

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:
VACATION

VAC-5131 - PUBLIC HEARING - APPLICANT: RYLAND HOMES - OWNER: CLIFFS EDGE, LLC
- Petition to Vacate U. S. Government Patent Reservations generally located west of Puli Road, north of Centennial Parkway, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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:

NOTE: See Item 110 [VAC-5130] for related discussion.

(1:51 - 1:53)

2-1551

CONDITIONS:

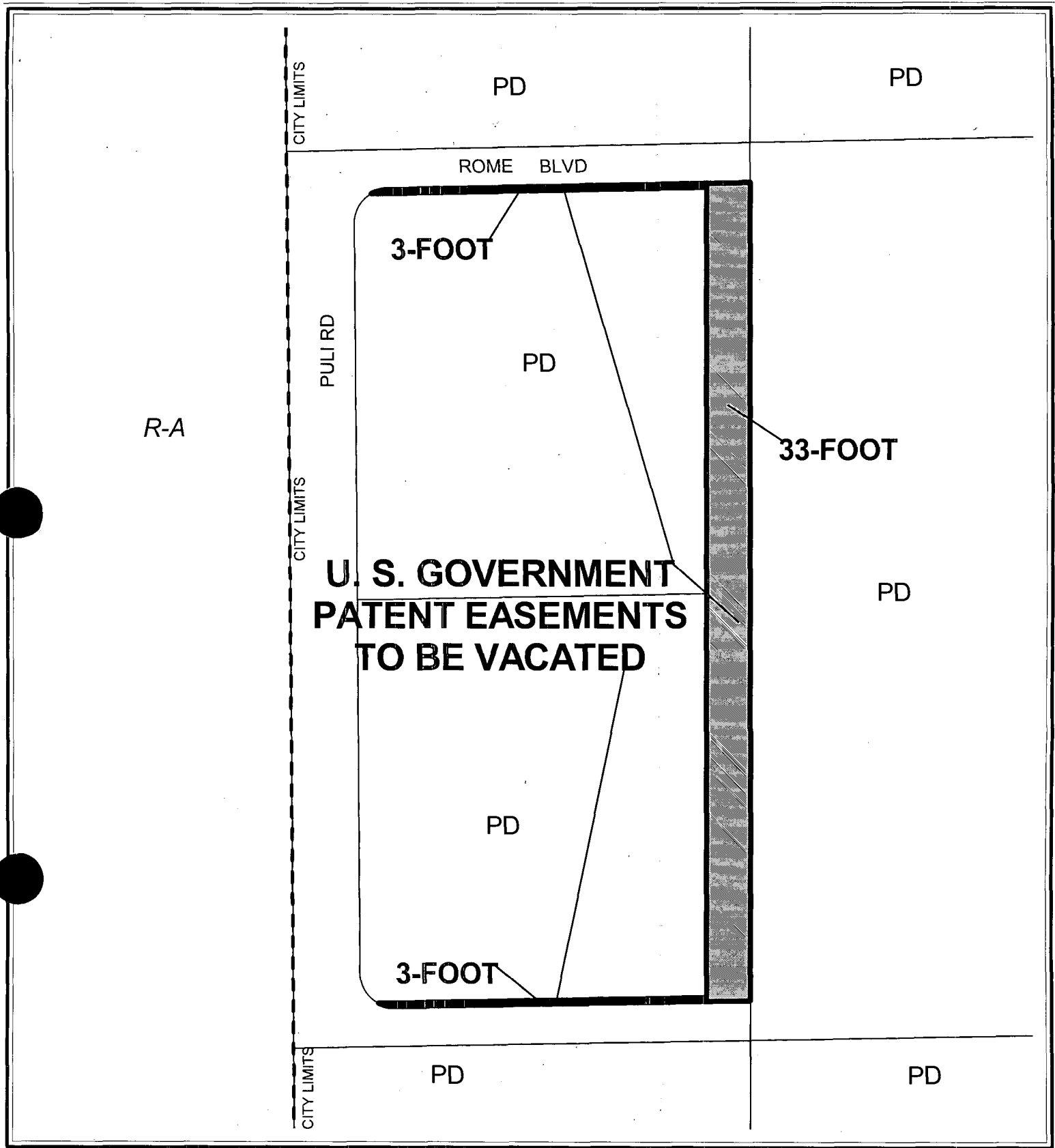
1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
3. All development shall be in conformance with code requirements and design standards of all City departments.
4. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

CONDITIONS - Continued:

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

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

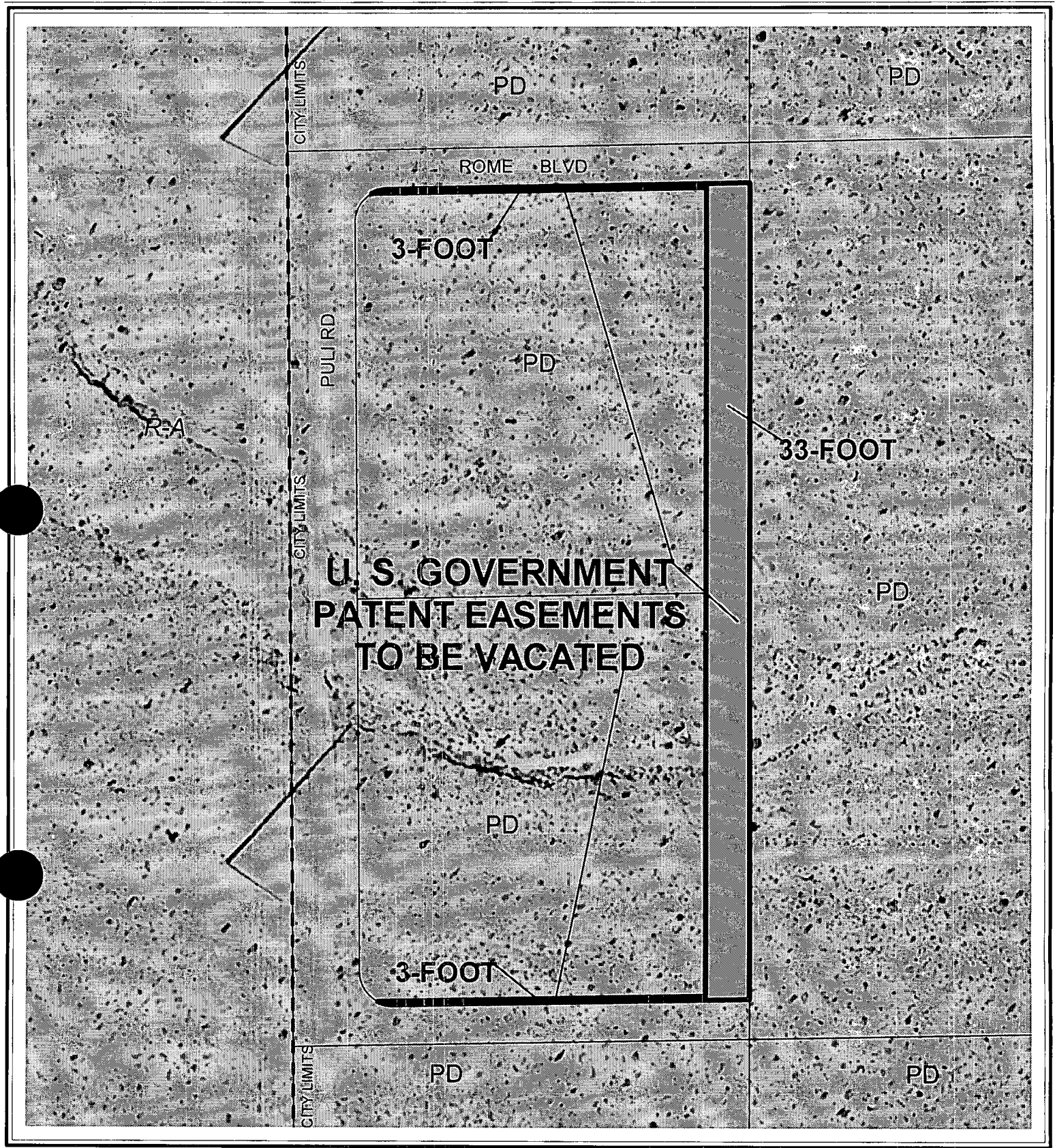


CASE: VAC-5131

0 80 160 Feet

111





CASE: VAC-5131



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-5131 - APPLICANT: RYLAND HOMES - OWNER: CLIFF'S 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 Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
3. All development shall be in conformance with code requirements and design standards of all City departments.
4. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Petition to Vacate U. S. Government Patent Reservations generally located west of Puli Road, north of Centennial Parkway.

B) Applicant's Justification

The applicant justifies this application by stating, "A vacation of Right-Of-Way is necessary to vacate all Rights-Of-Ways that do not fall within future roadways." Additionally, the applicant states, "This site is currently being designed for single-family residential development."

BACKGROUND INFORMATION

A) Previous Actions

- 12/17/03 The City Council approved an Annexation (ANX-3087) of 27.5 acres of land within the Cliff's Edge Master Development Plan area. The Planning Commission and staff recommended approval on October 23, 2003. The effective date of this annexation was December 26, 2003.
- 02/18/04 The City Council approved a request for a Rezoning (ZON-3241) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 90 acres covering 20 separate parcels in the Cliff's Edge area. The Planning Commission recommended approval on January 8, 2004. Staff recommended approval.
- 10/21/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #17/pl).

DETAILS OF APPLICATION REQUEST

The subject Vacation is legally described as the North, South, and East thirty three feet (33'); excepting the North thirty feet (30'), the South thirty feet (30') and the West forty feet (40') of the West Half (W½) of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 24, Township 19 South, Range 59 East, M.D.M.

ANALYSIS

A) Planning discussion

The proposed vacation of public right-of-way will facilitate the development of the proposed residential subdivision and future right-of-ways.

B) Public Works discussion

Public Works has no objection to the vacation application request for U.S. Government Patent Reservations generally located east of Puli Road, north of Centennial Parkway.

NOTICES MAILED 4 by City Clerk

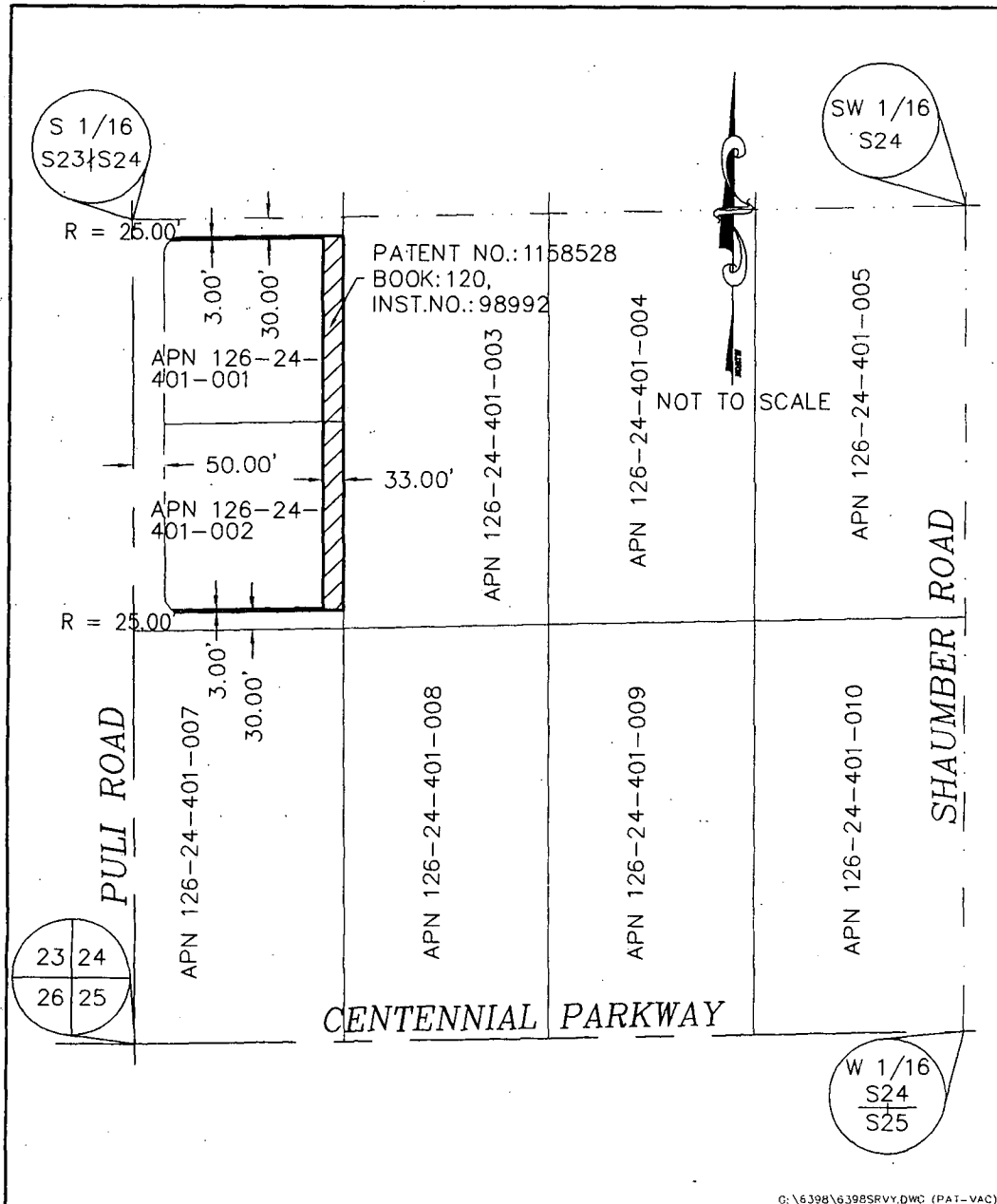
APPROVALS 0

PROTESTS 0

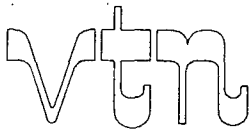


^{loc} AUG 25 2004

VAC-5131
10/21/04 PC
 RECEIVED
 AUG 25 2004



G:\6398\6398SRVY.DWG (PAT-VAC)



2727 S. RAINBOW BOULEVARD
 LAS VEGAS, NEVADA 89146-5148

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION

PATENT EASEMENT VACATION

SCALE	HORZ. NONE
	VERT. NA
W.O. NO.	6398
DRAWN BY:	SP
DATE:	08/20/04
SHEET	2 OF 2

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT GENZER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****VARIANCE**

VAR-5114 - PUBLIC HEARING - APPLICANT/OWNER: OR INVESTMENT GROUP, LLC - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Variance TO ALLOW A 60-FOOT REAR YARD SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 408 FEET FOR A PROPOSED MIXED-USE DEVELOPMENT CONSISTING OF TWO 10-STORY, 132-FOOT TALL BUILDINGS, A 12-STORY, 150-FOOT TALL BUILDING AND TWO 16-STORY, 195-FOOT TALL BUILDINGS on 5.84 acres adjacent to the west side of Rancho Drive, approximately 180 feet south of Lake Mead Boulevard (APN 139-19-611-002), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (4-3 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	3
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	86
City Council Meeting	0

RECOMMENDATION:

The Planning Commission (4-3 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Curran & Parry
5. Submitted after final agenda - Support letter from Richard Basten
6. Submitted after final agenda - abeyance request by Curran & Parry for Item 112 [VAR-5114], Item 113 [SUP-5111] and Item 114 [SDR-5109] filed under Item 112 [VAR-5114]
7. Backup referenced from the 10/7/2003 Planning Commission meeting Item 48

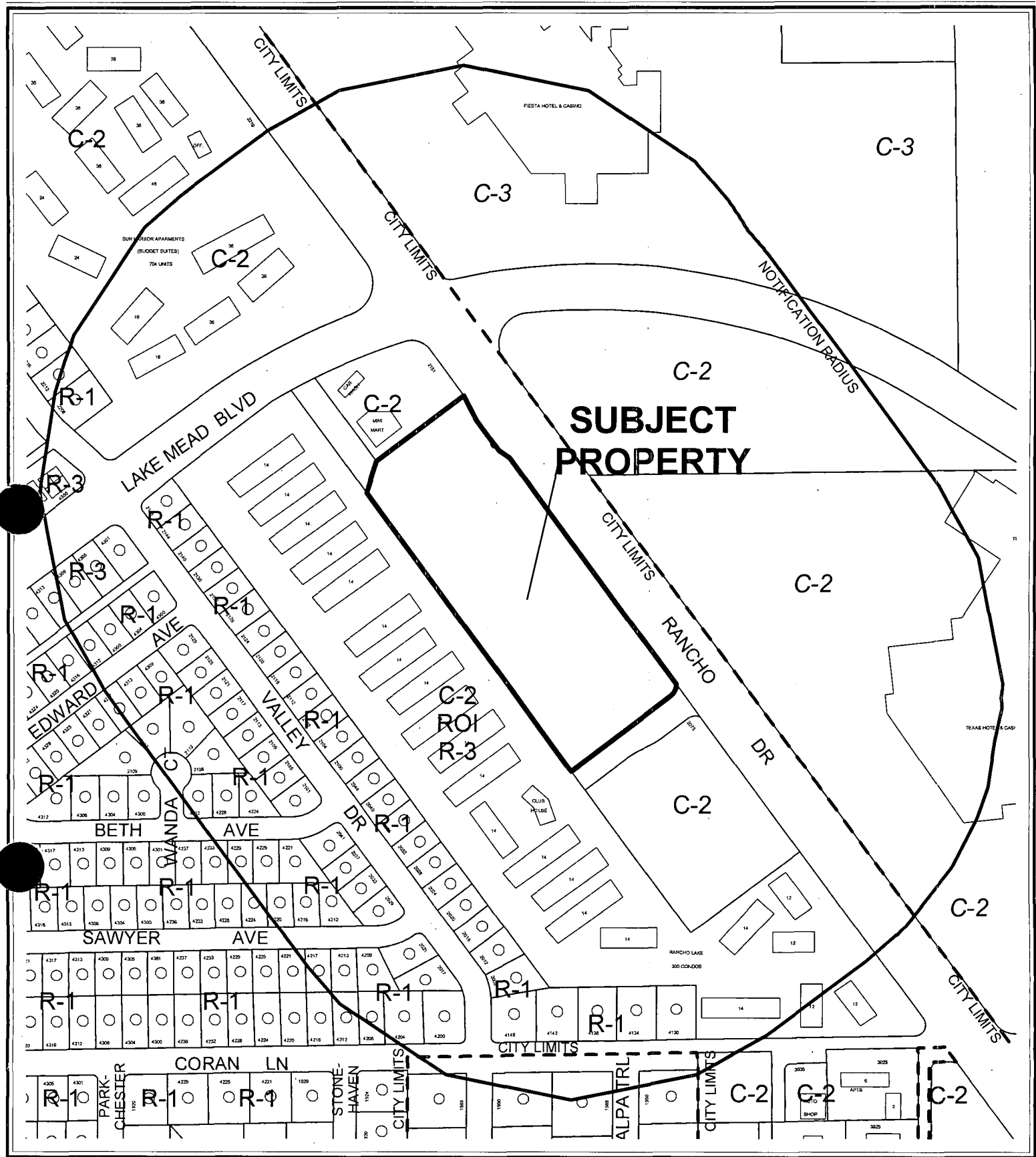
MOTION:

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

MINUTES:

There was no related discussion.

(1:05 - 1:14)



CASE: **VAR-5114**

RADIUS: 750 FT

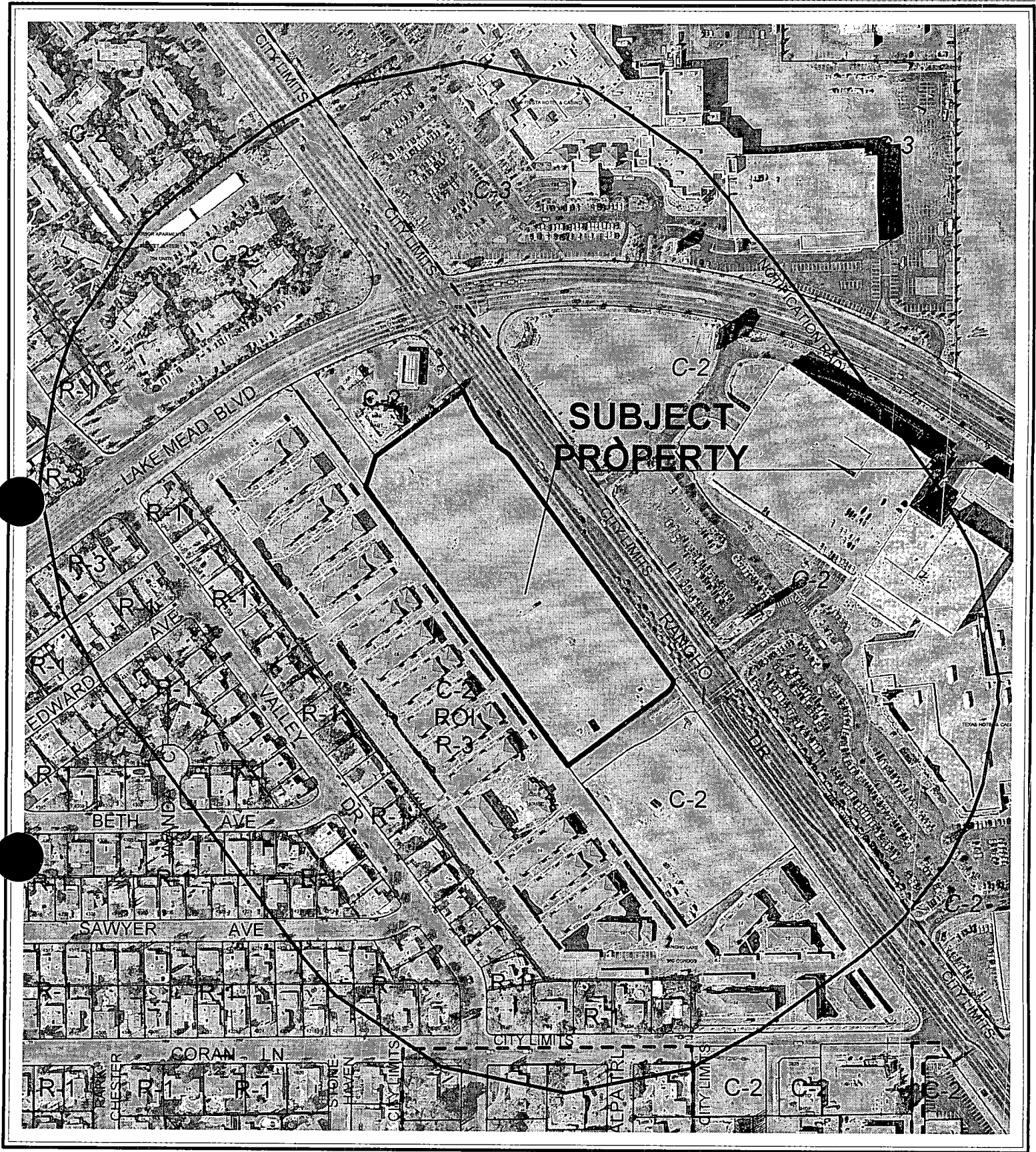
ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

0 200 400 Feet



112





CASE: **VAR-5114**

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5114 - APPLICANT/OWNER: OR INVESTMENT GROUP, LLC

**** CONDITIONS ****

The Planning Commission (4-3 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Special Use Permit (SUP-5111) and a Site Development Plan Review (SDR-5109).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Variance to allow a 32-foot rear yard setback where residential adjacency standards require a minimum of 110 feet for a proposed mixed-use high-rise development on 5.84 acres adjacent to the west side of Rancho Drive, approximately 180 feet south of Lake Mead Boulevard.

B) Applicant's Justification

The applicant has presented the following reasons for justifying the requested variance:

- The building height residential adjacency standard does not address mixed-use projects by intent but rather would classify the condominium portion of this project as commercial. The retail/commercial portion of this project is setback 65 feet from the adjacent property line, however the condominium towers do not meet the requirement.
- The status of the adjacent project to the southwest recently changed from apartments to condominiums, requiring a variance in the residential adjacency height requirement.

BACKGROUND INFORMATION

A) Actions

- | | |
|----------|---|
| 10/26/00 | The Planning Commission voted to hold in abeyance indefinitely a request for a General Plan Amendment (GPA-0030-00) of the subject site from GC (General Commercial) to H (High Density Residential) to allow a multi-family residential development in conjunction with commercial uses. The staff recommended denial of the request on the same date. |
| 10/26/00 | The Planning Commission voted to hold in abeyance indefinitely a request for a Special Use Permit (U-0176-00) for a Residential Hotel on the subject site. The staff recommended denial of the request on the same date. |
| 10/07/04 | The Planning Commission recommended denial of related items for a Special Use Permit (SUP-5111) for a Mixed Use development of retail commercial and residential condominiums on the subject site and a Site Development Plan Review. |
| 10/07/04 | The Planning Commission voted 4-3 to recommend DENIAL (PC Agenda Item #48/dds). |

B) Pre-Application Meeting

08/19/04 The staff reviewed with the potential applicant various requirements that would have to be met for the subject project. In particular, it was noted that in a C-2 (General Commercial) district, a Special Use Permit would be required for the development; an existing traffic study will need to be updated; a driveway on the west side may need to be moved further west; a traffic signal impact fee will be assessed; the lot coverage requirement is 50 percent, requiring a waiver in this requirement; there is no height limit in the C-2 (General Commercial) district; however, a variance in the residential adjacency standard will be needed; retail parking must be provided at the ratio of one space per 250 square feet of floor area; a 15-foot buffer is required at the front and eight-foot buffers at the side and rear; four loading spaces will be needed; and the project would be a Project of Regional Significance.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review, and as of the date of this report, one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 5.84

B) Existing Land Use

Subject Property: Undeveloped
North: Service commercial (mini mart and carwash)
South: Undeveloped
East: Casino (Texas Station in North Las Vegas)
West: Condominiums

C) Planned Land Use

Subject Property: GC (General Commercial)
North: GC (General Commercial)
South: M (Medium Density Residential)
East: North Las Vegas
West: M (Medium Density Residential)

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: C-2 (General Commercial); under ROI to R-3 (Medium Density Residential)
East: North Las Vegas
West: C-2 (General Commercial); under ROI to R-3 (Medium Density Residential)

E) General Plan Compliance

The subject property is located in the Southeast Sector of the General Plan. The Southeast Sector Map designates the future land use for this property as GC (General Commercial). The property is zoned C-2 (General Commercial), which is a zone permitted in the GC 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	

Property to the east of the site is located within North Las Vegas. Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" because of the accompanying request for a Special Use Permit (SUP-5111) within 500 feet of the city limits.

ANALYSIS

A) Zoning Code Compliance

A1) Residential Adjacency Standards

Pursuant to Title 19.08.060.B.1, where a nonresidential use is located in a building adjacent to property that is developed for sale, the building shall not exceed a height greater than three times the distance from the building to the adjacent property. The closest proposed structure to the condominium complex to the west is a 10 story building 94.5 feet high. At this height, the building would have to be 283.5 feet away from the adjacent property. However, the setback is shown to be 32 feet. All the buildings in the proposed development do not meet the residential adjacency standards.

The applicant has submitted this application for a Variance in the Residential Adjacency Standards to allow a minimum 32-foot rear yard setback for the development.

B) General Analysis and Discussion

This is a request for a Variance to allow a 32-foot rear yard setback where Residential Adjacency Standards require a minimum of 110 feet. The project includes five buildings ranging in size from 10 stories to 16 stories in height. All the buildings violate the Standards to some degree. At the lower levels of the project, there would be 90,000 square feet of retail floor space, and residential condominium units above.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

The subject project is proposed as a high-rise development with buildings more than 94 feet high. Because of the residential condominium development to the west of the site, the height of the buildings invokes the Residential Adjacency Standards. Approximately 330 feet west of the site is a single-family residential development. It is by choice that the applicant wishes to develop the complex as a high-rise development. Whether there exists a “hardship” depends upon whether the subject site cannot be developed with a project that meets the Residential Adjacency Standards. There is no basis to suggest that the property cannot be developed for a low-rise project. For This reason, it is recommended that the application for a Variance be denied.

This recommendation of denial is based on the following findings, only one of which is necessary to deny the request for a variance.

- **No evidence is provided that a hardship exists to warrant a variance in the required Residential Adjacency Standards.** The onus for presenting such evidence is placed on the applicant, the person allegedly aggrieved by the requirement. The applicant has presented reasons for the variance, but none substantiate why a project could not be developed that meets the Residential Adjacency Standards.
- **The hardship is self-imposed.** Clearly, the hardship is of the applicant’s own making, as the need for the reduced rear yard setback is based upon the manner in which the applicant chooses to development the property.

- **Use of the property is not denied.** The property has no exceptional narrowness, shallowness, shape, exceptional topographic conditions or other extraordinary and exceptional situation or conditions attributed to the property. The question is one of whether the property could be developed in a way that would not necessitate the reduction in the rear yard setback required by the Residential Adjacency Standards. It is believed that the subject site could be developed for a low-rise project that would comply with the Standards.

PLANNING COMMISSION ACTION

There were two speakers opposed to the project and one in favor at the Planning Commission hearing. A petition in favor was submitted.

NOTICES MAILED 190 by City Clerk

APPROVALS 86

PROTESTS 3

STATEMENT OF FINANCIAL INTEREST

Name of Applicant: BEN MOSHE

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?

X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: YAIR BEN MOSTKE

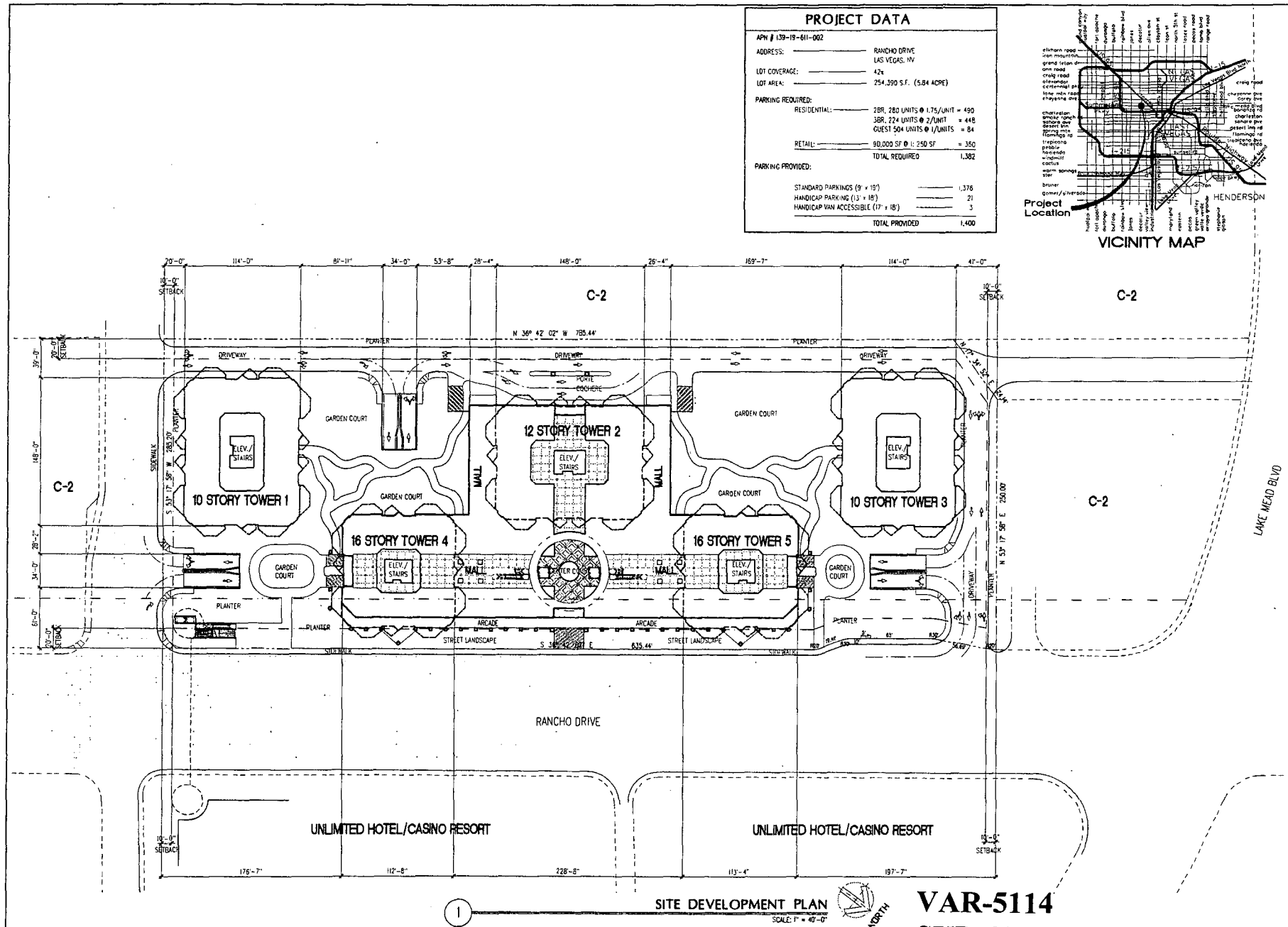
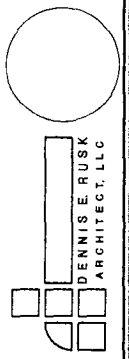
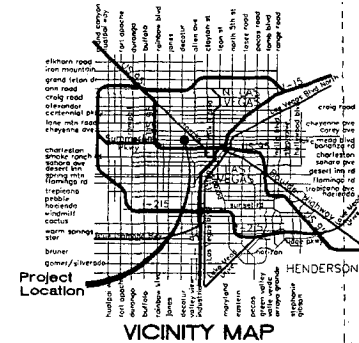
Subscribed and sworn before me

This 23 day of August, 2004
Phyllis J. Work
 Notary Public in and for said County and State



PROJECT DATA

APN # 139-19-611-002
 ADDRESS: RANCHO DRIVE
 LAS VEGAS, NV
 LOT COVERAGE: 42%
 LOT AREA: 254,390 S.F. (5.84 ACRE)
 PARKING REQUIRED:
 RESIDENTIAL: 2BR, 280 UNITS @ 1.75/UNIT = 490
 3BR, 224 UNITS @ 2/UNIT = 448
 GUEST 504 UNITS @ 1/UNIT = 504
 RETAIL: 90,000 SF @ 1:250 SF = 360
 TOTAL REQUIRED 1,382
 PARKING PROVIDED:
 STANDARD PARKINGS (9' x 19') 1,376
 HANDICAP PARKING (13' x 18') 21
 HANDICAP VAN ACCESSIBLE (17' x 18') 5
 TOTAL PROVIDED 1,400



SITE DEVELOPMENT PLAN
 PROPOSED SHOPPING MALL and
 CONDOMINIUMS
 RANCHO DRIVE
 LAS VEGAS, NEVADA

Revisions:

NO.	DATE	DESCRIPTION
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SP10

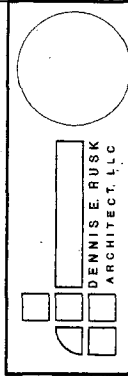
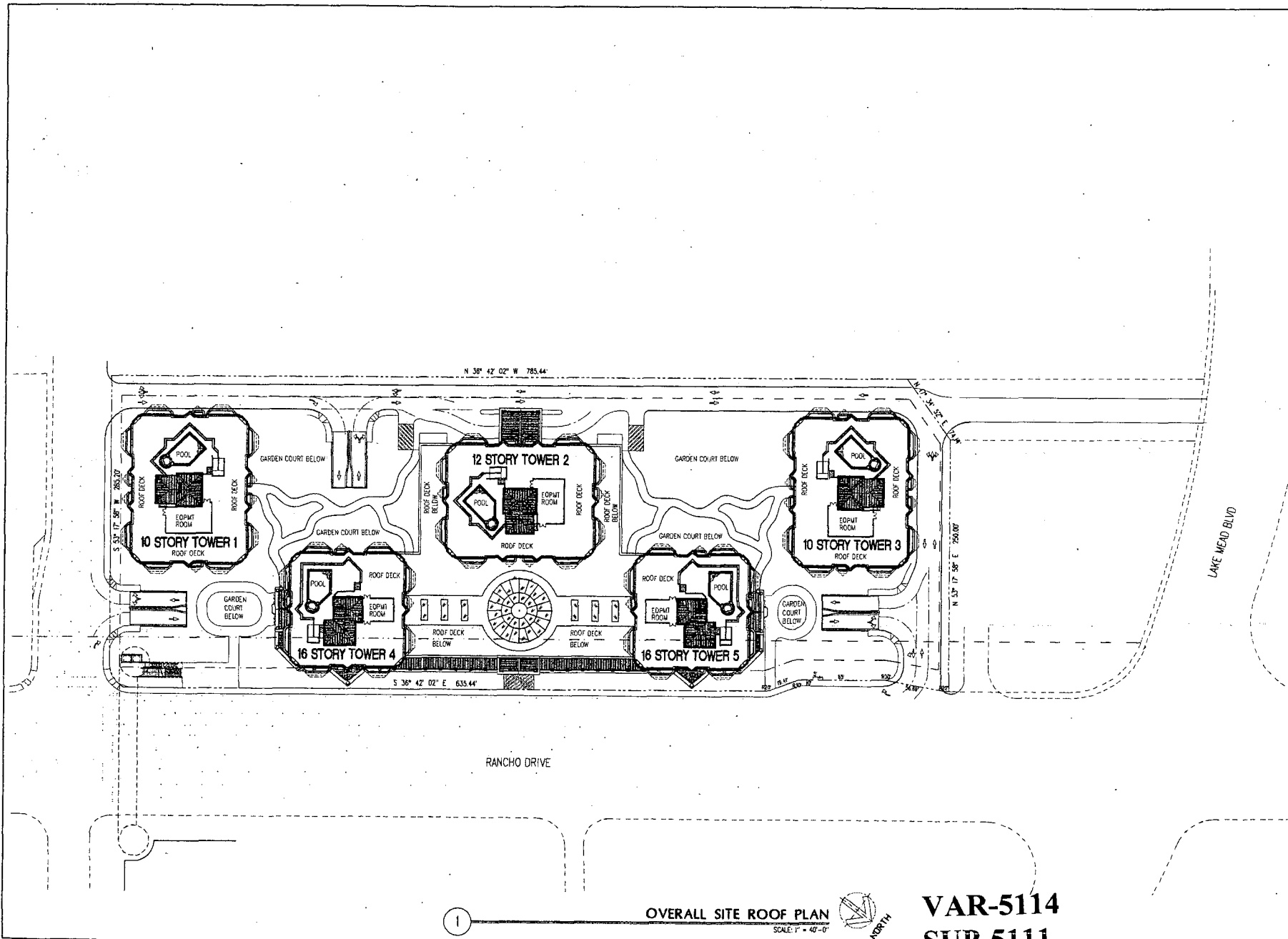
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SITE DEVELOPMENT PLAN
 SCALE: 1" = 40'-0"



VAR-5114
 SUP-5111
 SDR-5109
 10-07-04 PC

RECEIVED
 AUG 24 2004



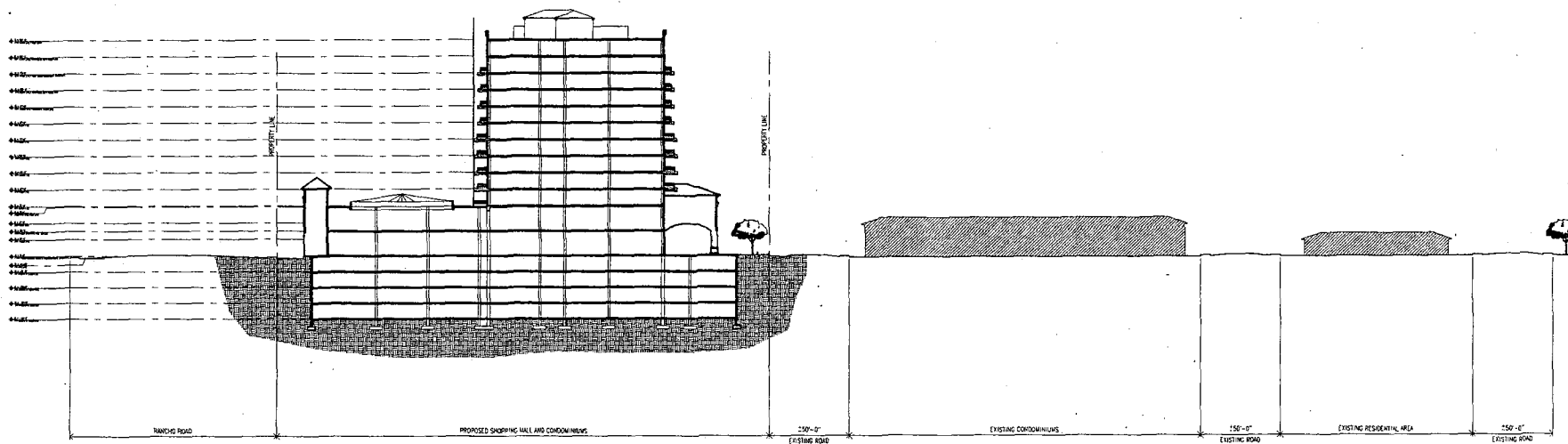
OVERALL SITE ROOF PLAN
**PROPOSED SHOPPING MALL and
CONDOMINIUMS**
RANCHO DRIVE
LAS VEGAS, NEVADA

Revisions:
1
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Date: 05-09-04
Project No.:
Scale:
Drawn By:
Check By:
Sheet No.:
RPT 10

**VAR-5114
SUP-5111
SDR-5109
10-07-04 PC**

**RECEIVED
AUG 24 2004**



1

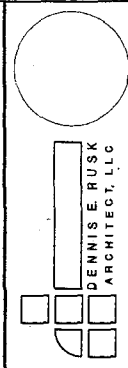
BUILDING SECTION

SCALE: 1/32" = 1'-0"

**VAR-5114
SUP-5111
SDR-5109
10-07-04 PC**

RECEIVED

AUG 24 2004



**DENNIS E. RUSK
ARCHITECT, LLC**

**BUILDING SECTION
PROPOSED SHOPPING MALL and
CONDOMINIUMS
RANCHO DRIVE
LAS VEGAS, NEVADA**

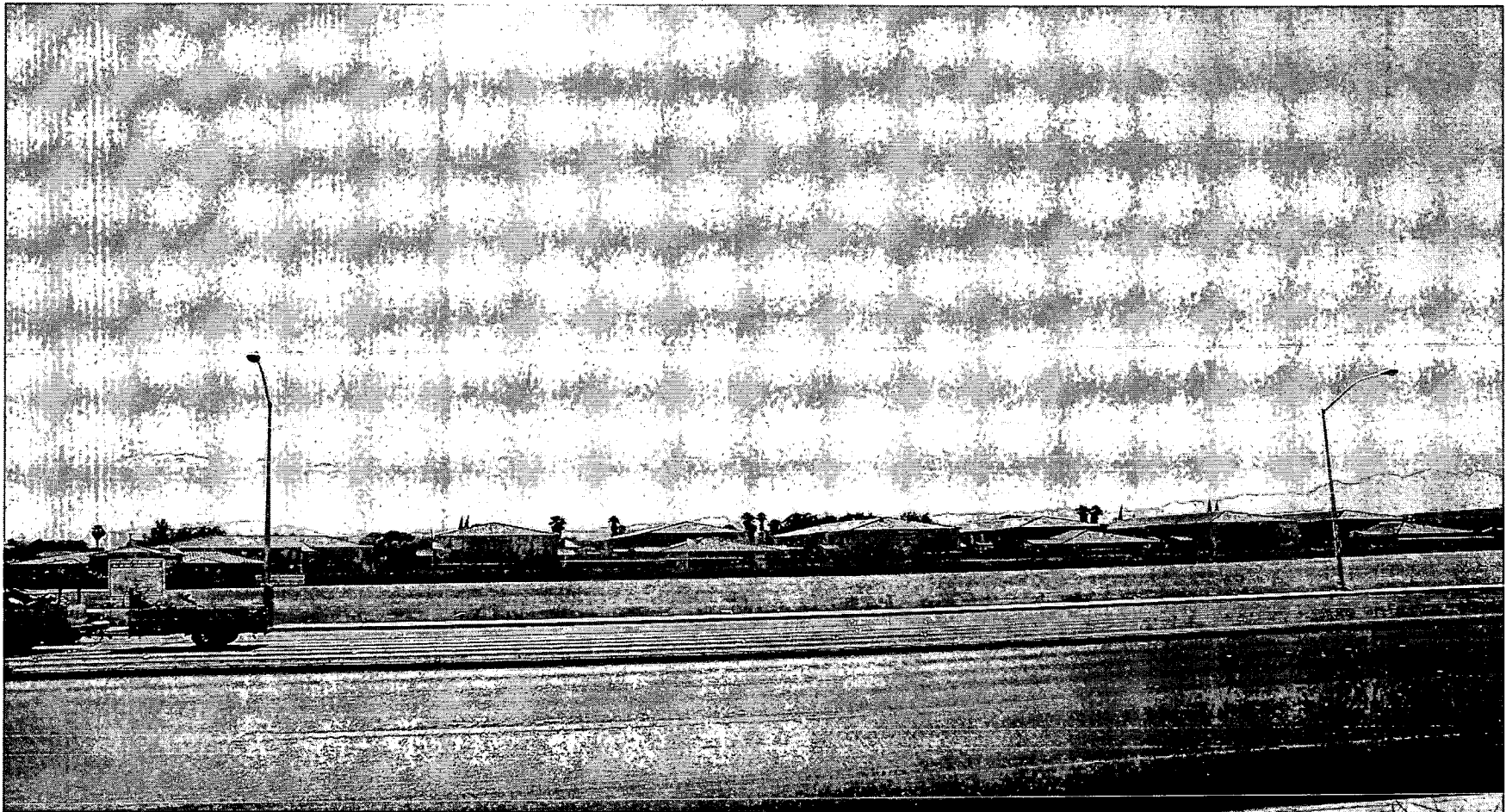
THIS DOCUMENT IS THE PROPERTY OF DENNIS E. RUSK ARCHITECT, LLC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF DENNIS E. RUSK ARCHITECT, LLC.

Revisions:

△ △ △ △ △

Date: 06-09-04
Project No: 0116
Drawn By: J. GARCIA
Check By: DENNIS
Sheet No:

A32.2



VAR-5114 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: OR INVESTMENT GROUP, LLC
WEST SIDE OF RANCHO DRIVE, APPROXIMATELY 180 FEET SOUTH OF LAKE MEAD BOULEVARD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

CURRAN & PARRY
ATTORNEYS AT LAW

300 SOUTH FOURTH STREET
SUITE 1201
LAS VEGAS, NEVADA 89101

WILLIAM P. CURRAN
STANLEY W. PARRY

JOSHUA H. REISMAN
GLENN M. MACHADO

TELEPHONE
(702) 471-7000

FACSIMILE
(702) 471-7070

E-MAIL
curranparry@curranparry.com

October 11, 2004

Barbara Jo (Roni) Ronemus, City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

Via Facsimile: 382-4803
& U.S. Mail

Re: **Request to Appeal Planning Commission Decisions**
October 7, 2004 Planning Commission Meeting
Item #48 (VAR-5114); Item #49 (SUP-5111); Item #50 (SDR-5109)

Dear Mr. Ronemus:

On behalf of my client, OR Investment Group, LLC, I wish to appeal the Planning Commission decisions in the above referenced matters made on October 7, 2004, to the City Council.

Please contact me at the number or address listed above to notify me when the appeals will be heard before the City Council.

Thank you for your assistance.

Sincerely,



Bill Curran

WPC:cw

cc: Margo Wheeler, Department of Planning & Development
Dennis Rusk, AIA

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2004 OCT 21 A 10:23

11/9/04

RECEIVED
CITY CLERK

2004 NOV 16 A 10: 52

Barbara Jo Ronemus
City Clerk
Las Vegas, NV

Dear Ms. Ronemus,

Regarding the public hearing on VAR-5114, I will be unable to attend the hearing, but I wish to say that I approve the proposed mixed-use development on Rancho Drive at Lake Mead Boulevard. I am the president of Rancho Sierra Condo Association on Lake Mead Blvd. The project will enhance the area and be an asset to the community and should be a seed for further development on the east side of Rancho which is currently an eye-sore.

I hope you will approve the appeal and construction can start as soon as possible.

Sincerely,



Richard T. Basten
4300 W. Lake Mead Blvd
Las Vegas, NV 89108

Support

Submitted after final agenda

Date 11/16/04 Item #112

CURRAN & PARRY
ATTORNEYS AT LAW300 SOUTH FOURTH STREET
SUITE 1201
LAS VEGAS, NEVADA 89101WILLIAM F. CURRAN
STANLEY W. PARRYJOSHUA H. REISMAN
GLENN M. MACHADOTELEPHONE
(702) 471-7000FACSIMILE
(702) 471-7070E-MAIL
curranparry@curranparry.com

November 16, 2004

Barbara Jo (Roni) Ronemus, City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101**Via Facsimile: 382-4803**Re: **REVISED REQUEST TO HOLD --**
November 17, 2004 City Council Meeting
Item #112 (VAR-5114); Item #113 (SUP-5111); Item #114 (SDR-5109)

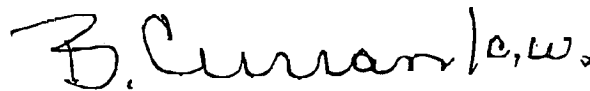
Dear Mr. Ronemus:

On behalf of my client, OR Investment Group, LLC, I wish to request to hold the above referenced items for four weeks to the December 15, 2004 City Council meeting.

This delay will also enable the application to conduct a neighborhood meeting with nearby residents.

Thank you for your assistance.

Sincerely,



Bill Curran

WPC:cw

cc: Bob Genzer, Department of Planning & Development
Margo Wheeler, Department of Planning & Development
Dennis Rusk, AIARECEIVED
CITY CLERK
2004 NOV 17 A 7:48

Submitted after final agenda

Date 11/17/04 Item #112, #113 & #114

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

BHP Developers & General Contractors

6370 Annie Oakley
Las Vegas, NV 89120

(702) 914-9480
Fax (702) 896-0690

September 28, 2004

Mr. Gary M. Leobold, Senior Planner
Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101
FAX # 385-7268

Reference: Planning Commission Meeting
October 7, 2004

Subject: Case # VAR-5114
Case # SDR-5109
Case # SUP-5111

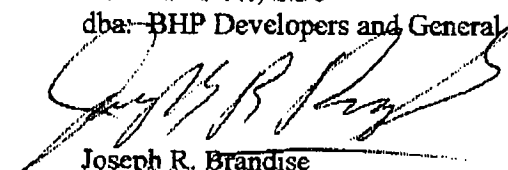
Dear Mr. Leobold:

We would like to Object to the above Case Requests as we believe the 32 Foot Rear Yard Setback is not appropriate next to our Rancho Lake Condominium project. The buildings they are proposing would invade the privacy of our potential Homeowners.

We also believe that an additional 504 Residential Condominium Units with heights up to 195 feet, per building would take away the view from our potential Homeowners.

If you could be of any assistance in this matter, it would be greatly appreciated.

Sincerely,
BHP Investors, LLC
dba: BHP Developers and General Contractors


Joseph R. Brandise
Managing Member

VAR-5114
SUP-5111
SDR-5109
P

112

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT GENZER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****SPECIAL USE PERMIT RELATED TO VAR-5114**

SUP-5111 - PUBLIC HEARING - APPLICANT/OWNER: OR INVESTMENT GROUP, LLC - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT CONSISTING OF TWO 10-STORY, 132-FOOT TALL BUILDINGS, A 12-STORY, 150-FOOT TALL BUILDING AND TWO 16-STORY, 195-FOOT TALL BUILDINGS adjacent to the west side of Rancho Drive, approximately 180 feet south of Lake Mead Boulevard (APN 139-19-611-002), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (4-3 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	3
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	86
City Council Meeting	0

RECOMMENDATION:

The Planning Commission (4-3 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Curran & Parry
5. Submitted after final agenda - abeyance request by Curran & Parry for Item 112 [VAR-5114], Item 113 [SUP-5111] and Item 114 [SDR-5109] filed under Item 112 [VAR-5114]
6. Backup referenced from the 10/7/2003 Planning Commission meeting Item 49

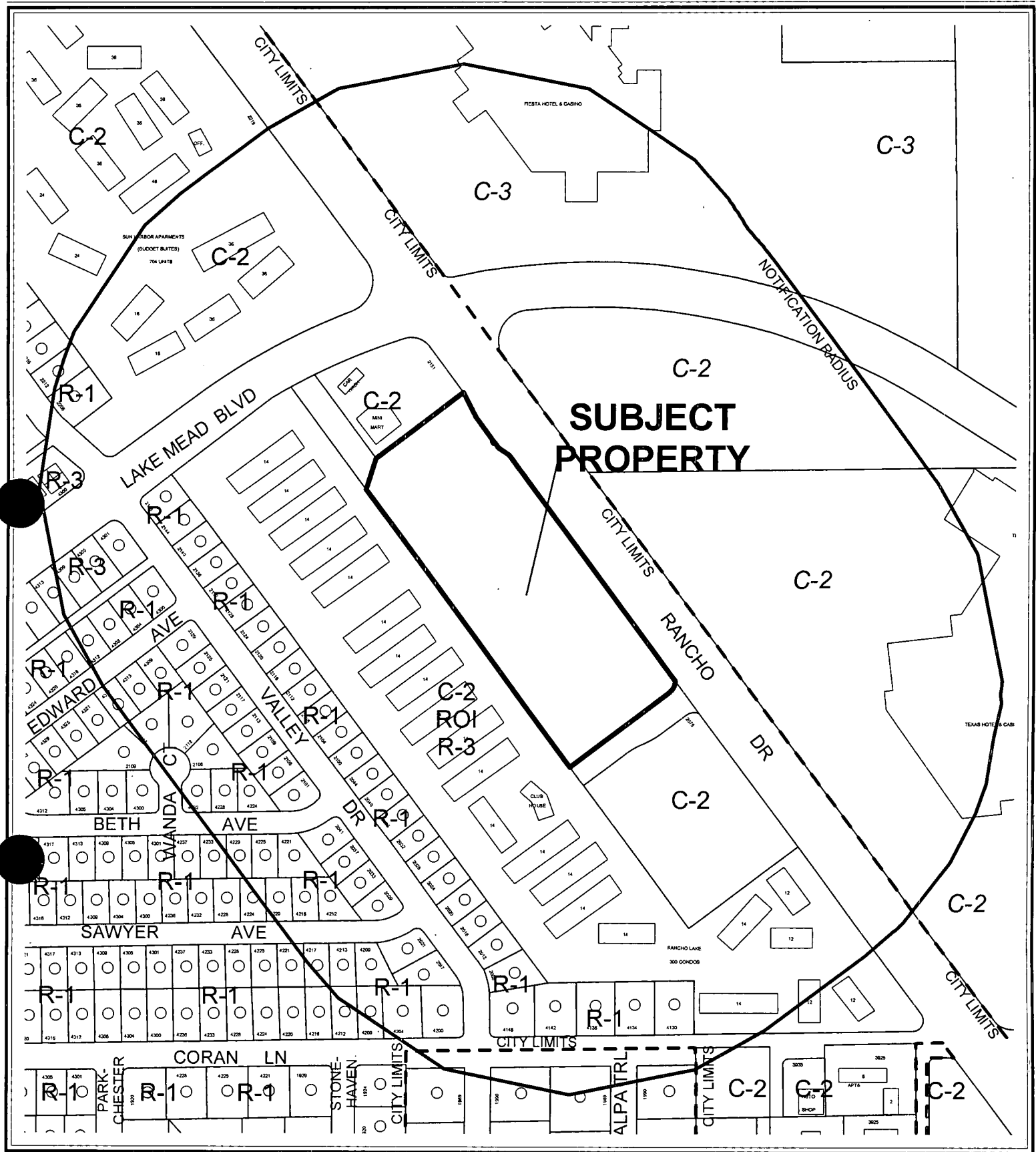
MOTION:

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

MINUTES:

There was no related discussion.

(1:05 - 1:14)



CASE: SUP-5111

RADIUS: 750 FT

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

0 200 400 Feet



113



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5111 - APPLICANT/OWNER: OR INVESTMENT GROUP, LLC

**** CONDITIONS ****

The Planning Commission (4-3 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Mixed Use development.
2. Approval of and conformance to the Conditions of Approval for applications submitted for a Variance (VAR-5114) and a Site Development Plan Review (SDR-5109).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit for a Mixed-Use development adjacent to the west side of Rancho Drive, approximately 180 feet south of Lake Mead Boulevard.

B) Applicant's Justification

The applicant states in a letter submitted with the application that "This project falls into the neighborhood revitalization area and qualifies for a Mixed-Use Project of Retail/Commercial and Residential use by Special Use Permit."

BACKGROUND INFORMATION

A) Actions

- 10/26/00 The Planning Commission voted to hold in abeyance indefinitely a request for a General Plan Amendment (GPA-0030-00) of the subject site from GC (General Commercial) to H (High Density Residential) to allow a multi-family residential development in conjunction with commercial uses. The staff recommended denial of the request on the same date.
- 10/26/00 The Planning Commission voted to hold in abeyance indefinitely a request for a Special Use Permit (U-0176-00) for a Residential Hotel on the subject site. The staff recommended denial of the request on the same date.
- 10/07/04 The Planning Commission recommended denial of the accompanying requests for a Variance (VAR-5114) in the Residential Adjacency Standards to reduce the rear yard setback to 32 feet and Site Development Plan Review (SDR-5109).
- 10/07/04 The Planning Commission voted 4-3 to recommend DENIAL (PC Agenda Item #49/dds).

B) Pre-Application Meeting

- 08/19/04 The staff reviewed with the potential applicant various requirements that would have to be met for the subject project. In particular, it was noted that a Special Use Permit would be required for the development in a C-2 (General Commercial) district; an existing traffic study will need to be updated; a driveway on the west side may need to be moved further west; a traffic signal impact fee will be assessed; the lot coverage requirement is 50 percent, requiring a waiver in this requirement; there is no height limit in the C-2 (General Commercial) district;

however, a variance in the Residential Adjacency Standards will be needed; retail parking must be provided at the ratio of one space per 250 square feet of floor space; a 15-foot buffer is required at the front and eight-foot buffers at the side and rear; four loading spaces will be needed; and the project is a Project of Regional Significance.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for a Special Use Permit, and as of the date of this report, one was not held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Acres: 5.84

B) *Existing Land Use*

Subject Property: Undeveloped
North: Service commercial (mini mart and carwash)
South: Undeveloped
East: Casino (Texas Station in North Las Vegas)
West: Condominiums

C) *Planned Land Use*

Subject Property: GC (General Commercial)
North: GC (General Commercial)
South: M (Medium Density Residential)
East: North Las Vegas
West: M (Medium Density Residential)

D) *Existing Zoning*

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: C-2 (General Commercial); under ROI to R-3 (Medium Density Residential)
East: North Las Vegas
West: C-2 (General Commercial); under ROI to R-3 (Medium Density Residential)

E) *General Plan Compliance*

The subject property is located in the Southeast Sector of the General Plan. The Southeast Sector Map designates the future land use for this property as GC (General Commercial). The property is zoned C-2 (General Commercial), which is a zone permitted in the GC 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	

Property to the east of the site is located within North Las Vegas and within 500 feet of the city limits.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" because of this request for a Special Use Permit within 500 feet of North Las Vegas. Accordingly, an Environmental Impact Assessment questionnaire was circulated to North Las Vegas for the mandated 15-day period. The city of North Las Vegas submitted a letter indicating that officials had no comment.

ANALYSIS

A) Zoning Code Compliance

Compliance with Title 19 requirements and standards is addressed in the accompanying report of a Site Development Plan Review (SDR-5109).

B) General Analysis and Discussion

- **Zoning**

The site is presently zoned C-2 (General Commercial). In a C-2 zone, a mixed-use development is permitted as a Special Use approved by the City Council, subject to meeting the conditions of Title 19.04.050.

- **Use**

This project proposes the construction of five high-rise buildings ranging in size from 10 stories to 16 stories in height. At the lower levels of the project, there would be 90,000 square feet of retail floor space, and residential condominium units above.

- **Conditions**

Applicable conditions of Title 19.04.050 require the following:

1. Within the Neighborhood Revitalization Area:
 - (A) 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, or a C-2 Zoning District; and
 - (B) 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.
2. 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 variation in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.

FINDINGS

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

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

A request for a Variance (VAR-5114) has been submitted in conjunction with this application to vary the Residential Adjacency Standards. These Standards require that a high-rise building be situated away from adjacent residential property by no less than three times the height of the building. The closest proposed building to a condominium complex to the west is a 10 story building 94.5 feet high. At this height, the building must be situated 283.5 feet away from the property. The building is proposed to be located 32 feet away. It is recommended that the Variance be denied.

The principal reasons for Residential Adjacency Standards are to afford privacy to adjacent residents and to diminish the affect of low noon sun angles. At this latitude the sun is at a 32-degree angle to the Earth's surface on December 22. A structure 94.5 feet high will cast a 151-foot shadow. The greatest negative affect the high-rise buildings will have is to those residents to the west who will not see the sun rise in the morning. For this reason, the proposed development is not harmonious and compatible with existing residences to the west of the site, and it is recommended that this application be denied.

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

As discussed above, the proposed high-rise development cannot meet the Residential Adjacency Standards of Title 19. This has serious consequences, particularly for those residents to the west of the site. The appropriate location for this project is in a location where the Residential Adjacency Standards do not apply or where the proper setback from residences can be achieved. In either case, the subject site is physically unsuitable for the proposed project. For this reason it is recommended that the application be denied.

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

Access to the proposed project would be provided from both Rancho Drive and Lake Mead Boulevard at controlled intersections. According to the Master Plan of Streets and Highways, both streets are Primary Arterial (100-foot wide) streets and sufficient for the traffic volume anticipated.

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."

According to "The City of Las Vegas Master Plan 2020," the subject site is located within the Neighborhood Revitalization Area. The development is not consistent with many of the goals, objectives and policies of this Plan which are listed as follows:

Goal 2: Mature Neighborhoods will be sustained and improved through appropriate and selective high quality redevelopment and preservation (emphasis added).

Objective 2.2: To ensure that low-density residential land uses within mature neighborhoods can exist in close proximity to higher density residential, mixed-use, or non-residential land uses by mitigating adverse impacts where feasible.

Policy 2.2.1: That any higher density or mixed-use redevelopment which is adjacent to lower density residential development incorporate appropriate design, transition, or buffering elements which will mitigate adverse visual, audible, aesthetic and traffic impacts.

Existing residential development in the area of the proposed project will be subjected to adverse health and welfare conditions by the proposed high-rise development. For this reason and because of the inconsistencies of this project with the Master Plan 2020, it is recommended that this application be denied.

NOTICES MAILED 190 by City Clerk

APPROVALS 86

PROTESTS 3

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5111 APN: 139-19-611-002

Name of Property Owner: OR INVESTMENT GROUP

Name of Applicant: BEN MOSHE

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

Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: JAIR BEN MOSE

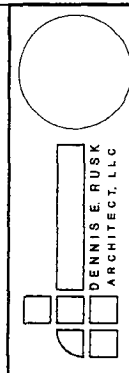
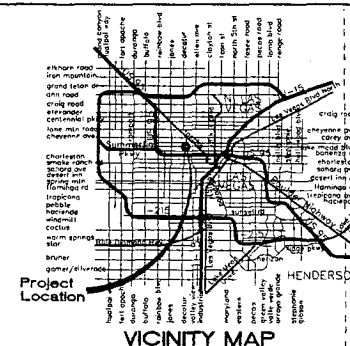
Subscribed and sworn before me

This 23 day of August, 2004

Notary Public in and for said County and State



PROJECT DATA	
APN # 139-19-B11-002	
ADDRESS: _____	RANCHO DRIVE LAS VEGAS, NV
LOT COVERAGE: _____	42%
LOT AREA: _____	254,390 S.F. (5.84 ACRE)
PARKING REQUIRED:	
RESIDENTIAL: _____	288, 280 UNITS @ 1.75/UNIT = 490
_____	388, 224 UNITS @ 2.2/UNIT = 448
_____	QUEST 504 UNITS @ 1/UNIT = 84
RETAIL: _____	30,000 S.F. @ 1: 250 S.F. = 360
	TOTAL REQUIRED 1,382
PARKING PROVIDED:	
STANDARD PARKINGS (8' x 18')	1,376
HANDICAP PARKING (15' x 18')	21
HANDICAP VAN ACCESSIBLE (17' x 18')	3
	TOTAL PROVIDED 1,400

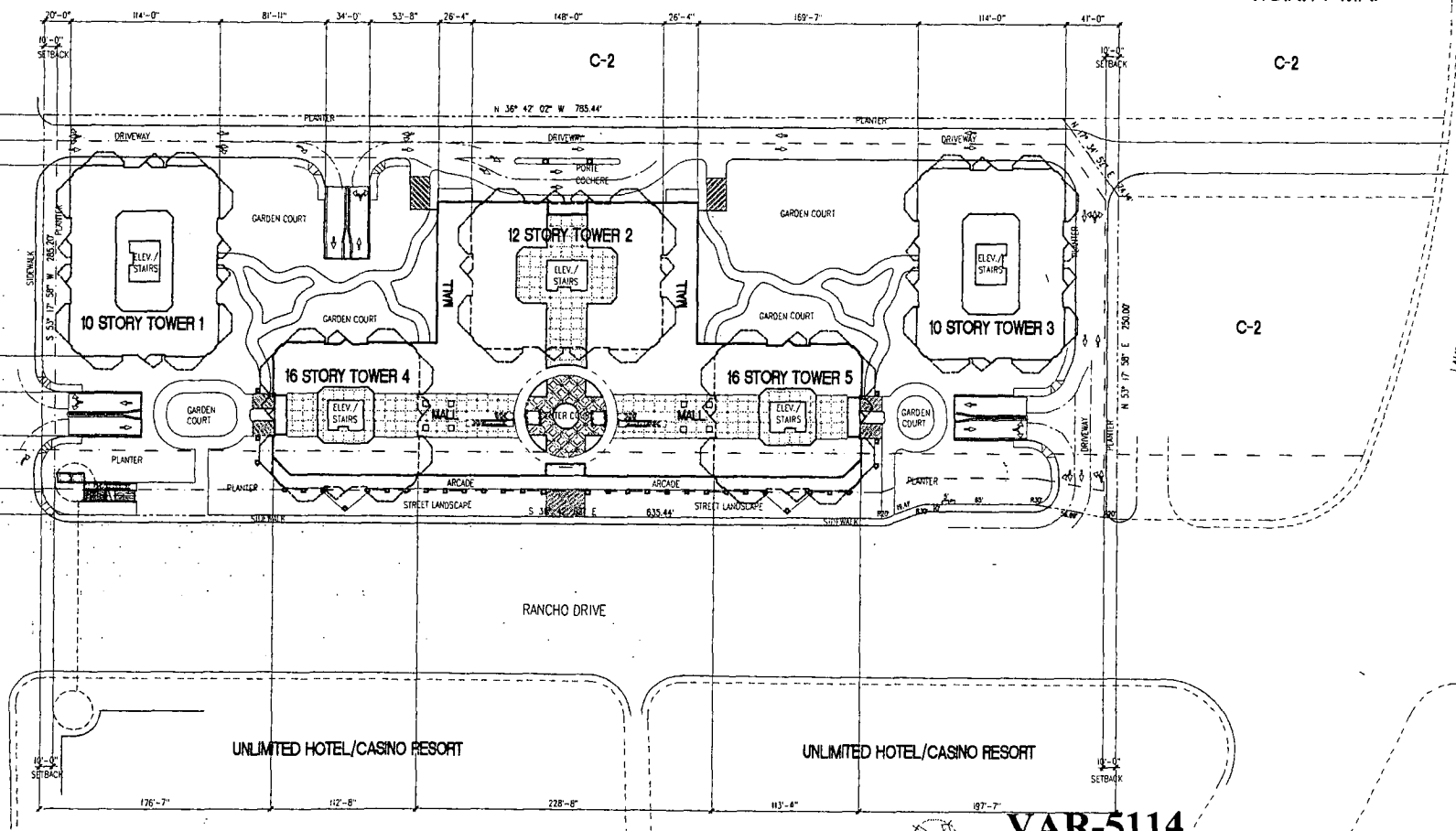


SITE DEVELOPMENT PLAN
**PROPOSED SHOPPING MALL and
CONDOMINIUMS**
RANCHO DRIVE
LAS VEGAS, NEVADA

Revisions:
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Date: 06-09-04
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Check By: DENNIS E. RUSK
Scale: 1" = 40'-0"

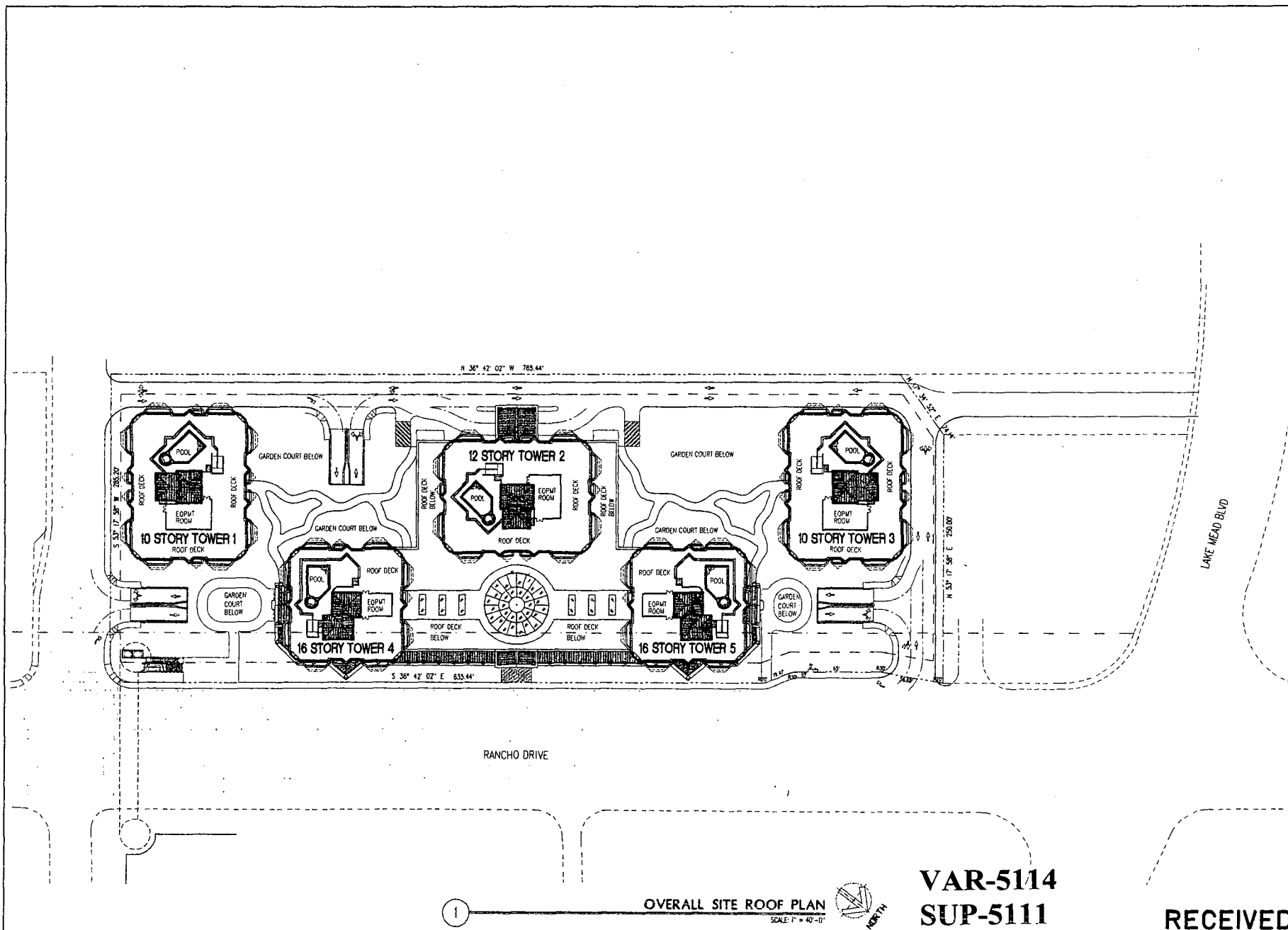
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1 SITE DEVELOPMENT PLAN SCALE: 1" = 40'-0" NORTH

**VAR-5114
SUP-5111
SDR-5109
10-07-04 PC**

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AUG 24 2004



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OVERALL SITE ROOF PLAN

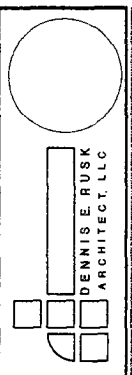
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VAR-5114
SUP-5111
SDR-5109
10-07-04 PC

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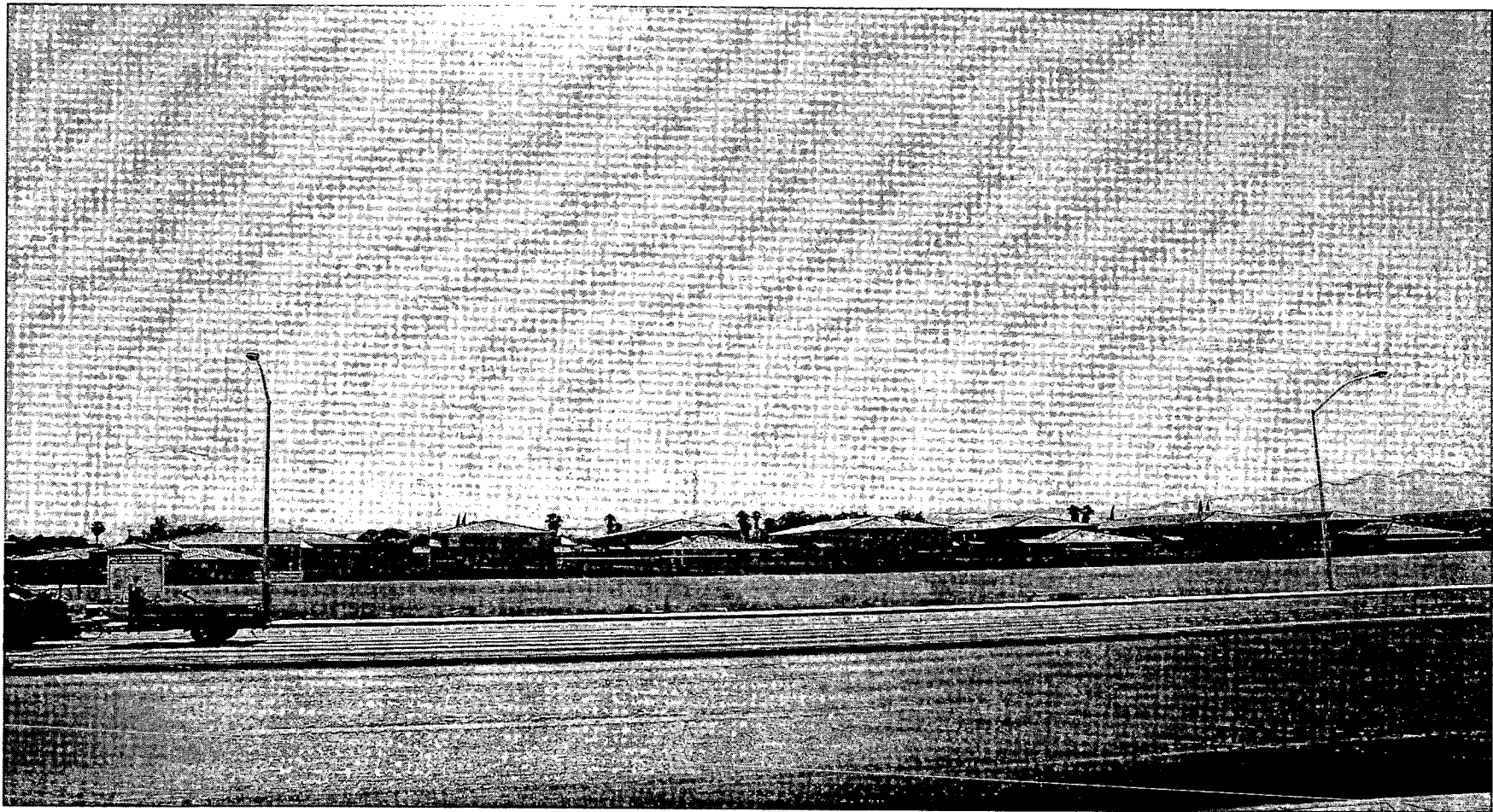
AUG 24 2004



OVERALL SITE ROOF PLAN
PROPOSED SHOPPING MALL and
CONDOMINIUMS
 RANCHO DRIVE
 LAS VEGAS, NEVADA

Revisions:
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Date: 05-09-04
 Project No.:
 Drawn By: JLR/JCS
 Check By: JLR/JCS
 Scale: 1" = 40'-0"
RP10



SUP-5111 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: OR INVESTMENT
GROUP, LLC
WEST SIDE OF RANCHO DRIVE, APPROXIMATELY 180 FEET SOUTH OF LAKE MEAD BOULEVARD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

CURRAN & PARRY
ATTORNEYS AT LAW

300 SOUTH FOURTH STREET
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WILLIAM P. CURRAN
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GLENN M. MACHADO

TELEPHONE
(702) 471-7000

FACSIMILE
(702) 471-7070

E-MAIL
curranparry@curranparry.com

October 11, 2004

Barbara Jo (Roni) Ronemus, City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

Via Facsimile: 382-4803
& U.S. Mail

Re: **Request to Appeal Planning Commission Decisions**
October 7, 2004 Planning Commission Meeting
Item #48 (VAR-5114); Item #49 (SUP-5111); Item #50 (SDR-5109)

Dear Mr. Ronemus:

On behalf of my client, OR Investment Group, LLC, I wish to appeal the Planning Commission decisions in the above referenced matters made on October 7, 2004, to the City Council.

Please contact me at the number or address listed above to notify me when the appeals will be heard before the City Council.

Thank you for your assistance.

Sincerely,



Bill Curran

WPC:cw

cc: Margo Wheeler, Department of Planning & Development
Dennis Rusk, AIA

2004 OCT 21 A 10:23

RECEIVED
CITY CLERK

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

BHP Developers & General Contractors

6370 Annie Oakley
Las Vegas, NV 89120

(702) 914-9480
Fax (702) 896-0690

September 28, 2004

Mr. Gary M. Leobold, Senior Planner
Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101
FAX # 385-7268

Reference: Planning Commission Meeting
October 7, 2004

Subject: Case # VAR-5114
Case # SDR-5109
Case # SUP-5111

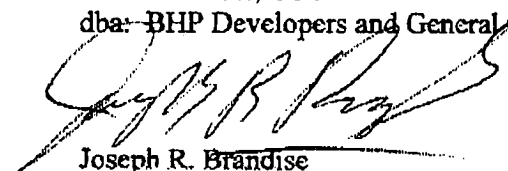
Dear Mr. Leobold:

We would like to Object to the above Case Requests as we believe the 32 Foot Rear Yard Setback is not appropriate next to our Rancho Lake Condominium project. The buildings they are proposing would invade the privacy of our potential Homeowners.

We also believe that an additional 504 Residential Condominium Units with heights up to 195 feet, per building would take away the view from our potential Homeowners.

If you could be of any assistance in this matter, it would be greatly appreciated.

Sincerely,
BHP Investors, LLC
dba: BHP Developers and General Contractors


Joseph R. Brandise
Managing Member

VAR-5114
SUP-5111
SDR-5109
P

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

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

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5114 AND SUP-5111

SDR-5109 - PUBLIC HEARING - APPLICANT/OWNER: OR INVESTMENT GROUP, LLC - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Site Development Plan Review and a Waiver of the Commercial Development Standards to allow a three-foot front yard setback where 20 feet is the minimum required FOR A PROPOSED MIXED-USE DEVELOPMENT CONSISTING OF 504 RESIDENTIAL CONDOMINIUM UNITS AND 90,000 SQUARE FEET OF RETAIL SPACE IN TWO 10-STORY, 132-FOOT TALL BUILDINGS, A 12-STORY, 150-FOOT TALL BUILDING AND TWO 16-STORY, 195-FOOT TALL BUILDINGS on 5.84 acres adjacent to the west side of Rancho Drive, approximately 180 feet south of Lake Mead Boulevard (APN 139-19-611-002), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (4-3 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	3
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	86
City Council Meeting	0

RECOMMENDATION:

The Planning Commission (4-3 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Curran & Parry
5. Submitted after final agenda - abeyance request by Curran & Parry for Item 112 [VAR-5114], Item 113 [SUP-5111] and Item 114 [SDR-5109] filed under Item 112 [VAR-5114]
6. Backup referenced from the 10/7/2003 Planning Commission meeting Item 50

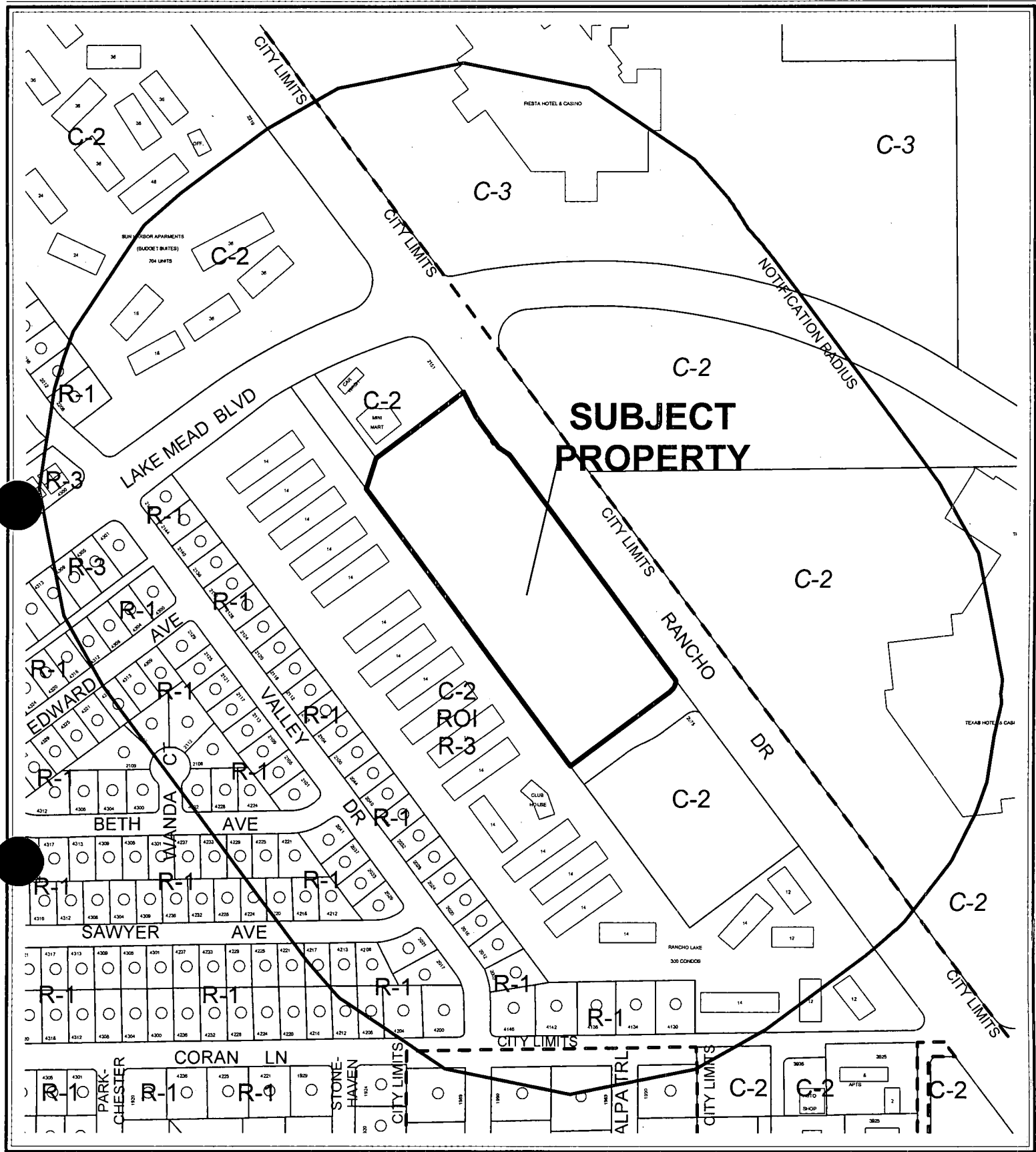
MOTION:

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

MINUTES:

There was no related discussion.

(1:05 - 1:14)



CASE: SDR-5109

RADIUS: 750 FT

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

0 200 400 Feet



000114



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5109 - APPLICANT/OWNER: OR INVESTMENT GROUP, LLC

**** CONDITIONS ****

The Planning Commission (4-3 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 08/24/04, except as amended by conditions herein.
3. Approval of and conformance to the Conditions of Approval for applications submitted for a Variance (VAR-5114) and a Special Use Permit (SUP-5111).
4. Prior to the submittal of a building permit, the applicant shall meet with staff of the Planning and Development Department to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and the sprinkler system shall be cause for revocation of a business license.)
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. Exterior lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting on the buildings shall utilize 'shoe-box' fixtures and downward-directed lights. The lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.
12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
13. No building shall be permitted in an existing 50-foot wide public drainage easement along Rancho Road.

Public Works

14. Remove all substandard public street improvements on Rancho Drive, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. 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.
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. Provide a copy of a recorded Joint Access Agreement between this site and the following Assessor's Parcel Numbers: 139-19-113-001, 139-19-611-004, and 139-19-601-004 prior to the issuance of any permits.
17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer. This site is within a FEMA Flood Zone "A".

18. An update to the Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to City Council approval. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
19. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Rancho Drive right-of-way adjacent to this site prior to the issuance of any permits.
20. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
21. Site development to comply with all applicable conditions of approval for Rancho/Lake Mead Commercial Subdivision and all other applicable site-related actions.
22. No structures shall be permitted within the existing 50-foot Public Drainage Easement located along the eastern perimeter of this site, unless the approved Drainage Plan/Study provides an alternative design that allows for the vacation of portions of said easement that are currently underlying the proposed structures.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Site Development Plan Review and Waivers of the Commercial Development Standards to allow a three-foot front yard setback where 20 feet is the minimum required for a proposed mixed-use development consisting of 504 condominium units and 90,000 square feet of retail space on 5.84 acres adjacent to the west side of Rancho Drive, approximately 180 feet south of Lake Mead Boulevard.

B) Applicant's Justification

The applicant has presented a letter with the application that outlines the various details of the proposed development. In particular, the project will be in compliance with the American Disabilities Act, Fair Housing Act and State of Nevada Housing Division requirements. The project is designed with a natural day lighting, "green" concept and has towers placed to maximize views. Cantilevered from each residential condominium unit are landscaped balconies. The project incorporates water-conserving measures, including swimming pools located on the roofs of each tower to serve as the back-up fire protection system, and washing machines, showers, dishwashers, etc drain into a re-use gray water system for landscape watering.

The applicant has requested a waiver in the front yard setback of 20 feet and in the maximum lot coverage ratio of 50 percent. It is explained that the waiver in the front yard is to accommodate a covered arcade walkway and cantilevered landscape balconies. The balconies encroach into the air space above the retail space. The diminished front yard setback will allow the rear towers to be placed farther from the residential condominium project to the west of this site. As to the lot coverage, the applicant explains that the sub-terrain parking level exceeds the 50 percent maximum lot coverage amount but that the street level lot coverage of the structures is at 42 percent.

BACKGROUND INFORMATION

A) Actions

10/26/00 The Planning Commission voted to hold in abeyance indefinitely a request for a General Plan Amendment (GPA-0030-00) of the subject site from GC (General Commercial) to GC (General Commercial) and H (High Density Residential) to allow a multi-family residential development in conjunction with commercial uses. The staff recommended denial of the request on the same date.

- 10/26/00 The Planning Commission voted to hold in abeyance indefinitely a request for a Special Use Permit (U-0176-00) for a Residential Hotel on the subject site. The staff recommended denial of the request on the same date.
- 10/07/04 The Planning Commission recommended denial of related items for a Variance to the residential adjacency standards to reduce the rear yard setback to 32 feet and a Special Permit (SUP-5111) for a Mixed Use development of retail commercial and residential condominiums on the subject site. Staff recommended denial.
- 10/07/04 The Planning Commission voted 4-3 to recommend DENIAL (PC Agenda Item #50/dds).

B) Pre-Application Meeting

- 08/19/04 The staff reviewed with the potential applicant various requirements that would have to be met for the subject project. In particular, it was noted that a Special Use Permit would be required for the development in a C-2 (General Commercial) district; an existing traffic study will need to be updated; a driveway on the south side may need to be moved further west; a traffic signal impact fee will be assessed; the lot coverage requirement is 50 percent, requiring a waiver in this requirement; there is no height limit in C-2 (General Commercial) district; however, a variance in the Residential Adjacency Standards will be needed; retail parking must be provided at the ratio of one space per 250 square feet of floor space; a 15-foot buffer is required at the front and eight-foot buffers at the side and rear; four loading spaces will be needed; and the project is a Project of Regional Significance.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 5.84

B) Existing Land Use

Subject Property: Undeveloped
North: Service commercial (mini mart and carwash)
South: Undeveloped
East: Casino (Texas Station in North Las Vegas)
West: Condominiums

C) Planned Land Use

Subject Property: GC (General Commercial)
North: GC (General Commercial)
South: M (Medium Density Residential)
East: North Las Vegas
West: M (Medium Density Residential)

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: C-2 (General Commercial); under ROI to R-3 (Medium Density Residential)
East: North Las Vegas
West: C-2 (General Commercial); under ROI to R-3 (Medium Density Residential)

E) General Plan Compliance

The subject property is located in the Southeast Sector of the General Plan. The Southeast Sector Map designates the future land use for this property as GC (General Commercial). The property is zoned C-2 (General Commercial), which is a zone permitted in the GC 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	

Property to the east of the site is located within the City of North Las Vegas. Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" because of the accompanying request for a Special Use Permit (SUP-5111) within 500 feet of the city limits.

