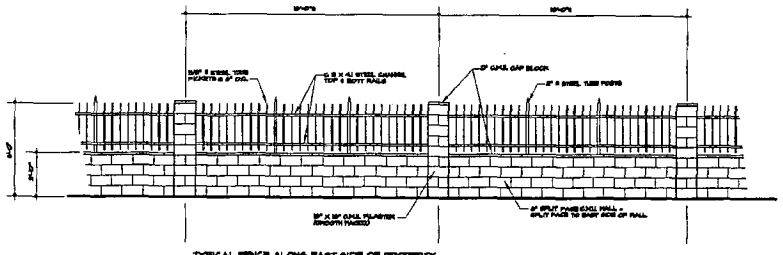
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SHEET A-2.

OF





TYPICAL FENCE ALONG EAST SIDE OF PROPERTY
SCALE 1/8" = 1'-0"

CODE ANALYSIS (2000 IBC)

ANALYSIS ITEMS:

1. OCCUPANCY CLASSIFICATION: RETAIL, GROUP M
2. TYPE OF CONSTRUCTION: TYPE V N
3. FIRE SPRINKLERS: NONE
4. HEIGHT-ACTUAL: 26'-0" ALLOWABLE: 40'-0"
5. STORIES ACTUAL: 1 - STORY ALLOWABLE: 2 - STORIES
6. AREA ACTUAL: 7,440 SQ. FT. + 50 SQ. FT. ALLOWABLE: 9,000 SQ. FT.
7. OCCUPANT LOAD:

	RETAIL	STORAGE	TOTAL
	7,440	50	

8. EXITS REQUIRED: PROVIDED:

	RETAIL	STORAGE
REQUIRED	1	1
PROVIDED	4	1

9. REQUIRED FIRE RESISTANCE OF EXTERIOR WALLS AND PROTECTION OF OPENINGS DUE TO LOCATION ON PROPERTY:
   1 HOUR @ NORTH + WEST WALLS
10. FIRE DISTRICTION REQUIREMENTS:
    SMART BUILDINGS (IF ANY)
11. SPECIAL INSPECTIONS REQUIRED: NONE
12. CODE YEAR / TYPE: 2000 INTERNATIONAL BUILDING CODE

ZONING DATA

ZONING: C-2
NET AREA: 97,138 SQ. FT. OR 2.23 ACRES
TOTAL NUMBER OF UNITS: 1 NEW BLDG. AND 2 EXIST. BLDGS.
BUILDING AREA ON SITE: 14,668 SQ. FT.
DENSITY: 0.23 U.
APN 138-09-101-009

PARKING ANALYSIS

BUILDING AREAS:

EXISTING GARAGE =	1,200 SQ. FT.
EXISTING RETAIL (MAIN) =	5,228 SQ. FT.
NEW RETAIL =	7,440 SQ. FT.

PARKING REQD.:

EXISTING GARAGE =	2 SPACES PER 1,000 SQ. FT. = 2 SPACES
EXISTING RETAIL (MAIN) =	1 SPACES PER 200 SQ. FT. = 26 SPACES
NEW RETAIL =	1 SPACES PER 200 SQ. FT. = 37 SPACES

PARKING SPACES REQUIRED: 72 SPACES
PARKING SPACES PROVIDED: 83 SPACES (INCLUDING 4 H.C. SPACES)
FILE 2 LOADING BAYS (10'-0" X 40'-0")

INDEX TO THE DRAWINGS

A-1.1 SITE PLAN & DRAINAGE SKETCH
A-2.1 FLOOR PLAN
A-3.1 EXTERIOR ELEVATIONS & BUILDING SECTIONS
L1.1 LANDSCAPING PLAN



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CONSULTANT

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WARREN B. BUCHANAN ARCHITECT
LAS VEGAS, NV.

WBBA

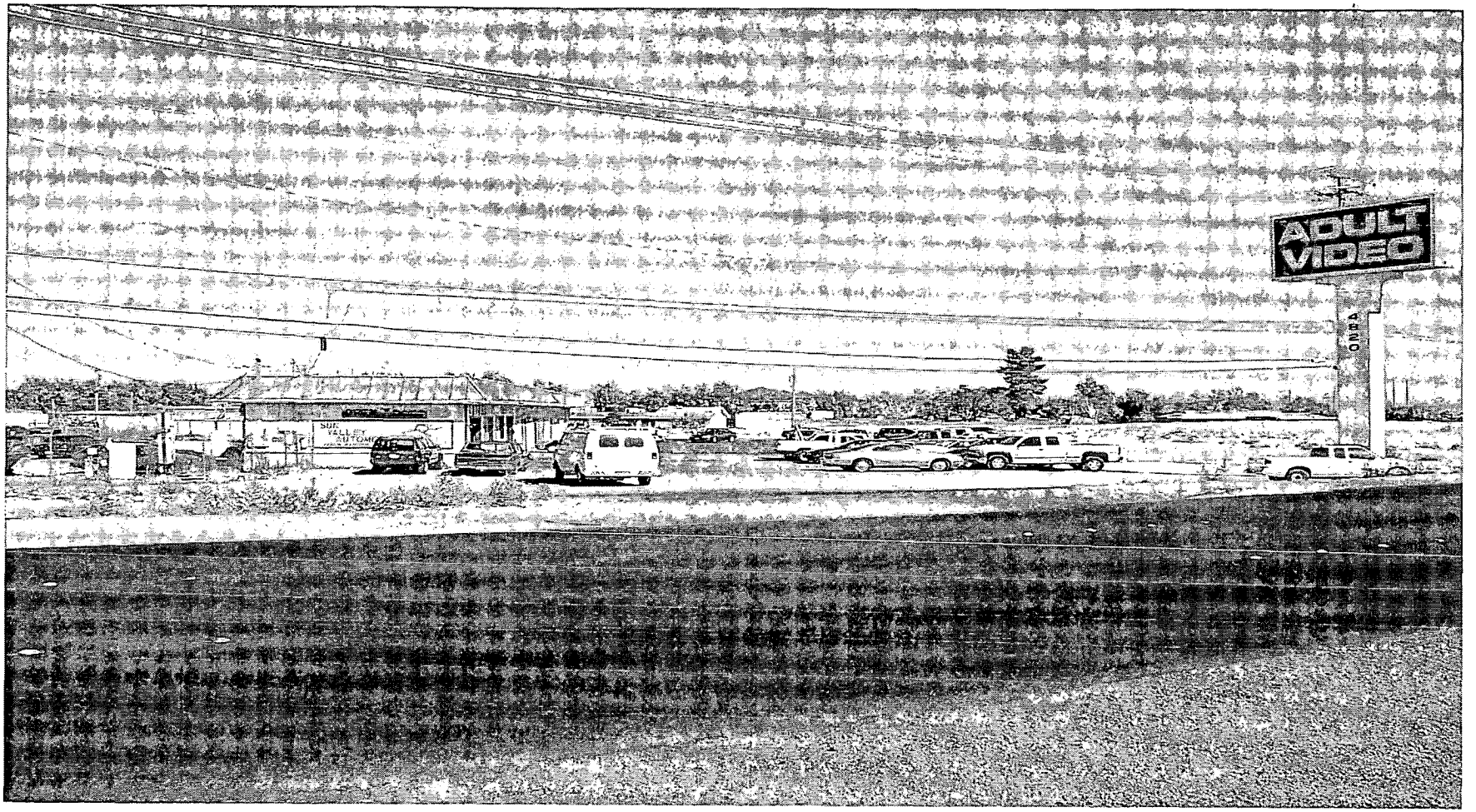
SHEET TITLE: SITE PLAN DRAWING INDEX

PROJECT: RETAIL CENTER ADDITION for:
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DATE 4 JULY '04
SCALE 1" = 30'-0"
DRAWN MBB
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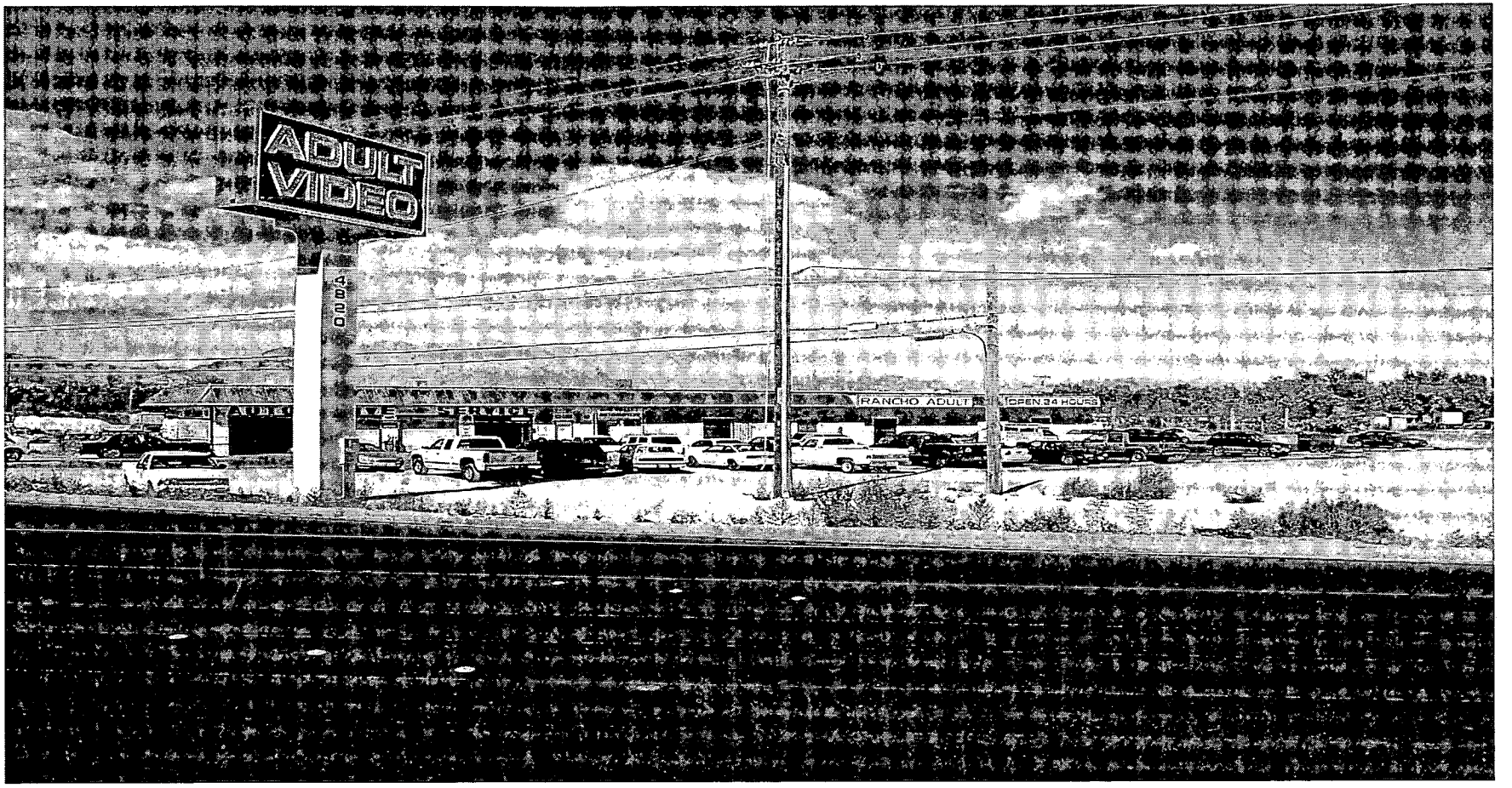
SHEET A-1.1