PROJECT DESCRIPTION

This Site Development Plan Review is for a proposed Mixed-Use development consisting of 504 residential condominium units and 90,000 square feet of retail floor space. All parking areas are proposed to be located in a four-story sub-terrain parking structure. On two floors above, is 90,000 square feet of retail floor space. Above the retail floor space, five high-rise towers contain the condominium units. The towers are proposed to be from 10 stories to 16 stories in height. Access to the site is proposed from Rancho Drive and Lake Mead Boulevard at controlled intersections.

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	None		N/A
Min. Lot Width	100 Feet	826 Feet	Y/N
Min. Setbacks			
• Front	20 Feet		N
• Side	10 Feet		Y
• Corner	15 Feet		Y
• Rear	20 Feet		Y
Max. Lot Coverage	50 %	>50%	N
Max. Building Height	None	160 Feet	N/A

The applicant has requested a waiver to the front yard setback of 20 feet and in the maximum lot coverage ratio of 50 percent. The waiver in the front yard is to accommodate a covered arcade walkway and cantilevered landscaped balconies. The balconies also encroach into the front yard.

There is an existing 50-foot wide public drainage easement along Rancho Drive. It appears as if the front buildings would protrude into this easement, which is not permitted. If that is the case, the buildings must be relocated out of this easement. This is addressed as a condition of approval in this report.

A2) Residential Adjacency Standards

Pursuant to Title 19.08.060.B.1, where a nonresidential use is located in a building adjacent to property that is developed for sale, the building shall not exceed a height greater than three times the distance from the building to the adjacent property. The closest proposed structure to the condominium complex to the west is a 10 story building 94.5 feet high. At this height, the building would have to be 283.5 feet away from the adjacent property. The rear yard setback, however, is shown to be 32 feet. None of the buildings in the proposed development meet the residential adjacency standards.

The applicant has submitted an application for a Variance (VAR-5114) to the Residential Adjacency Standards to allow a minimum 32-foot rear yard setback.

A3) Parking and Traffic Standards

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

Uses	GFA (sq. ft.)	Parking Spaces Required			Parking Spaces Provided	
		Ratio (space/sq.ft or DU)	Regular	Handicap	Regular	Handicap
Residential						
2 BD		1.75/ DU	490		490	
3 BD		2/DU	448		448	
Guest		1/6 DU	84		84	
Retail	90,000	1 /250 sq.ft. GFA	352	8	360	24
Total	90,000		1,374	8	1,381	24

The development meets the parking space requirements and is provided with more handicap parking spaces than required.

Requirements for streets, drives and sidewalks are addressed by the Public Works Department in the conditions of approval for this report.

A4) Landscape Standards

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

Standards	Required Trees		Provided Trees
	Ratio		
Parking Area	1 Trees/6 spaces	None	None
Buffer Trees	1 tree/20 ln. ft. + 1 tree	85	85

All parking areas for the proposed development are located underground. Consequently, no trees are required for parking. However, perimeter landscaping along Rancho Drive and abutting existing properties zoned for residential use to the south and west is required. Of 1,685 linear feet of perimeter landscaping, 85 trees are required. The development is provided with the required number of trees. In addition to the required trees, there is an abundance of trees that are proposed throughout the site that present an attractive well-landscaped premise.

B) General Analysis and Discussion

- Zoning

The property is zoned C-2 (General Commercial). A mixed use project is permitted in the C-2 district with the approval of a Special Use Permit for a by the City Council. An accompanying request for a Special Use Permit (SUP-5111) was fully analyzed in a report addressing this application, and it is recommended that the Special Use Permit be denied.

- Site Plan

For the proposed Mixed-Use project, the site plan has been carefully conceived. All parking areas are proposed to be located in a four-story sub-terrain parking structure. On two floors above, is 90,000 square feet of retail floor space. Above the retail floor space, five high-rise towers contain 504 condominium units. The towers are proposed to be from 10 stories to 16 stories in height. An abundance of landscaping traverses the site amongst the five towers. Access to the site is proposed from Rancho Drive and Lake Mead Boulevard at controlled intersections.

- Waivers

The applicant has requested a waiver in the front yard setback of 20 feet and in the maximum lot coverage ratio of 50 percent. The waiver in the front yard is to accommodate a covered arcade walkway and cantilevered landscape balconies. The balconies encroach into the air space above the retail space. The diminished front yard setback would also allow the rear towers to be placed farther from the residential condominium project to the west of this site. If the subject application is approved, it is recommended that the request for waivers be approved.

- Landscape Plan

The development is provided with the required number of trees. In addition to the required trees, there is an abundance of trees that are proposed throughout the site that presents an attractive well-landscaped premise. All parking areas for the proposed development are located underground. Consequently, no trees are required for parking.

- Elevation

The high-rise buildings are the most notable aspect of the proposed development. The 10 to 16-story towers would be very prominent features. The towers are placed to maximize views, and cantilevered from each residential condominium unit is a landscaped balcony. The building elevations are typical for high-rise projects per se, but it is because of the height of the buildings that it is recommended that this application be denied.

- Floor Plan

This Mixed-Use development consists retail floor space and residential condominiums. The retail floor space is located on two floors and configured in the manner of an enclosed mall. Above the retail floor space are 504 condominium units of two and three bedroom models in five separate high-rise towers. Each floor of the tower is designed with an elevator and stairway in the center with a circular hallway around them that provides access to four units in each corner of the tower. The floor plans for the two principal uses and accessory uses are laid out very functionally.

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;"**

A request for a Variance (VAR-5114) has been submitted in conjunction with this application to vary the Residential Adjacency Standards. These Standards require that a high-rise building be situated away from adjacent residential property by no less than three times the height of the building. The closest proposed building to a condominium complex to the west is a 10 story building 94.5 feet high. At this height, the building must be situated 283.5 feet away from the property. The building, however, is proposed to be located 32 feet away. It is recommended that the Variance be denied.

The principal reasons for Residential Adjacency Standards are to afford privacy to adjacent residents and to diminish the affect of low noon sun angles. At this latitude the sun is at a 32-degree angle to the Earth's surface on December 22. A structure 94.5 feet high will cast a 151-foot shadow. Many residents to the west of the site will not see the sun rise in the morning. For this reason, the proposed development is not harmonious and compatible with existing residences to the west of the site, and it is recommended that this application be denied.

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;"**

According to "The City of Las Vegas Master Plan 2020," the subject site is located within the Neighborhood Revitalization Area. The development is not consistent with many of the goals, objectives and policies of this Plan which are listed as follows:

Goal 2: Mature Neighborhoods will be sustained and improved through appropriate and selective high quality redevelopment and preservation (emphasis added).

Objective 2.2: To ensure that low-density residential land uses within mature neighborhoods can exist in close proximity to higher density residential, mixed-use, or non-residential land uses by mitigating adverse impacts where feasible.

Policy 2.2.1: That any higher density or mixed-use redevelopment which is adjacent to lower density residential development incorporate appropriate design, transition, or buffering elements which will mitigate adverse visual, audible, aesthetic and traffic impacts.

Existing residential development in the area of the proposed project will be subjected to adverse health and welfare conditions by the proposed high-rise development. For this reason and because of the inconsistencies of this project with the Master Plan 2020, it is recommended that this application be denied.

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

Access to the proposed project would be provided from both Rancho Drive and Lake Mead Boulevard at controlled intersections. According to the Master Plan of Streets and Highways, both streets are Primary Arterial (100-foot wide) streets and sufficient for the traffic volume anticipated.

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

An abundance of landscape plantings is proposed throughout the project site. Each building would be painted one of three different colors: light tan, reddish brown or pale yellow. The roofs would consist of weathered green colored tiles. The doors and window frames would consist of a plant green color and the crown molding cornices would be of a reddish brown color. The building and landscape materials are appropriate for the area.

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

This development proposes five high-rise towers between 95 and 160 feet high. The applicant has requested a variance in the Residential Adjacency Standards to place the closest towers to within 35 feet of an abutting low-rise residential condominium development. This extreme difference in height of the proposed buildings is not harmonious and compatible with existing development in the area.

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

Because of the deprivation of the sun at times during the day, the health and general welfare of residents abutting the subject property is a concern. For this reason, it is recommended that the application be denied.

NOTICES MAILED 190 by City Clerk

APPROVALS 86

PROTESTS 3

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SD12-5109 APN: 139-19-611-002

Name of Property Owner: GR INVESTMENT GROUP

Name of Applicant: BEN MOSHE

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

Yes

~~X~~ No

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

City Official: _____

Partner(s):

APN: _____

Signature of Property Owner/Authorized Agent: 

Print Name: YAIR BEN MOSHE

Subscribed and sworn before me

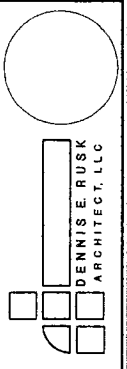
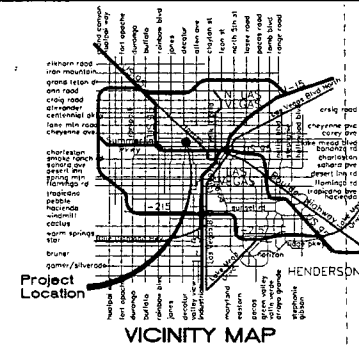
This 23rd day of August, 20

Notary Public in and for said County and State



PROJECT DATA

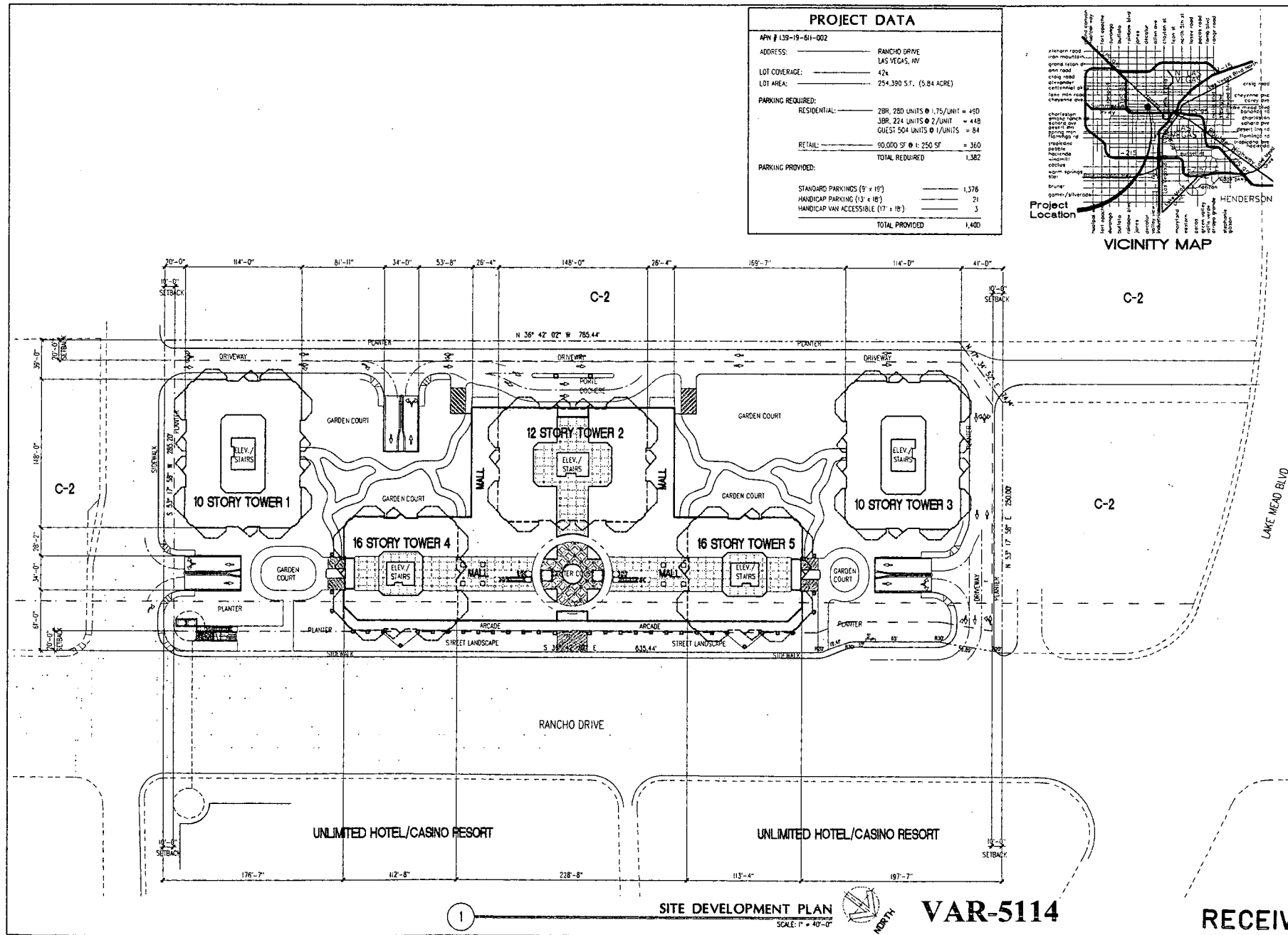
APN # 139-19-611-002
 ADDRESS: RANCHO DRIVE
 LAS VEGAS, NV
 LOT COVERAGE: 42%
 LOT AREA: 254,390 S.F. (5.84 ACRE)
 PARKING REQUIRED:
 RESIDENTIAL: 2BR, 280 UNITS @ 1.75/UNIT = 490
 JBR, 224 UNITS @ 2/UNIT = 448
 GUEST 504 UNITS @ 1/UNIT = 504
 RETAIL: 90,000 SF @ 1:250 SF = 360
 TOTAL REQUIRED 1,382
 PARKING PROVIDED:
 STANDARD PARKINGS (9' x 19') 1,376
 HANDICAP PARKING (13' x 18') 21
 HANDICAP VAN ACCESSIBLE (17' x 18') 3
 TOTAL PROVIDED 1,400



SITE DEVELOPMENT PLAN
**PROPOSED SHOPPING MALL and
 CONDOMINIUMS**
 RANCHO DRIVE
 LAS VEGAS, NEVADA

Revisions:
 1
 2
 3
 4

Date: 08-09-04
 Project No.:
 Client:
 Drawn By:
 Check By:
 Design By:
 Sheet No.:



SITE DEVELOPMENT PLAN

SCALE: 1" = 40'-0"



VAR-5114

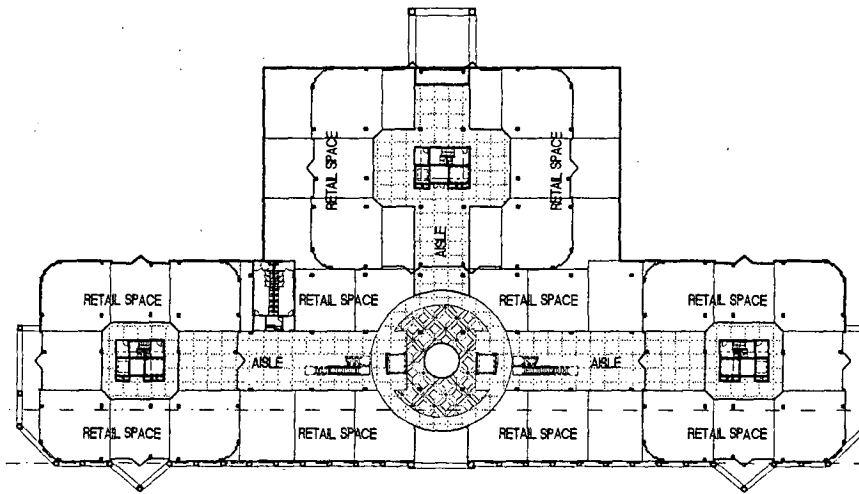
SUP-5111

SDR-5109

10.07.04 PC

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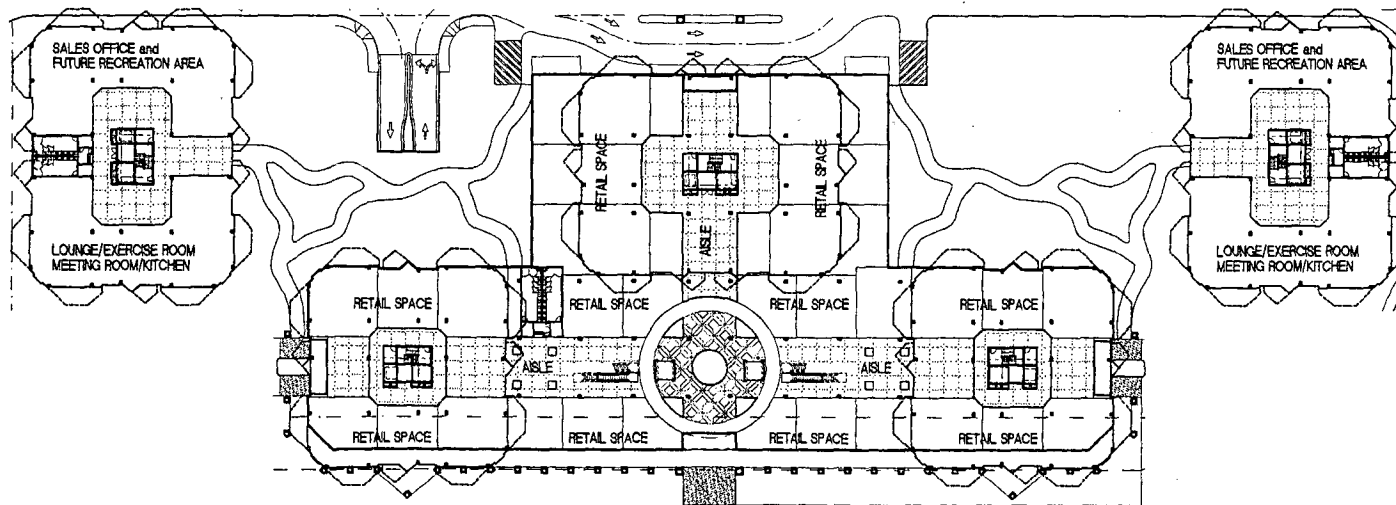
AUG 24 2004



2

SECOND FLOOR PLAN; SHOPPING MALL

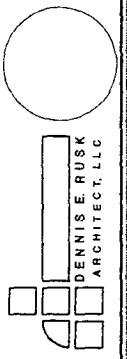
SCALE: 1/32" = 1'-0"



1

FIRST FLOOR PLAN; SHOPPING MALL

SCALE: 1/32" = 1'-0"



FIRST and SECOND FLOOR PLAN SHOPPING MALL

**PROPOSED SHOPPING MALL and
CONDOMINIUMS**
RANCHO DRIVE
LAS VEGAS, NEVADA

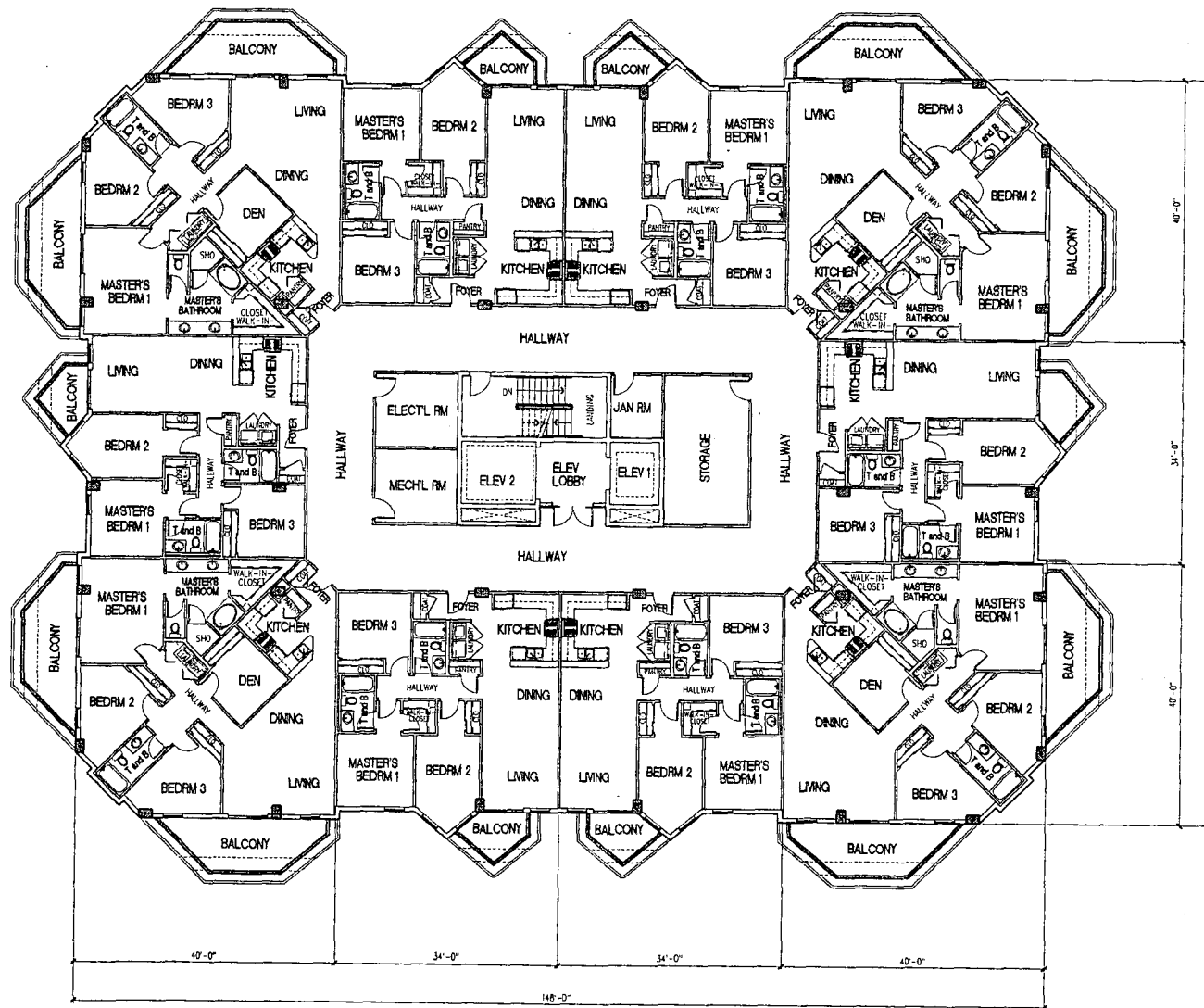
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Date:	05-03-04
Project No.:	01/05
Drawn By:	J.C. RUSK
Check By:	D.E. RUSK
Sheet No.:	1

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**VAR-5114
SUP-5111
SDR-5109
10-07-04 PC**

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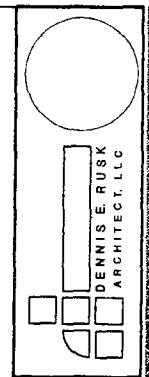
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 SUP-5111
 SDR-5109
 10-07-04 PC

1

TYPICAL FLOOR PLAN; 10 UNITS TOWER



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



TYPICAL FLOOR PLAN; 10 UNITS TOWER

**PROPOSED SHOPPING MALL and
 CONDOMINIUMS**
 RANCHO DRIVE
 LAS VEGAS, NEVADA

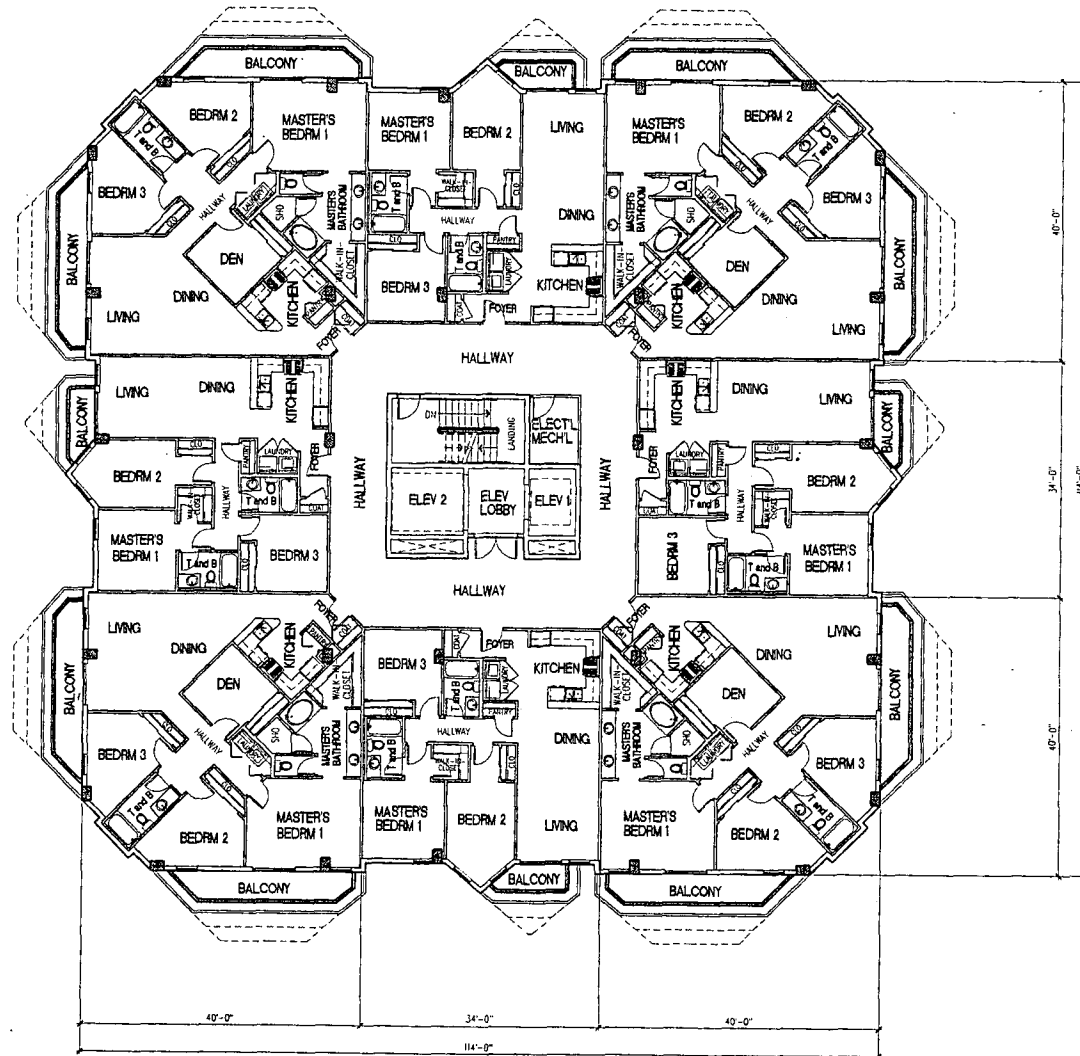
Revisions:

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Date: 07-09-04
 Project No: 0418
 Drawn By: J. J. J.
 Check By: J. J. J.
 Check No: 0418

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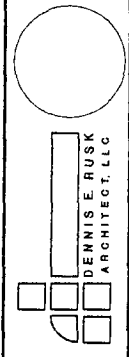


VAR-5114
 SUP-5111
 SDR-5109
 10-07-04 PC

1

FIRST FLOOR PLAN; 8 UNITS TOWER

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



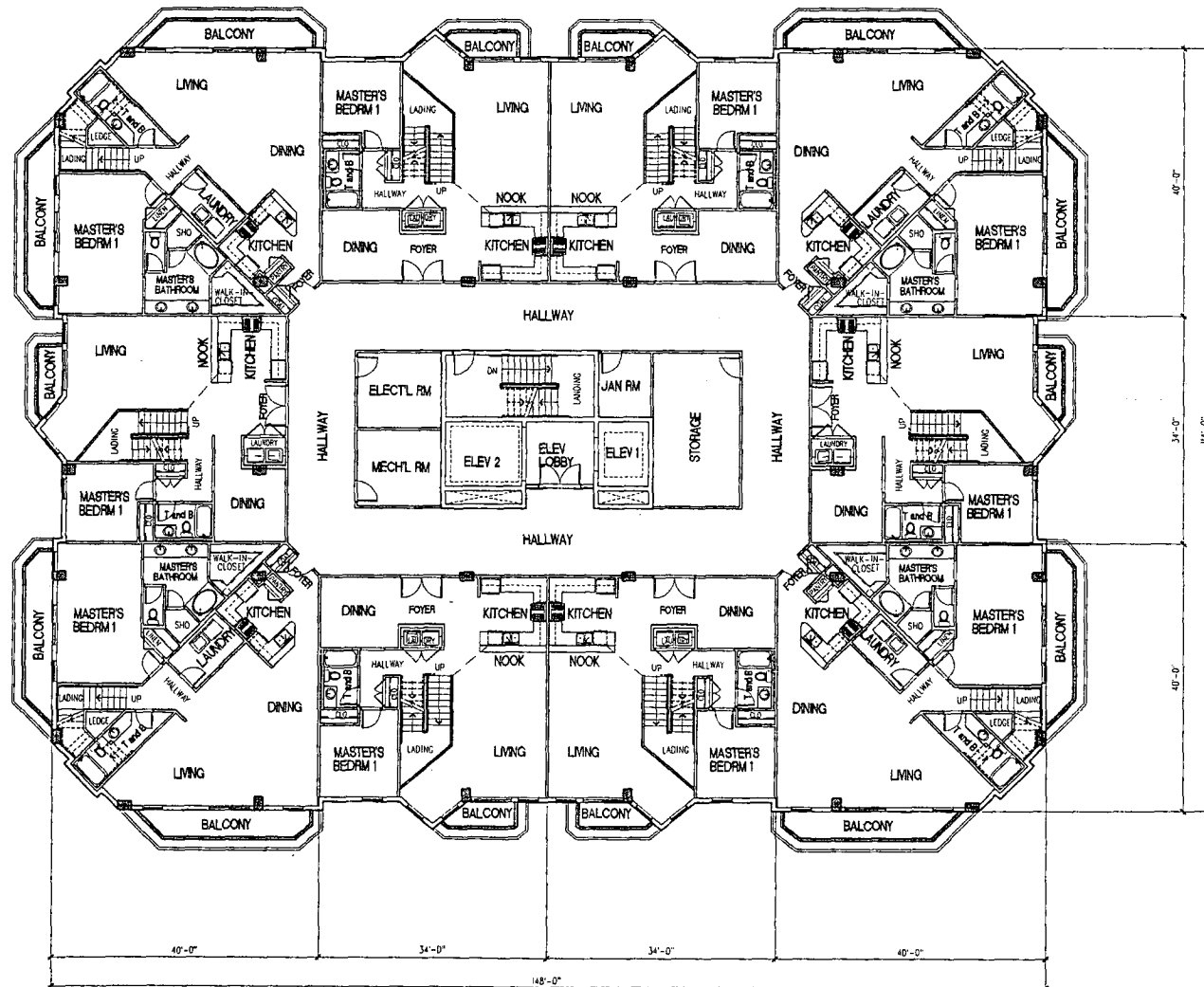
FIRST FLOOR PLAN; 8 UNITS
**PROPOSED SHOPPING MALL and
 CONDOMINIUMS**
 RANCHO DRIVE
 LAS VEGAS, NEVADA

ALL DIMENSIONS ARE IN FEET AND INCHES
 DIMENSIONS ARE GIVEN TO THE CENTERLINE OF WALLS
 UNLESS OTHERWISE NOTED
 FINISHES ARE TO BE DETERMINED BY THE OWNER
 ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE
 LATEST EDITIONS OF THE BUILDING CODES AND
 ALL APPLICABLE ORDINANCES

Revisions:
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Date: 07-09-04
 Project Name: C-15
 Drawn By: DENNIS E. RUSK
 Check By: DENNIS E. RUSK
 Sheet No: A2.1

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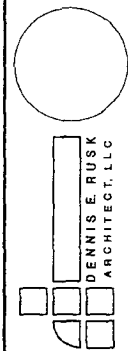


TYPICAL PENTHOUSE FIRST FLOOR PLAN: 10 UNITS TOWER

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



VAR-5114
SUP-5111
SDR-5109
10-07-04 PC



DENNIS E. RUSK
ARCHITECT, LLC

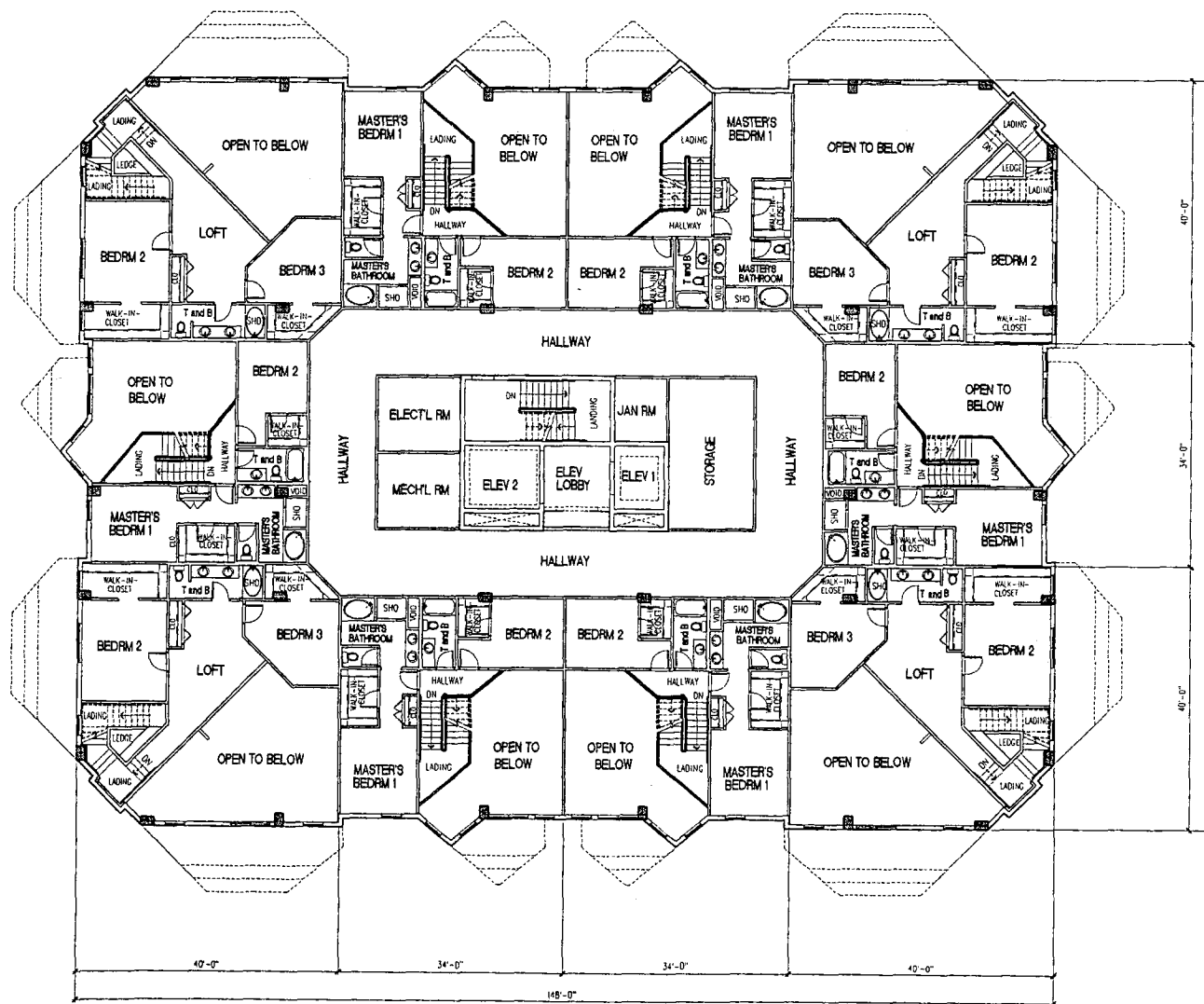
TYPICAL PENTHOUSE FIRST FLOOR PLAN: 10 UNITS TOWER
**PROPOSED SHOPPING MALL and
CONDOMINIUMS**
PANCHITO DRIVE
LAS VEGAS, NEVADA

Revisions:
 1
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Date: 07-09-04
 Project No.: 0106
 Drawn By: JAMES
 Check By: JAMES
 Sheet No.: A2.2

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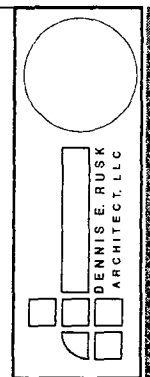
VAR-5114
 SUP-5111
 SDR-5109
 10-07-04 PC



1

TYPICAL PENTHOUSE LOFT FLOOR PLAN: 10 UNITS TOWER

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



TYPICAL PENTHOUSE LOFT FLOOR PLAN: 10 UNITS TOWER

PROPOSED SHOPPING MALL and CONDOMINIUMS
 RANCHO DRIVE
 LAS VEGAS, NEVADA

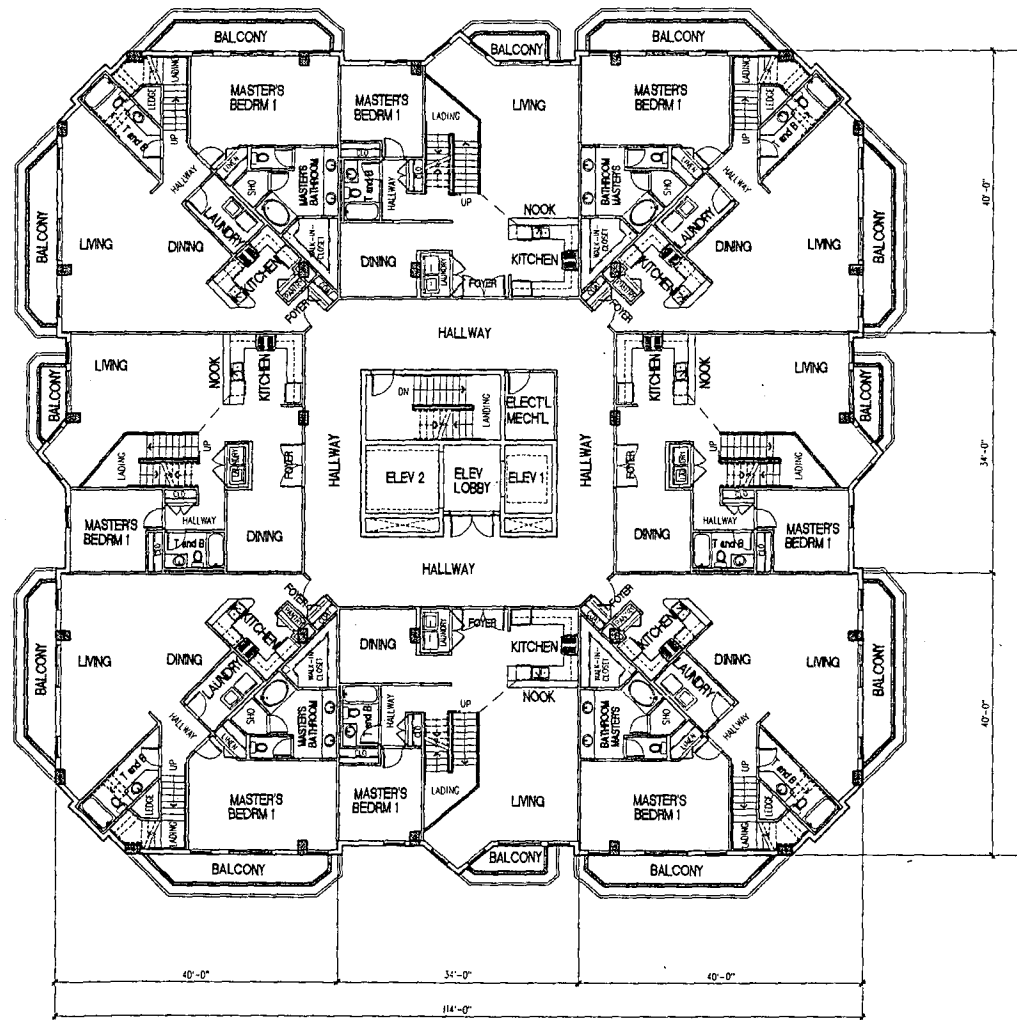
Revisions:

No.	Description

Date:	07-09-04
Project No.:	0418
Drawn By:	JAL/MS
Checked By:	DE/MS
Sheet No.:	A2.3

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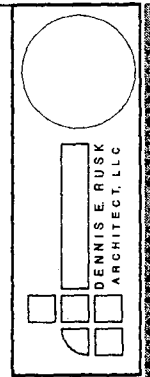
VAR-5114
 SUP-5111
 SDR-5109
 10-07-04 PC



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TYPICAL PENTHOUSE FIRST FLOOR PLAN: 8 UNITS TOWER

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



TYPICAL PENTHOUSE FIRST FLOOR PLAN: 8 UNITS TOWER

PROPOSED SHOPPING MALL and CONDOMINIUMS
 RANCHO DRIVE
 LAS VEGAS, NEVADA

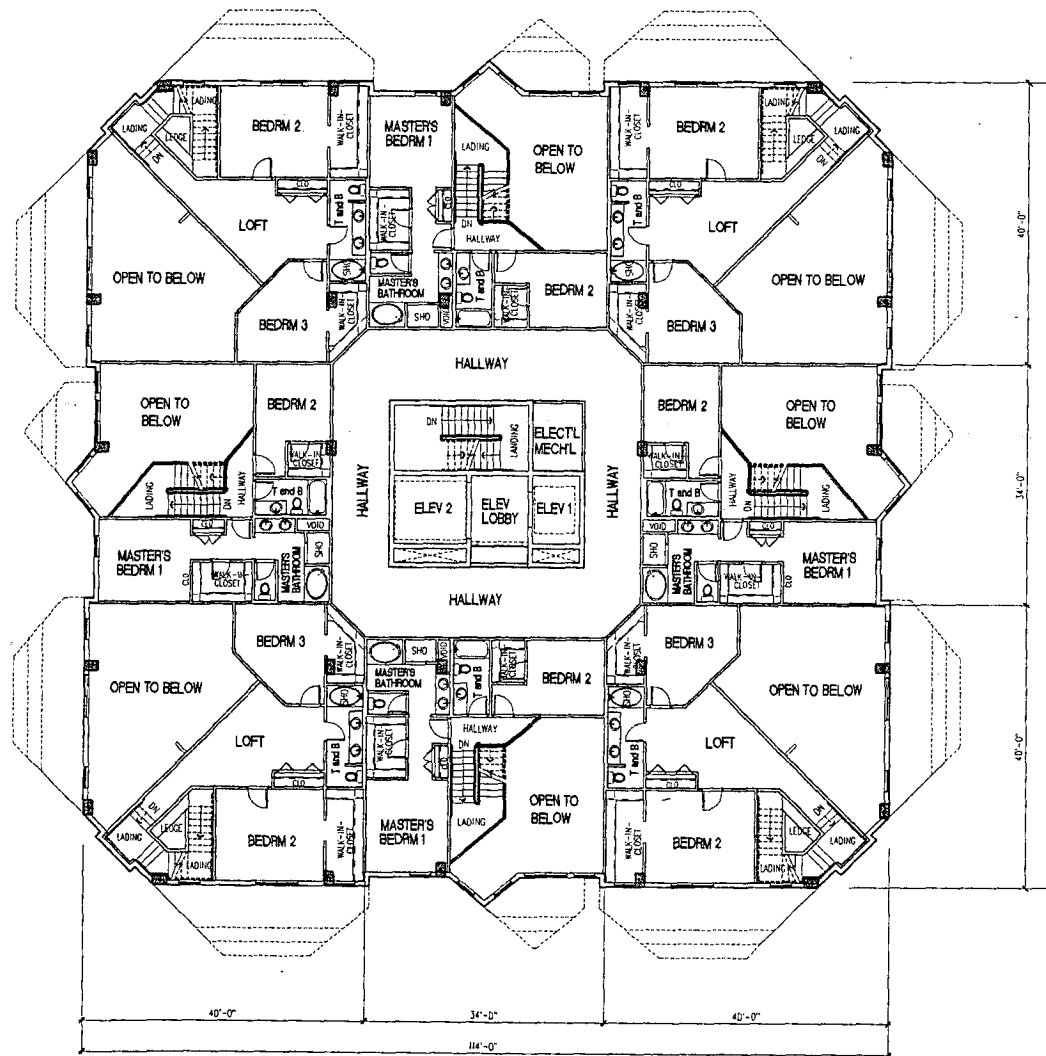
Revisions:

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Drawn By: [Signature]
 Check By: [Signature]
 Date: 10-07-04
 Project No: 04-06
 Sheet No: 04-06
 A2.4

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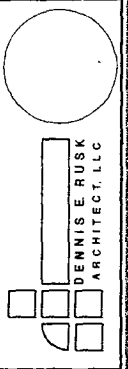
VAR-5114
 SUP-5111
 SDR-5109
 10-07-04 PC



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TYPICAL PENTHOUSE LOFT FLOOR PLAN: 8 UNITS TOWER

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



TYPICAL PENTHOUSE LOFT FLOOR PLAN: 8 UNITS TOWER

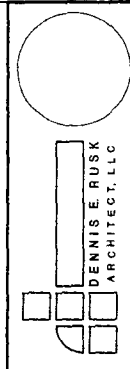
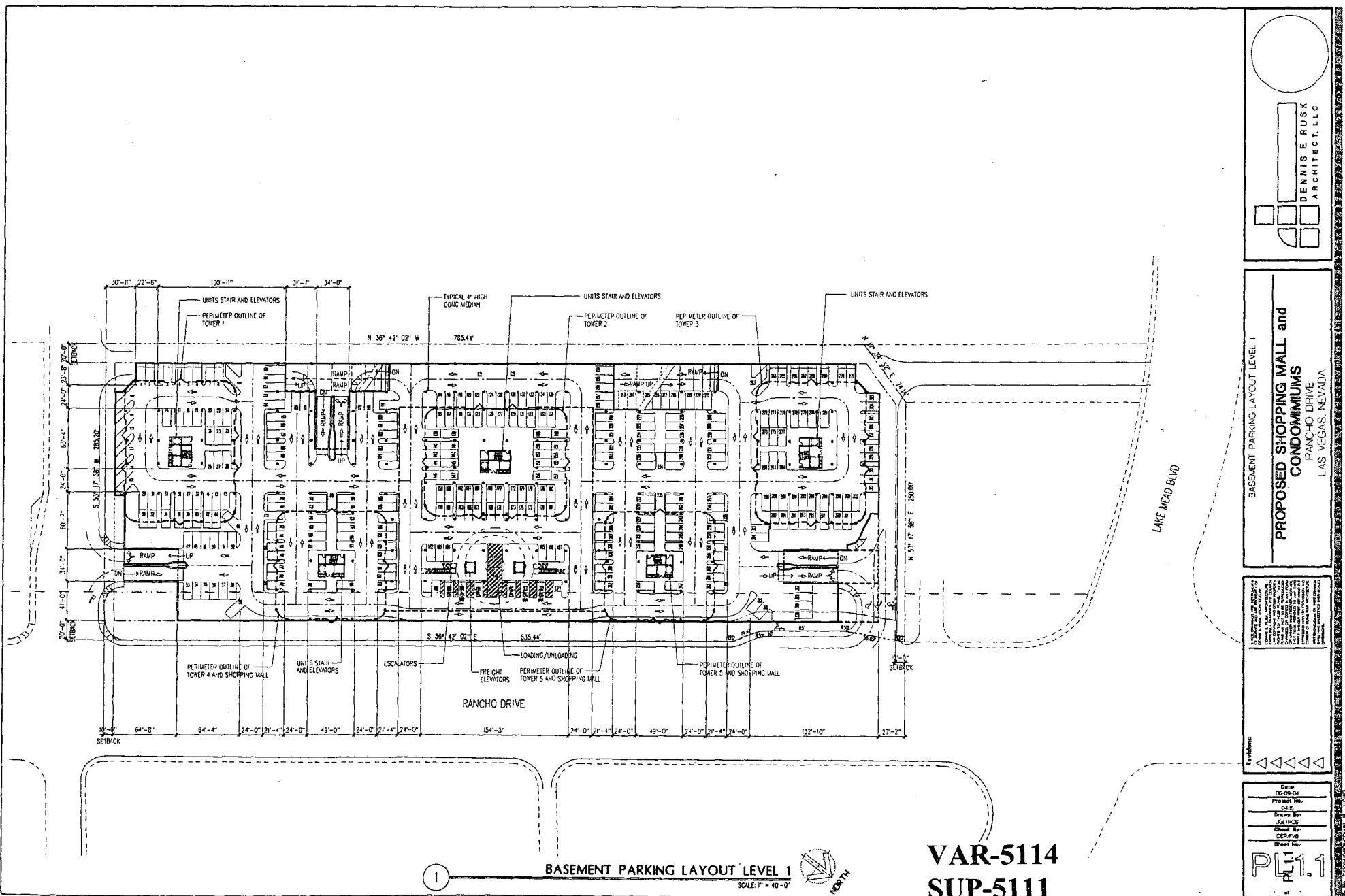
PROPOSED SHOPPING MALL and CONDOMINIUMS
 RANCHO DRIVE
 LAS VEGAS, NEVADA

Revisions:

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Date: 07-05-04
 Project No.: 010
 Drawn By: J. Rusk
 Check By: J. Rusk
 Sheet No.: 5

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BASEMENT PARKING LAYOUT LEVEL 1

PROPOSED SHOPPING MALL and CONDOMINIUMS

RANCHO DRIVE
LAS VEGAS, NEVADA

Revisions:

1. 05-00-04

2. 05-00-04

3. 05-00-04

4. 05-00-04

5. 05-00-04

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10. 05-00-04

PL1.1

VAR-5114

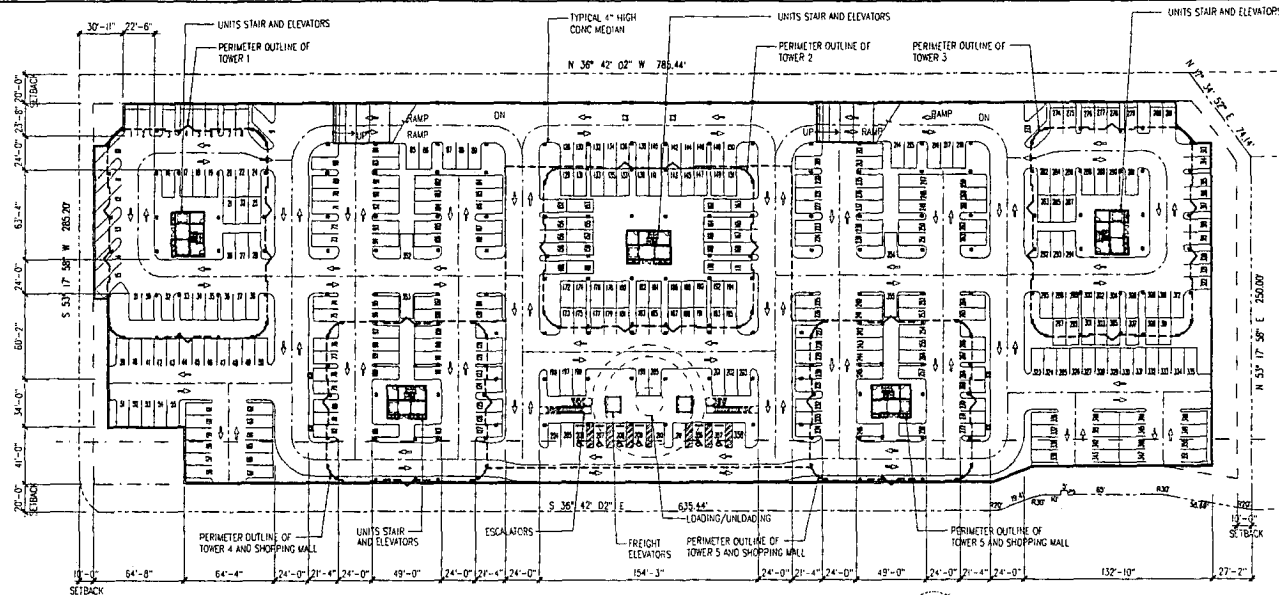
SUP-5111

SDR-5109

10-07-04 PC

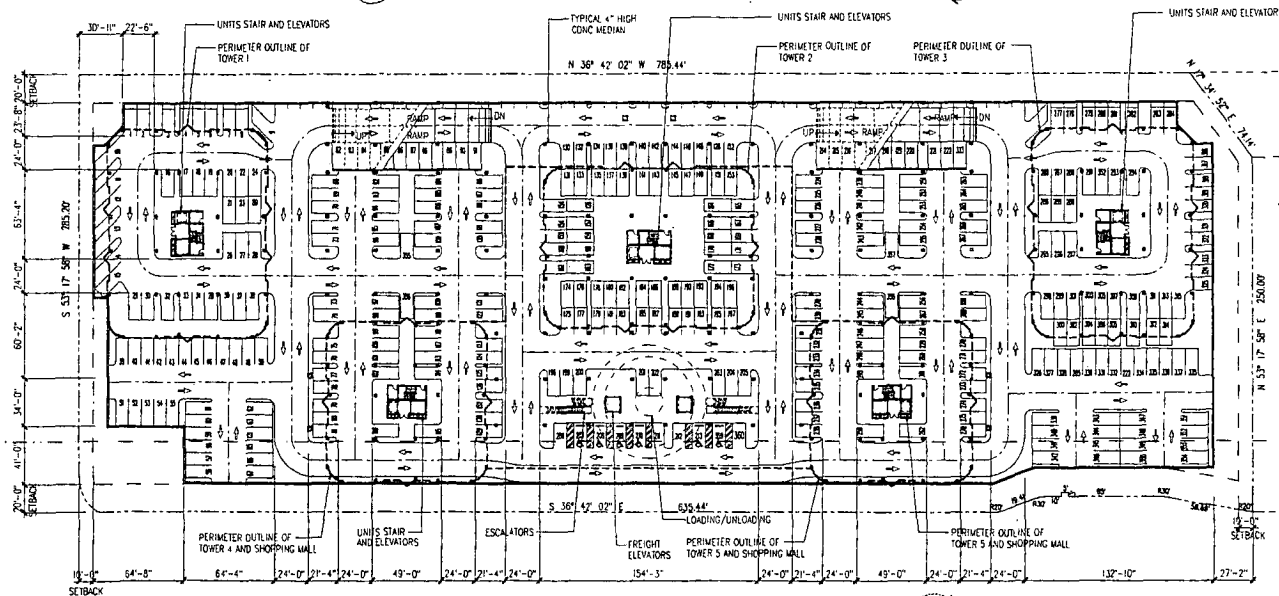
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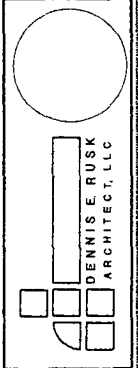
BASEMENT PARKING LAYOUT LEVEL 4
SCALE: 1" = 40'-0"



1

BASEMENT PARKING LAYOUT LEVEL 2 and 3
SCALE: 1" = 40'-0"

**VAR-5114
SUP-5111
SDR-5109
10-07-04 PC**



**BASEMENT PARKING LAYOUT LEVEL 2 and 3
BASEMENT PARKING LAYOUT LEVEL 4
PROPOSED SHOPPING MALL and
CONDOMINIUMS
RANCHO DRIVE
LAS VEGAS, NEVADA**

Revisions:

1	Issue for Review
2	Issue for Review
3	Issue for Review
4	Issue for Review
5	Issue for Review
6	Issue for Review
7	Issue for Review
8	Issue for Review
9	Issue for Review
10	Issue for Review

Date:	10-07-04
Drawn By:	PL12
Check By:	PL12
Issue By:	PL12

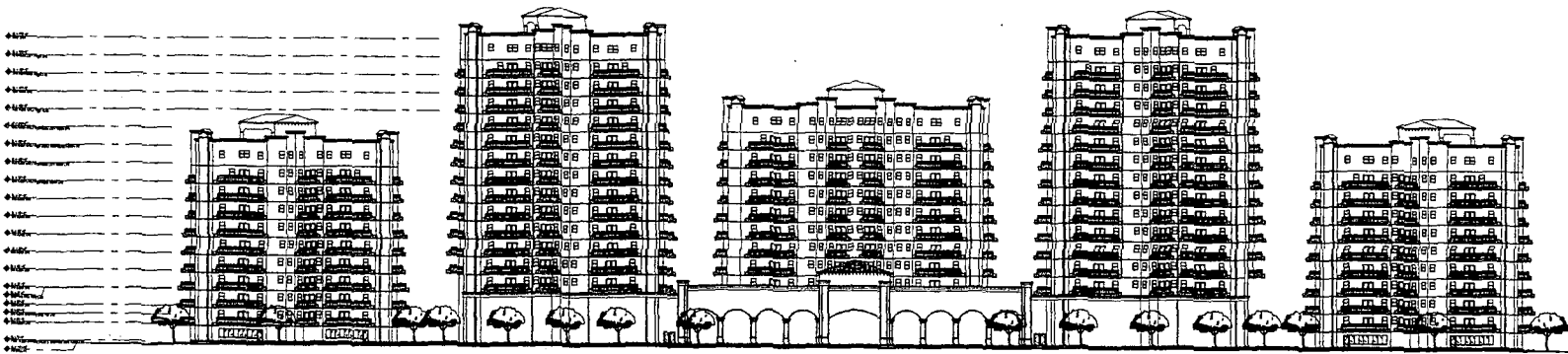
PL12

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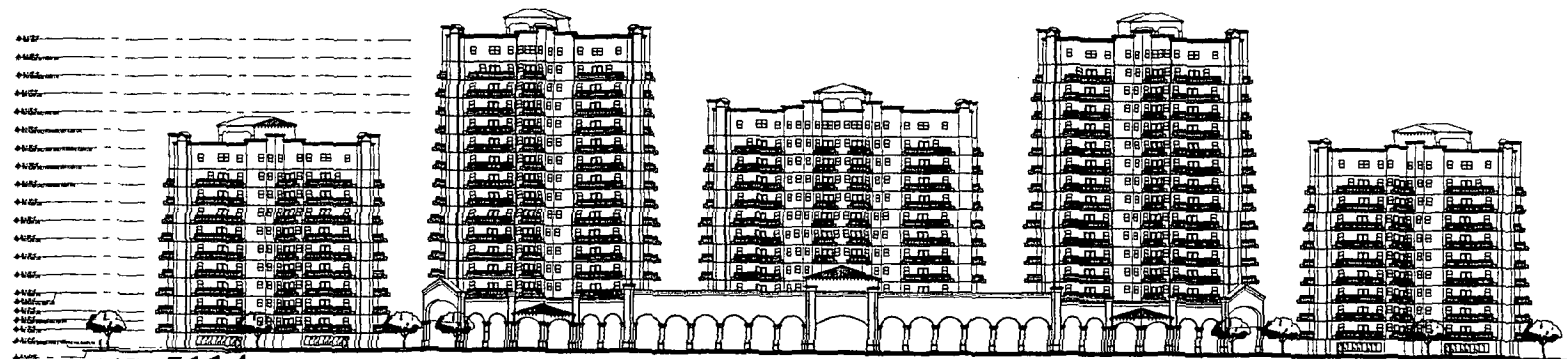
TYPICAL LEFT AND RIGHT SIDE ELEVATION

SCALE: 1/32" = 1'-0"



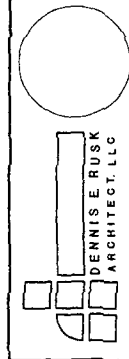
REAR ELEVATION

SCALE: 1/32" = 1'-0"



FRONT ELEVATION ALONG RANCHO DRIVE

SCALE: 1/32" = 1'-0"



BUILDING ELEVATIONS
PROPOSED SHOPPING MALL and
CONDOMINIUMS
RANCHO DRIVE
LAS VEGAS, NEVADA

REVISIONS
1. 08-09-04
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SDR-5109 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: OR
INVESTMENT GROUP, LLC
WEST SIDE OF RANCHO DRIVE, APPROXIMATELY 180 FEET SOUTH OF LAKE MEAD BOULEVARD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

CURRAN & PARRY
ATTORNEYS AT LAW

300 SOUTH FOURTH STREET
SUITE 1201
LAS VEGAS, NEVADA 89101

WILLIAM P. CURRAN
STANLEY W. PARRY
JOSHUA H. REISMAN
GLENN M. MACHADO

TELEPHONE
(702) 471-7000
FACSIMILE
(702) 471-7070
E-MAIL
curranparry@curranparry.com

October 11, 2004

Barbara Jo (Roni) Ronemus, City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

**Via Facsimile: 382-4803
& U.S. Mail**

Re: **Request to Appeal Planning Commission Decisions
October 7, 2004 Planning Commission Meeting
Item #48 (VAR-5114); Item #49 (SUP-5111); Item #50 (SDR-5109)**

Dear Mr. Ronemus:

On behalf of my client, OR Investment Group, LLC, I wish to appeal the Planning Commission decisions in the above referenced matters made on October 7, 2004, to the City Council.

Please contact me at the number or address listed above to notify me when the appeals will be heard before the City Council.

Thank you for your assistance.

Sincerely,



Bill Curran

WPC:cw

cc: Margo Wheeler, Department of Planning & Development
Dennis Rusk, AIA

2004 OCT 21 A 10:23

RECEIVED
CITY CLERK

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

BHP Developers & General Contractors

6370 Annie Oakley
Las Vegas, NV 89120

(702) 914-9480
Fax (702) 896-0690

September 28, 2004

Mr. Gary M. Leobold, Senior Planner
Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101
FAX # 385-7268

Reference: Planning Commission Meeting
October 7, 2004

Subject: Case # VAR-5114
Case # SDR-5109
Case # SUP-5111

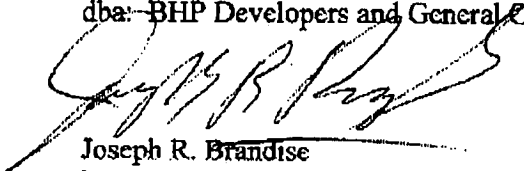
Dear Mr. Leobold:

We would like to Object to the above Case Requests as we believe the 32 Foot Rear Yard Setback is not appropriate next to our Rancho Lake Condominium project. The buildings they are proposing would invade the privacy of our potential Homeowners.

We also believe that an additional 504 Residential Condominium Units with heights up to 195 feet, per building would take away the view from our potential Homeowners.

If you could be of any assistance in this matter, it would be greatly appreciated.

Sincerely,
BHP Investors, LLC
dba: BHP Developers and General Contractors


Joseph R. Brandise
Managing Member

VAR-5114
SUP-5111
SDR-5109
P

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

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

SUBJECT:
VARIANCE

VAR-5202 - PUBLIC HEARING - APPLICANT/OWNER: KEVIN R. AND BARBARA SIPES - Request for a Variance TO ALLOW A 2.94 ACRE DEVELOPMENT WHERE 5 ACRES IS REQUIRED FOR A RESIDENTIAL PLANNED DEVELOPMENT on 2.94 acres adjacent to the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue (APN 138-12-601-005), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development – 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	3
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open for Item 115 [VAR-5202], Item 116 [ZON-5203] and Item 117 [SDR-5204].

LANDON CHRISTOPHERSON, 1000 North Green Valley Parkway, appeared on behalf of the applicant and concurred with all conditions.

MIKE MALONE, 3660 Thom Boulevard, appeared on behalf of Northwest Area Residents Association to oppose the project because the homes are planned to be on less than a quarter of an acre. Most area homes are on half and three-quarter acre lots. He would like to preserve the residential area. The much higher density will not suit the area well.

BRANDIE YELL, 4825 Martinelli Court, stated she moved to the street south of this project because of the large lots and she was disappointed to see this proposition.

EDWARD MALKIEWICZ, 4824 Martinelli Court, also opposed this project that would abut his property. He bought the home in 1985 because the area was zoned for minimum half-acre lots. There is nothing south of Gilmore similar to this proposal.

MR. CHRISTOPHERSON commented on negotiations with staff and noted a neighborhood meeting held that no one attended. They are restricting the homes to one-story for uniformity with the

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

MINUTES - Continued:

neighborhood. COUNCILMAN MACK announced he had never heard from opposing neighbors prior to this hearing. It would be ideal to have one-half acre homes but that is not likely given that the land abuts Decatur Boulevard nor would it be affordable. The price range proposed of approximately \$450,000 to \$500,000 contributes value to the neighborhood. There is R-1 zoning to the east, and R-2 provides a good, compatible buffer, especially with the landscaping and road separation. They did receive phone support for the project. COUNCILMAN MACK amended Condition 3 of Item 117 [SDR-5204] to read the setback of the development shall be 20 feet in the front, 30 feet in the rear, 10 feet on the side, 15 feet on the corner side. MR. CHRISTOPHERSON accepted the amended condition.

MAYOR PRO TEM REESE declared the Public Hearing closed for Item 115 [VAR-5202], Item 116 [ZON-5203] and Item 117 [SDR-5204].

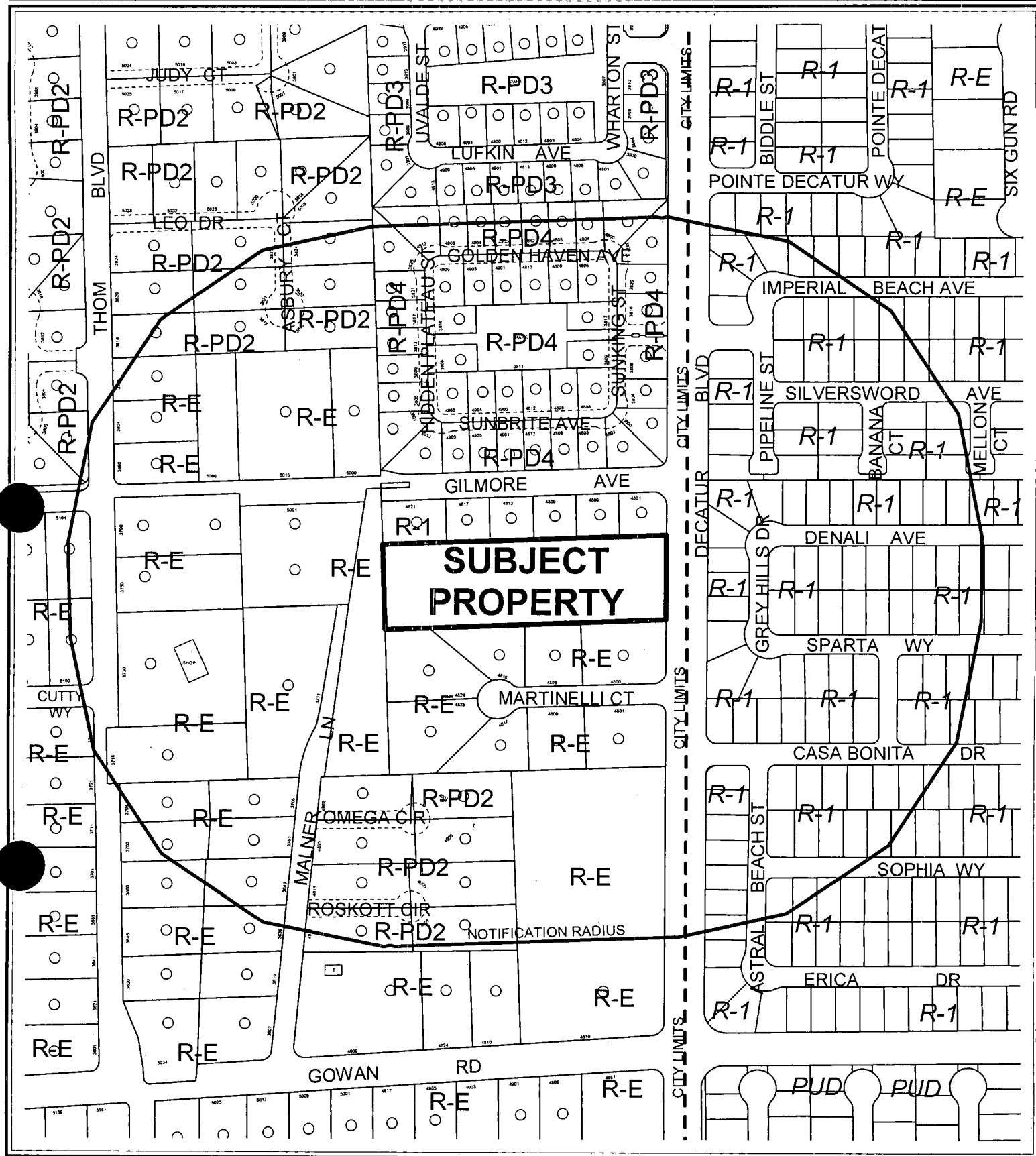
(1:53 - 2:02)

2-1617

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Rezoning (ZON-5203) and Site Development Plan Review (SDR-5204) approved by the City Council.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



CASE: VAR-5202

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet



115



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5202 - APPLICANT/OWNER: KEVIN R. AND BARBARA SIPES

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Rezoning (ZON-5203) and Site Development Plan Review (SDR-5204) approved by the City Council.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow the development of an R-PD (Residential Planned Development) zoning district on 2.94 acres, where 5.00 acres are the minimum required, adjacent to the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue.

B) Applicant's Justification

The applicant believes that development of any infill parcel is a benefit to maturing neighborhoods as it will ultimately reduce dust pollution, discourage illegal dumping and increase the tax base which promotes the public health, safety and general welfare of the community.

BACKGROUND INFORMATION

A) Previous Actions

There are no other past actions of the Planning Commission and City Council that pertain to the site.

10/21/04 The Planning Commission recommended approval of companion applications ZON-5203 and SDR-5204.

10/21/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #53/kcw).

B) Pre-Application Meeting

09/03/04 The following was discussed at the meeting.

- The proposal is for a single-family subdivision with a density of 3 DUA.
- Site is substandard for R-PD- needs a variance for a R-PD subdivision less than five acres
- The needs a GPA – from DR to Rural
- The needs a rezoning from R-E to R-PD3
- No open space needed since the subdivision will be less than 12 lots.
- Street alignment will need to meet DPW standards.
- Drainage study required- consult with Flood Control.
- Needs to consult with Traffic Engineering about any needed traffic mitigation.
- Public meeting for the GPA needs to be before September 21st.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.94

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-1 (Low Density Residential)
South: R-E (Residence Estates)
East: North Las Vegas
West: R-E (Residence Estates)

E) General Plan Compliance

The site is designated DR (Desert Rural Density Residential) on the Centennial Hills Interlocal Land Use Plan Map of the Centennial Hills Sector Plan of the General Plan. The proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning designation is in conformance with the General Plan designation of DR (Desert Rural Density Residential).

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

A) Zoning Code Compliance

A1) Development Standards

There are no development standards that relate to this request for a variance for a R-PD subdivision with an area less than 5 acres in size.

B) General Analysis and Discussion

This Variance will allow a R-PD development proposed at the northwest corner of Smoke Ranch Road and Michael Way to be located on a parcel of 2.45 acres, where the site area of 5.00 acres is the minimum required by Title 19.04.040.

FINDINGS

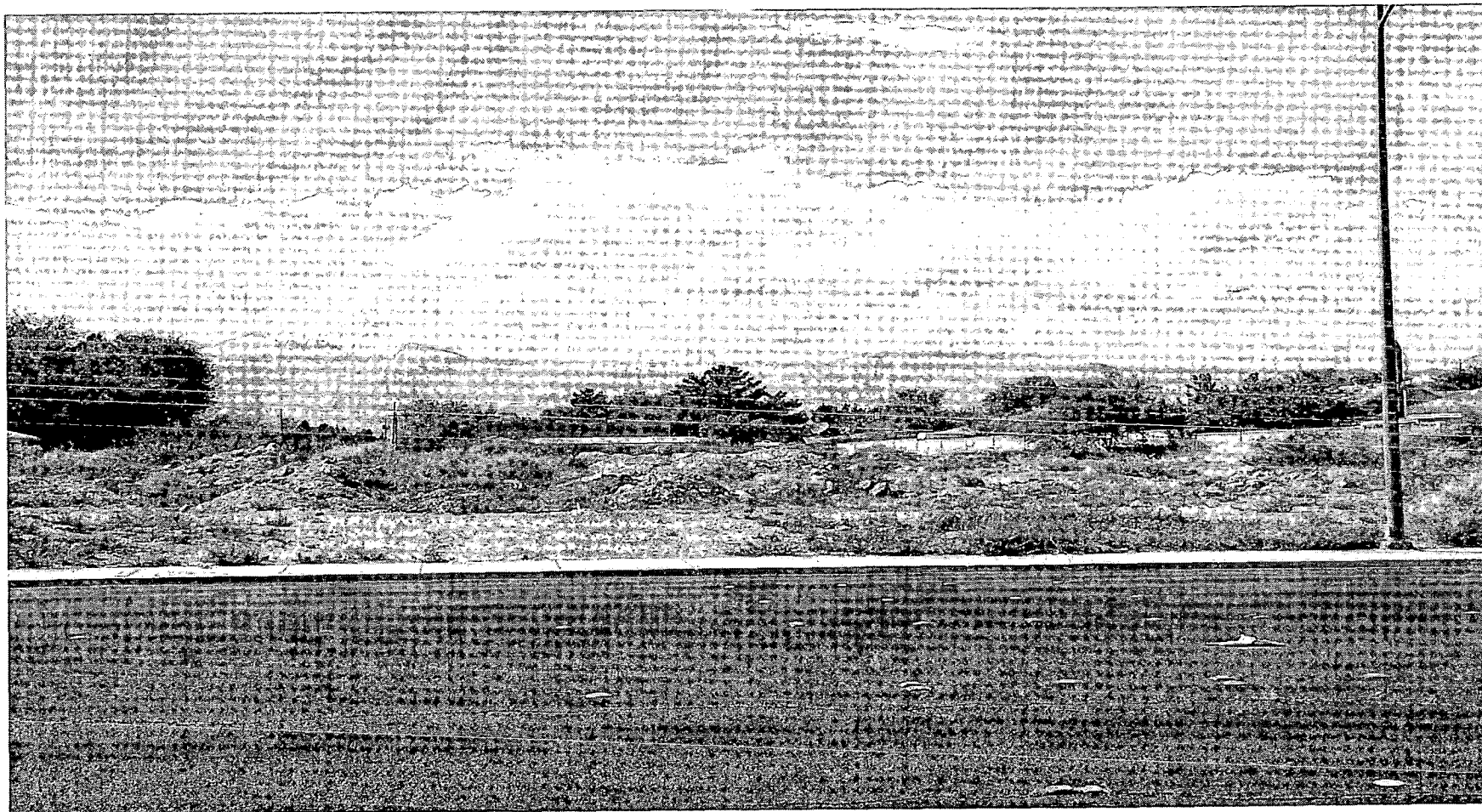
The subject site is a lot with a narrow front that has a residential subdivision to north and south. The applicant is planning lots similar in size to what exists around it. Because of the narrowness of the front the site would be a difficult one to develop as a multi lot subdivision. The design results in a development of similar density to the existing development around it but because of the narrowness of the lot the site would not be developable with the standard setbacks of rural lots. With the R-PD (Residential Planned Development) proposal the applicant has been able to come up with an efficient design. Because of the constraints of site an approval of this variance request is recommended.

NOTICES MAILED 223 by City Clerk

APPROVALS 0

PROTESTS 3

STATEMENT OF FINANCIAL INTEREST



VAR-5202 - APPLICANT/OWNER: KEVIN R. AND BARBARA SIPES
WEST SIDE OF DECATUR BOULEVARD, APPROXIMATELY 100 FEET SOUTH OF GILMORE AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/04/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

REZONING RELATED TO VAR-5202

ZON-5203 - PUBLIC HEARING - APPLICANT/OWNER: KEVIN R. AND BARBARA SIPES - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 2.94 acres adjacent to the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue (APN 138-12-601-005), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	3
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

NOTE: See Item 115 [VAR-5202] for related discussion.
(1:53 - 2:02)
2-1617

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. Variance (VAR-5202) to allow a 2.94 acre R-PD development and Site Development Plan Review application (SDR-5204) for a seven lot single family subdivision approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

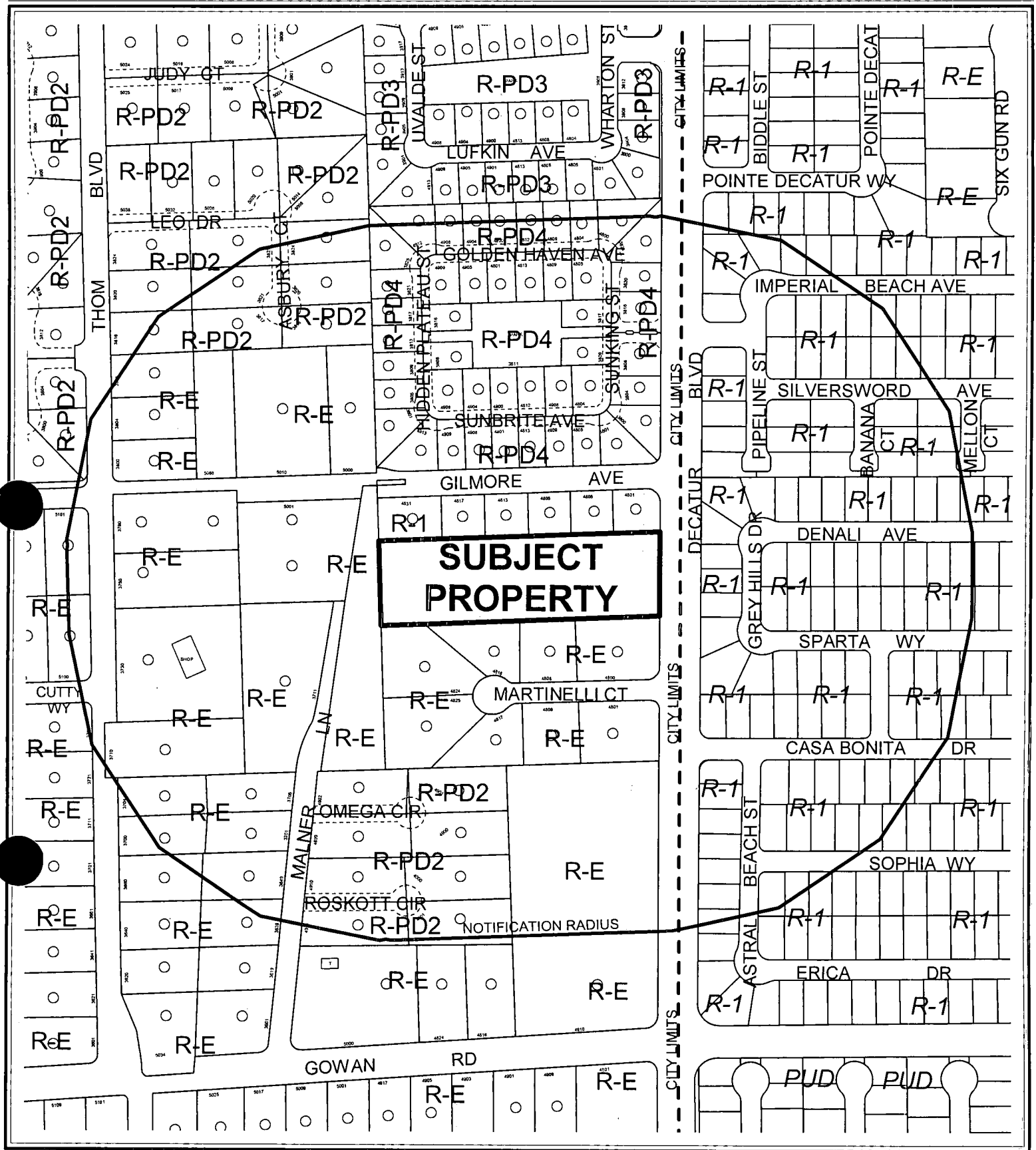
3. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
4. Provide public sewer easements for all public sewers not located within existing public street right-of-way 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

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

CONDITIONS - Continued:

been granted to the City.

5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



CASE: ZON-5203

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

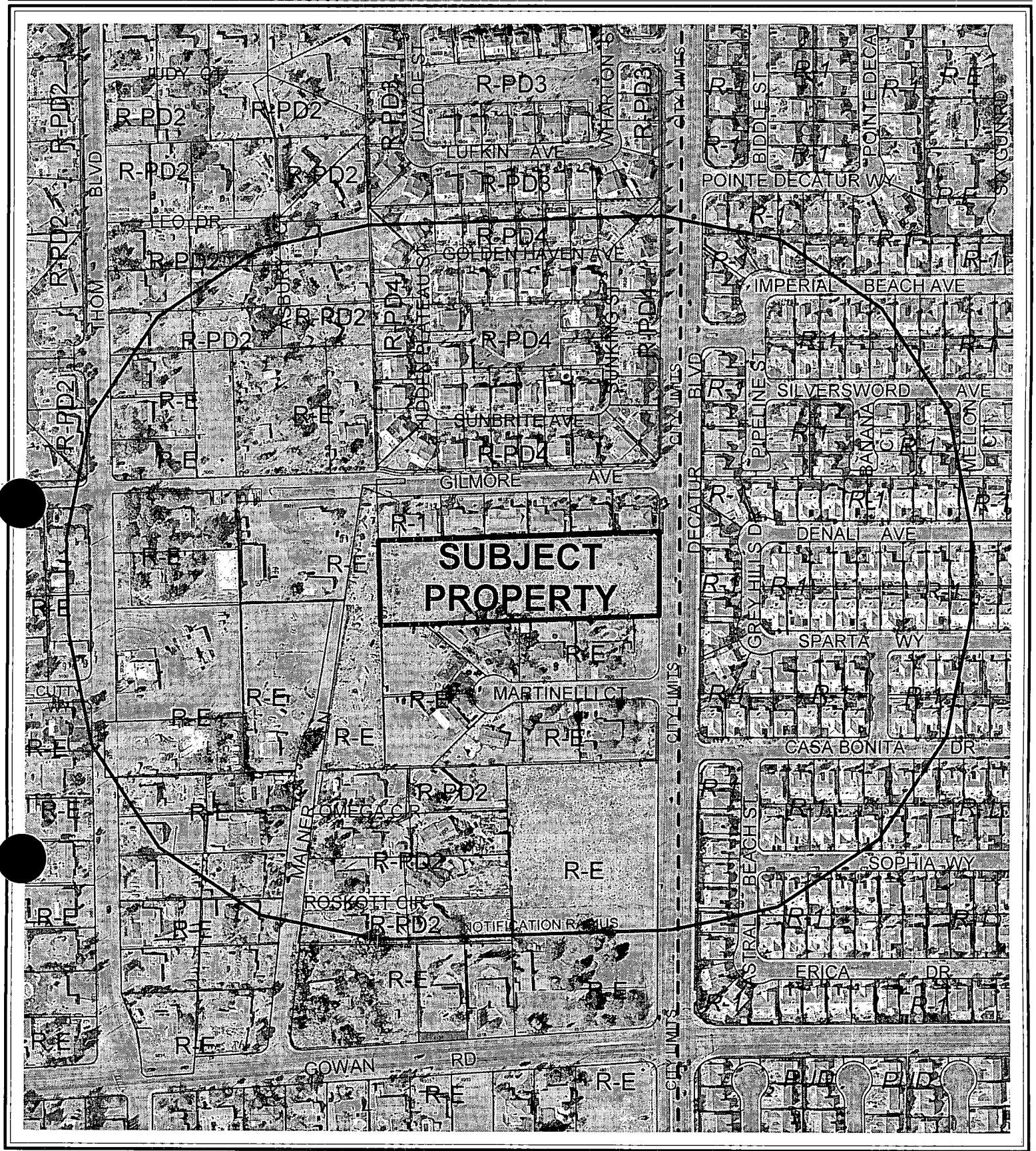
PROPOSED ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet

116





CASE: ZON-5203

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-5203 - APPLICANT/OWNER: KEVIN R. AND BARBARA SIPES

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. Variance (VAR-5202) to allow a 2.94 acre R-PD development and Site Development Plan Review application (SDR-5204) for a seven lot single family subdivision approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. 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.
4. 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.
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Rezoning to R-PD2 (Residential Planned Development – 2 Units Per Acre) for a 7 lot single-family development located adjacent to the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue.

B) Applicant's Justification

The applicant believes that development of any infill parcel is a benefit to maturing neighborhoods as it will ultimately reduce dust pollution, discourage illegal dumping and increase the tax base which promotes the public health, safety and general welfare of the community.

BACKGROUND INFORMATION

A) Actions

There are no previous actions of the Planning Commission and City Council that pertain to this site.

10/21/04 The Planning Commission recommended approval of companion applications ZON-5203 and SDR-5204.

10/21/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #54/kcw).

B) Pre-Application Meeting

09/03/04 The following was discussed at the meeting.

- The proposal is for a single-family subdivision with a density of 3 DUA.
- Site is substandard for R-PD- needs a variance for a R-PD subdivision less than five acres
- The needs for a GPA – from DR to Rural
- The needs for a rezoning from R-E to R-PD3
- No open space needed since the subdivision will be less than 12 lots.
- Street alignment will need to meet DPW standards.
- Drainage study required- consults with Flood Control.
- Needs to consult with Traffic Engineering about any needed traffic mitigation.
- Public meeting for the GPA needs to be held before September 21st.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.94

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-1 (Single Family Residential)
South: R-E (Residence Estates)
East: North Las Vegas
West: R-E (Residence Estates)

E) General Plan Compliance

The site is designated DR (Desert Rural Density Residential) on the Centennial Hills Interlocal Land Use Plan Map of the Centennial Hills Sector Plan of the General Plan. The proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning designation is in conformance with the General Plan designation of DR (Desert Rural Density Residential).

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

A) Zoning Code Compliance

The design of the proposed single-family development, including lot size, setbacks and building heights, will be addressed with the companion Site Development Plan Review application.

B) General Analysis and Discussion

The applicant is proposing the R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning in order to construct a seven lot single-family residential development on this site. The site has a narrow front on Decatur Boulevard and extends approximately 800 feet from the street.

There is existing R-1 (Single Family Residential) development to the north and R-E (Residence Estates) development to the south. The smallest of the lots is larger than the 11,000 square feet required in the R-D zoning district. The density of the proposal is 2.38 Dwelling Units Per Acre (DUA), less than the 2.49 DUA that is the maximum of the site's Desert Rural Land Use designation. The density is in harmony with the Desert Rural development to south and west and can act as a transition from the R-1 (Single Family Residential) development to the north to the rural to the south.

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 site is designated DR (Desert Rural Density Residential) on the Centennial Hills Sector Land Use Plan Map of the General Plan. The proposed R-PD2 (Residential Planned Development - 2 Units Per Acre) Zoning designation at a maximum gross density of 2.49 units per acre is in conformance with the General Plan.

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

The proposed single-family development on this site is similar in density to other residential development in this area. The proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning will be compatible with surrounding land uses and zoning districts.

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

The R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning on the subject site is an appropriate transition from the R-1 (Single Family Residential) to the north of the site and the R-E (Residence Estates) and R-PD2 (Residential Planned Development – 2 Units Per Acre) properties to the south and west.

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.”**

Access to this site is provided from Decatur Boulevard, a 100-foot wide primary arterial on the Master Plan of Streets and Highways. The proposed development of the site will be sufficiently served by existing roadway facilities.