A-1.1 SITE PLAN



SDR-5190 - APPLICANT: MG PROPERTIES - OWNER: MARTIN W. GREENWALD
NORTHEAST CORNER OF RANCHO DRIVE AND LONE MOUNTAIN ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



SDR-5190 - APPLICANT: MG PROPERTIES - OWNER: MARTIN W. GREENWALD
NORTHEAST CORNER OF RANCHO DRIVE AND LONE MOUNTAIN ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

City of Las Vegas

Agenda Item No. 108

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW

SDR-5198 - PUBLIC HEARING - APPLICANT/OWNER: WILTON PARTNERS ARVILLE NO. 8, LLC - Request for a Site Development Plan Review FOR A 11,739 SQUARE FOOT COMMERCIAL BUILDING AND WAIVERS OF BUILDING PLACEMENT, FOUNDATION LANDSCAPING ALONG THE SIDEWALK, AND LANDSCAPE BUFFER STANDARDS on 1.49 acres on the west side of Arville Street, approximately 250 feet north of Sahara Avenue, (APN 162-06-412-003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

BRENT WILSON, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and concurred with staff recommendations for this infill project.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.
(1:48 - 1:50)
2-1436

CONDITIONS:

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations date stamped 09/07/04, except as amended by conditions herein.

CONDITIONS - Continued:

3. The site plan shall be revised to reflect the conditions herein and approved by staff of the Planning and Development Department prior to the time application is made for a building permit. A Waiver in the placement of the building at the front of the lot is approved by this condition.

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

5. The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit. Plantings shall be provided around the foundation of the building in locations that demonstrate closer compliance with the intent of the Landscape, Wall and Buffer Standards. This is a denial of a request for a complete Waiver in the placement of landscaping around the foundation of the building in support of partial landscaping in strategic locations around the building. However, this condition is approval of a request for a Waiver in the zone width for perimeter landscaping in the extreme northwest corner of the site.

6. Landscaping and a permanent underground sprinkler system shall be installed and shall be permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems is cause for revocation of a business license.)

7. A sidewalk shall be provided to connect the sidewalk along Arville Street to the sidewalk around the proposed building. The sidewalk shall be handicap accessible.

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

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. All lighting shall be directed away or screened from the adjacent residential property.

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

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

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

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

Public Works

14. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All new or modifications to existing driveways shall be designed, located and constructed in

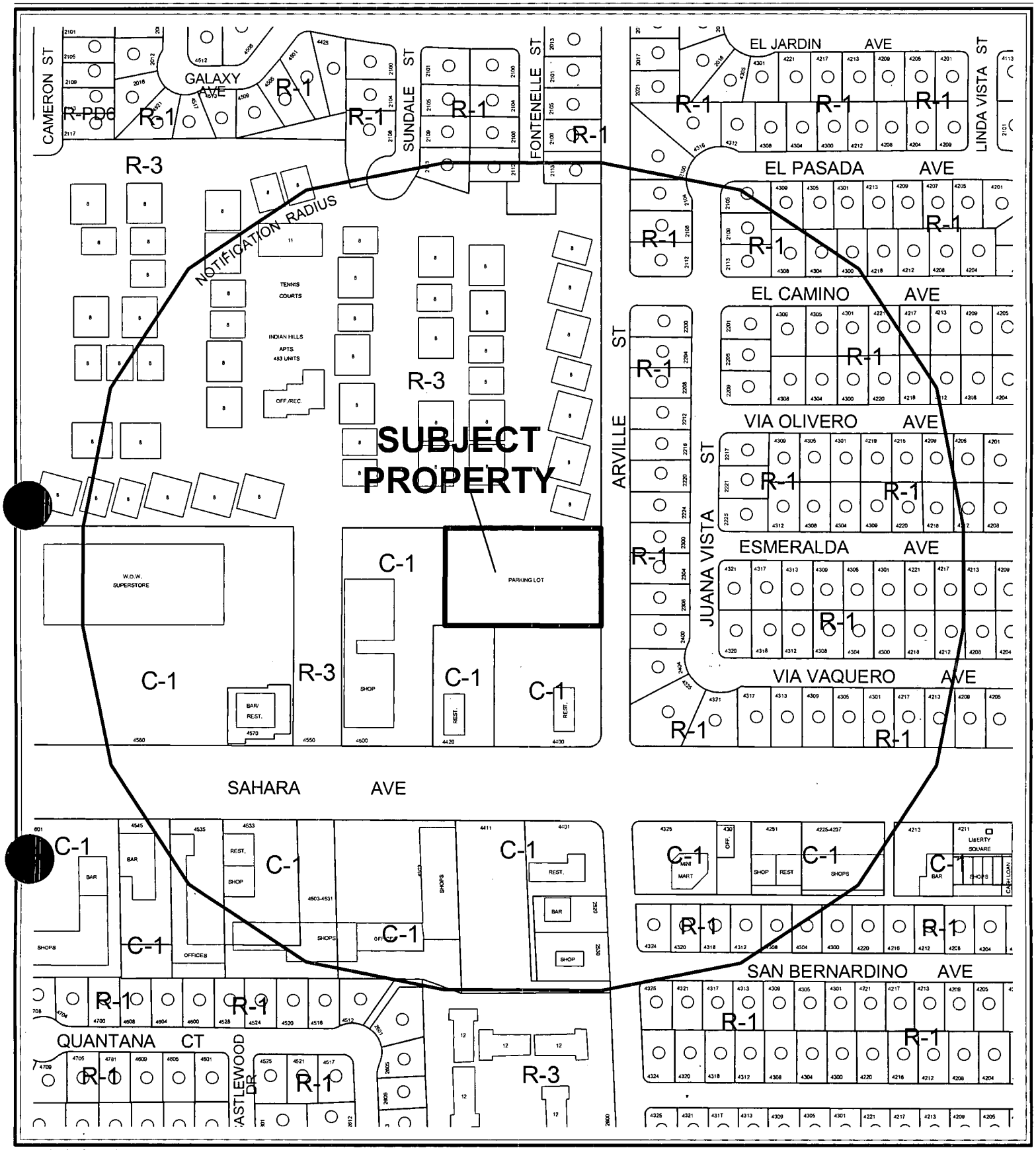
CONDITIONS - Continued:

accordance with Standard Drawing #222A.

15. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the west prior to the issuance of any permits.

16. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

17. Site development to comply with all applicable conditions of approval for Z-57-87 and all other subsequent site-related actions.

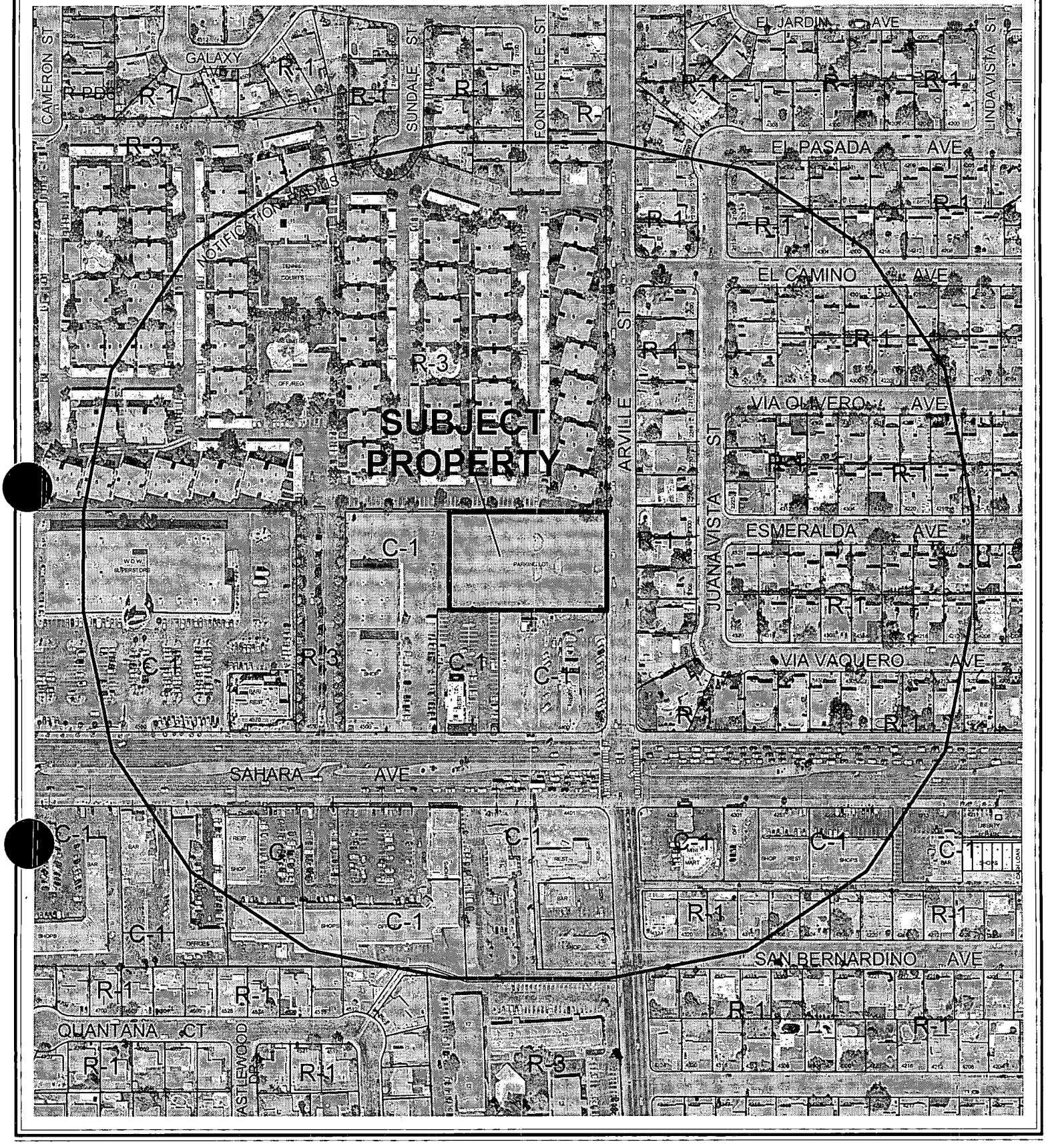


0 200 400 Feet

CASE: **SDR-5198**

RADIUS: 750 FT

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



0 200 400 Feet

CASE: **SDR-5198**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5198 - APPLICANT/OWNER: WILTON PARTNERS ARVILLE NO. 8, LLC

** CONDITIONS **

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

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations date stamped 09/07/04, except as amended by conditions herein.

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

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

Public Works

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

15. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the west prior to the issuance of any permits.

16. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

17. Site development to comply with all applicable conditions of approval for Z-57-87 and all other subsequent site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for an 11,739 square foot commercial building and Waivers of building placement, sidewalk, and landscape buffer standards on 1.40 acres approximately 250 feet north of Sahara Avenue, on the west side of Arville Street.

B) Applicant's Justification

In a letter submitted with the application, the applicant states that the interest is in establishing a 11,739 square foot building on the subject property. Justification is given for Waivers in the commercial design standards, including: perimeter landscaping requirements, the placement of the building, and the location of the sidewalk around the proposed building. These Waivers are fully addressed in the body of this report.

BACKGROUND INFORMATION

A) Previous Actions

08/05/87 The City Council approved a Rezoning (Z-0057-87) to C-1 (Limited Commercial) on this property as part of a larger request.

01/11/96 The Planning Commission approved a Plot Plan Review [Z-57-87(4)] and building elevation for a 33,277 square foot retail building (Just for Feet) on property located west of the subject tract. The staff recommended approval on the same date.

10/21/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #14/dds).

B) Pre-Application Meeting

08/23/04 The staff met with the prospective applicant to review plans for a proposed general retail development on the subject property. In addition to the general requirements for a retail development, the following particular details were noted:

- The building would need to be shifted forward on the site to meet the commercial development standards or a Waiver would be required.
- A Waiver would be needed in the foundation and perimeter landscaping.
- The architectural design would need to be carried around the entire building.
- The trash enclosure should match the architectural style of the building.
- Off-site infrastructure would need to be improved.
- A flood study would be needed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 1.49

B) Existing Land Use

Subject Property:	Parking lot
North:	Apartment development
South:	Restaurants
East:	Single-family residential
West:	Service commercial (Just for Feet building-vacant)

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject property is located within the Southeast Sector of the General Plan. The property is designated SC (Service Commercial). The property is zoned C-1 (Limited Commercial), which is a zoning district permitted in this land use classification.

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

No special districts or zones are related to the subject property.

PROJECT DESCRIPTION

The applicant is proposing to construct an 11,739 square foot building for general retail use. The building would consist of seven commercial units. Four suites will each contain 1,287 square feet, two suites will each have 1,828 square feet, and one larger suite will have 2,984 square feet. The building is to be of Mediterranean style architecture.

The entrance to the site is to be off Arville Street, a 60-foot wide local street, which connects to Sahara Avenue, a Primary Arterial (100-foot wide) street, according to the Master Plan of Streets and Highways. Additional access will be provided from Sahara Avenue through commercial property to the west and south.

The site plan is illustrative of a retail development with a commercial building situated along the north property line of the site and with parking located primarily to the south side of the building. Additional parking spaces, including handicap spaces are located between the building and Arville Street. A total of 102 parking spaces are provided for the development.

Trees and other landscaping are provided throughout the site within the parking areas and along the perimeter of the site. A 15-foot landscaped area is provided along Arville Street.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	NA	1.49 Acres	NA
Min. Lot Width	100 Feet	200 Feet	Y
Min. Setbacks			
• Front	20 Feet	84 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	NA	NA	NA
• Rear	20 Feet	64 Feet	Y
Max. Lot Coverage	50 %	19%	Y
Max. Building Height	NA	34.5 Feet	NA

The development complies with the development standards.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, Residential Adjacency Standards apply where a nonresidential use is adjacent to residential property "developed for sale." In this instance, a single-family residential development is located across Arville Street from the proposed building. The height is

approximately 42 feet to the roofline of a tower constructed in the front of the building. At a required 3:1 slope from the building to the property of the single-family residences, 126 feet is required. A distance of 143.82 feet is provided. Therefore, the building meets the Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	**GFA** (sq. ft.)	**Required**			**Provided**	
		Ratio Space/sq. ft.	Parking Spaces		Parking Spaces	
			Regular	Handicap	Regular	Handicap
General Retail	11,739	1 space/175	65	3	98	4

The use is provided with the required number of parking spaces.

A4) Landscape and Open Space Standards

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

Standards	**Trees Required**		**Trees Provided**
	Ratio	Trees	
Parking Area	0.28 Trees/Space	29	22
Buffer Trees	1 Tree/Linear Foot + 1	24	24
Total		53	58

The development must be provided with one tree for every 20 feet of linear distance along the front property line and north property line plus one tree. The total distance is 451 feet (excluding driveway). The regular numbers of trees are provided. The parking area must be provided with trees according to the formula: total spaces/6 + islands/2. This equates to a need for 29 trees for which 22 are provided. However, an additional 11 trees are provided along the south property line for a total of 33 trees.

B) General Analysis and Discussion

- Zoning

The present zoning of the subject property is C-1 (Limited Commercial). The C-1 zone allows a broad spectrum of retail uses. The applicant proposes general retail uses for the new commercial building. General retail uses are permitted in a C-1 zone, except for those uses not otherwise listed.

- Site Plan

The site plan is illustrative of a retail development with a commercial building situated along the north property line of the site and with parking located primarily to the south side of the building. Additional parking spaces, including handicap spaces are located between the building and

Arville Street. According to the commercial design standards, the building is to be situated forward on the lot. However, if the building were located forward on the lot, the Residential Adjacency Standards separation requirement from the single-family residential development across Arville Street to the east could not be met. This is critical in protecting the integrity of the residential area.

- Waivers

The applicant has requested three waivers of the commercial development standards: (1) a Waiver of the building orientation and siting; (2) a Waiver to place sidewalks next to the building; and (3) a Waiver of landscape buffering. As mentioned above, if the building were placed forward on the lot, it could not meet the Residential Adjacency Standards. Therefore, it is recommended that this Waiver be granted.

As to the second Waiver, the applicant indicates that a sidewalk is proposed around the building that varies from approximately 5.8 to 13.5 feet in width depending on the location. In locations where the sidewalk is less than 11 feet wide, there is insufficient space for a five-foot sidewalk and a six-foot planting bed. The places where the sidewalk is wider than 11 feet are at the entrances to the building where access would be denied. Landscaping along the foundation is desirable where it can be provided to soften the abrupt changes in hard surfaces. In this instance, no landscaping is proposed around the foundation. It is not recommended that a complete Waiver be granted to eliminate all foundation landscaping. Instead, it is recommended that the applicant explore alternatives in providing some landscaping in strategic locations around the building to more closely comply with the intent of the provision. This concern is addressed as a condition of approval.

The third Waiver is requested to reduce the buffer width for perimeter landscaping in the northwest corner of the site. Parking is being integrated with an existing parking area west of the site that is only 3.5 feet from the north property line. Parking for the subject property will transition to a location eight feet from the north property line; however, a Waiver is required for a short 30-foot distance along the north property line where the transition is being made. It is recommended that this Waiver be granted. Since the depiction is minor and the overall site will have more than the number of required trees.

- Landscape Plan

A conceptual landscape plan is included with the site plan for the subject development. The plan appears to meet the intent of the Landscape Wall and Buffer Requirements with the exception of any landscaping around the foundation of the building. It is recommended that landscaping be provided around the building in strategic locations to meet the intent of the requirement.

- Elevation

The elevation plans include drawings of a building to consist of Mediterranean style architecture. The building is to have three broad towers, one at each end and one in the middle. The exterior surface will be of smooth stucco finish with a terra-cotta tile roof system. Large arched doorways

decorate the entrances and will consist of aluminum with oil rubbed bronze anodized finish. Seven wrought iron balconies, six traditional style lights, wood trellis and raised embellishments across the front, sides and rear of the building are to enhance the style of architecture. The terra-cotta tile roof system is carried around to the rear of the building partway. The roofed trash enclosure at the west end of the building is of the same architectural style.

The building is a very attractive design and should integrate well with other commercial buildings in the area.

- Floor Plan

The proposed building is to consist of seven commercial units. Four suites will each contain 1,287 square feet, two suites will each have 1,828 square feet, and one larger suite will have 2, 984 square feet. Each space will have at least one entrance and one rear exit. The spaces are typical of retail spaces generally.

FINDINGS

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

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

   The applicant is proposing to construct a building for retail uses. Such uses are compatible with the restaurants to the south and another vacant building for retail use to the west. Such a mixture of uses is very common in commercial areas such as this. There lacks any architectural theme among the buildings that comprise the commercial area. However, the proposed building by itself will have an interesting architectural style that will not detract from the apartment complex to the north or from other adjacent areas.

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

   The subject property is located in a SC (Service Commercial) land use classification, and the property is zoned C-1 (Limited Commercial), which is a zoning district permitted in this land use classification. The land use classification and district are intended for general commercial use. The proposed use is consistent with this intent.

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

   The entrance to the site is to be off Arville Street, a 60-foot wide local street, which connects to Sahara Avenue, a Primary Arterial (100-foot wide) street, according the Master Plan of Streets and Highways. Additional access will be provided from Sahara Avenue through commercial property to the west and south. Both streets have sufficient capacity to handle additional volumes of traffic as well as vehicular maneuvering in and out of the site.

Pedestrian access is limited to sidewalks along Arville Street and around the proposed building. There should be a connection from the sidewalk along Arville Street directly to the building that may also be used by handicapped persons.

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

The building and landscape materials of the project are described above and below. The materials of the development are consistent with other commercial projects in the vicinity. The architectural design of the building adds variety to an otherwise mundane commercial area.

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

The proposed building is to consist of Mediterranean style architecture, having three broad towers, one at each end and one in the middle. The exterior surface will be of smooth stucco finish with a terra-cotta tile roof system. Large arched doorways decorate the entrances and will consist of aluminum with oil rubbed bronze anodized finish. Seven wrought iron balconies, six traditional style lights, wood trellis and raised embellishments across the front, sides and rear of the building are to enhance the style of architecture. The terra-cotta tile roof system is carried around to the rear of the building partway. The roofed trash enclosure at the west end of the building is of the same architectural style.