NOTICES MAILED 221 by Planning Department

APPROVALS 0

PROTESTS 3

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-5203** APN: 138-12-601-005

Name of Property Owner: KEVIN R. & BARBARA SIPES

Name of Applicant: KEVIN R. SIPES

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

Yes ☐ No ☒

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

City Official: _____

Partner(s): _____

APN: _____

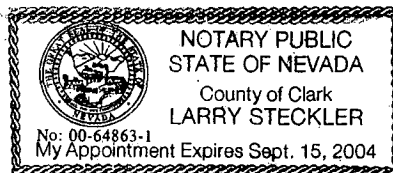
Signature of Property Owner/Authorized Agent: _____

Print Name: KEVIN R. SIPES

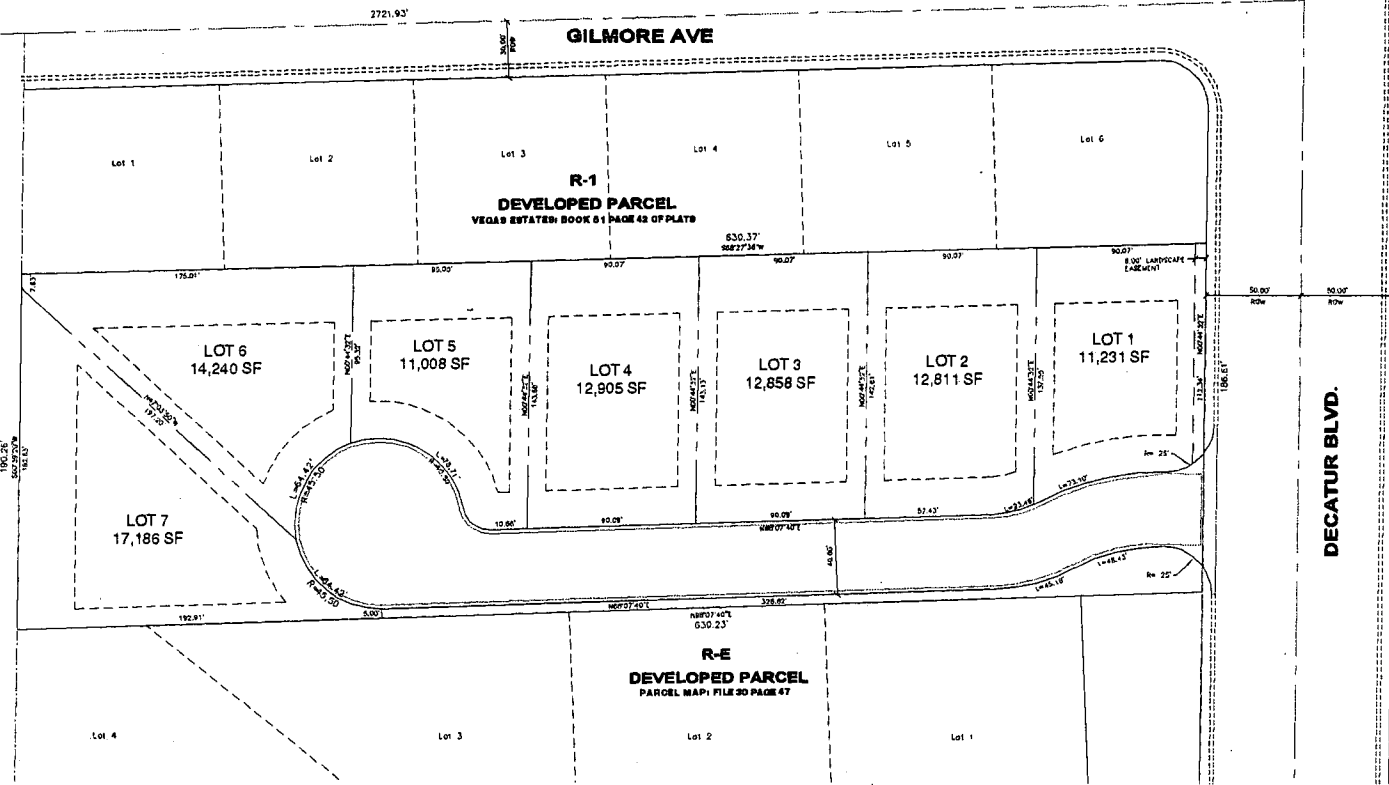
Subscribed and sworn before me

This 7th day of SEPTEMBER, 2004

Notary Public in and for said County and State



R-E
UNDEVELOPED PARCEL



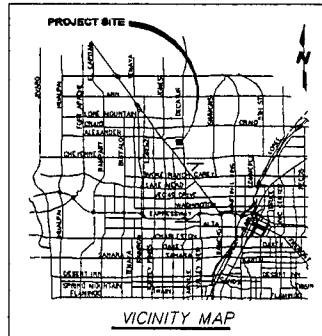
R-1
DEVELOPED PARCEL



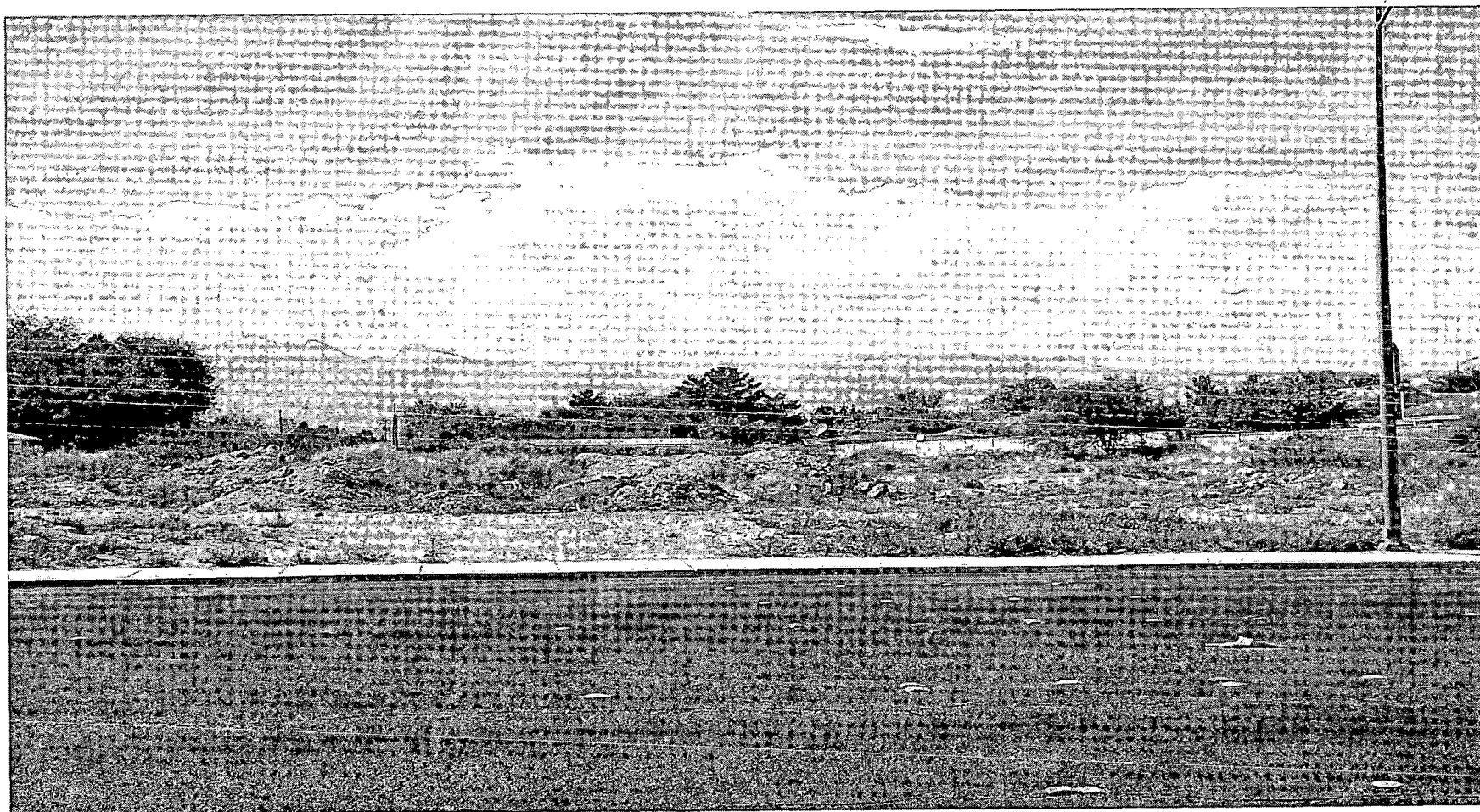
BASIS OF BEARING
N00°44'32"E, being the East line of the NE 1/4 of Section 12, Township 20 South, Range 40 East N.M.S. As per Record of Survey File 121 Page 04 City of Las Vegas, Clark County, Nevada records.

PROJECT INFORMATION	
PARCEL SIZE:	2.72 +/- NET ACRES 2.84 +/- GROSS ACRES
AVERAGE LOT SIZE:	12,888 S.F.
ZONING:	EXISTING: R-E PROPOSED: R-PDS
LANDSCAPE AREA:	5' ALONG DECATUR BLVD.
MINIMUM SETBACKS:	FRONT - 20' REAR - 30' SIDE - 10' TO 15'

LEGEND	
---	1. CURB & GUTTER, SH, CONC
---	2. PROPERTY LINE
---	3. CENTERLINE
---	4. RIGHT OF WAY
---	5. LOT LINE
---	6. SET BACK LINE
---	7. EASEMENT LINE
---	8. ASPHALT CONCRETE
---	9. CABLE / TELEVISION
---	10. CONCRETE
---	11. BRICKWORK
---	12. ELEC
---	13. EP
---	14. EXISTING
---	15. FINISHED FLOOR
---	16. FINISHED GRADE
---	17. FLOW LINE
---	18. FENCE
---	19. GROUND BREAK
---	20. HIGH POINT
---	21. INVERT
---	22. LINEAR FEET
---	23. MAXIMUM
---	24. MINIMUM
---	25. NATURAL GROUND
---	26. POLYMER CONCRETE
---	27. STA
---	28. SEWER
---	29. TOP BACK OF CURB
---	30. TOP OF MANHOLE
---	31. WATER METER
---	32. WATER



VALIENTE DEVELOPMENT		3700 NORTH DECATUR APN # 138-12-601-005		SITE PLAN	
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9/4/04		9/4/04		9/4/04	
DRAWN BY		DATE		DATE	
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9/4/04		9/4/04		9/4/04	
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9/4/04		9/4/04		9/4/04	
DRAWN BY		DATE		DATE	
LIC		LIC		LIC	
9/4/04		9/4/04		9/4/04	
CHECKED BY		DATE		DATE	
LIC					



ZON-5203 - APPLICANT/OWNER: KEVIN R. AND BARBARA SIPES
WEST SIDE OF DECATUR BOULEVARD, APPROXIMATELY 100 FEET SOUTH OF GILMORE AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/04/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5202 AND ZON-5203

SDR-5204 - PUBLIC HEARING - APPLICANT/OWNER: KEVIN R. AND BARBARA SIPES - Request for a Site Development Plan Review FOR A PROPOSED 7 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 2.94 acres adjacent to the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue (APN 138-12-601-005), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre)], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	3
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	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 amended Condition 3 as read for the record as follows:

3. The setbacks for the development shall be 20 feet in the front, 30 feet in the rear, 10 feet on the side and 15 feet on the corner side.

- UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

NOTE: See Item 115 [VAR-5202] for related discussion.

(1:53 - 2:02)

2-1617

CONDITIONS:

Planning and Development

1. A Rezoning application (ZON-5203) to R-PD2 (Residential Planned Development - 2 Units Per Acre) and a Variance application (VAR-5202) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity four the site.
2. This Site Development Plan Review pursuant to revised plans date stamped 9/28/04 except as amended herein shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The setbacks for this development shall be 20 feet in the front, 30 feet in the rear, 10 feet on the side and 15 feet on the corner side. The building height shall not exceed two stories or 35 feet, whichever is less.

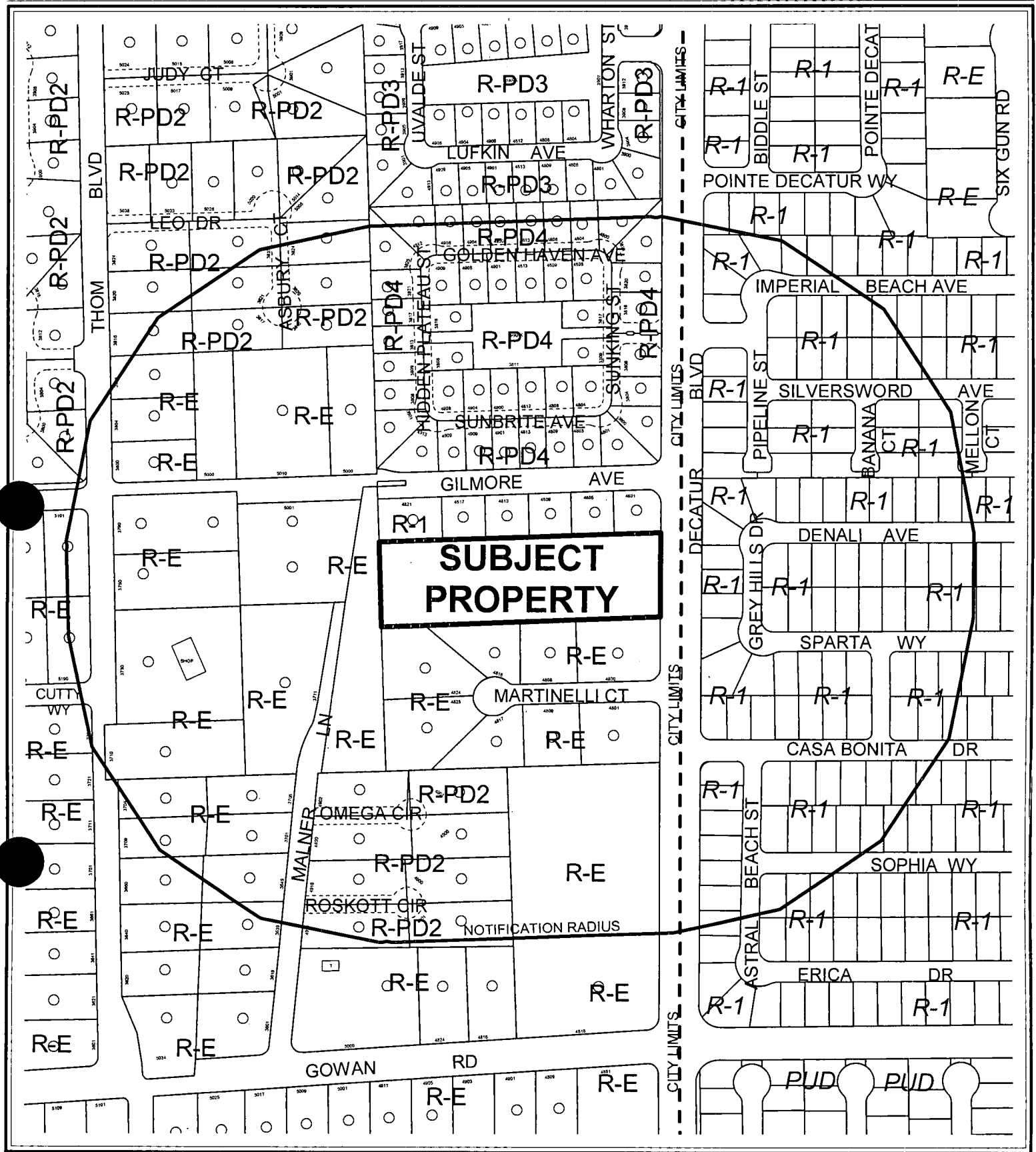
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

CONDITIONS - Continued:

4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
5. All dwellings shall be limited to one story in height.
6. The applicant shall provide a minimum of five feet of landscaping along the north side of the south perimeter wall, adjacent to and along the length of the private street.

Public Works

7. Gated entries, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
8. A Homeowners 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.
9. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
10. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON 5203 and all other subsequent site related actions.
11. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
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 a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.



CASE: SDR-5204

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet



117



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5204 - APPLICANT/OWNER: KEVIN R. AND BARBARA SIPES

**** CONDITIONS ****

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

Planning and Development

1. A Rezoning application (ZON-5203) to R-PD2 (Residential Planned Development – 2 Units Per Acre) and a Variance application (VAR-5202) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity four the site.
2. This Site Development Plan Review pursuant to revised plans date stamped 9/28/04 except as amended herein shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The setbacks for this development shall be 20 feet in the front, 30 feet in the rear, 10 feet on the side and 15 feet on the corner side. The building height shall not exceed two stories or 35 feet, whichever is less.
4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
5. All dwellings shall be limited to one story in height.
6. The applicant shall provide a minimum of five feet of landscaping along the north side of the south perimeter wall, adjacent to and along the length of the private street.

Public Works

7. Gated entries, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
8. A Homeowners 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.
9. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
10. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5203 and all other subsequent site-related actions.

11. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
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 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 request is for a Site Development Plan Review for a 7 lot single-family development located adjacent to the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue.

B) Applicant's Justification

The applicant believes that development of any infill parcel is a benefit to maturing neighborhoods as it will ultimately reduce dust pollution, discourage illegal dumping and increase the tax base which promotes the public health, safety and general welfare of the community.

BACKGROUND INFORMATION

A) Actions

There are no previous actions of the Planning Commission and City Council that pertain to this site.

10/21/04 The Planning Commission recommended approval of companion applications ZON-5203 and VAR-5202.

10/21/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #55/kcw).

B) Pre-Application Meeting

09/03/04 The following was discussed at the meeting.

- The proposal is for a single-family subdivision with a density of 3 DUA.
- Site is substandard for R-PD needs a variance for a R-PD subdivision less than five acres
- This needs a GPA – from DR to Rural
- This needs a rezoning from R-E to R-PD3
- No Open space needed since the subdivision will be less than 12 lots.
- Street alignment will need to meet DPW standards.
- Drainage study required- consults with Flood Control.
- Needs to consult with Traffic Engineering about any needed traffic mitigation.
- Public meeting for the GPA needs to be held before September 21.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.94

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Development
South: Single Family Development
East: Single Family Development
West: Single Family Development, Undeveloped

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-1 (Single Family Residential)
South: R-E (Residence Estates)
East: North Las Vegas
West: R-E (Residence Estates)

E) General Plan Compliance

The site is designated DR (Desert Rural Density Residential) on the Centennial Hills Interlocal Land Use Plan Map of the Centennial Hills Sector Plan of the General Plan. The proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning designation is in conformance with the General Plan designation of DR (Desert Rural Density Residential).

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

PROJECT DESCRIPTION

The site plan depicts a seven lot, single-family residential development, with lot sizes ranging from 11,231 to 17,186 square feet. Access to the lots from Decatur Boulevard is provided by a 40-foot wide private street. The proposed setbacks on the plan are 20 feet in the front, 30 feet in the rear, 10 feet on the side and 15 feet on the corner side. The elevations depict one-story single-family residences with stucco exteriors and tile roofs. The floor plans indicate the dwellings will range in sizes from 2,400 to 2,750 square feet.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Proposed	Acceptable
Minimum Lot Size	11,231 SF	Y
Min. Setbacks		
• Front	20 Feet	Y
• Side	10 Feet	Y
• Corner Side	15 Feet	Y
• Rear	30 Feet	Y
Max. Building Height	2 Stories / 35 Feet	Y

The proposed lot sizes, setbacks and building height are appropriate for a development of this type.

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	N/A	N/A	
Buffer:			
• Min. Trees	1 Trees/ 30 Linear Feet	7 Trees	7 Trees
• Min. Zone Width	6 Feet		6 Feet
• Wall height	6 Feet		Not Shown

The proposal meets the requirements of the Urban design Guidelines and Standards.

The Open Space Standards Pursuant to Title 19.06 do not apply to the subject proposal as the subdivision has less than twelve lots.

B) General Analysis and Discussion

- Zoning

The proposed 7 lot single-family development at a density of 2.38 dwelling units per acre is allowed in the R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning district.

- Site Plan

The proposed site plan presents an appropriate layout for this development and a efficient use of the constrained development envelope. The density and lot sizes ranging from 11,231 to 17,186 square feet are compatible with the surrounding development and in compliance with the General Plan and Zoning Code.

- Waivers

There are no waivers that are associated with this proposal.

- Landscape Plan

The landscaping conforms to Title 19 and the Urban Design Guidelines.

- Elevation

The proposed building elevations depicting single story single-family dwellings are appropriate for a development of this type.

- Floor Plan

The proposed floor plans depict single-family dwellings that are appropriate for a development of this type.

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 seven lot single-family development is appropriate and compatible with adjacent development in the area.

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

The proposed project is consistent with the General Plan, Title 19 and the Residential Development Standards.

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

The site will have access to Decatur Boulevard, a 100-foot primary arterial, which is adequate to provide access to serve the proposed development. The site access and on-site circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

The building and landscape materials are common for a development of this type and are appropriate as proposed.

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 elevations depicting single story single-family dwellings are appropriate for a development of this type and compatible with development in the area.

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

The proposed development will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

PLANNING COMMISSION ACTION

The Planning Commission added Conditions #5 and 6.

NOTICES MAILED 221 by Planning Department

APPROVALS 0

PROTESTS 3

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SDR-5204

Case Number: _____ APN: 138-12-601-005

Name of Property Owner: KEVIN R. & BARBARA SIPES

Name of Applicant: KEVIN R. SIPES

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

_____ Yes _____ X No

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

City Official: _____

Partner(s): _____

APN: _____

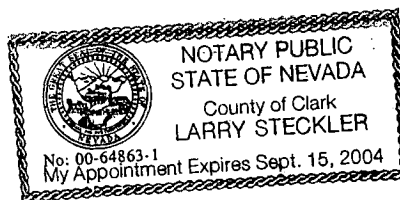
Signature of Property Owner/Authorized Agent: _____

Print Name: KEVIN R. SIPES

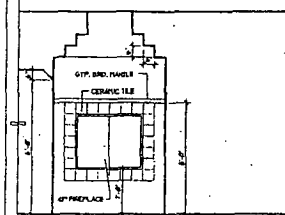
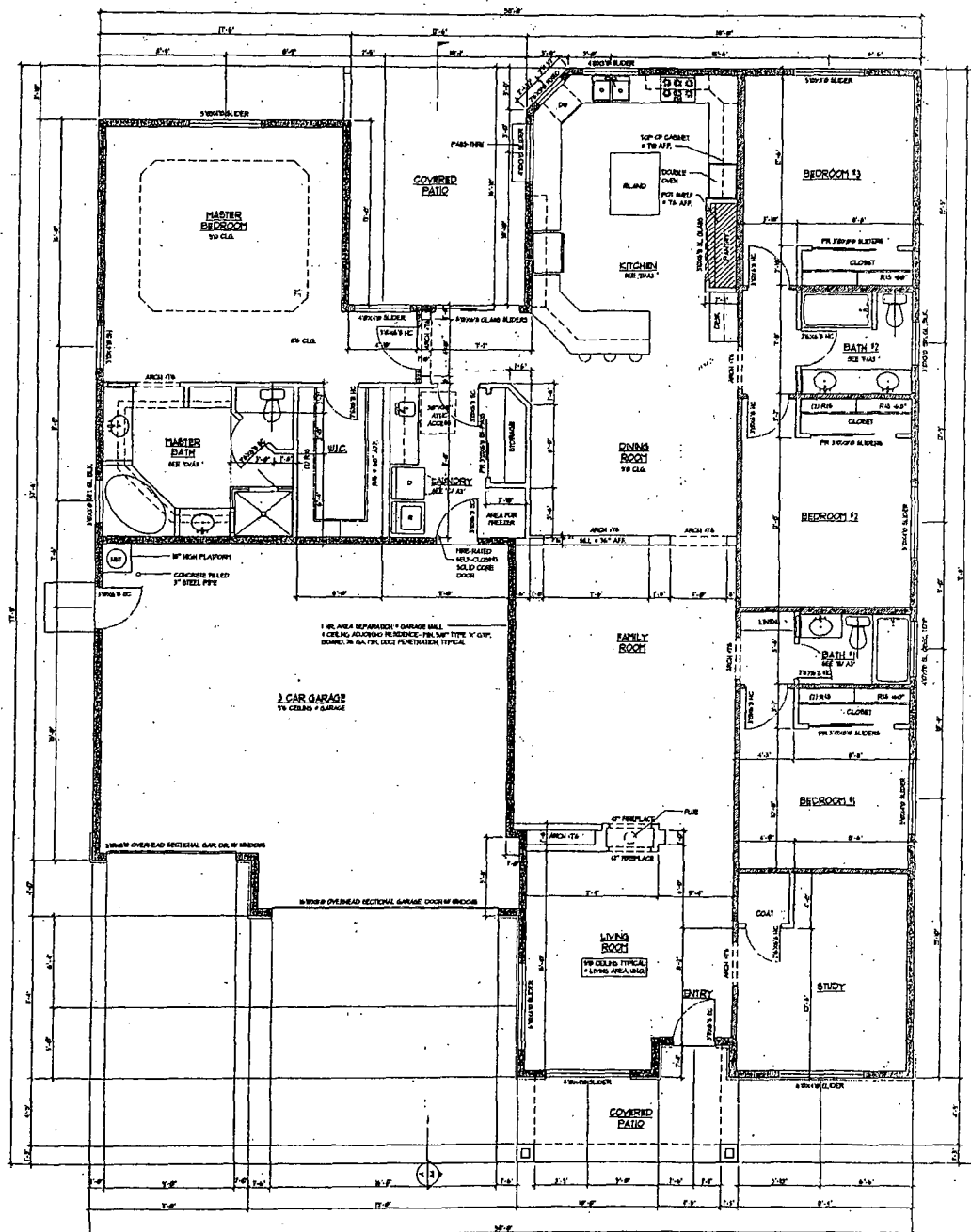
Subscribed and sworn before me

This 7th day of SEPTEMBER, 2004

Larry Steckler
Notary Public in and for said County and State



SDR-5204
10/21/04 PC



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

RECEIVED
SEP 7 2004

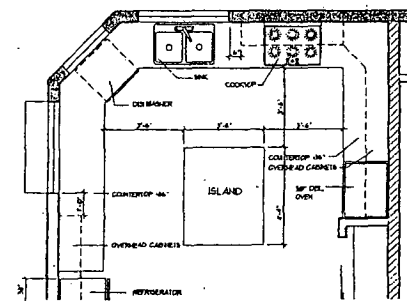
AREAS	
LIVING AREA:	734 SF
GARAGE:	730 SF
COVERED PORCH / PATIO:	312 SF
TOTAL BUILDING AREA:	3804 SF

NOTES

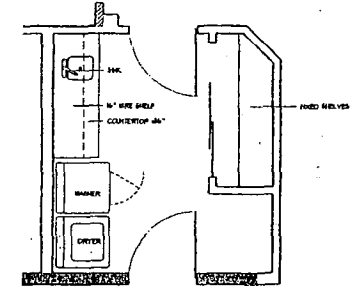
1. ALL GUTTER AND OUTSIDE CORNER TO BE FINISHED.
2. APPLY BRUSHED COPPER FINISH TO ALL INTERIOR WALL SURFACES. 1/2" B. WALLS + SUBFLOORS TO HAVE COPPER FINISH. EXTERIOR WALLS TO HAVE BRUSHED COPPER FINISH.
3. ALL WALLS BY FINISHING PROVIDER TO HAVE 5/8" X 3/4" X 1/2" COPPER FINISH.
4. LIVING AREA CEILING TO HAVE 1/2" B. INSULATION.
5. GARAGE CEILING TO HAVE 1/2" B. INSULATION.
6. GARAGE WALLS TO HAVE 1/2" B. INSULATION.
7. LIVING AREA EXTERIOR WALLS TO HAVE 1/2" B. INSULATION.
8. EXTERIOR WALLS TO HAVE 3 COAT BRUSHED COPPER FINISH.

WALL LEGEND

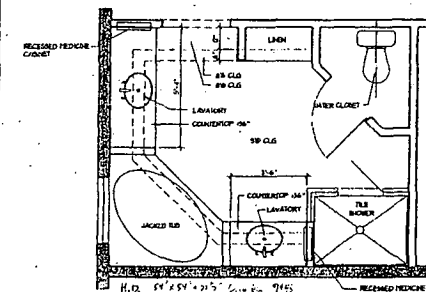
- FINISHING
- ALL EXTERIOR WALLS TO BE 1/2" X 1/2" X 1/2" COPPER FINISH.
- ALL INTERIOR WALLS TO BE 1/2" X 1/2" X 1/2" COPPER FINISH.
- METRIC (ROUND) WALLS TO BE 1/2" B. INSULATION + 1/2" X 1/2" X 1/2" COPPER FINISH.



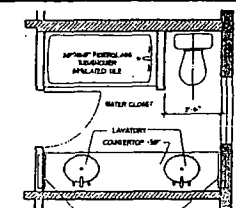
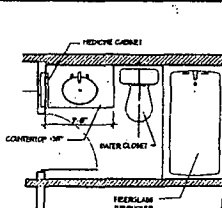
KITCHEN PLAN
SCALE: 1/4" = 1'-0"



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



MASTER BATH PLAN
SCALE: 1/4" = 1'-0"



NOTE: THE OWNER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND AUTHORIZATIONS. THE OWNER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND AUTHORIZATIONS. THE OWNER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND AUTHORIZATIONS.

OWNER / BUILDER

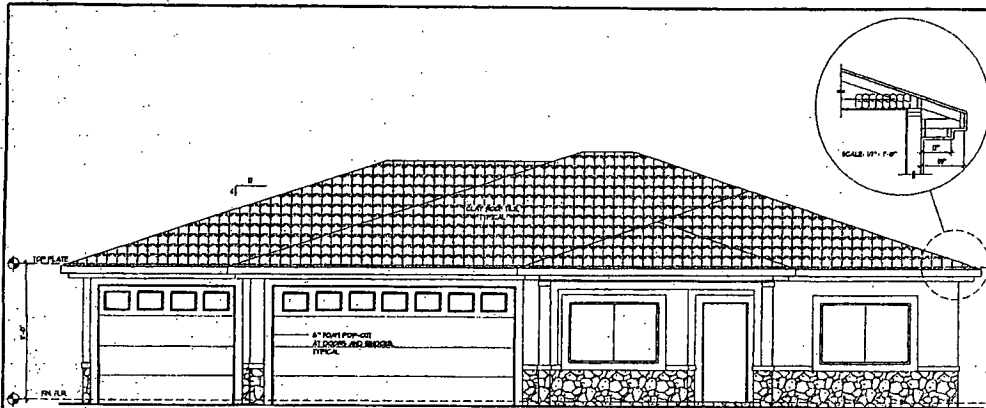
FLOOR PLAN

Custom Residence for
Kevin and Barbara Sides

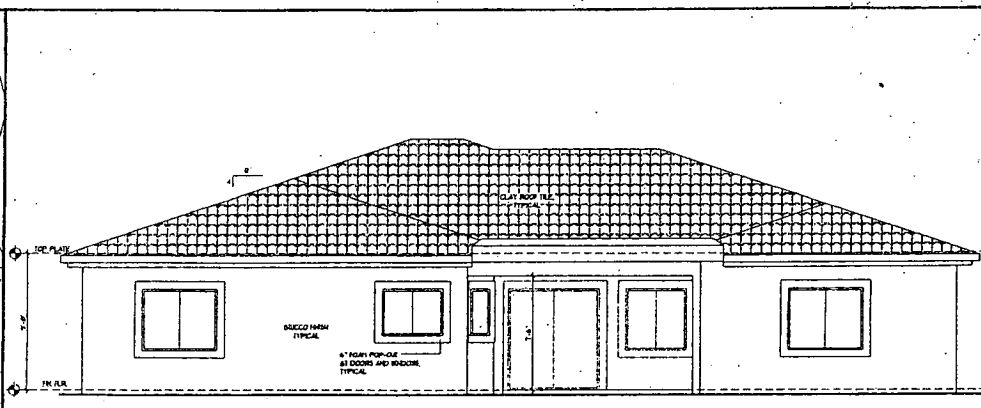
9/10/03
SHEET No

A3

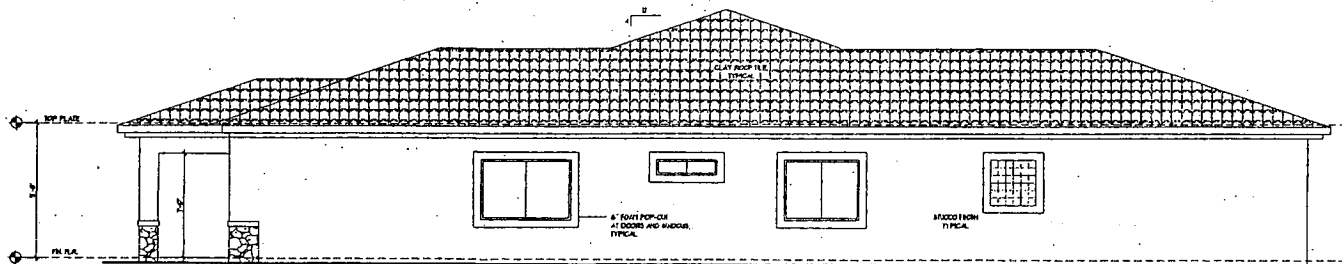
SDR-5204
10/21/04 PC



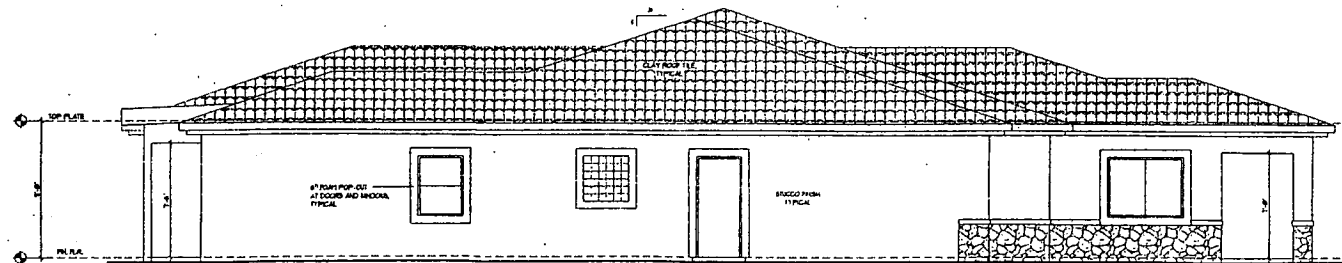
FRONT ELEVATION



REAR ELEVATION



RIGHT SIDE ELEVATION



RECEIVED
SEP 7 2004

NOTE:
THE ORDER IS RESPONSIBLE
TO OBTAIN ANY AND ALL
PERMISSIONS AND/OR LEGAL
AUTHORIZATIONS THAT MAY
BE REQUIRED DUE TO COPYRIGHT
PROTECTION OF THESE PLA-
SPECIFICATIONS AND DESIGNS.

Category Name _____

(Please Print) Contractor Identification and Number On Order _____

These items are prepared and submitted by the contractor as shown at an example to HHS 832,330 and used only contractor's format (8 applicable) excepted under HHS 824.

OWNER / BUILDER

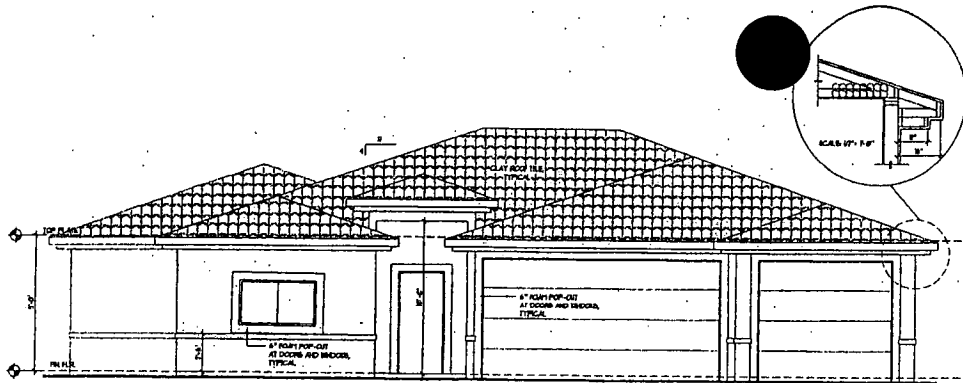
EXTERIOR ELEVATIONS

Custom Residence for
Kevin and Barbara Sipes
A RMI
Los Vegas, Nevada

9/11/03

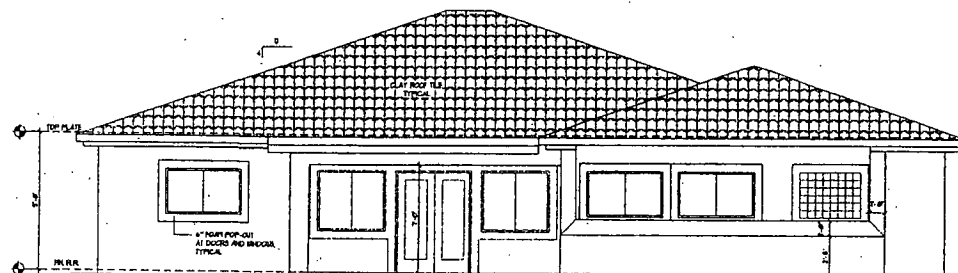
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A2



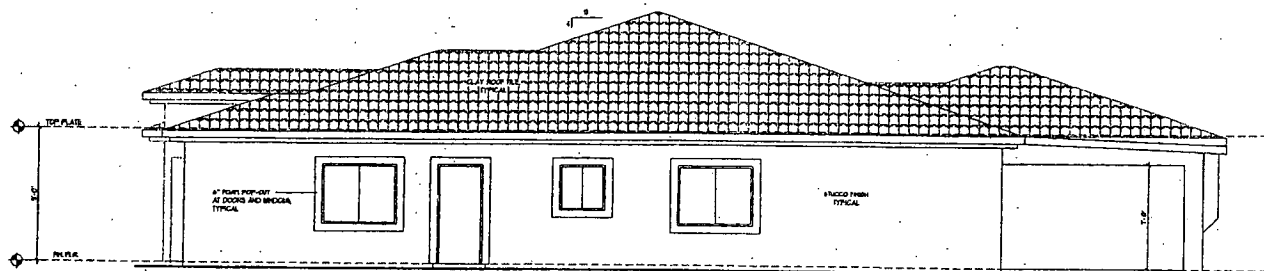
FRONT ELEVATION 'A'

SCALE 1/4\"/>



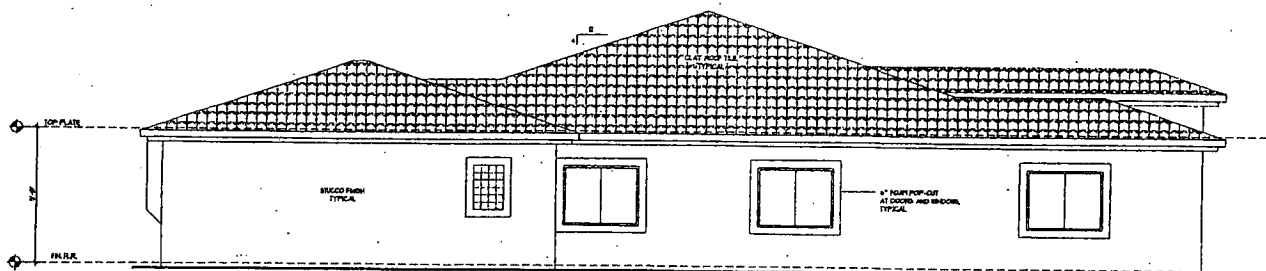
REAR ELEVATION 'A'

SCALE 1/4\"/>



RIGHT SIDE ELEVATION 'A'

SCALE 1/4\"/>



LEFT SIDE ELEVATION 'A'

SCALE 1/4\"/>

TO OBTAIN ANY AND ALL
PERMISSIONS AND/OR LEGAL
AUTHORIZATIONS THAT HAVE
BEEN REQUIRED DUE TO CARRYING
PROTECTION OF THESE PLANS
SPECIFICATIONS AND DESIGN

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AUTHORIZATIONS THAT HAVE
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PROTECTION OF THESE PLANS
SPECIFICATIONS AND DESIGN

OWNER / BUILDER

Plan 2 - 2364

EXTERIOR ELEVATIONS
CUSTOM RESIDENCE FOR

LAS VEGAS, NEVADA

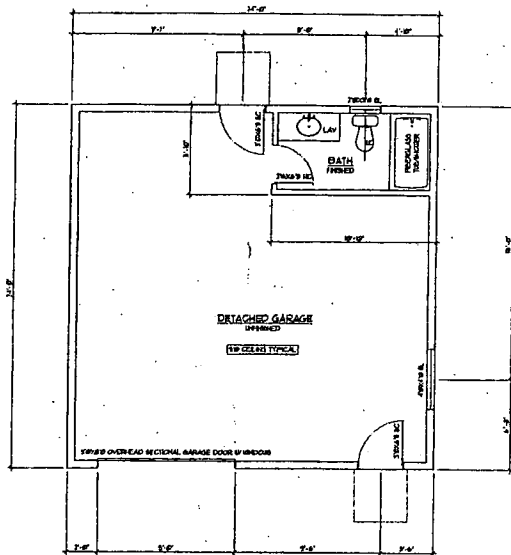
7/7/03

SHEET No

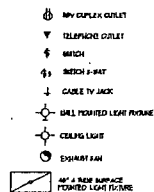
SDR-5204
10/21/04 PC

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SEP 7 2004

SDR-5204
10/21/04 PC

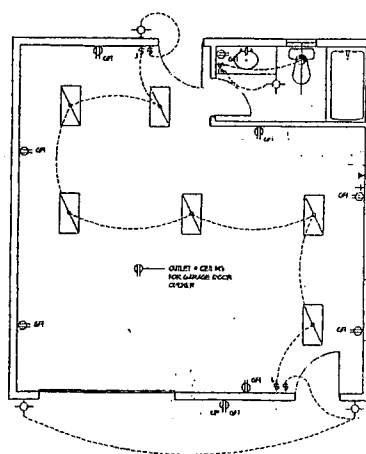


ELECTRICAL LEGEND

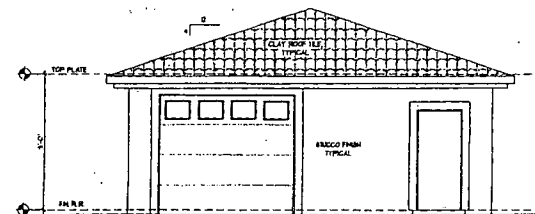


NOTES

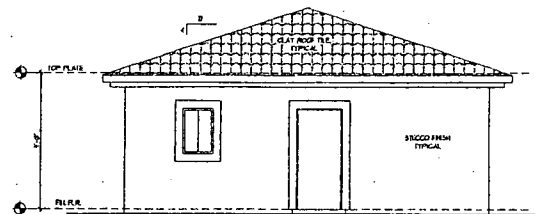
1. ALLOW PANEL SPACE FOR TWO FULL SIZE BREAKERS FOR FUTURE EXPANSION.
2. ELECTRICAL WORKING IN EXCESS OF 6 IN. MUST BE PROTECTED BY PIPE RATED WALLS.
3. ALL WIRE DETECTORS EXCEPT OF THOSE LOCATED IN SLEEPING ROOMS ARE REQUIRED TO BE INTERCONNECTED.



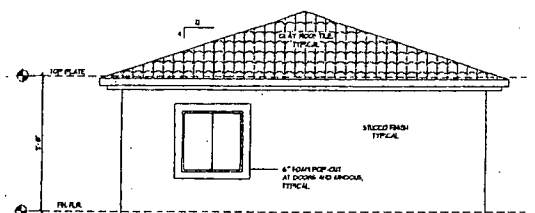
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SEP 7 2004



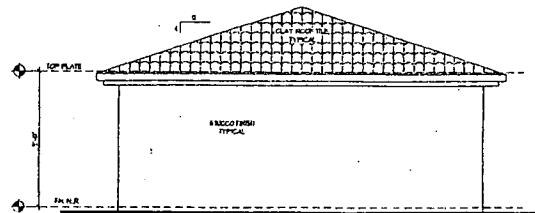
FRONT ELEVATION



FRONT ELEVATION



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

NOTE: THE OWNER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND/OR LEGAL APPROVALS THAT MAY BE REQUIRED DUE TO THE PROTECTION OF THESE PLANS AND DESIGN.

OWNER / BUILDER
OWNER / BUILDER
OWNER / BUILDER

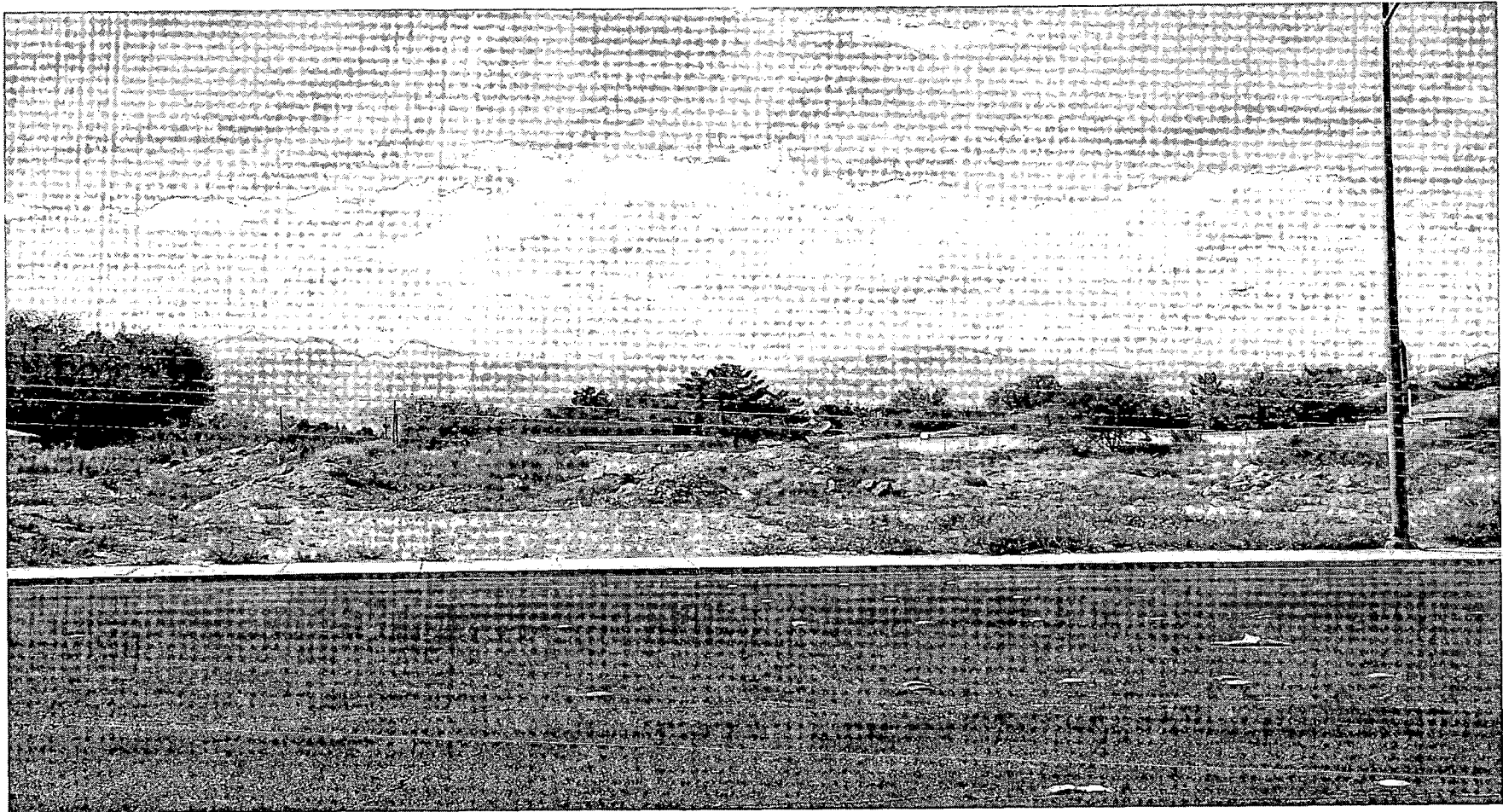
ELECTRICAL PLAN

Custom Residence for
Kevin and Barbara Sipes
A.D.N.

9/11/03

SHEET No

A5



SDR-5204 - APPLICANT/OWNER: KEVIN R. AND BARBARA SIPES
WEST SIDE OF DECATUR BOULEVARD, APPROXIMATELY 100 FEET SOUTH OF GILMORE AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/04/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT

RQR-5168 - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING – OWNER: Z J & R PROPERTIES, LLC - Appeal filed by the Applicant from the Denial by the Planning Commission of a Required One Year Review of an Approved Special Use Permit (U-0043-94) WHICH ALLOWED A 55 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3920 West Charleston Boulevard (APN 139-31-801-018), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal and abeyance request letter by Lamar Advertising
5. Submitted after final agenda - Protest letter by Andy Pollack
6. Submitted at meeting-Written Opinion Memo from Deputy City Attorney Scott on abstentions for 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] & Item 125 [SUP-5171] filed under Item 118 [RQR-5168]

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

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

MOTION - Continued:

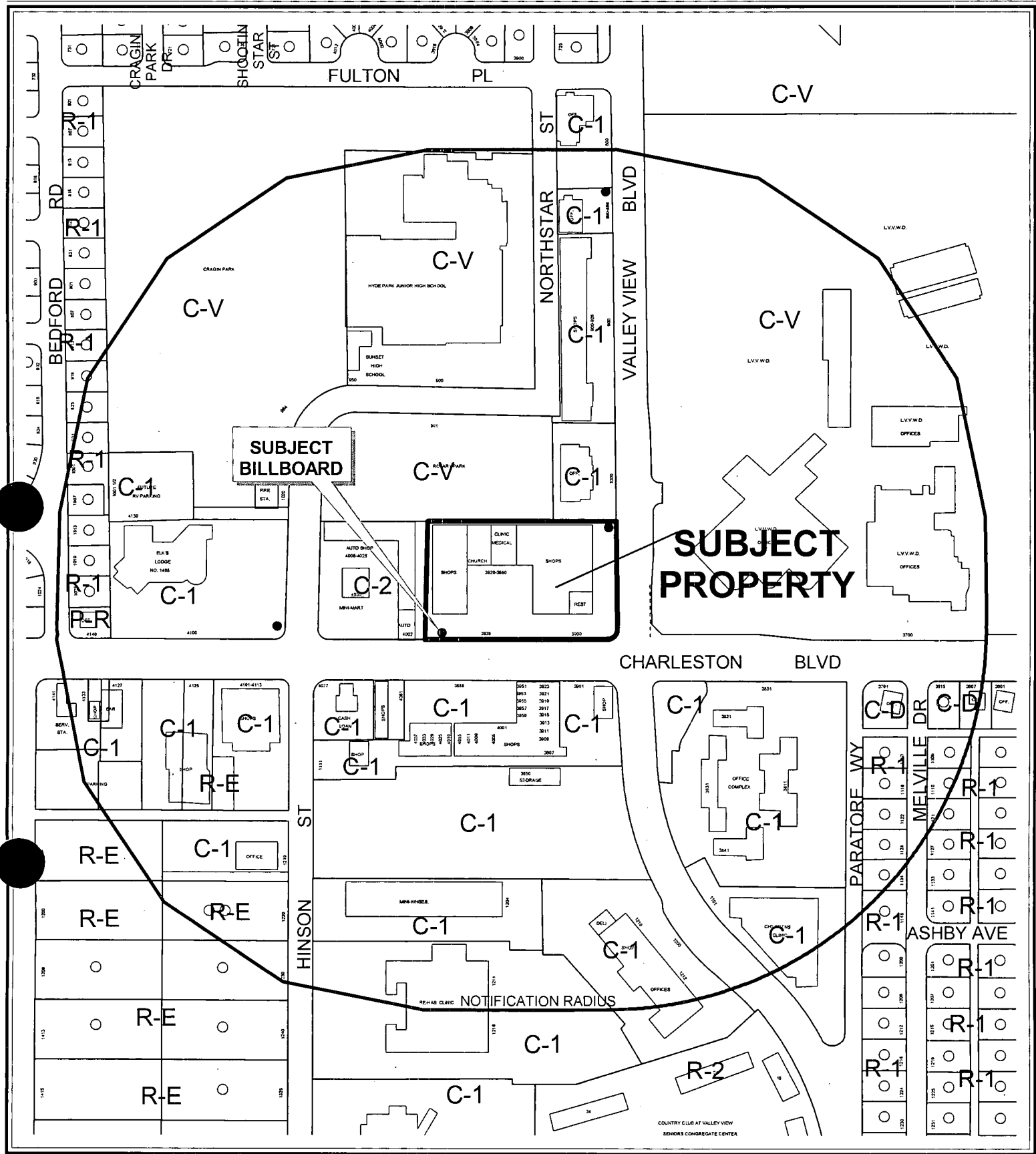
DEPUTY CITY ATTORNEY BRYAN SCOTT regarding his abstentions.

MINUTES:

There was no related discussion.

(1:05 - 1:14)

2-1

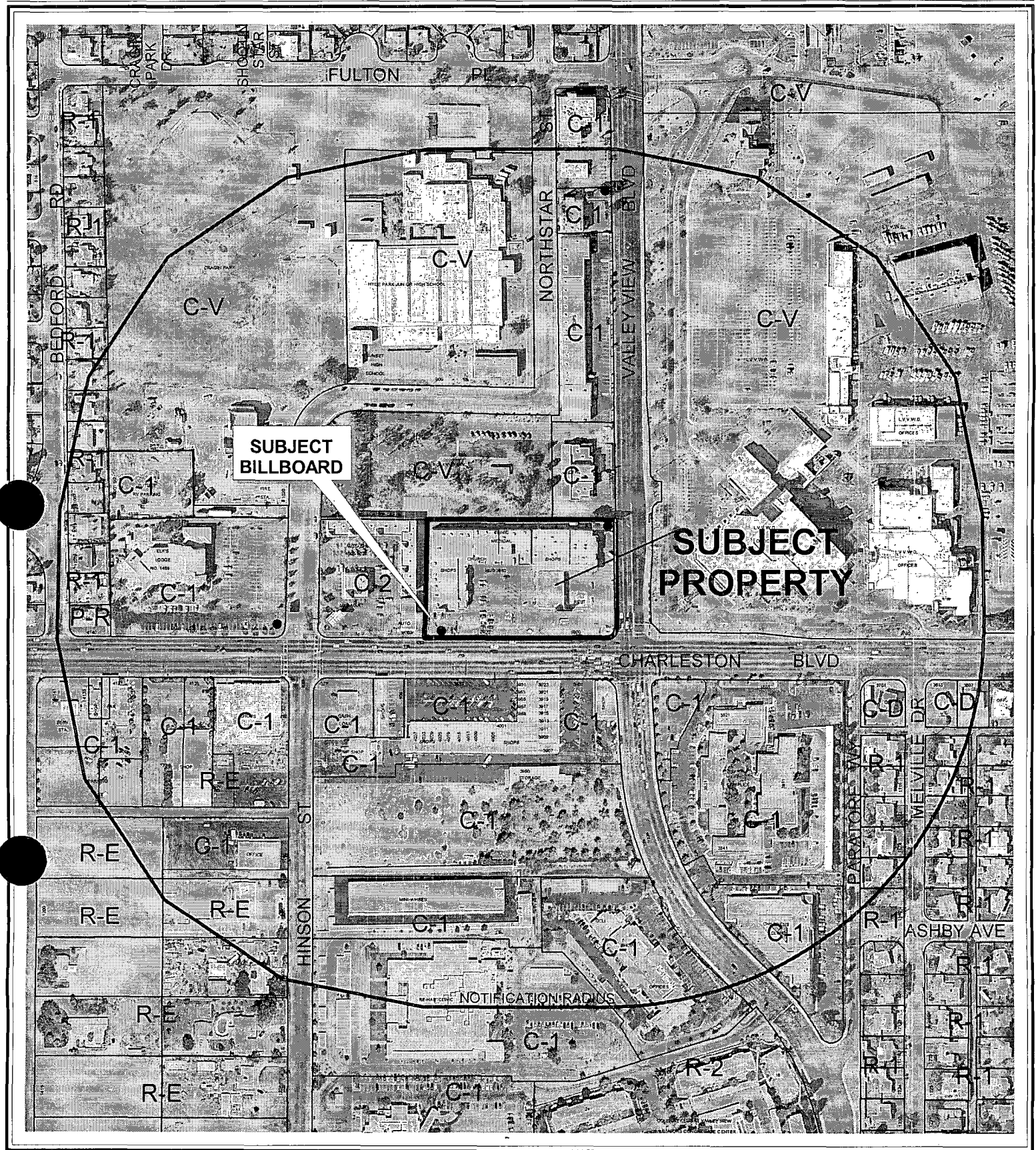


CASE: RQR-5168

RADIUS: 750 FT

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





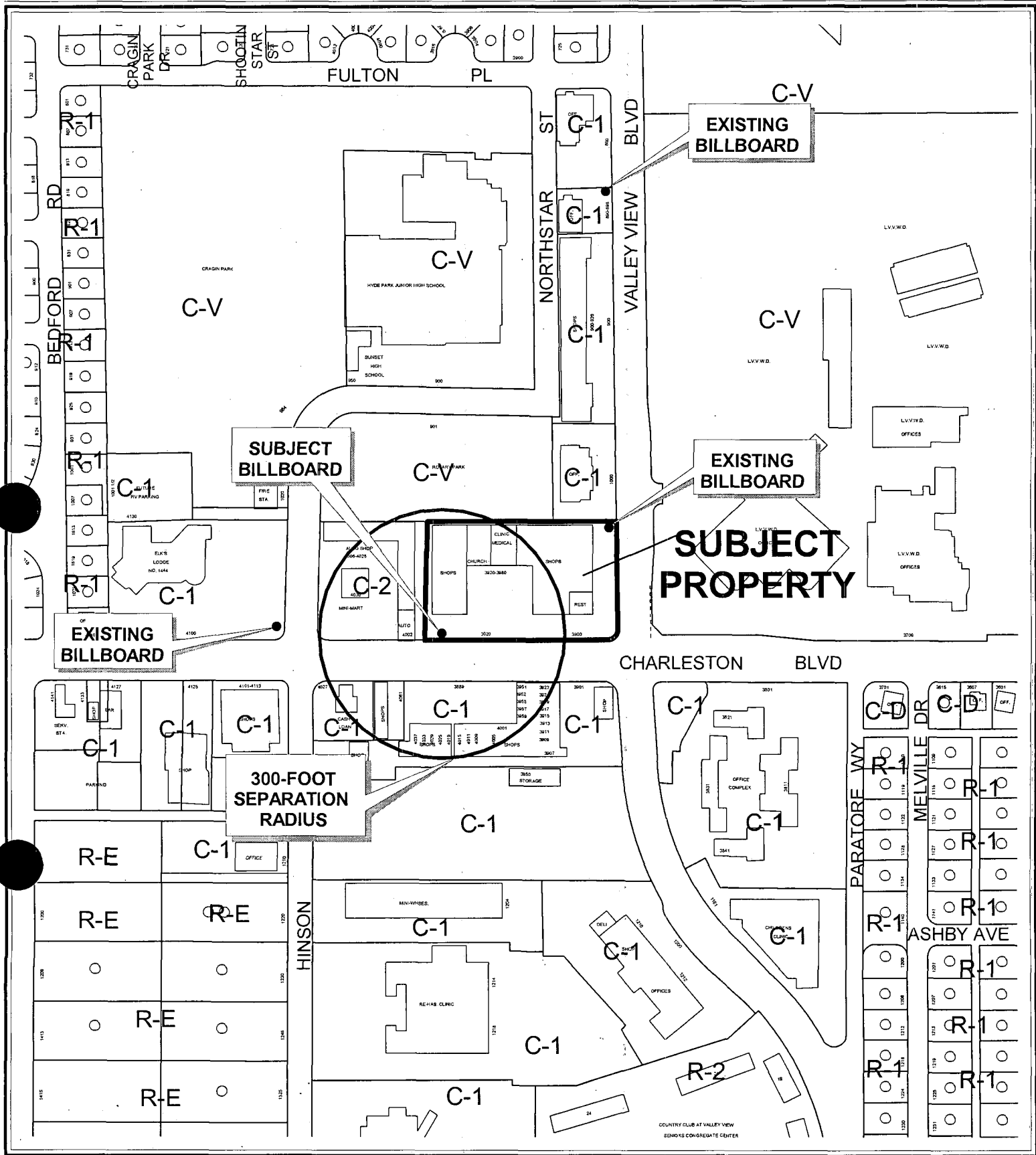
CASE: **RQR-5168**

RADIUS: 750 FT

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

0 200 400 Feet





CASE: RQR-5168

SEPARATION RADIUS: 300 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-5168 - APPLICANT: LAMAR ADVERTISING - Z J & R PROPERTIES, LLC

**** CONDITIONS ****

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

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising sign (billboard) supporting structure shall be designed to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. Bird deterrent devices must be installed to prevent birds from roosting within the structure of the sign and to prevent bird droppings from accumulating around the pole and the base of the sign.
6. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by the applicant from the Denial by the Planning Commission of a Required One Year Review on approved Special Use Permit U-0043-94(3), which allowed a 55-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 3920 West Charleston Boulevard.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 04/20/94 The City Council approved a Special Use Permit (U-0043-94) for two 55-foot-high, 14-foot by 48-foot off-premise advertising (billboard) signs on the subject site.
- 05/29/99 The City Council approved a required five-year review [U-0043-94(1)] on the approved Special Use Permit; subject to review in two years time.
- 07/05/01 The City Council approved a required two-year review [U-0043-94(2)] on the approved Special Use Permit; subject to a two-year review for the billboard located at 3920 West Charleston Boulevard. Planning Commission and staff recommended approval.
- 08/21/02 The City Council heard an appeal of the DENIAL by the Planning Commission and approved the two-year review of the Special Use Permit [U-0043-94(3)] on this site subject to a one year review.
- 11/05/03 The City Council heard an appeal of the DENIAL (September 25, 2003) by the Planning Commission and staff and approved the one-year review of the Special Use Permit [U-0043-94(3)] on this site subject to a one year review.
- 10/21/04 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #8/srs). Staff recommended denial.

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 1.83 acres

B) *Existing Land Use*

Subject Property: Existing Retail

North: Park

South: Existing Retail

East: Existing Retail

West: Existing Retail

C) *Planned Land Use*

Subject Property: SC (Service Commercial)

North: Park

South: SC (Service Commercial)

East: SC (Service Commercial)

West: SC (Service Commercial)

D) *Existing Zoning*

Subject Property: C-1 (Limited Commercial)

North: C-V (Civic)

South: C-1 (Limited Commercial)

East: C-1 (Limited Commercial)

West: C-2 (General Commercial)

E) *General Plan Compliance*

The SC (Service Commercial) category of the Southeast Sector Land Use Plan of the General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

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

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Minimum Distance Separation Requirements

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

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

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

B) *General Analysis and Discussion*

- Zoning

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

- Use

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

- Current Condition of the Sign

A September 2004 site visit found the sign in non-conformance with conditions of Special Use Permit [U-0043-94(3)]. The support pole of the sign and the property showed a substantial amount of bird droppings around the base of the sign. The support pole needed to be scraped and repainted and the parking lot around the billboard sign needed to be cleaned.

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

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

FINDINGS

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

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

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

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

There are no physical constraints to the continuation of the off-premise advertising (billboard) sign use on this commercial site.

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

Off-premise advertising signs do not generate automotive traffic and therefore will not affect the existing public rights-of-way adjacent to this site.

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

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

NOTICES MAILED 53 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-5168** APN: **139-31-801-018**
Name of Property Owner: **Z J & R Properties LLC**
Name of Applicant: **Lamar Advertising**

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

_____ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: _____

Scott Nattzger
SCOTT Nattzger
on behalf of owner.

Subscribed and sworn before me

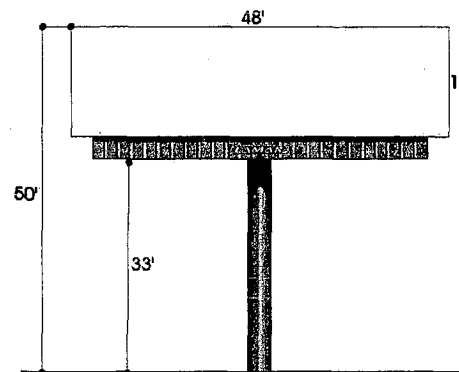
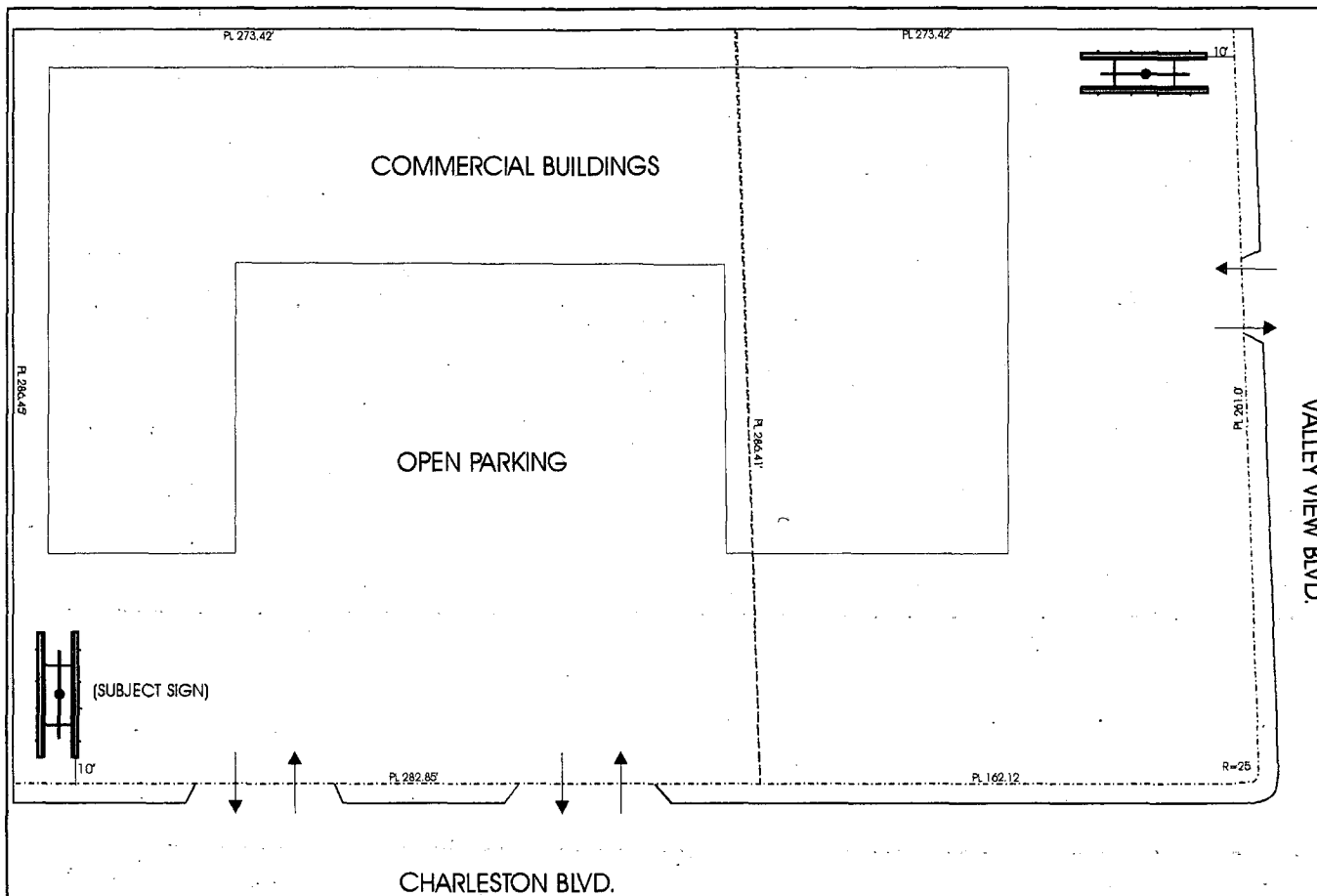
This **27** day of **August**, 20**04**

Lynda S Miles

Notary Public in and for said County and State



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



ELEVATION (NO SCALE)

RQR-5168
10/21/04 PC

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



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

10/05/04



LAMAR ADVERTISING COMPANY

October 22, 2004

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

Dear Sir or Madam:

Lamar Advertising, with this letter, requests an appeal to the Las Vegas City Council of the October 22, 2004 Planning Commission's decision to deny application **RQR-5168**, a required review of a Special Use Permit for an existing off-premise sign.

Should you have any questions, please contact me at 873-4600. Thank you for your attention in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Naftzger".

Scott Naftzger
Project Coordinator, Lamar Advertising

RECEIVED
CITY CLERK

2004 OCT 22 A 11:43



LAMAR ADVERTISING COMPANY

November 16, 2004

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

RECEIVED
CITY CLERK
2004 NOV 17 A 8:58

Dear Sir or Madam:

Lamar Advertising requests that items #118 (RQR-5168 and #125 (RQR-5171), required reviews for existing off-premise signs be held in abeyance for thirty days until the December 15, 2004 City Council Meeting. Thank you for your attention in this matter.

Sincerely,

Scott Naffziger
Project Coordinator
Lamar Outdoor Advertising
1863 Helm Dr. Las Vegas, NV 89119
(702) 873-4600

Submitted after final agenda

Date 11/17/04 Item #118

1863 Helm Drive, Las Vegas, Nevada 89119
PH. (702) 873-4600 FAX (702) 873-4344



VALLEY VIEW PLAZA 2003, LLC

OFFICE ADDRESS

**4495 W. HACIENDA, SUITE 1
LAS VEGAS, NEVADA 89118
PHONE: (702) 737-1822
FAX: (702) 737-3590**

PROPERTY LOCATION

**VALLEY VIEW PLAZA
890-928 S. VALLEY VIEW
LAS VEGAS, NV 89107**

NOVEMBER 9, 2004

CITY CLERK

1ST FLOOR

CITY HALL

400 STEWART AVENUE

LAS VEGAS, NEVADA 89101

Protest

2004 NOV 12 A 11:21

RECEIVED
CITY CLERK

**RE: RQR-5168
RQR-5171**

I am a resident of Las Vegas and one of the managing members of Valley View Plaza 2003, LLC., Property located at 890 thru 922 S. Valley View.

We strongly object to more billboards as proposed by Lamar Advertising and Z J & R properties.

We already have large billboards just North of our property and also South of our property.

There is a high traffic count at E. Charleston and Valley View with numerous traffic accidents. Large billboards distract motorists; causing accidents. This size needs to be along an Interstate highway.

This whole area has more than the average amount of signs already and doesn't need more.

Sincerely,

Andy Pollack

Submitted after final agenda

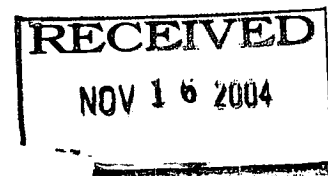
Date 11/12/04 Item # 118

LETTER FOR CITY CLERK

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 118-125

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT

RQR-5164 - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: S&S # 2, LLC - Required Two Year Review of an Approved Special Use Permit (U-0042-95) WHICH ALLOWED A 50 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 410 North Eastern Avenue (APN 139-36-210-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting - Written Opinion Memorandum from Deputy City Attorney Scott regarding abstentions for 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 [SUP-5171] filed under Item 118 [RQR-5168]

MOTION:

REESE - APPROVED subject to conditions - **UNANIMOUS** with **GOODMAN** and **WEEKLY** excused and **MACK** abstaining 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 declared the Public Hearing open.

SCOTT NAFTZGER, Lamar Advertising, 1863 Helm Drive, appeared on behalf of the applicant and concurred with the recommendation.

MAYOR PRO TEM REESE commented that because this billboard faces US95 it remains a good location.

No one appeared in opposition.

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

MINUTES - Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed.

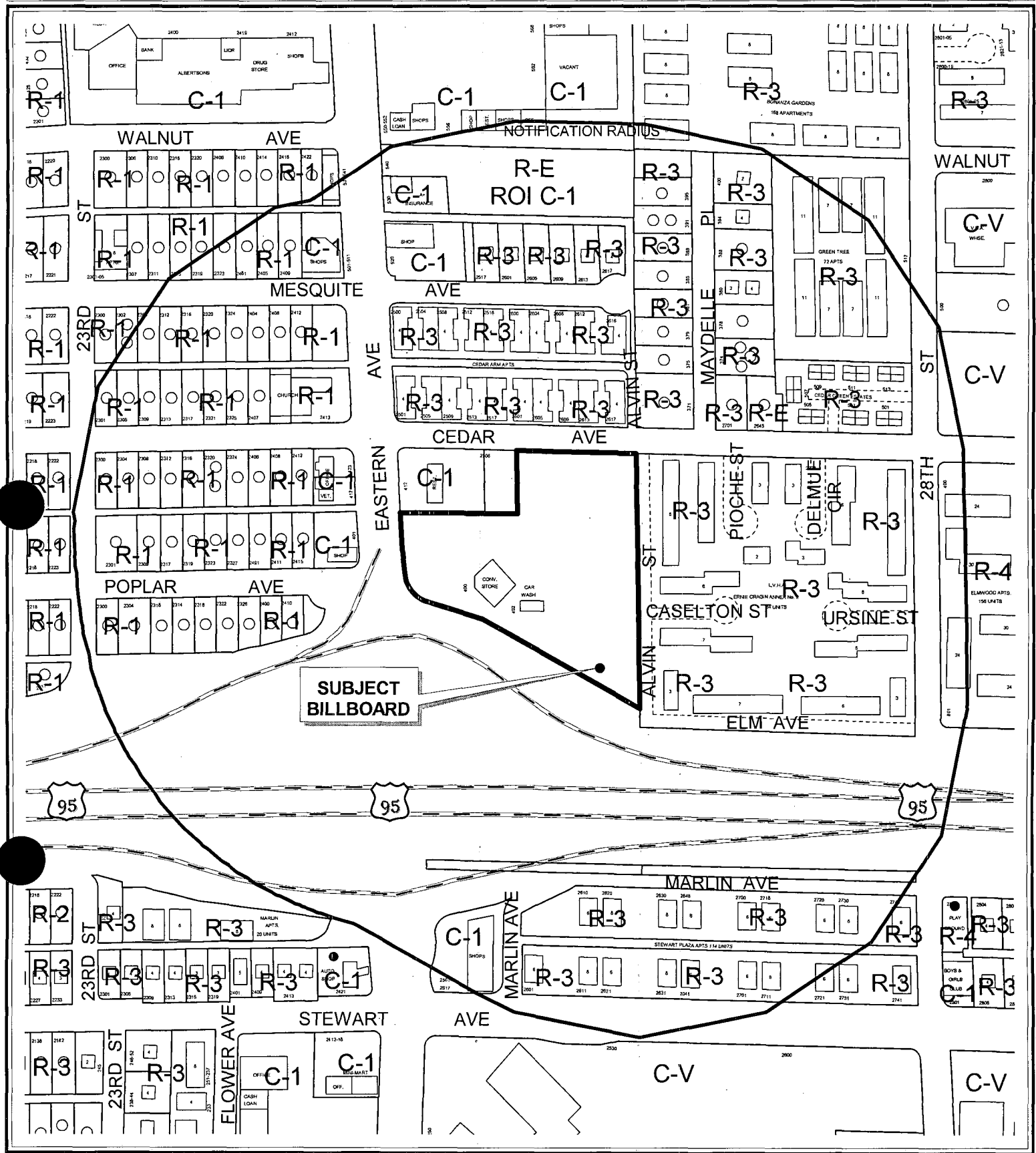
(2:04 - 2:05)

2-2032

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The applicant shall repair the perimeter fence and maintain the fence on a regular basis and if it is damaged.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. All City Code requirements and design standards of all City Departments shall be satisfied.



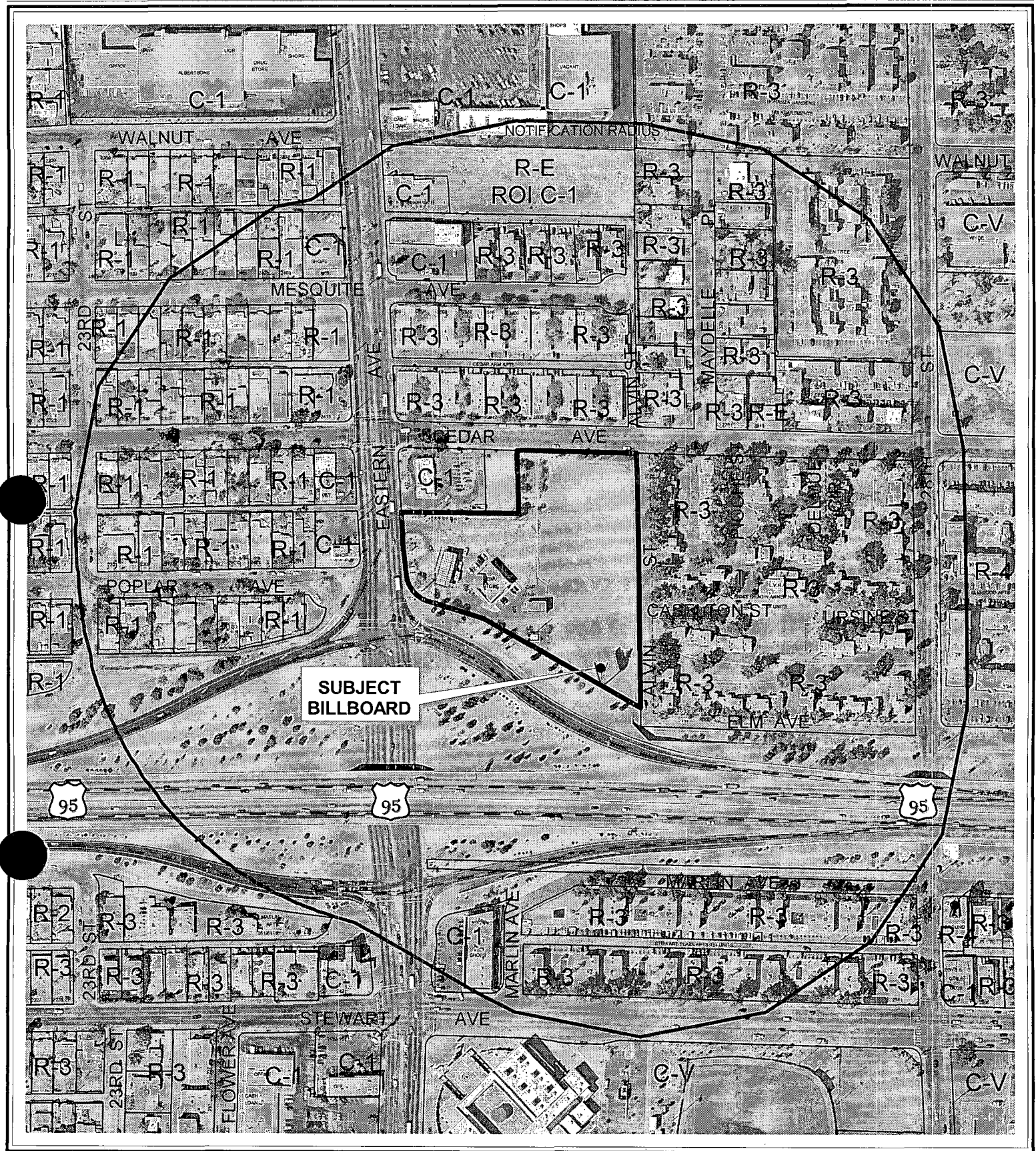
CASE: RQR-5164

RADIUS: 750 FT

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

0 200 400 Feet





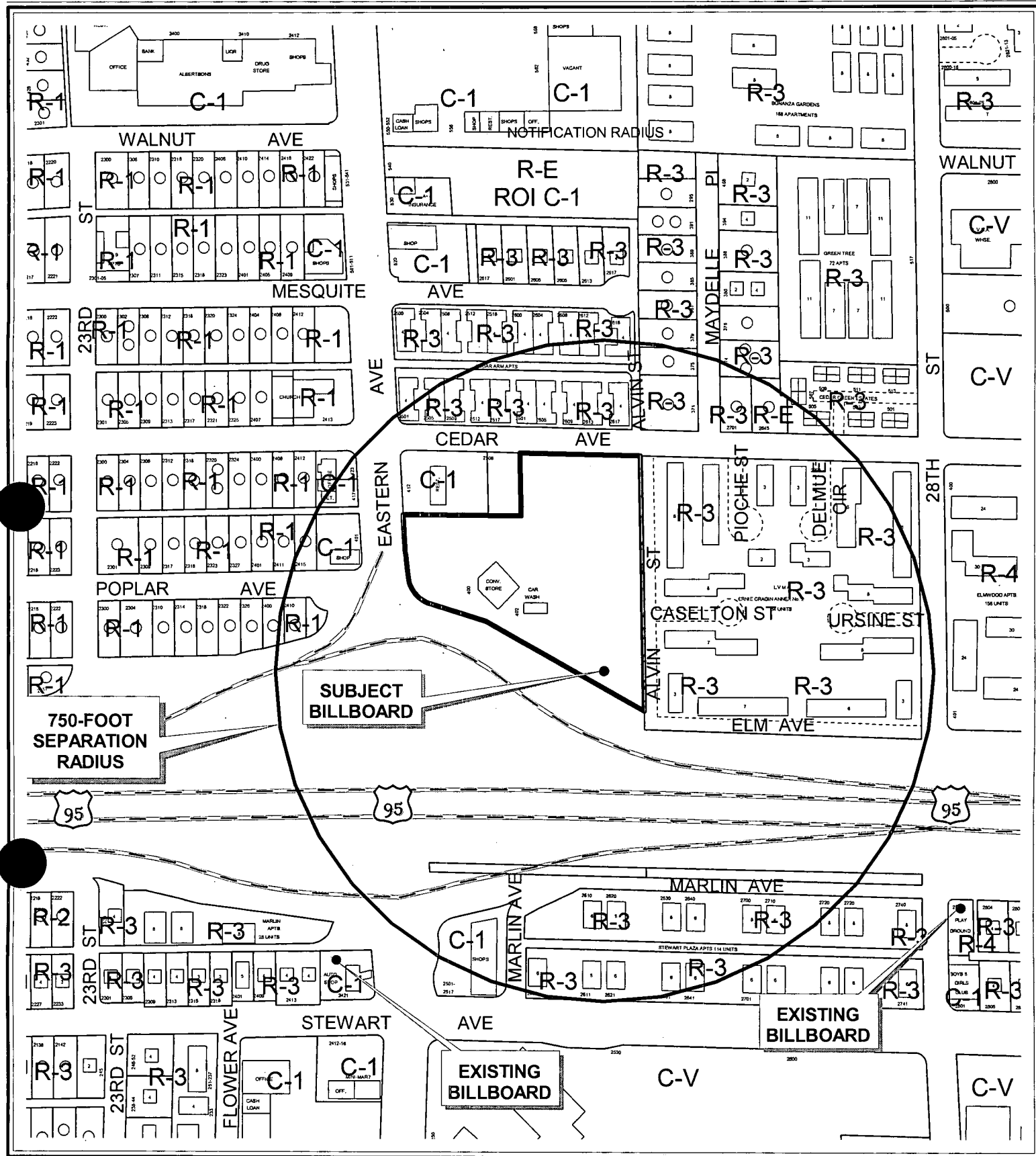
CASE: RQR-5164

RADIUS: 750 FT

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

0 200 400 Feet





CASE: RQR-5164

SEPARATION RADIUS: 750 FT

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-5164 - APPLICANT: LAMAR ADVERTISING - OWNER: S&S # 2, LLC

**** CONDITIONS ****

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

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The applicant shall repair the perimeter fence and maintain the fence on a regular basis and if it is damaged.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a Required Two Year Review on an approved Special Use Permit which allowed a 30-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 410 North Eastern Avenue (north side of I-515 frontage, approximately 500 feet east of Eastern Avenue), R-3 (Medium Density Residential) Zone under Resolution of Intent to C-1 (Limited Commercial).

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 11/16/94 The City Council approved Rezoning (Z-0115-94) to C-1 (Limited Commercial) on this site as a part of a larger request. The Planning Commission and staff recommended approval on October 27, 1994.
- 03/23/95 The Planning Commission approved a Plot Plan and Elevation Review [Z-0115-94(1)] for a convenience store on this site as a part of a larger request. The Planning Commission and staff recommended approval on March 23, 1995.
- 05/17/95 The City Council approved a Special Use Permit (U-0042-95) for an off-premise advertising (billboard) sign on this site. The Board of Zoning Adjustment recommended denial, while the staff recommended approval on April 25, 1995.
- 09/06/95 The City Council approved a Review [U-0042-95(1)] of Condition Nos. 1 and 4 of an approved Special Use Permit, whereby the off-premise advertising sign was to be reviewed in five years (instead of two years), and the sign was permitted to be located within 120 feet (instead of 300 feet) of the subject site's east property line, which abutted a multi-family residential development. The Planning Commission and staff recommended approval on September 6, 1995.
- 07/05/00 The City Council approved a Required Five-Year Review [U-0042-95(2)] of a Special Use Permit for an approved off-premise advertising sign, thereby allowing the use to continue on the subject property, subject to a review in two years. The Planning Commission and staff recommended approval on May 25, 2000
- 10/16/02 The City Council approved a Required Two-Year Review [U-0042-95(3)] of a Special Use Permit for an approved off-premise advertising sign, thereby allowing the use to continue on the subject property, subject to a review in two years. The Planning Commission recommended denial. Staff recommended approval.

10/21/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #5/bts).

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.65 acres (entire site)

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The site is currently designated as SC (Service Commercial) within the Southeast Sector Plan of the General Plan. The SC (Service Commercial) category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

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

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

ANALYSIS

A) Zoning Code Compliance

A2) Minimum Distance Separation Requirements

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

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

B) General Analysis and Discussion

- **Zoning**

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

- **Use**

Title 19.14.100(B) of the Las Vegas Municipal Code allows the removal of an off-premise advertising (billboard) sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards for approval of a Special Use Permit. Staff finds that the continued off-premise advertising (billboard) sign use on the subject site is appropriate in that the vicinity has not changed substantially in the two years since the last Required Review.

FINDINGS

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

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

The area immediately surrounding the subject site has not changed substantially since the approval of the previous Required Two-Year Review [U-0042-95(3)]. However, billboards are generally not conducive to new development in an area and are not an appropriate use in perpetuity. Therefore staff recommends approval of this request, subject to a two-year review.

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

There are no physical constraints to the continuation of the off-premise advertising (billboard) sign use on this commercial site.

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

Off-premise advertising signs do not generate automotive traffic and therefore will not affect the existing public rights-of-way adjacent to this site.

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

The off-premise advertising (billboard) sign will be subject to regular City inspections and licensing requirements and will not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

PLANNING COMMISSION ACTION

The Planning Commission amended Condition #3 as shown.

NOTICES MAILED 129 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-5164** APN: **139-36-210-003**
Name of Property Owner: **SSS #2 LLC**
Name of Applicant: **Lamar Advertising**

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

_____ Yes

_____ ☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

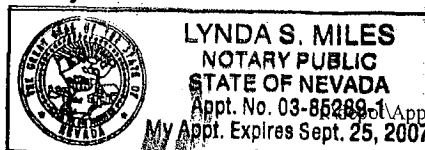
Print Name: **Scott Nafziger**

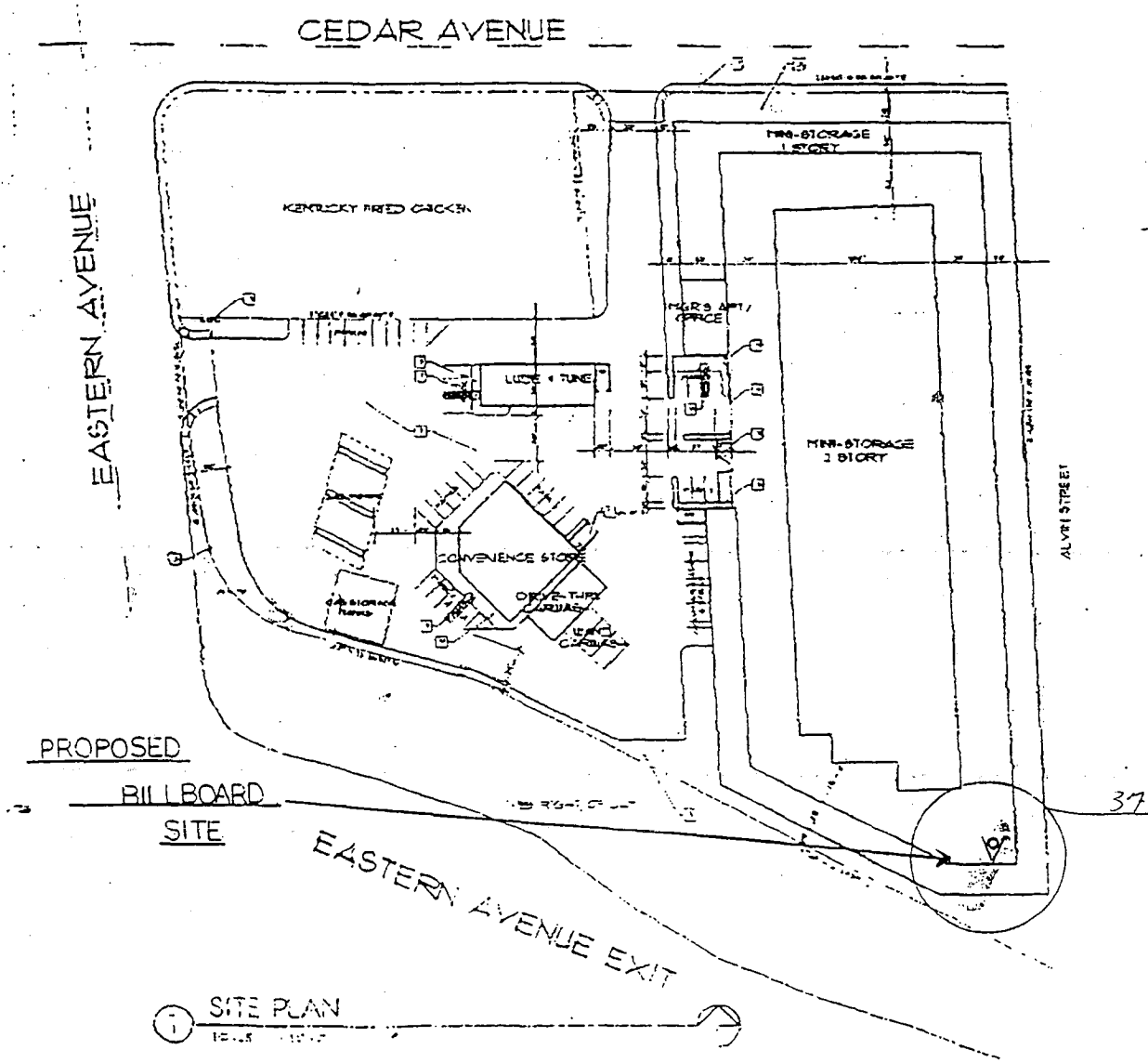
on behalf of owner

Subscribed and sworn before me

This **27** day of **August**, 2004

Lynda S Miles
Notary Public in and for said County and State





1

SITE PLAN

10/15/04

RQR-5164
10/21/04 PC



RQR-5164
(SIS #2 LLC)

RQR-5164
10/21/04 PC



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

10/05/04



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

10/05/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT

RQR-5165 - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: LIPKIN 1992 TRUST - Required Two Year Review of an Approved Special Use Permit (U-104-02) WHICH ALLOWED A 40 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1501 Western Avenue (APN 162-04-605-005), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting - Written Opinion Memorandum from Deputy City Attorney Scott regarding abstentions for 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 [SUP-5171] filed under Item 118 [RQR-5168]

MOTION:

MONCRIEF - APPROVED subject to conditions - **UNANIMOUS** with GOODMAN and WEEKLY excused and MACK abstaining 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 declared the Public Hearing open.