The building is a very attractive design and should integrate well with other commercial buildings in the area.

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

Because the site will be subject to ongoing inspection, the public health, safety, and welfare will not be compromised.

NOTICES MAILED 111 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5198 APN: 162-06-412-003

Name of Property Owner: Wilton Partners Arville #8 LLC

Name of Applicant: Wilton Partners Arville No. 8 LLC

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

_____ Yes ✓ No

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

City Official: _____

Partner(s) _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

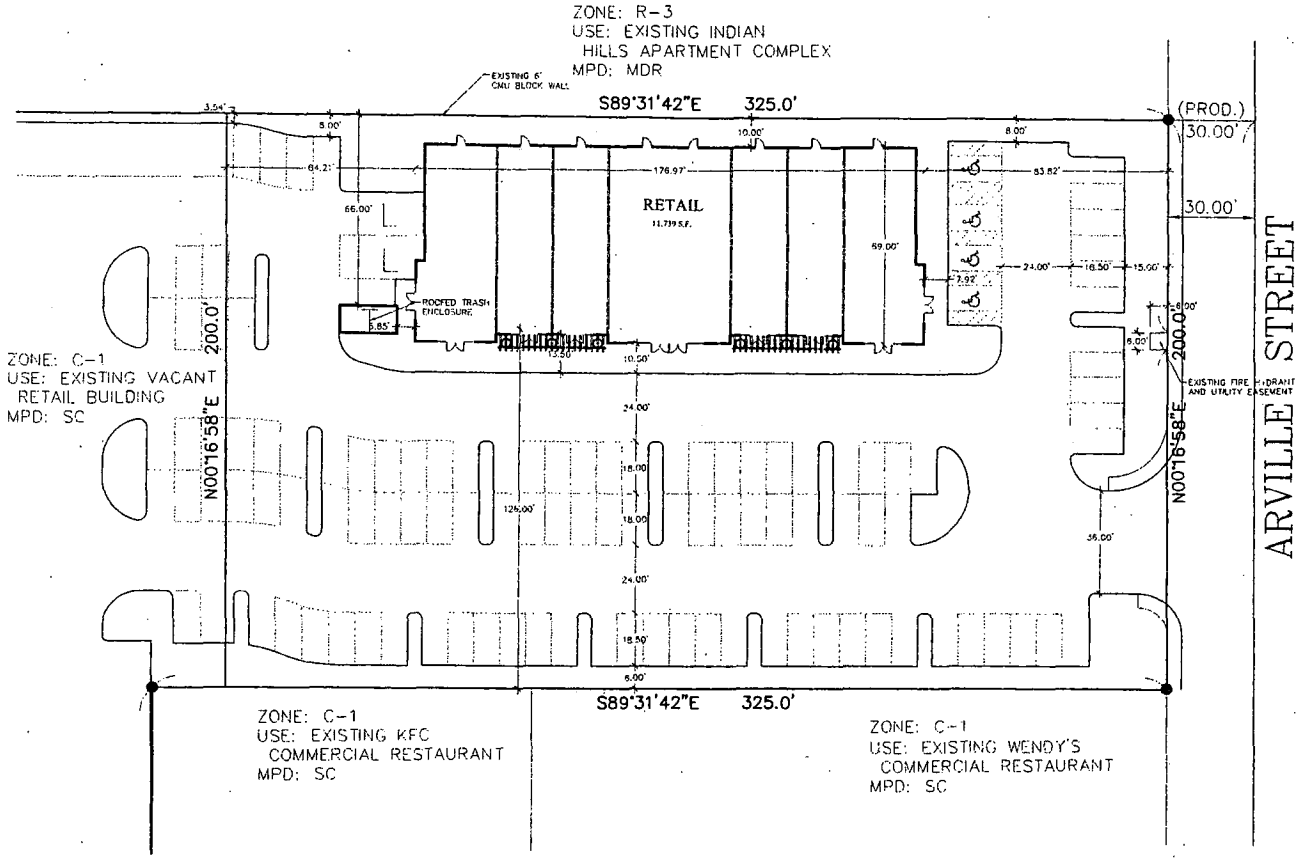
Print Name: Jay H. Wilton

Subscribed and sworn before me

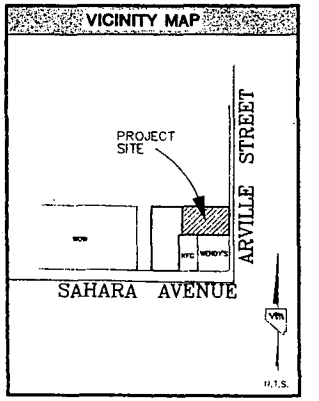
This 31 day of August ,20 04

_____
Notary Public in and for said County and State

NANI APRIL GADD
Comm. # 1504585
NOTARY PUBLIC - CALIFORNIA
Los Angeles County
My Comm. Expires July 30, 2008



VICINITY MAP



SITE-DATA

SITE DEVELOPMENT REVIEW APPLICATION:

APN NUMBER:	162-05-412-003
GROSS AREA:	1.48 ACRES±
CURRENT ZONING:	C-1
CURRENT USE:	COMMERCIAL GENERAL SERVICES (PARKING)
PROPOSED USE:	GENERAL RETAIL
CURRENT MASTER PLAN DESIGNATION:	SERVICE COMMERCIAL

PARKING CALCULATIONS

PER TITLE 19 REQUIREMENTS:

SUBJECT PROPERTY:
REQUIRED PARKING SPACES (GENERAL RETAIL UNDER 25,000 S.F.):
1 SPACE PER 175 S.F. OF BUILDING AREA
11,739 / 175 = 68 STALLS REQUIRED

COMMERCIAL SUBDIVISION:
REQUIRED PARKING SPACES (GENERAL RETAIL OVER 25,000 S.F.):
1 SPACE PER 250 S.F. OF BUILDING AREA
EXISTING RETAIL BUILDING (JUST FOR FEET): 27,319 S.F. TOTAL
PROPOSED RETAIL BUILDING: 11,739 S.F.
TOTAL BUILDING GROSS FLOOR AREA: 39,058 S.F. OVERALL
39,058 / 250 = 157 STALLS REQUIRED

PER C.C.&R. REQUIREMENTS:

COMMERCIAL SUBDIVISION:
REQUIRED PARKING SPACES: 5 SPACES PER 1000 S.F. OF BUILDING AREA
39,058 / 200 = 196 STALLS REQUIRED

PARKING PROVIDED:

SUBJECT PROPERTY:	102 STALLS PROVIDED
COMMERCIAL SUBDIVISION:	201 STALLS PROVIDED

GRAPHIC SCALE

1" = 20'

NORTH

WILTON PARTNERS
1111 SANTA MONICA BOULEVARD, SUITE 300
LOS ANGELES, CALIFORNIA 90025

CITY OF LAS VEGAS

CONCEPTUAL SITE PLAN

JUST FOR FEET II
SAHARA/ARVILLE

vtn nevada
3317 SOUTH HIGHLAND BOULEVARD, LAS VEGAS, NEVADA 89109-5318
PH: (702) 873-7500 FAX (702) 361-7597
CIVIL ENGINEERS & LAND SURVEYORS

REVISION	DATE	BY

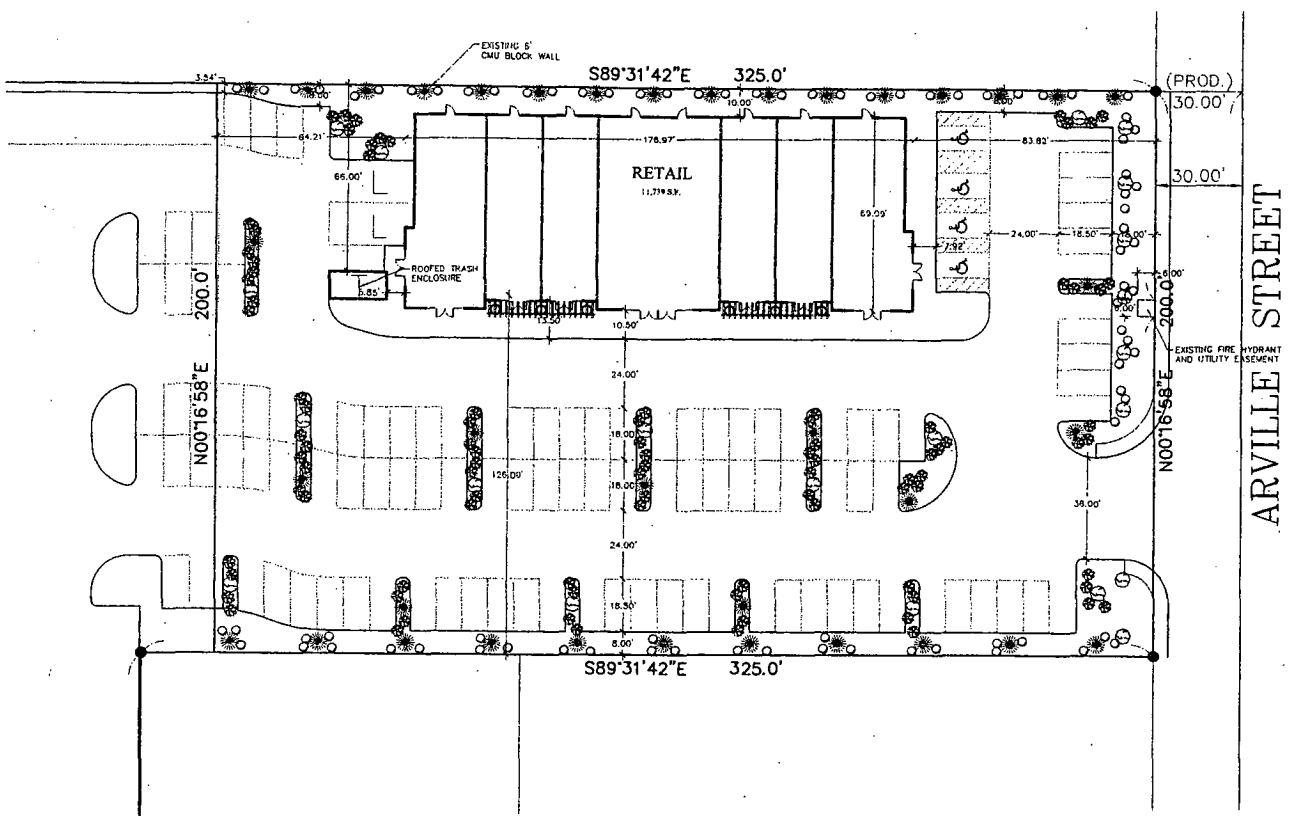
DRAWN BY: B.T.W. 08/04
DESIGNED BY: B.T.K. 08/04
CHECKED BY: K.L.F. 08/04
PROJECT NO: 4456
SCALE: 1:00
HORIZ. VERT.