SCOTT NAFTZGER, Lamar Advertising, 1863 Helm Drive, appeared on behalf of the applicant and concurred with the recommendation.

COUNCILWOMAN MONCRIEF stated she concurred with Planning Commission and staff's recommendation for this request in an industrial area.

No one appeared in opposition.

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

MINUTES - Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed.

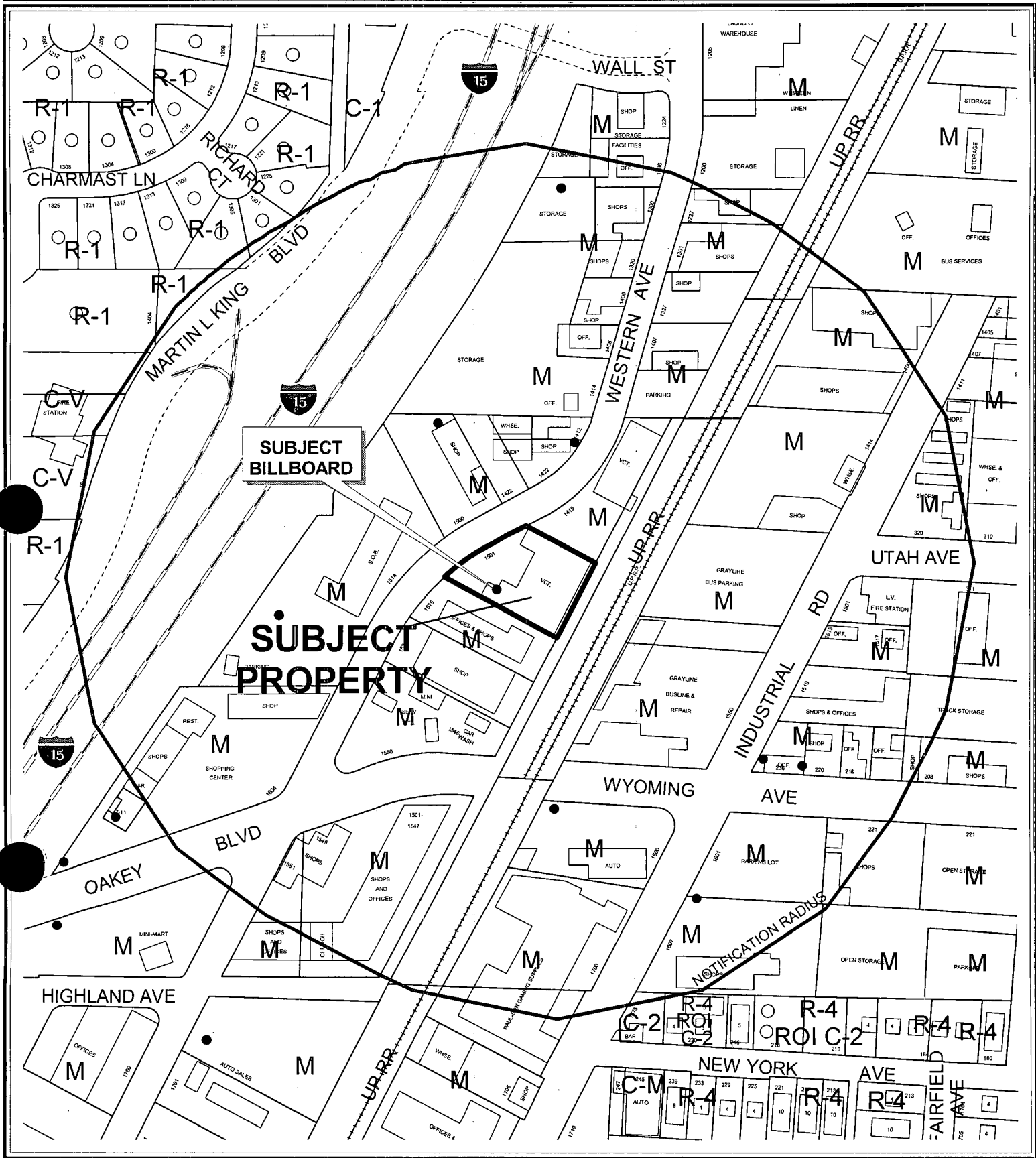
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2-2074

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
5. All City Code requirements and design standards of all City departments must be satisfied.

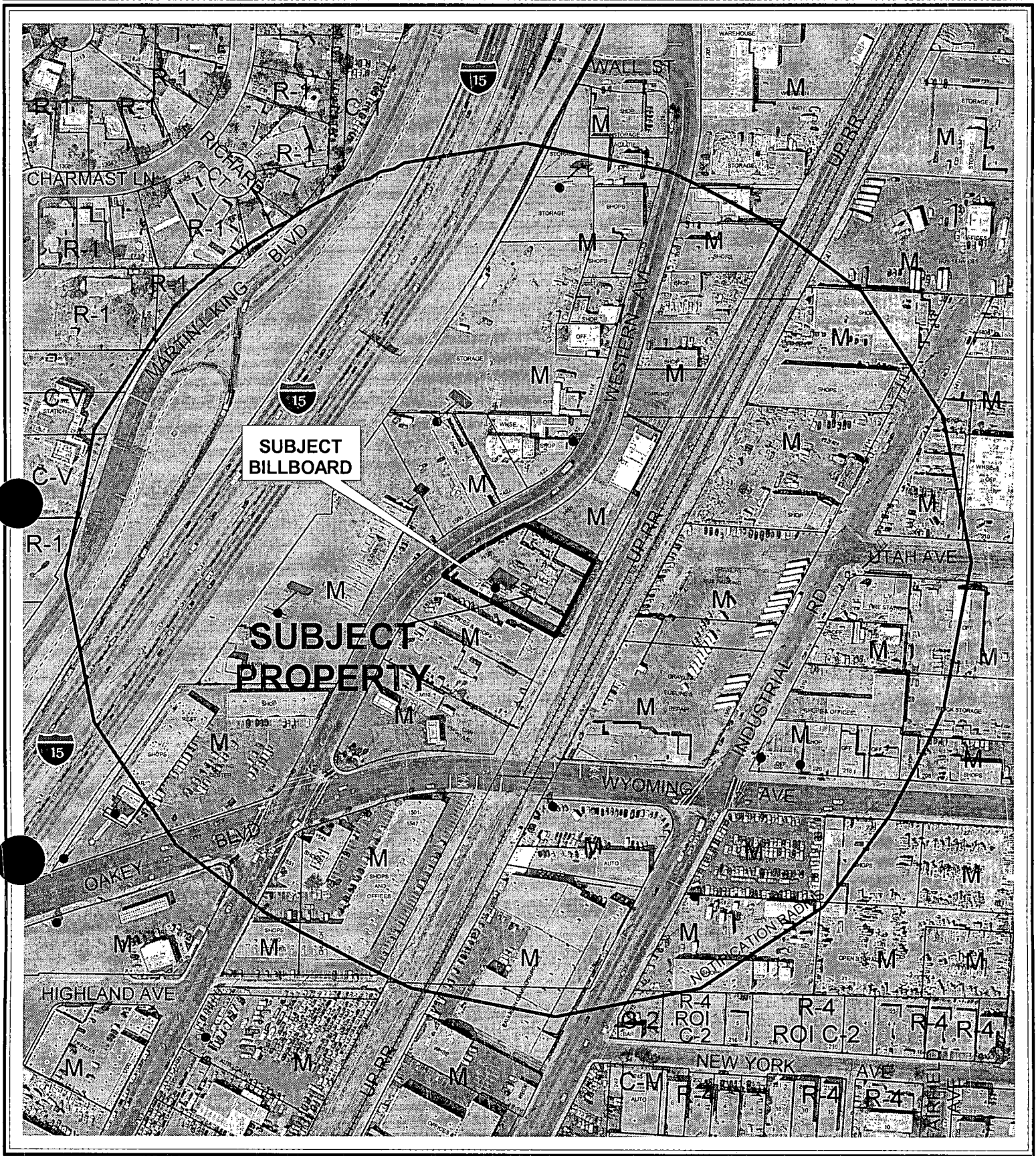


CASE: RQR-5165

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 200 400 Feet



CASE: RQR-5165

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-5165 - APPLICANT: LAMAR ADVERTISING - OWNER:
LIPKIN 1992 TRUST**

**** CONDITIONS ****

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

Planning and Development

1. The Special Use Permit shall be reviewed in two years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
5. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a Required Two Year Review on an approved Special Use Permit, which allowed a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign on property located at 1501 Western Avenue.

B) *Applicant's Justification*

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

BACKGROUND INFORMATION

A) *Previous Actions*

- 10/16/02 The City Council approved a Special Use Permit (U-0104-02) for an off-premise advertising (billboard) sign on the subject property. The Planning Commission and staff recommended approval of the case on September 9, 2002.
- 08/04/04 The City Council approved a Site Development Plan (SDR-4514) for a warehouse facility. The Council also approved two Variance (VAR-4517) to allow a zero side-yard setback where ten feet is required and (VAR-4516) to allow 18 parking spaces where 23 are required. The Planning Commission and staff recommended approval of the above-mentioned cases on July 8, 2004.
- 10/21/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #6/bts).

B) *Pre-Application Meeting*

A pre-application meeting is not required as part of this application.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for a Site Development Plan Review application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 0.79 acres

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

ANALYSIS

A) *Zoning Code Compliance*

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet to another Off Premise Sign	325 feet to another Off Premise Sign

B) *General Analysis and Discussion*

- Zoning

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

- Use

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

FINDINGS

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

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

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

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

The site is physically suitable for the proposed off-premise advertising (billboard) sign use.

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

The proposed off-premise advertising (billboard) sign use will not generate any additional traffic to this site and will not require provisions for additional access.

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

The off-premise advertising (billboard) sign use will not compromise the public health, safety, and welfare, as it will be subject to the provisions of the Sign Code and the Uniform Building Code.

NOTICES MAILED 49 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-5165** APN: 162-04-1005-005
Name of Property Owner: Lipkin 1992 Trust
Name of Applicant: Lamar Advertising

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

_____ Yes

_____ ☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: _____

Scott Nattzer
on behalf of owner

Subscribed and sworn before me

This 27 day of August, 2004

Lynda S Miles
Notary Public in and for said County and State



LYNDA S. MILES
NOTARY PUBLIC
STATE OF NEVADA

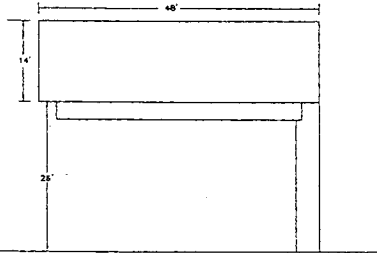
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My Appt. Expires Sept. 25, 2007

RQR-5165
10/21/04 PC

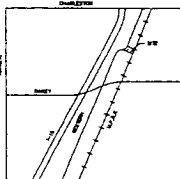
DECLARATION:

**OFF-PREMISES SIGNS
NOT PERMITTED:**

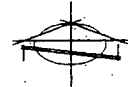
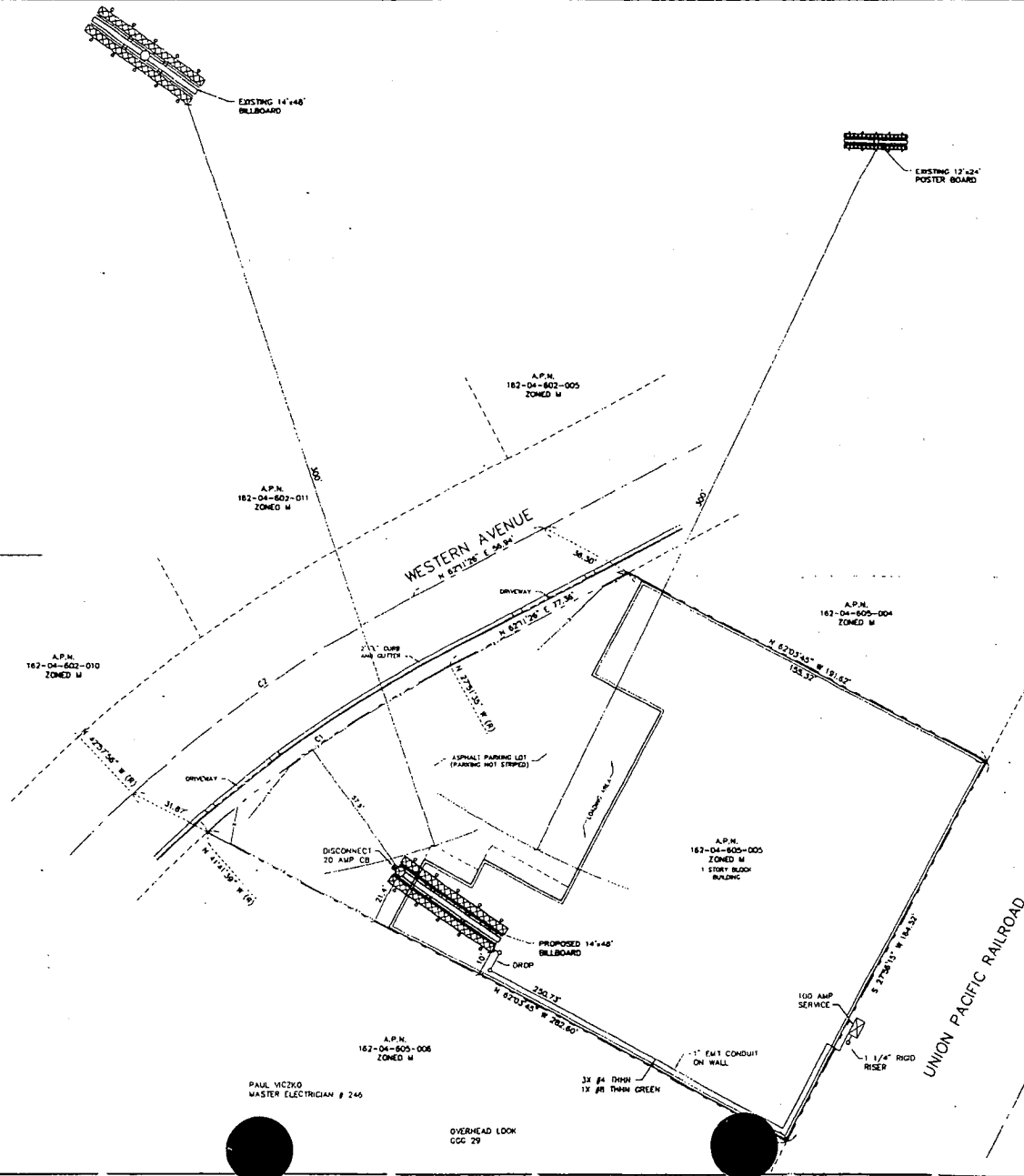
WITHIN 500' OF ANY OTHER OFF-PREMISES SIGN
ALONG A FREEWAY OR FEDERAL ROUTE.
WITHIN 750' OF ANY OTHER OFF-PREMISES SIGN ON
THE SAME SIDE OF A PUBLIC RIGHT-OF-WAY.
WITHIN 100' OF ANY (ON-PREMISES) PREEXISTING
SIGN ON ANOTHER PARCEL OF LAND.
WITHIN 300' OF ANY RESIDENTIAL USE.
WITHIN 50' OF THE POINT OF INTERSECTION OF ANY
ROADWAY.



DETAIL "A" NO SCALE



VICINITY MAP NO SCALE



SCALE 1" = 20'

CURVE TABLE			
CURVE	LENGTH	RADIUS	TANGENT
C1	113.49	470.00	57.02
C2	137.82	500.00	66.30

LEGEND

---	STREET CENTERLINE
---	PROPERTY LINE
---	ASSESSOR'S PARCEL LINE
---	BUILDING LINE
---	CHAIN LINK FENCE

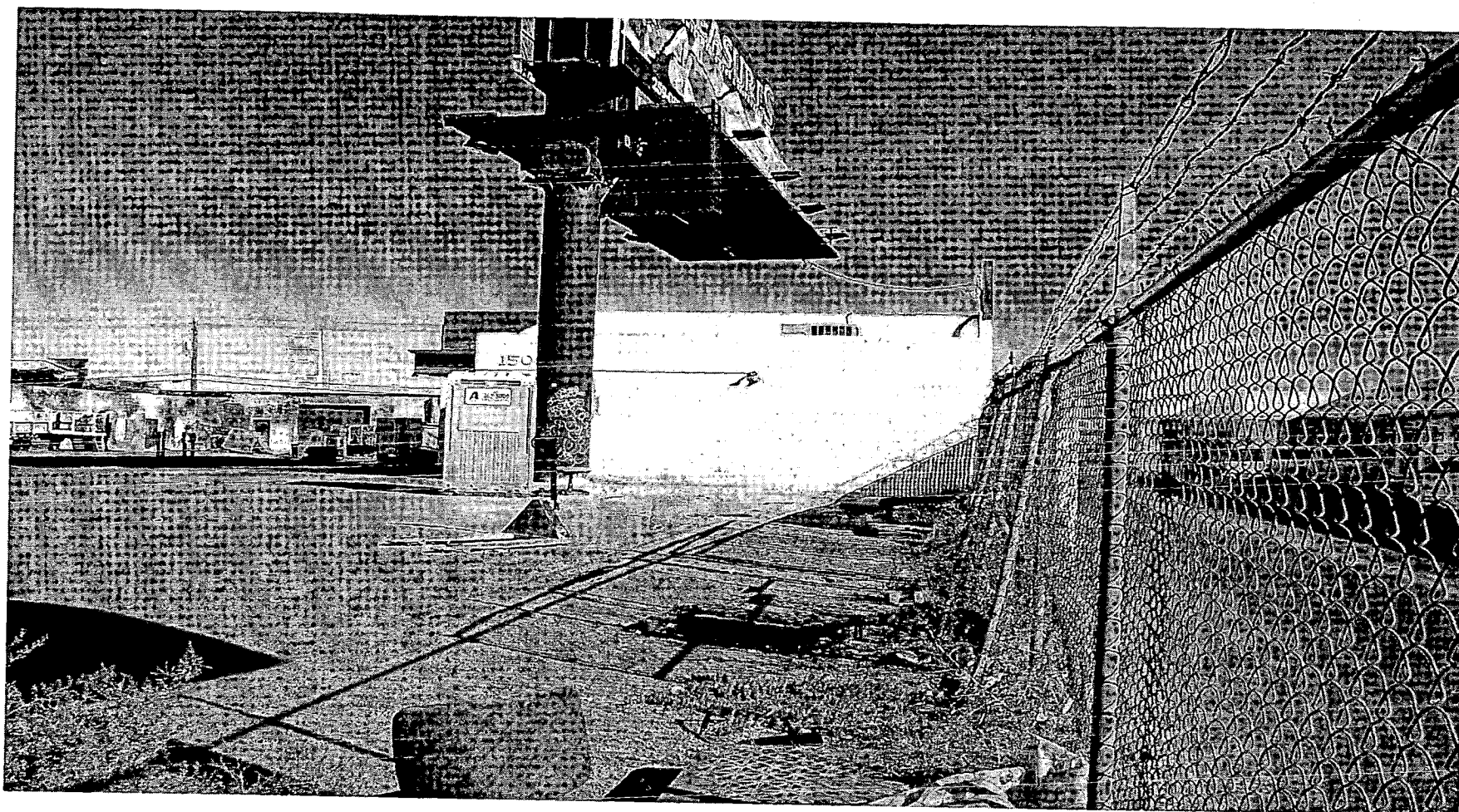


APPROVED
Billboard Rec. U-104-02
12/1/02

BILLBOARD APPLICATION MAP
 A PORTION OF THE SOUTHEAST QUARTER (NE 1/4) OF SECTION 4,
 TOWNSHIP 36 SOUTH, RANGE 11 EAST, 100 64 E.
 CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

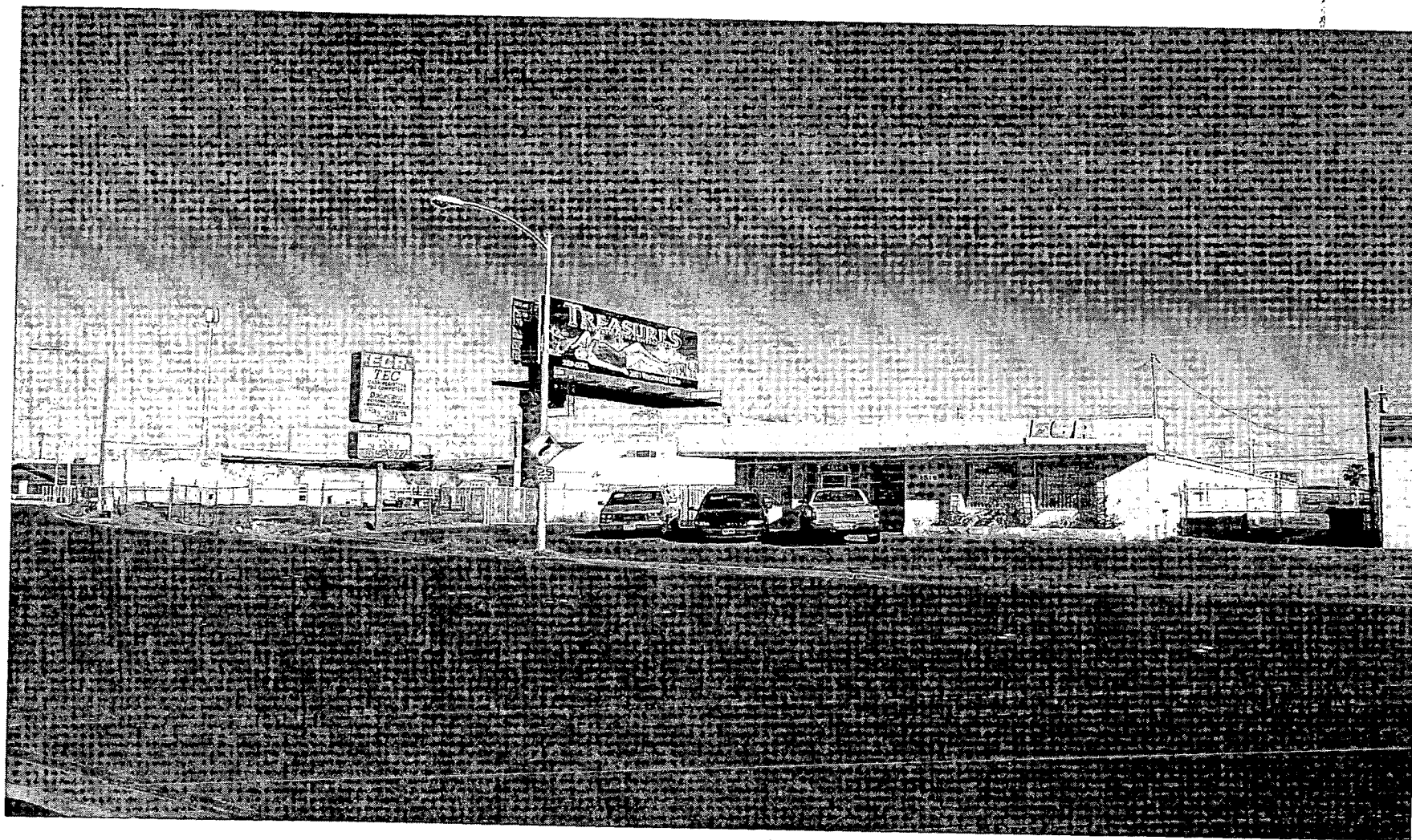
PREPARED FOR: BAUGHMAN & TURNER, INC.
 DATE: JUNE 2002
 DRAWN BY: JLD
 CHECKED BY: JLD
 SCALE: AS SHOWN
 SHEET: 1 OF 1
 PROJECT: 104-02

LAMAR ADVERTISING COMPANY
 104-02



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

10/05/04



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

10/05/04



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

10/05/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT

RQR-5166 - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: RANCHO DRIVE, LLC - Required Two Year Review of an Approved Special Use Permit (U-0037-95) WHICH ALLOWED A 40 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN on the east side of Rancho Drive, approximately 200 feet south of Rainbow Boulevard (APN 125-35-401-001), C-1 (Limited Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting - Written Opinion Memorandum from Deputy City Attorney Scott regarding abstentions for 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 [SUP-5171] filed under Item 118 [RQR-5168]

MOTION:

BROWN - APPROVED subject to conditions - **UNANIMOUS** with GOODMAN and WEEKLY excused and MACK abstaining 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 declared the Public Hearing open.

SCOTT NAFTZGER, Lamar Advertising, 1863 Helm Drive, appeared on behalf of the applicant and concurred with the recommendation.

No one appeared in opposition.

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

MINUTES - Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed.

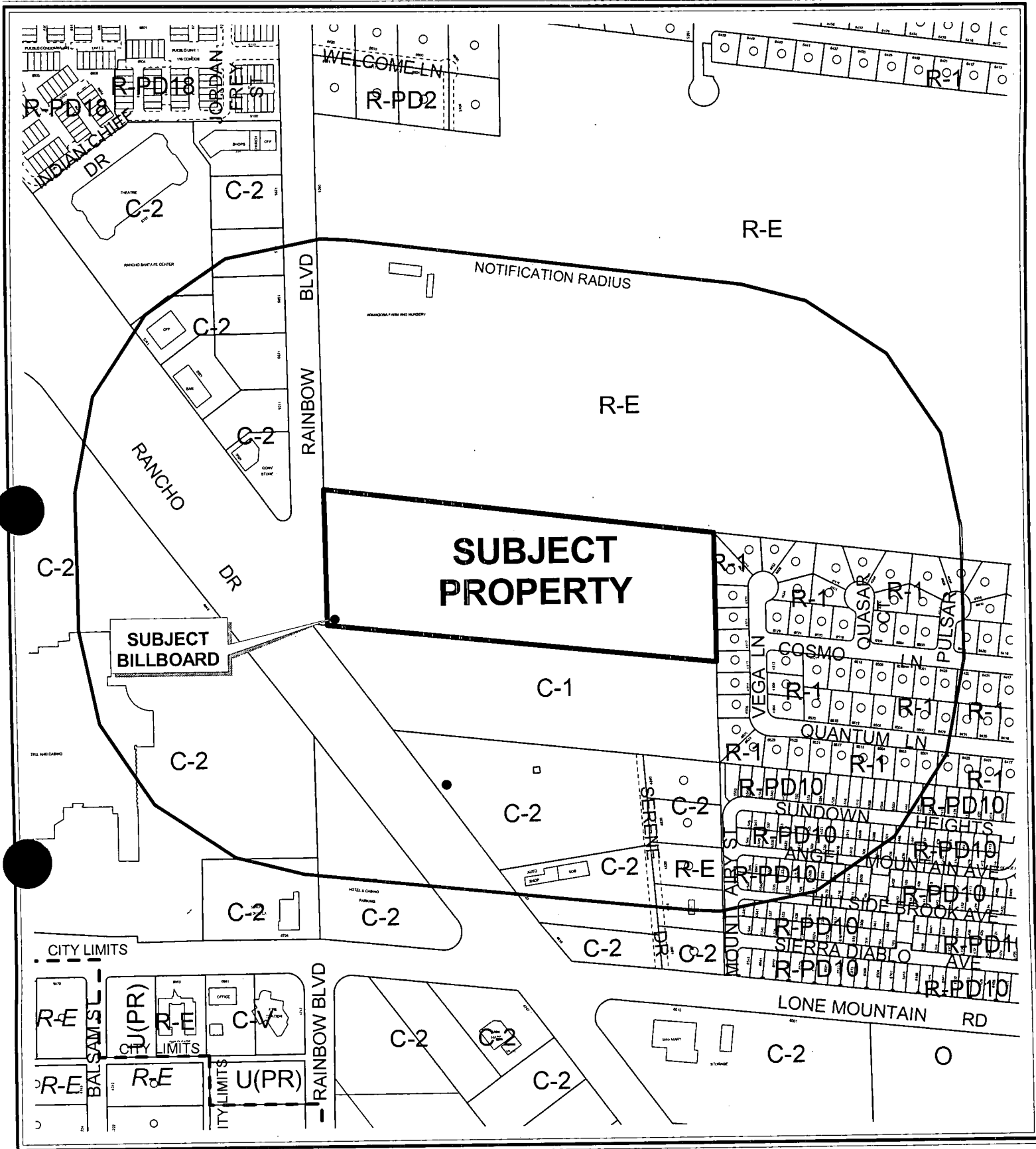
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2-2133

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in one (1) year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

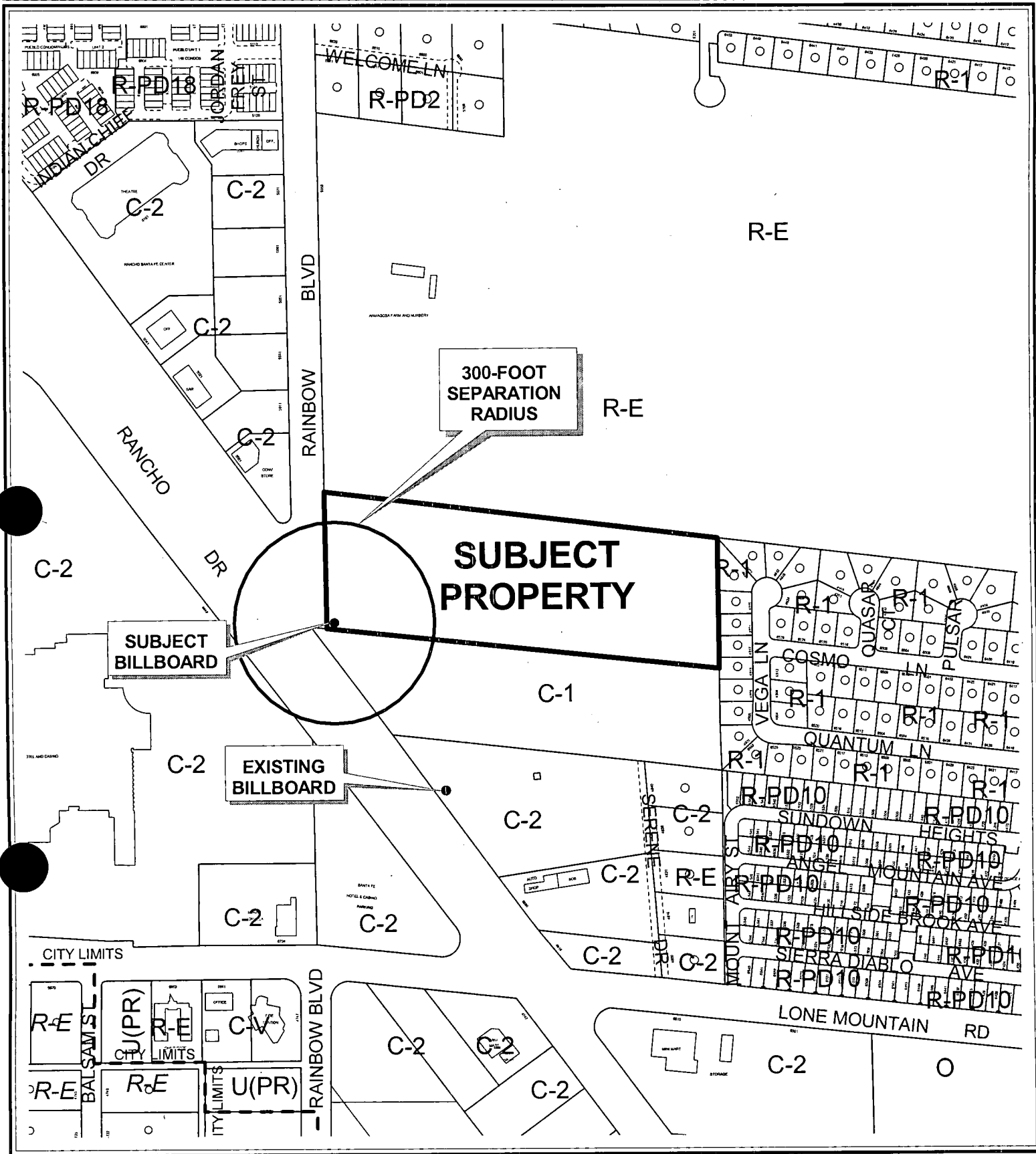


CASE: RQR-5166

RADIUS: 750 FT

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





CASE: RQR-5166

SEPARATION RADIUS: 300 FT

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-5166 - APPLICANT: LAMAR ADVERTISING - OWNER: RANCHO DRIVE, LLC

**** CONDITIONS ****

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

Planning and Development

1. The Special Use Permit shall be reviewed in one (1) year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a Required Two Year Review on an approved Special Use Permit, which allowed a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign on property located on the east side of Ranch Drive approximately 200 feet south of Rainbow Boulevard.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|---|
| 05/20/64 | The subject property was designated within the C-2 (General Commercial) zoning district upon its Annexation (A-0003-64) into the City of Las Vegas. |
| 05/17/95 | The City Council approved a Special Use Permit (U-0037-95) for an off-premise advertising (billboard) sign on the subject property. The Board of Zoning Adjustment and staff recommended approval on April 25, 1995. |
| 03/24/97 | The City Council adopted Ordinance No. 4073, establishing the Off-Premise Sign Exclusionary Zone, including the subject site as part of a larger area, with the adoption of Title 19A (Las Vegas Zoning Code). |
| 07/05/00 | The City Council approved a Required Five-Year Review [U-0037-95(1)] of a Special Use Permit for an approved off-premise advertising sign, thereby allowing the use to continue on the subject property, subject to a review in two years. The Planning Commission and staff recommended approval on May 25, 2000. |
| 10/16/02 | The City Council approved a Required Two Year Review [U-0037-95(1)] of a Special Use Permit for an approved off-premise advertising sign, thereby allowing the use to continue on the subject property, subject to a review in two years. The Planning Commission and staff recommended approval on September 12, 2002. |
| 10/21/04 | The Planning Commission voted 6-1 to recommend APPROVAL (PC Agenda Item #76/bts). |

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.70 (entire site)

B) Existing Land Use

Subject Property: Undeveloped
North: Agricultural Nursery
South: Undeveloped
East: Single-family dwellings
West: Hotel/Casino
Commercial retail

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: R-E (Residential Estate)
South: C-1 (Limited Commercial)
East: R-1 (Single-family Residential)
West: C-2 (General Commercial)

E) General Plan Compliance

The site is currently designated as SC (Service Commercial) within the Centennial Hills Interlocal Land Use Plan of the General Plan. The SC (Service Commercial) category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

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

The subject site is located in the North Las Vegas Overlay Map. The maximum height allowed within this area is 200 feet therefore the billboard complies with the overlay map.

The subject site is located in the Rancho Corridor trails area. The multi-use transportation trail designation is located on the southeast side of Ranch Drive and Rainbow Boulevard.

ANALYSIS

A) Zoning Code Compliance

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet to another Off Premise Sign	600 feet to another off Premise Sign

B) General Analysis and Discussion

- Zoning

The subject property is zoned C-1 (Limited Commercial). The existing off-premise advertising (billboard) sign is permitted in the General Commercial zoning district with approval of a Special Use Permit, which may be time-limited or periodically reviewed by Planning Commission and City Council with reference to its compatibility with surrounding uses. The subject property is located in the Off-Premise Sign Exclusionary Zone as defined in Section 19.14.100(E) of the Las Vegas Municipal Code. A new off-premise advertising (billboard) sign could not be erected at this location, however, the existing billboard may continue as a non-conforming use.

- Use

Title 19.14.100(B) allows the removal of an off-premise advertising (billboard) sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards for approval of a Special Use Permit. The continued off-premise advertising (billboard) sign use on the subject site is appropriate in that the vicinity has not changed substantially in the two years since the last Required Review.

FINDINGS

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

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

The continued off-premise advertising (billboard) sign use is inappropriate as it is within a vacant lot, which is not conducive to promoting development on vacant properties. Therefore, staff recommends denial of this request. If the request is approved, it shall be subject to a one-year review.

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

There are no physical constraints to the continuation of the off-premise advertising (billboard) sign use on this commercial site.

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

Off-premise advertising signs do not generate automotive traffic and therefore will not affect the existing public rights-of-way adjacent to this site.

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

The off-premise advertising (billboard) sign will be subject to regular City inspections and licensing requirements and will not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

PLANNING COMMISSION ACTION

The Planning Commission amended Condition #3 as shown.

NOTICES MAILED 134

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-5166** APN: **125-35-401-001**

Name of Property Owner: **Rancho Dr. LLC**

Name of Applicant: **Lamar Advertising**

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

_____ Yes

_____ ☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: **Scott Nafziger**

on behalf of owner

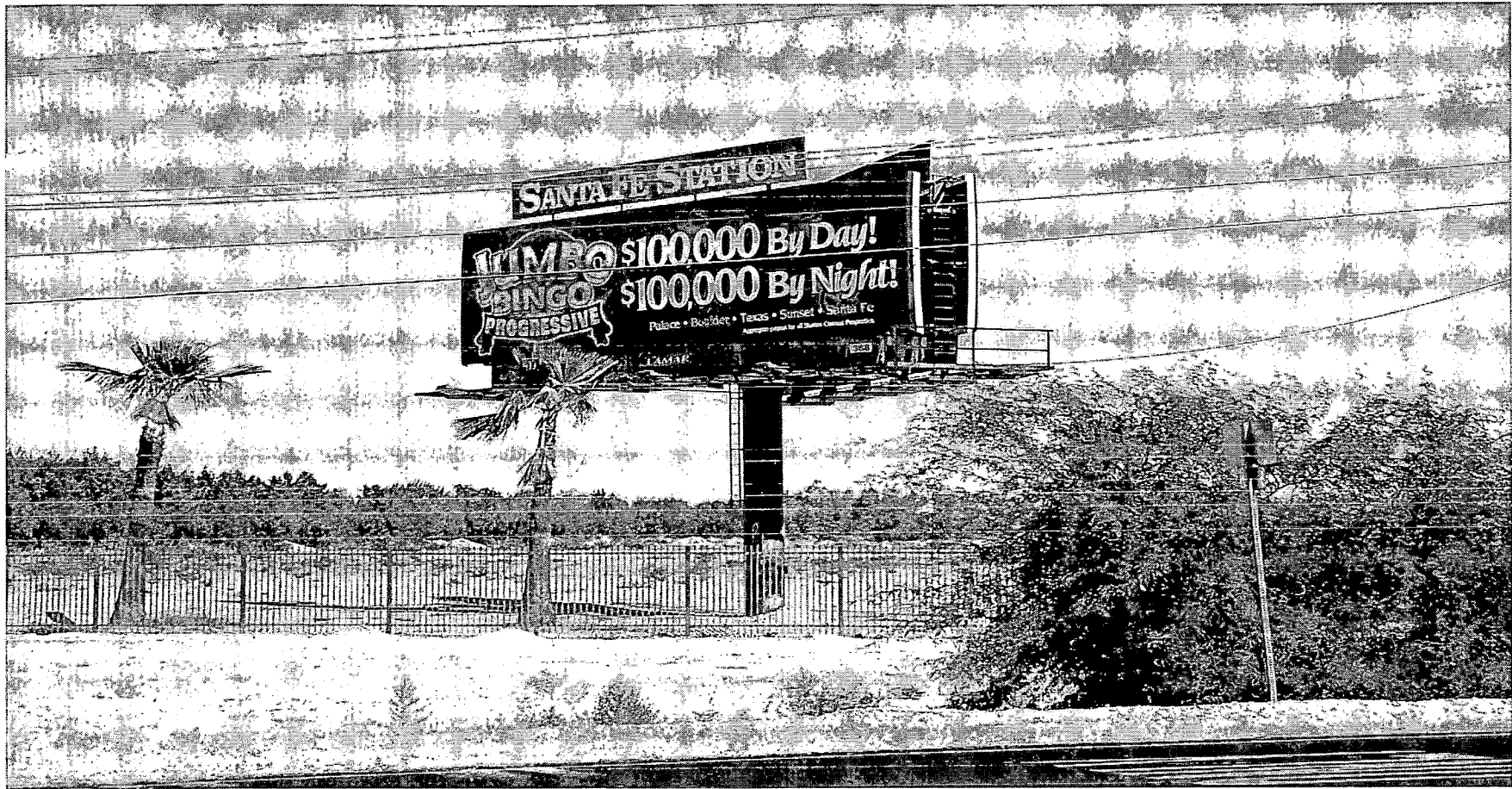
Subscribed and sworn before me

This **27** day of **August**, 20**04**

Lynda S. Miles
Notary Public in and for said County and State

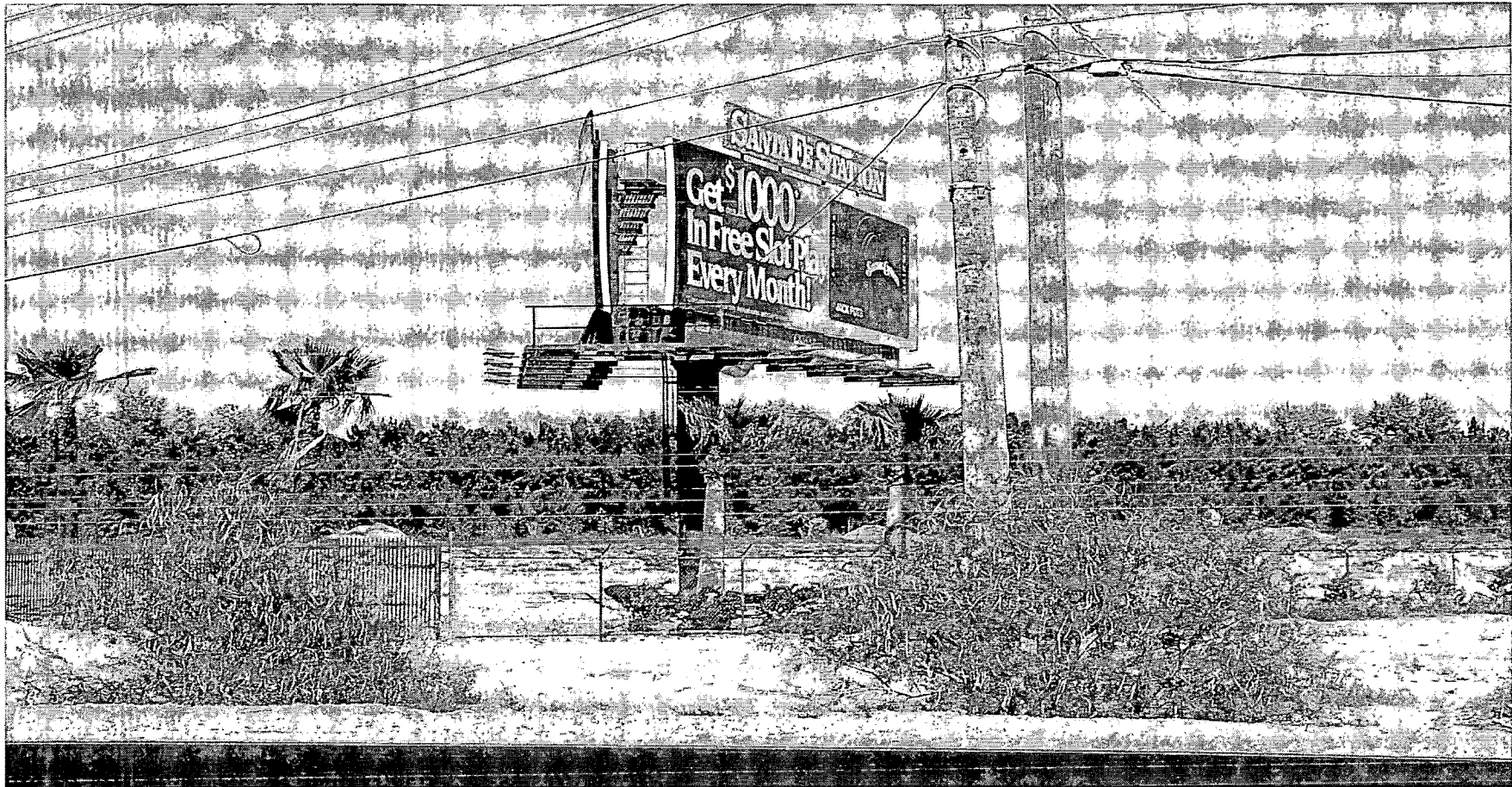


LYNDA S. MILES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 03-85289-1
My Appt. Expires Sept. 25, 2007



RQR-5166 - APPLICANT: LAMAR ADVERTISING - OWNER: RANCHO DRIVE, LLC
EAST SIDE OF RANCHO DRIVE, APPROXIMATELY 200 FEET SOUTH OF RAINBOW BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



RQR-5166 - APPLICANT: LAMAR ADVERTISING - OWNER: RANCHO DRIVE, LLC
EAST SIDE OF RANCHO DRIVE, APPROXIMATELY 200 FEET SOUTH OF RAINBOW BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting - Written Opinion Memorandum from Deputy City Attorney Scott regarding abstentions for 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 [SUP-5171] filed under Item 118 [RQR-5168]

MOTION:

BROWN - APPROVED subject to conditions - **UNANIMOUS** with **GOODMAN** and **WEEKLY** excused and **MACK** abstaining 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 declared the Public Hearing open.

SCOTT NAFTZGER, Lamar Advertising, 1863 Helm Drive, appeared on behalf of the applicant and concurred with the recommendation.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:07 - 2:08)

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

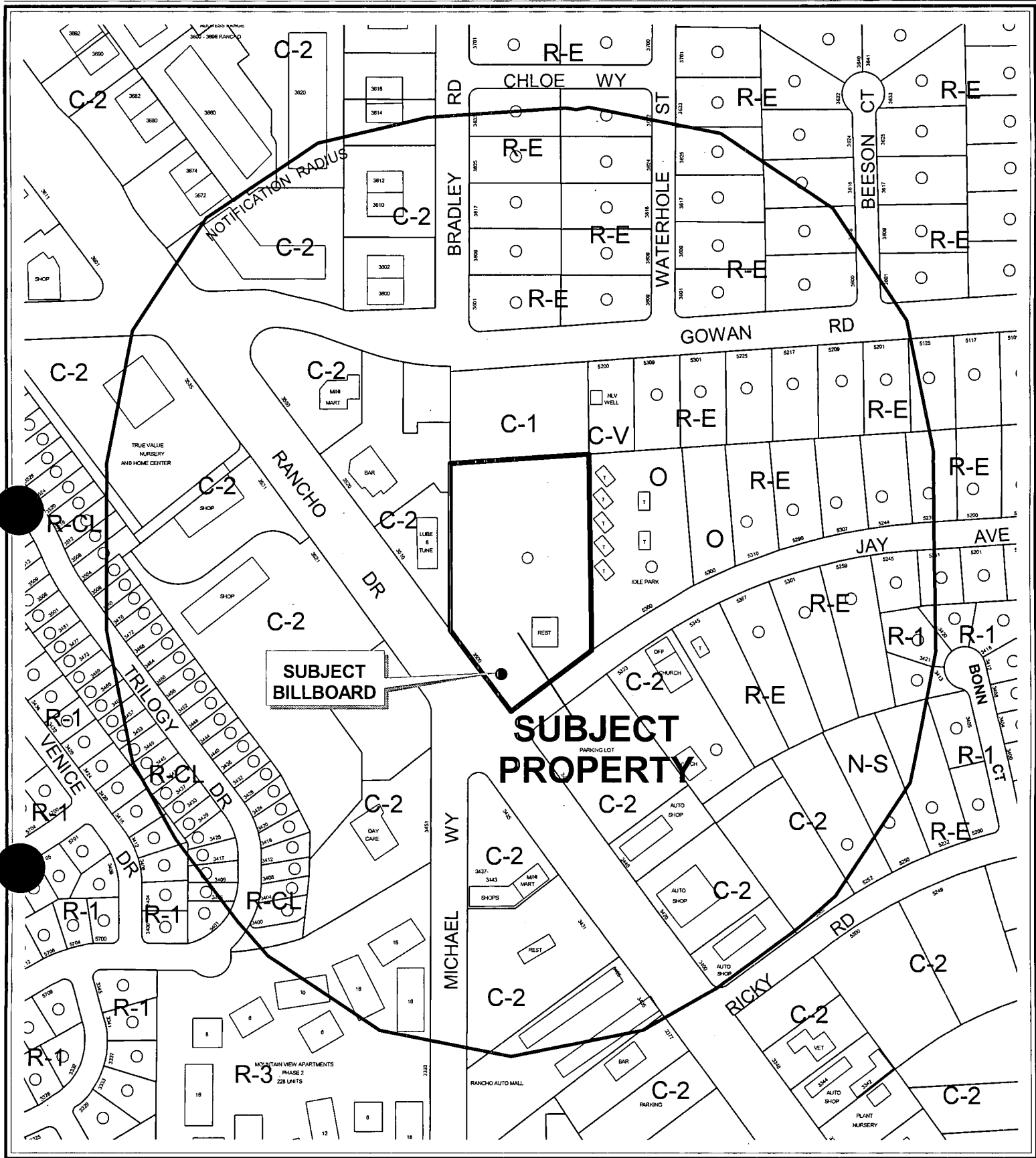
MINUTES - Continued:

2-2182

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

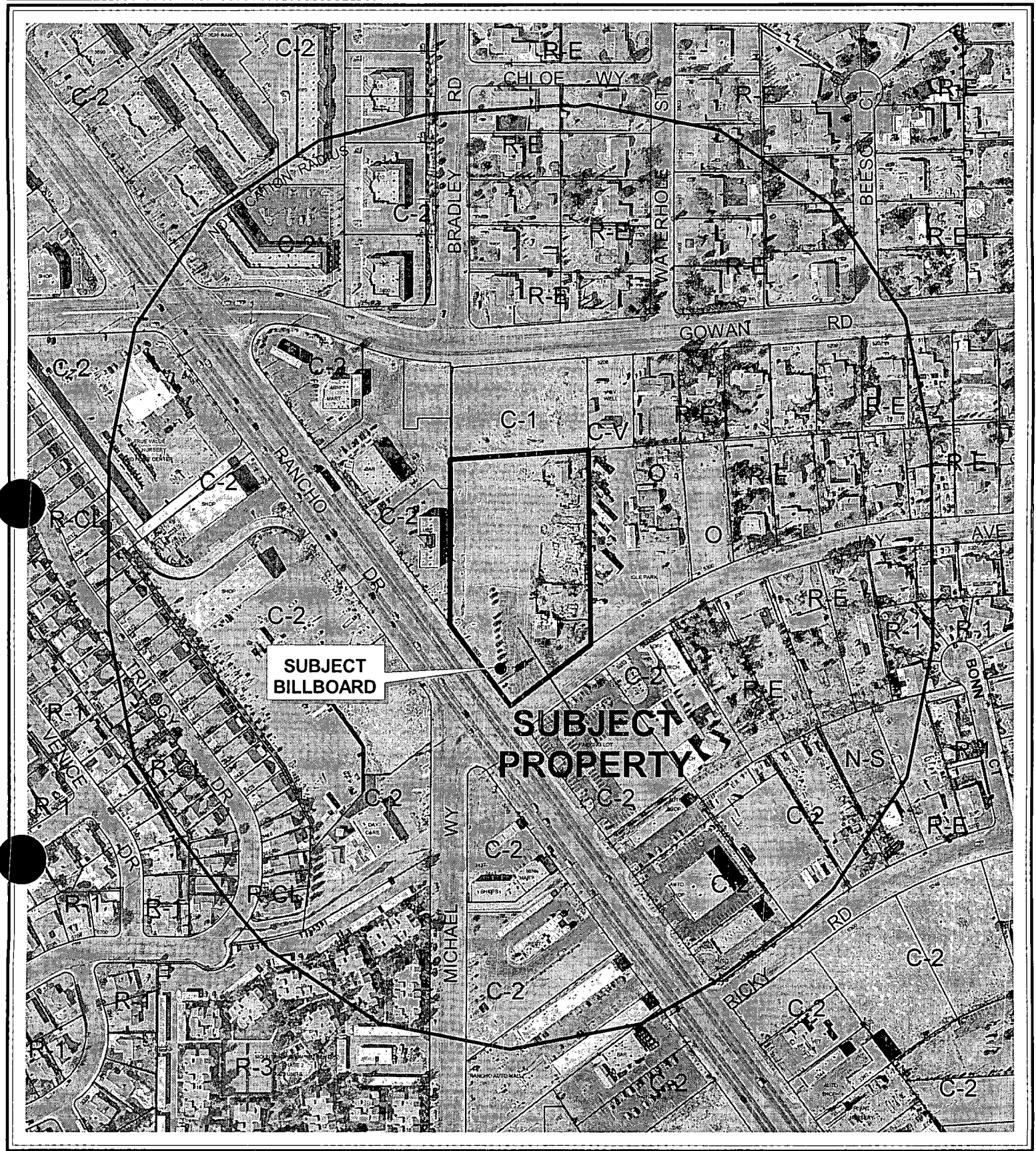


CASE: RQR-5167

RADIUS: 750 FT

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

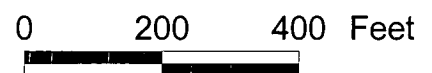


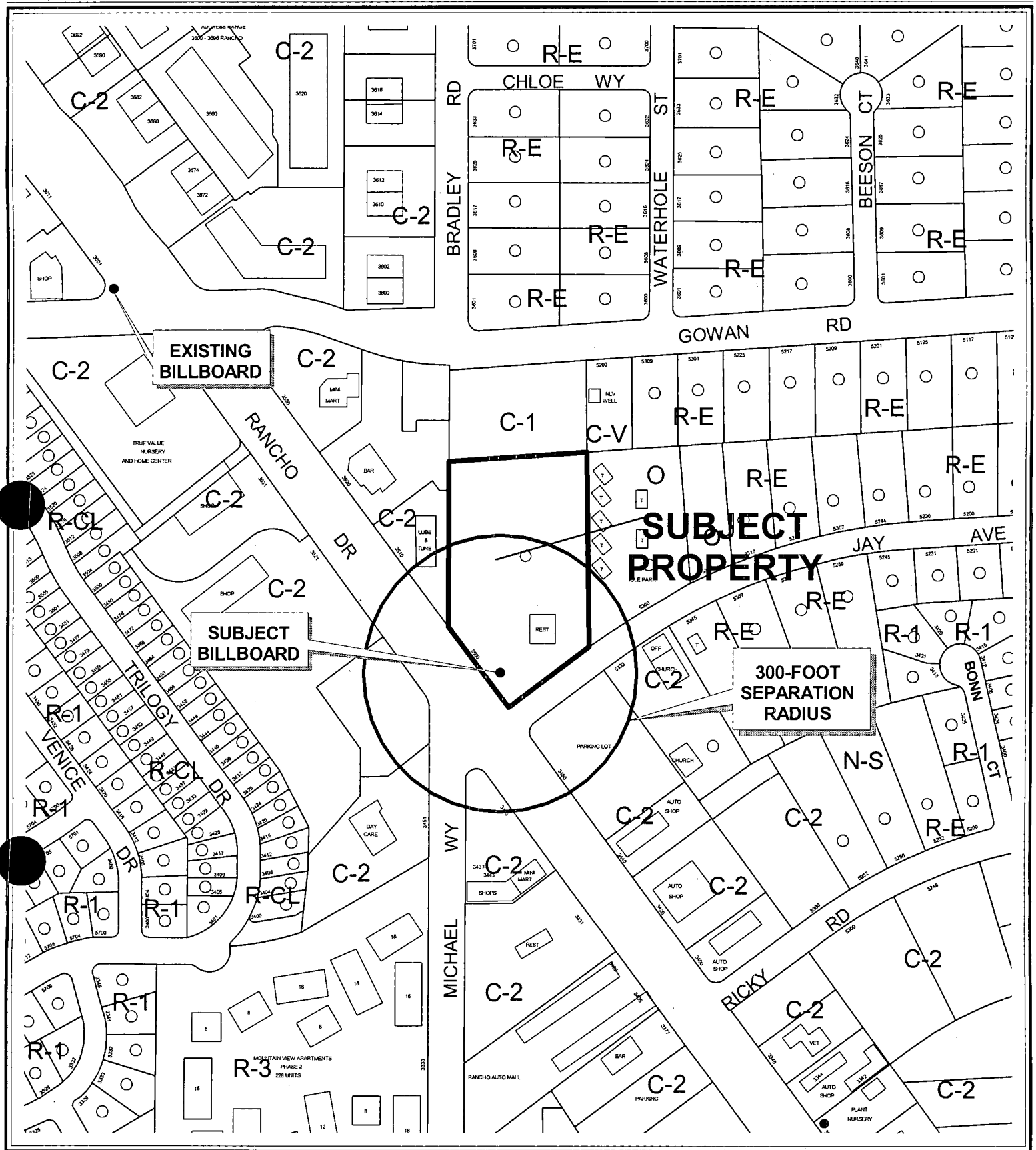


CASE: **RQR-5167**

RADIUS: 750 FT

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





CASE: RQR-5167

SEPARATION RADIUS: 300 FT

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-5167 - APPLICANT: LAMAR ADVERTISING - OWNER: HAL-STAN, INC.

**** CONDITIONS ****

The Planning Commission (6-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a Required Two Year Review on an approved Special Use Permit, which allowed a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign on this site.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 06/05/63 The subject property was designated within the C-2 (General Commercial) zoning district upon its Annexation (A-0003-63) into the City of Las Vegas.
- 05/17/95 The City Council approved a Special Use Permit (U-0038-95) for an off-premise advertising (billboard) sign on the subject property. The Board of Zoning Adjustment and staff recommended approval on April 25, 1995.
- 03/24/97 The City Council adopted Ordinance No. 4073, establishing the Off-Premise Sign Exclusionary Zone, including the subject site as part of a larger area, with the adoption of Title 19A (Las Vegas Zoning Code).
- 07/05/00 The City Council approved a Required Five-Year Review [U-0038-95(1)] of a Special Use Permit for an approved off-premise advertising sign, thereby allowing the use to continue on the subject property, subject to a review in two years. The Planning Commission and staff recommended approval on May 26, 2000.
- 10/17/02 The City Council approved a Required Two-Year Review [U-00385-95(2)] of a Special Use Permit for an approved off-premise advertising sign, thereby allowing the use to continue on the subject property, subject to a review in two years. The Planning Commission and staff recommended approval on September 12, 2002.
- 10/21/04 The Planning Commission voted 6-1 to recommend APPROVAL (PC Agenda Item #7/bts).

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 3.30 acres (overall site)

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The site is currently designated as SC (Service Commercial) within the Centennial Hills Interlocal Land Use Plan of the General Plan. The SC (Service Commercial) category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

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

The subject site is located in the North Las Vegas Overlay Map. The maximum height allowed within this area is 70 feet therefore the billboard complies with the overlay map.

The subject site is located in the Rancho Corridor trails area. The multi-use transportation trail designation is located on the northeast side of Ranch Drive.

ANALYSIS

A) Zoning Code Compliance

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet to another Off Premise Sign	1200 feet

B) General Analysis and Discussion

- **Zoning**

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

- **Use**

Title 19.14.100 permits the removal of the sign if conditions in the surrounding area have changed in a manner that no longer meets the standards for the approval of a Special Use Permit. The area surrounding the subject site has not substantially changed since initial approval of this Special Use Permit.

FINDINGS

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

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

The area immediately surrounding the subject site has not changed substantially since the approval of the previous Required Two-Year Review [U-0038-95 (2)]. Therefore staff recommends approval of this request, subject to a two-year review.

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

There are no physical constraints to the continuation of the off-premise advertising (billboard) sign use on this commercial site.

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

Off-premise advertising signs do not generate automotive traffic and therefore will not affect the existing public rights-of-way adjacent to this site.

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

The off-premise advertising (billboard) sign will be subject to regular City inspections and licensing requirements and will not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

NOTICES MAILED 123 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Hal-Stan Inc.

Name of Applicant: Lamar Advertising

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

Yes

No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

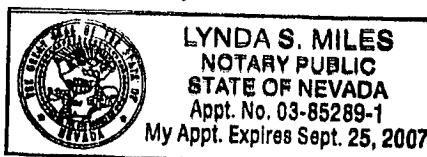
Print Name: Scott Nathaniel

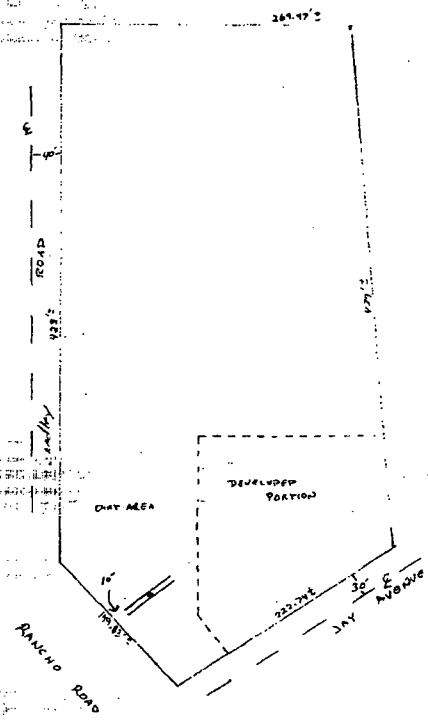
on behalf of owner

Subscribed and sworn before me

This 22 day of August, 2004

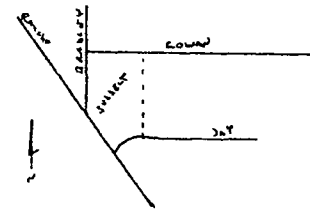
Lynda Smith
Notary Public in and for said County and State



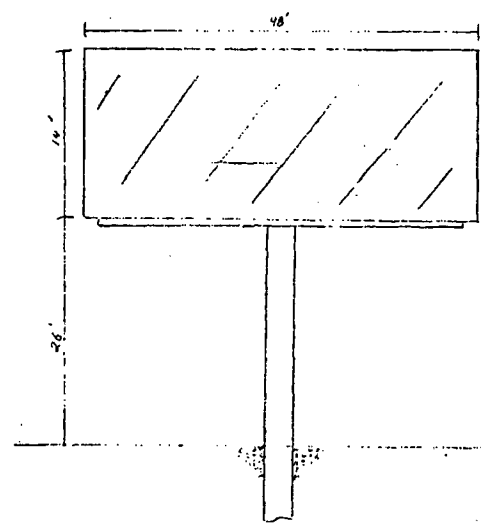


A PORTION OF THE
SOUTHEAST 1/4 SECTION 12
TOWNSHIP 20 SOUTH
RANGE 60 EAST

APP 13812-710-044
3500 N. RANCHO DRIVE
20080 C-1



VICINITY
MAP
(NOT TO SCALE)



4
N
1" = 50'

RQR-5167
10/21/04 PC

APPROVED
10/21/04
RECEIVED
RQR-5167
10/21/04 PC

ALMAIR OUTDOOR ADVERTISING, INC.
MICHAEL DEERAN

257-1371-01	
Halstan Inc.	
DATE: 10-21-04	APPROVED: [Signature]
APP 13812-710-044	
3500 N. RANCHO	



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

10/05/04



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

10/05/04



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

10/05/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT

RQR-5169 - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: STEVE & RAYNELL PHILLIPS - Appeal filed by the Applicant from the Denial by the Planning Commission of a Required Two Year Review of an Approved Special Use Permit (U-0027-95) WHICH ALLOWED A 40 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6651 West Charleston Boulevard (APN 163-02-104-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], Ward 1 (Moncrief). The Planning Commission (6-1 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Lamar Advertising
5. Submitted at meeting - Written Opinion Memorandum from Deputy City Attorney Scott regarding abstentions for 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 [SUP-5171] filed under Item 118 [RQR-5168]

MOTION:

MONCRIEF - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused and MACK abstaining 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 declared the public hearing open.

SCOTT NAFTZGER, Lamar Advertising, 1863 Helm Drive, appeared on behalf of the applicant and disagreed with the Planning Commission's recommendation. The sign has been well-kept and maintained in accordance with all conditions of the original approval.

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

MINUTES - Continued:

COUNCILWOMAN MONCRIEF expressed her appreciation to the applicant for maintaining the lot throughout the year.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the public hearing closed.

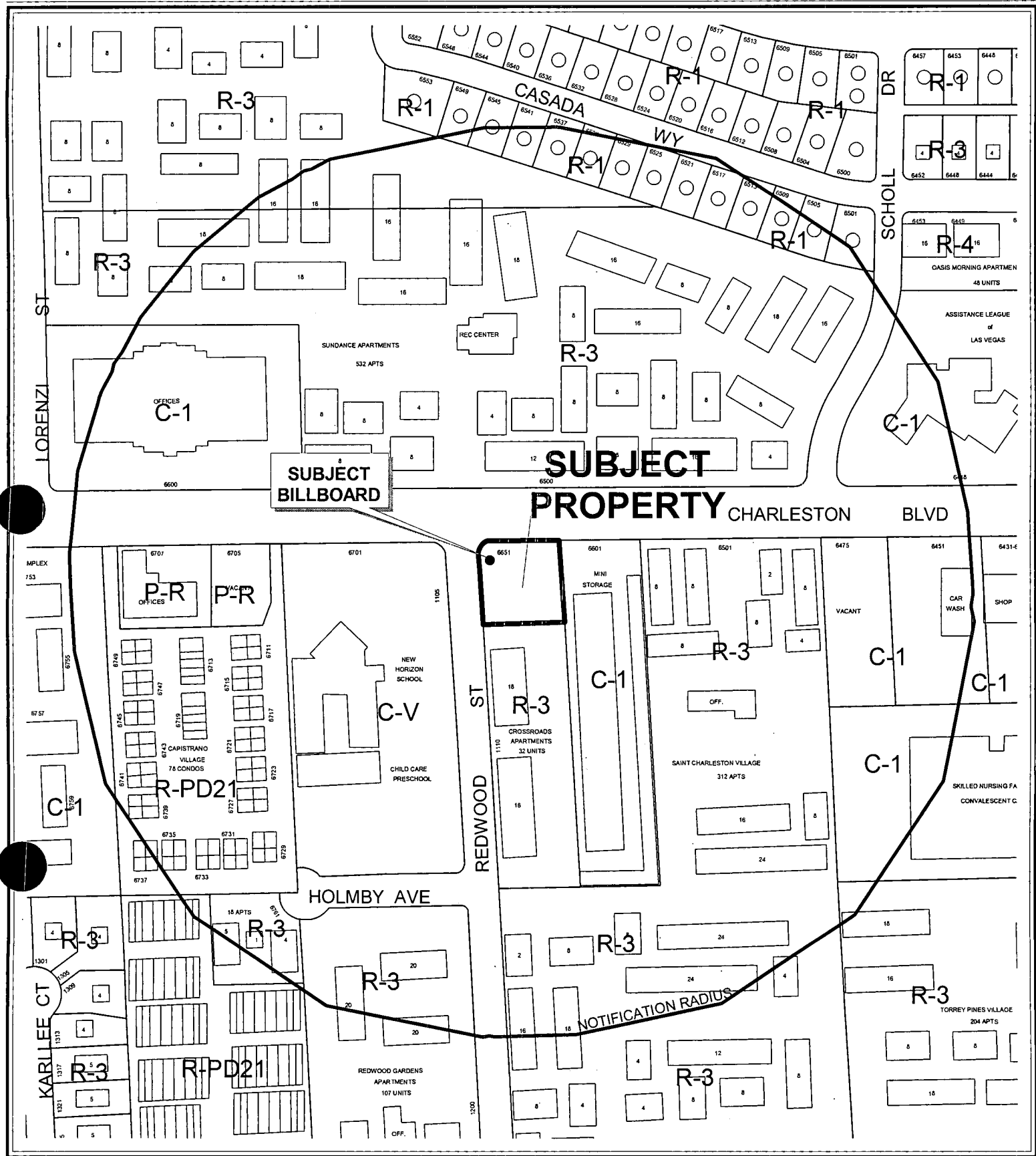
(2:08 - 2:09)

2-2228

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising sign (billboard) supporting structure shall be designed to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti and bird droppings at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. All City Code requirements and design standards of all City Departments shall be satisfied.



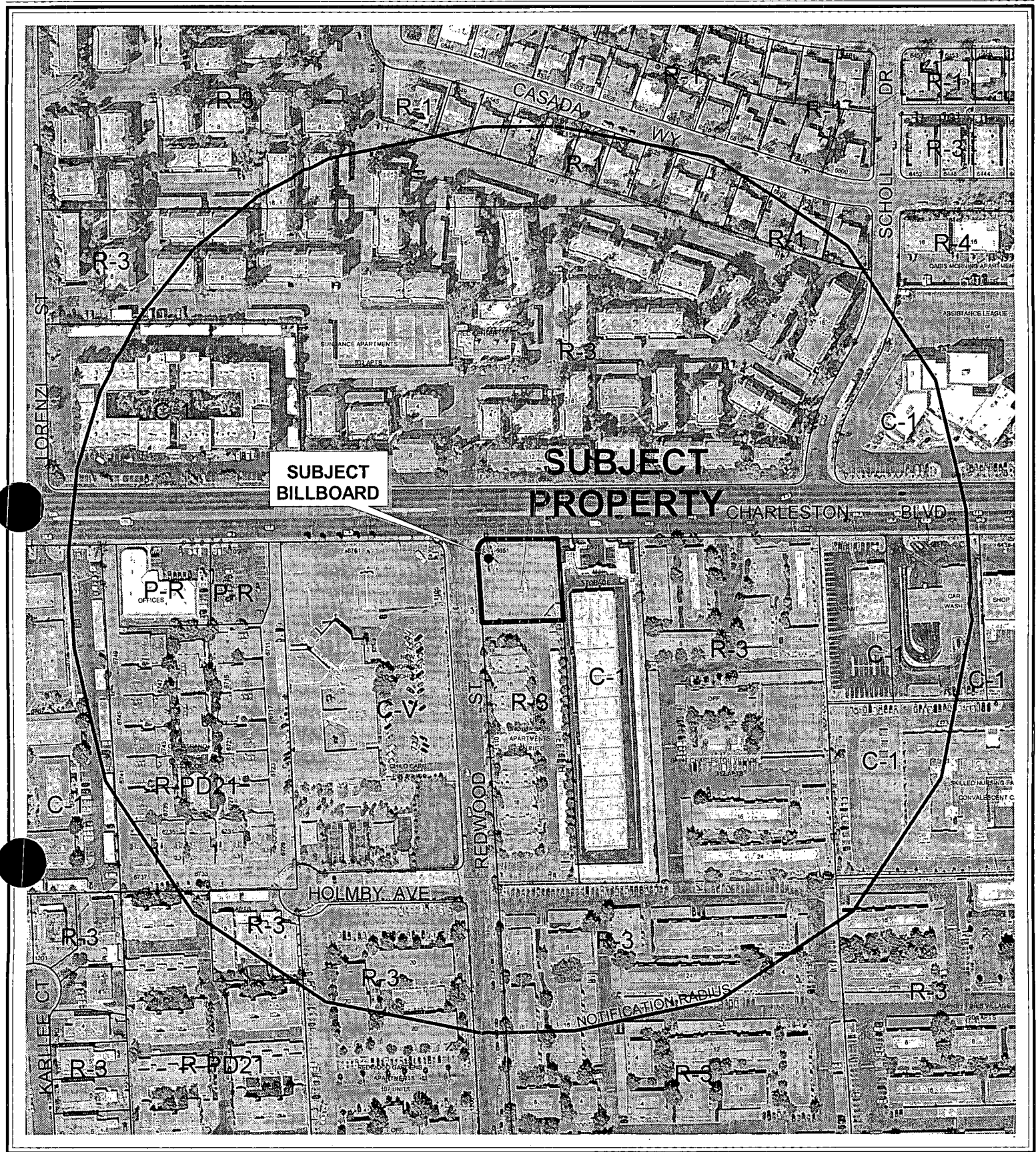
CASE: RQR-5169

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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





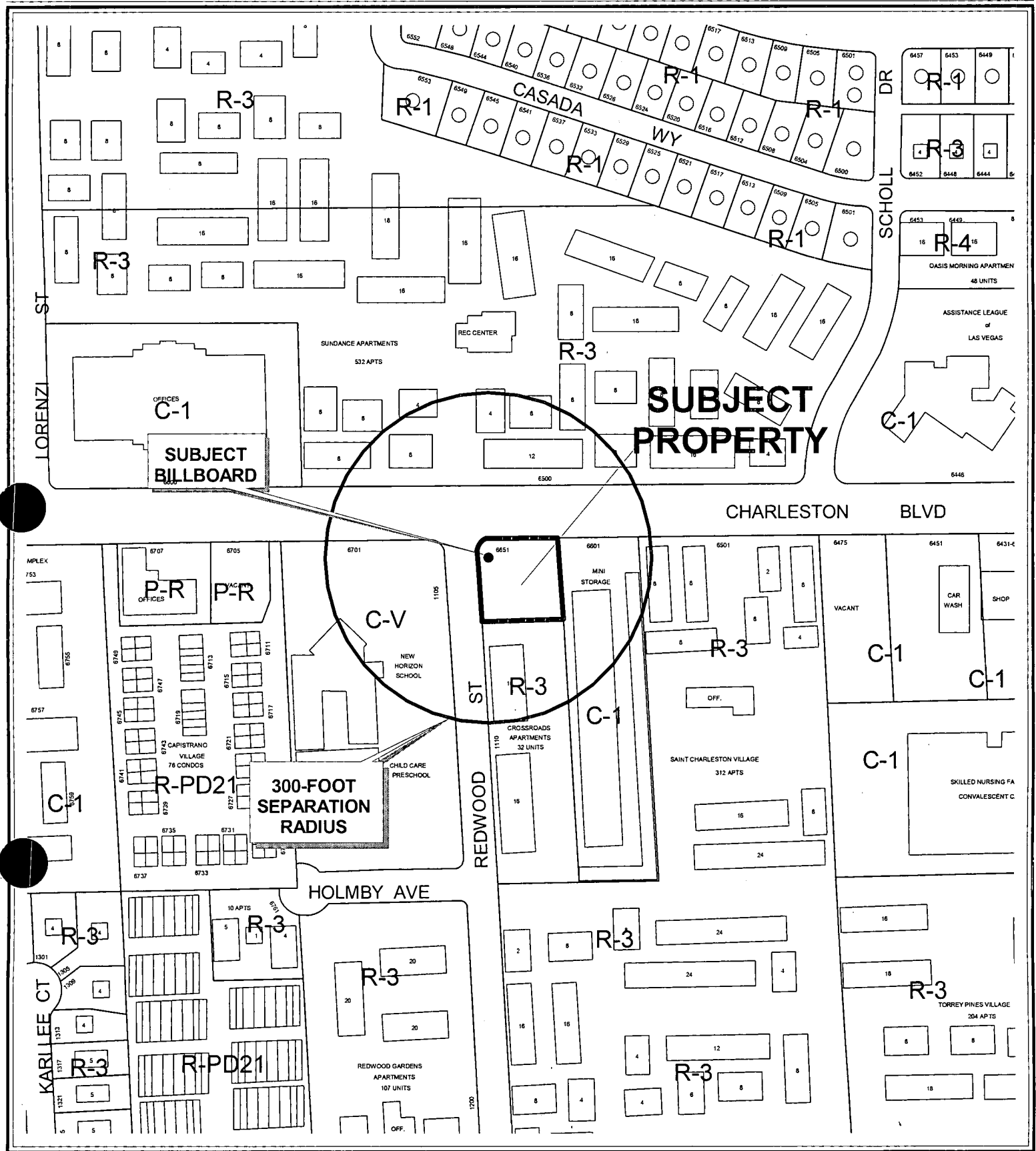
CASE: RQR-5169

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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





CASE: RQR-5169

SEPARATION RADIUS: 300 FT

ZONING OF SUBJECT PROPERTY:

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-5169 - APPLICANT: LAMAR ADVERTISING - OWNER: STEVE & RAYNELL PHILLIPS

**** CONDITIONS ****

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

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising sign (billboard) supporting structure shall be designed to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti and bird droppings at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by the applicant from the Denial by the Planning Commission of a Required One Year Review on approved Special Use Permit U-0027-95(2) which allowed a 40-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 6651 West Charleston Boulevard.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 02/18/95 The City Council approved a request for Reclassification of Property (Z-0172-94) from N-U (Non-Urban) to C-1 (Limited Commercial) of the subject site; the Resolution of Intent for Reclassification subsequently expired, due to the property not being developed as proposed.
- 07/05/95 The City Council rescinded a denial of the Special Use Permit (U-0027-95) for a 672 square-foot (14 feet x 48 feet), 40-foot high off-premise advertising (billboard) sign on this site, subject to a five-year review.
- 09/08/00 The City Council approved a Required Five Year Review [U-0027-95(1)] of a Special Use Permit for a 672 square-foot (14 feet x 48 feet), 40-foot high off-premise advertising (billboard) sign on this site, subject to a two-year review.
- 08/07/02 The City Council approved a Site Development Plan Review (SD-0026-02) for site improvements in conjunction with temporary sales at this site.
- 11/06/02 The City Council approved a Required Two Year Review [U-0027-95(2)] of a Special Use Permit for a 672 square-foot (14 feet x 48 feet), 40-foot high off-premise advertising (billboard) sign on this site, subject to a two-year review. Planning Commission and staff recommended approval on September 26, 2002.
- 10/21/04 The Planning Commission voted 6-1 to recommend DENIAL (PC Agenda Item #9/srs).

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.52

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

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

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

B) General Analysis and Discussion

- Zoning

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

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

- Use

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

FINDINGS

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

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

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

Title 19.14.010 of the Las Vegas Municipal Code allows the removal of an off-premise sign if conditions are the surrounding area have changed such that the off-premise sign no longer meets the standards for approval of a Special Use Permit. Staff finds that while the area immediately surrounding the subject site has not changed substantially since the original approval of the Special Use Permit allowing the off-premise advertising (billboard) sign. Billboards are not conducive to new development of an area and are not an appropriate use in perpetuity. Therefore staff recommends this approval be subject to a two-year review.

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

There are no physical constraints to the continuation of the off-premise advertising (billboard) sign use on this site.

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

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

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

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

NOTICES MAILED 194 by City Clerk

APPROVALS 0

PROTESTS 0



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



LAMAR ADVERTISING COMPANY

October 22, 2004

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

Dear Sir or Madam:

Lamar Advertising, with this letter, requests an appeal to the Las Vegas City Council of the October 22, 2004 Planning Commission's decision to deny application **RQR-5169**, a required review of a Special Use Permit for an existing off-premise sign.

Should you have any questions, please contact me at 873-4600. Thank you for your attention in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Naftzger", written over a circular stamp.

Scott Naftzger
Project Coordinator, Lamar Advertising

2004 OCT 22 A 11:43

RECEIVED
CITY CLERK

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT

RQR-5170 - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: BOYS CLUBS OF CLARK COUNTY, INC. - Required Two Year Review of an Approved Special Use Permit (U-0041-95) WHICH ALLOWED A 55 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2800 Marlin Avenue (APN 139-36-213-001), R-4 (High Density Residential) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting - Written Opinion Memorandum from Deputy City Attorney Scott regarding abstentions for 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 [SUP-5171] filed under Item 118 [RQR-5168]

MOTION:

REESE - APPROVED subject to conditions and amending Condition 1 as follows:

1. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

- UNANIMOUS with GOODMAN and WEEKLY excused and MACK abstaining 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 declared the public hearing open.

SCOTT NAFTZGER, Lamar Advertising, 1863 Helm Drive, appeared on behalf of the applicant and

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

MINUTES - Continued:

concurred with the recommendation.

MAYOR PRO TEM REESE noted the Boys' Club is in the process of trading this property with the City of Las Vegas. Because the sign is on the south side of US95 and will be moving near Freedom Park, he would recommend approval so long as the Boys' Club can receive benefits from the sign. He then stipulated that if and/or when the City must resell, the sign must come down. MR. NAFTZGER agreed.

MARGO WHEELER, Deputy Director, Planning and Development, acknowledged the stipulation would amend Condition 1, stating the review would be five years instead of two years.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the public hearing closed.

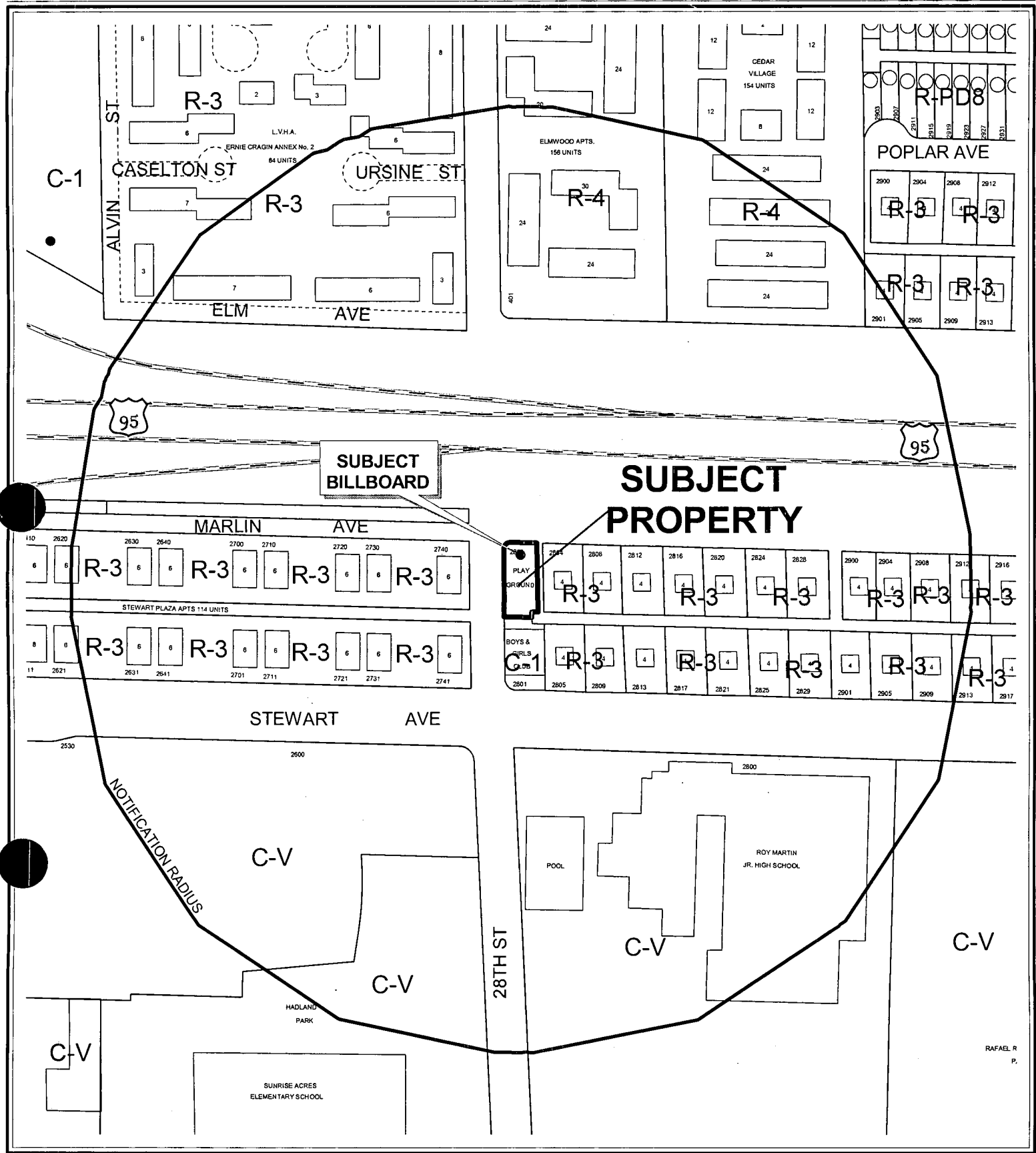
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2-2296

CONDITIONS:

Planning and Development

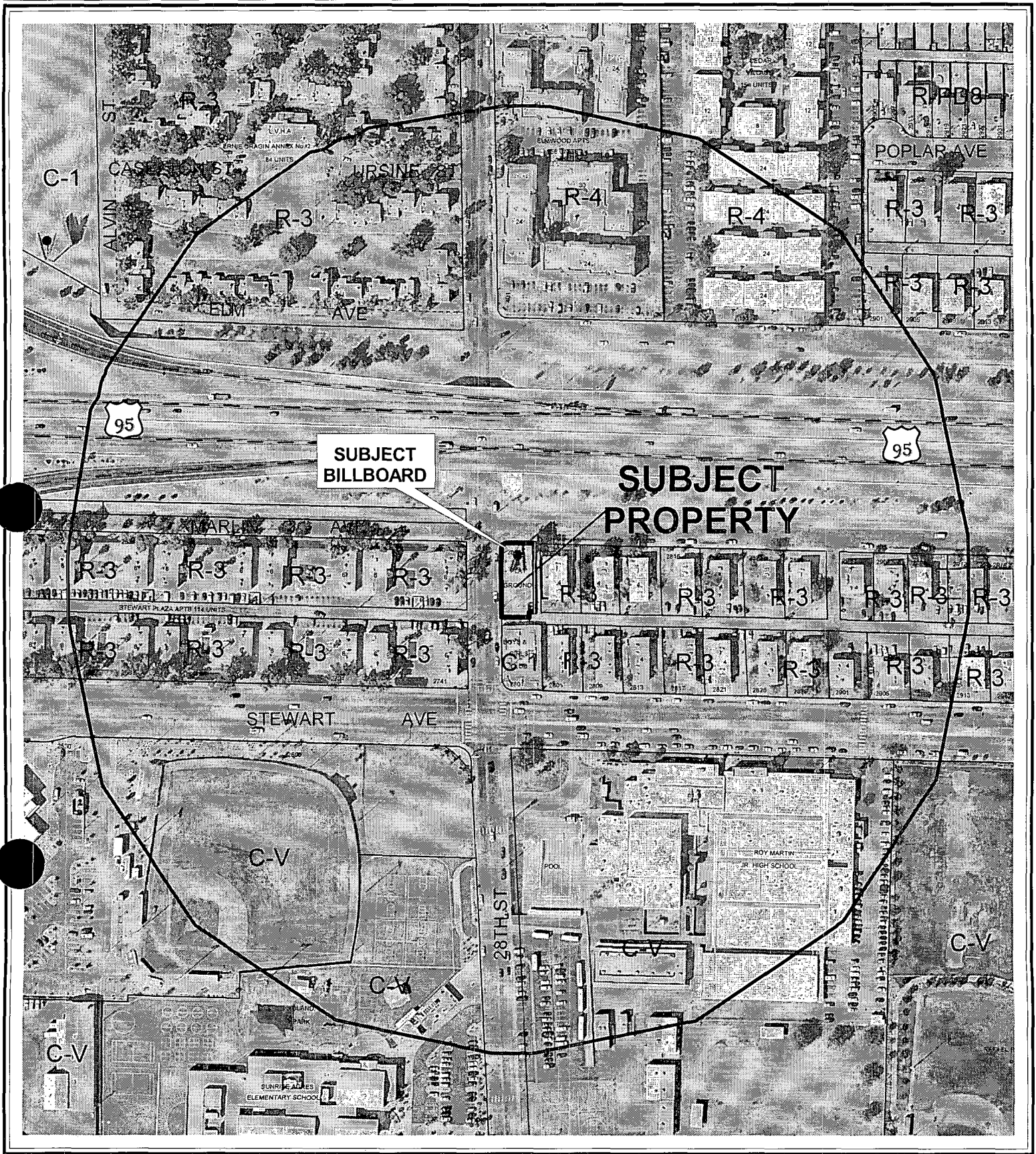
1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising sign (billboard) supporting structure shall be designed to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. All City Code requirements and design standards of all City Departments shall be satisfied.



CASE: **RQR-5170**

RADIUS: 750 FT

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



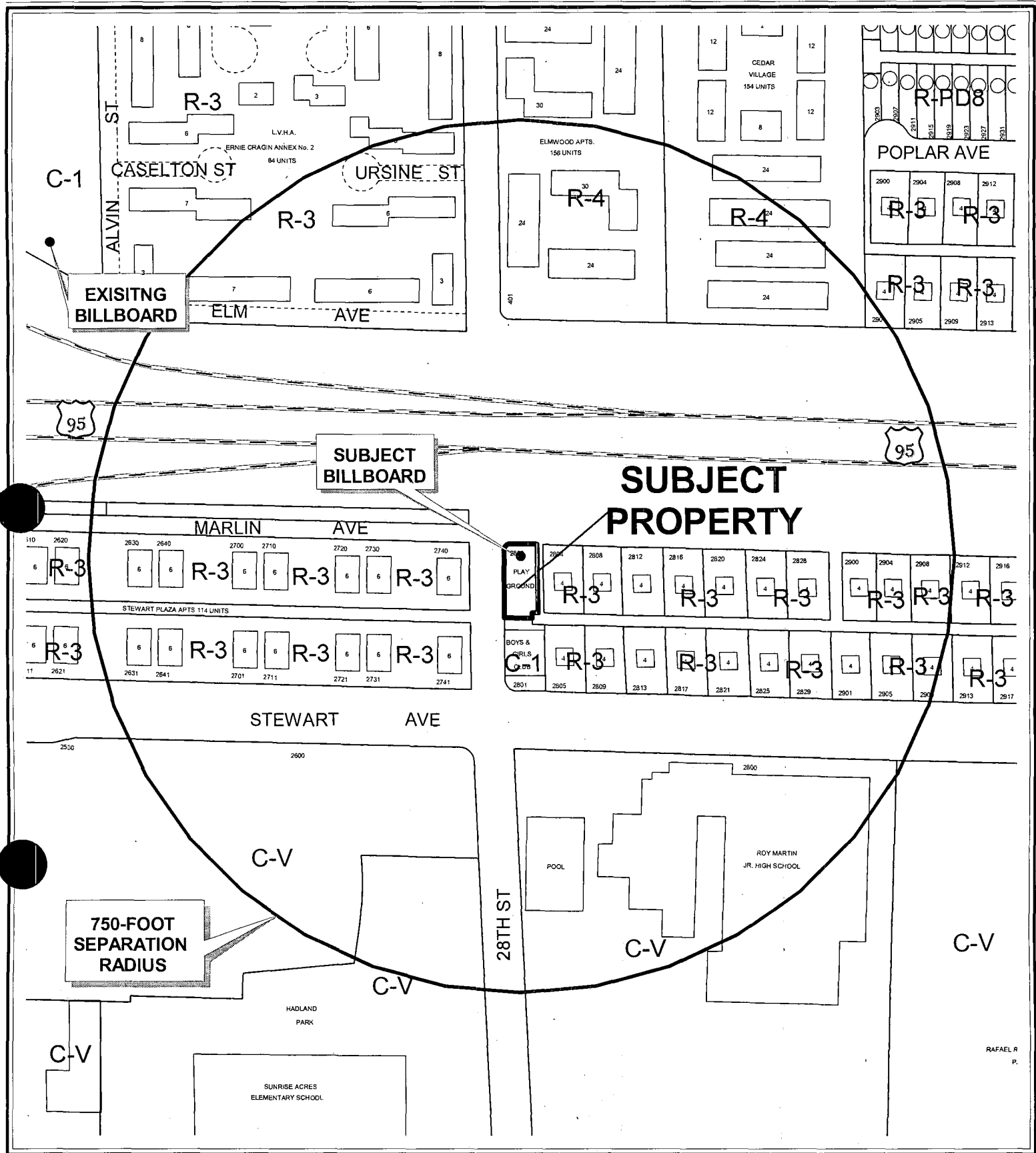
CASE: RQR-5170

RADIUS: 750 FT

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

0 200 400 Feet

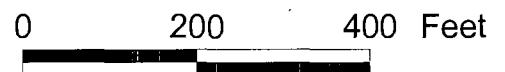




CASE: **RQR-5170**

SEPARATION RADIUS: 750 FT

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-5170 - APPLICANT: LAMAR ADVERTISING - OWNER:
BOYS CLUBS OF CLARK COUNTY, INC.**

**** CONDITIONS ****

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

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising sign (billboard) supporting structure shall be designed to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a Required Two Year Review on approved Special Use Permit U-0041-95, which allowed a 30-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 2801 Marlin Avenue.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 04/24/63 | The City Council approved a Rezoning (Z-0062-63) to R-4 (High Density Residential) on this site. |
| 07/19/95 | The City Council approved the Special Use Permit (U-0041-95), which allowed the 14-foot x 48-foot off-premise advertising (billboard) sign on this site, subject to a five-year review. |
| 09/06/00 | The City Council approved a Required Five year Review [U-0041-95(1)] of a Special Use Permit for a 14-foot x 48-foot off-premise advertising (billboard) sign on this site, subject to a two year review. |
| 11/06/02 | The City Council approved a Required Two year Review [U-0041-95(2)] of a Special Use Permit for a 14-foot x 48-foot off-premise advertising (billboard) sign on this site, subject to a two year review. Planning Commission and staff recommended approval on September 26, 2002. |
| 10/21/04 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #10/srs). |

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.17

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Minimum Distance Separation Requirements

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

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

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

B) *General Analysis and Discussion*

- Zoning

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

- Use

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

FINDINGS

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

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

Title 19.14.010 allows the removal of an off-premise advertising (billboard) sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards for approval of a Special Use Permit. The continued off-premise advertising (billboard) sign use on the subject site is appropriate, in that the vicinity has not changed substantially in the past five years. Therefore, staff recommends the Special Use Permit be reviewed again in two years at which time the City Council may require the subject billboard be removed.

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

There are no physical constraints to the continuation of the off-premise advertising (billboard) sign use on this site.

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

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

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

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

NOTICES MAILED 35 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

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

Name of Applicant: Lamar Advertising

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

Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

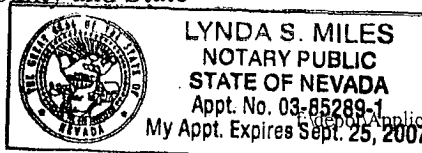
Signature of Property Owner/Authorized Agent: [Signature]

Print Name: Scott Nattzel

Subscribed and sworn before me

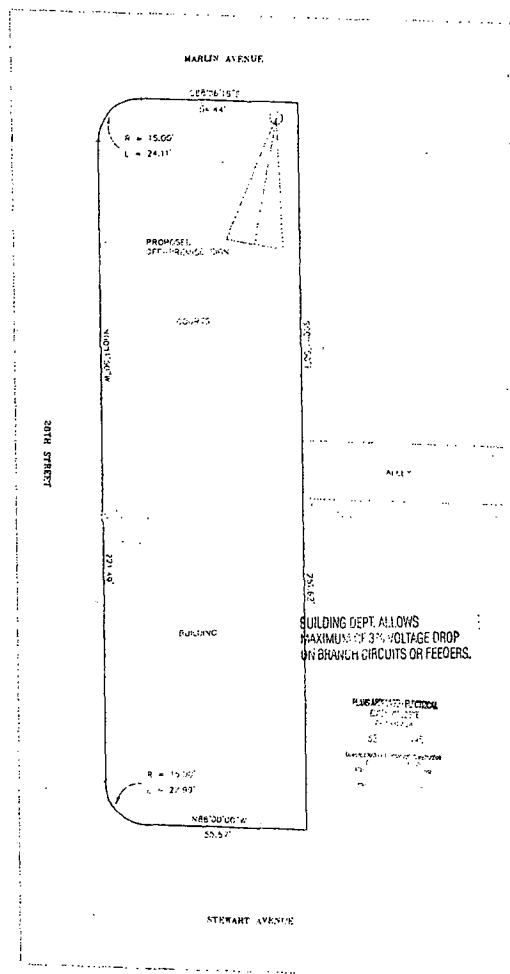
This 27 day of August, 2004

Sydney S Miller
Notary Public in and for said County and State



RQR-5170
10/21/04 PC

U.S.. 95



GRAPHIC SCALE

(IN FRONT)
1 inch = 20 ft

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-19-98 BY 60322
UCBAW



OVERALL HEIGHT OF SIGN TO BE
30.0 FEET ABOVE EXISTING GRADE
OF HIGHWAY

14' X 48' 572 SQUARE FOOT SIGN

APPROVE

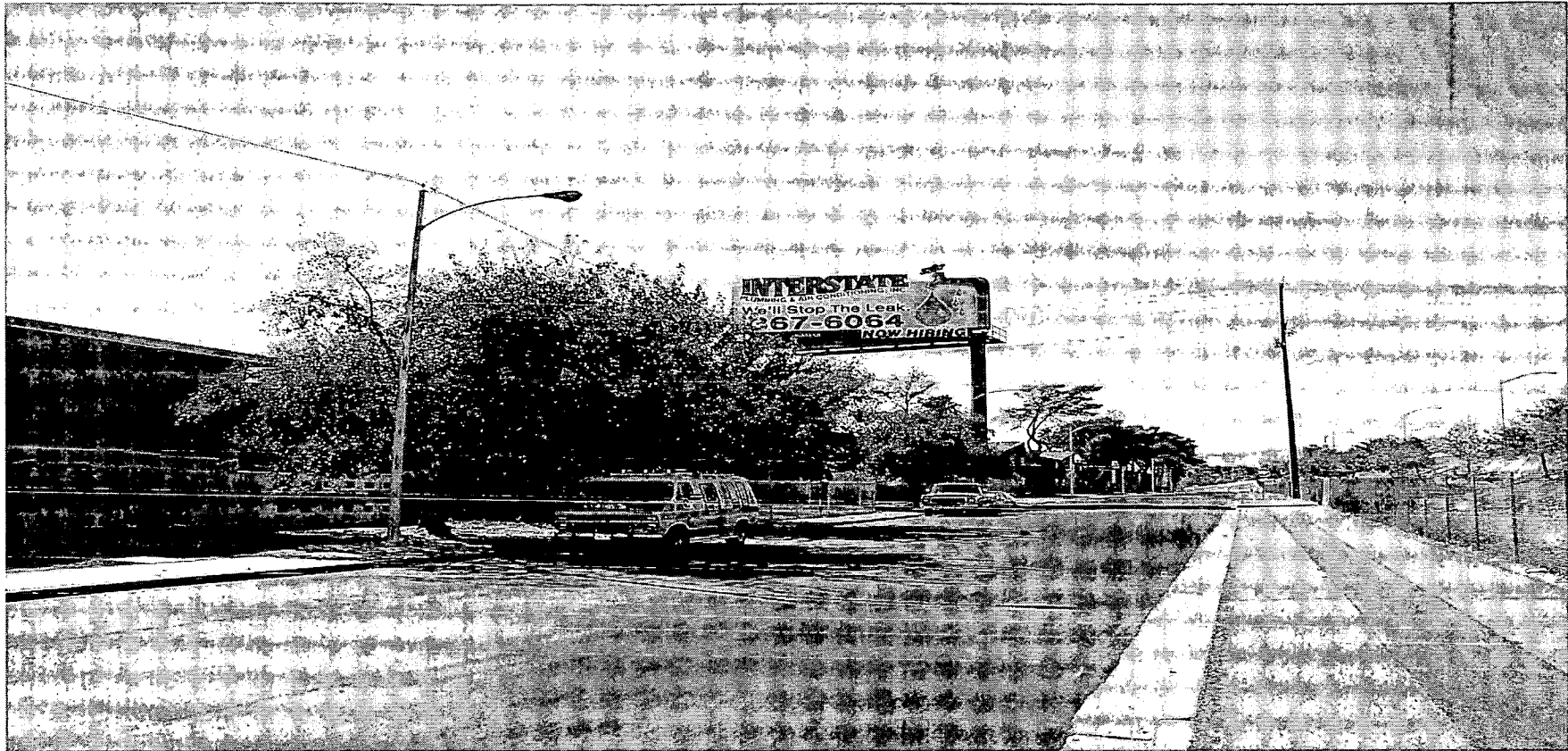
ELEVATION

[illegible]



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

10/05/04



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

10/05/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT

RQR-5171 - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: Z J & R PROPERTIES, LLC - Appeal filed by the Applicant from the Denial by the Planning Commission of a Required Two Year Review of an Approved Special Use Permit (U-0043-94) WHICH ALLOWED A 55-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3900 West Charleston Boulevard (APN 139-31-801-018), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

The Planning Commission (6-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal and abeyance request letter by Lamar Advertising
5. Submitted after final agenda-Protest letter by Andy Pollack
6. Submitted at meeting-Written Opinion Memorandum from Deputy City Attorney Scott on abstentions for 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 [SUP-5171] filed under Item 118 [RQR-5168]

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

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

MOTION - Continued:

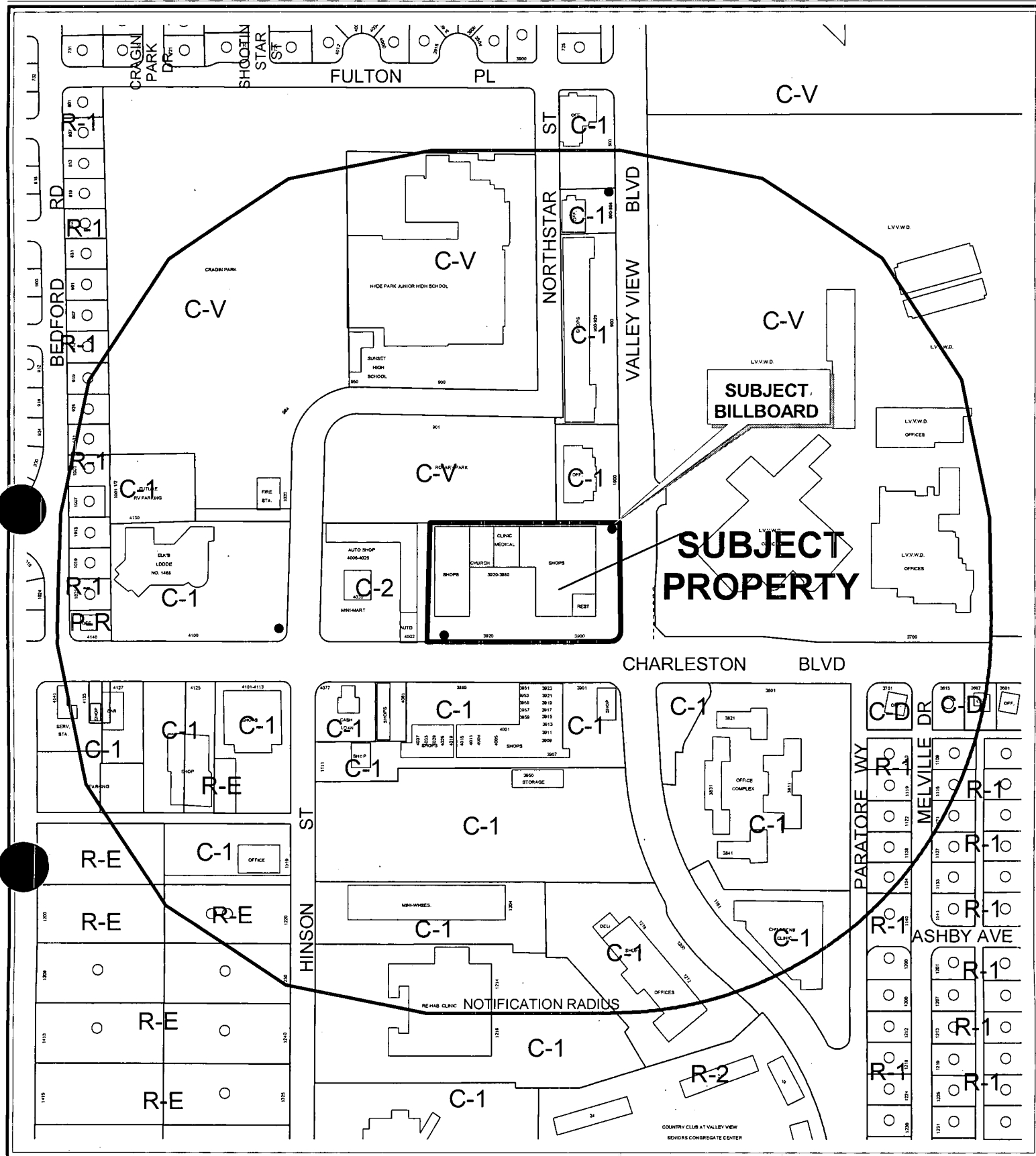
DEPUTY CITY ATTORNEY BRYAN SCOTT regarding his abstentions.

MINUTES:

There was no related discussion.

(1:05 - 1:14)

2-1



CASE: RQR-5171

RADIUS: 750 FT

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

0 200 400 Feet



125



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

(4) Window signs shall not:

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

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

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

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

PLANNING COMMISSION ACTION

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

NOTICES MAILED 116 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP 5072 APN: 130-10-816-007
Name of Property Owner: Charleston Heights Development Co.
Name of Applicant: PDC Auto Title Loans

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

Yes

✓ No

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

City Official: _____

Partner(s): _____

APN: _____

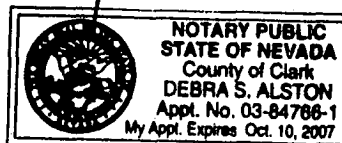
Signature of Property Owner/Authorized Agent: _____

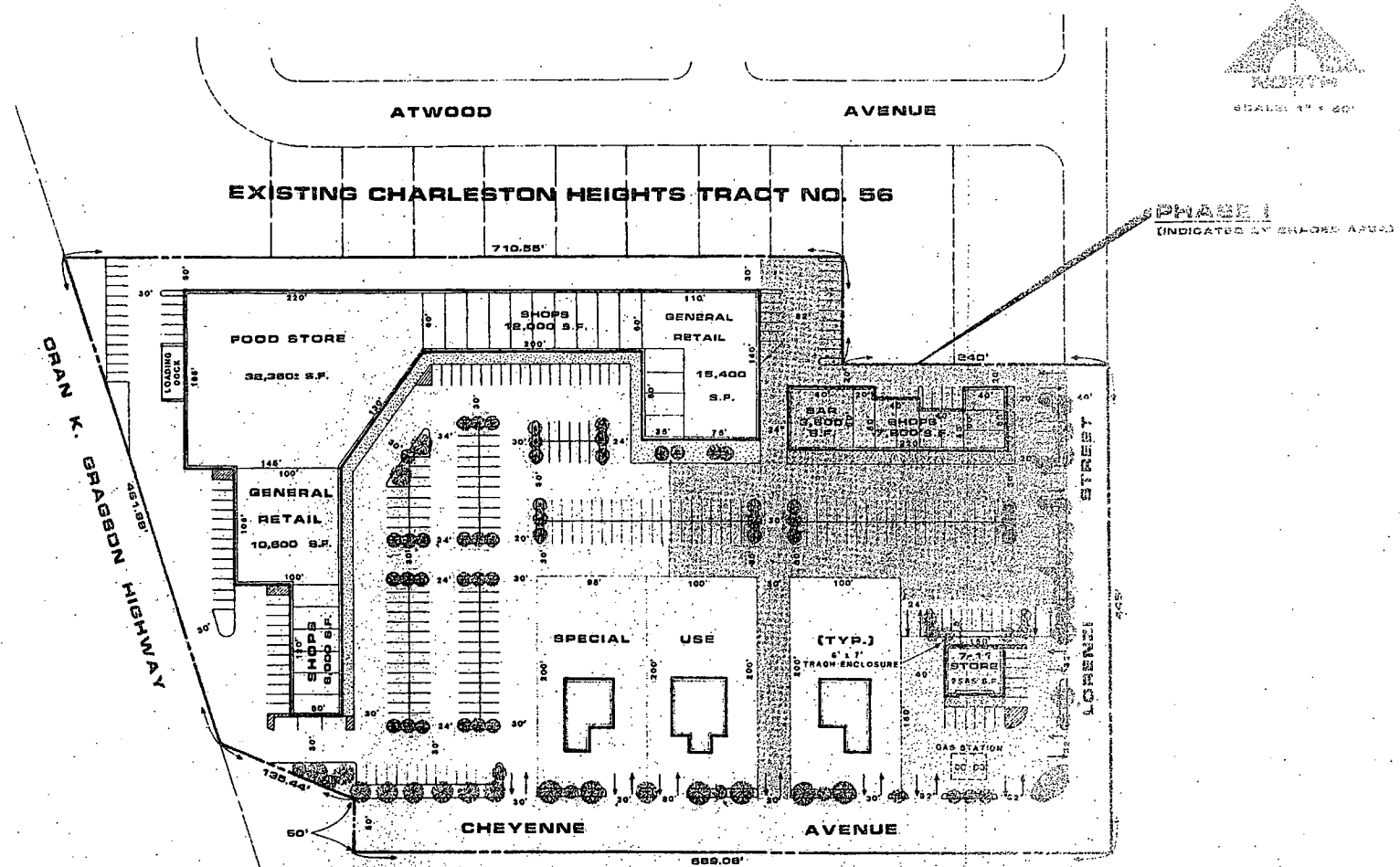
Print Name: Ernest A. Becker, Jr.

Subscribed and sworn before me

This 19th day of August, 2004

Notary Public in and for said County and State





RECEIVED
AUG 23 2004

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

PARKING SPACE TABULATION				
BUILDING	AREA (S.F.)	PARKING SPACES		
		REQUIRED	PROVIDED	
FOOD STORE	32,380	130		
BAR	3,600	76		
7-11 STORE	2,588	11		
SHOPS/GENERAL RETAIL	51,100	102		
TOTALS	89,668	319	319	

CHEYENNE VILLAGE
SHOPPING CENTER NO. 1

SUP-5072
10-07-04 PC



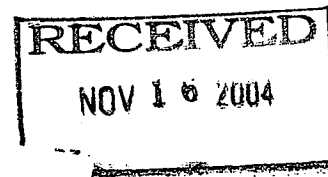
SUP-5072 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PDC AUTO TITLE LOAN -
OWNER: CHARLESTON HEIGHTS DEVELOPMENT COMPANY
6708 WEST CHEYENNE AVENUE
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

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 # 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.

KS:b

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT GENZER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****SPECIAL USE PERMIT**

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Abeyance request by Garth Lamb and Kimn Morey for Item 130 [SUP-5228] and Item 131 [SDR-5094] filed under Item 130 [SUP-5228]

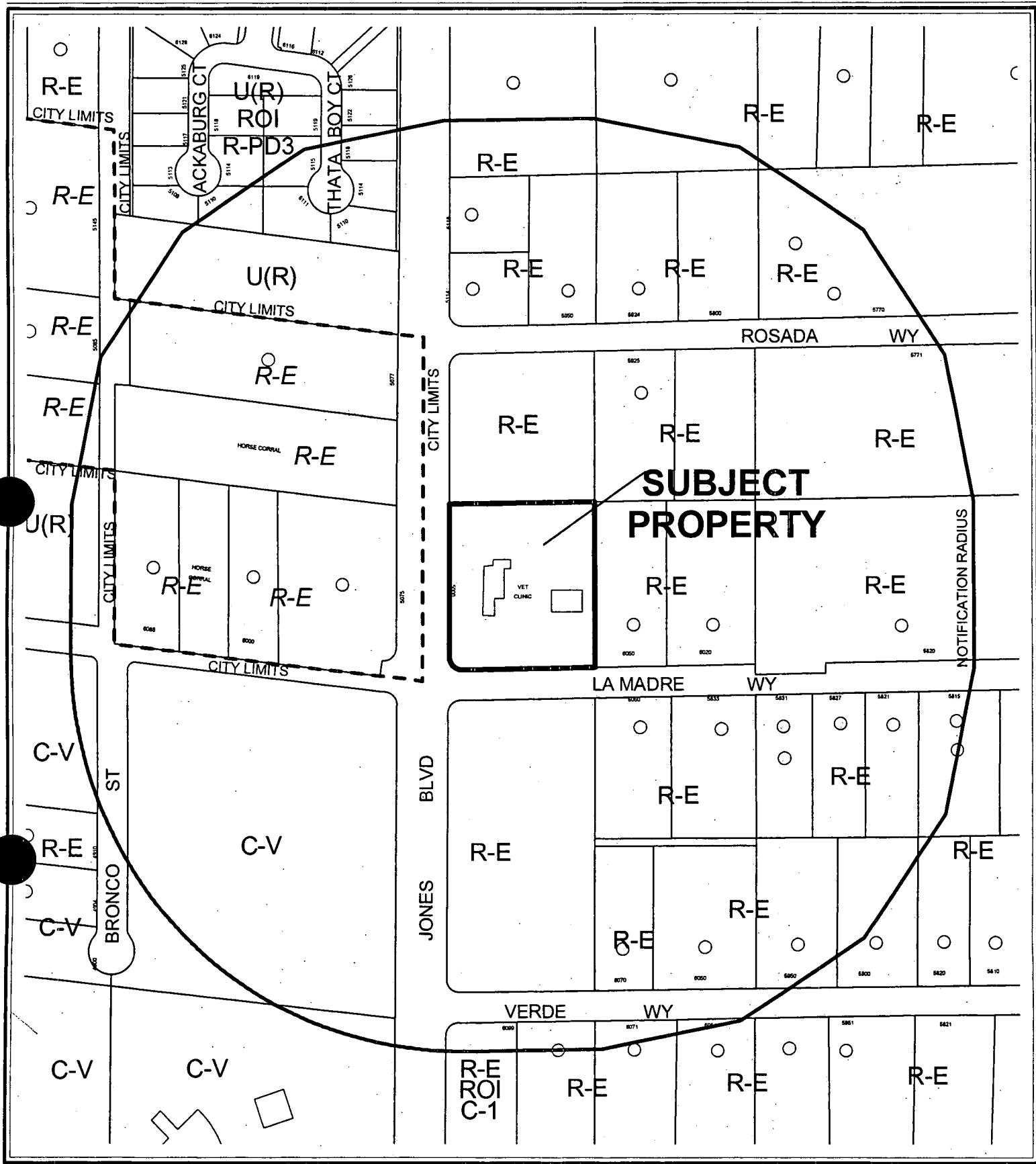
MOTION:

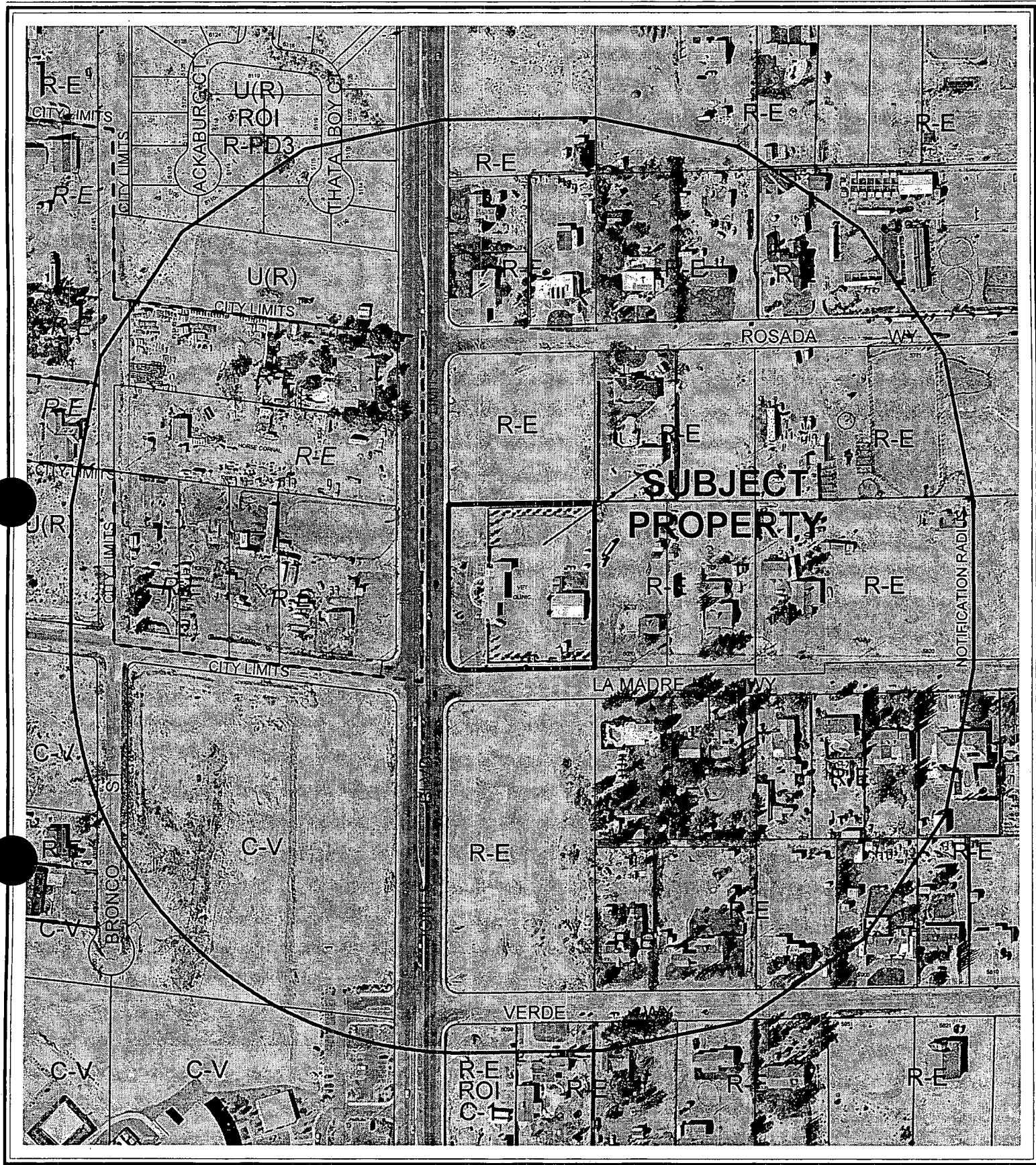
BROWN - Motion to accept the **WITHDRAWAL WITHOUT PREJUDICE** of Item 167 [SUP-5196] and Item 168 [SDR-5197], to accept the **WITHDRAWAL** of APN 138-12-110-022 and **HOLD IN ABEYANCE** the remainder of the applications for Item 158 [GPA-5182] and Item 159 [ZON-5183] to 1/19/2005; **HOLD IN ABEYANCE** 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

MINUTES:

There was no related discussion.

(1:05 - 1:14)

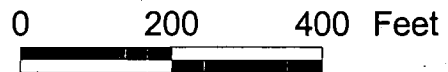




CASE: SUP-5228

RADIUS: 750 FT

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - SUP-5228 - APPLICANT: GARTH W. LAMB - OWNER: GARTH W. LAMB AND SHARI L.HUMBLE-LAMB

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 3, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

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

Planning and Development

1. Conformance with all the conditions established for the original Variance (V-0096-96) that established the use, the conditions of approval for the Site Development Plan Review (SDR-5094), and the conditions herein.
2. This Special Use Permit for the building addition shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council. No expansion of the use may occur without the submittal of a new Special Use Permit.
3. Open pens shall be limited to the care of large animals such as horses, screened from view of adjacent streets and adjoining properties, and located no closer than 50 feet from a lot on which a residential use exists or is permitted.
4. The buildings shall be designed to provide complete sound barriers and odor protection for adjacent properties.
5. Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls facing properties on which a residential use exists or is permitted.
6. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

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

B) Pre-Application Meeting

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

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres	2.18
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B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

A) Zoning Code Compliance

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

B) General Analysis and Discussion

a. Zoning

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

b. Use

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

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

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

c. Conditions

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

1. All surgical procedures shall be done within the enclosed building area and meet all applicable health code requirements.
2. Provide minimum 24-inch box trees 40 feet on center with shrubs, groundcover and boulders in all landscape planter areas, as required by the planning and development department. The use of drought tolerant landscape is encouraged.
3. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the northeast corner of Jones Boulevard and La Madre Way prior to the issuance of any permits as required by the Department of Public Works.
4. Construct half-street improvements including appropriate over paving on Jones Boulevard and La Madre Way adjacent to this site concurrent with development of this site as required by the Department of Public Works. All existing over paving damaged or removed by this development shall be restored to its original location and to its original width concurrent with development of this site as required by the Department of Public Works.
5. Contribute \$2,500.00 to partially fund the future upgrading of the existing traffic signal system at the intersection of Jones Boulevard and Lone Mountain Road prior to the issuance of building or off-site permits as required by the Department of Public Works. The City reserves the right to utilize the contributed traffic signal monies for the installation or upgrading of traffic signals at any other intersection within this general vicinity which is impacted by this development and which has a more immediate need for signalization.
6. Meet with the Traffic Engineer for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with standard drawing #222A as required by the Department of Public Works.

7. A drainage plan and technical drainage study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, whichever may occur first, as required by the Department of Public Works.
8. All development must be in conformance with the plat plan and elevations. Landscaping and a permanent underground sprinkler system shall be provided as required by the Board of Zoning Adjustment and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, license, or prior to occupancy, whichever occurs first.
10. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
11. City code requirements and design standards of all city departments must be satisfied.
12. Parking and driveway plans must first be approved by the traffic engineer.
13. Any damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures, as required by the department of Fire Services.

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

1. Open pens shall be screened from view of adjacent streets and adjoining properties and located no closer than 50 feet from a lot with a residential use.
3. The building shall be designed to provide complete sound barriers and odor protection for adjacent properties.
4. Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls adjacent to residences.
5. Noise levels must comply with the applicable provisions of LVCM Title 7.

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

FINDINGS

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

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

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

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

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

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

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

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

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

NOTICES MAILED 45 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Garth W. Lamb

Name of Applicant: Kima Morey

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

Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

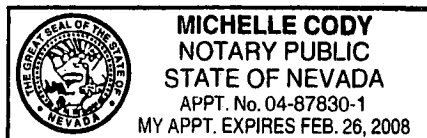
Signature of Property Owner/Authorized Agent:

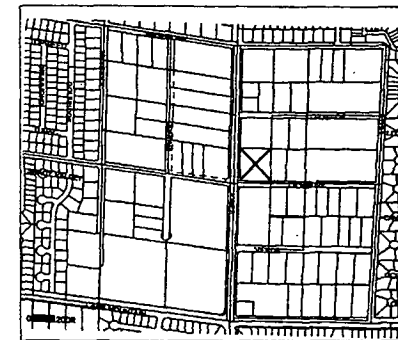
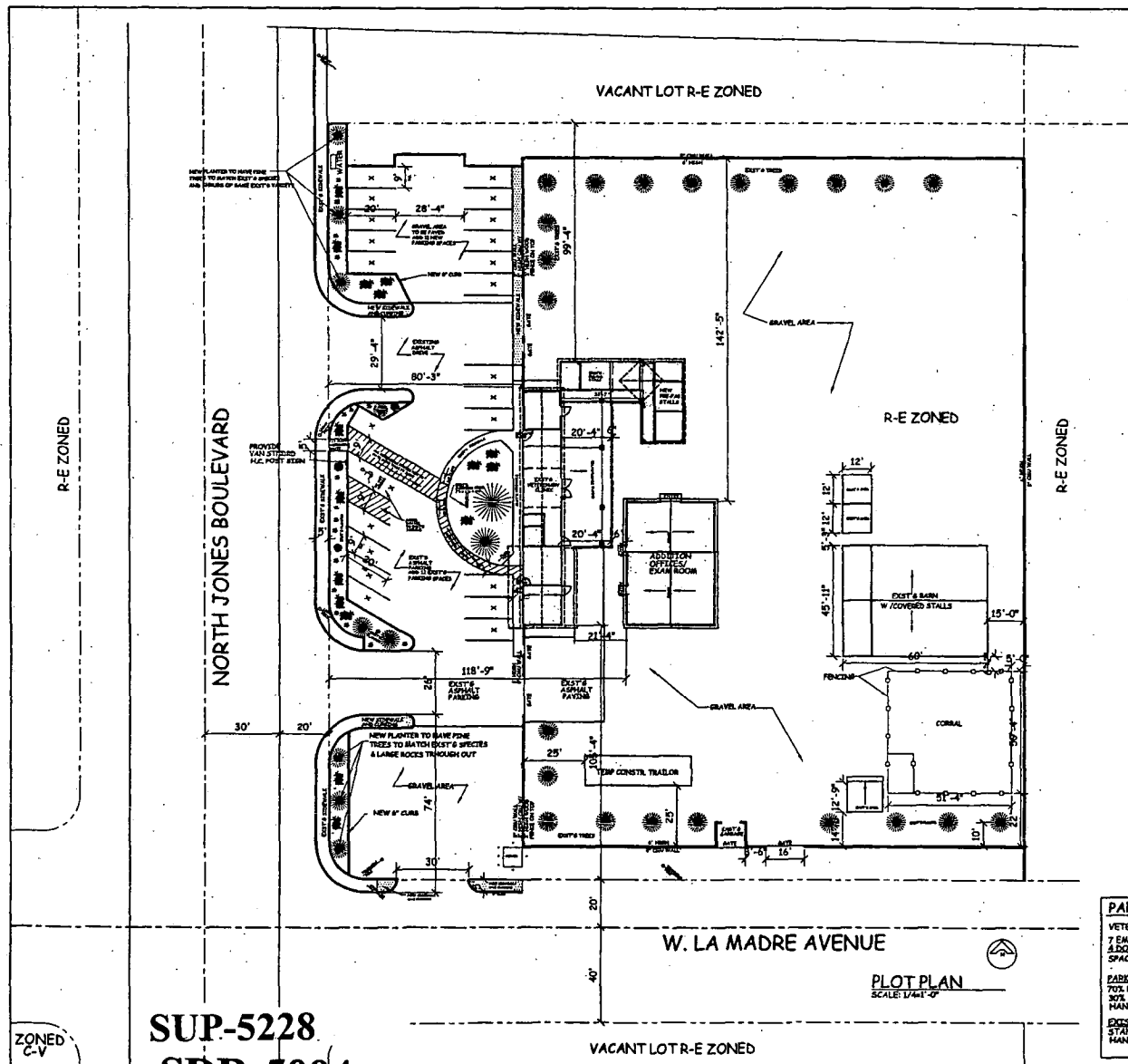
Print Name:

Subscribed and sworn before me

This 11 day of August, 2004

Michelle L. Ody
Notary Public in and for said County and State





VICINITY MAP
SCALE: NONE

PROJECT DATA:	
PROJECT ADDRESS:	3000 N. JONES BLVD. LAS VEGAS, NV 89130
ZONING:	R-E
BUILDING AREA:	1,906 USEABLE SF 1ST FLOOR 984 USEABLE SF 2ND FLOOR
PARKING SPACES:	18 SPACES REQUIRED 22 SPACES PROVIDED
PRIMARY OCCUPANCY:	VETERINARY CLINIC
CONSTRUCTION TYPE:	WOOD FRAMED SPRINKLED - NO
STRUCTURAL SYSTEM:	2 X 6 EXTERIOR BEARING WALLS WOOD TRUSS ROOF STRUCTURE BUILDING HEIGHT 25' STORIES 2 BUILDING AREA 2890 OCCUPANCY LOAD 19
APPLICABLE CODES:	2003 INTERNATIONAL BUILDING CODE 2003 INTERNATIONAL RESIDENTIAL CODE 2000 UNIFORM PLUMBING CODE 2000 UNIFORM MECHANICAL CODE 2002 NATIONAL ELECTRICAL CODE 1992 NATIONAL ELECTRICAL CODE SOUTHERN NEVADA AMENDMENTS

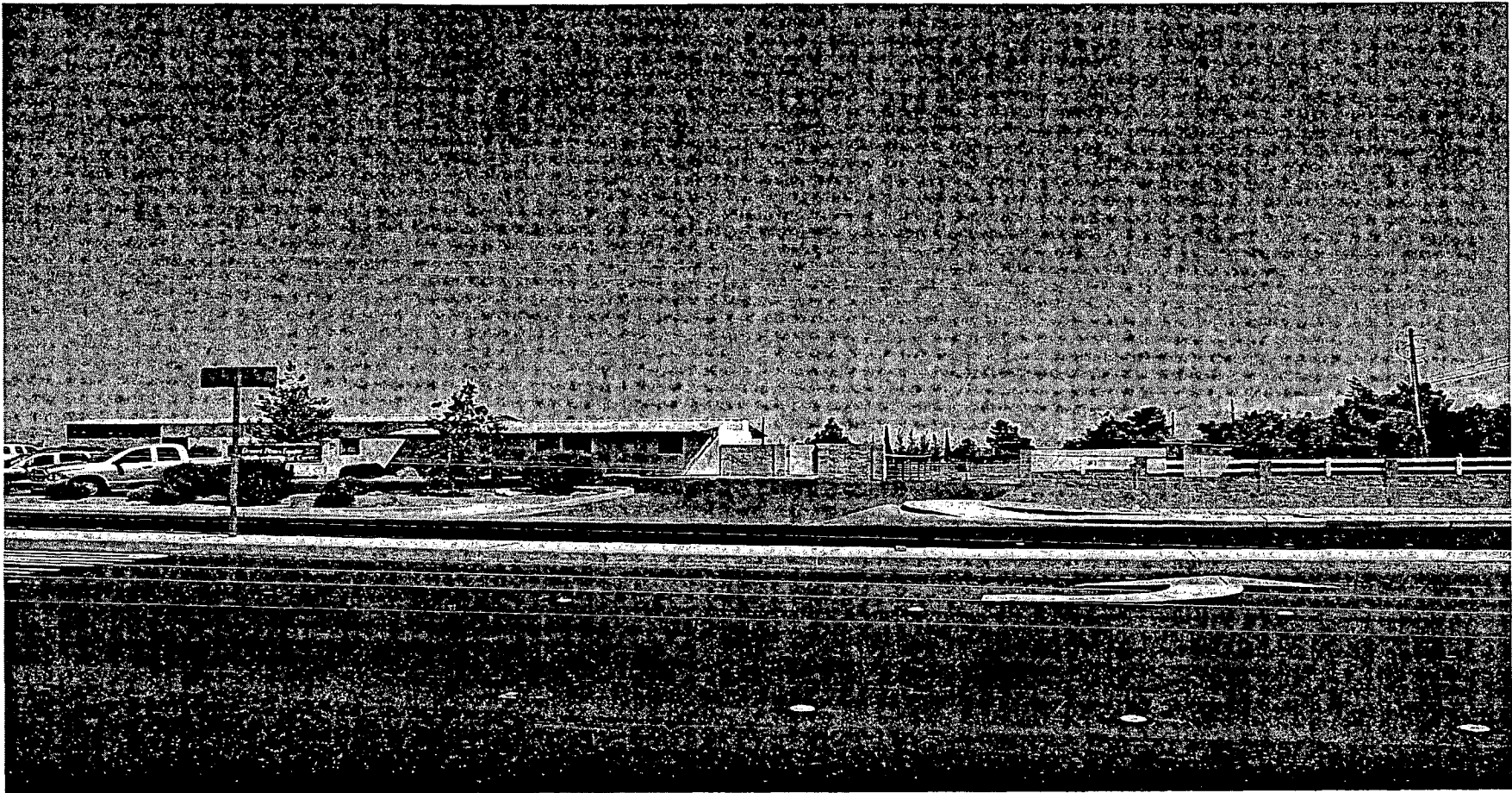
PARKING REQ'T'S:	
VETERINARY CLINIC REQ. PARKING	
7 EMPLOYEES @ 2 SPACE FOR EA. = 14 STAND. SIZE	
4 DOCTORS @ 1 SPACE FOR EA. = 4 STAND. SIZE	
SPACES NEEDED:	18 STAND. SIZE
PARKING SPACES REQ'D:	18
70% REQ'D @ STANDARD SIZE	0
30% ALLOWABLE COMPACT SIZE	1
HANDICAP SPACES:	1
EXISTING PARKING SHOWN:	22
STANDARD SPACES	1
HANDICAP SPACES	1

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

PLOT/LANDSCAPING PLAN	
DATE: 11-20-07	3000 N. JONES BLVD.
BY: 07-30-04	LAS VEGAS, NV 89130
LAMB VETERINARY CLINIC	
ADDITION	
NO. 1	1

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

EAST L.D.M.S.



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

09/17/04

November 15, 2004

City of Las Vegas,

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

Thank you

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

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

RECEIVED
CITY CLERK

2004 NOV 16 A 8:19

Submitted after final agenda

Date 11/16/04 Item #1304
#131

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5228

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Abeyance request by Garth Lamb and Kimn Morey for Item 130 [SUP-5228] and Item 131 [SDR-5094] filed under Item 130 [SUP-5228]

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

MINUTES:

There was no related discussion.

(1:05 - 1:14)

2-1

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SDR-5094 - APPLICANT: GARTH W. LAMB - OWNER: GARTH W. LAMB AND SHARI L. HUMBLE-LAMB

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 3, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

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

Planning and Development

1. A Special Use Permit (SUP-5228) approved by the City Council.
2. The Site Development Plan Review shall expire for the proposed building addition two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations dated 08/24/04 or as subsequently amended, except as amended by conditions herein.
4. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time the application is reviewed by the City Council to address the conditions and concerns of this report.
5. The parking and loading area for the front (west) of the building shall be fully paved, including the area at the southwest corner of the site.
6. The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time the application is reviewed by the City Council to illustrate closer compliance with the Landscape, Wall and Buffer Standards of Title 19 as addressed in this report.
7. Landscaping and a permanent underground sprinkler system shall be installed and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Lighting shall be directed away from abutting residential property or screened, and shall not create fugitive lighting on adjacent properties.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any additions or changes to existing perimeter walls shall be with a decorative block wall, with at least 20 percent contrasting materials. No wood shall be used as a material.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.
14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

15. Construct half-street improvements, including appropriate overpaving, on La Madre Way adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
16. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
17. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 08/27/96 | The Board of Zoning Adjustment approved a Variance (V-0096-96) to allow an equine veterinary clinic where such a use on the subject site is not otherwise allowed. |
| 10/29/03 | The City Council accepted the withdrawal of a request for a Special Use Permit (SUP-2664) for a proposed 60-foot high non-stealth cellular communication tower. The Planning Commission denied the request on 09/11/03 and the staff recommended denial on 08/14/03. |
| 10/29/03 | The City Council accepted the withdrawal of a request for a Variance (VAR-2839) to allow a 60-foot high non-stealth cellular communication tower 53-feet from a residential property line where Residential Adjacency Standards require a 180-foot setback. The Planning Commission denied the request on 09/11/03 and the staff recommended denial on 08/14/03. |
| 10/07/04 | The Planning Commission recommended approval of an accompanying application for a Special Use Permit (SUP-5228) for the existing use and proposed addition. The staff recommends approval of that application. |
| 10/07/04 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #45/dds). |

B) Pre-Application Meeting

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

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

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres 2.18

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

PROJECT DESCRIPTION

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

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

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

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

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

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

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

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

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

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 tree/6 spaces	4 trees	None
Buffer	1 tree/20 linear feet	36 trees	17 trees
Streets	1 tree/20 linear feet	19 trees	6 trees

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

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

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

B) General Analysis and Discussion

- Zoning

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

- Site Plan

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

- Landscape Plan

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

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

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

- Waivers

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

- Elevation

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

- Floor Plan

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

Because the site will be subject to ongoing inspection, the public health, safety, and welfare will not be compromised.

PLANNING COMMISSION ACTION

The Planning Commission added Condition #5 as shown.

NOTICES MAILED 43 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: GARTH LAMB

Name of Applicant: _____

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

_____ Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

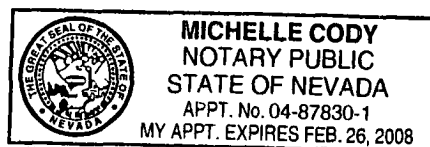
Signature of Property Owner/Authorized Agent: Garth W. Lamb

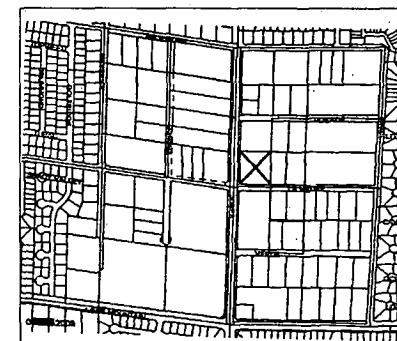
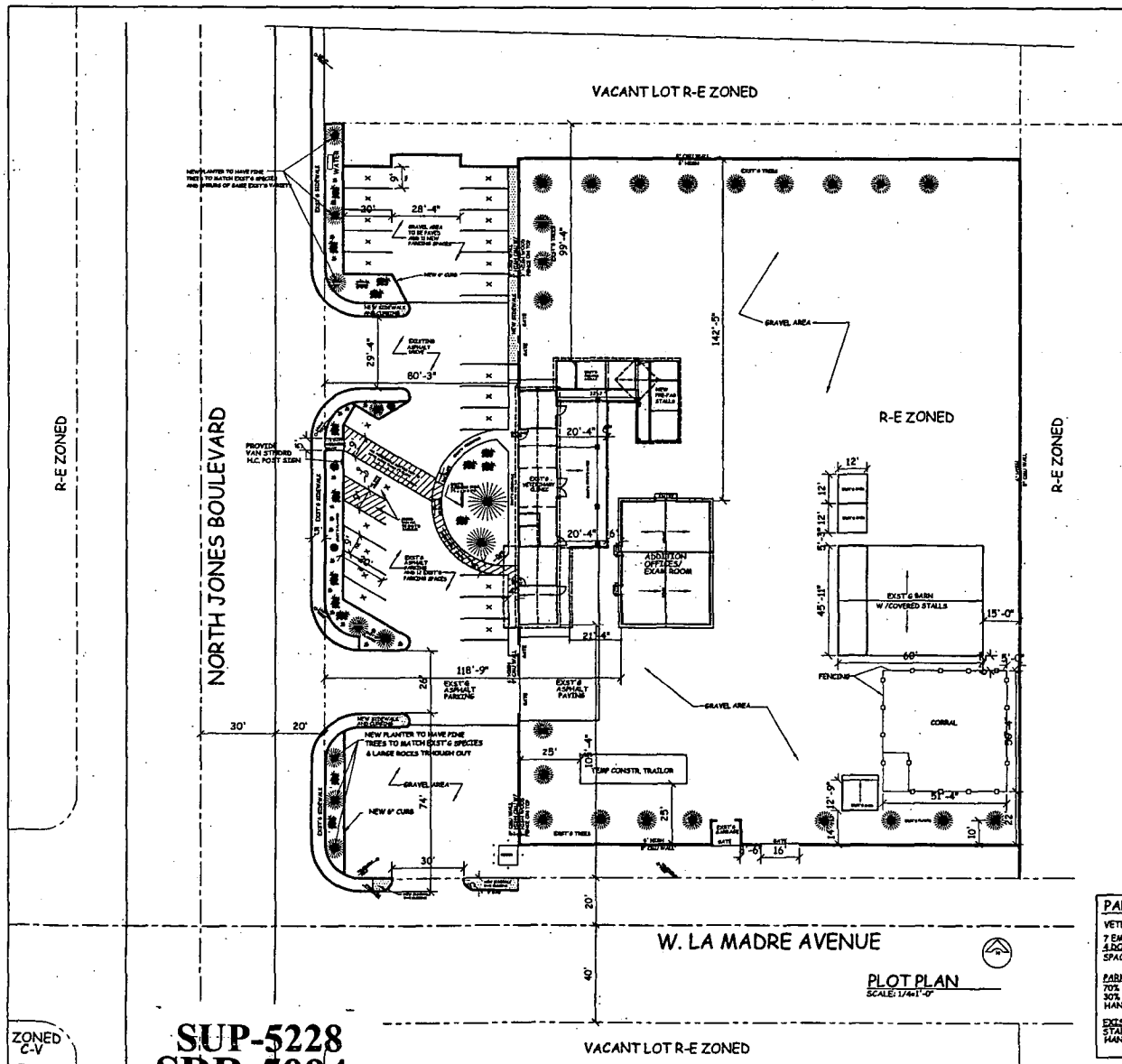
Print Name: GARTH W. LAMB

Subscribed and sworn before me

This 11 day of August, 2004

Michelle Cody
Notary Public in and for said County and State





VICINITY MAP
SCALE: NONE

PROJECT DATA:

PROJECT ADDRESS: 8000 N. JONES BLVD.
LAS VEGAS, NV 89130

ZONING: R-E

BUILDING AREA: 1,906 USEABLE SF 1ST FLOOR
984 USEABLE SF 2ND FLOOR

PARKING SPACES: 18 SPACES REQUIRED
22 SPACES PROVIDED

PRIMARY OCCUPANCY: VETERINARY CLINIC

CONSTRUCTION TYPE: WOOD FRAMED
SPRINKLED - NO

STRUCTURAL SYSTEM: 2 X 6 EXTERIOR BEARING WALLS
WOOD TRUSS ROOF STRUCTURE

BUILDING HEIGHT: 25'
STORIES: 2

BUILDING AREA: 2890
OCCUPANCY LOAD: 19

APPLICABLE CODES: 2003 INTERNATIONAL BUILDING CODE
2003 INTERNATIONAL RESIDENTIAL CODE
2000 UNIFORM PLUMBING CODE
2000 UNIFORM MECHANICAL CODE
2002 NATIONAL ELECTRICAL CODE
1992 NATIONAL ELECTRICAL CODE
SOUTHERN NEVADA AMENDMENTS

MOUNTAIN CONTRACTING & DEVELOPMENT

7495 ROBEL AVENUE
LAS VEGAS, NV 89124
645-5942

CONTACT: KIMM MOREY

PARKING REQ'T'S:

VETERINARY CLINIC REQ. PARKING
1 EMPLOYEES @ 2 SPACE FOR EA. = 14 STAND. SIZE
3 DOCTORS @ 1 SPACE FOR EA. = 4 STAND. SIZE
SPACES NEEDED: 18 STAND. SIZE

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

EXISTING PARKING SHOWN: 22
STANDARD SPACES
HANDICAP SPACES

PLOT/LANDSCAPING PLAN

DATE: 07-30-04
PROJECT: 8000 N. JONES BLVD.
LAS VEGAS, NV 89130

LAMB VETERINARY CLINIC

ADDITION

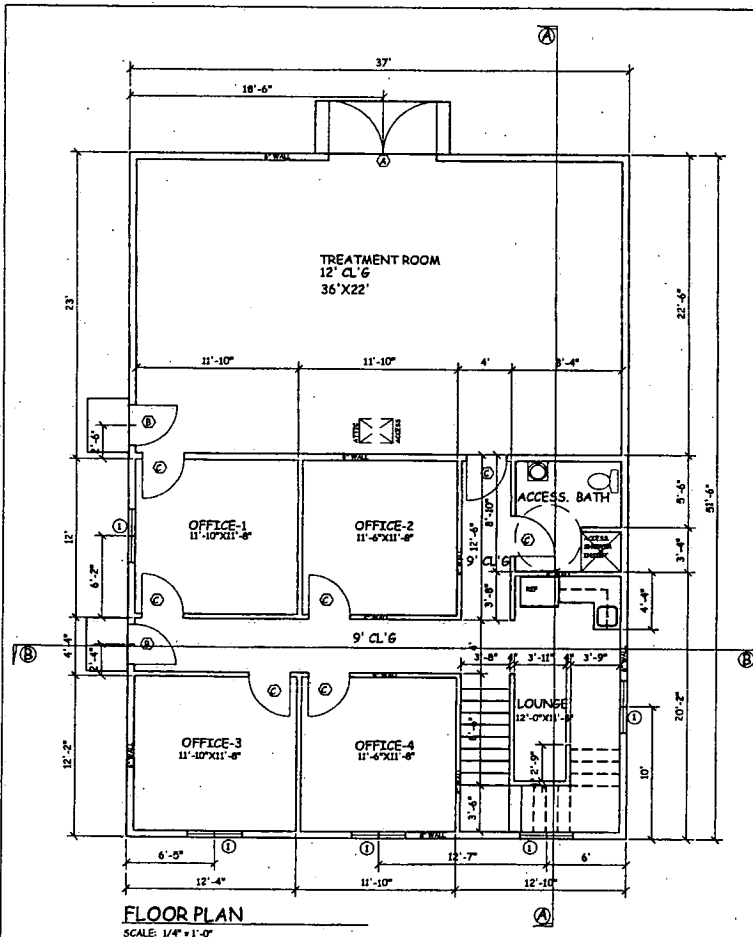
1

ZONED
C-V

SUP-5228
SDR-5094

10-07-04 PC

EARTH L.D.M.S.

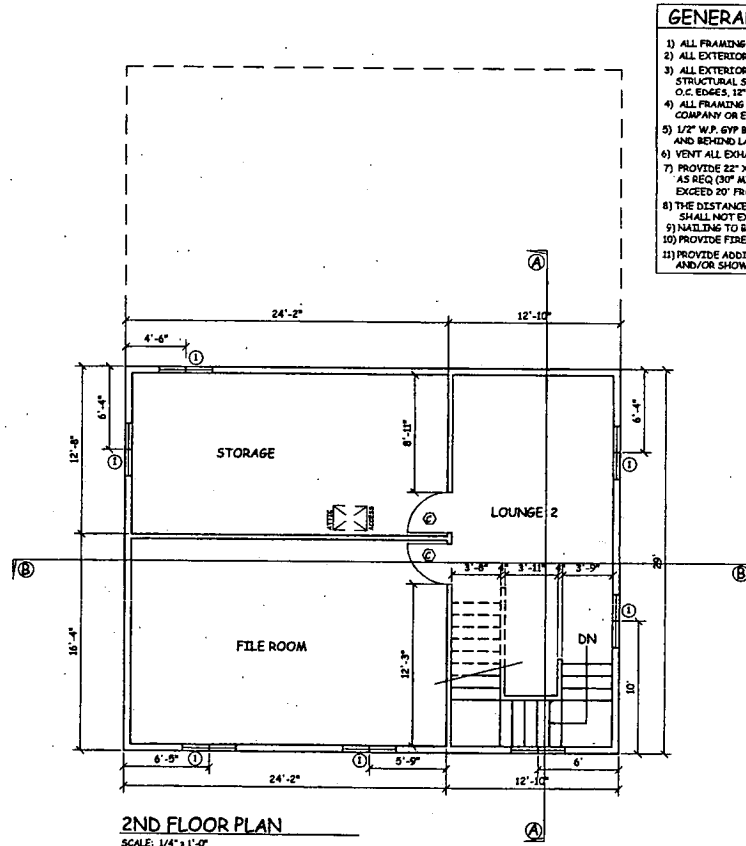


WINDOW SCHEDULE

NO	QTY	SIZE	REMARKS
(1)	1	4'-6"	DBL. PLYWOOD FRM. SLIDER

DOOR SCHEDULE

NO	QTY	SIZE	REMARKS
(1)	1	8'-0"	EXT. INSUL. METAL
(2)	1	3'-6"	EXT. INSUL. METAL
(3)	1	3'-6"	INT. PASSAGE



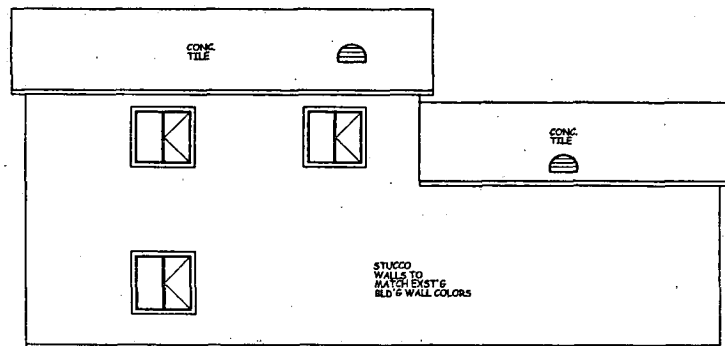
- GENERAL NOTES:**
- 1) ALL FRAMING LUMBER TO BE DFLR2, DFLR2, OR LPM1
 - 2) ALL EXTERIOR WALLS TO BE 2X6 AT 16" O.C.
 - 3) ALL EXTERIOR SHEATHING TO BE 3/8" APA RATED STRUCTURAL SHEATHING NAILED WITH 8d 8" O.C. EDGES, 12" O.C. FIELD-UNCL. IN SHEAR ZONED
 - 4) ALL FRAMING CONNECTORS TO BE STIMPSON COMPANY OR EQUIVALENT
 - 5) 1/2" W.P. 6MP RIB UNDER ALL TUBS, SHOWERS, AND BEHIND LAVS AND SINKS
 - 6) VENT ALL EXHAUST FANS TO OUTSIDE AIR
 - 7) PROVIDE 22" X 30" ATTIC & CRAWL ACCESS AS REQ. (30" MIN. HEADROOM) FURNACE SHALL NOT EXCEED 20' FROM ACCESS OPENING
 - 8) THE DISTANCE FROM THE ATTIC ACCESS TO THE FURNACE SHALL NOT EXCEED 20 FEET. (SECTION 908 UMC)
 - 9) NAILING TO BE PER 2003 IRC NAILING SCHEDULE
 - 10) PROVIDE FIRE BLOCKING PER SEC. 902.8
 - 11) PROVIDE ADDITIONAL SAFETY GLAZING FOR ALL TUB AND/OR SHOWER ENCLOSURES

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

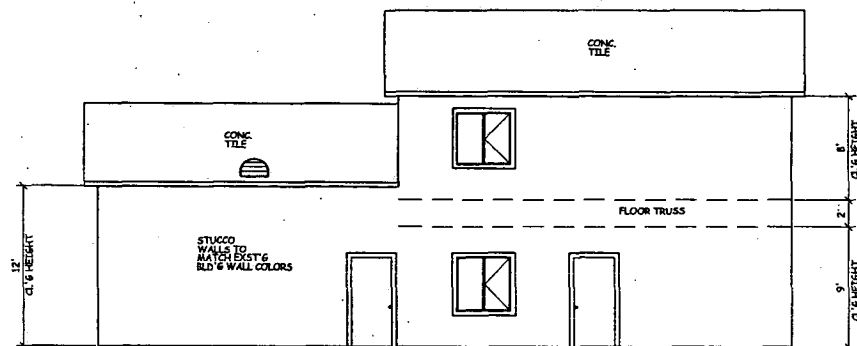
VERIFY ALL MEASUREMENTS

FLOOR PLANS ADDITION			
DATE	07-30-04	5000 N. TONES BLVD.	
SCALE	1/4" = 1'-0"	LAS VEGAS, NV 89130	
PROJECT	LAMB VETERINARY CLINIC		
ADDITION			2

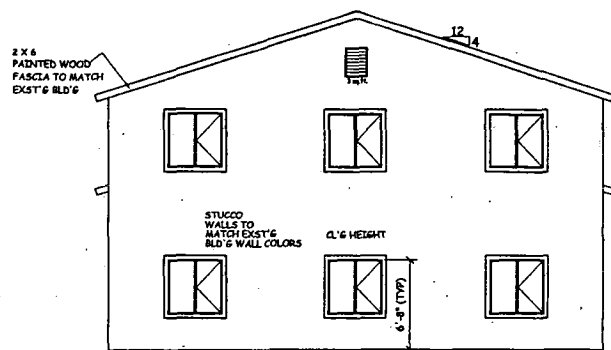
SUP-5228
SDR-5094
10-07-04 PC



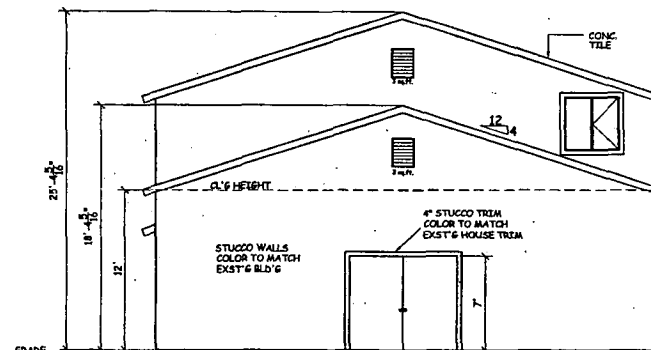
REAR ELEVATION (EAST)
SCALE: 1/4"=1'-0"



FRONT ELEVATION (WEST)
SCALE: 1/4"=1'-0"



RIGHT ELEVATION (SOUTH)
SCALE: 1/4"=1'-0"



LEFT ELEVATION (NORTH)
SCALE: 1/4"=1'-0"

NOTES:

- 1) ALL EXTERIOR WALLS TO BE STUCCO-CLG TO MATCH EXST'G BLDG EAVES & TRIM TO BE PAINTED WOOD TO MATCH EXST'G BLDG
- 2) ALL FASCIA TO BE 2" X 6" PAINTED WOOD TO MATCH EXST'G BLDG
- 3) ROOF TO BE CONC. TILE W/PITCH OF 4:12
- 4) ATTIC VENTS TO BE DORMER, EAVE OR GABLE W/1/4" MESH & A NET FREE MIN AREA AS NOTED

⬇ DENOTES VENT OF 2.08 sq. ft. (MIN) NET FREE VENTILATION AREA W/1/4" MESH

UPPER ROOF:
1073 sq. ft. X 120 = 7.15 sq. ft. NET FREE VENTILATION REQ'D
2 GABLE END VENTS @ 6 sq. ft. + 1 DORMER VENTS @ 2.08 sq. ft.
FOR TOTAL 8.08 sq. ft. NET FREE VENTILATION PROVIDED

LOWER ROOF:
833 sq. ft. X 180 = 5.95 sq. ft. NET FREE VENTILATION REQ'D
1 GABLE END VENTS @ 3 sq. ft. + 2 DORMER VENTS @ 4.16 sq. ft.
FOR TOTAL 7.31 sq. ft. NET FREE VENTILATION PROVIDED

1073 SQ. FT. UPPER CL'G
833 SQ. FT. LOWER CL'G

MOUNTAIN CONTRACTING & DEVELOPMENT

7495 ROBEL AVENUE
LAS VEGAS, NV 89124
645-5942

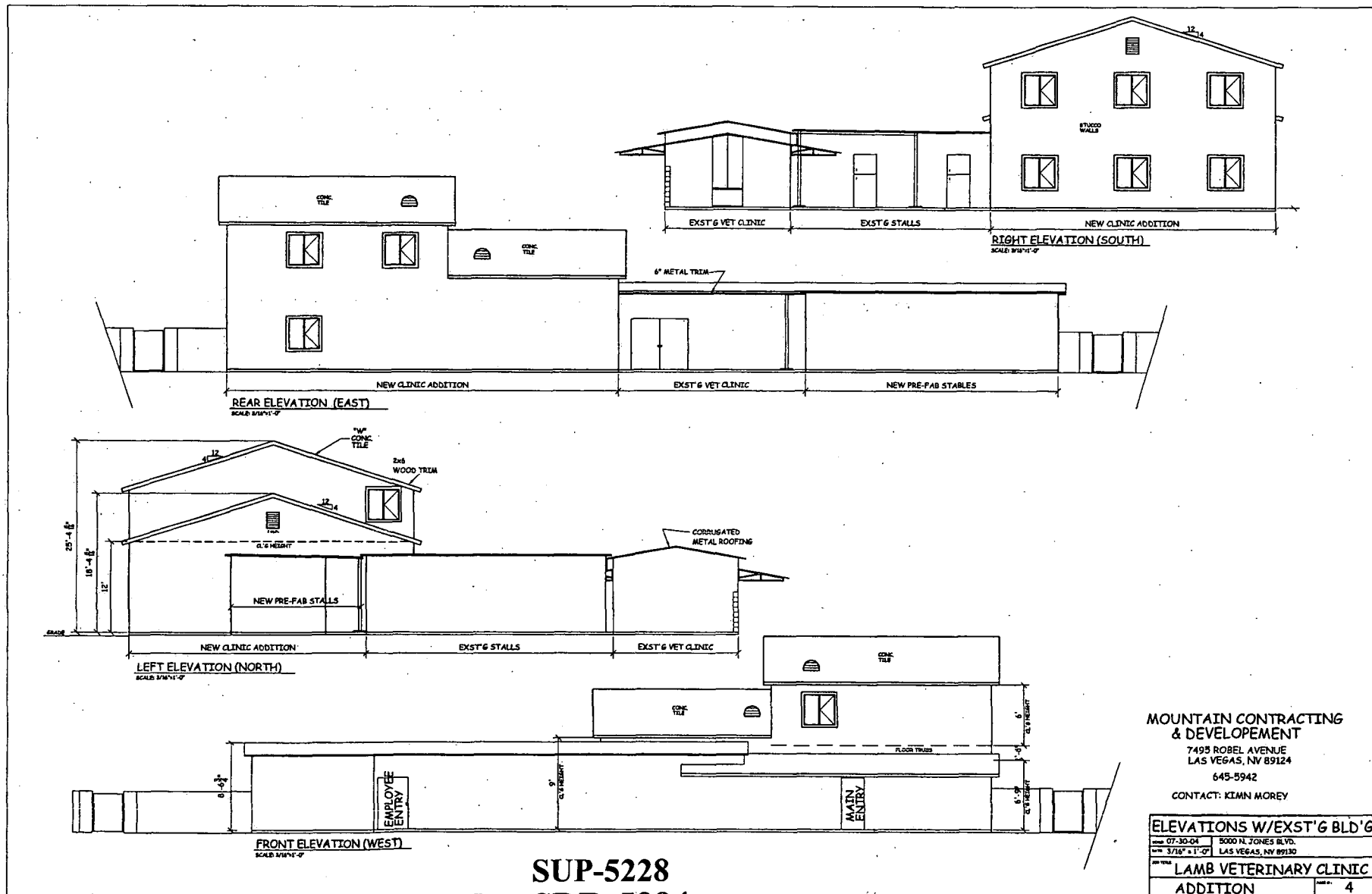
CONTACT: KIMM MOREY

ELEVATIONS

DATE: 07-30-04	5000 N. JONES BLVD.
SCALE: 1/4"=1'-0"	LAS VEGAS, NV 89130
LAMB VETERINARY CLINIC	
ADDITION	3

SUP-5228
SDR-5094

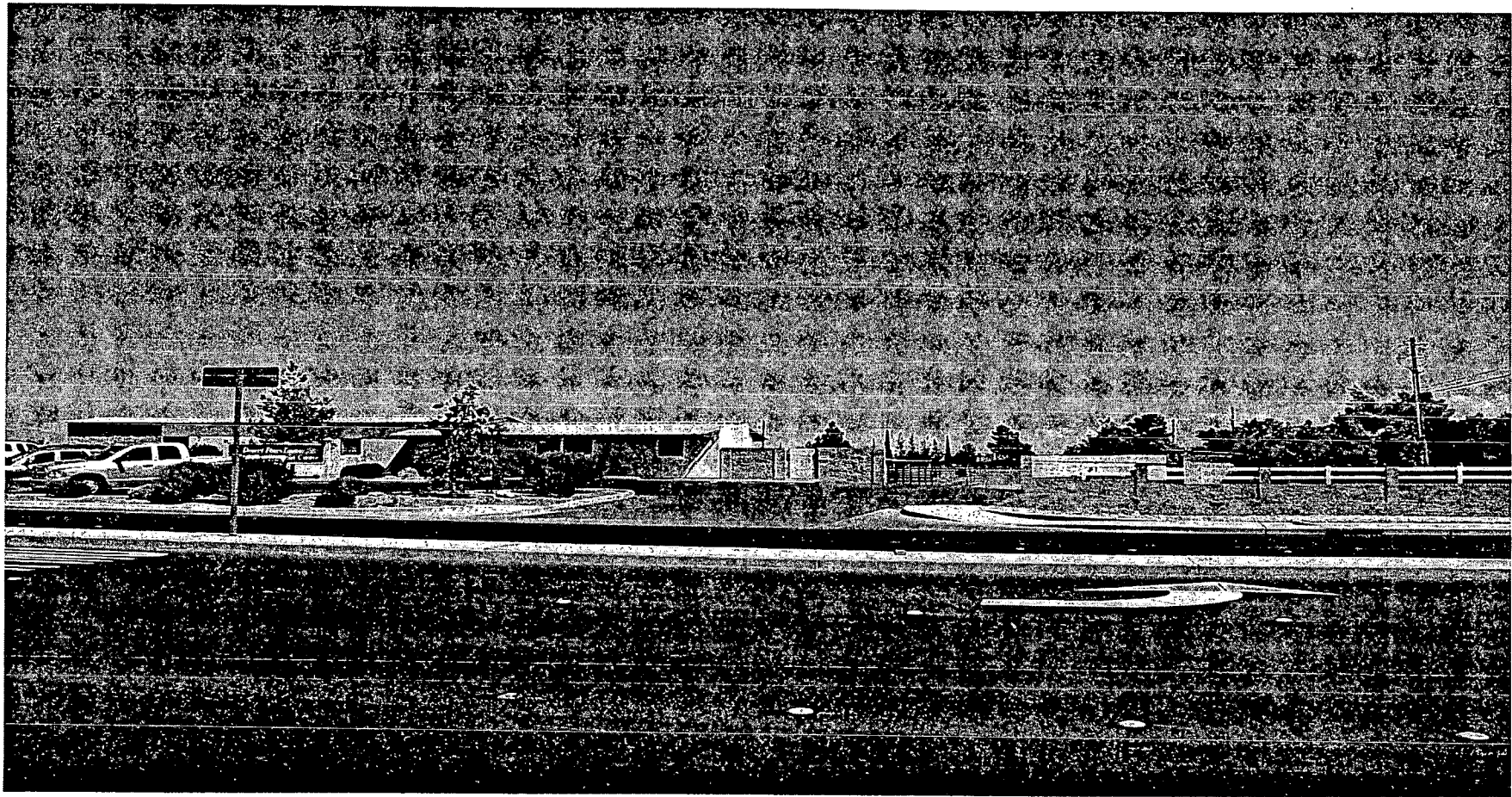
10-07-04 PC



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

ELEVATIONS W/EXST'G BLD'G	
DATE: 07-30-04	5000 N. JONES BLVD.
BY: 3/16" = 1'-0"	LAS VEGAS, NV 89130
LAMB VETERINARY CLINIC	
ADDITION	4

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



SDR-5094 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: GARTH W. LAMB
- OWNER: GARTH W. LAMB AND SHARI L. HUMBLE-LAMB
5000 NORTH JONES BOULEVARD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-5136 - PUBLIC HEARING - APPLICANT: LLANTERA NEVADA, LLC - OWNER: LINDA L. BASCOS - Request for a Special Use Permit FOR AN AUTO REPAIR GARAGE, MINOR at 4350 East Bonanza Road (APN 140-30-803-010), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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:

REESE - APPROVED subject to conditions, amending Condition 7 as read for the record that no cars shall be stored at the location and the following added condition:

- All mechanical work must be done inside the building.
- UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open for Item 132 [SUP-5132] and Item 133 [SUP-5137].

A translator on behalf of LUIS HERRERA appeared to request a special permit for a minor auto repair and carwash. MAYOR PRO TEM REESE stated he would like a condition stipulating that no cars will be stored at the location and an additional condition requiring all mechanical work be done inside the building. The translator concurred on behalf of the applicant. MARGO WHEELER, Deputy Director, Planning and Development, stated these added conditions would apply to Item 132 [SUP-5136].

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed for Item 132 [SUP-5132] and Item 133 [SUP-5137].

(2:20 - 2:23)

2-2789

CONDITIONS:

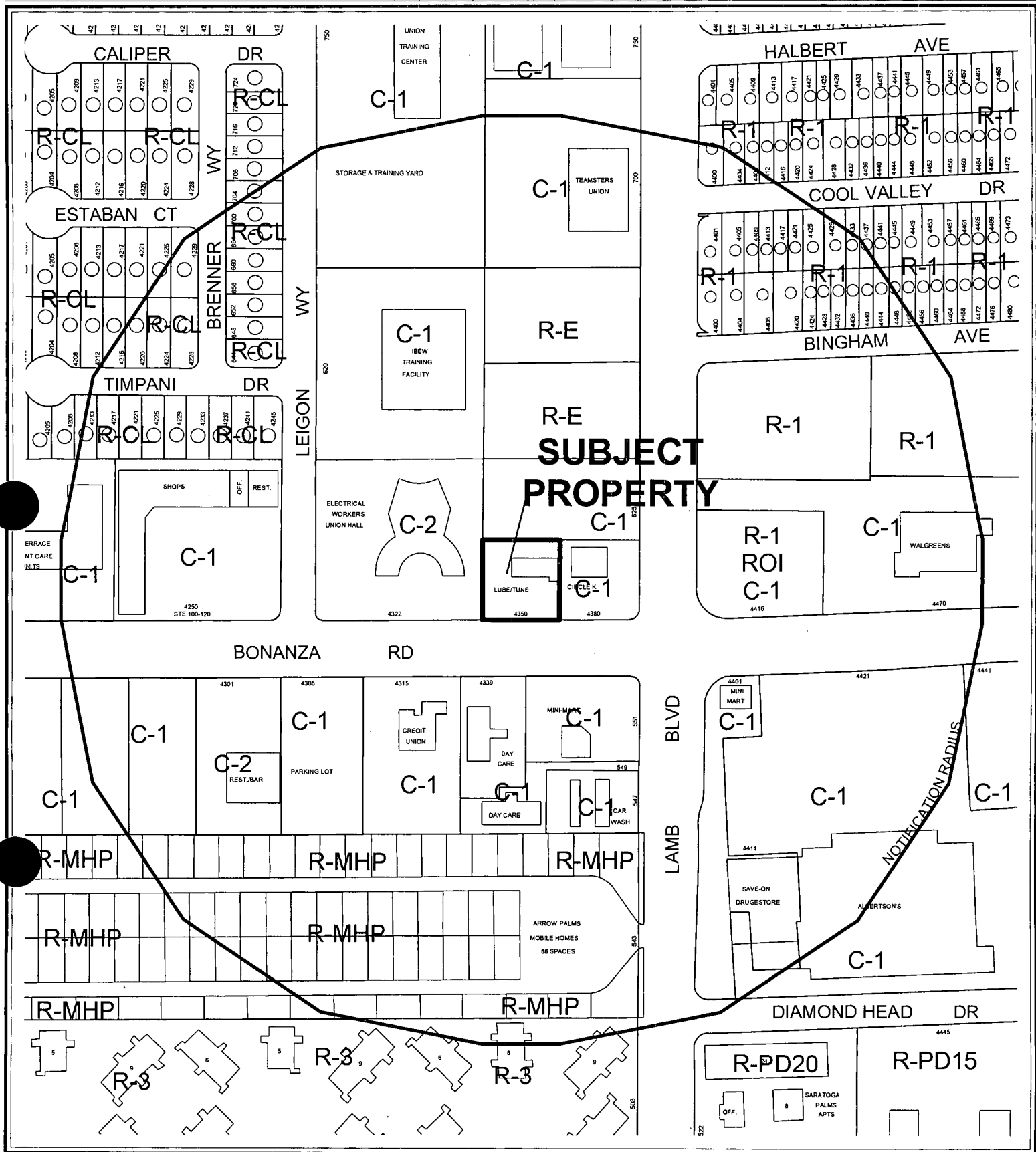
Planning and Development

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

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

CONDITIONS - Continued:

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



CASE: SUP-5136

RADIUS: 750 FT

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

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

OWNER: LINDA L. BASCOS

**** CONDITIONS ****

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

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. All repair and service work shall be performed within a completely enclosed building.
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7. All disabled vehicles shall be stored in an area, which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 02/23/98 City Council approved a Rezoning (Z-0138-97) of this and the adjacent 0.92 acre parcel to the north from R-E (Residence Estates) to C-1 (Limited Commercial). Planning Commission recommended approval on January 22, 1998.
- 06/08/98 City Council approved a request for a Special Use Permit (U-0033-98) for a Mini Lube and Car Wash. Planning Commission recommended approval on May 14, 1998.
- 10/21/04 The Planning Commission recommended approval of a related item (SUP-5137).
- 10/21/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #64/pl).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.46

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Auto Lube		1 Space / employee 1 Space / Bay plus 2 spaces in stacking lanes for each bay	12	1	12	1

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

A2) Minimum Distance Separation Requirements

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

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

Standards	Code Requirement	Provided
Trash Enclosure	Yes	Yes

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

B) General Analysis and Discussion

- Zoning

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

- Use

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

- Conditions

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

FINDINGS

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

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

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

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

With the length of the parcel and the depth the site is physically suitable for this type of use.

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

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

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

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

PLANNING COMMISSION ACTION

The Planning Commission amended Condition #4 to allow bays to face the street with design modification.

NOTICES MAILED 166 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: LINDA L BASCOS

Name of Applicant: LLANTERA BONANZA

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

_____ Yes

_____ X No

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

City Official: _____

Partner(s): _____

APN: _____

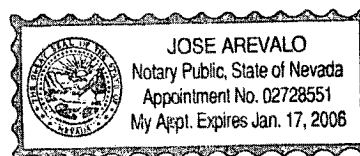
Signature of Property Owner/Authorized Agent: Linda L. Bascos

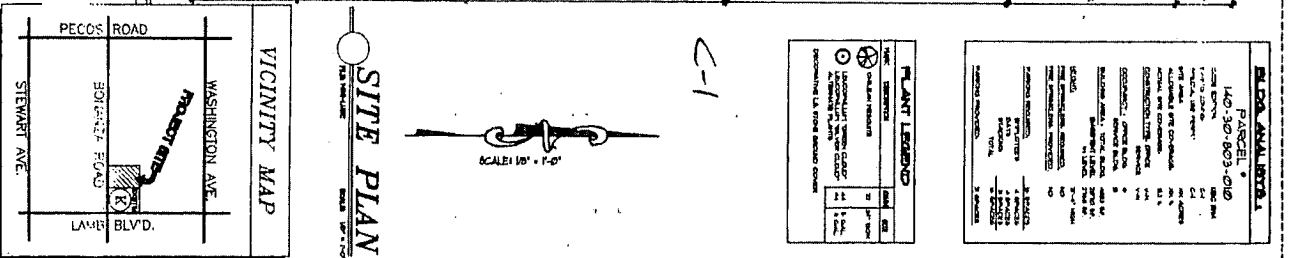
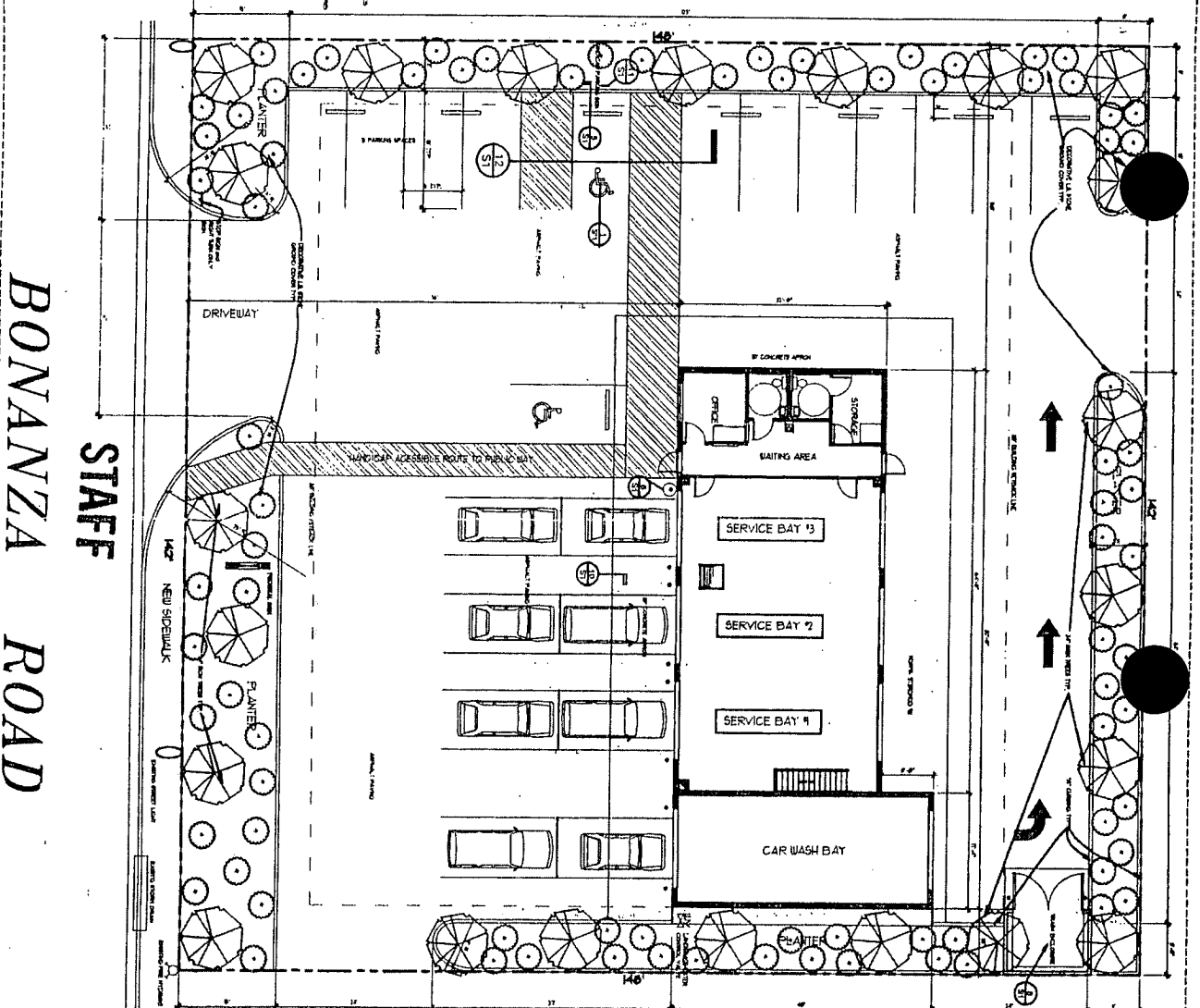
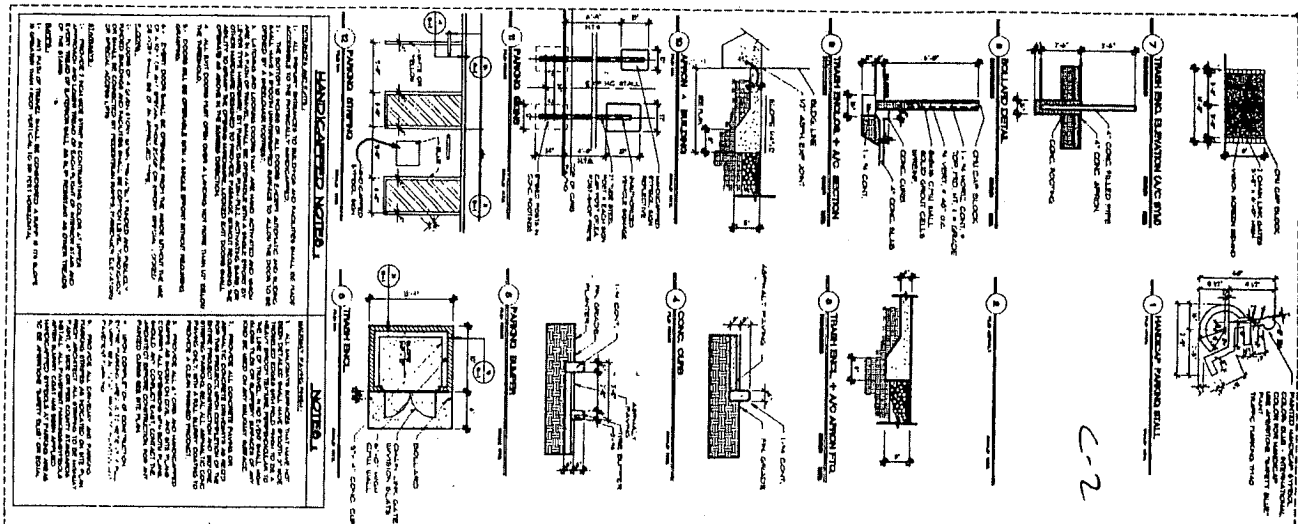
Print Name: LINDA L. BASCOS

Subscribed and sworn before me

This 20th day of MAY, 2004

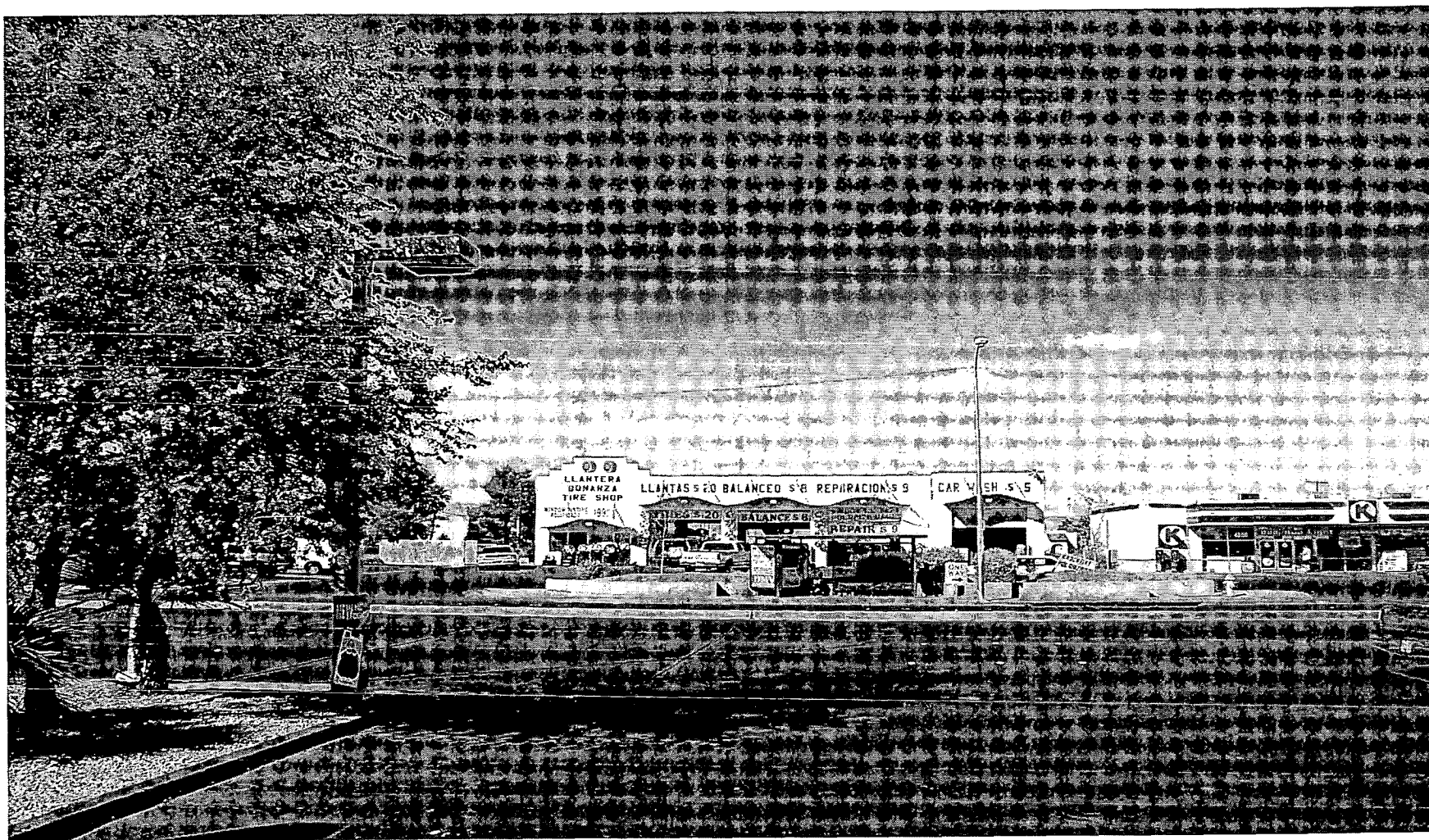
Jose Arevalo
Notary Public in and for said County and State





REVISIONS	DATE	BY	DESCRIPTION
1	10/21/04	PC	Initial Design
2	10/21/04	PC	Final Design

ROY SMITH, Architect Member American Institute of Architects 2200 East Patrick Lane, Suite #20 Las Vegas, Nevada 89119 Phone (702) 436-5119 Fax (702) 436-5271		SUP-5136 10/21/04 PC
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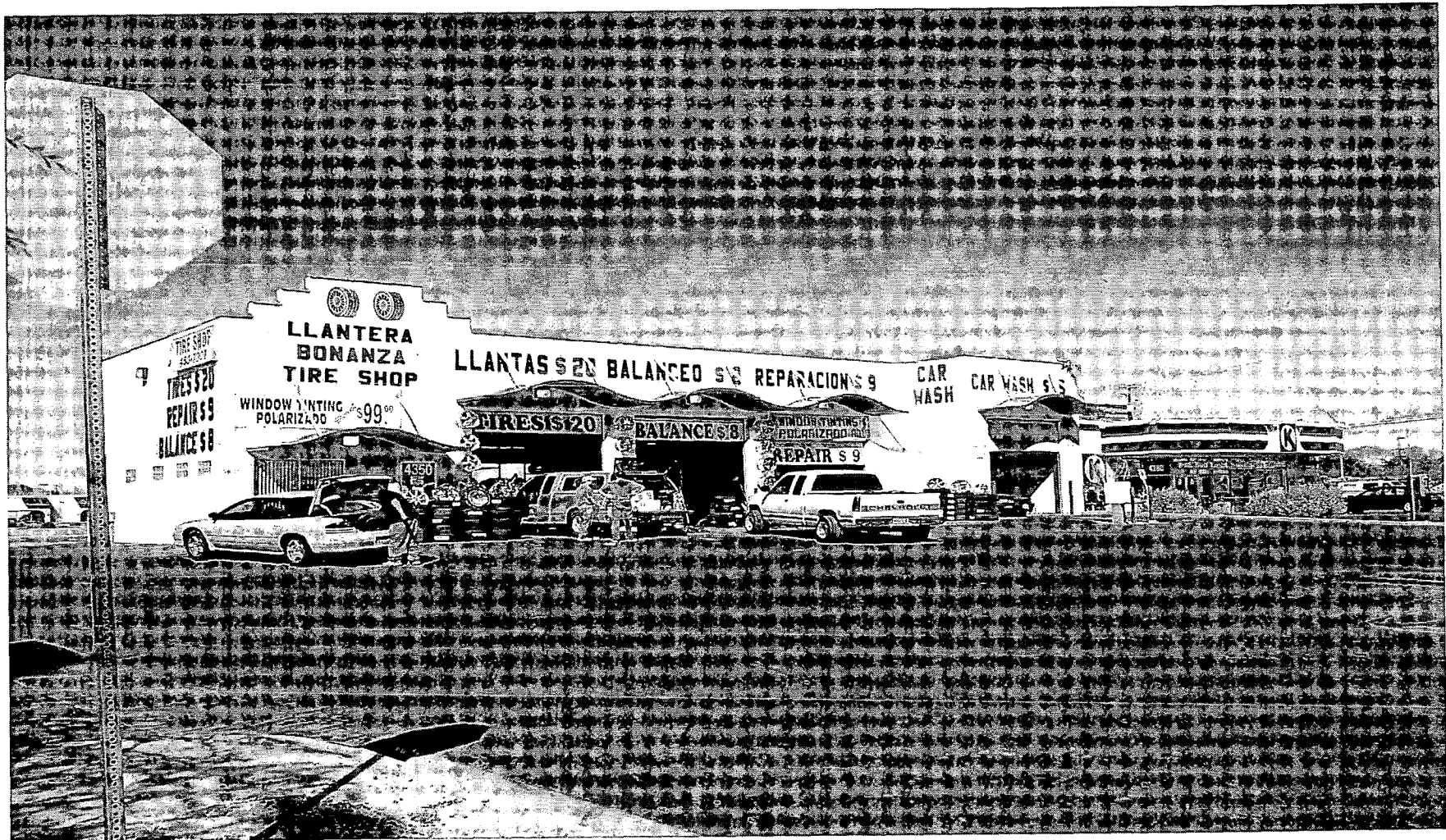
SUP-5136 - APPLICANT: LLANTERA NEVADA, LLC - OWNER: LINDA L. BASCOS
4350 EAST BONANZA ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



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

10/05/04



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

10/05/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-5137 - PUBLIC HEARING - APPLICANT: LLANTERA NEVADA, LLC - OWNER: LINDA L. BASCOS - Request for a Special Use Permit FOR A CAR WASH (FULL SERVICE) at 4350 East Bonanza Road (APN 140-30-803-010), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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:

REESE - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

NOTE: See Item 132 [SUP-5132] for related discussion.