SHEET SP-1
1 OF 1 SHEETS
DRAWING NO.

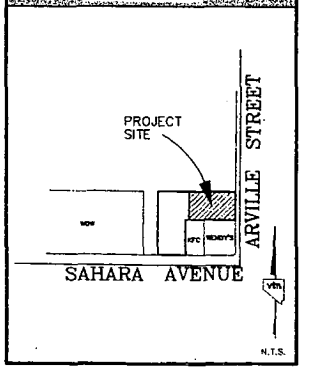
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SDR-5198
10/21/04 PC

RECEIVED
SEP 07 2004



VICINITY MAP



SITE-DATA

SITE DEVELOPMENT REVIEW APPLICATION:

APN NUMBER:	162-05-412-003
GROSS AREA:	1.48 ACRES±
CURRENT ZONING:	C-1
CURRENT USE:	COMMERCIAL GENERAL SERVICES (PAWNSHOP)
PROPOSED USE:	RETAIL
CURRENT MASTER PLAN DESIGNATION:	SERVICE COMMERCIAL

TREE/PLANT SCHEDULE

SYM.	QTY.	SIZE	SPACING	NAME
	37	24" BOX	VARIES	MODESTO ASH
	21	24" BOX	VARIES	MONDEL PINE
	–	VARIES	N/A	DATE PALM
	–	13 GALLON	VARIES	PHOTINIA
	81	15 GALLON	VARIES	FLOWERING PLUM
	91	5 GALLON	VARIES	GROUND SHRUBS

GENERAL NOTES
1. Landscape shall conform to requirements of Chapter 19A (City of Las Vegas).
2. The proposed landscaping and plants are conceptual only, a detailed Landscape Plan will be prepared by a licensed Landscape Architect as a part of the final engineering plan.
3. The number and types of plant may vary from the proposed conceptual plan.

NORTH

GRAPHIC SCALE

1" = 20'

WILTON PARTNERS
1111 SANTA MONICA BOULEVARD
LOS ANGELES, CA 90025

CITY OF LAS VEGAS

vtn nevada CONSULTING ENGINEERS & PLANNERS & LAND SURVEYORS
2727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89146-5148
PH. (702) 873-7500 FAX (702) 362-2987

CONCEPTUAL
LANDSCAPE PLAN

JUST FOR FEET II

DRAWN BY: S.T.W. 08/04
DESIGNED BY: S.T.W. 08/04
CHECKED BY:
PROJECT NO. 5488
SCALE: 20
HORZ. VERT.

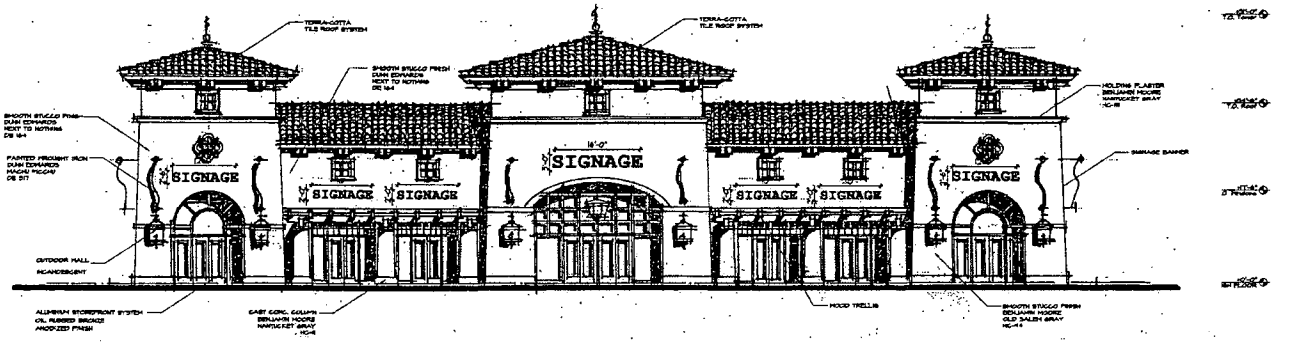
SHEET LP-1
2 OF 2 SHEETS
DRAWING NO.

REVISION | DATE | BY

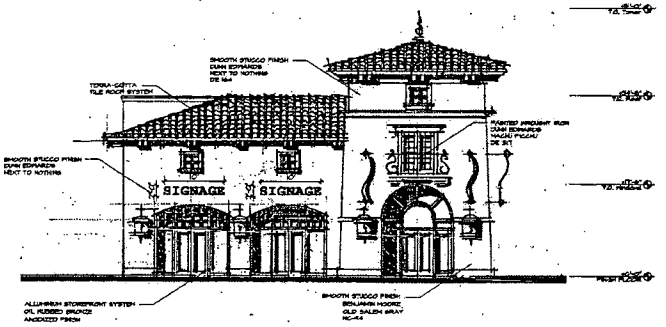
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SDR-5198
10/21/04 PC

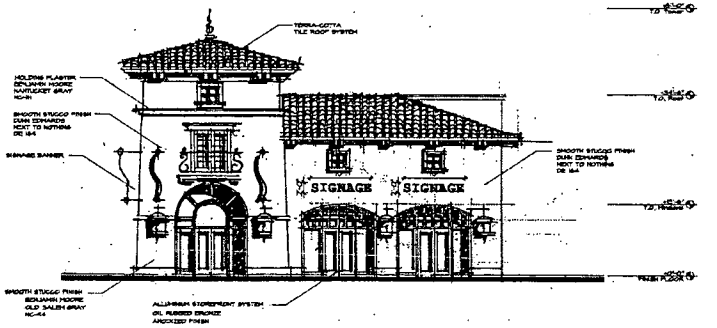
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SEP 07 2004



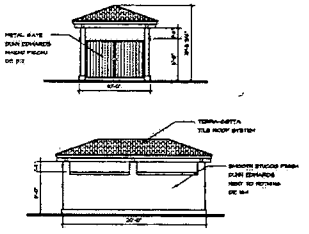
SOUTH ELEVATION
SCALE 3/32" = 1'-0"



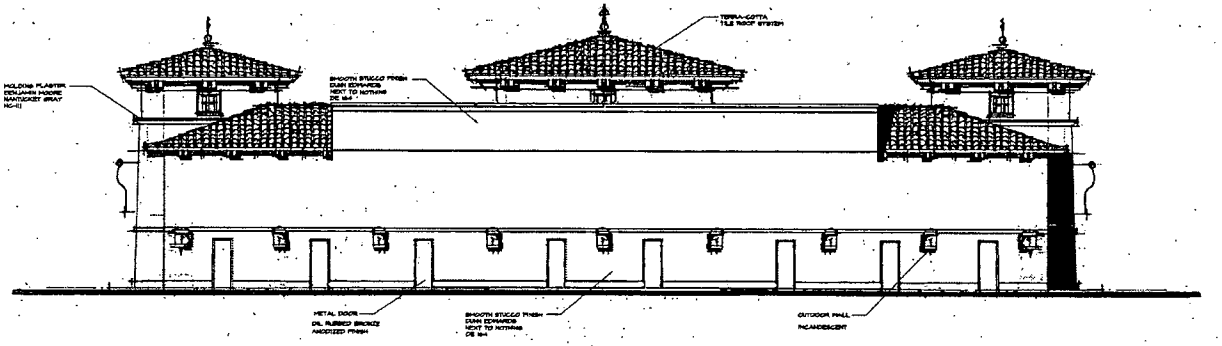
WEST ELEVATION
SCALE 3/32" = 1'-0"



EAST ELEVATION
SCALE 3/32" = 1'-0"



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



NORTH ELEVATION
SCALE 3/32" = 1'-0"

Sahara and Arville

Sahara Avenue and Arville Street, Las Vegas, NV

Note: This Layout is Conceptual in Nature and No Guarantee of its accuracy is implied. All Dimensions and Sizes are Preliminary and Subject to Change

Conceptual Elevation

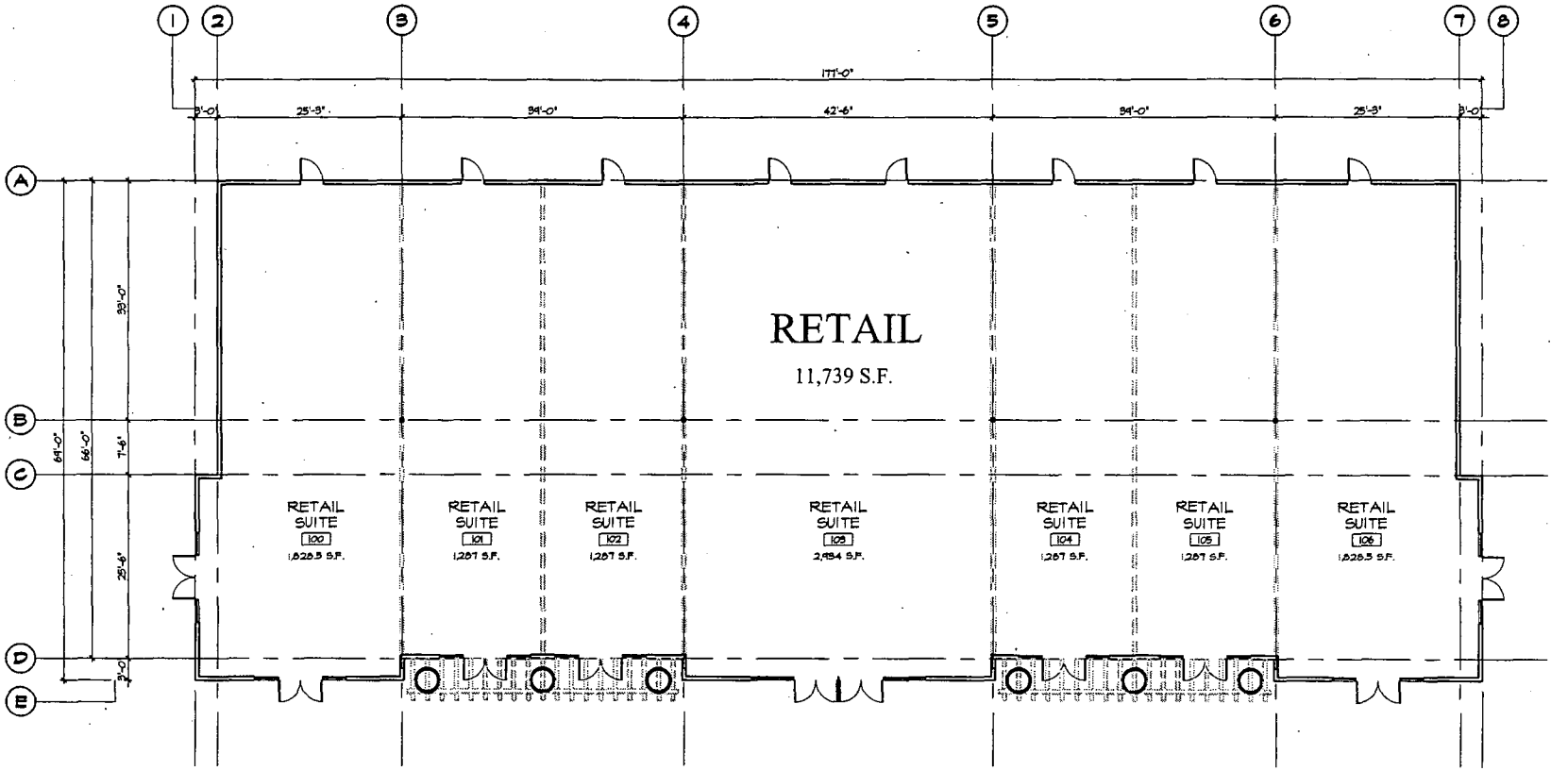
Wilton Partners
Los Angeles, CA 301.444.6377