(2:20 - 2:23)

2-2789

CONDITIONS:

Planning and Development

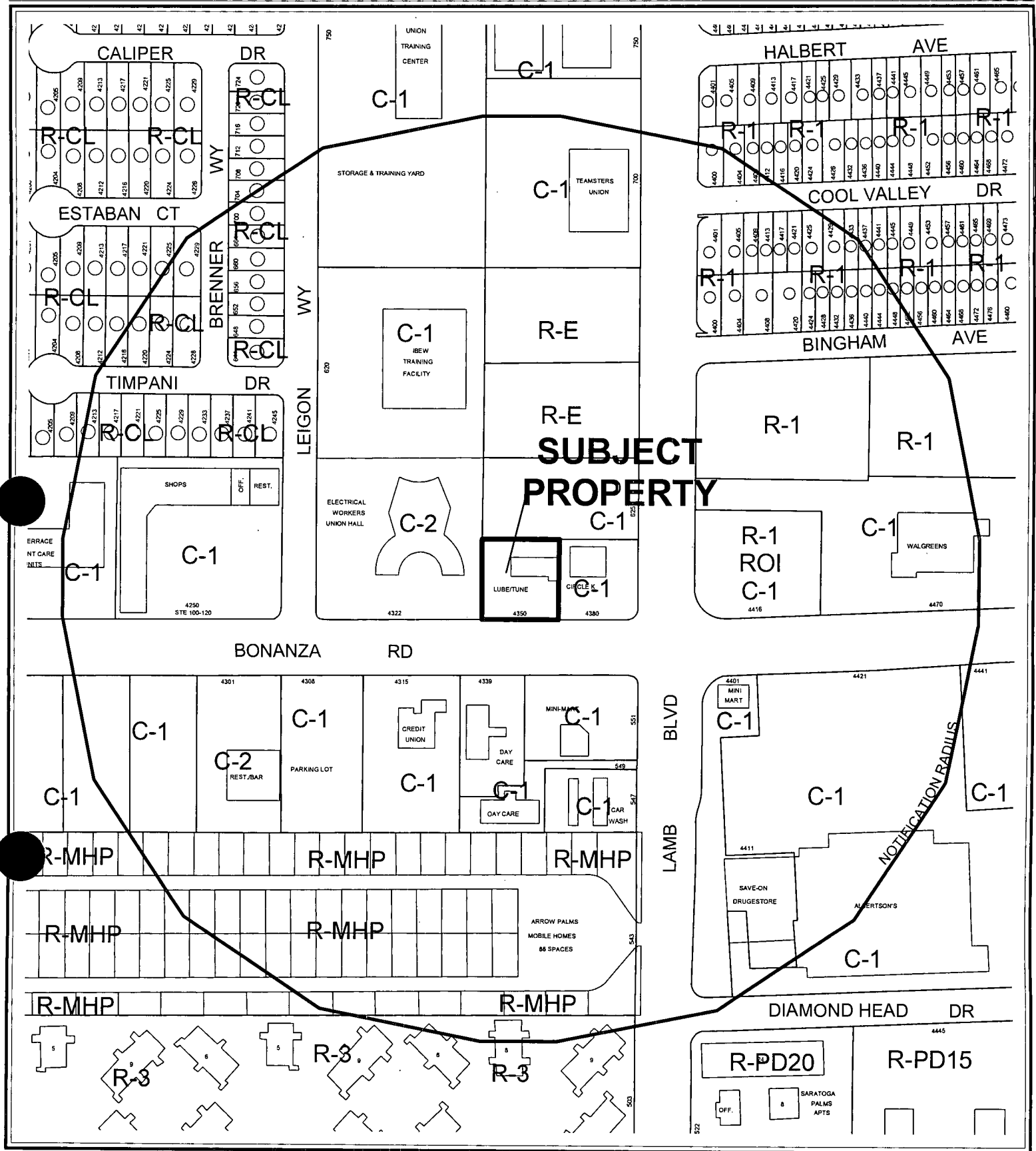
1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council. New Construction
2. All City Code requirements and design standards of all City departments must be satisfied.
3. The hours of operation shall be limited to the period between 7:00 A.M. and 10:00 P.M.
4. Openings to the wash bays shall be designed to minimize the visual intrusion into adjoining properties, subject to approval of the Planning and Development Department.
5. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel.
6. No retail sale of vehicles is allowed.
7. The use must not be located within 200 feet of a residential property unless the use is separated from

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

CONDITIONS - Continued:

the residential property by a street with a minimum right-of-way width of 80 feet.

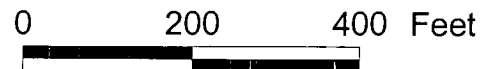
8. The applicant must demonstrate that the use can be made inoperable and inaccessible to the public after business hours.
9. Vacuum bays are permitted as part of this use if their operation is in compliance with the other base standards for this use.
10. The use must be operated in conjunction with another motor vehicle related use, such as gasoline sales, smog inspection, minor automotive repair, or recreational vehicle and boat storage.
11. An attendant must be on the premises during all times the equipment is operational.



CASE: SUP-5137

RADIUS: 750 FT

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-5137 - APPLICANT: LLANTERA NEVADA, LLC -
OWNER: LINDA L. BASCOS**

**** CONDITIONS ****

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

Planning and Development

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 02/23/98 City Council approved a Rezoning (Z-0138-97) of this and the adjacent 0.92-acre parcel to the north from R-E (Residence Estates) to C-1 (Limited Commercial). Planning Commission recommended approval on January 22, 1998.
- 06/08/98 City Council approved a request for a Special Use Permit (U-0033-98) for a Mini Lube and Car Wash. Planning Commission recommended approval on May 14, 1998.
- 10/21/04 The Planning Commission recommended approval of a related item (SUP-5136).
- 10/21/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #65/pl).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.46

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

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

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Car Wash (Full Service)	720 SF.	1 / 150 GFA	4	1	12	1

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

A2) Minimum Distance Separation Requirements

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

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

Standards	Code Requirement	Provided
Trash Enclosure	Yes	Yes

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

B) *General Analysis and Discussion*

- Zoning

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

- Use

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

- Conditions

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

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

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

FINDINGS

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

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

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

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

With the length of the parcel and the depth the site is physically suitable for this type of use.

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

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

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

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

PLANNING COMMISSION ACTION

The Planning Commission amended Condition #4 as shown.

NOTICES MAILED 166 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: LINDA L BASCOS

Name of Applicant: LLANTERA BONANZA

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

_____ Yes

_____ X No

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

City Official: _____

Partner(s): _____

APN: _____

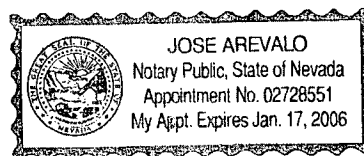
Signature of Property Owner/Authorized Agent: Linda L. Bascos

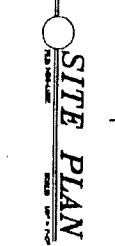
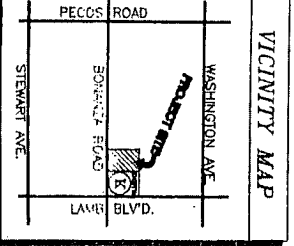
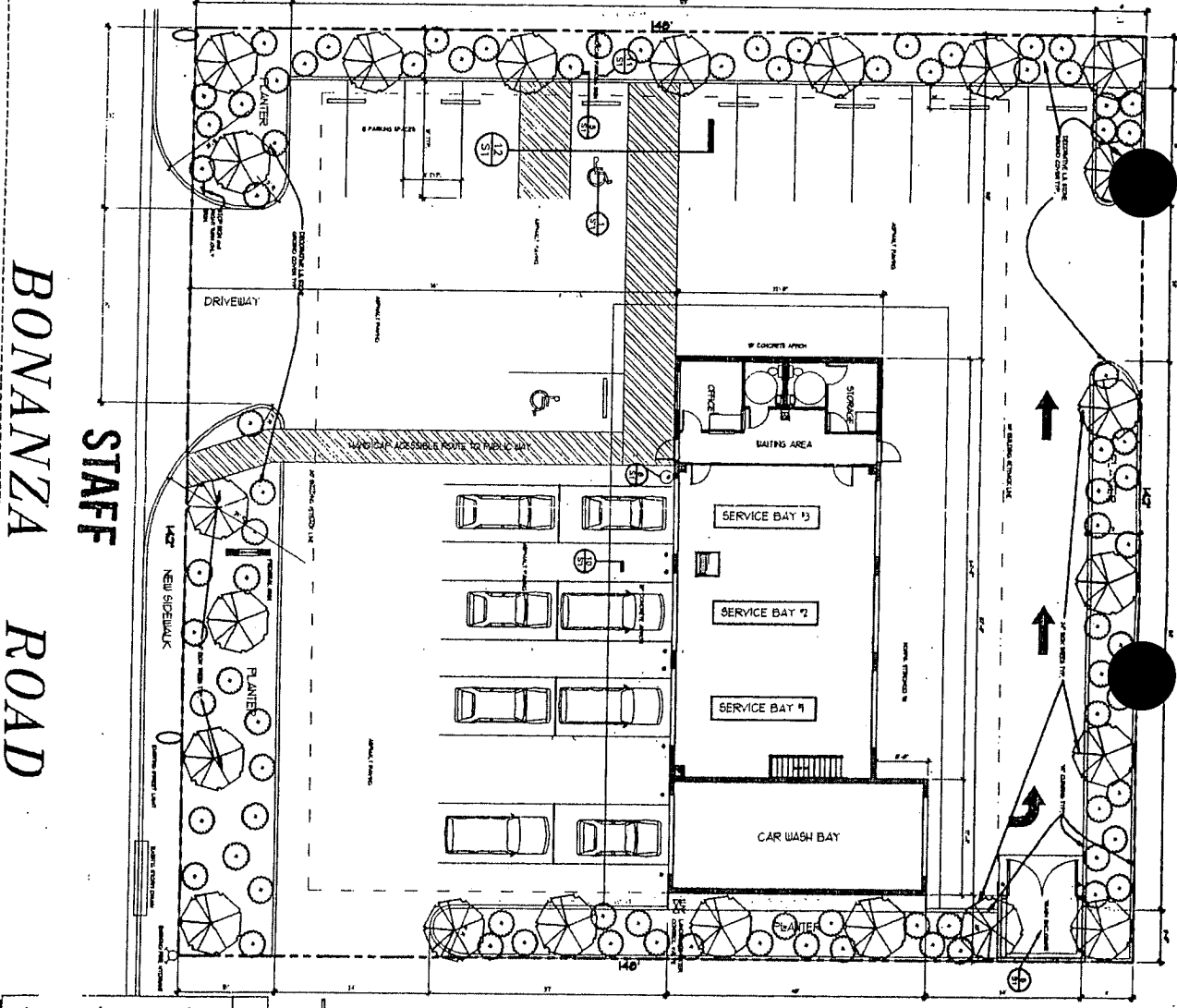
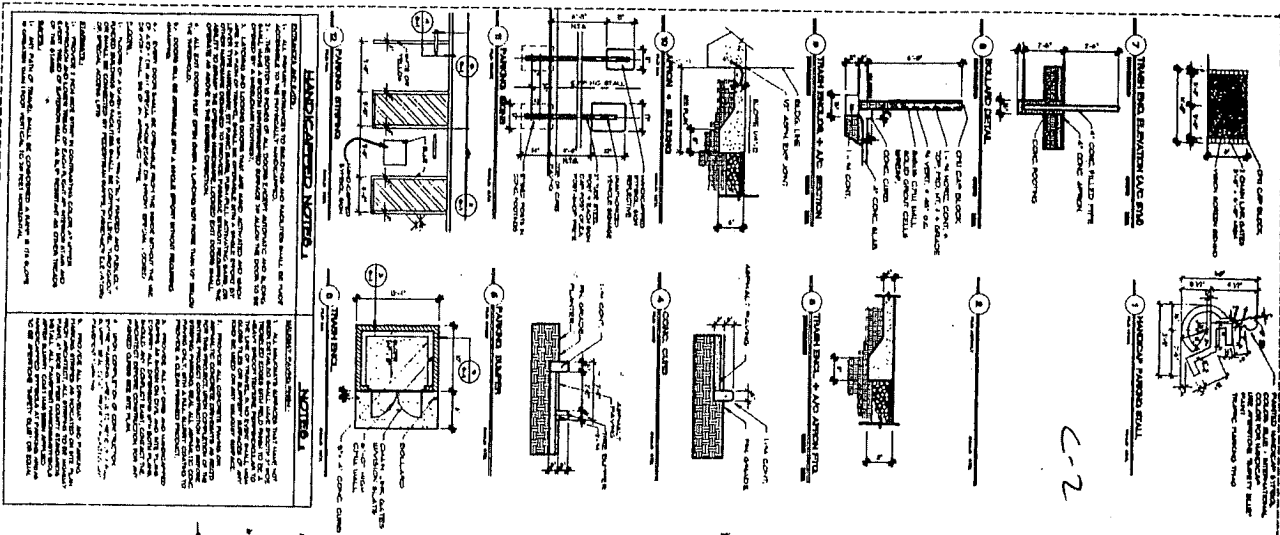
Print Name: LINDA L. BASCOS

Subscribed and sworn before me

This 20th day of May, 2004

Jose Arevalo
Notary Public in and for said County and State





PLANT LEGEND

SYMBOL	DESCRIPTION
(Symbol)	PLANT SPECIES
(Symbol)	PLANT SPECIES
(Symbol)	PLANT SPECIES
(Symbol)	PLANT SPECIES

PARCEL DATA

Parcel No.	140-30-803-010
Area	1.2 AC.
Volume	1.2 AC.
Height	1.2 AC.
Width	1.2 AC.
Depth	1.2 AC.
Frontage	1.2 AC.
Setback	1.2 AC.
Other	1.2 AC.

SUP-5137
10/21/04 PC

SITE PLAN and SITE DETAILS

ROY SMITH, Architect
Member American Institute of Architects
2200 East Patrick Lane, Suite #20
Las Vegas, Nevada 89119
Phone (702) 736-3481
Fax (702) 456-6271

REVISIONS

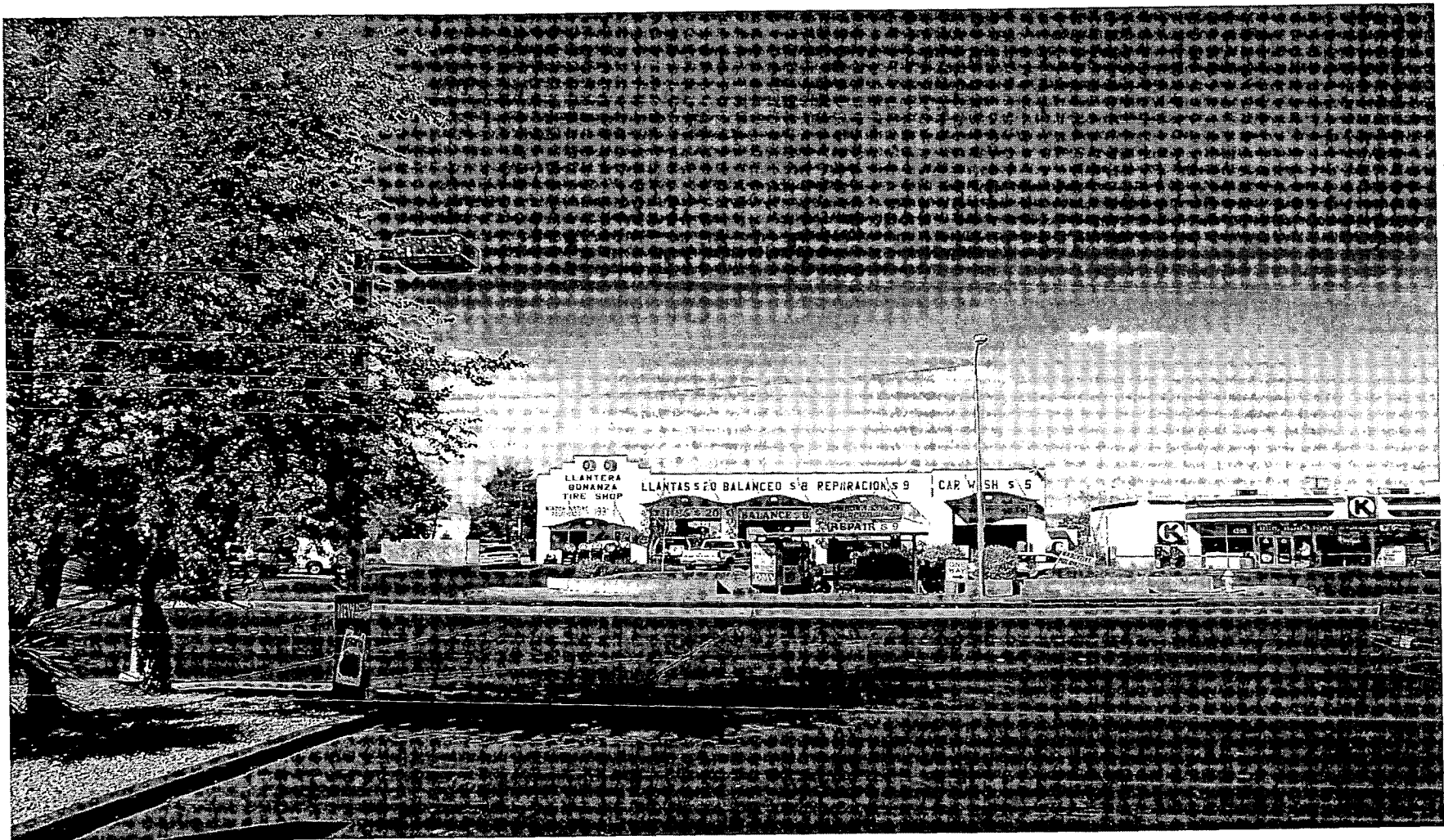
NO.	DATE	DESCRIPTION
1	10/21/04	Initial Design
2	10/21/04	Revised Design
3	10/21/04	Final Design

BUNANZA AVE. and LAMB BLVD.
LAS VEGAS, NEVADA



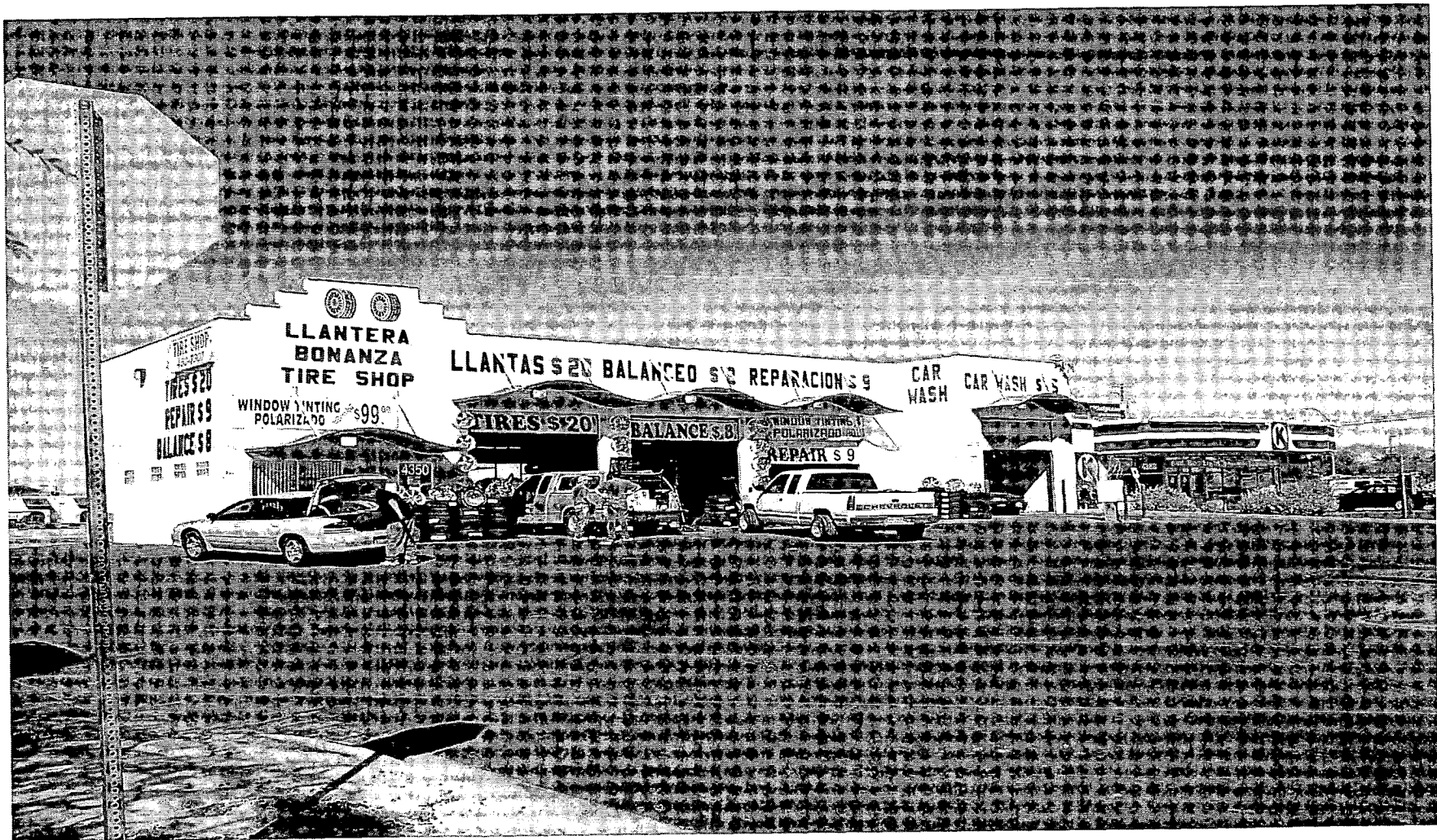
SUP-5137 - APPLICANT: LLANTERA NEVADA, LLC - OWNER: LINDA L. BASCOS
4350 EAST BONANZA ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



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

10/05/04



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

10/05/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT GENZER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****SPECIAL USE PERMIT**

SUP-5148 - PUBLIC HEARING - APPLICANT/OWNER: ROBERTA J. GOOD AND RICHARD C. GOOD - Request for a Special Use Permit FOR A PROPOSED GUEST HOUSE/CASITA TO EXCEED THE HEIGHT OF THE MAIN DWELLING BY ONE FOOT TWO INCHES AND HAVE THREE OCCUPANT ROOMS WHERE ONE OCCUPANT ROOM IS ALLOWED at 6600 Buckskin Avenue (APN 138-11-312-018), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	1
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Protest letter from James and Kristeen Coplan
5. Backup referenced from the 10/21/2003 Planning Commission meeting Item 66

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

RICHARD GOOD, 6600 Buckskin, was present and acknowledged the conditions.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:23 - 2:24)

2-2949

CONDITIONS:

Planning and Development

1. Conformance to the remaining requirements of Title 19.04.040 for a Guest House/Casita use.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

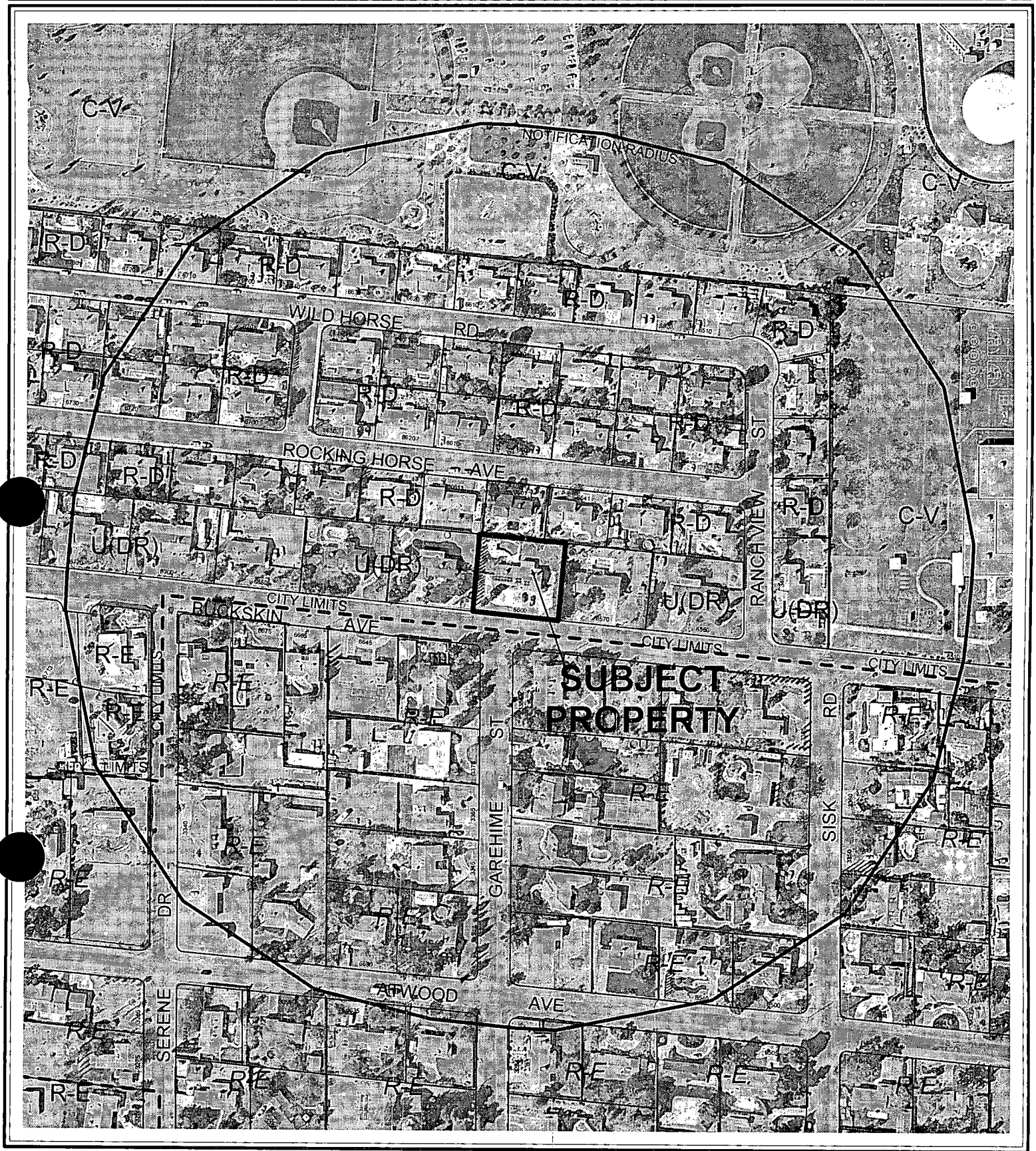
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

CONDITIONS - Continued:

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

Public Works

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



CASE: SUP-5148

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

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

Planning and Development

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

Public Works

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

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

10/21/04 The Planning Commission voted 6-1 to recommend APPROVAL (PC Agenda Item # 66/ss).

B) Pre-Application Meeting

08/20/04 A pre-application conference was held, resulting in the following comments:

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.51

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

Airport Overlay District

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

INTERAGENCY ISSUES

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

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

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

- (1) The Las Vegas Valley Water District has reviewed the subject project and has determined that it will not have a significant impact on the capacity of the District's water supply system.
- (2) The Regional Transportation Commission of Southern Nevada determined that the proposed project would not create any potentially negative regional impacts.
- (3) The Flood Control Section of the City of Las Vegas Department of Public Works requires the project engineer to meet with a representative from the Flood Control Section to determine the minimum finish floor elevation of the guest house prior to the submittal of construction drawings.

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

ANALYSIS

A) Zoning Code Compliance

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

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

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

B) General Analysis and Discussion

- Zoning

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

- Use

According to Title 19, a Guest House or Casita is a structure which is located on the same residential parcel as a principal dwelling and which, as an ancillary use, provides living quarters for the occupants of the principal dwelling, their temporary guest or domestic employees. The

term does not include a structure that is made available on a rental basis. The proposed detached guest house contains 1,380 square feet and is situated behind the main dwelling in the northeast corner of the property. Conditions of the use not met include the height limitation and the requirement for only one occupant room, bathroom, and walk-in closet. Other conditions for approval of a Guest House/Casita use have been met.

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

- Conditions

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

FINDINGS

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

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

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

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

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

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

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

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

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

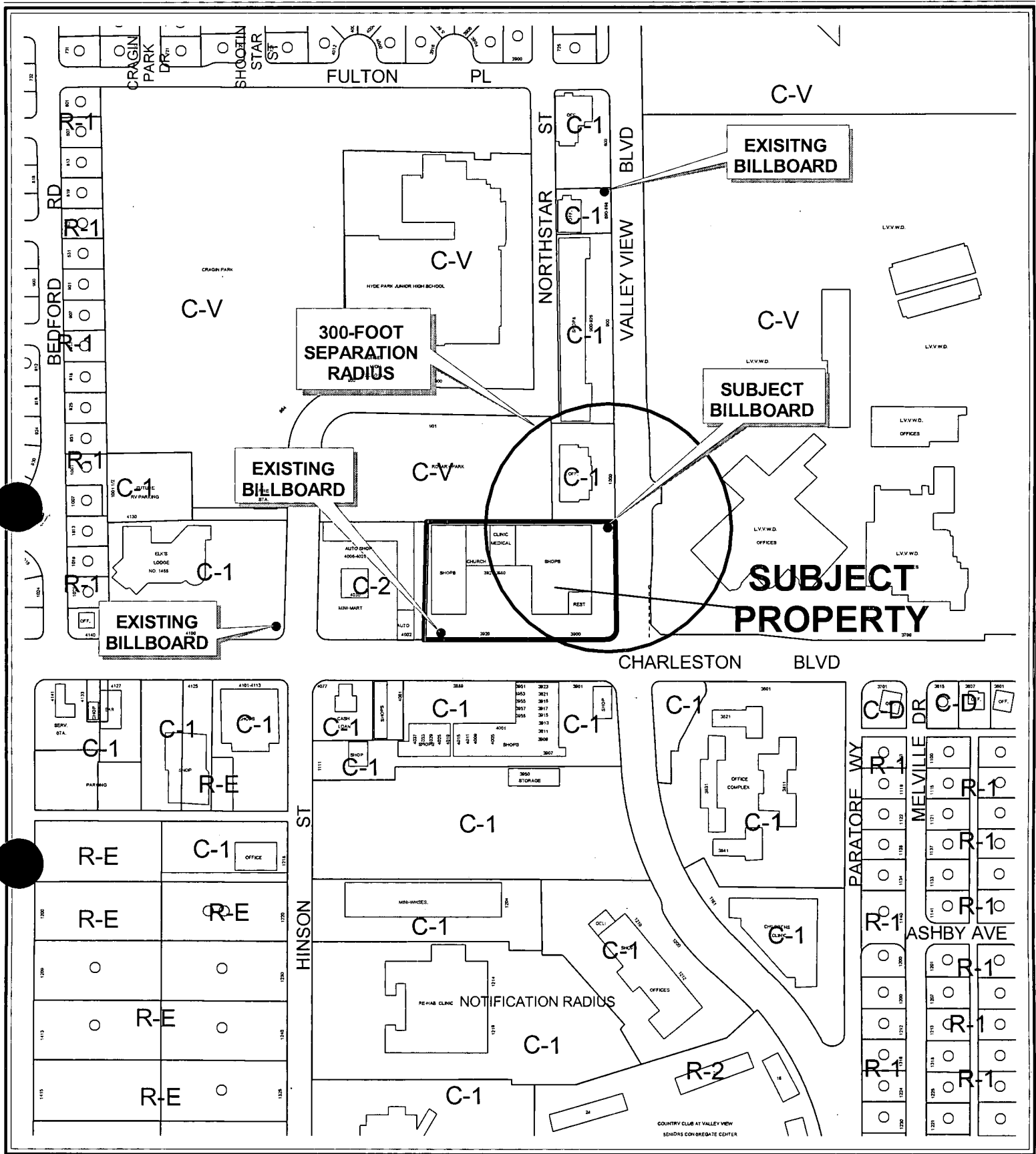
PLANNING COMMISSION ACTION

The Planning Commission believes that the casita would not be a detriment to the neighborhood.

NOTICES MAILED 98 by City Clerk

APPROVALS 0

PROTESTS 1



CASE: RQR-5171

SEPARATION RADIUS: 300 FT

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-5171 - APPLICANT: LAMAR ADVERTISING - OWNER:
Z J & R PROPERTIES, LLC**

**** CONDITIONS ****

The Planning Commission (6-1 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in one (1) year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising sign (billboard) supporting structure shall be designed to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti and bird droppings at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by the applicant from the Denial by the Planning Commission on a Required One Year Review on an approved Special Use Permit, which allowed a 55-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 3900 West Charleston Boulevard.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 04/20/94 The City Council approved a Special Use Permit (U-0043-94) for two 55-foot-high, 14-foot x 48-foot off-premise advertising (billboard) signs on the subject site.
- 05/29/99 The City Council approved a required five-year review [U-0043-94(1)] on the approved Special Use Permit; subject to review in two years time.
- 07/05/01 The City Council approved a required two-year review [U-0043-94(2)] on the approved Special Use Permit; subject to a one-year review for the billboard located at 3900 West Charleston Boulevard, and a two-year review for the billboard located at 3920 West Charleston Boulevard. The Planning Commission voted to approve the billboard at 3920 West Charleston Boulevard and denial of the billboard at 3900 West Charleston Boulevard.
- 08/21/02 The City Council reviewed an appeal of the denial of the Planning Commission and approved the two-year review of the approved Special Use Permit [U-0043-94(4)] for the billboard at 3900 West Charleston Boulevard.
- 11/05/03 The City Council reviewed an appeal of the denial of the Planning Commission and approved the one-year review (RQR-2860) of the approved Special Use Permit [U-0043-94(4)] for the billboard at 3900 West Charleston Boulevard. Planning Commission and staff recommended denial on September 25, 2003.
- 10/21/04 The Planning Commission voted 6-1 to recommend DENIAL (PC Agenda Item #11/srs).

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.23 Acres

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The SC (Service Commercial) category of the Southeast Sector Land Use Plan of the General Plan allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

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

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

B) General Analysis and Discussion

- Zoning

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

- Use

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

- Current Condition of the Sign

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

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

2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.
5. All City Code requirements and design standards of all City departments must be satisfied.

FINDINGS

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

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

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

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

There are no physical constraints to the continuation of the off-premise advertising (billboard) sign use on this commercial site.

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

Off-premise advertising signs do not generate automotive traffic and therefore will not affect the existing public rights-of-way adjacent to this site.

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

The off-premise advertising (billboard) sign will be subject to regular City inspections and licensing requirements and will not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

NOTICES MAILED 54 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: ZJR Properties LLC

Name of Applicant: Lamar Advertising

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

Yes

☒ Yes ☐ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent:

Print Name: _____

on behalf of owner

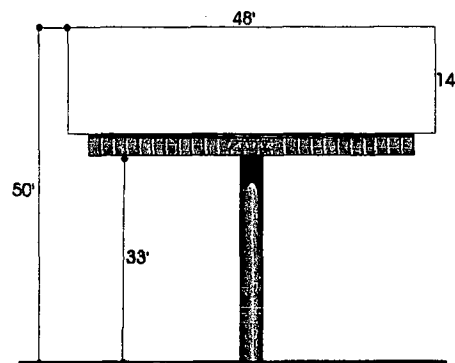
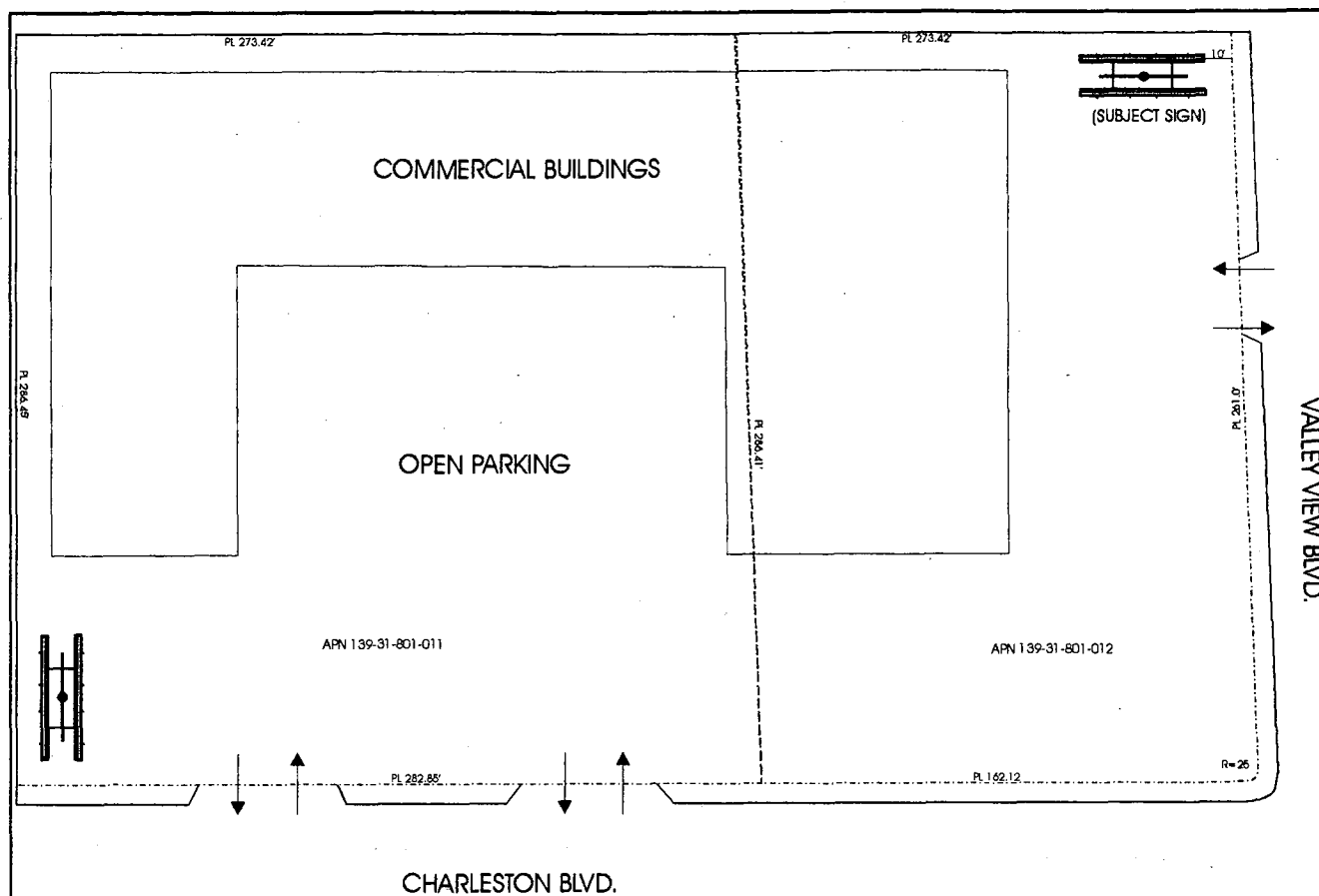
Subscribed and sworn before me

This 22 day of August, 2004

Sydney S Miller
Notary Public in and for said County and State



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



ELEVATION (NO SCALE)

RQR-5171
10/21/04 PC

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



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



LAMAR ADVERTISING COMPANY

October 22, 2004

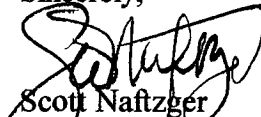
Las Vegas City Clerk
400 Stewart Ave.
Las Vegas, NV 89101

Dear Sir or Madam:

Lamar Advertising, with this letter, requests an appeal to the Las Vegas City Council of the October 22, 2004 Planning Commission's decision to deny application **RQR-5171**, a required review of a Special Use Permit for an existing off-premise sign.

Should you have any questions, please contact me at 873-4600. Thank you for your attention in this matter.

Sincerely,



Scott Naftzger
Project Coordinator, Lamar Advertising

2004 OCT 22 A 11:43

RECEIVED
CITY CLERK



LAMAR ADVERTISING COMPANY

November 16, 2004

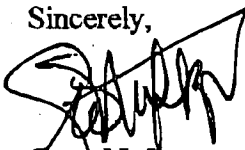
Las Vegas City Clerk
400 Stewart Ave.
Las Vegas, NV 89101

RECEIVED
CITY CLERK
2004 NOV 17 A 8:59

Dear Sir or Madam:

Lamar Advertising requests that items #118 (RQR-5168 and #125 (RQR-5171), required reviews for existing off-premise signs be held in abeyance for thirty days until the December 15, 2004 City Council Meeting. Thank you for your attention in this matter.

Sincerely,



Scott Naffzger
Project Coordinator
Lamar Outdoor Advertising
1863 Helm Dr. Las Vegas, NV 89119
(702) 873-4600

Submitted after final agenda

Date 11/17/04 Item #125

1863 Helm Drive, Las Vegas, Nevada 89119
PH. (702) 873-4600 FAX (702) 873-4344



VALLEY VIEW PLAZA 2003, LLC

OFFICE ADDRESS

**4495 W. HACIENDA, SUITE 1
LAS VEGAS, NEVADA 89118
PHONE: (702) 737-1822
FAX: (702) 737-3590**

PROPERTY LOCATION

**VALLEY VIEW PLAZA
890-928 S. VALLEY VIEW
LAS VEGAS, NV 89107**

NOVEMBER 9, 2004

**CITY CLERK
1ST FLOOR
CITY HALL
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101**

Protest

2004 NOV 12 A 11:21

RECEIVED
CITY CLERK

**RE: RQR-5168
RQR-5171**

I am a resident of Las Vegas and one of the managing members of Valley View Plaza 2003, LLC., Property located at 890 thru 922 S. Valley View.

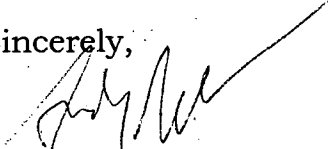
We strongly object to more billboards as proposed by Lamar Advertising and Z J & R properties.

We already have large billboards just North of our property and also South of our property.

There is a high traffic count at E. Charleston and Valley View with numerous traffic accidents. Large billboards distract motorists; causing accidents. This size needs to be along an Interstate highway.

This whole area has more than the average amount of signs already and doesn't need more.

Sincerely,


Andy Pollack

Submitted after final agenda

Date 11/12/04 Item #125

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-3729 - TABLED ITEM - PUBLIC HEARING - APPLICANT: BAIL BOND AMERICA, INC. - OWNER: MICHAEL AND CHRISTINE ACCARDI - Request for a Special Use Permit FOR A BAILBOND SERVICE at 800 South Casino Center Boulevard (APN: 139-34-410-027), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (5-1 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.

J.T. MORAN III, Moran and Associates, 630 South Fourth Street, appeared on behalf of and with the property owners and concurred with staff's recommendations.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:12 - 2:13)

2-2391

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. All signage proposed for the property shall be submitted to the Planning and Development Department for review and approval subject to consistency with Title 19.14 and the Downtown Centennial Plan.

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

CONDITIONS - Continued:

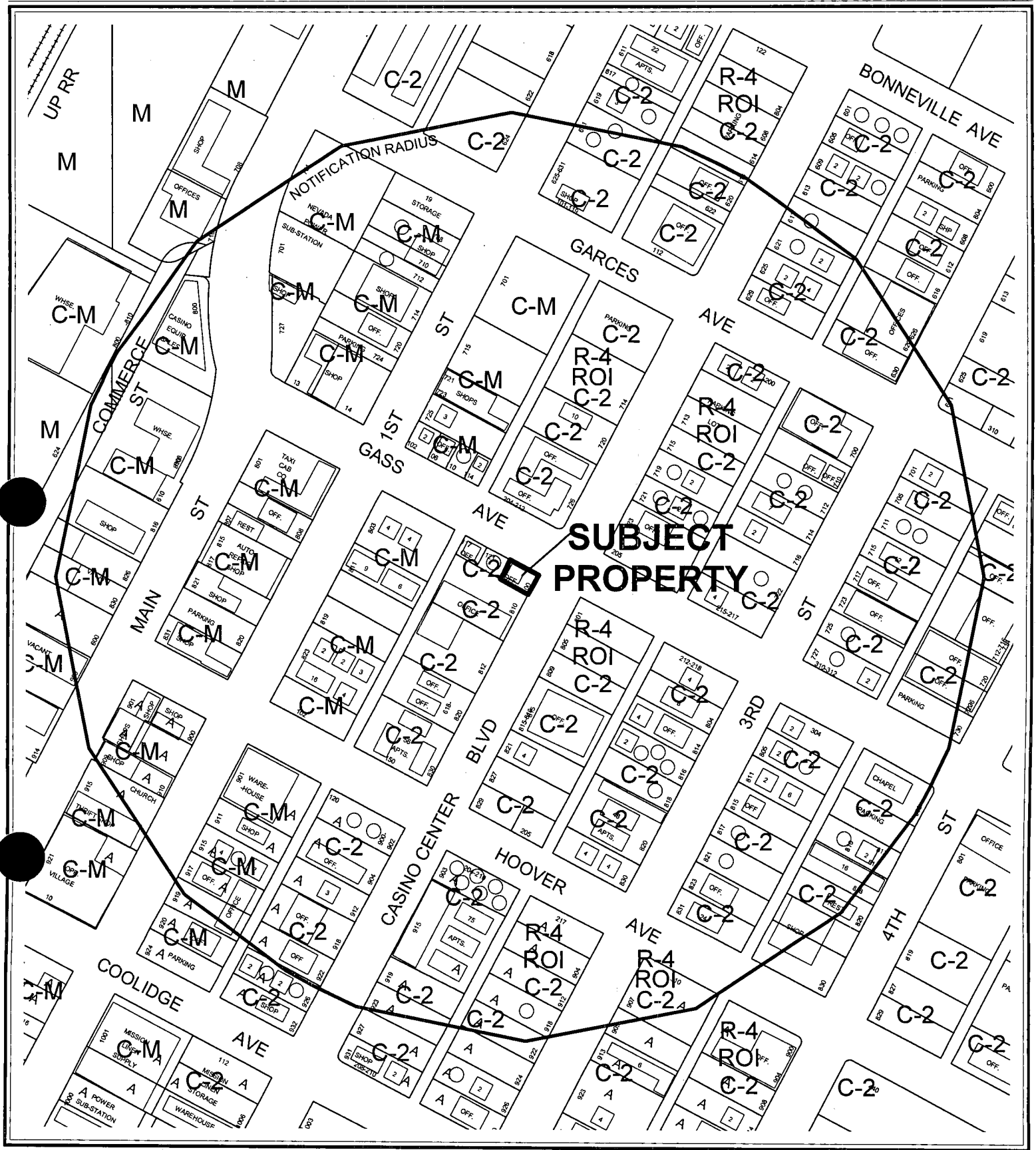
4. The applicant shall meet with Planning and Development Department staff and provide revised landscaping plans and elevations that depict improvements to the site that are satisfactory to staff, prior to review of the application by City Council.

Public Works

5. Dedicate a 10 foot radius on the southwest corner of South Casino Center Boulevard and Gass Avenue prior to the issuance of any permits for this site. Contact the Right-of-Way section of The Department of Public Works for assistance in the preparation of the required documents.

6. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.

7. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.



CASE: SUP-3729

RADIUS: 750 FT

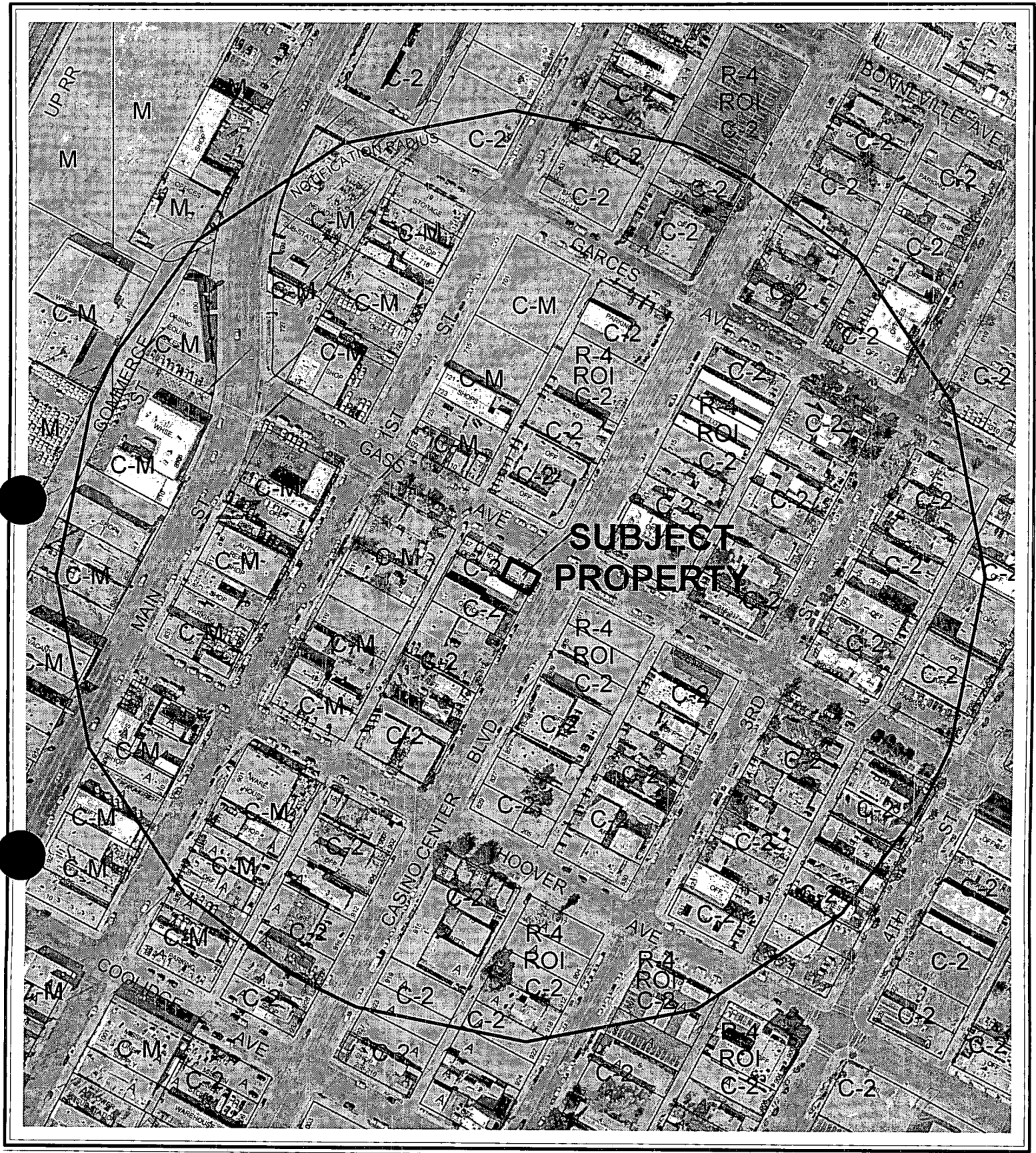
ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

0 100 200 Feet



126





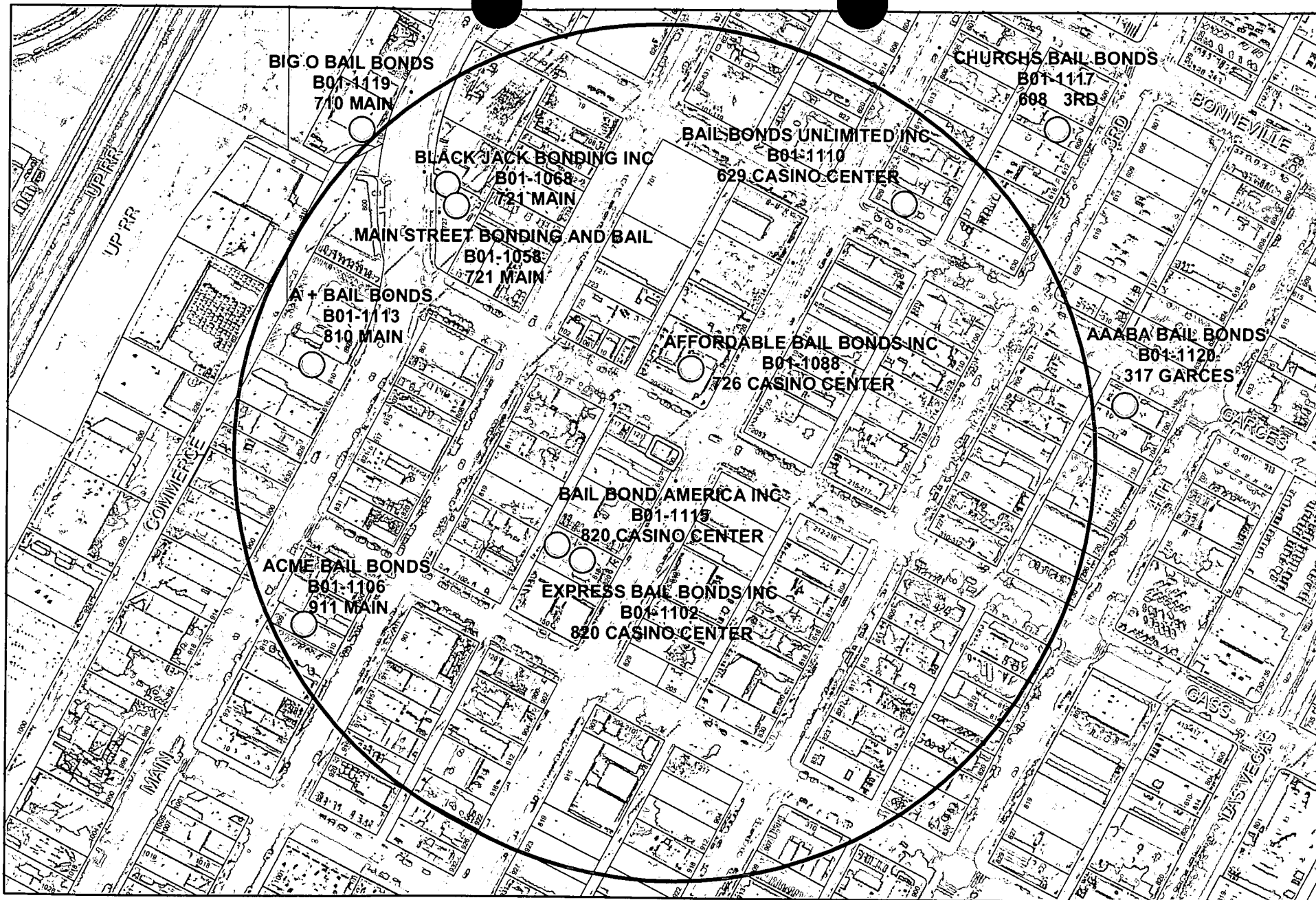
CASE: SUP-3729

RADIUS: 750 FT

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

0 100 200 Feet

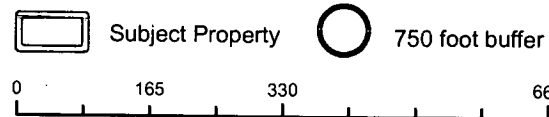




SUP-3729

Business Licenses

○ Bail Bond



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: Tabled Item - SUP-3729 - Applicant: BAIL BOND AMERICA, INC. - Owner: Michael and Christine Accardi

THIS ITEM WAS PREVIOUSLY TABLED AT THE APRIL 7, 2004 CITY COUNCIL MEETING. THE APPLICANT NOW REQUESTS THIS ITEM TO COME FORWARD.

**** CONDITIONS ****

The Planning Commission (5-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. All signage proposed for the property shall be submitted to the Planning and Development Department for review and approval subject to consistency with Title 19.14 and the Downtown Centennial Plan.
4. The applicant shall meet with Planning and Development Department staff and provide revised landscaping plans and elevations that depict improvements to the site that are satisfactory to staff, prior to review of the application by City Council.

Public Works

5. Dedicate a 10 foot radius on the southwest corner of South Casino Center Boulevard and Gass Avenue prior to the issuance of any permits for this site. Contact the Right-of-Way section of The Department of Public Works for assistance in the preparation of the required documents.
6. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.
7. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for approval of a Special Use Permit for a Bailbond Service at 800 South Casino Center Boulevard.

B) Applicant's Justification

The applicant has noted that they already operate a Bailbond Service half a block away from the proposed location, and that no significant changes are proposed to the existing structure on the site.

BACKGROUND INFORMATION

A) Previous Actions

- 10/23/79 The Planning Commission approved a Plot Plan Review in order to permit the conversion of the residential structure on the property to an office.
- 03/11/04 The Planning Commission voted 5-1 to recommend APPROVAL (PC Agenda Item #11/ff).

B) Pre-Application Meeting

- 01/09/04 The applicant verified there was no changes proposed to the building or the property other than replacing the existing signage, and that off-site improvements might be required to be reconstructed in order to conform to code requirements.

C) Neighborhood Meetings

No neighborhood meeting was required as part of this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.04

B) Existing Land Use

Subject Property:	Office Use
North:	Office Use
South:	Office Use
East:	Undeveloped
West:	Single-Family Residential Use, Office Use

C) Planned Land Use

Subject Property: Mixed Use
North: Mixed Use
South: Mixed Use
East: Mixed Use
West: Mixed Use

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: C-2 (General Commercial)
East: R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
West: R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)

E) General Plan Compliance

The site is located within the boundaries of the Las Vegas Redevelopment Plan area and is subject to the land use designations identified in the Redevelopment Plan. The Redevelopment Plan designates the parcel as Mixed Use, which allows low- to high- density residential uses, office uses, service commercial uses, general commercial uses, and public facilities.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Downtown Centennial Plan (Downtown South)	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

In addition to being located within the Redevelopment District, the property is also within the boundaries of the Downtown Centennial Plan. The Centennial Plan identifies the property as belonging to the Downtown South sub-area. The property is not part of any other Special Overlay District or Study Area.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of parking requirements. On-site parking will be provided as follows:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office Use	624 SF	1/300 GFA	2	1	2	0

Two parking spaces are currently developed on the property. Additional on-street parking is available immediately abutting the site. The site plan depicts the use of tandem parking spaces; the application as proposed does not meet the minimum standards listed in Title 19.10 for tandem parking spaces. Consequently, only two of the four parking spaces shown on the site plan may be counted in satisfying the parking requirement.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Bailbond Service use.

Title 19.04 does not list any specific standards that apply to the approval of a Special Use Permit for Bailbond Service uses.

B) General Analysis and Discussion

- Zoning

The subject parcel is zoned C-2 (General Commercial), which allows Bailbond Service uses upon approval of a Special Use Permit.

- Use

The proposed Bailbond Service will be relocated from its existing location at 820 South Casino Center Boulevard. The applicant has stated that most of the transactions are conducted by telephone, and that typically only one employee is on site at any time.

- Conditions

Title 19.04 does not list any minimum standards that must be satisfied in order to approve the Special Use Permit.

FINDINGS

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

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

The proposed office use is compatible with the surrounding land uses and zoning districts.

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

The site is already developed, and is physically suitable for the low-intensity office use proposed for the site.

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

Gass Avenue and Casino Center Boulevard are both fully developed, and will provide adequate access to the site.

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

Approval of the Special Use Permit will not compromise public health, safety, or welfare.

PLANNING COMMISSION ACTION

There was considerable discussion on this case at Planning Commission. The owner purchased the property on September 4, 2003. He currently has a bailbond business license at 820 South Casino Center Boulevard issued July 3, 2003. The Planning Commission members were concerned regarding any bailbond activity at the subject address without this Special Use Permit. In addition, the Planning Commission requested elevations and landscape plans to be submitted prior to the City Council hearing.

UPDATE

As of November 3, 2004, no building permits have been issued for any improvements to the site.

A license for the bail bond business was denied by the Planning and Development Department on October 16, 2003. It was noted at that a Special Use Permit is required to allow this use at this location. The applicant currently has a license for a bail bond business at 820 South Casino Center Boulevard, which was issued July 3, 2003.

NOTICES MAILED 108 by Planning Department

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP 3729 APN: _____

Name of Property Owner: MICHAEL ACCARDI

Name of Applicant: BAIL BOND AMERICA, INC - MICHAEL ACCARDI

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

_____ Yes

_____ ☒ No

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

City Official: _____

Partner(s): _____

APN: _____

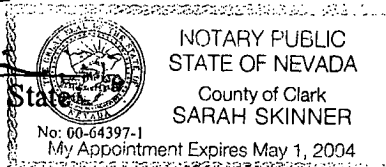
Signature of Property Owner/Authorized Agent: 

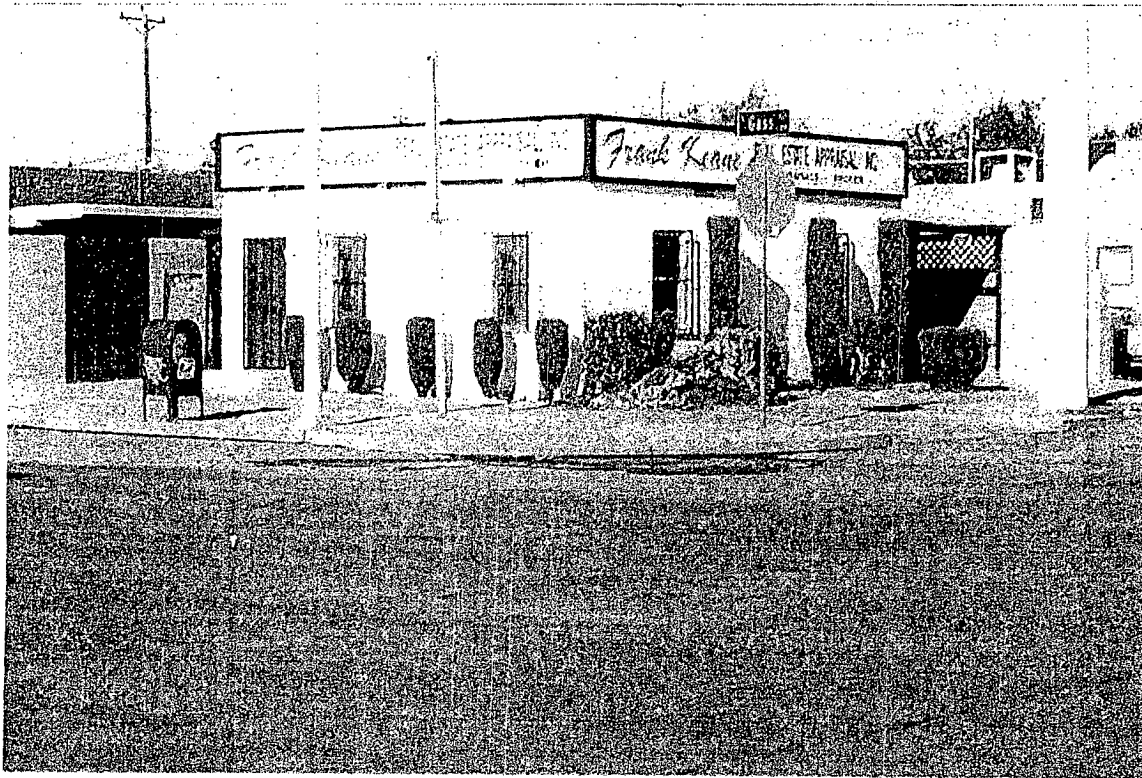
Print Name: Mr. Accardi

Subscribed and sworn before me

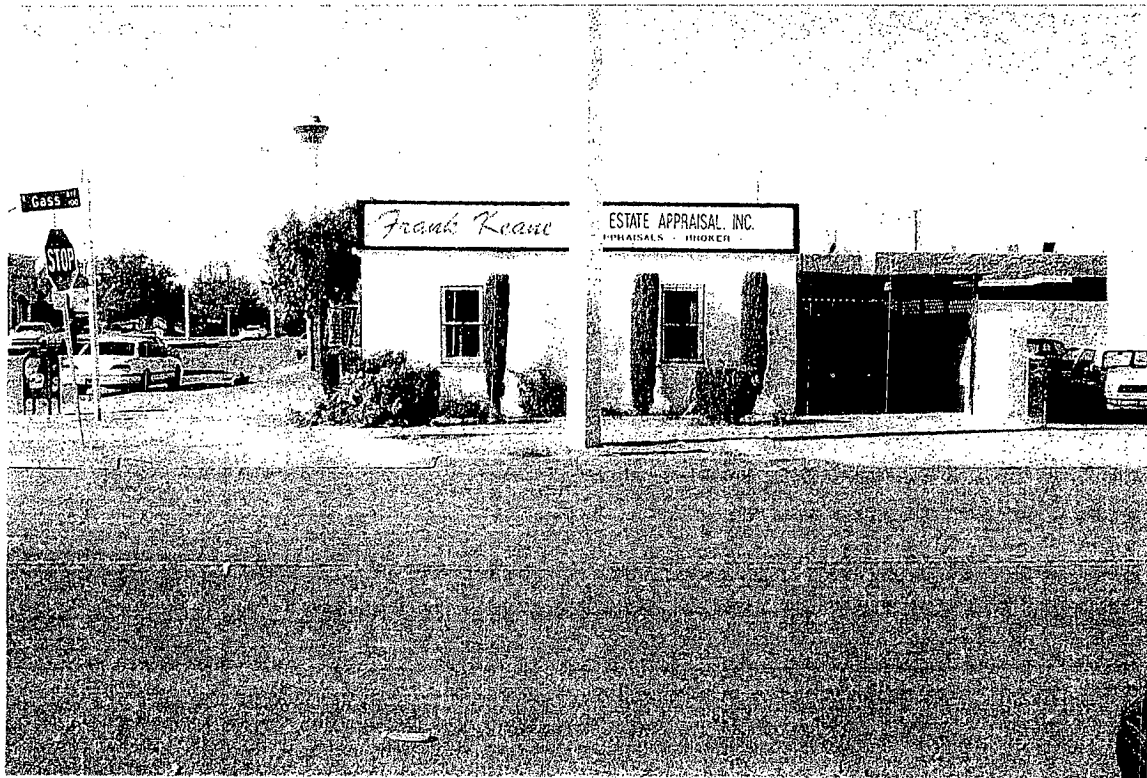
This 28 day of August, 2003


Notary Public in and for said County and State

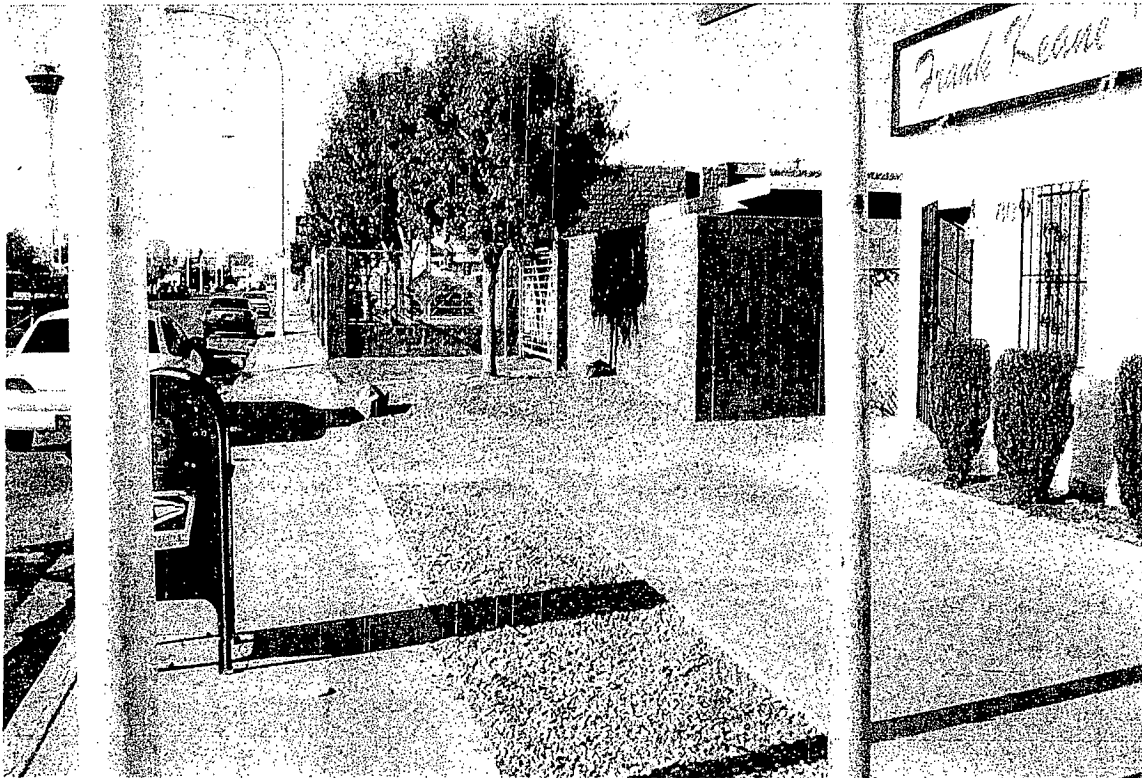




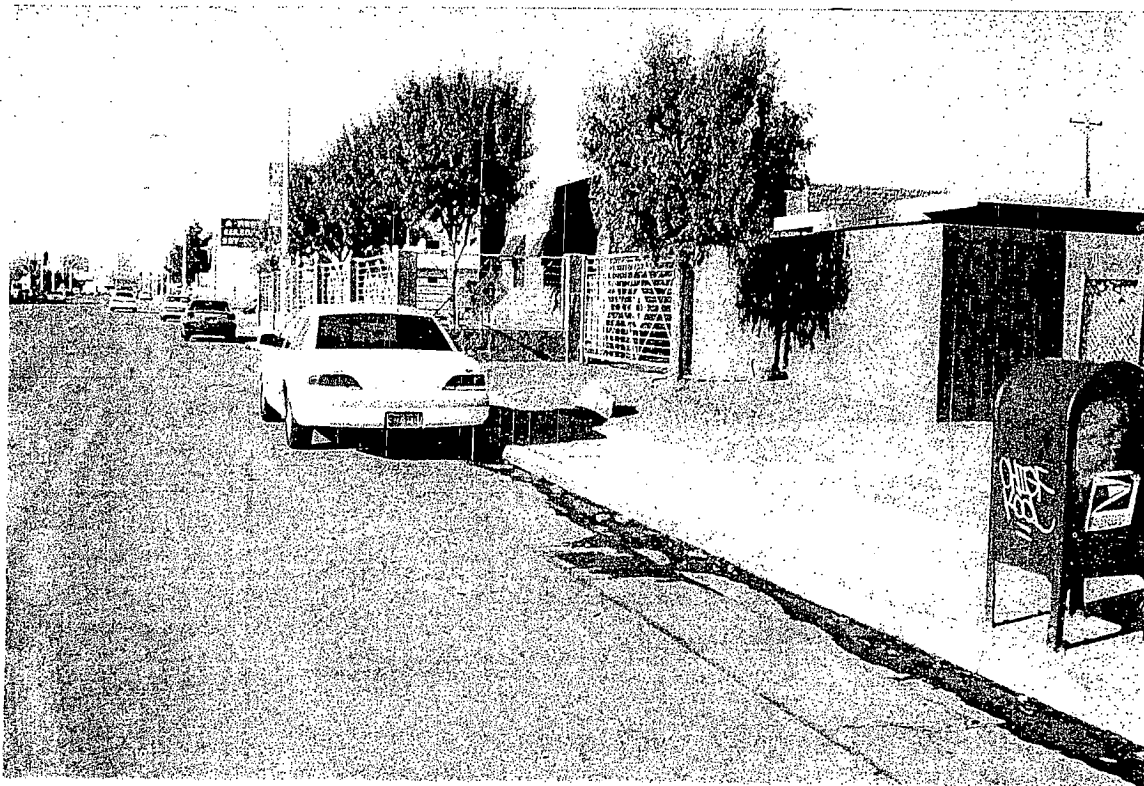
SUP-3729
03-11-04 PC



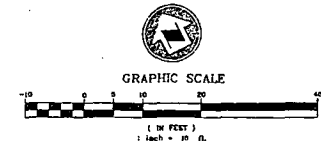
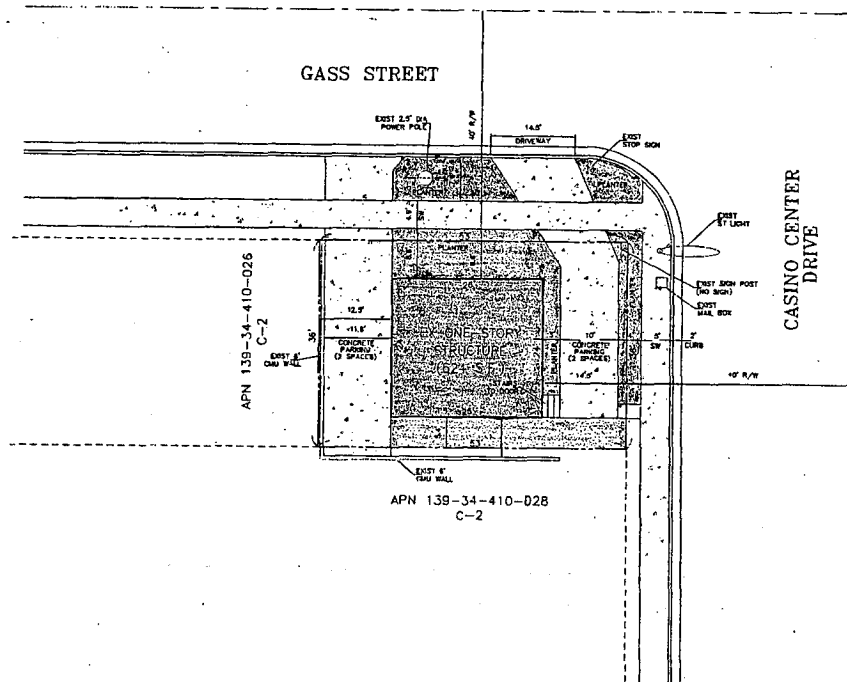
SUP-3729
03-11-04 PC



SUP-3729
03-11-04 PC



SUP-3729
03-11-04 PC



UTILITY NOTE

UTILITY LOCATIONS SHOWN HEREIN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES PRIOR TO CONSTRUCTION.

CALL 970-882-8111

LEGEND AND ABBREVIATIONS

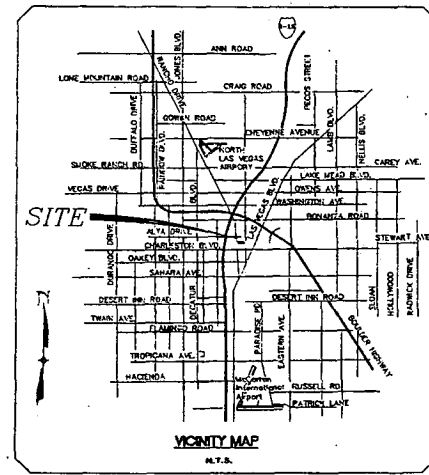
---	STREET CENTERLINE
---	PROPERTY LINE
---	BY SIDEWALK
---	BY OR EXIST. ENDING
---	R/W RIGHT-OF-WAY

PROPERTY INFORMATION

APN 139-34-410-027	
CURRENT ZONING	C-2
ON-SITE PARKING	1 SPACES (TANDEM)
BUILDING AREA	874 S.F.
LAND AREA	1809 S.F.

LEGAL DESCRIPTION

A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 81 EAST, W.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.



SUMMIT CORPORATION

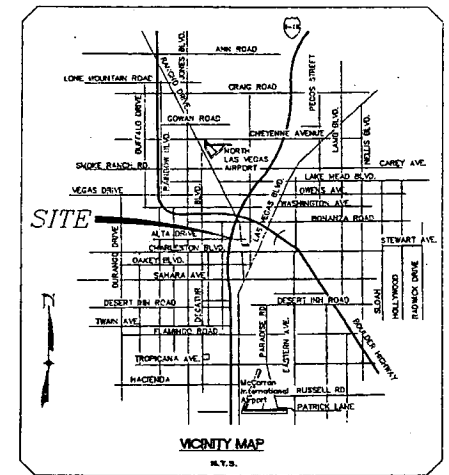
800 S. CASINO CENTER DRIVE
SITE PLAN
APN 139-34-410-027

DESIGNED: NVC	CHECKED: JAM	SCALE: 1"=10'
DATE: 03-11-04	DATE: 03-11-04	DATE: 03-11-04

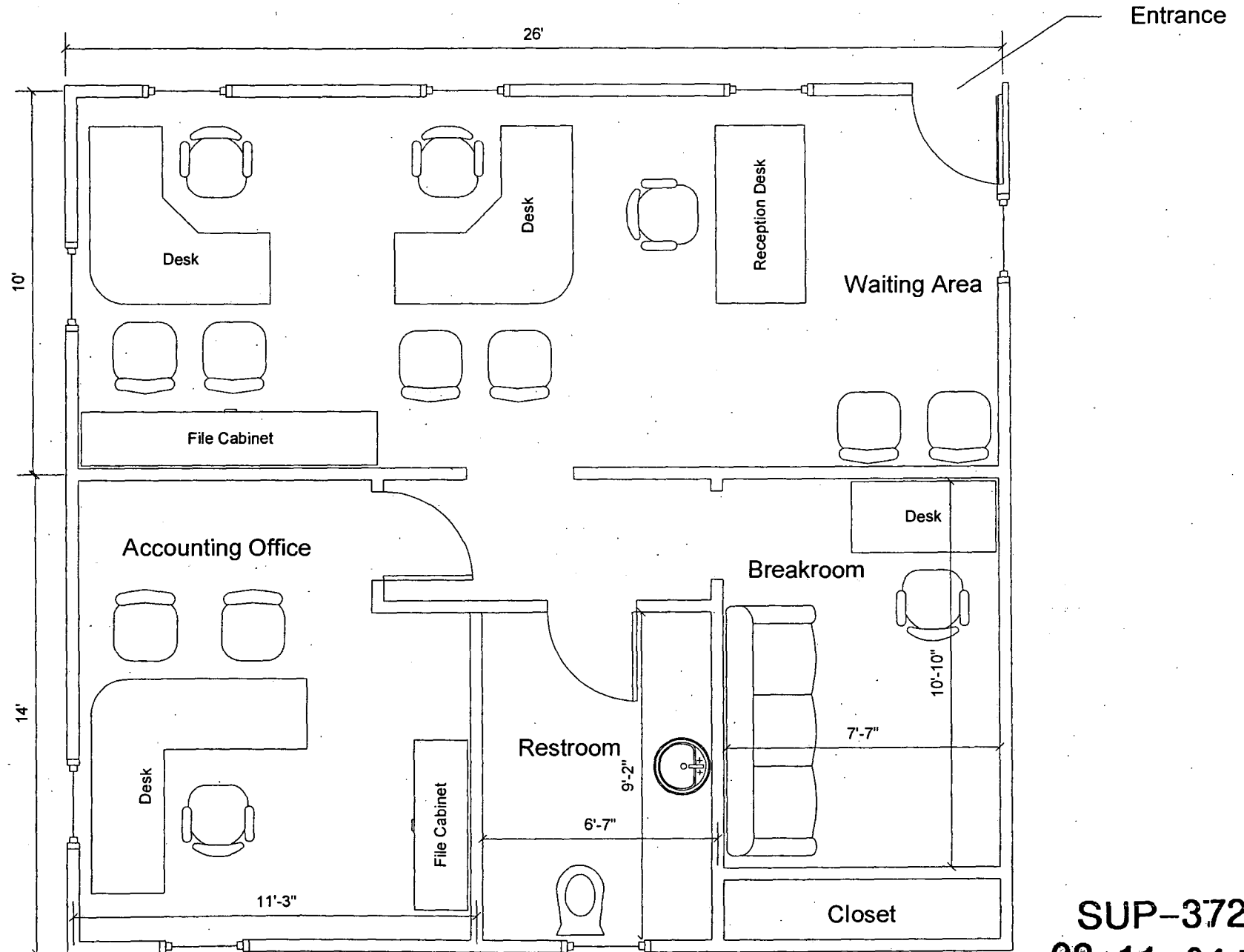
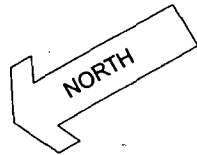
REV.	DATE	DESCRIPTION
1	03-11-04	ISSUED FOR PERMIT

SHEET
C1 1

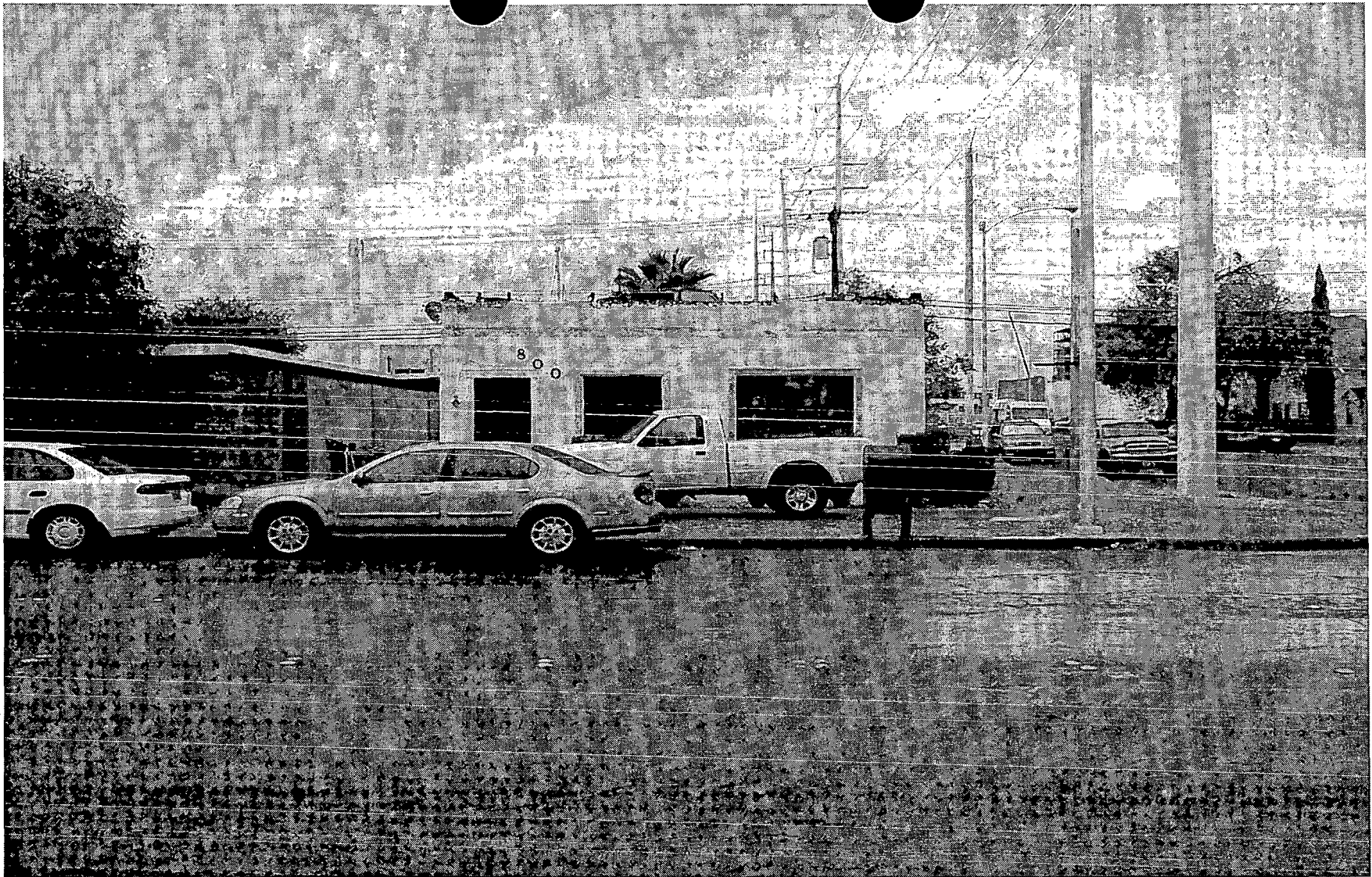
SUP-3729
03-11-04 PC



Casino Center, Las Vegas, NV
Floor Plan

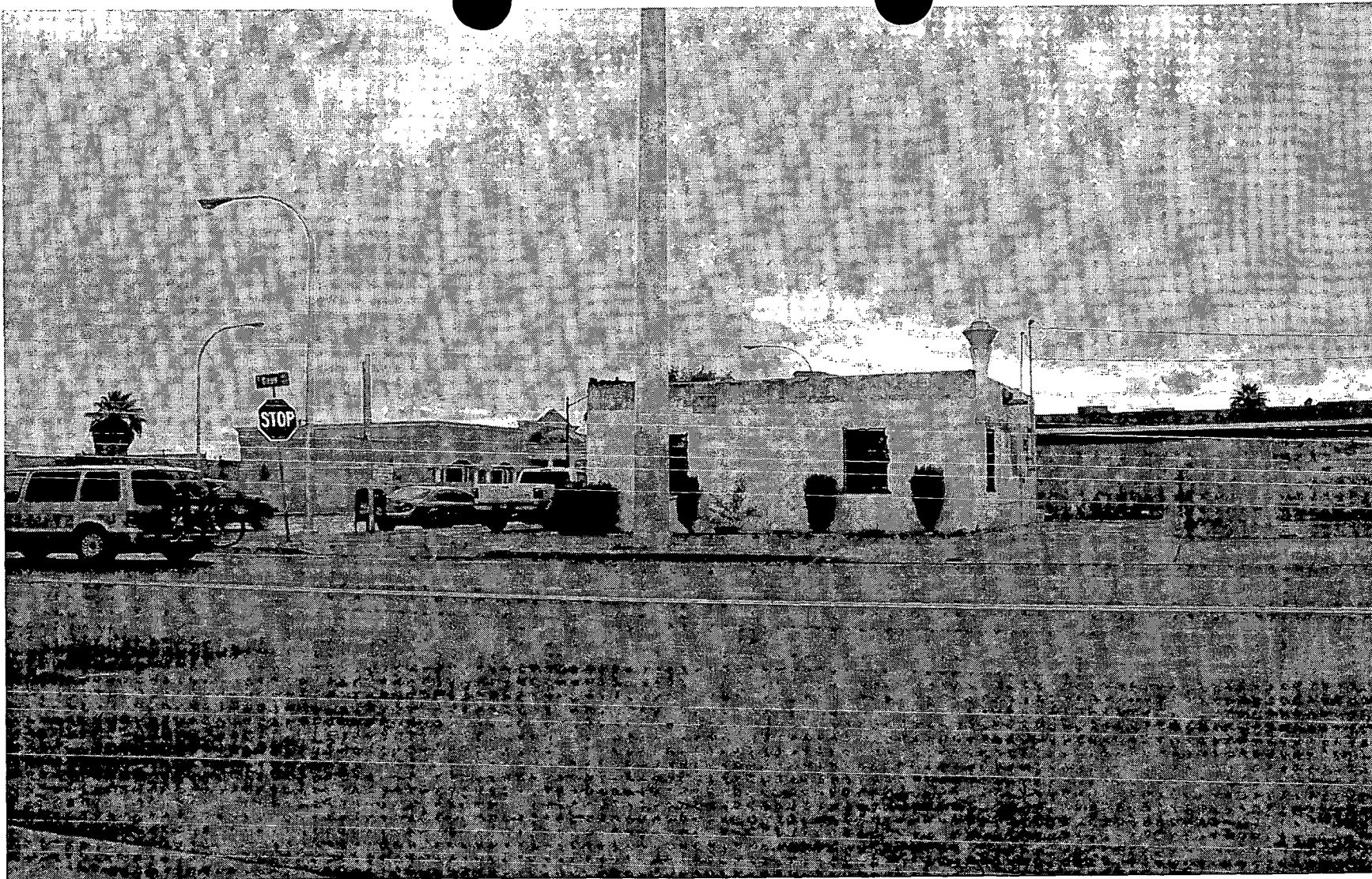


SUP-3729
03-11-04 PC



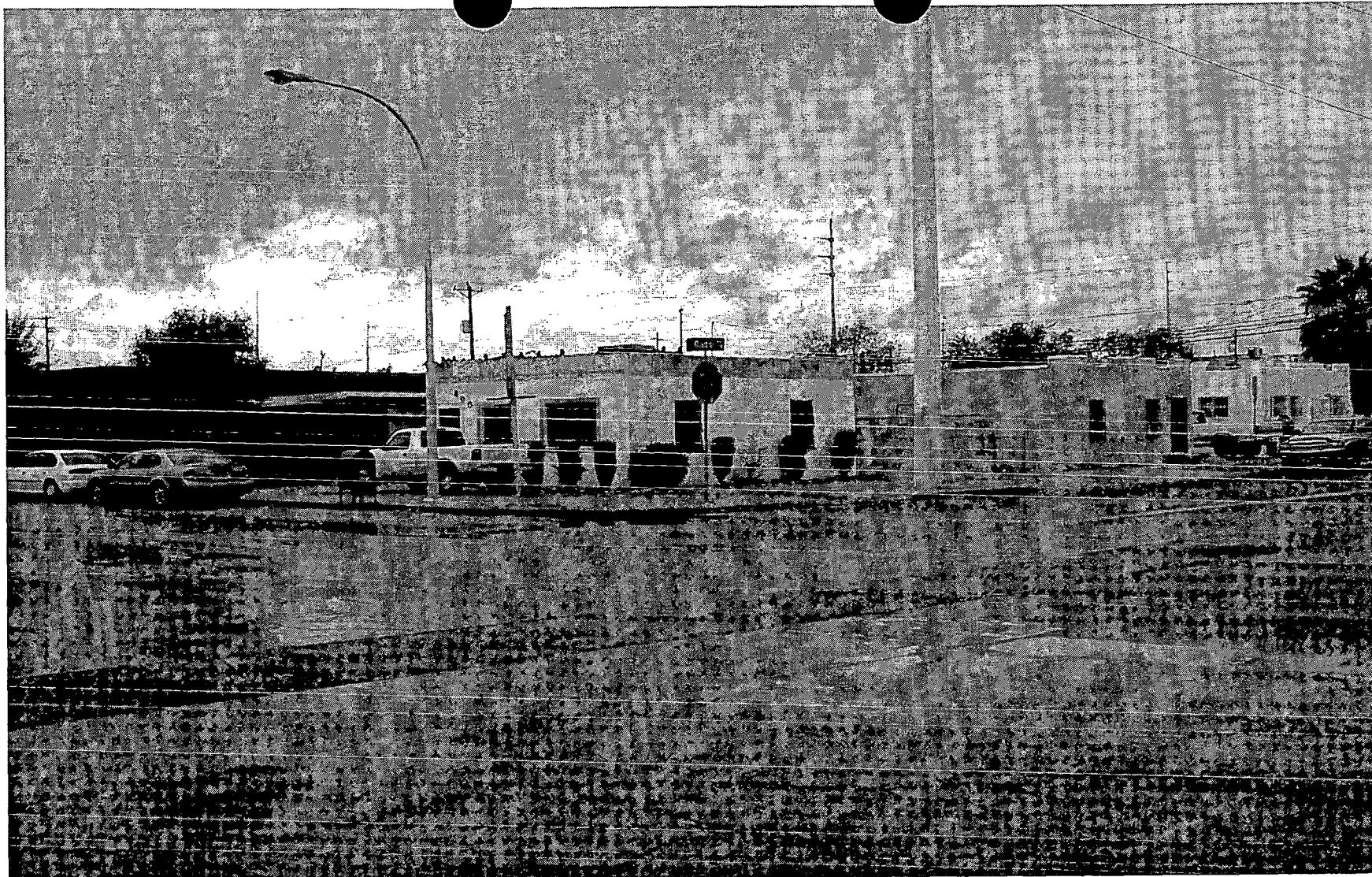
**SUP-3729 - APPLICANT: BAIL BOND AMERICA, INC. – OWNER: MICHAEL AND
CHRISTINE ACCARDI
800 South Casino Center Boulevard
NOVEMBER 17, 2004 CITY COUNCIL MEETING**

Picture taken 10/27/04



**SUP-3729 - APPLICANT: BAIL BOND AMERICA, INC. – OWNER: MICHAEL AND
CHRISTINE ACCARDI
800 South Casino Center Boulevard
NOVEMBER 17, 2004 CITY COUNCIL MEETING**

Picture taken 10/27/04



**SUP-3729 - APPLICANT: BAIL BOND AMERICA, INC. - OWNER: MICHAEL AND
CHRISTINE ACCARDI**

800 South Casino Center Boulevard

NOVEMBER 17, 2004 CITY COUNCIL MEETING

Picture taken 10/27/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-4694 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: ORION OUTDOOR MEDIA - OWNER: RICHARD AND BARBARA STIMAC AND KAY RODRIGUEZ - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 7075 West Craig Road (APN 138-03-701-003), C-1 (Limited Commercial) Zone Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

The Planning Commission (6-0 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 the following added condition as read for the record:

- The applicant shall locate the billboard as far north on the site as possible and acceptable to Flood Control and the City Traffic Engineering Department.
- UNANIMOUS with GOODMAN and WEEKLY excused

NOTE: COUNCILMAN MACK disclosed that a Timber's Bar and Grill owned by his brother-in-law, ANDREW DONNER, is located near the site but ANDREW DONNER has not spoken with him about this item. He does not believe this item would have any impact on his interest, therefore, and he would vote on the item.

MINUTES:

MAYOR PRO TEM REESE declared the public hearing open.

BO PALLEY, Orion Outdoor Media, 7924 Rockbridge Circle, appeared on behalf of the applicant and concurred with staff's recommendations.

COUNCILMAN MACK noted he had been working with COUNCILMAN BROWN on this project because they share jurisdictional boundaries. They would like to maintain the integrity of the area by not allowing billboard clutter. The County and City are doing extensive research on billboard Codes. There are limited opportunities since two billboards exist, and one is on the County agenda. Although there are flood issues, this billboard appears to be appropriate because the issue can be resolved. He suggested moving the billboard to the farthest northern boundary of the property line without creating a visual impairment to access US95 from Craig Road. COUNCILMAN MACK commented positively on the applicant's efforts to work with his office and a pending development for the corner. COUNCILMAN

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

MINUTES - Continued:

BROWN thanked the applicant as well, adding that the overall development of the site could be a few years to allow time to mitigate the flood control issue.

COUNCILMAN MACK read the additional condition to have the billboard located as far north on the site as possible, acceptable to Flood Control and City Traffic Engineering. The applicant concurred.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the public hearing closed.

(2:13 - 2:16)

2-2440

CONDITIONS:

Planning and Development

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

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

3. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premises Sign use and other applicable sign requirements.

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

5. Only one advertising sign is permitted per sign face.

6. The entire face-area of both sides of the off-premises advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

7. If the off-premises advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premises advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

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

Public Works

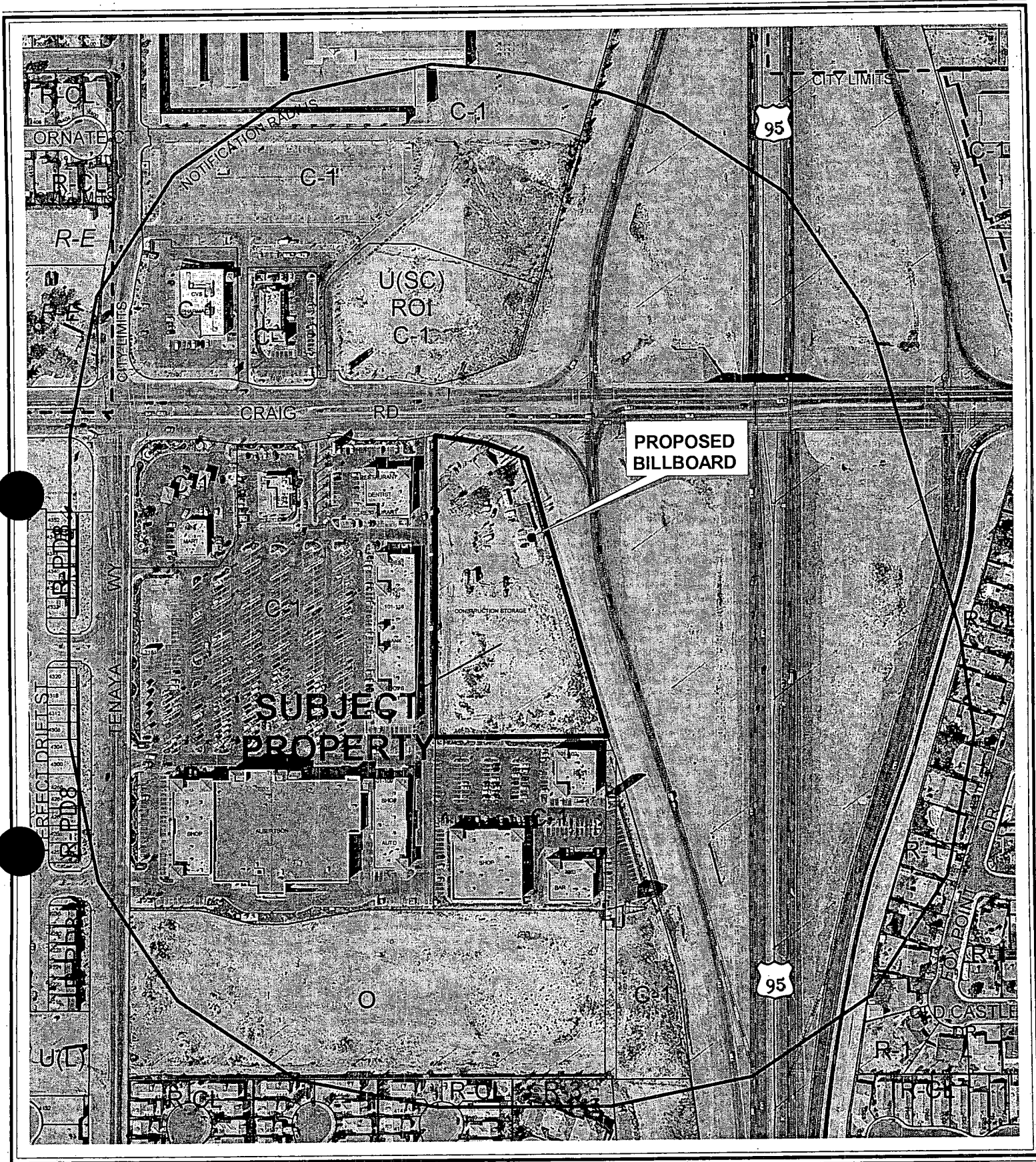
9. Meet with the Flood Control Section of the Department of Public Works to determine impacts, if any,

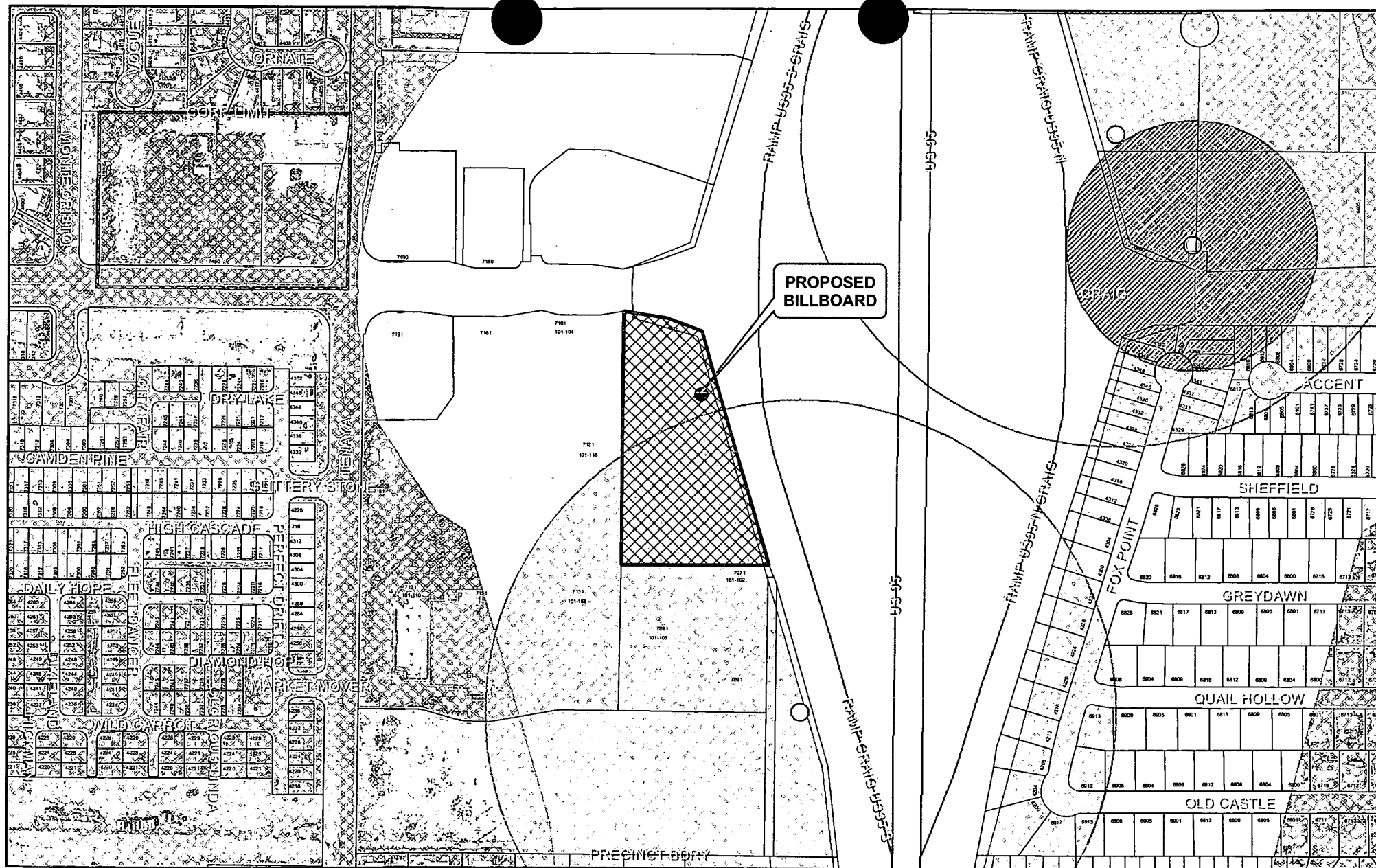
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

CONDITIONS - Continued:

to adjacent flood control facilities from the proposed sign prior to the issuance of any permits. Provide and improve all drainageways as recommended. This site is located within a FEMA Flood Zone "AE" designation.

10. The off premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.





SUP-4694

City of Las Vegas Billboard Data

- | | | |
|--|--|---|
|  Subject Parcel |  300 Foot Buffer Around Billboard |  Outside City Boundary |
|  City of Las Vegas Billboard Location |  750 Foot Buffer Around Freeway Billboard |  Off Premise Sign Exclusion Area |
|  Clark County Billboard Location | |  Exempt - Off Premise Area Sign Area |



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4694 - APPLICANT: ORION OUTDOOR MEDIA -
OWNER: RICHARD AND BARBARA STIMAC AND KAY RODRIGUEZ

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 20, 2004 CITY COUNCIL MEETING AT COUNCILMAN MACK'S REQUEST.

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This Special Use Permit pursuant to plans date stamped 09/01/03 shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premises sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premises advertising (billboard) sign be removed.
3. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premises Sign use and other applicable sign requirements.
4. The off-premises advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premises advertising (billboard) sign.
5. Only one advertising sign is permitted per sign face.
6. The entire face-area of both sides of the off-premises advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
7. If the off-premises advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premises advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
8. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

9. Meet with the Flood Control Section of the Department of Public Works to determine impacts, if any, to adjacent flood control facilities from the proposed sign prior to the issuance of any permits. Provide and improve all drainageways as recommended. This site is located within a FEMA Flood Zone "AE" designation.
10. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit to allow a proposed 40-foot tall, 14-foot by 48-foot Off-Premise (Billboard) Sign at 7075 West Craig Road (the southwest corner of U.S. 95 and Craig Road).

B) Applicant's Justification

The applicant states in a letter attached to the application the following:

"The property is located abutting U.S. 95 freeway and Craig Road residing within the Off-Premises Advertising Overlay district. The application for this sign will meet all City Regulations. There are no existing billboards located within 750 feet linear measurement or 300-foot radius. This sign would also meet all residential separation requirements."

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 11/06/96 | The City Council accepted a request to Withdraw Without Prejudice an application for General Plan Amendment (GPA-42-96) to GC (General Commercial) and a Rezoning (Z-94-96) to C-2 (General Commercial) on the subject site as part of a larger request. |
| 01/12/98 | The City Council voted to Withdraw Without Prejudice a Rezoning (Z-0115-97) from U (Undeveloped) to PD (Planned Development) for a proposed commercial development on the subject site. The Planning Commission recommended denial of the Rezoning request. |
| 12/20/01 | The Planning Commission voted to Table a Rezoning from U (Undeveloped) to C-1 (Service Commercial) (Z-0074-01) and a Site Development Plan Review [Z-0074-01(1)] for a proposed office/retail complex on the subject site. The staff recommended approval of the requests on October 18, 2001. |
| 01/21/04 | The City Council approved a Rezoning (ZON-3197) to C-1 (Service Commercial) for the subject site. The staff recommended approval on November 20, 2003 and the Planning Commission recommended approval on December 18, 2003. |

08/12/04 The Planning Commission voted to hold this item in abeyance at the request of the applicant.

09/23/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #9).

B) Pre-Application Meeting

06/09/04 Discussion included a review of the criteria necessary for a Special Use Permit. Note was made that another Off-Premise (Billboard) Sign exists 760 feet to the south.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 3.59

B) Existing Land Use

Subject Property: Construction storage
North: Undeveloped
South: Commercial (personal service and retail uses)
East: U.S. Highway 95 right-of-way
West: Commercial (personal service and retail uses)

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
South: SC (Service Commercial)
East: U.S. Highway 95 right-of-way
West: SC (Service Commercial)

D) Existing Zoning

Subject Property: U (Undeveloped) under a ROI to C-1 (Limited Commercial)
North: U (Undeveloped) under a ROI to C-1 (Limited Commercial)
South: C-1 (Limited Commercial)
East: U.S. Highway 95 right-of-way
West: C-1 (Limited Commercial)

E) General Plan Compliance

The site is designated SC (Service Commercial) on the Centennial Hills Sector Land Use Plan Map of the General Plan. The existing U (Undeveloped) zoning designation [under a ROI to C-1 (Limited Commercial)] is in conformance with the General Plan. Approval of this off-premise sign is not contrary to the goals of the Plan.

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

The area is not located in a special district or zone.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

Pursuant to Title 19.14, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Minimum distance separation from another Off-Premise Advertisement (Billboard) in any direction.	300 Feet	Yes
Minimum distance separation from "R" zoned property and any other off-premise sign.	300 Feet	Yes
Minimum distance separation from another Off-Premise Advertisement (Billboard) along U.S. 95	750 feet	Yes

This proposed Off-Premise Advertising (Billboard) Sign is located in excess of 300 feet from any other Off-Premise Advertising (Billboard) Sign or residentially zoned property and more than 750 feet from another Off-Premise Advertisement (Billboard) sign south of the proposed location along U.S. 95. Therefore, it is in compliance with the Zoning Code standards.

B) General Analysis and Discussion

- Zoning**

An Off-Premise Advertising (Billboard) Sign is an allowed use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. The subject property is under a Resolution of Intent to C-1 (Limited Commercial). As mentioned in the applicant's letter, the proposed sign is located within the exemption corridor of the Off-Premises Sign Exclusionary Zone. This Zone, within which no Off-Premise Advertising (Billboard) Sign is permitted, includes all of the Centennial Hills Sector and most of the Southwest Sector.

- Use

Title 19 of the Zoning Code establishes the criteria for approval of Off-Premise Advertising (Billboard) Signs within the City. Title 19.14.100 limits the overall height of an Off-Premise Advertising (Billboard) Sign to 40 feet. The Code also requires Off-Premise Advertising (Billboard) Signs to be a minimum of 300 feet from residentially zoned properties and 300 feet from other off-premise signs. In addition, signs along U.S. 95 must be located no closer than 750 feet apart. An existing sign is located 760 feet to the south of the proposed sign's location.

FINDINGS

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

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

This proposed use would be located in the SC (Service Commercial) General Plan designation and in the C-1 (Limited Commercial) zoning district. This area is characteristic of commercial development, which would be fairly compatible with this proposed land use, provided the sign is designed to include finish materials to complement the existing on-site buildings. If the application is approved, a condition of approval is included to address the design.

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

The subject site is located in a commercial area, which is a prerequisite to establishing its suitability.

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."**

This use does not generate traffic on the proposed site and would not negatively affect the surrounding 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 proposed Off-Premise Advertising (Billboard) Sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

NOTICES MAILED 34 by City Clerk

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**Case Number: SUP-4694 APN: 138-03-701-003Name of Property Owner: Richard & Barbara Stimac & Kay Rodriguez

Name of Applicant: _____

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

____ Yes

☒ 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.

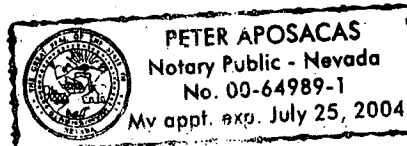
City Official: _____

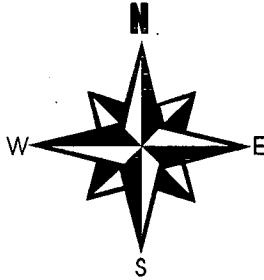
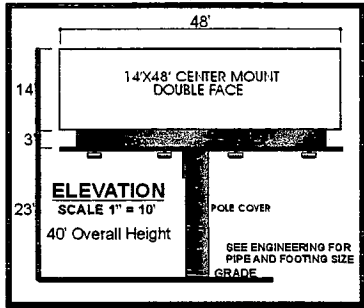
Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: Kay Rodriguez Barbara L Stimac
KAY A. RODRIGUEZ Barbara L. Stimac
Print Name: RICHARD A. STIMAC

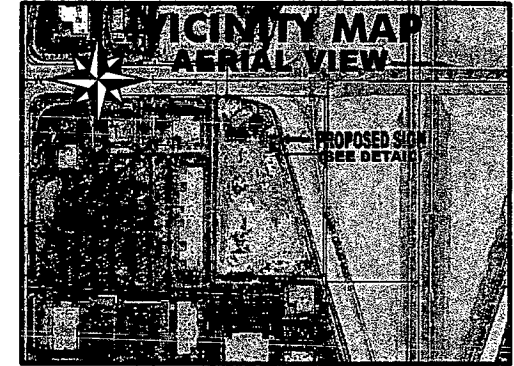
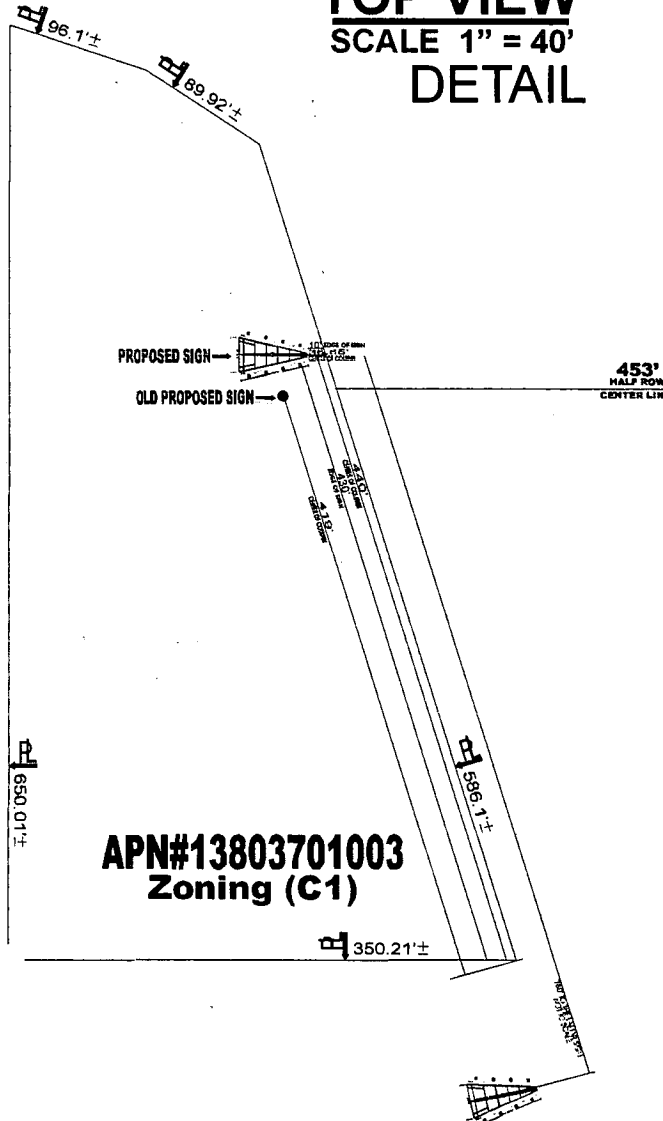
Subscribed and sworn before me

This 29 day of May, 2004Peter Aposacas
Notary Public in and for said County and State



CRAIG ROAD

**TOP VIEW
SCALE 1" = 40'
DETAIL**



GENERAL NOTES

1. Not within 750 foot radius of another off-premise billboard.
2. Not within 300 foot radius of residential use.
- 3 No parking spaces will be taken for this location.

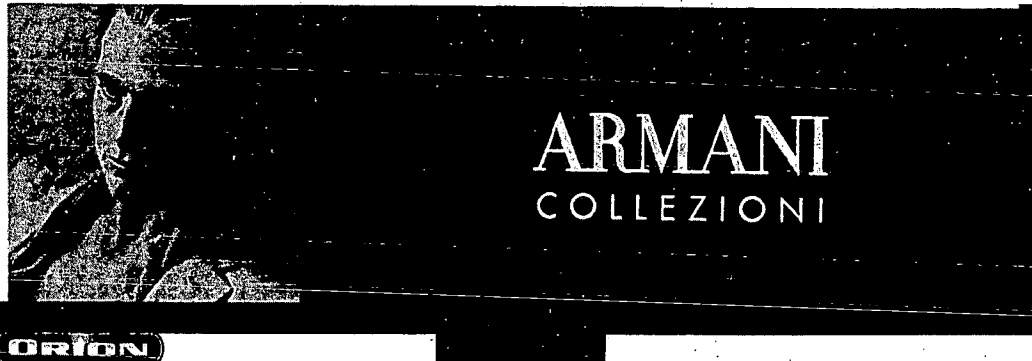
**ORION
OUTDOOR MEDIA
GLENDA LIPPMAN
595-4896**

JONES			
4145 W. TECO AVE./LAS VEGAS, NV 89118/702-445-0092			
OWNER: STIMAC RICHARD A			
SCALE: NOTED	APPROVED BY:	DRAWN BY: TOM JONES	
DATE: 5-25-04		REVISED:	
LOCATION: 7075 W CRAIG RD			
APN#13803701003			DRAWING NUMBER: 355

**RECEIVED
OCT 18 2004**

**REVISED
10-18-04**

**SUP-4694
10-20-04 CC**



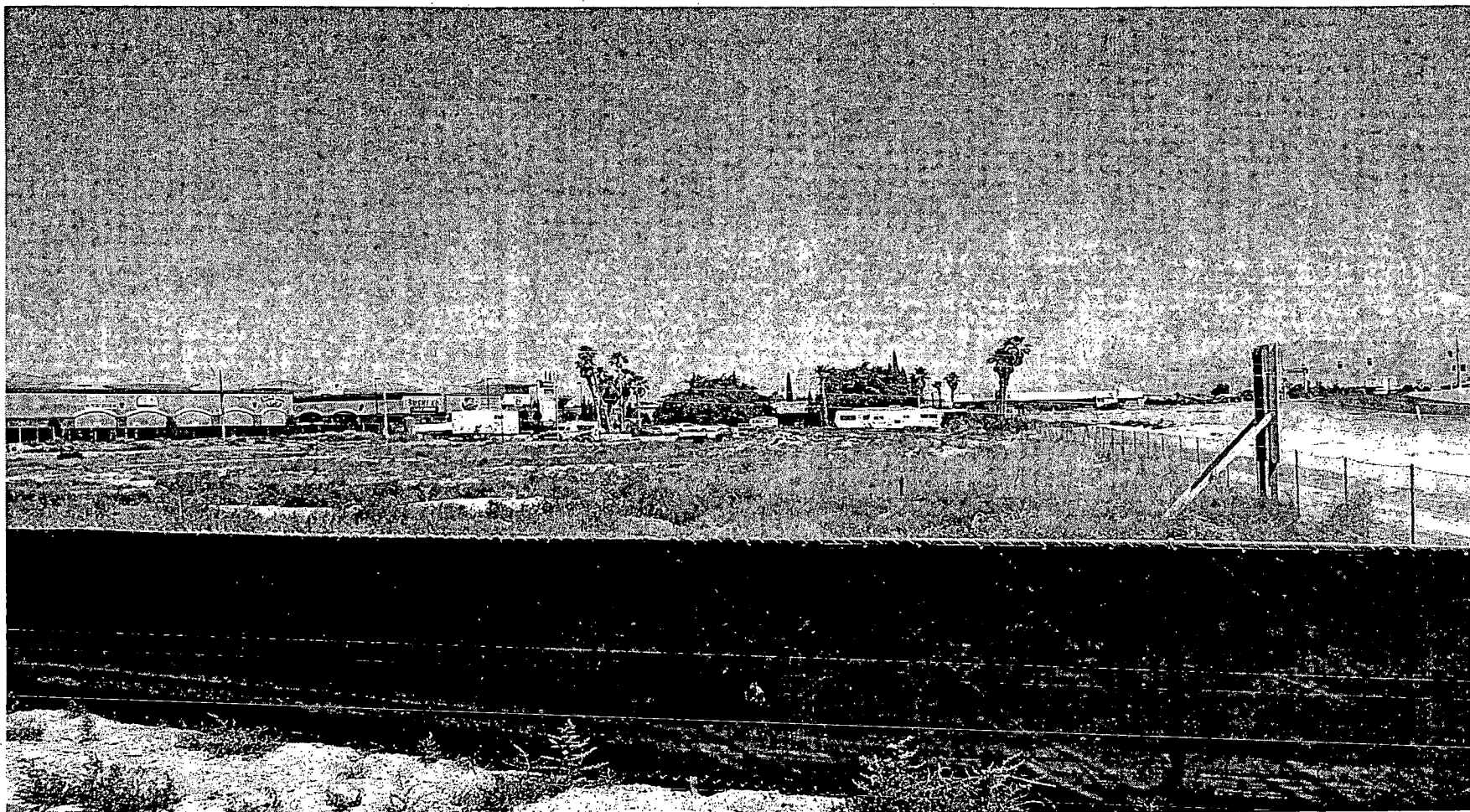
RECEIVED

SEP 1 2004



SUP-4694
9/23/04 PC

Revised For 9/23/04 PC



SUP-4694 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: RICHARD AND BARBARA STIMAC AND
KAY RODRIGUEZ

7075 WEST CRAIG ROAD

SEPTEMBER 23, 2004 PLANNING COMMISSION

07/20/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT GENZER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****SPECIAL USE PERMIT**

SUP-4830 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A 40 FOOT HIGH, 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the northwest corner of Westcliff Drive and Rainbow Boulevard (APN 138-27-802-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (Wolfson). The Planning Commission (6-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	3
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	2
City Council Meeting	0

RECOMMENDATION:

The Planning Commission (6-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Kummer Kaempfer Bonner & Renshaw
5. Submitted after final agenda - Abeyance request by Kummer Kaempfer Bonner & Renshaw
5. Backup referenced from the 10/7/2004 Planning Commission Item 17

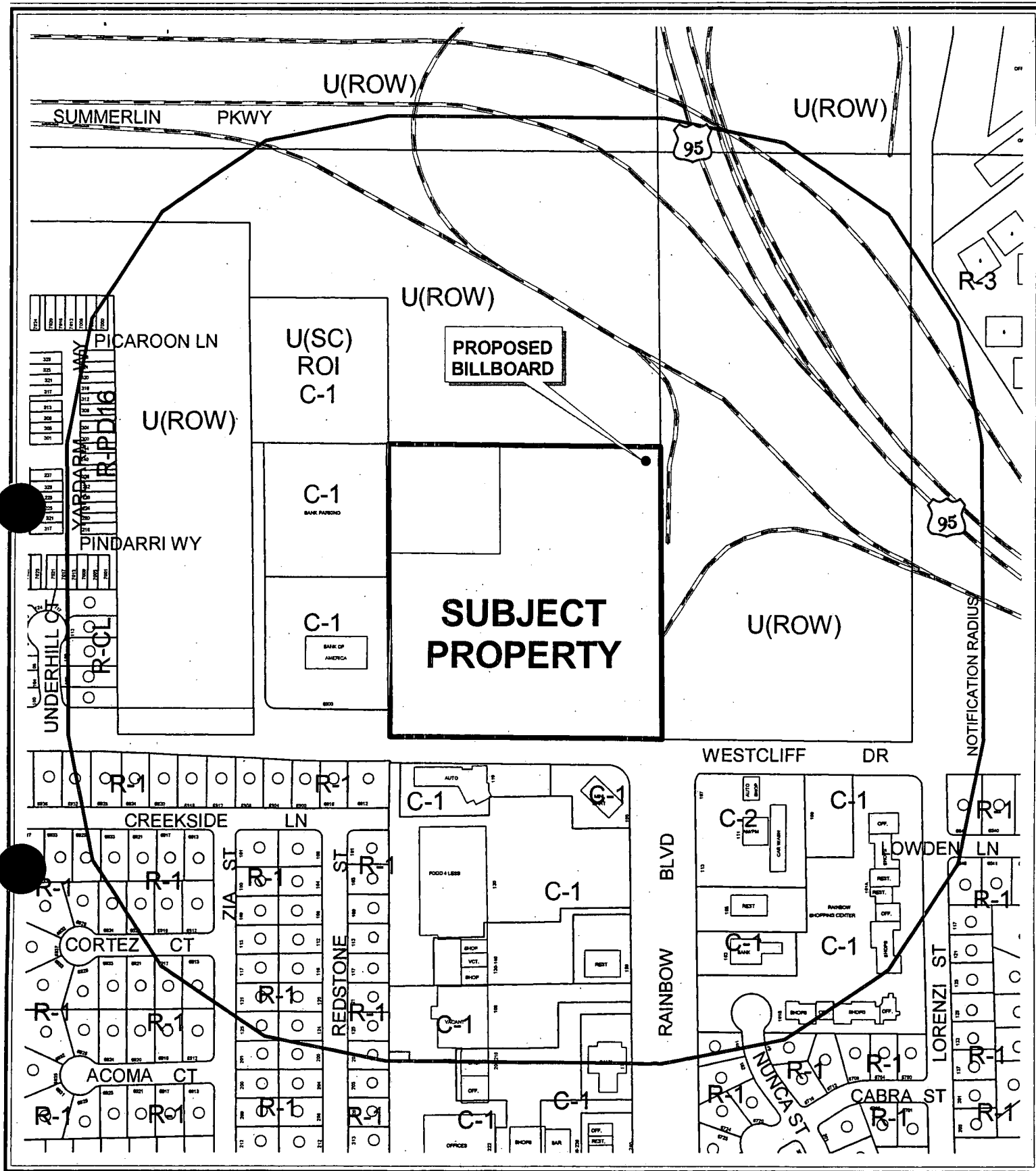
MOTION:

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

MINUTES:

There was no related discussion.

(1:05 - 1:14)



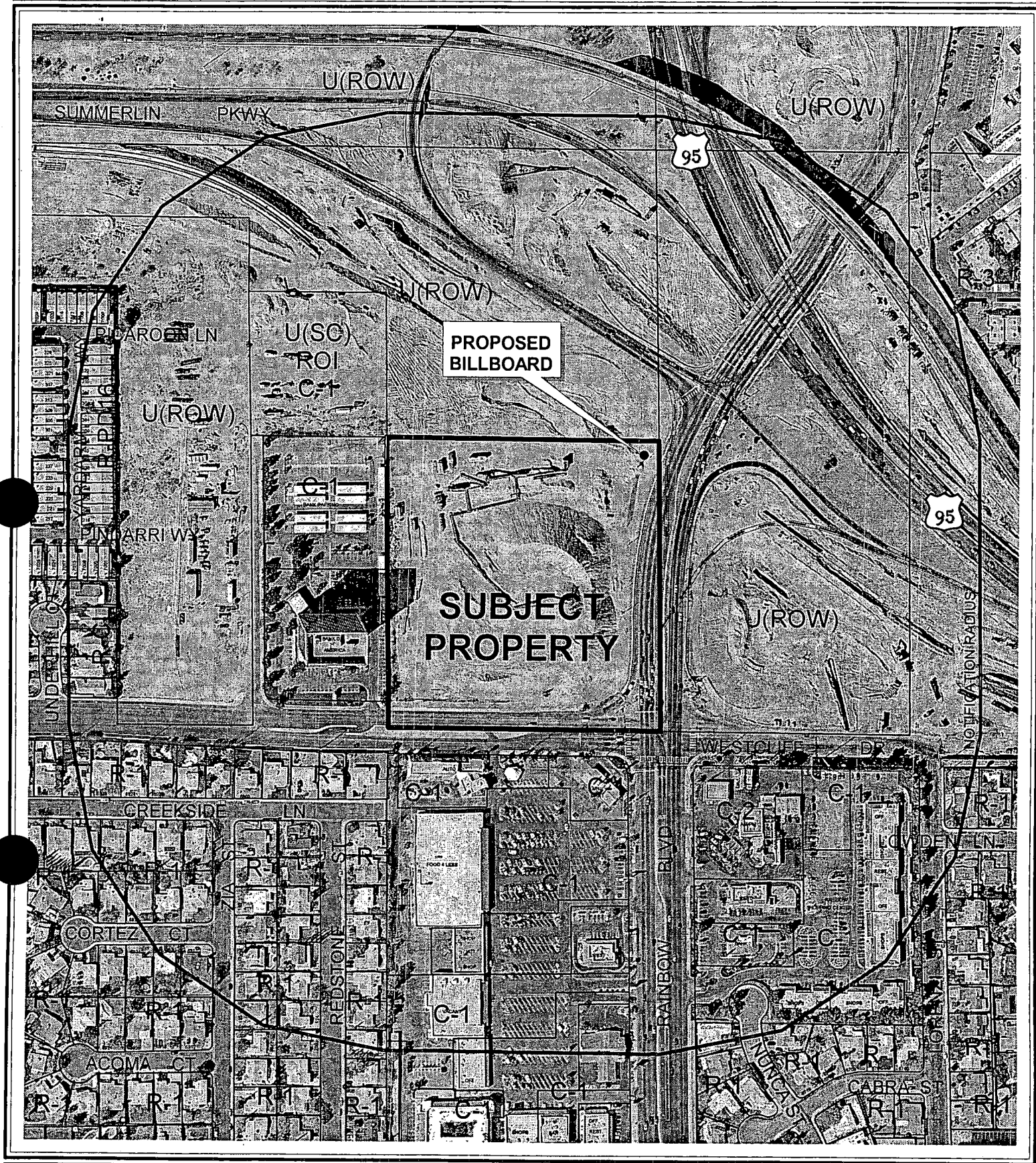
CASE: SUP-4830

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)





CASE: SUP-4830

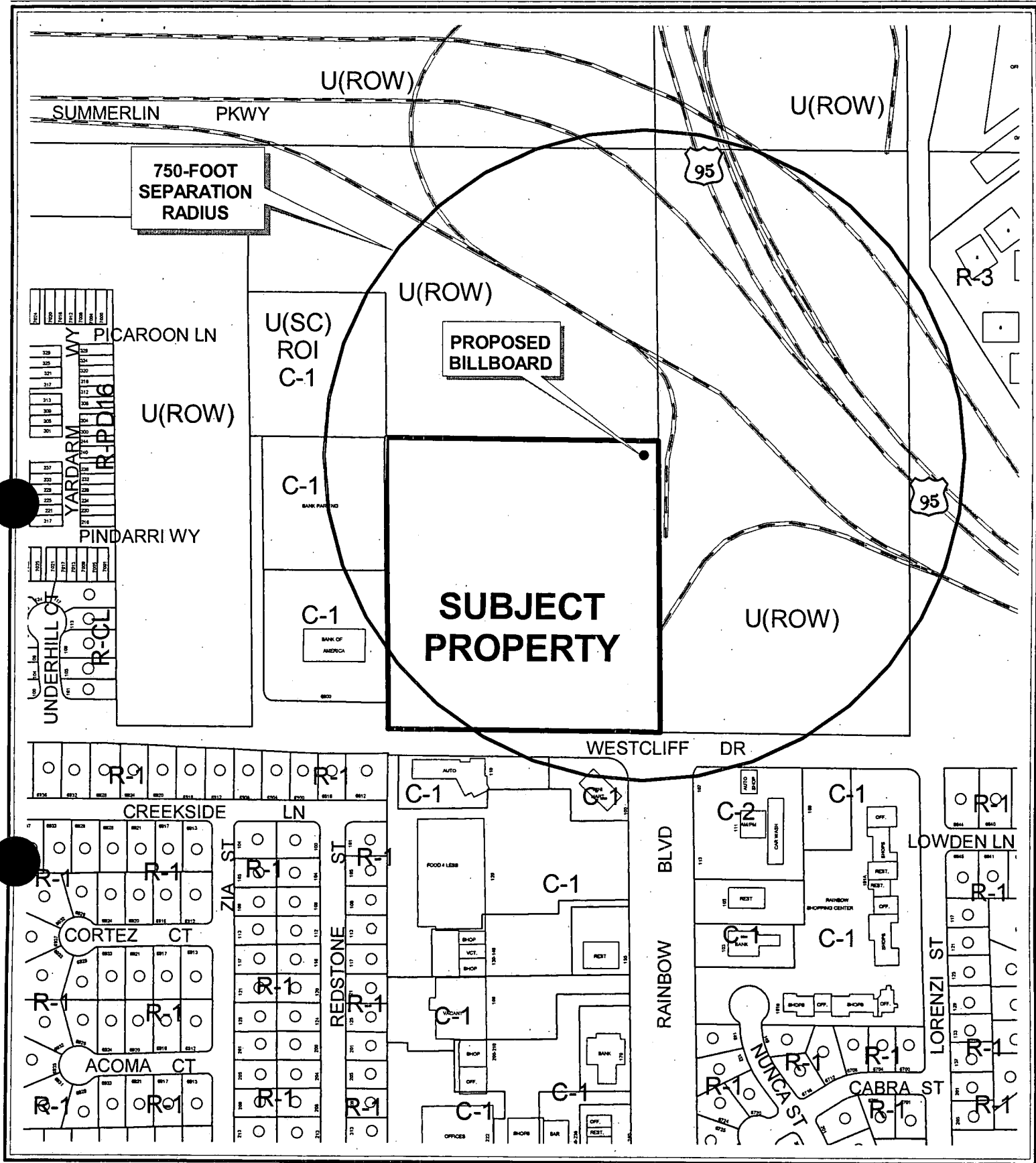
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
 UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

0 200 400 Feet





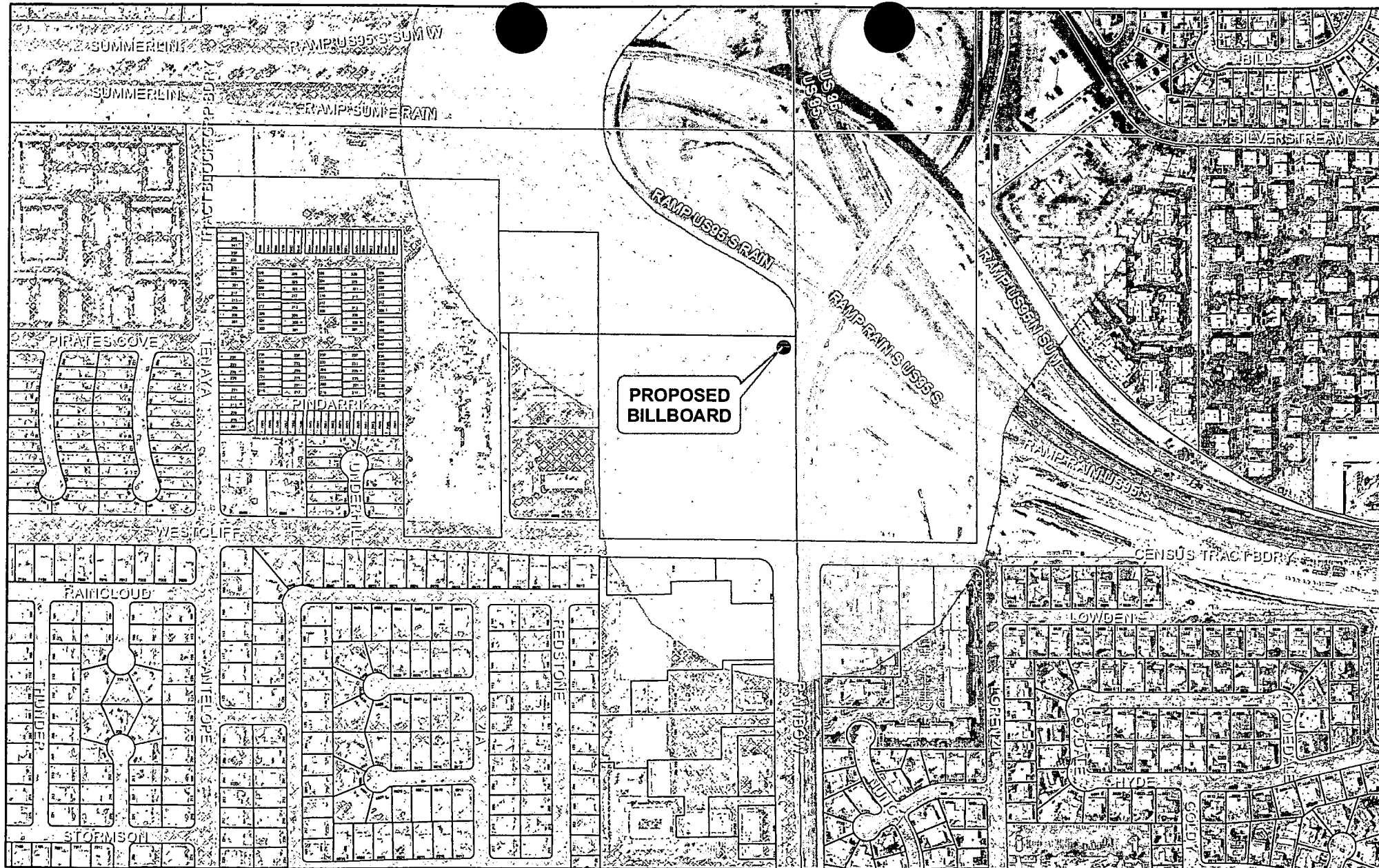
CASE: SUP-4830

SEPARATION RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
 UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)





SUP-4830

City of Las Vegas Billboard Data

- | | | |
|--|--|---|
|  Subject Parcel |  300 Foot Buffer Around Billboard |  Outside City Boundary |
|  City of Las Vegas Billboard Location |  750 Foot Buffer Around Freeway Billboard |  Off Premise Sign Exclusion Area |
|  Clark County Billboard Location | |  Exempt - Off Premise Area Sign Area |



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - SUP-4830 – APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 3, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

The Planning Commission (6-1 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.
4. Only one advertising sign is permitted per sign face.
5. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

7. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit for a 40 foot high, 10 foot x 40 foot off-premise advertising (billboard) sign at the northwest corner of Westcliff Drive and Rainbow Boulevard.

Since the September 23rd Planning Commission meeting, the applicant submitted a rendering showing where the billboard will be placed in relation to the final design of the interchange. Also submitted was a line-of sight drawing indicating the perspective of motorist traveling on Summerlin Parkway looking east, 95 South looking south, 95 West looking west and Rainbow Boulevard looking north. The drawing showing the line of sight on Summerlin Parkway includes a church and five story parking garage, which has never been approved by the Planning Commission or City Council.

B) Applicant's Justification

The proposed location of the sign does not obstruct existing or proposed sidewalks or trails. The sign is oriented to US-95.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|---|
| 11/27/90 | The Board of Zoning Adjustment approved a Special Use Permit for the construction of a church on this property. This was final action; staff recommended approval (U-0168-90). |
| 05/05/04 | The City Council approved a rezoning of the site (ZON-3995) from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) and a site plan review request (SDR-3997) for a proposed church and a temporary building. The Planning Commission and staff recommended approval. |
| 08/26/04 | The Planning Commission voted to hold this item in abeyance to the September 23, 2004 Planning Commission meeting in an effort to provide the applicant an opportunity to work with staff. |
| 09/23/04 | The Planning Commission voted to hold this item in abeyance to the 10/07/04 Planning Commission meeting at the request of the applicant. |
| 10/07/04 | The Planning Commission voted 6-1 to recommend DENIAL (PC Agenda Item #17/kw). |

B) Pre-Application Meeting

06/25/04 Elements of this type of special use permit were discussed.

C) Neighborhood Meetings

Neighborhood meetings are not required for this type of application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 12.50

B) Existing Land Use

Subject Property: Vacant
North: Vacant, Right-of-Way
South: Vacant, Commercial
East: Vacant
West: Vacant, Commercial

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: ROW (Right-of-Way)
South: SC (Service Commercial)
East: ROW (Right-of-Way)
West: SC (Service Commercial)

D) Existing Zoning

Subject Property: U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
North: U (Undeveloped)
South: C-1 (Limited Commercial)
East: U (Undeveloped)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The parcel is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The C-1 (Limited Commercial) zoning of the site is in conformance to this designation. The proposed billboard is an allowed use in the C-1 (Limited Commercial) zoning district.

Trails		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

There are no special plans or reviews that are applicable to the proposed billboard.

ANALYSIS

A) *Zoning Code Compliance*

A1) Minimum Distance Separation Requirements

Pursuant to Title 19.14, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	No off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in any "R" zoning district	No residential areas within 300 feet of the sign.
	No off-premise sign may be in the Exclusionary Zone unless the sign is oriented to US 95.	Sign is oriented to US 95.
	No off-premise sign may be oriented to Summerlin Parkway.	Sign will not be oriented to Summerlin Parkway.
	No off-premise sign may be within 300 feet of any other off-premise sign and within 750 feet of an off-premise sign on the same side of US 95.	The sign will not be within 300 feet of any other off-premise sign and within 750 feet of an off-premise sign on the same side of US 95.

This proposed Off-Premise Advertising (Billboard) Sign is in conformance with spacing and location requirements of Title 19.14.

B) *General Analysis and Discussion*

- Zoning

The subject billboard is an allowed use within the C-1 (Limited Commercial) zoning district with approval of a Special Use Permit.

- Use

The proposed use is not harmonious and compatible with the immediate area. There are no other off-premise signs in the neighborhood and there is a minimal amount of existing signage. Introduction of an off-premise sign in the neighborhood will invite similar signs that would encourage an unattractive amount of visual clutter. The request is also premature, since the intersection of Westcliff Drive and Rainbow Boulevard is evolving because of the construction of US 95.

FINDINGS

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

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

Title 19.14.100(B)(2) states that 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. Introduction of off-premise signage in the area will contribute to undesirable visual clutter. While this proposed billboard meets the technical requirements of the City of Las Vegas Zoning Code, the aesthetic impact of the sign will have a negative effect on the area.

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

The site is physically 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."**

Not applicable to this type of special use.

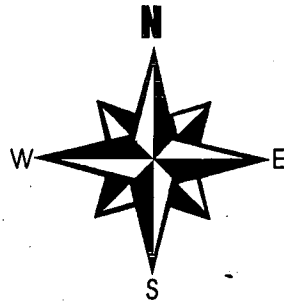
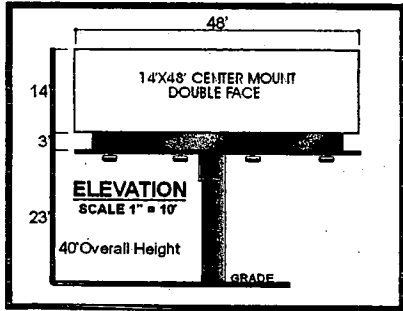
4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

This proposed use is inconsistent with the overall objectives of the Master Plan 2020. Specifically the Plan states that "...the visual image of the streetscape and roadscape environments is perhaps the most important single factor in the perception of quality of life for both the resident and the visitor to Las Vegas."

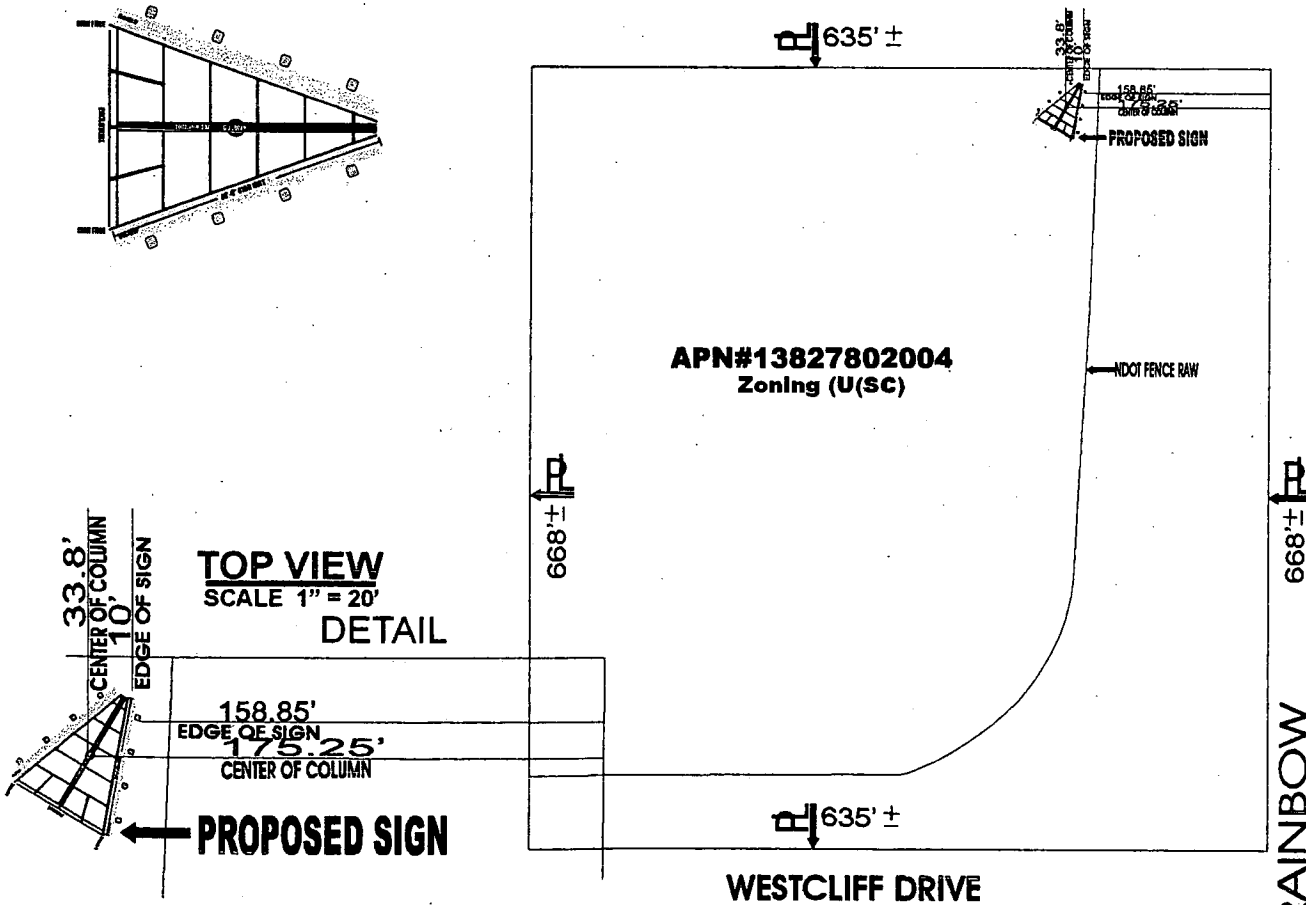
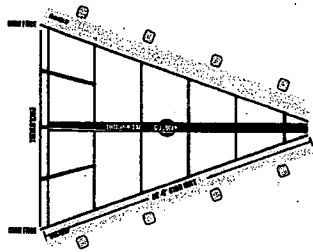
NOTICES MAILED 98 by City Clerk

APPROVALS 2

PROTESTS 3



TOP VIEW SCALE 1" = 50' DETAIL



GENERAL NOTES

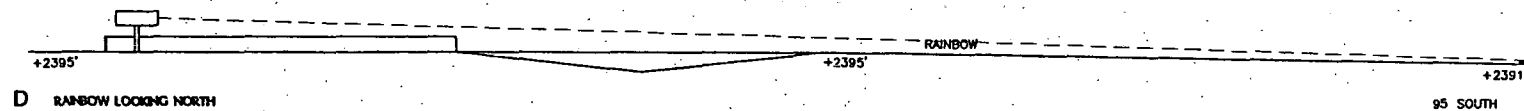
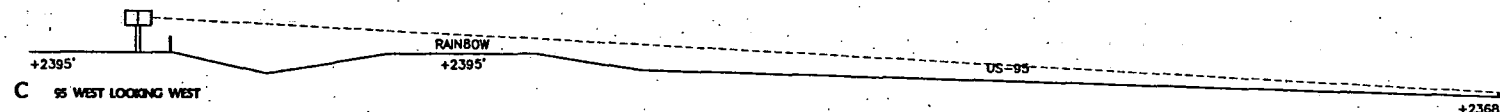
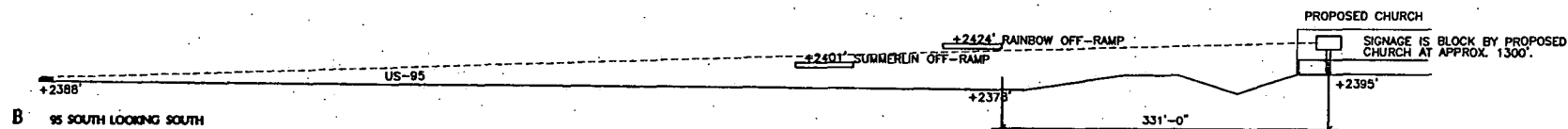
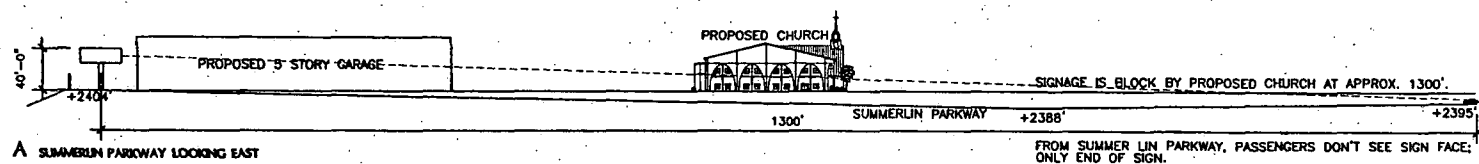
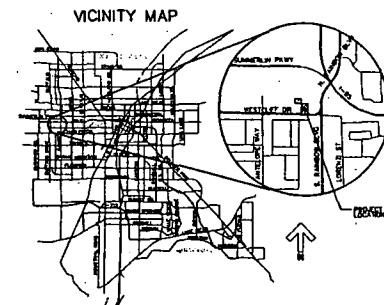
1. Not within 300 foot radius of another off-premise billboard.
2. Not within 300 foot radius of residential use.
3. No parking spaces will be taken for this location.

PAT KELLY
496-4966

CHURCH BAPTIST TWIN LAKES			
SCALE: NOTED	APPROVED BY:	DESIGNED BY: TOM JONES	REVISION:
DATE: 5-19-04	LOCATION:		
DRAWING NUMBER:			
APN# 13827802004			310

SUP-4830

9/23/04 PC



RECEIVED
SEP 27 2004



TWIN LAKES BAPTIST CHURCH

SEP 4 2004
10/17/04 PC

SHEET No.

SIGN-2

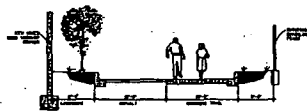
"BONANZA TRAIL"
(PUBLIC MULTI-USE &
TRANSPORTATION TRAIL)

PROPERTY LINE

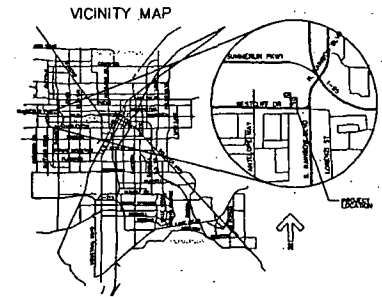
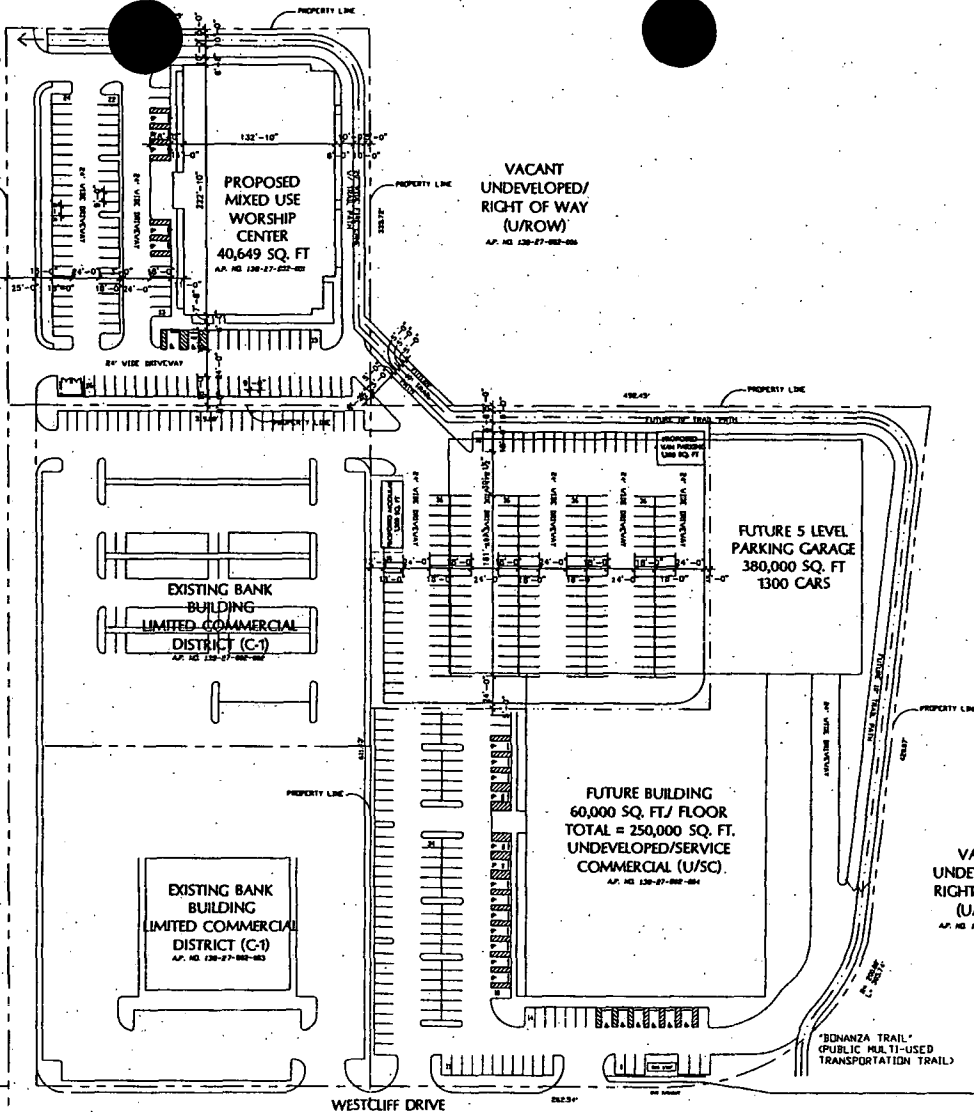
VACANT
UNDEVELOPED/
RIGHT OF WAY
(U/ROW)
AP. NO. 130-27-882-884



TYPICAL TRAIL SECTION



20' FIRE LANE WITH TRAIL SECTION



PROJECT SUMMARY

SITE	
SITE AREA:	TOTAL 12.56 ACRES (541,560 SQ. FT.)
PHASE 1	4.22 ACRES (182,281 SQ. FT.)
PHASE 2	8.34 ACRES (359,279 SQ. FT.)
PARCELS:	PHASE 1 130-27-882-884
PHASE 2	130-27-882-884
CURRENT ZONING:	UNDEVELOPED/SERVICE COMMERCIAL (U/SC) TO C-1
REQUIREMENTS:	RECEIVING PLANS REQUIRED RECEIVING PLANS REQUIRED SPECIAL USE PERMIT REQUIRED
LIFT CAPACITY BY BUILDING FOOT PRINT:	
ALLOWABLE:	500
PHASE 1	178
PHASE 2	48
STREETS:	
FRONT YARD:	30 FEET
SIDE YARD:	10 FEET
REAR YARD:	30 FEET
BUILDING HEIGHT:	NONE

BUILDING OCCUPANCY

TWO-STORY PLACE OF WORSHIP - ASSEMBLY/HOUSE	40,649 sq. ft.
PHASE 1	250,000 sq. ft.
PHASE 2	1150 PEOPLE
PHASE 3	250,000 sq. ft.

PARKING

PHASE 1:	
TOTAL PARKING REQUIRED:	863/4 = 141 SPACES
1 SPACE REQUIRED FOR EVERY 4 FIXED SEATS:	863/4 = 141 SPACES
1 SPACE FOR EVERY 100 S.F. OF HIGH-PIECE SEATS (400/100):	42 SPACES
1 SPACE FOR EVERY 300 S.F.:	27,841/300 = 93 SPACES
TOTAL:	175 SPACES
(HANDICAP SPACES):	(7 SPACES)
PHASE 2:	
TOTAL PARKING PROVIDED:	275 SPACES
(HANDICAP SPACES):	(7 SPACES)
PHASE 3:	
1 SPACE REQUIRED FOR 4 FIXED SEATS:	5,000/4 = 1250 SPACES
1 SPACE REQUIRED FOR EVERY 300 S.F.:	160,000/300 = 533 SPACES
TOTAL:	1783 SPACES
(HANDICAP SPACES):	(28 SPACES)
CONCRETE PAVEMENT:	
REGULAR SPACES:	2125 SPACES
(HANDICAP SPACES):	(35 SPACES)
200 PARKING REDUCTION (HANDICAP SPACES):	(1372 SPACES)
TOTAL PARKING PROVIDED:	1567 SPACES
(HANDICAP SPACES):	(28 SPACES)



RECEIVED

SEP 27 2004

SEP 48 30
10/7/04 R

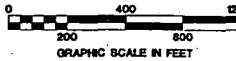
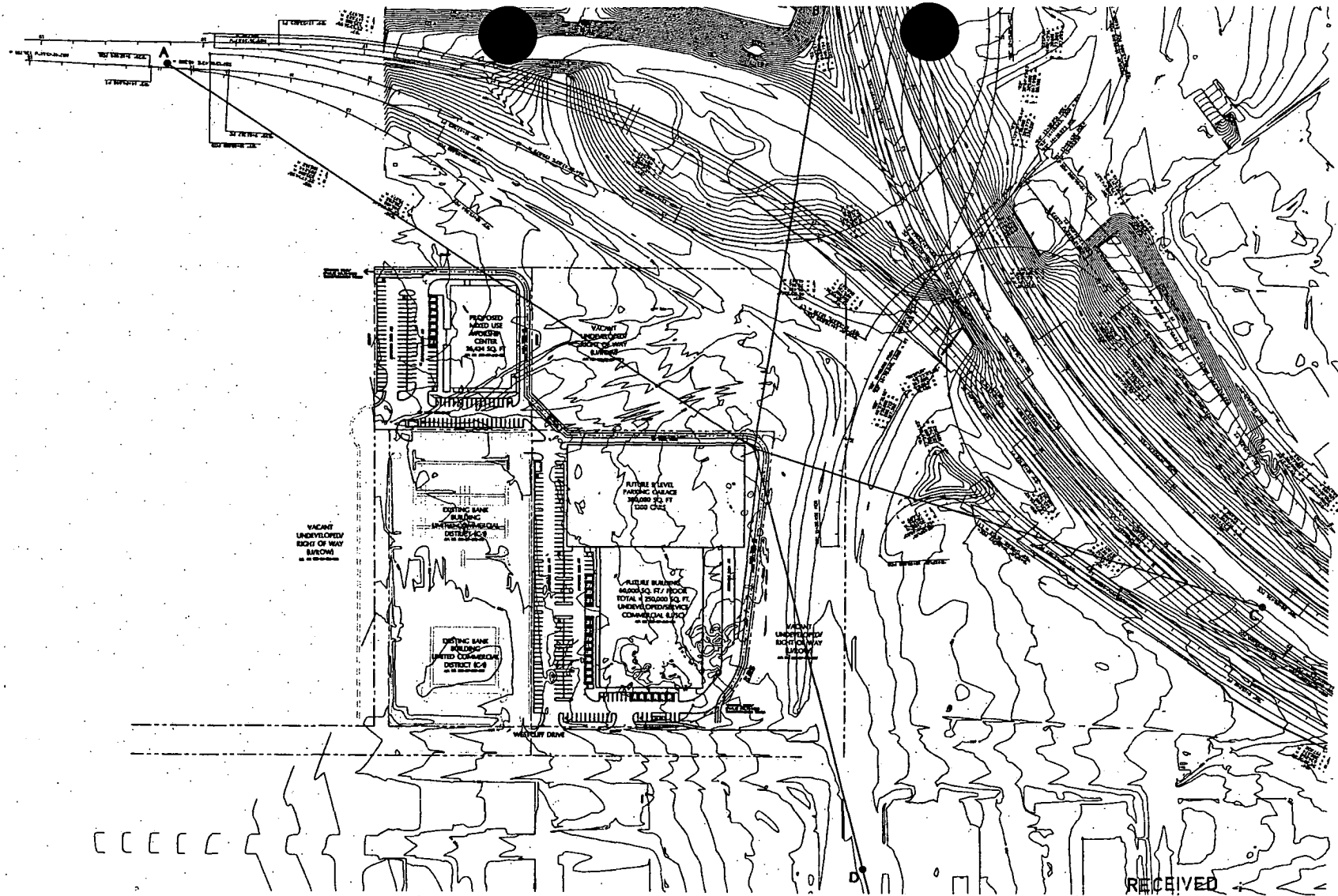
PROPOSED SITE PLAN- PHASE 1 (revised 3-31-04)

TWIN LAKES BAPTIST CHURCH

LENDALL MAINS
ARCHITECT
10024 S. Eastern Ave.
Suite A332
Henderson, Nevada 89052
Phone: 702.818.0000
Fax: 702.818.1330

SHEET No.

AS-1



RECEIVED

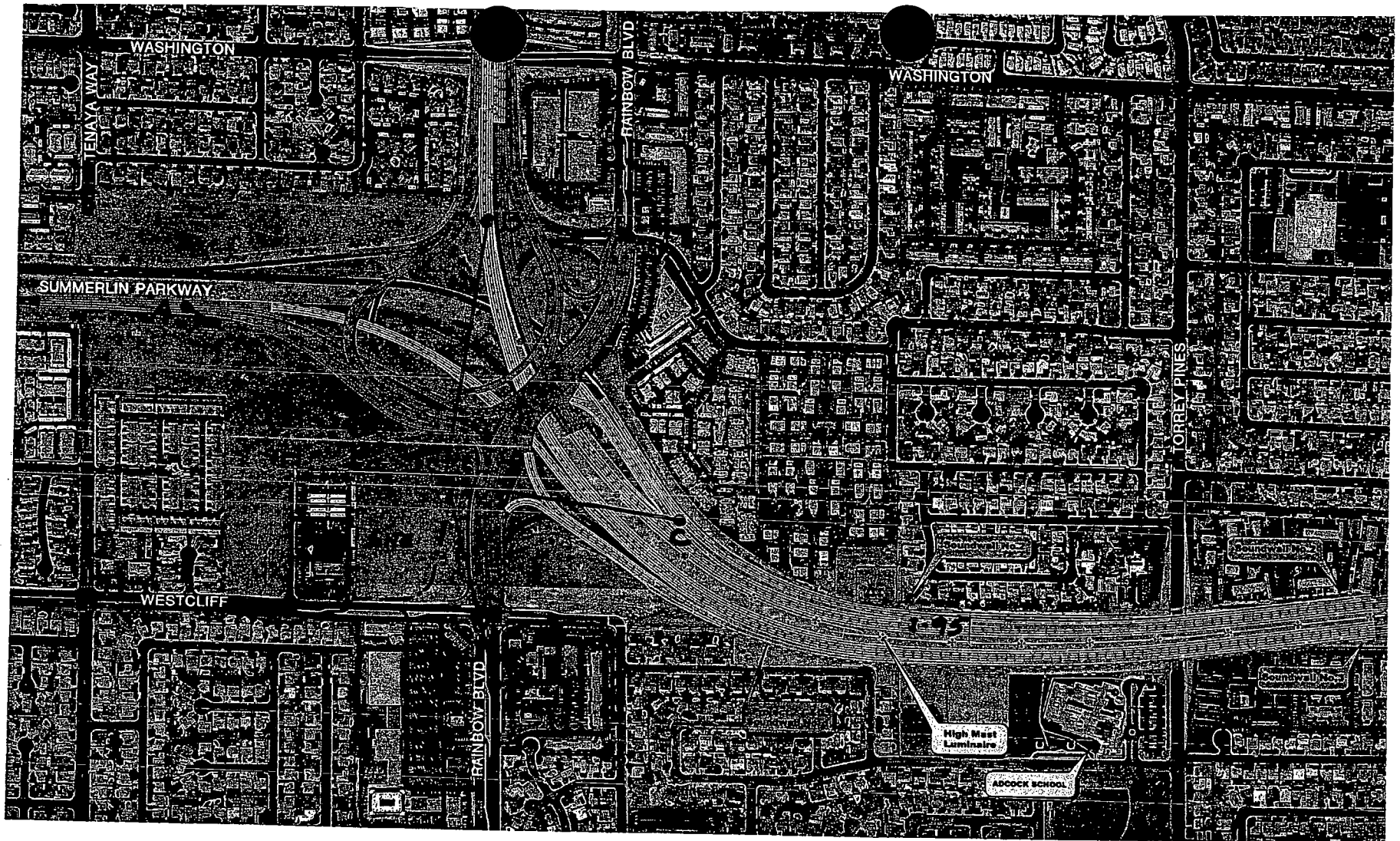
SEP 27 2004

SEP-4830
10/17/04 HC

SHEET No.

TWIN LAKES BAPTIST CHURCH

SIGN-1



US 95 WIDENING PROJECT
PROJECT 5

RECEIVED

SEP 27 2004

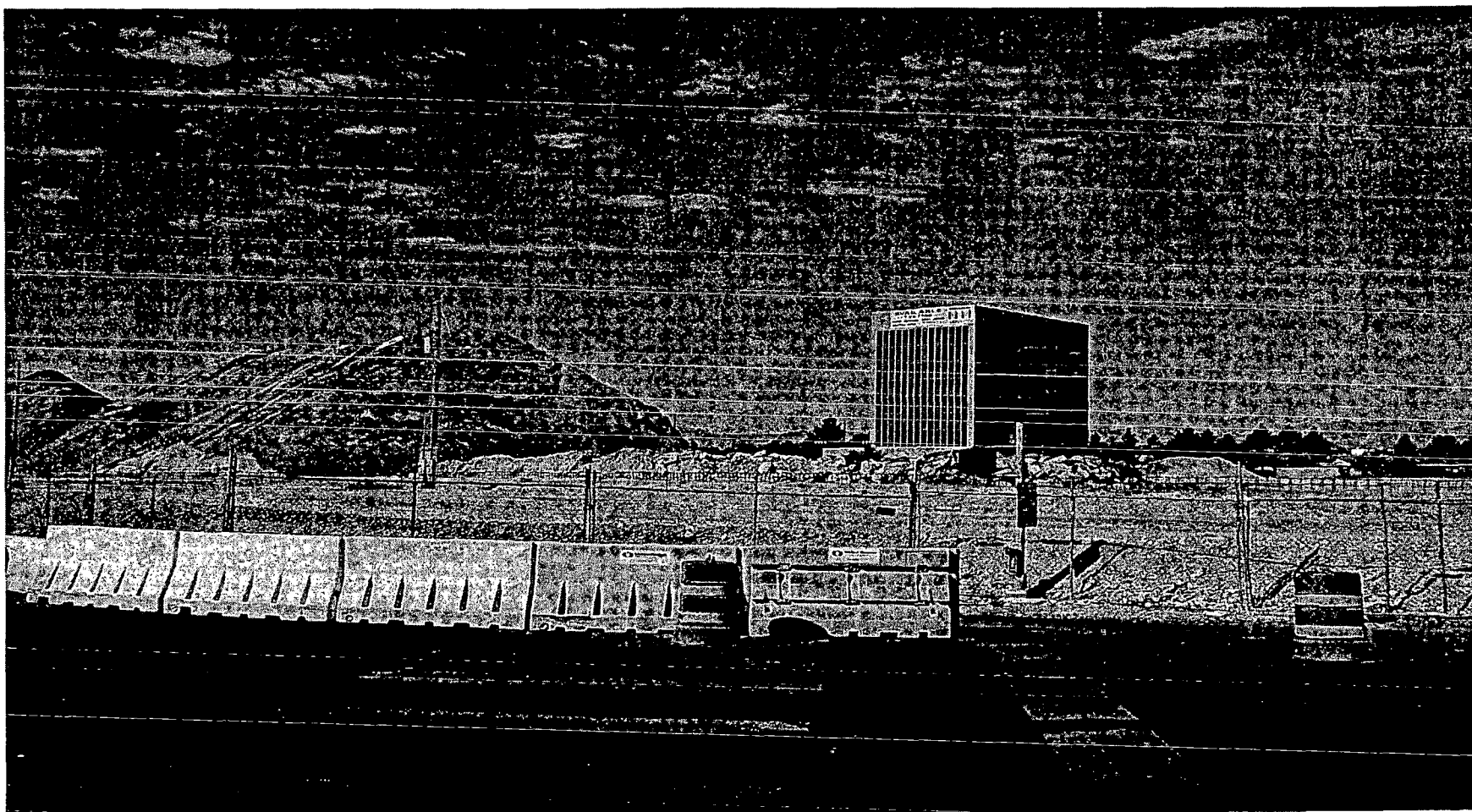
10/7/04-PC





SUP-4830 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH
NORTHWEST CORNER OF WESTCLIFF DRIVE AND RAINBOW BOULEVARD
OCTOBER 7, 2004 PLANNING COMMISSION

8/9/04



SUP-4830 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH
NORTHWEST CORNER OF WESTCLIFF DRIVE AND RAINBOW BOULEVARD
OCTOBER 7, 2004 PLANNING COMMISSION

8/9/04

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW

3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, Nevada 89109-0907

Tel: 702.792.7000
Fax: 702.796.7181
www.kkbr.com

ROBERT J. GRONAUER
rgronauer@kkbr.com

October 11, 2004

VIA FACSIMILE & HAND DELIVERY

382-4803

Ms. Barbara Jo Ronemus
City Clerk
City of Las Vegas
400 E. Stewart, 1st Fl.
Las Vegas, NV 89101

2004 OCT 11 A 10:58
RECEIVED
CITY CLERK

Re: SUP-4830
Applicant/Owner – Twin Lakes Baptist Church

Dear Ms. Ronemus:

Our office represents the applicant in the above-referenced matter. This item was heard by the City of Las Vegas Planning Commission on October 7, 2004 and was denied. We hereby appeal the Planning Commission's decision.

Please schedule this matter for the November 3, 2004 City Council hearing.

Thank you for your assistance. Please call if you need anything further.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW



Robert J. Gronauer

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, Nevada 89109-0907Tel: 702.792.7000
Fax: 702.796.7181
www.kkbr.comROBERT J. GRONAUER
rgronauer@kkbr.com

November 17, 2004

VIA FACSIMILE

382-4803

Ms. Barbara Jo Ronemus
City Clerk
City of Las Vegas
400 E. Stewart, 1st Fl.
Las Vegas, NV 89101**Re: SUP-4830**
Twin Lakes Baptist ChurchRECEIVED
CITY CLERK
2004 NOV 17 A 9:06

Dear Ms. Ronemus:

Our office represents the applicant in the above-referenced matter. We respectfully request that this item be continued from the presently scheduled City Council hearing of November 17, 2004 until December 1, 2004.

Thank you for your cooperation and please call if you have any questions.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Bob Gronauer/mlt

Robert J. Gronauer

RJG/mlt

cc: Audrey Dodge (via fax: 382-8558)

Submitted after final agenda

Date 11/17/04 Item #128

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



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

PHONE: (702) 259-3094

23 Sept 2004

Regarding SUP -4830

Charleston Neighborhood Preservation humbly requests that this Special Use Permit be approved by the COMMISSIONERS of this CLV Planning Commission.

The Twin Lakes Baptist Church has a past history of improvement, stability and a major resource of resident and community enhancement—40 years at Vegas Drive being the most recent.

Income from this billboard which, due to the ownership and the responsibility of decency which these owners have guaranteed with their lengthy past history, will :

- Help to pay the taxes on their property,
- Shorten the time line for construction completion,
- Increase their contribution to charitable endeavors,
- Provide a beautification program for this area in a shorter time,
- Alleviate coverage of doubled construction costs and tripped steel costs, etc.

This edifice will be a major esthetic addition for many miles of this entire area,

- By attracting responsible people,
- By increasing the responsible attitude of residents,
- Traffic patterns are typically at times which are off-peak from other businesses,
- Enriches the balance of services and opportunities in this keystone area,
- Contributes in a major way the spiritual nature of the area,
- Encourages shopping in the area, etc.

Vicki Arnold

Vicki Arnold -CNP secretary

and

June Ingram

June Ingram -CNP president

SUP-4830

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Ben - Marcus Gobel - Rose Honrath - June Ingram - Rick Johnson
Gene & Pearl Leonardo - Sherry Mason - Dorothy Orr - Barbara Roth - Layne Rushforth - Pamela Stancliffe - Others

#17

8-74-04

To whom it may concern,

We inform of the request
for a 40' flight boom on the
lines of water supply that is located
along the river to be built.

Chuck.
CASE # SUP. 4830

DOCK # 110M45
6920 (01+22)
N. 89145
8/2/04

Telephone Protest/ Approval Log

Meeting Date:

8/26/04

Case Number:

SUP-4830

Date: 8/17/04
Name: Juanita Clark
Address: 137 Lorenzi St.
Las Vegas NV 89107
Phone: 877-2438
☒ PROTEST ☐ APPROVE

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

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

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

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

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting - Written Opinion Memorandum from Deputy City Attorney Bryan Scott regarding Item 129 [SUP-5072]

MOTION:

BROWN - APPROVED subject to conditions with GOODMAN and WEEKLY excused and MACK abstaining because a SuperPawn owned by his brother, STEVEN MACK, offers a similar type of service and is located in the shopping center

NOTE: DEPUTY CITY ATTORNEY BRYAN SCOTT acknowledged that the City Attorney's office provided COUNCILMAN MACK with an opinion letter in regard to his abstention on this item.

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

GARY FORBES, 8450 West Sahara, appeared on behalf of his request to incorporate this use with the business he has operated at this location for three years.

COUNCILMAN BROWN acknowledged he had received a letter from the applicant. He commented on his familiarity with the neighborhood and the new ordinance to enforce a buffer between such businesses and neighborhoods. After visiting the site, he had no concern with an established business adding a service.