Scale: 3/32" = 1'-0"

Date: September 2, 2004
Project Number: 104386

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

SDR-5198
10/21/04 PC
RECEIVED
SEP 07 2004



GENERAL NOTES:

1. FUTURE DEMISING WALL TO BE DETERMINED AT TIME OF LEASING
2. FUTURE RESTROOM TO BE DETERMINED AT TIME OF LEASING
3. FUTURE MEZZANINE, LOCATION AND ACCESS, TO BE DETERMINED AT TIME OF LEASING

FLOOR PLAN

SCALE 1/16" = 1'-0"

RECEIVED
SEP 07 2004

SDR-5198
10/21/04 PC

Sahara and Arville

Sahara Avenue and Arville Street, Las Vegas, NV

Note: This Layout is Conceptual in Nature and No Guarantee of its accuracy is implied. All Dimensions and Sizes are Preliminary and Subject to Change

Conceptual Floor Plan

Wilton Partners
Los Angeles, CA 301.444.6377

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

Date: September 1,2004
Project Number: 104386

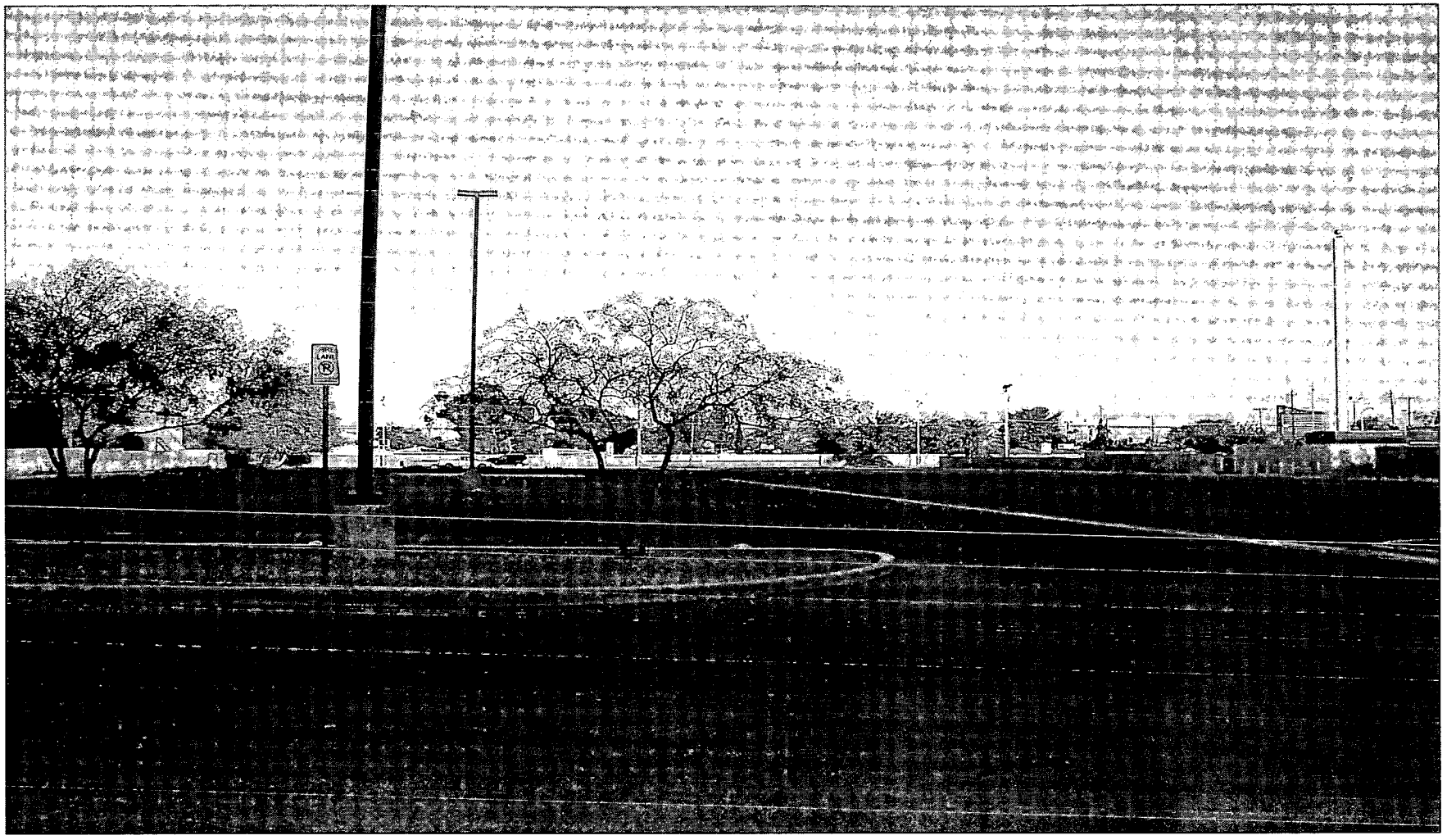
Perlman
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89074
702.990.9900 702.932.3222 fax

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SDR-5198 - APPLICANT/OWNER: WILTON PARTNERS ARVILLE NO. 8, LLC
WEST SIDE OF ARVILLE STREET, APPROXIMATELY 250 FEET NORTH OF SAHARA AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/12/04



SDR-5198 - APPLICANT/OWNER: WILTON PARTNERS ARVILLE NO. 8, LLC
WEST SIDE OF ARVILLE STREET, APPROXIMATELY 250 FEET NORTH OF SAHARA AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/12/04

City of Las Vegas

Agenda Item No. 109

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

MAJOR MODIFICATION TO THE LAS VEGAS MEDICAL DISTRICT

MOD-5267 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Major Modification to the Las Vegas Medical District PLAN IN ORDER TO REDUCE HEIGHT AND SETBACK RESTRICTIONS ON MIXED-USE DEVELOPMENTS, LIST THEM AS A SPECIFIC USE ON THE TABLE OF PERMITTED USES, PROVIDE FOR THE INCORPORATION OF THE LIVE/WORK ORDINANCE, AND CLARIFY THE TABLE OF PERMITTED USES TO UPDATE TERMINOLOGY, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

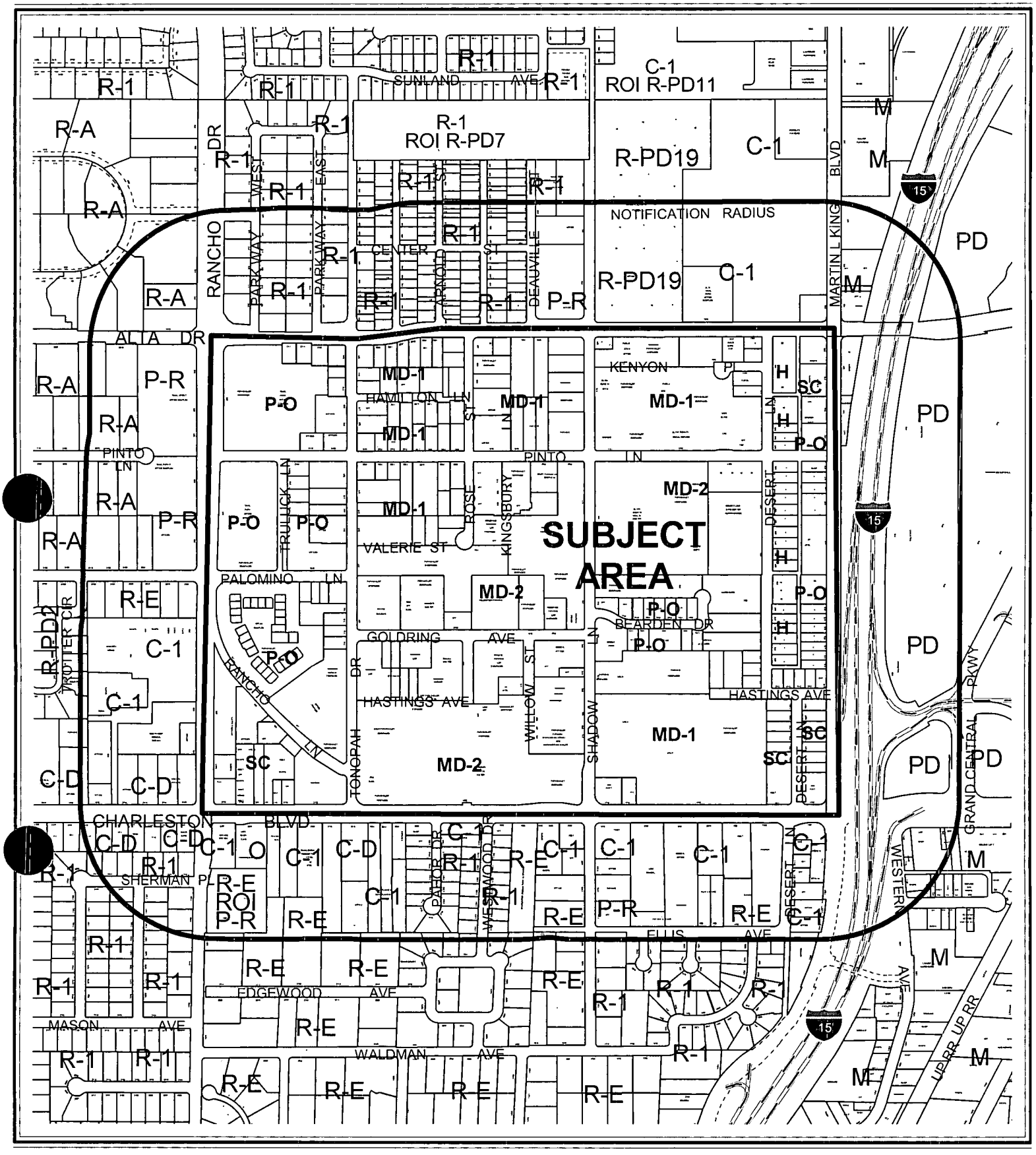
MARGO WHEELER, Deputy Director, Planning and Development, explained the item is to bring Downtown Centennial standards into the medical district, which affects the area south of Alta Drive, east of Rancho Boulevard, west of Martin L. King Boulevard and north of Charleston Boulevard. The intent is to clarify vague language as to uses and set standards for the live/work ordinance not previously allowed in this section of the City. This same language should state that the automatic application of height restrictions, residential adjacency and parking would not apply. She confirmed the Site Development Review for each project will still appear before Council as a public hearing and will be analyzed based on the merits of each project.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:50 - 1:51)

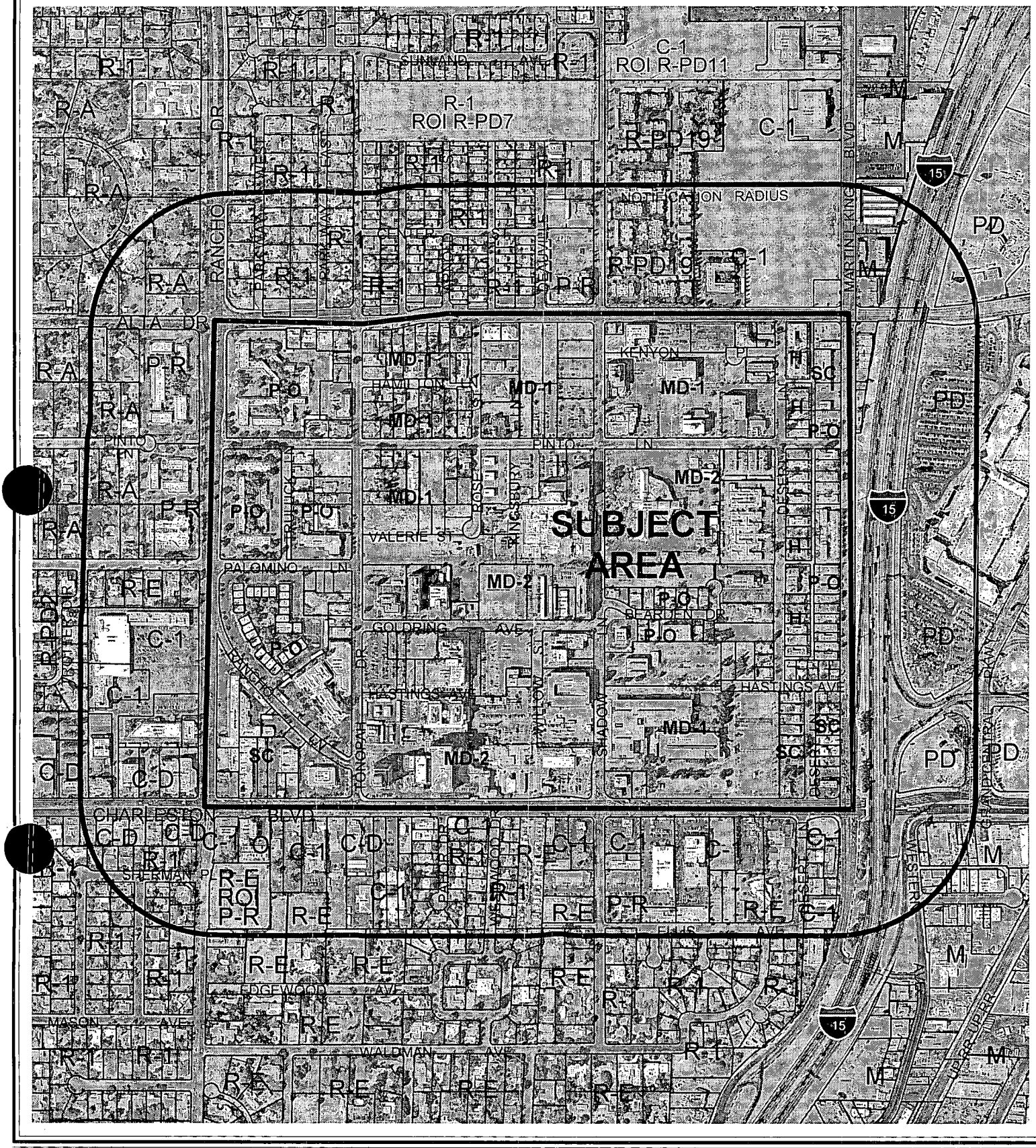
2-1480



CASE: **MOD-5267**

RADIUS: 750 FT

0 600 1200 Feet



CASE: **MOD-5267**

RADIUS: 750 FT

0 600 1200 Feet

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MOD-5267 - APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

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

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

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

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

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

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

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

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

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

B) Applicant's Justification

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

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

BACKGROUND INFORMATION

A) Previous Actions

5/27/97	The City Council approved a request to rezone property bounded by Charleston Boulevard, Rancho Drive, Alta Drive, and Martin Luther King Boulevard to PD (Planned Development) creating the Las Vegas Medical District.
6/19/02	The City Council approved a Major Modification to revise and update design guidelines, permitted uses, and landscape requirements within the Las Vegas Medical District Plan.
10/21/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #12/sr).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 214 acres

B) General Plan Compliance

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

INTERAGENCY ISSUES

There are no interagency issues involved with this request.

PROJECT DESCRIPTION

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

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

ANALYSIS

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

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

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

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

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

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

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

FINDINGS

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

NOTICES MAILED 460

APPROVALS 0

PROTESTS 0

City of Las Vegas

Agenda Item No. 110

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ CONSENT ☒ DISCUSSION

SUBJECT:

VACATION

VAC-5130 - PUBLIC HEARING - APPLICANT: RYLAND HOMES - OWNER: CLIFFS EDGE, LLC - Petition to Vacate public rights-of-way generally located west of Puli Road, north of Centennial Parkway, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open for Item 110 [VAC-5130] and Item 111 [VAC-5131].

EMILY BARBER, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed for Item 110 [VAC-5130] and Item 111 [VAC-5131].
(1:51 - 1:53)
2-1551

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.

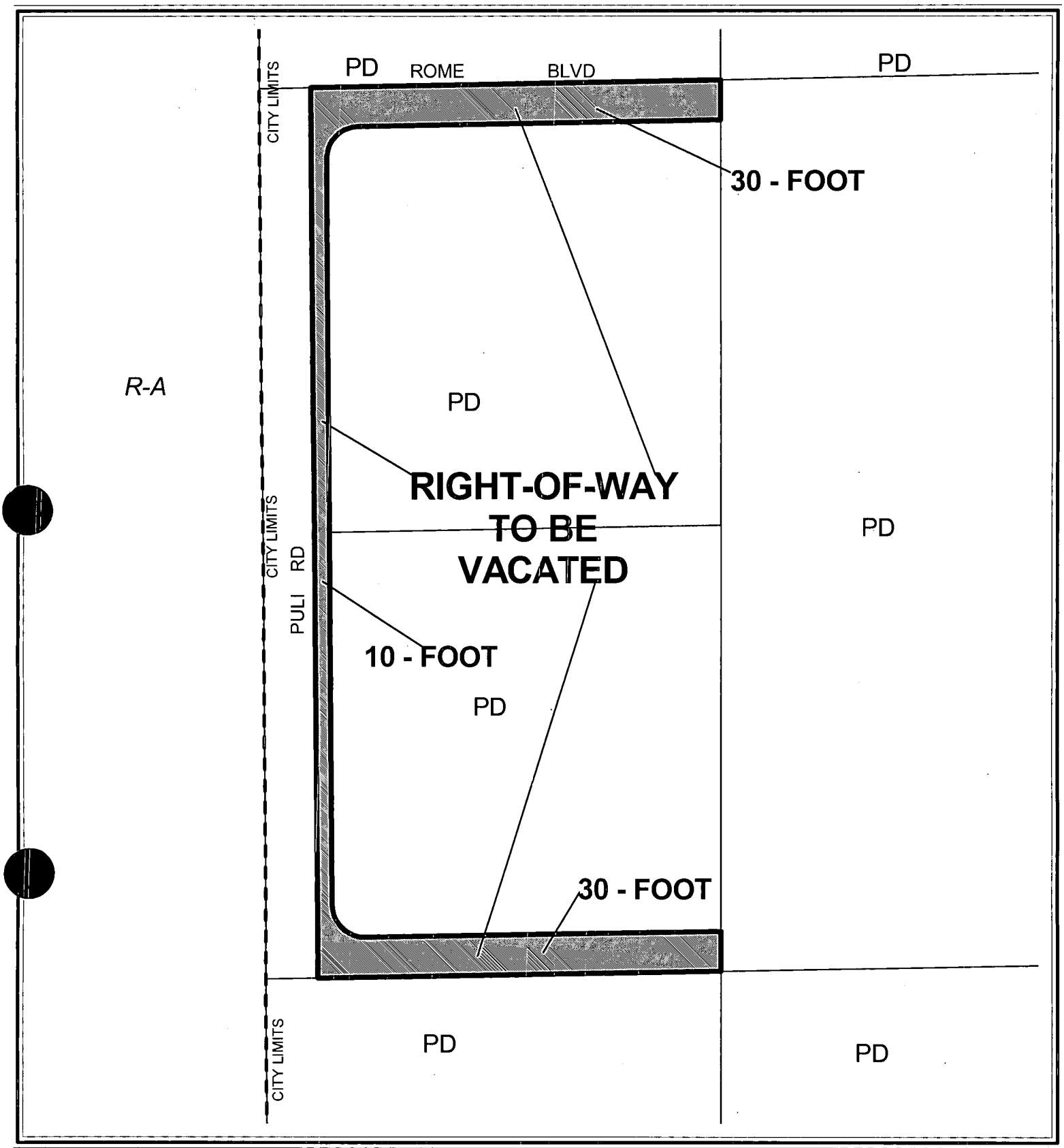
2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

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

CONDITIONS - Continued:

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

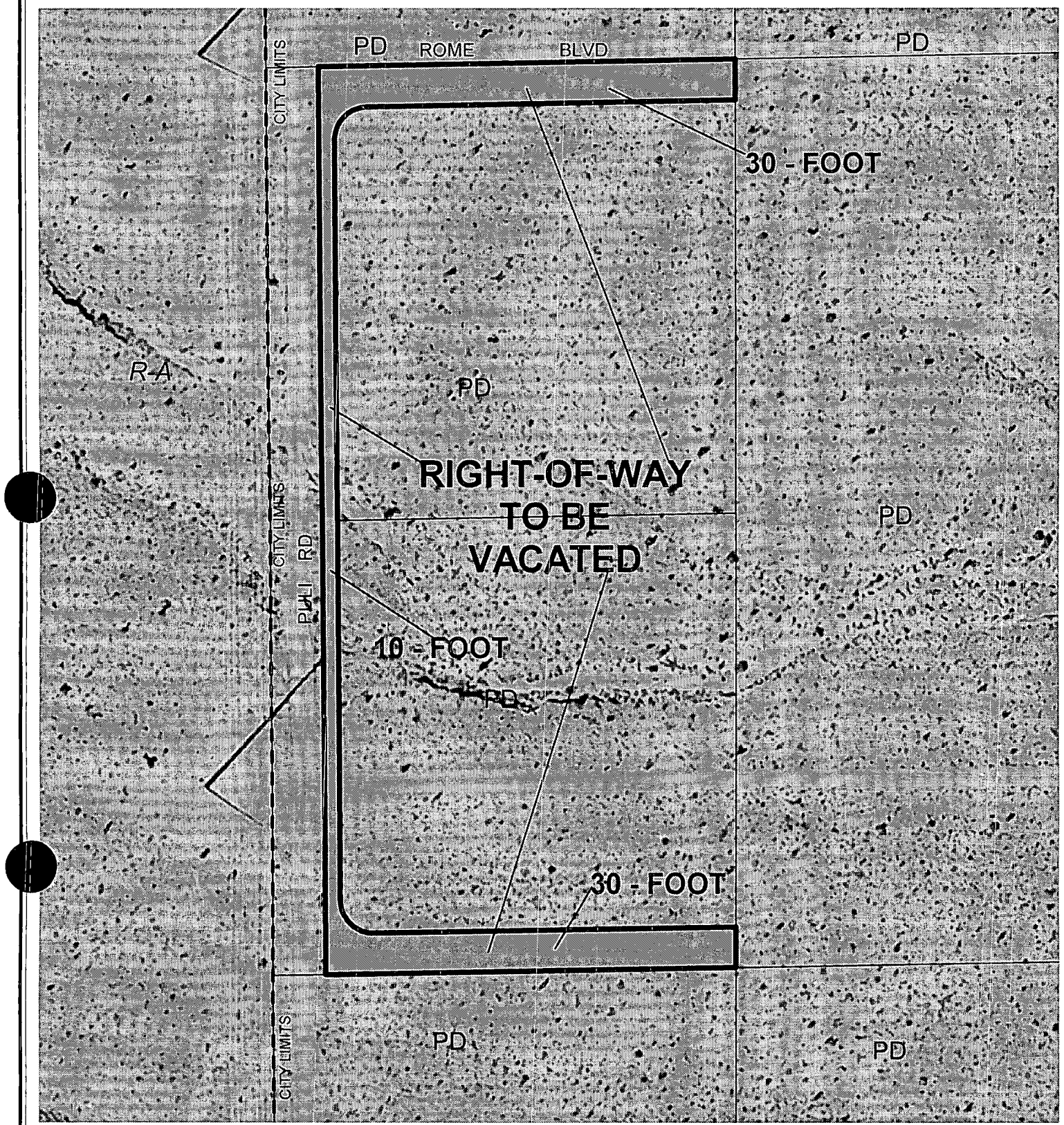
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



0 80 160 Feet

CASE: VAC-5130

N



0 80 160 Feet

CASE: VAC-5130

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-5130 - APPLICANT: RYLAND HOMES - OWNER: CLIFFS EDGE, LLC

** CONDITIONS **

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.

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

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a Petition to Vacate unused right-of-way generally located east of Puli Road, north of Centennial Parkway.

B) Applicant's Justification

The applicant justifies this application by stating, "A vacation of Right-Of-Way is necessary to vacate al Rights-Of-Ways that do not fall within future roadways." Additionally the applicant states, "This site is currently being designed for single-family residential development."

BACKGROUND INFORMATION

A) Previous Actions

12/17/03 The City Council approved an Annexation (ANX-3087) of 27.5 acres of land within the Cliff's Edge Master Development Plan area. The Planning Commission and staff recommended approval on October 23, 2003. The effective date of this annexation was December 26, 2003.

02/18/04 The City Council approved a request for a Rezoning (ZON-3241) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 90 acres covering 20 separate parcels in the Cliff's Edge area. The Planning Commission recommended approval on January 8, 2004. Staff recommended approval.

10/21/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #16/pl).

DETAILS OF APPLICATION REQUEST

The subject Vacation is legally described as the North and South thirty feet (30'), excepting the West forty feet (40'), and East ten feet (10') of the West fifty feet (50'), including the spandrel areas, of the West Half (W½) of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 24, Township 19 South, Range 59 East, M.D.M.

ANALYSIS

A) Planning discussion

The proposed vacation of public right-of-way will facilitate the development of the proposed residential subdivision and future right-of-ways.

B) Public Works discussion

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

A. Does this vacation request result in uniform or non-uniform right-of-way widths? *N/A as the streets will be incorporated into the Cliff's Edge Master Development.*

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the streets are not currently in use.*

C. Does it appear that the vacation request involves only excess right-of-way? *No, it is unused right-of-way that will be incorporated into the Cliff's Edge Master Development site.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, the Cliff's Edge Master Development.*

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

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

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

NOTICES MAILED 5 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-5130 APN: 126-24-401-001, 002

Name of Property Owner: Cliffs Edge LLC

Name of Applicant: Ryland Homes

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

____ Yes X No

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

City Official: _____

Partner(s) _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Paul Kenner

Subscribed and sworn before me

This 23rd day of August ,20 04

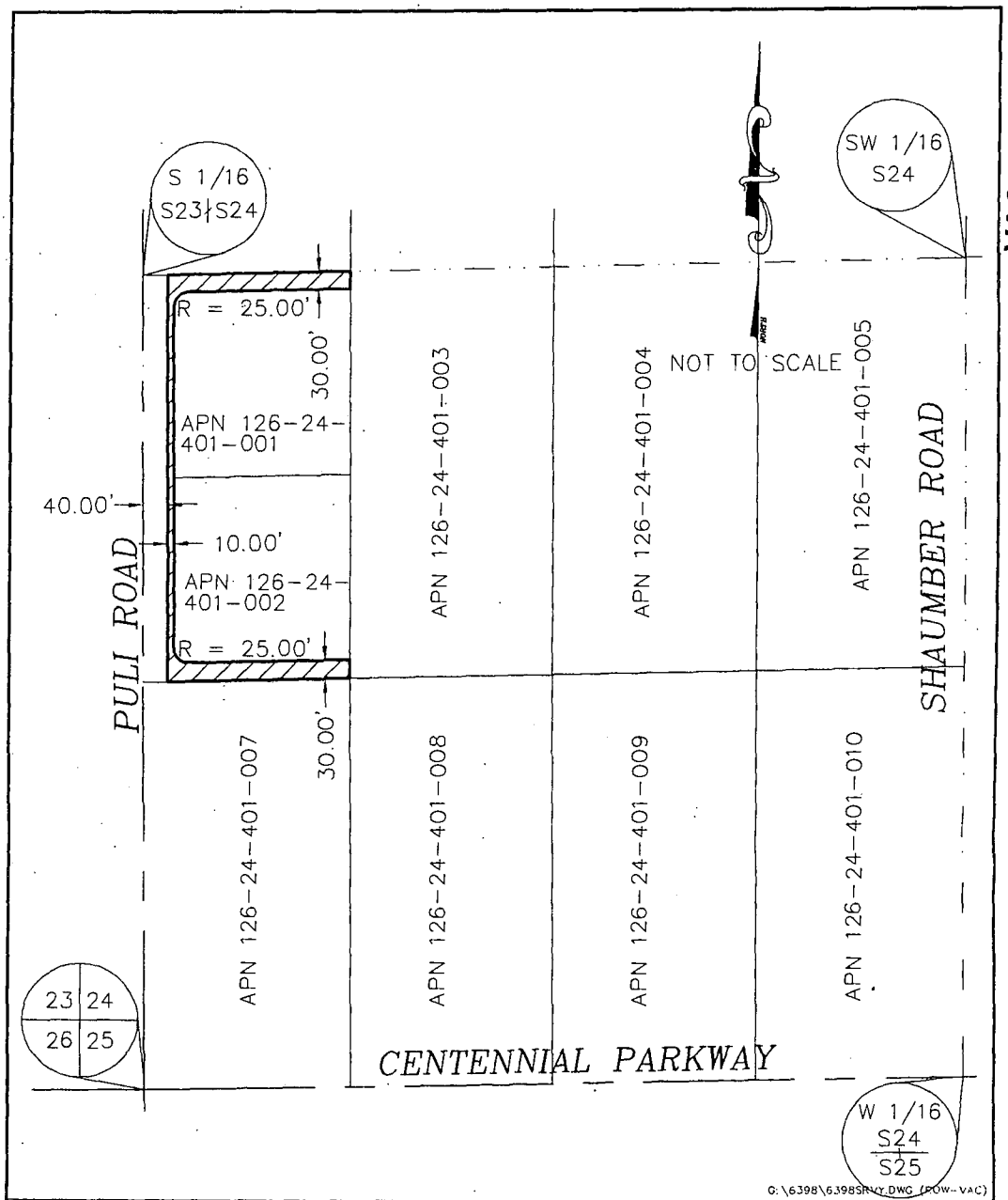
Athena R. Allen

Notary Public in and for said County and State

ATHENA R. ALLEN
Notary Public State of Nevada
No. 00-63341-1
My appt. exp. May 17, 2008

RECEIVED
AUG 25 2004

RECEIVED
AUG 25 2004
VAC-5130
10/21/04 PC



vtn nevada 2727 S. RAINBOW BOULEVARD LAS VEGAS, NEVADA 89146-5148	**EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION**	SCALE HORZ. **NONE** VERT. **NA**
		W.O. NO. **6398**
		DRAWN BY: **SP**
		DATE: **08/20/04**
	RIGHT-OF-WAY VACATION	SHEET **2** OF **2**