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

MINUTES - Continued:

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

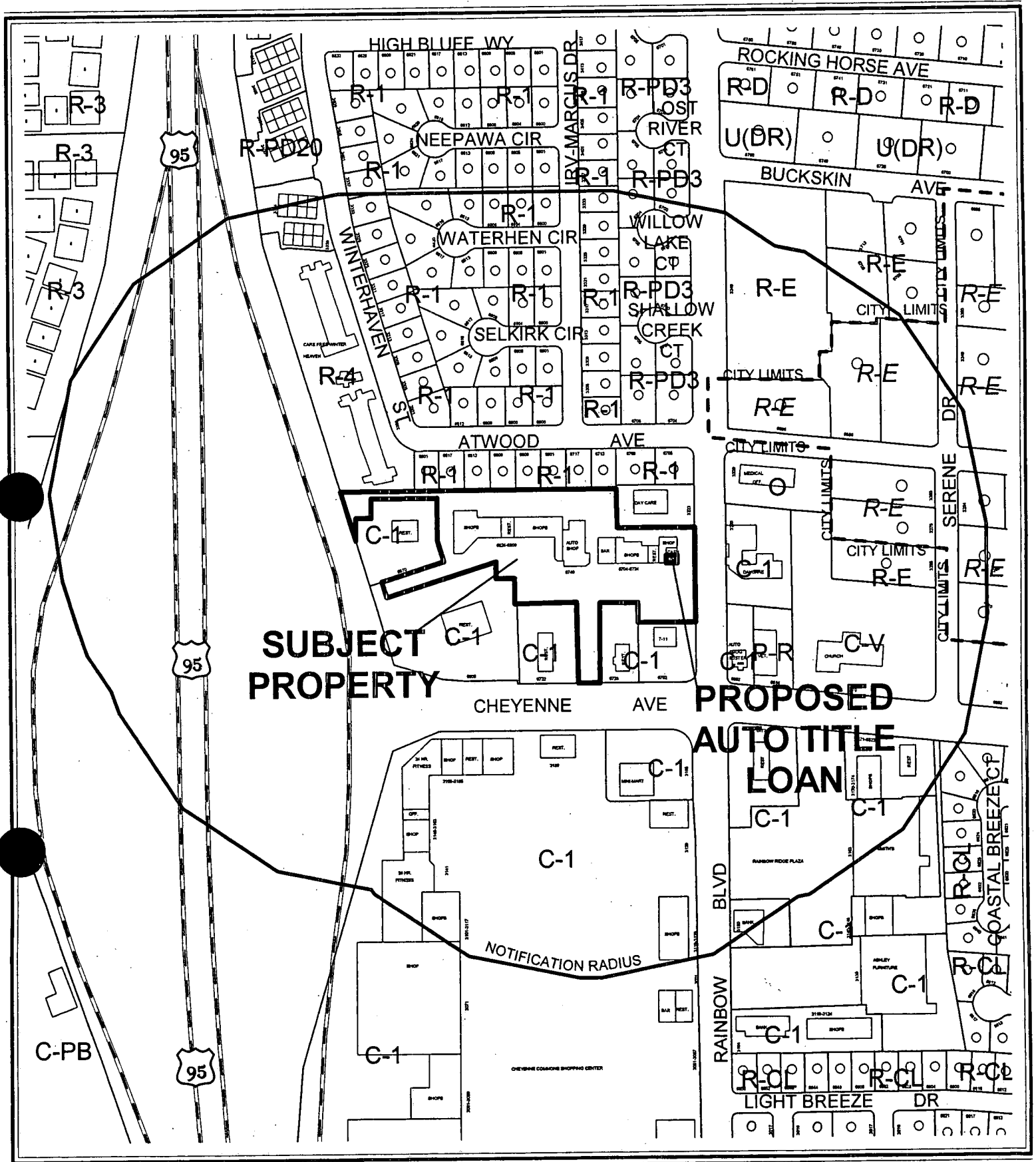
(2:16 - 2:20)

2-2649

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for the Auto Title Loan use.
2. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

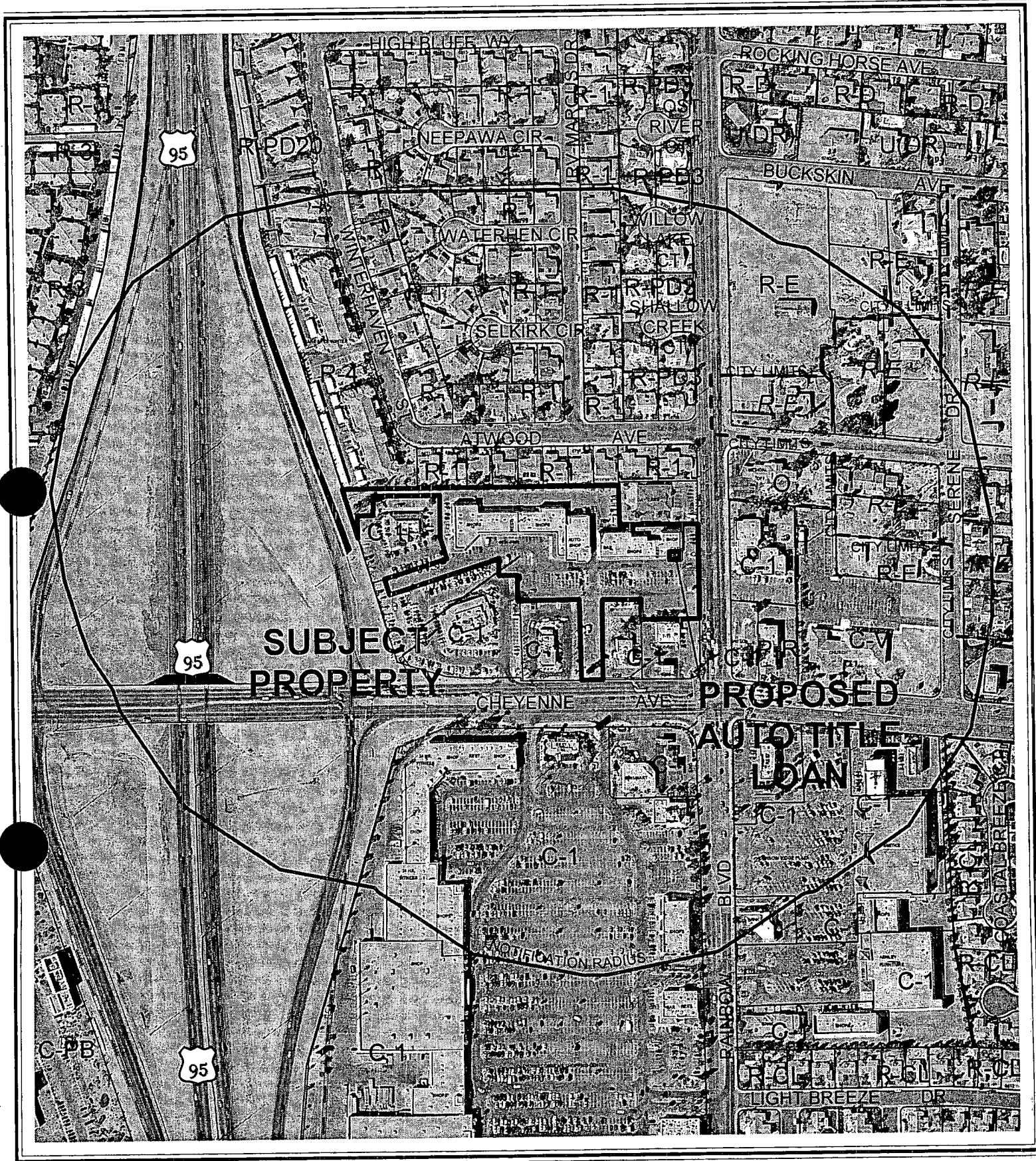


CASE: SUP-5072

RADIUS: 750 FT

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

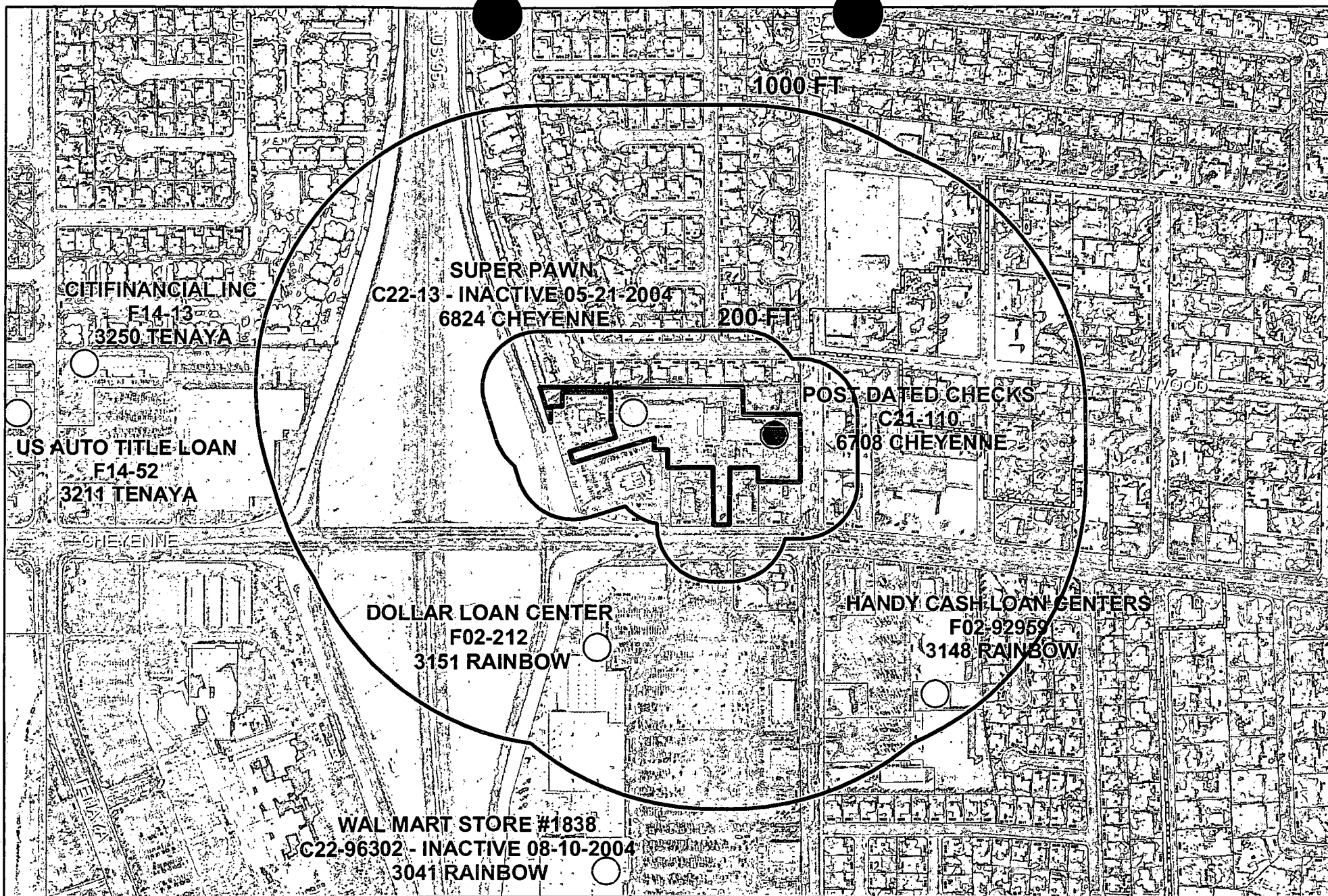




CASE: SUP-5072

RADIUS: 750 FT

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



SUP-5072

Financial Business Locations

-  Financial Institution, Specified (Check Cashing Service)
-  Finance Company
-  Financial Institution, Specified (Check Cashing Service with Gross)
-  Automobile Title Loan



Subject Property



Residential Property



Buffer



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SUP-5072 - APPLICANT: PDC AUTO
TITLE LOAN - OWNER: CHARLESTON HEIGHTS DEVELOPMENT COMPANY

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 3, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for the Auto Title Loan use.
2. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 12/06/78 | The City Council approved a request to rezone the subject site from N-U (Non-Urban) to C-1 (Limited Commercial) as part of a larger request (Z-0071-78). The Planning Commission recommended approval. |
| 04/17/85 | The City Council approved a request for a Plot Plan Review [Z-0071-78(2)] for a retail center, tavern, and convenience store on the subject property. The Planning Commission and staff recommended approval on 03/26/85. |
| 10/23/90 | The Planning Commission approved a request for a Plot Plan Review [Z-0071-78(5)] for a 38,000 square foot addition to an existing shopping center on the subject site. Staff recommended approval. |
| 11/20/90 | The Board of Zoning Adjustment approved a Variance (V-0129-90) application to allow a 466 square foot shopping center identification sign where 400 square feet is the maximum size allowed, on property located on the north side of Cheyenne Avenue between Oran K. Gragson Highway and Lorenzi Boulevard. Staff recommended denial. |
| 11/12/91 | The Board of Zoning Adjustment approved a Variance (V-0015-91) application to allow 140 parking spaces where the proposed uses require 212 parking spaces on property located on the northwest corner of Cheyenne Avenue and Rainbow Boulevard. Staff recommended denial. |

- 03/17/93 The City Council approved a Variance (V-0004-93) application to allow the secondhand sales of women's clothing and apparel where secondhand dealerships are not permitted on property located at 6718 West Cheyenne Avenue. The Board of Zoning Adjustment recommended approval. Staff recommended denial.
- 07/17/96 The City Council approved a request for a Plot Plan and Building Elevation Review [Z-0071-78(8)] for a proposed 70-foot high on-premise sign on property located at 6824 West Cheyenne Avenue. The Planning Commission recommended approval on 06/27/96.
- 03/10/97 The City Council approved an appeal of the Board of Zoning Adjustment denial of a Variance (V-0155-96) application to allow a proposed off-premise sign 50 feet from an "R" designated zone where 300 feet is the minimum required distance separation at 6704 West Cheyenne Avenue. Staff had no objection.
- 05/12/97 The City Council approved a request for a Special Use Permit (U-0147-96) application for a 55-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 6704 West Cheyenne Avenue. The Board of Zoning Adjustment recommended denial on 01/28/97. Staff had no objection.
- 01/12/98 The City Council approved a Variance (V-0087-97) application on property located at 6740 West Cheyenne Avenue to allow a proposed 2,346 square-foot freestanding six bay automotive service building on the side property line and 20 feet from the rear property line where 10 feet and 60 feet are the minimum setbacks required in conjunction with an existing tire store (Goodyear Tire Center). The Board of Zoning Adjustment recommended approval. Staff recommended denial.
- 01/26/98 The City Council approved a Special Use Permit (U-0126-97) application on property located at 6810 West Cheyenne Avenue for a minor auto repair (glass) business. The Planning Commission and Staff both recommended approval.
- 01/07/04 The City Council approved the appeal filed by Cingular Wireless from the denial by the Planning Commission of a request for a Special Use Permit (SUP-3237) for a proposed 73-foot tall slim-line wireless communications facility (non-stealth). Staff recommended denial.
- 10/07/04 The Planning Commission voted 4-2-1 to recommend APPROVAL (PC Agenda Item #61/pl).

B) Pre-Application Meeting

- 08/04/04 A pre-application conference was held resulting in the following comments:
1. The applicant currently operates a payday loan business and has been doing so prior to the requirement for a Special Use Permit.

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

C) Neighborhood Meetings

This type of application does not require a neighborhood meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 4.44

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

Airport Overlay District

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

Project of Regional Significance

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

INTERAGENCY ISSUES

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

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

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

- 1) The Las Vegas Valley Water District has review the subject project and has determined that it will not have a significant impact on the capacity of the District's water supply system.
- 2) Flood Control has no comment and does not require a drainage study for this project.

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

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

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

A2) Minimum Distance Separation Requirements

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

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

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

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

A3) Financial Institution, Specified Building Size

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

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

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

B) General Analysis and Discussion

- Zoning

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

- Use

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

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

- Conditions

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

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

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

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

October 10, 2004

Planning & Development Department
Current Planning Division
Development Services Center
731 So Fourth St
Las Vegas, NV 89101

RE: SUP-5148

Gary Leobold,

This letter is in response to an application of a request for a special use permit SUP-5148 (attached).

We, James H & Kristeen W. Coplan are OPPOSED to this building permit.

We feel if we let one person in our neighborhood build this kind of a structure it will leave the door open for all to come in and build Guest houses to rent out. This is a single home neighborhood not an apartment complex area.

Sincerely,

James H Coplan
Kristeen W Coplan

*We live at 6731 Rocking Horse Ave.
next street north.*

**READ INTO
THE RECORD**

RECEIVED
OCT 20 10 4:21
DEVELOPMENT

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT GENZER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****SPECIAL USE PERMIT**

SUP-5181 - PUBLIC HEARING - APPLICANT/ OWNER: STREAMLINE TOWER, LLC - Request for a Special Use Permit FOR A 22 STORY, 24,000 SQUARE FOOT, MIXED USE DEVELOPMENT adjacent to the southeast corner of Las Vegas Boulevard and Ogden Avenue (APN 139-34-611-001, 011 and 012), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	1
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:

REESE - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

NOTE: COUNCILMAN MACK disclosed that his brother-in-law, ANDREW DONNER, has a contract with the nearby Lady Luck Casino related to its non-restricted gaming license. Since he has not spoken with him about these applications and does not feel it would impact his interest, he would be voting on Item 135 [SUP-5181] and Item 136 [SDR-5180].

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open for Item 135 [SUP-5181] and Item 136 [SDR-5180].

RICK VAN DEVAN, PGAL Architects, 3411 Rochelle Court, appeared on behalf of the applicant and concurred with staff's recommendation.

At the request of MAYOR PRO TEM REESE, the representative presented renderings of the towers and commented that plans will be submitted March 2005 and completion for September of 2006. MAYOR PRO TEM REESE commented that this project will be a great addition to the downtown skyline.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed for Item 135 [SUP-5181] and Item 136 [SDR-5180].

(2:24 - 2:27)

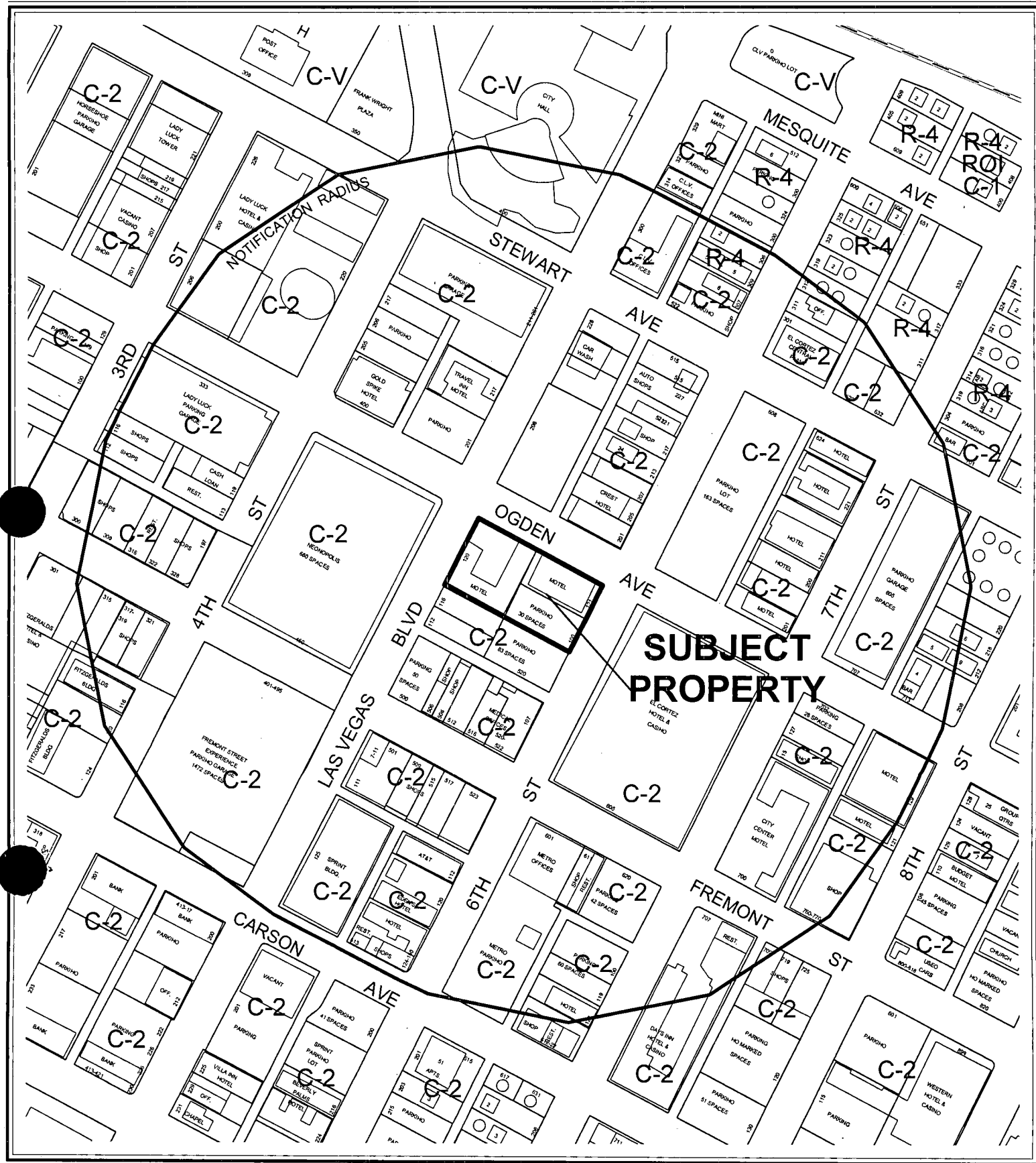
2-3011

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

CONDITIONS:

Planning and Development

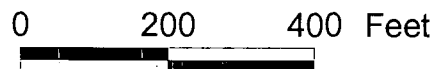
1. Conformance to all minimum requirements listed in Title 19.04.050 for a Mixed Use development.
2. Approval of and conformance to all Conditions of Approval for Site Development Plan Review (SDR-5180).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an extension of Time is granted.
4. All City Code requirements and design standards of all City Departments must be satisfied.

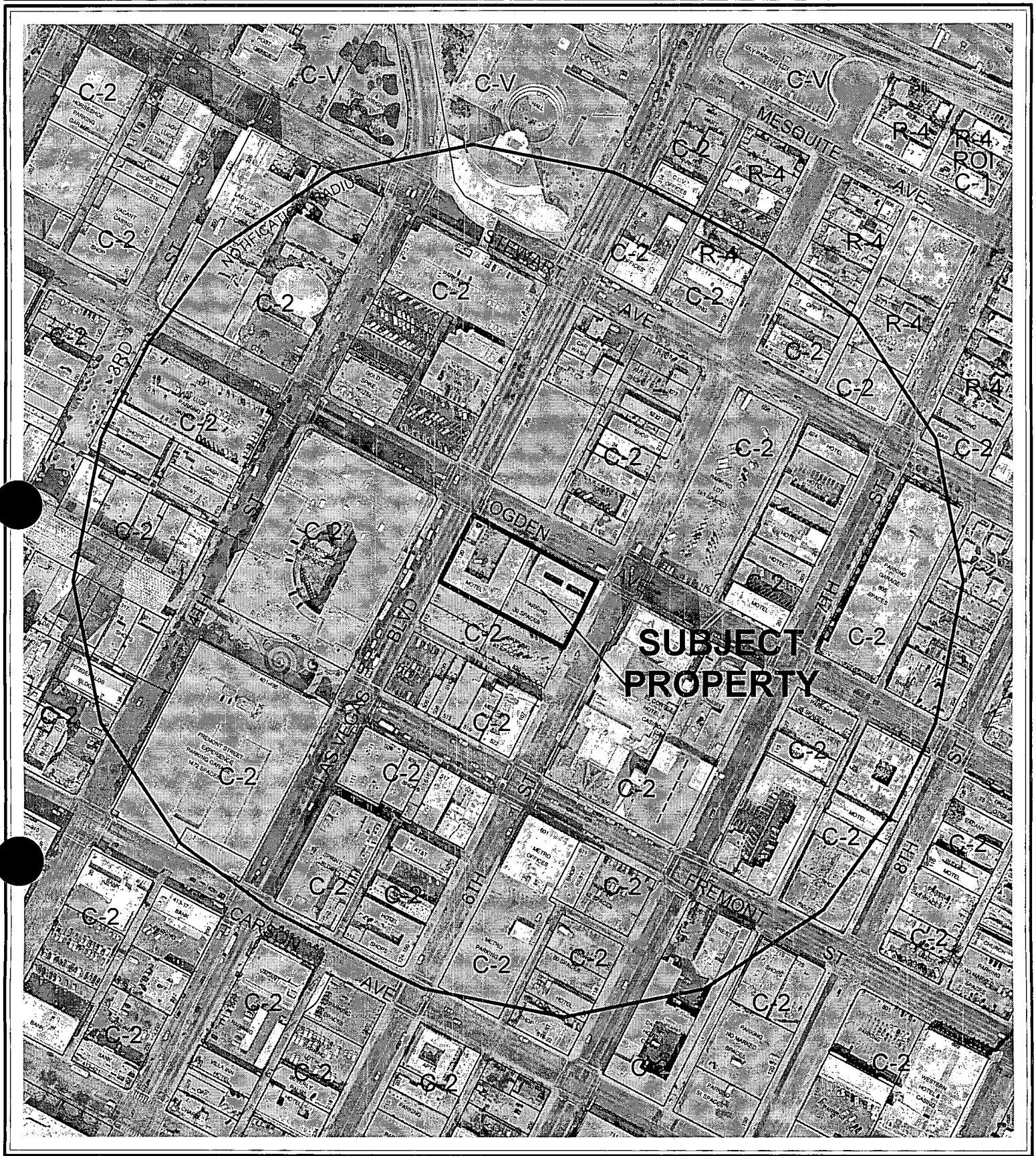


CASE: SUP-5181

RADIUS: 750 FT

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





CASE: SUP-5181

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5181 - APPLICANT/ OWNER: STREAMLINE TOWER, LLC

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all minimum requirements listed in Title 19.04.050 for a Mixed Use development.
2. Approval of and conformance to all Conditions of Approval for Site Development Plan Review (SDR-5180).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an extension of Time is granted.
4. All City Code requirements and design standards of all City Departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 12/16/64 The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcels, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
- 10/21/04 The Planning Commission recommended approval of related Site Development Plan Review (SDR-5180) as a part of this agenda.
- 10/21/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #67/dc).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 1.03

B) *Existing Land Use*

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

C) *Planned Land Use*

Subject Property: C (Downtown Commercial)
GC (Commercial) [Downtown Redevelopment Plan Designation]
C (Commercial)
North: C (Commercial)
South: C (Commercial)
East: C (Commercial)
West: C (Commercial)

D) *Existing Zoning*

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

E) *General Plan Compliance*

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has C (Commercial) land use designation. The Commercial designation permits office uses, limited commercial uses, and general commercial uses. The proposed mixed-use development is consistent with the land use designation.

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

Special Area Plans

Redevelopment Plan Area

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

Downtown Centennial Plan Area

The parcel is within the Downtown Centennial Plan boundaries, and is located in the Casino Center District. The district is home to the historic and classic Las Vegas casinos of "Glitter Gulch," and it is intended to retain and enhance these facilities, while diversifying the commercial offerings and protecting the existing public facilities. The proposed use will reinforce the viability of the downtown area by adding residents to support area businesses and entertainment.

Special Overlay Districts

Downtown Entertainment Overlay District

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

Las Vegas Boulevard Scenic Byway Overlay District

The subject property is located within the Scenic Byway Overlay, which is intended to preserve the character of Las Vegas Boulevard as a nighttime urban scenic byway. The Overlay requires the use of neon or animation for all signage, and prohibits new off-premise signage.

ANALYSIS

A) Zoning Code Compliance

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements and standard parking requirements.

A1) Minimum Distance Separation Requirements

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

B) General Analysis and Discussion

- Zoning

The proposed commercial uses are permitted in the C-2 (General Commercial) district by right; the residential component is permitted upon approval of a Special Use Permit. The applicant has filed a Special Use Permit application (SUP-5181) concurrently with this Site Development Plan Review application, which will be heard by the Planning Commission on October 21, 2004. The structure generally conforms to the development standards of the Downtown Centennial Plan; a Waiver has been requested from the Centennial Plan building setback requirement.

- Use

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

FINDINGS

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

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

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

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

The property can accommodate the project.

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

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

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

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

NOTICES MAILED 65 by City Clerk

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5181** APN: 139-34-611-001, 139-34-611-011 and 012

Name of Property Owner: Streamline Tower, LLC

Name of Applicant: Streamline Tower, LLC

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

Yes _____ X _____ No _____

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

City Official: _____

Partner(s): _____

APN: _____

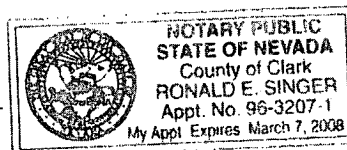
Signature of Property Owner/Authorized Agent: [Signature]

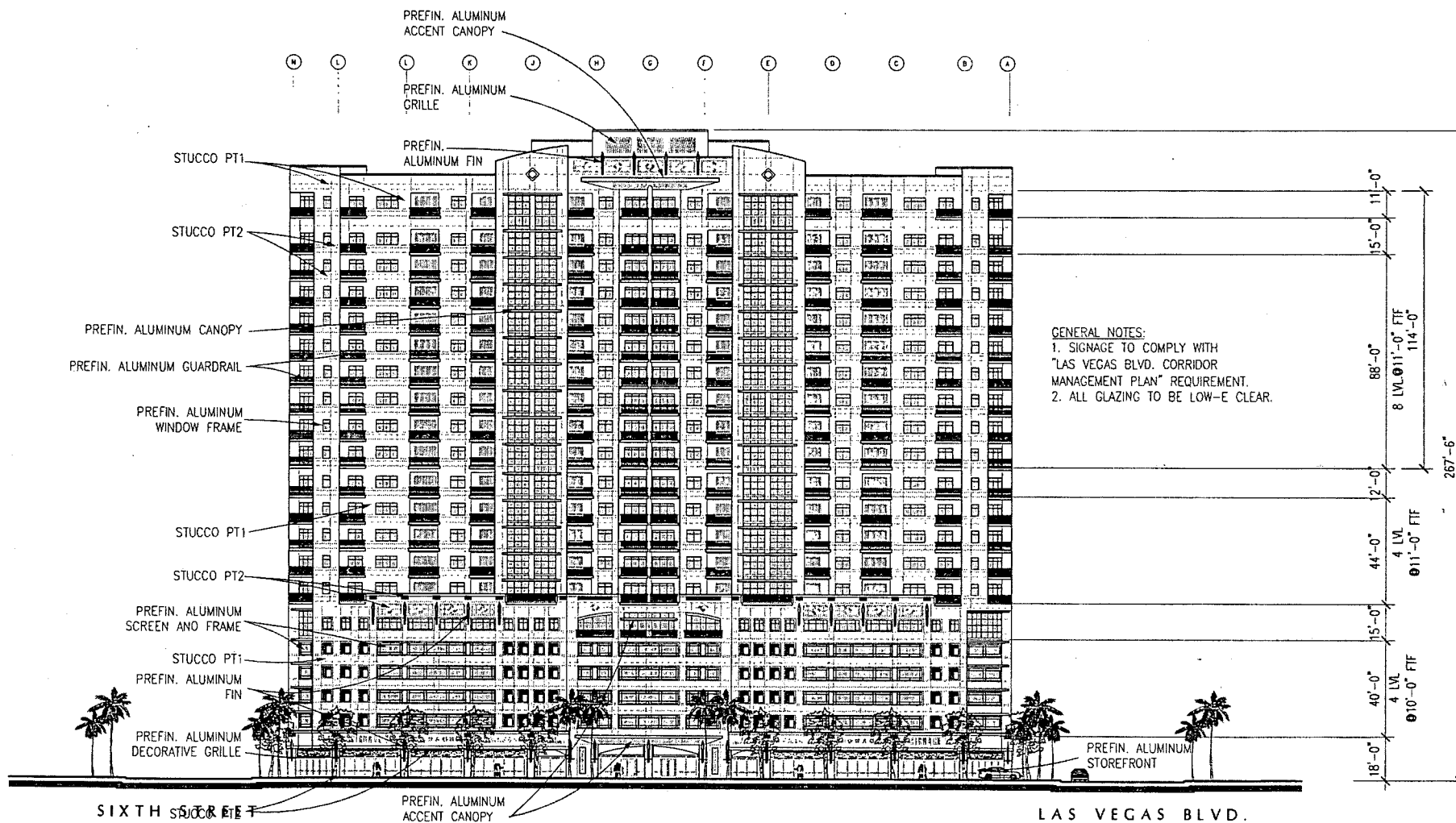
Print Name: Dustin Allen

Subscribed and sworn before me

This 2ND day of SEPTEMBER, 2004

Notary Public in and for said County and State





SEPTEMBER 2, 2004

STREAMLINE ACCEPTANCE GROUP, LLC.

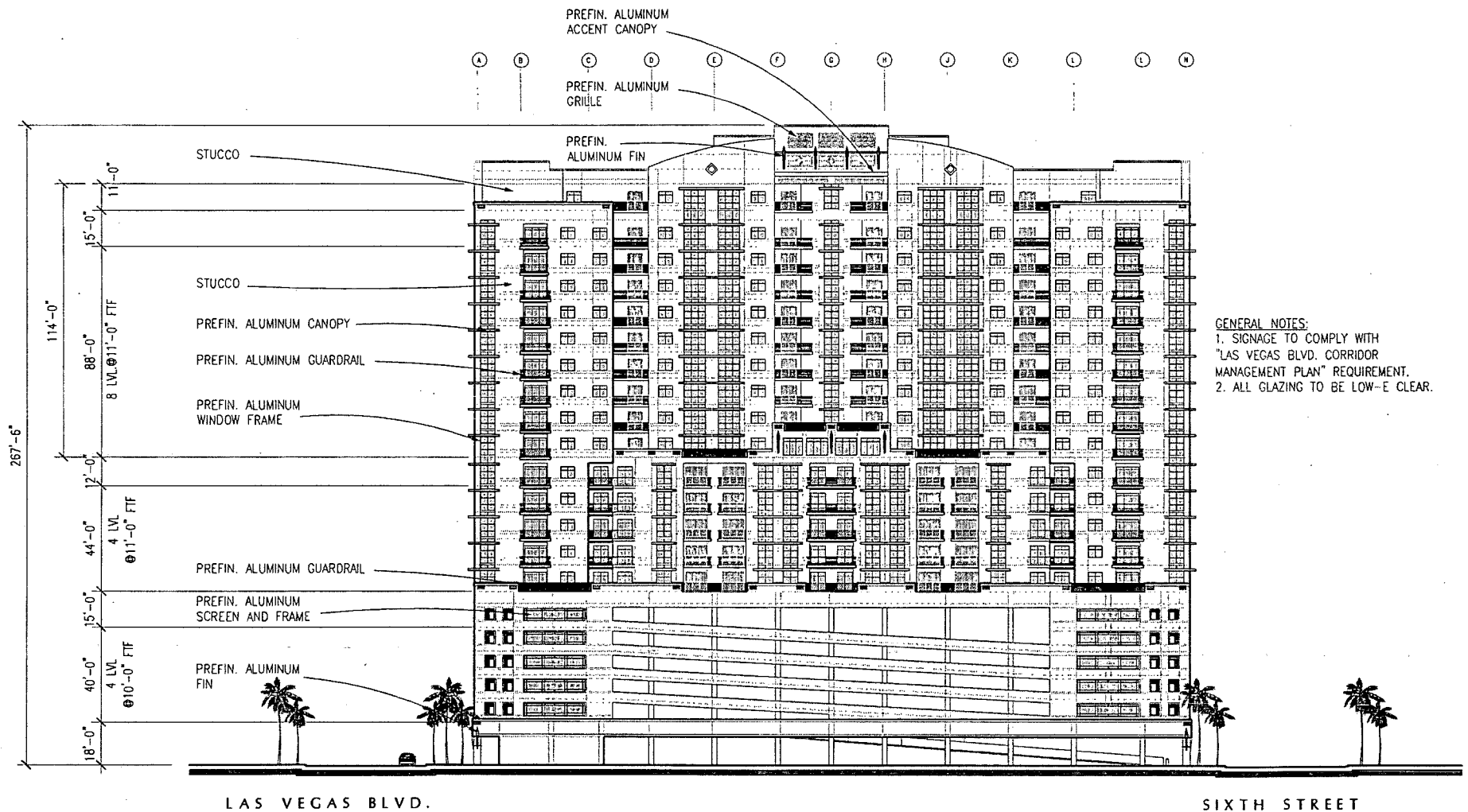
OGDEN STREET ELEVATION

SCALE 1" = 40'-0"

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

PGAL
 COMPANY

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



SEPTEMBER 2, 2004

STREAMLINE ACCEPTANCE GROUP, LLC.

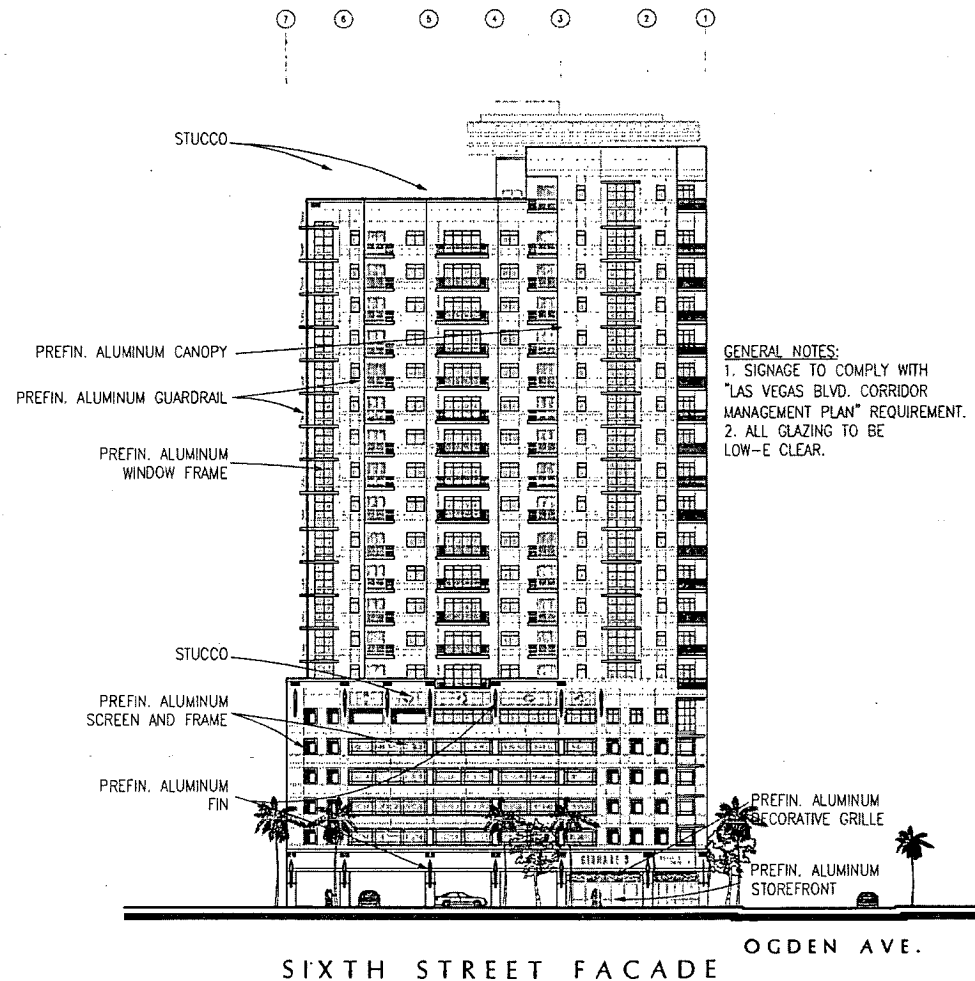
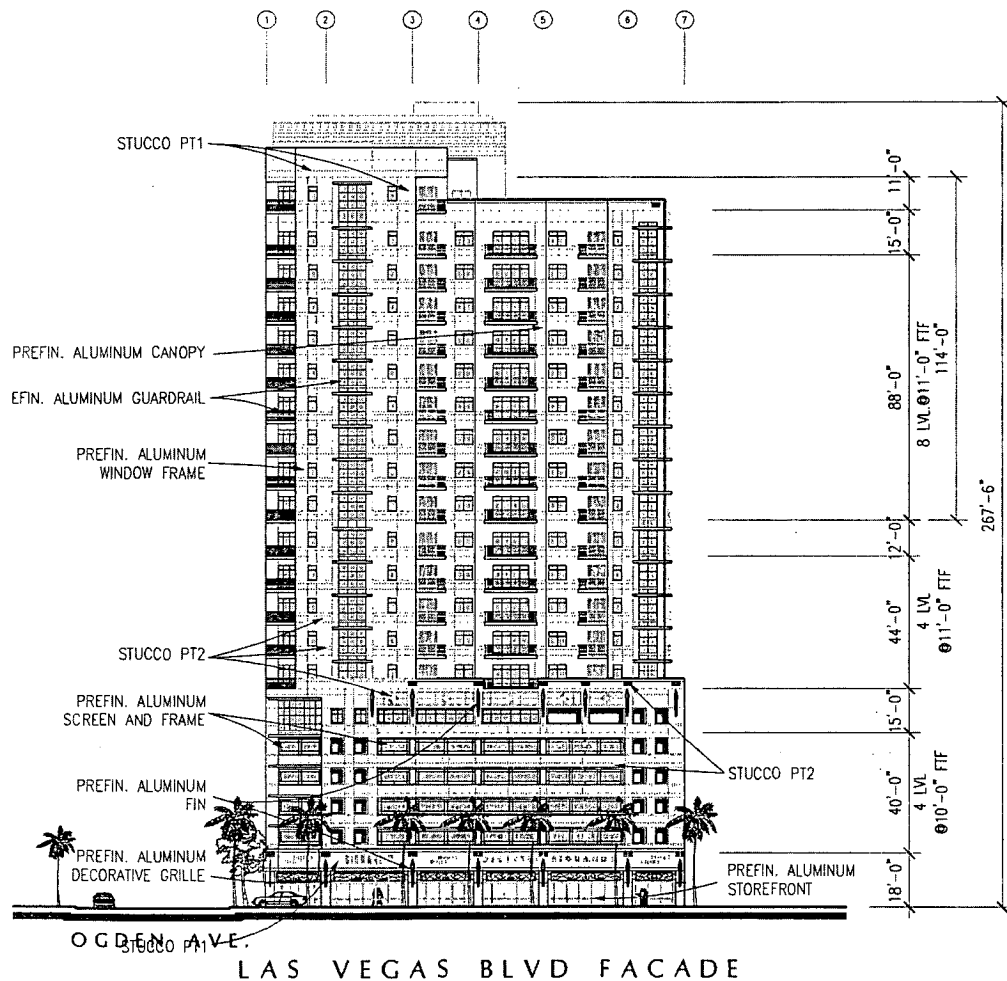
REAR ELEVATION

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

SCALE 1" = 40'-0"

PGAL
Copyright

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



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

SIDE ELEVATIONS

SEPTEMBER 2, 2004

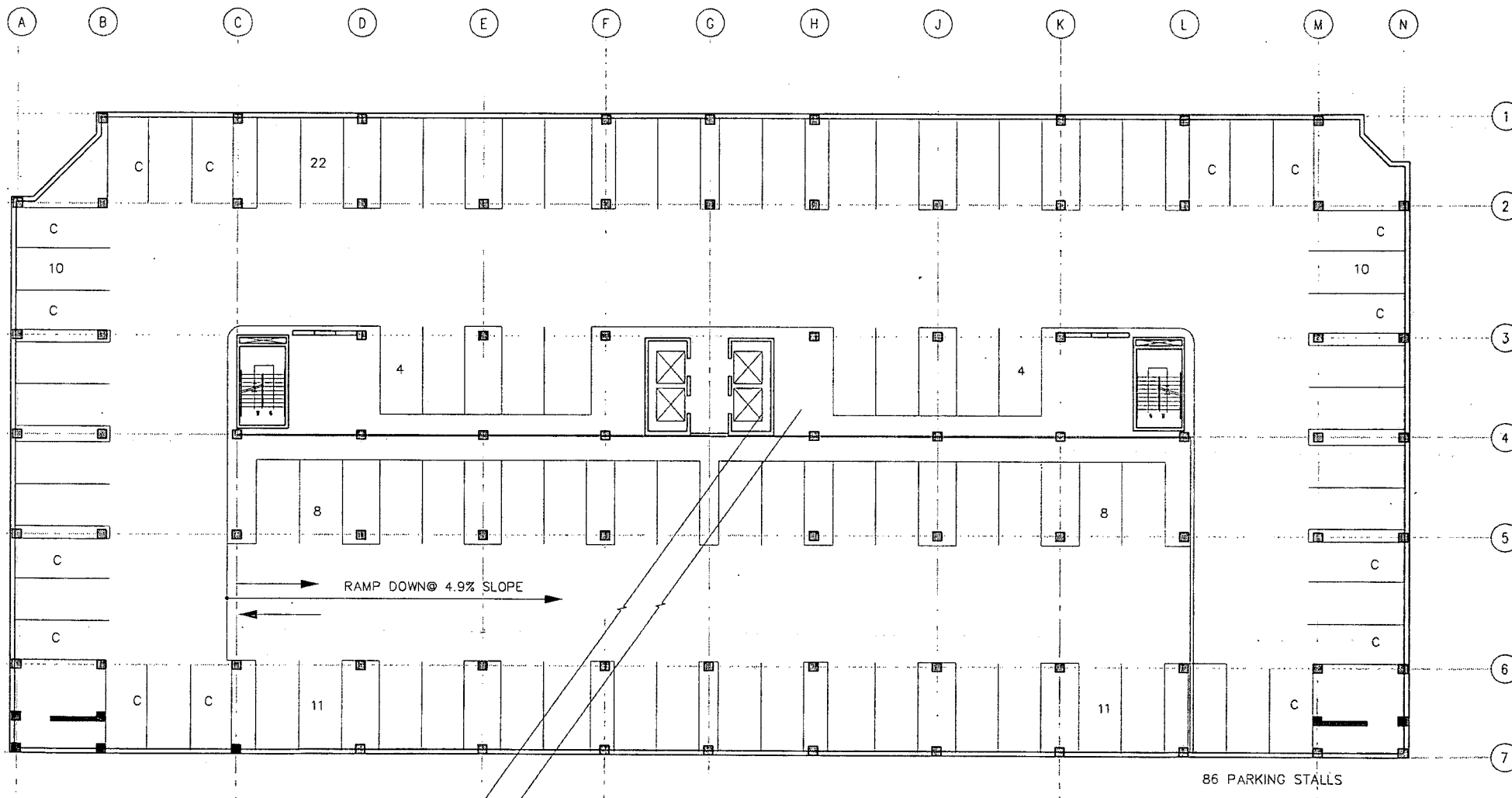
STREAMLINE ACCEPTANCE GROUP, LLC.

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

SCALE 1" = 40'-0"

PGAL
Copyright

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



SEPTEMBER 1, 2004

STREAMLINE ACCEPTANCE GROUP, LLC.

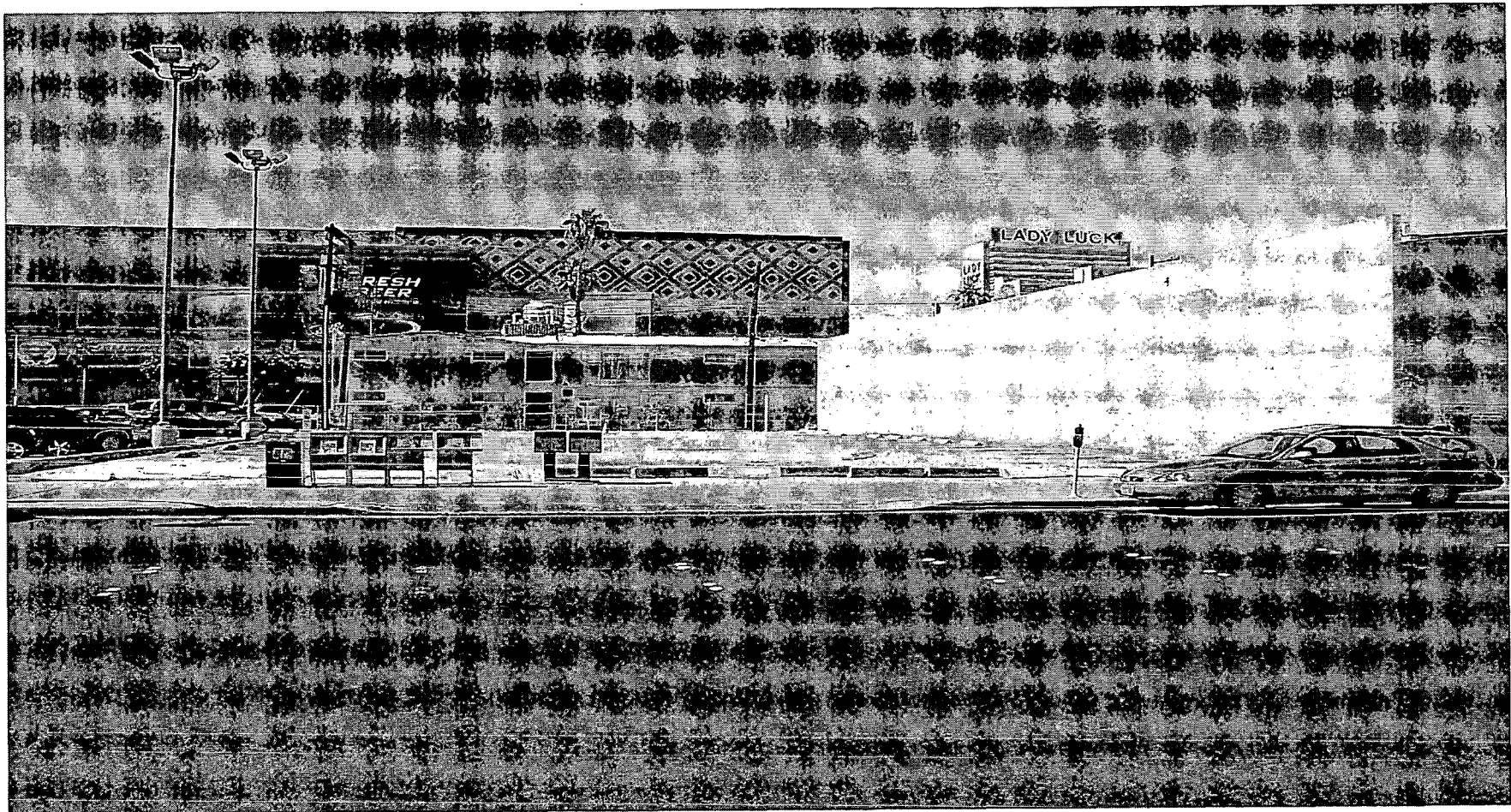
PARKING GARAGE - 6TH. LEVEL

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

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

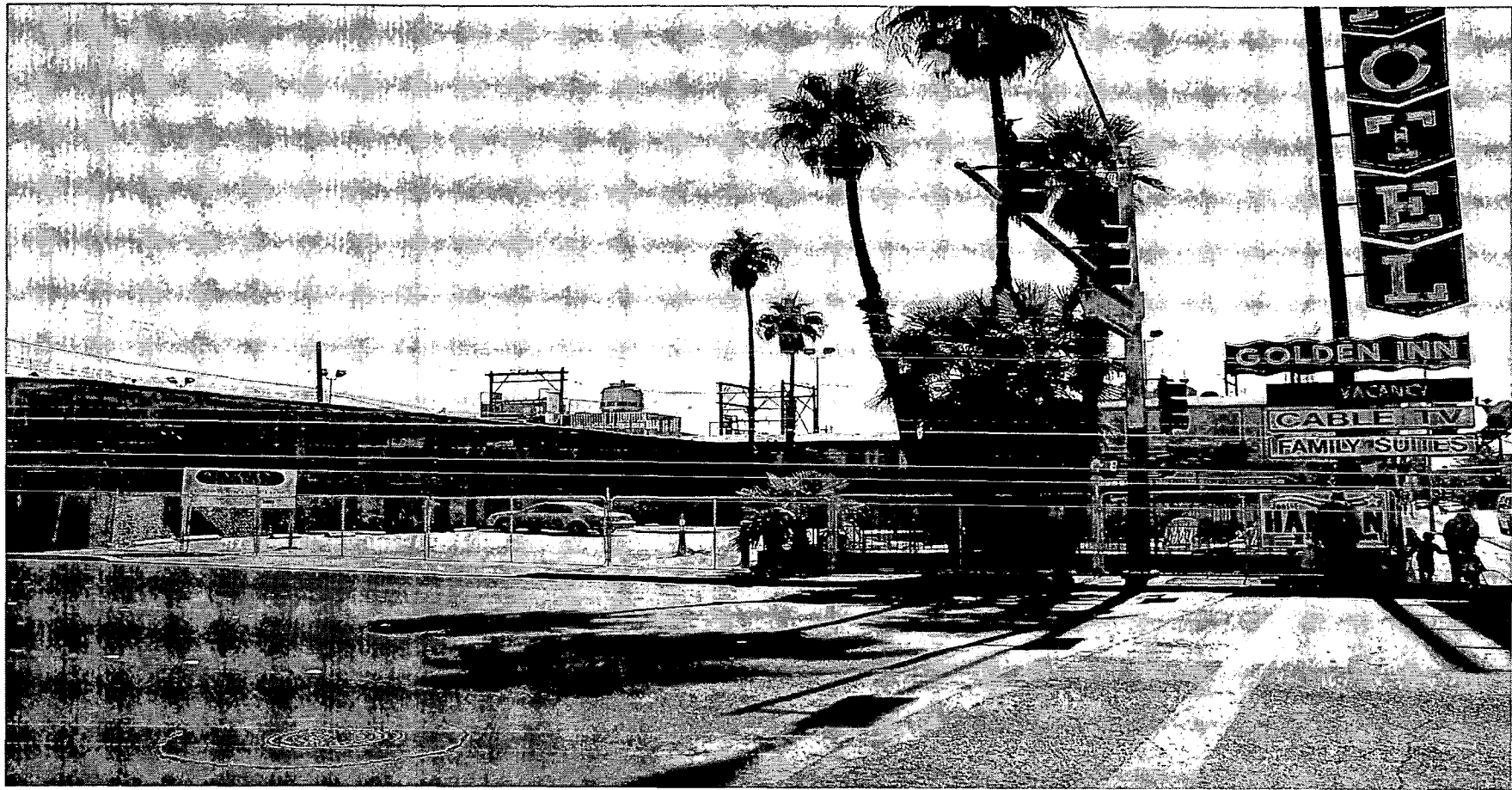
SCALE 1" = 20'-0"

PGAL
Copyright



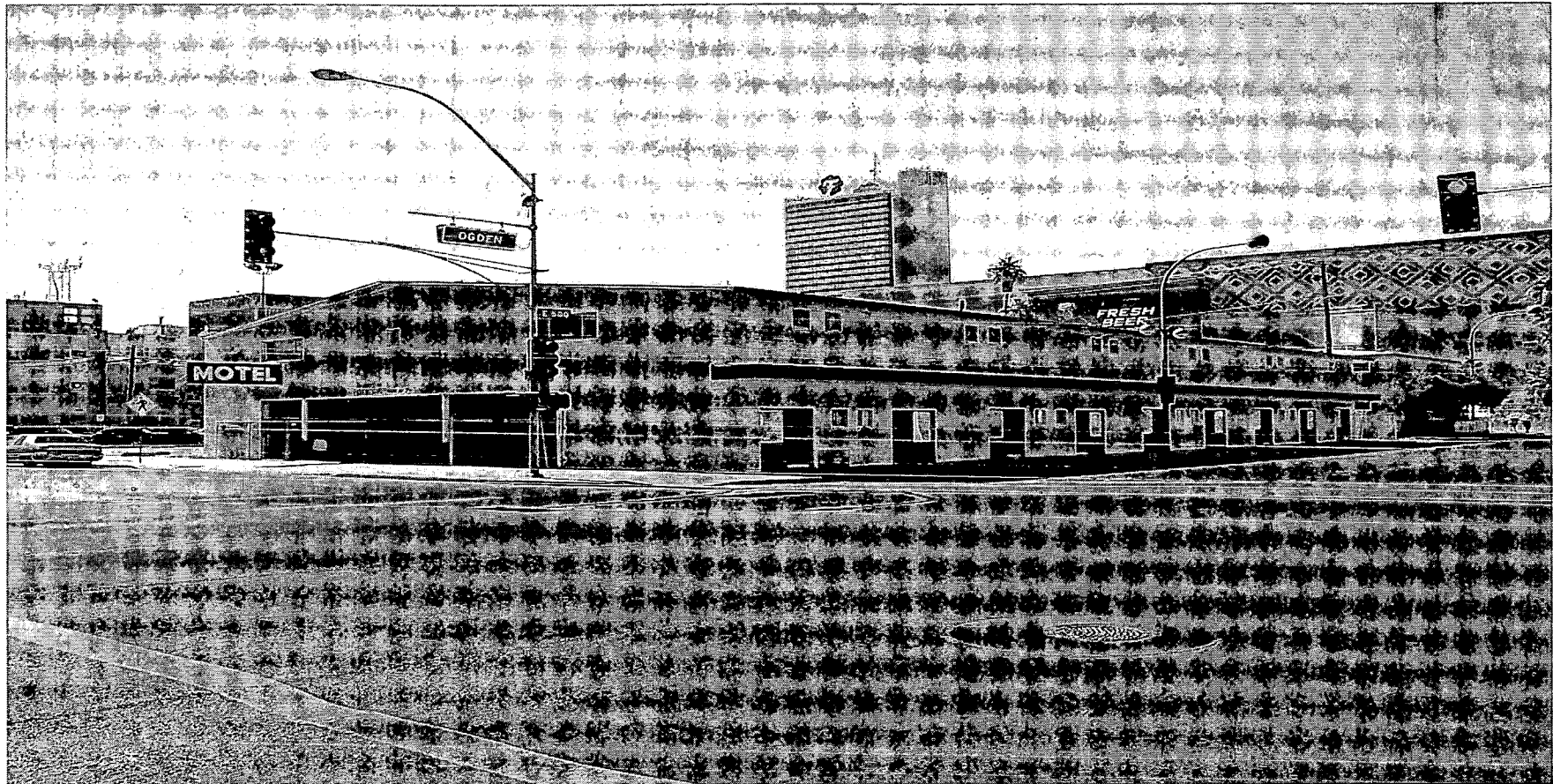
SUP-5181 - APPLICANT/ OWNER: STREAMLINE TOWER, LLC
SOUTHEAST CORNER OF LAS VEGAS BOULEVARD AND OGDEN AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/06/04



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

10/06/04



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

10/06/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5181

SDR-5180 - PUBLIC HEARING - APPLICANT/OWNER: STREAMLINE TOWER, LLC - Request for a Site Development Plan Review FOR A 267 FOOT TALL, 251 UNITS AND 24,000 SQUARE FEET OF COMMERCIAL IN A MIXED USE DEVELOPMENT WITH WAIVERS FROM THE DOWNTOWN CENTENNIAL PLAN on 1.03 acres adjacent to the southeast corner of Las Vegas Boulevard and Ogden Avenue (APN 139-34-611-001, 011 and 012), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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:

REESE - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

NOTE: See Item 135 [SUP-5181] for related discussion.
(2:24 - 2:27)
2-3011

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-5181) to allow Mixed-Use development approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, date stamped 09/03/04, except as amended by conditions herein.
4. The Waiver from the Downtown Centennial Plan building setback requirement is hereby approved, based on the proposed façade articulation and level of detail of the elevations.
5. The Waiver from the Centennial Plan streetscape requirements is hereby approved, in order to allow ten foot wide sidewalks where 11 are required, due to the existing curb alignment.

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

CONDITIONS - Continued:

6. The applicant shall be required to provide and install standard Fourth Street style fixtures in place of existing fixtures. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
7. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
8. All mechanical equipment shall be fully screened from street level and surrounding building views.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the downtown Centennial Plan.
11. Utilities and power service lines in alleys shall be located underground; the property owner shall be required to provide for their proportionate share of the utility relocation and alleyway treatment pursuant to a schedule as adopted by City Council. In addition, the surfacing of the alley shall conform to the Alleyway Treatment, as depicted in Graphic 4 of the Downtown Centennial Plan.
12. All City Code requirements and design standards of all City departments must be satisfied.

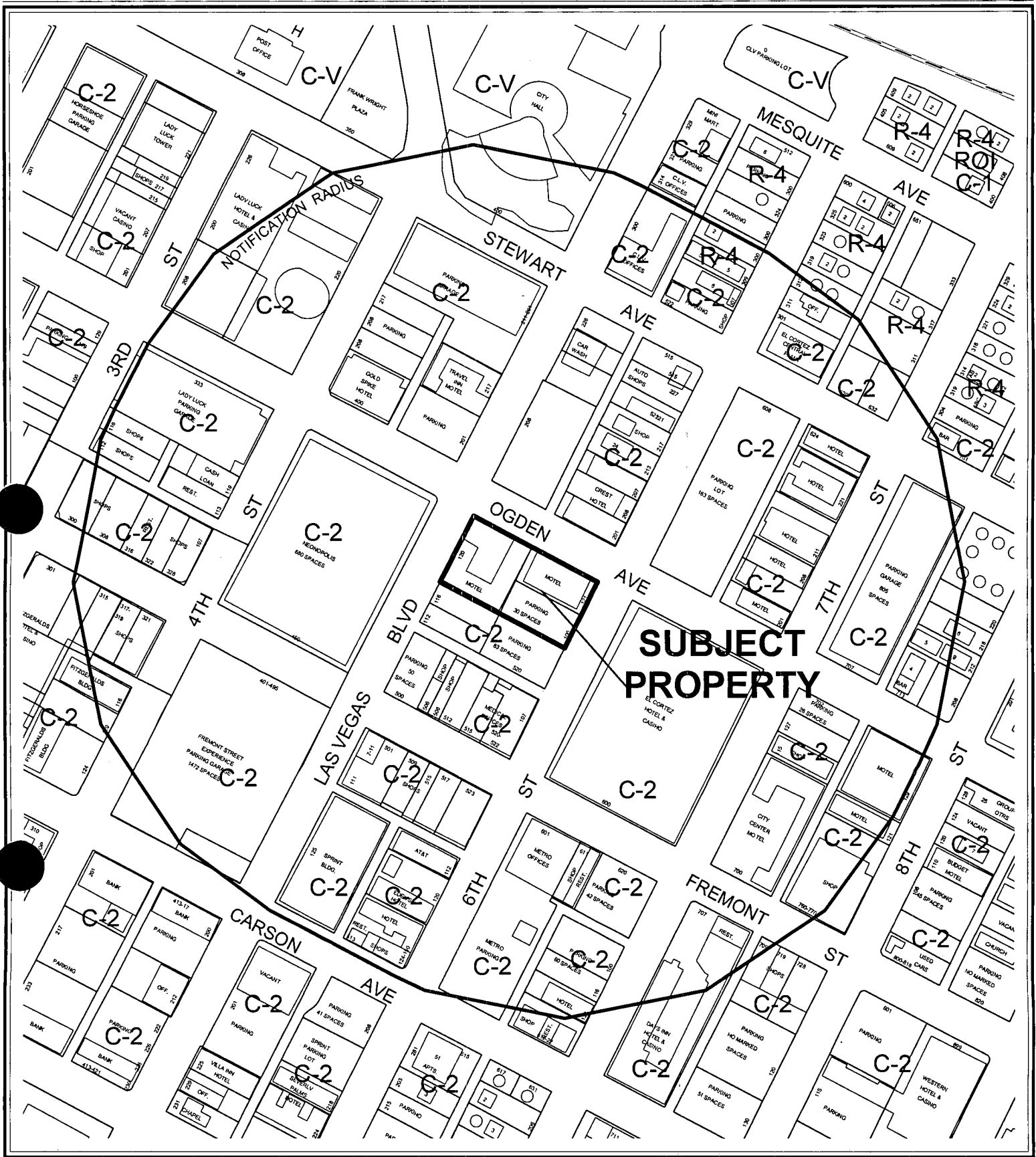
Public Works

13. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Las Vegas Boulevard. Dedicate a 25 foot radius on the southeast corner of Las Vegas Boulevard and Ogden Avenue and a 10 foot radius at the southwest corner of Ogden Avenue and 6th Street prior to the issuance of any permits.
14. Coordinate with the City Surveyor to determine whether a Reversionary Map or other Map is necessary; if such a Map is required, it should record prior to the issuance of any permits for this site.
15. Grant a Traffic Signal Chord Easement at the southeast corner of Las Vegas Boulevard and Ogden Avenue.
16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards concurrent with development of this site. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. An application to vacate the existing public sewer main and easement through this site must be approved and the Order of Vacation recorded prior to the issuance of any building or grading permits. A sanitary sewer plan addressing continuous service for upstream customers, relocation of alternate mains and abandonment of existing mains must be submitted to and approved by the City Engineer as part of the Order of Vacation process.

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

CONDITIONS - Continued:

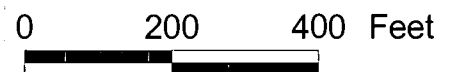
18. This site shall connect to the 24" sanitary sewer main in Ogden Avenue. The alternate sewer main passing through this site does not have the capacity to service this project.
19. Landscape and maintain all unimproved rights-of-way adjacent to this site.
20. Submit an Encroachment Agreement for all landscaping and private improvements, located within or over the public rights-of-way adjacent to this site prior to occupancy of this site.
21. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
22. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
23. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.



CASE: SDR-5180

RADIUS: 750 FT

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

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

Planning and Development

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

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

Public Works

13. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Las Vegas Boulevard. Dedicate a 25 foot radius on the southeast corner of Las Vegas Boulevard and Ogden Avenue and a 10 foot radius at the southwest corner of Ogden Avenue and 6th Street prior to the issuance of any permits.
14. Coordinate with the City Surveyor to determine whether a Reversionary Map or other Map is necessary; if such a Map is required, it should record prior to the issuance of any permits for this site.
15. Grant a Traffic Signal Chord Easement at the southeast corner of Las Vegas Boulevard and Ogden Avenue.
16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards concurrent with development of this site. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. An application to vacate the existing public sewer main and easement through this site must be approved and the Order of Vacation recorded prior to the issuance of any building or grading permits. A sanitary sewer plan addressing continuous service for upstream customers, relocation of alternate mains and abandonment of existing mains must be submitted to and approved by the City Engineer as part of the Order of Vacation process.
18. This site shall connect to the 24" sanitary sewer main in Ogden Avenue. The alternate sewer main passing through this site does not have the capacity to service this project.
19. Landscape and maintain all unimproved rights-of-way adjacent to this site.
20. Submit an Encroachment Agreement for all landscaping and private improvements, located within or over the public rights-of-way adjacent to this site prior to occupancy of this site.

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 12/16/64 The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcels, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
- 10/21/04 The Planning Commission recommended approval of a related item (SUP-5181).
- 10/21/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #68/dc).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.03

B) Existing Land Use

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

C) Planned Land Use

Subject Property: C (Downtown Commercial)
GC (Commercial) [Downtown Redevelopment Plan Designation]
C (Commercial)
North: C (Commercial)
South: C (Commercial)
East: C (Commercial)
West: C (Commercial)

D) Existing Zoning

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

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has C (Commercial) land use designation. The Commercial designation permits office uses, limited commercial uses, and general commercial uses. The proposed mixed-use development is consistent with the land use designation.

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

Redevelopment Plan Area

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

Downtown Centennial Plan Area

The parcel is within the Downtown Centennial Plan boundaries, and is located in the Casino Center District. The district is home to the historic and classic Las Vegas casinos of "Glitter Gulch," and it is intended to retain and enhance these facilities, while diversifying the commercial offerings and protecting the existing public facilities. The proposed use will reinforce the viability of the downtown area by adding residents to support area businesses and entertainment.

Downtown Entertainment Overlay District

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

Las Vegas Boulevard Scenic Byway Overlay District

The subject property is located within the Scenic Byway Overlay, which is intended to preserve the character of Las Vegas Boulevard as a nighttime urban scenic byway. The Overlay requires the use of neon or animation for all signage, and prohibits new off-premise signage.

PROJECT DESCRIPTION

The project involves the demolition of the existing motel buildings on the site and the construction of a new 21-story tower with 251 residential units and 16,157 square feet of commercial space. The ground floor of the building will include retail and restaurant uses, with the residential lobby facing Ogden Avenue. Six levels of parking will be incorporated into the building above the ground-floor commercial space, with access to the parking levels from Sixth Street. Levels seven through 21 of the building will contain the residential units, which vary from one to three bedrooms in size. Resident amenities such as a swimming pool and terrace will be located on the 21st floor of the building, and a gymnasium will be located on the twelfth floor.

ANALYSIS

A) Zoning Code Compliance

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

A1) Development Standards

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

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

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

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

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

A3) Parking and Traffic Standards

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

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

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

A4) Landscape and Open Space Standards

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

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

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

A5) Sign Standards

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

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

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

B) General Analysis and Discussion

- Zoning

The proposed commercial uses are permitted in the C-2 (General Commercial) district by right; the residential component is permitted upon approval of a Special Use Permit. The applicant has filed a Special Use Permit application (SUP-5181) concurrently with this Site Development Plan Review application, which will be heard by the Planning Commission on October 21, 2004. The structure generally conforms with the development standards of the Downtown Centennial Plan; a Waiver has been requested from the Centennial Plan building setback requirement.

- Site Plan

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

- Waivers

The applicant has requested a Waiver from the Centennial Plan requirement for building stepbacks at the 4th, 11th, and 18th stories of the building. The Centennial Plan requirement is intended to avoid box-like structures and to encourage a greater degree of façade articulation. Staff would recommend approval of the Waiver request for the following reasons:

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

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

- Landscape Plan

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

- Elevation

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

- Floor Plan

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

This is not applicable to this particular project.

NOTICES MAILED 64 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5180** APN: 139-34-611-001, 139-34-611-011 and 012

Name of Property Owner: Streamline Tower, LLC

Name of Applicant: Streamline Tower, LLC

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

Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

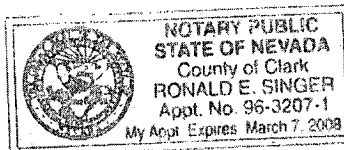
Signature of Property Owner/Authorized Agent: [Signature]

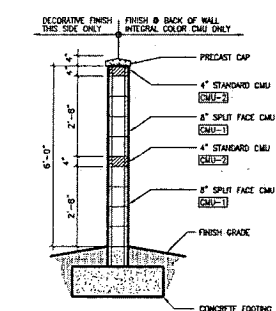
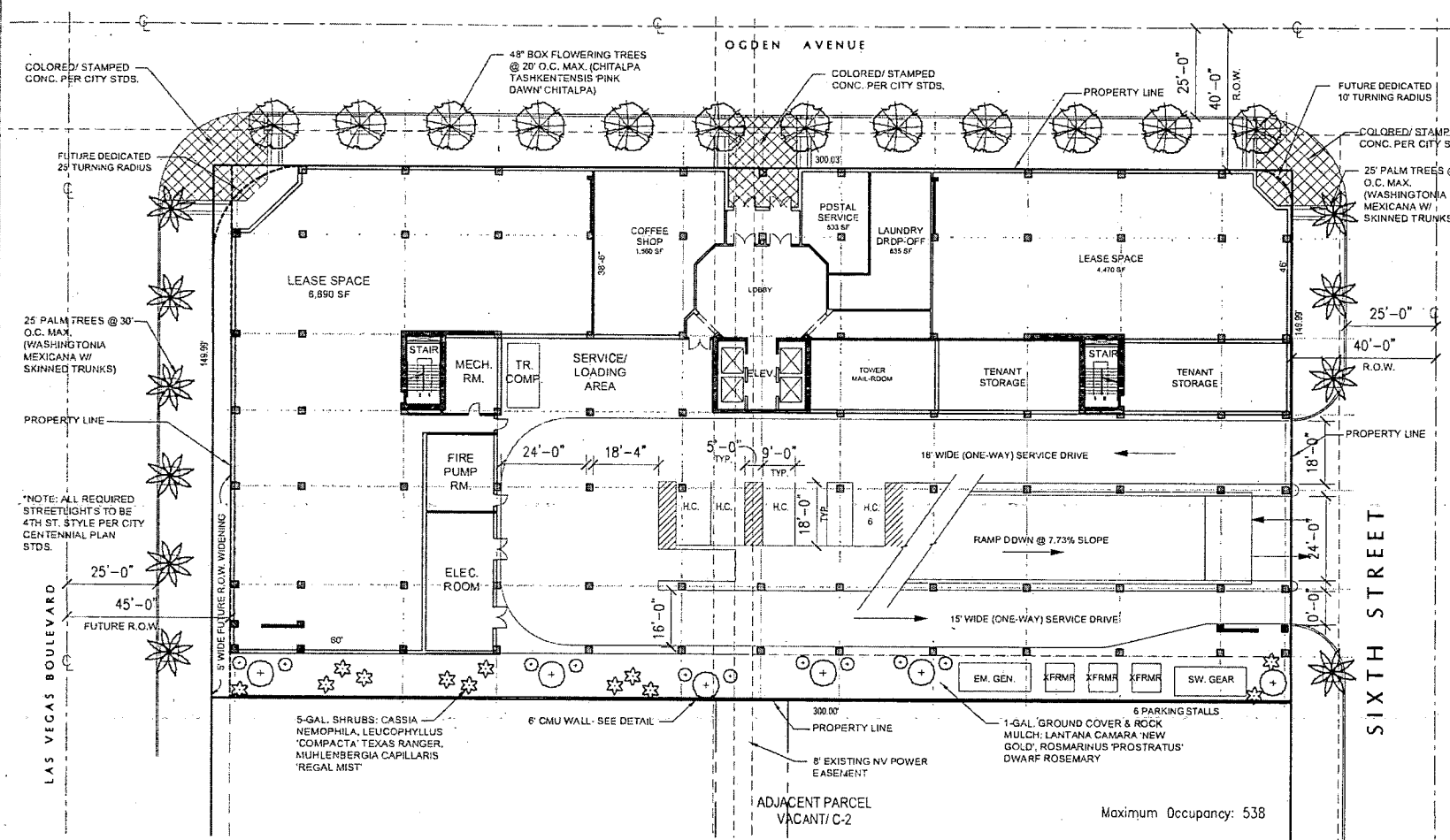
Print Name: Dustin Allen

Subscribed and sworn before me

This 2nd day of SEPTEMBER, 2004

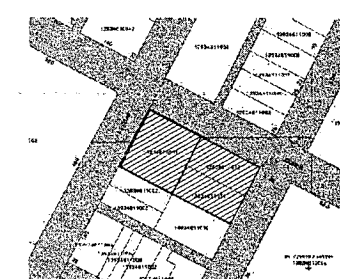
Notary Public in and for said County and State





SITE ANALYSIS

SITE AREA:	1.03 AC (44,650 SF)
FLOOR AREA (RETAIL- 1ST FLR.):	16,157 SF
FLOOR AREA (LOBBY/ STORAGE- 1ST FLR.):	7,371 SF
FLOOR AREA (CONDOMINIUM):	403,592 SF
TOTAL PROJECT AREA:	427,120 SF
FLR.-AREA RATIO:	.523
DENSITY:	251 UNITS/AC.
PARKING REQUIREMENTS:	251 UNITS/AC.
RETAIL (3 PER 1,000):	49 SPACES
CONDOMINIUM (1 PER UNIT):	251 SPACES
TOTAL REQUIRED:	300 SPACES
TOTAL PROVIDED:	435 SPACES
COMPACT SPACES:	110 SPACES (25%)
TOTAL ADA PARKING REQUIRED:	8 SPACES
TOTAL ADA PARKING REQUIRED:	8 SPACES
LANDSCAPED AREA:	3,595 SF



SITE PLAN/ FIRST FLOOR PLAN
(23,528 GSF)

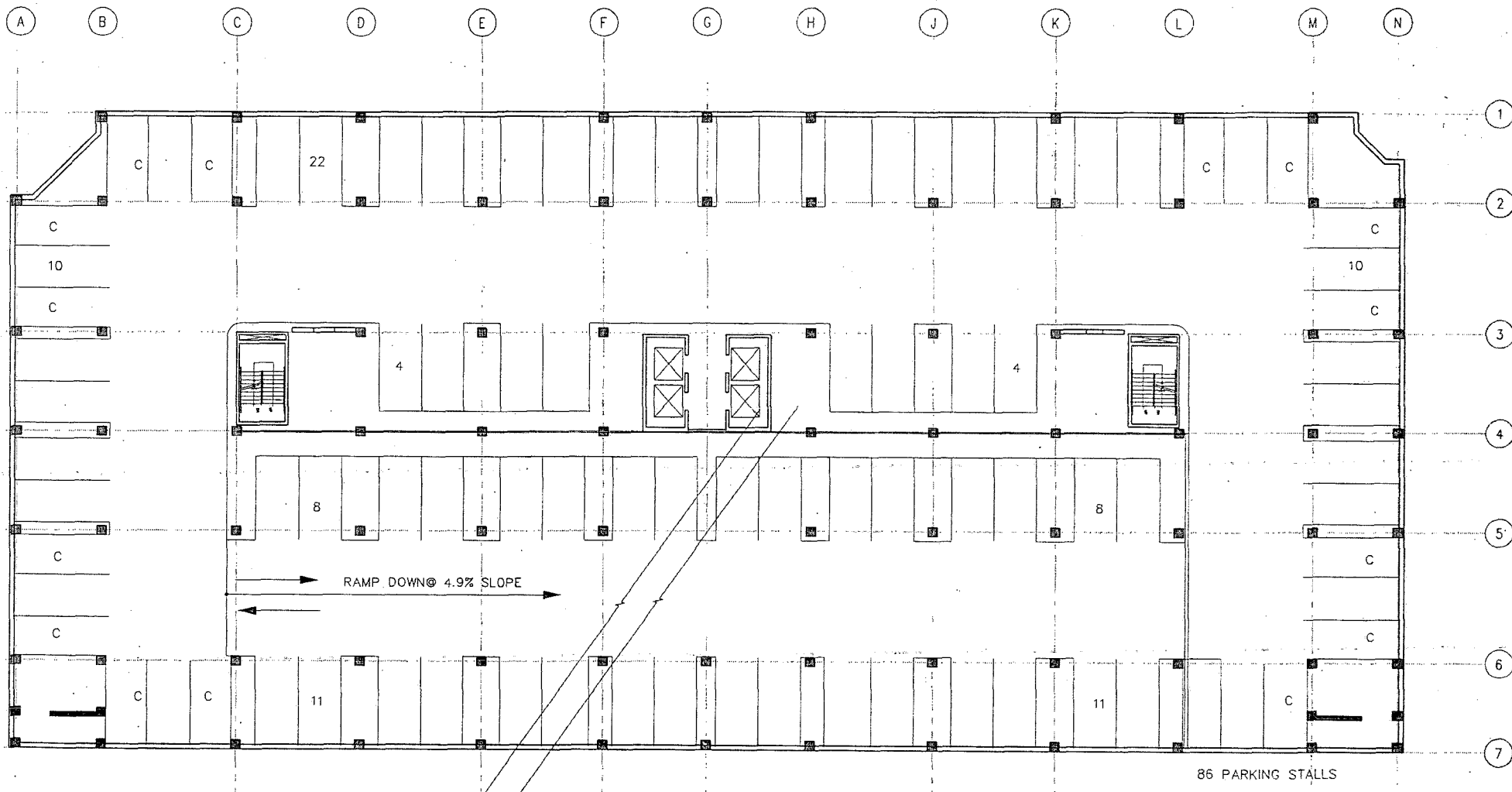
STREAMLINE CONDOMINIUM TOWER
LAS VEGAS BLVD. & OGDEN AVENUE
LAS VEGAS, NEVADA

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



SEPTEMBER 7, 2004

STREAMLINE TOWER, LLC.



86 PARKING STALLS

SEPTEMBER 1, 2004

STREAMLINE ACCEPTANCE GROUP, LLC.

PARKING GARAGE- 6TH. LEVEL

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

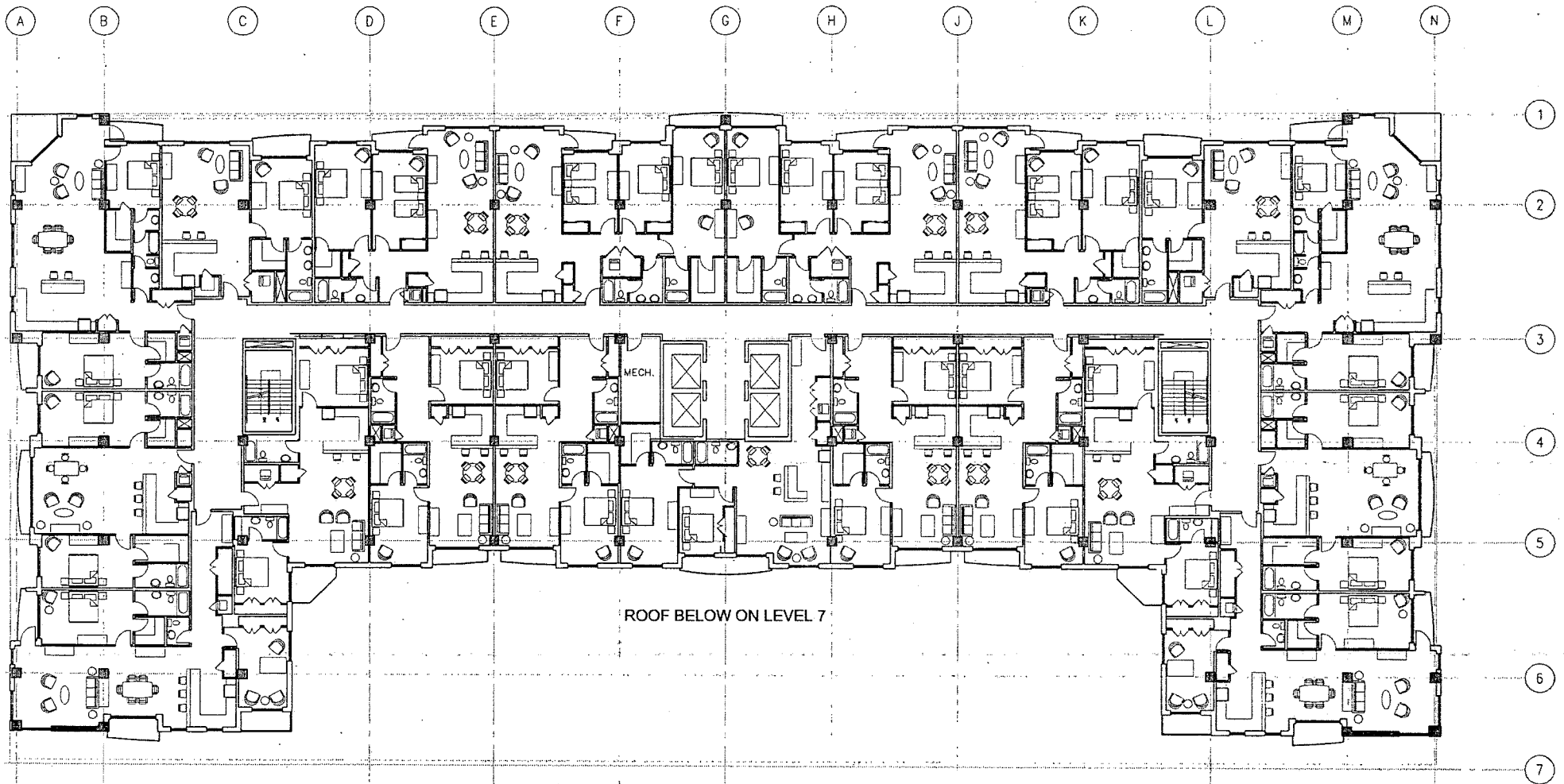
SDR-5180

SUP-5181

10/21/04 PC

SCALE 1" = 20'-0"

PGAL
CORPORATION



SEPTEMBER 1, 2004

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

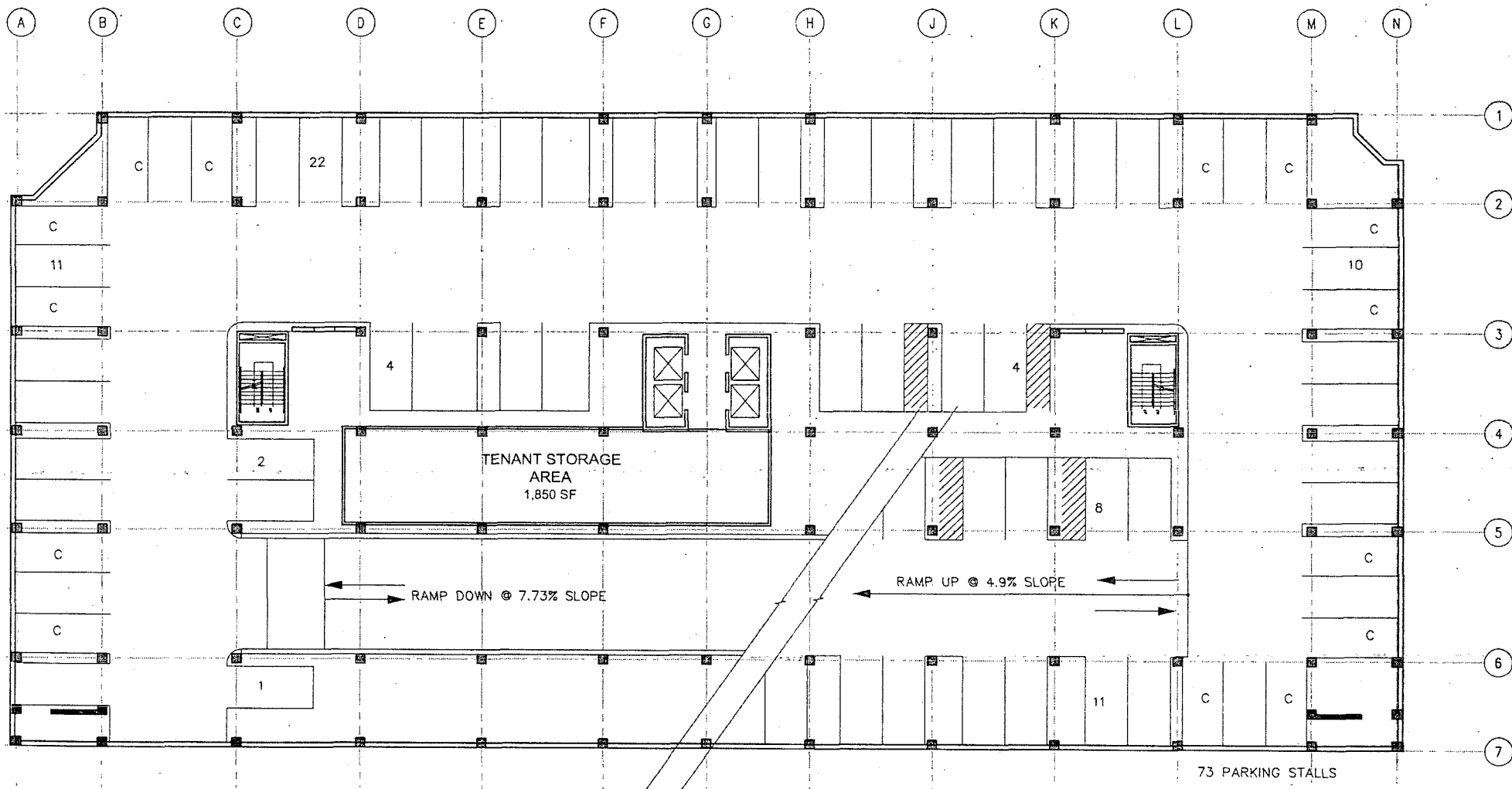
SCALE 1" = 20'-0"

STREAMLINE ACCEPTANCE GROUP, LLC.

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

PGAL
Copyright

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



SEPTEMBER 1, 2004

STREAMLINE ACCEPTANCE GROUP, LLC.

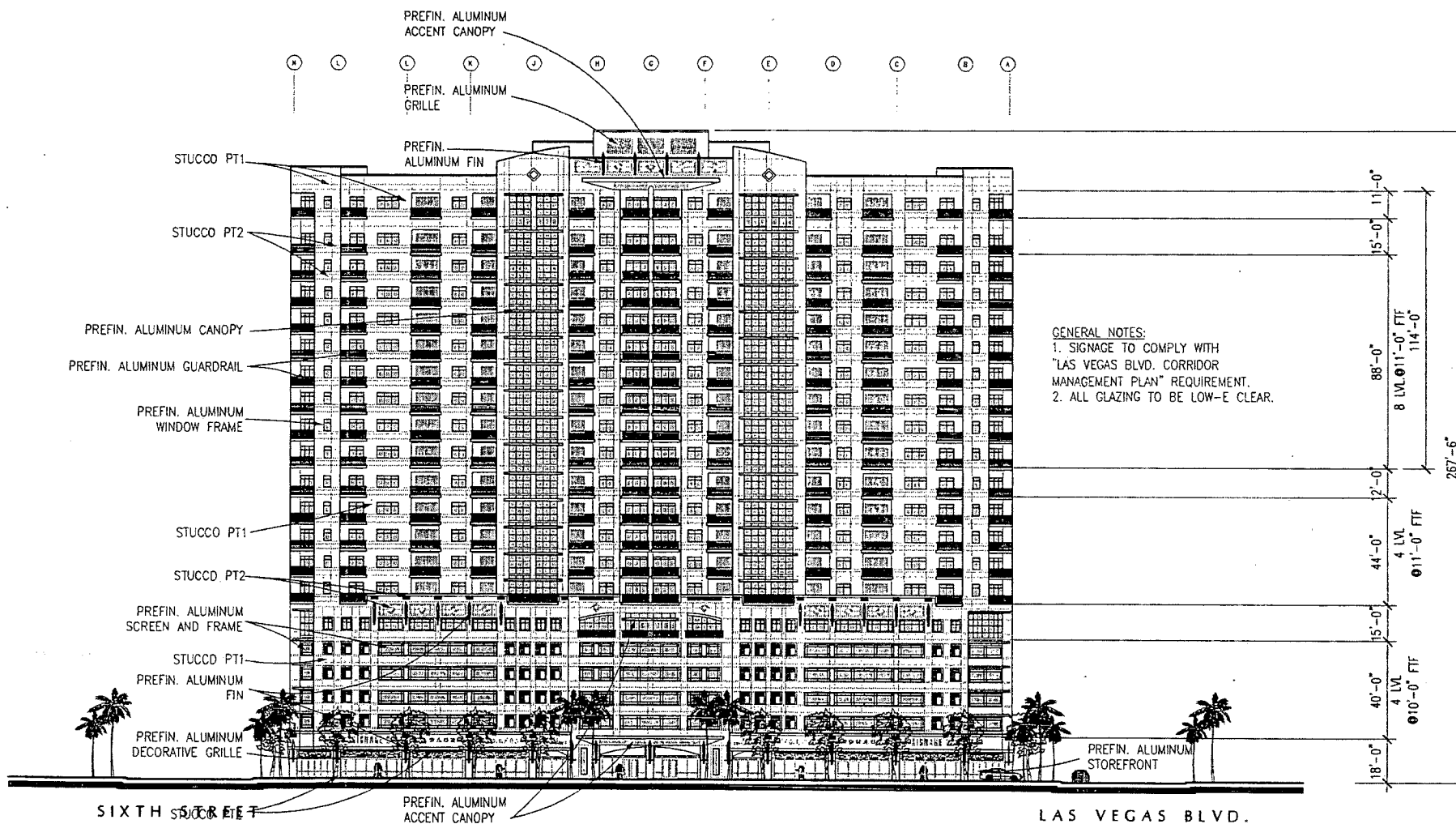
2ND. LEVEL PARKING GARAGE

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

SCALE: 1" = 20'-0"

PGAL
Copyright

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



SEPTEMBER 2, 2004

STREAMLINE ACCEPTANCE GROUP, LLC.

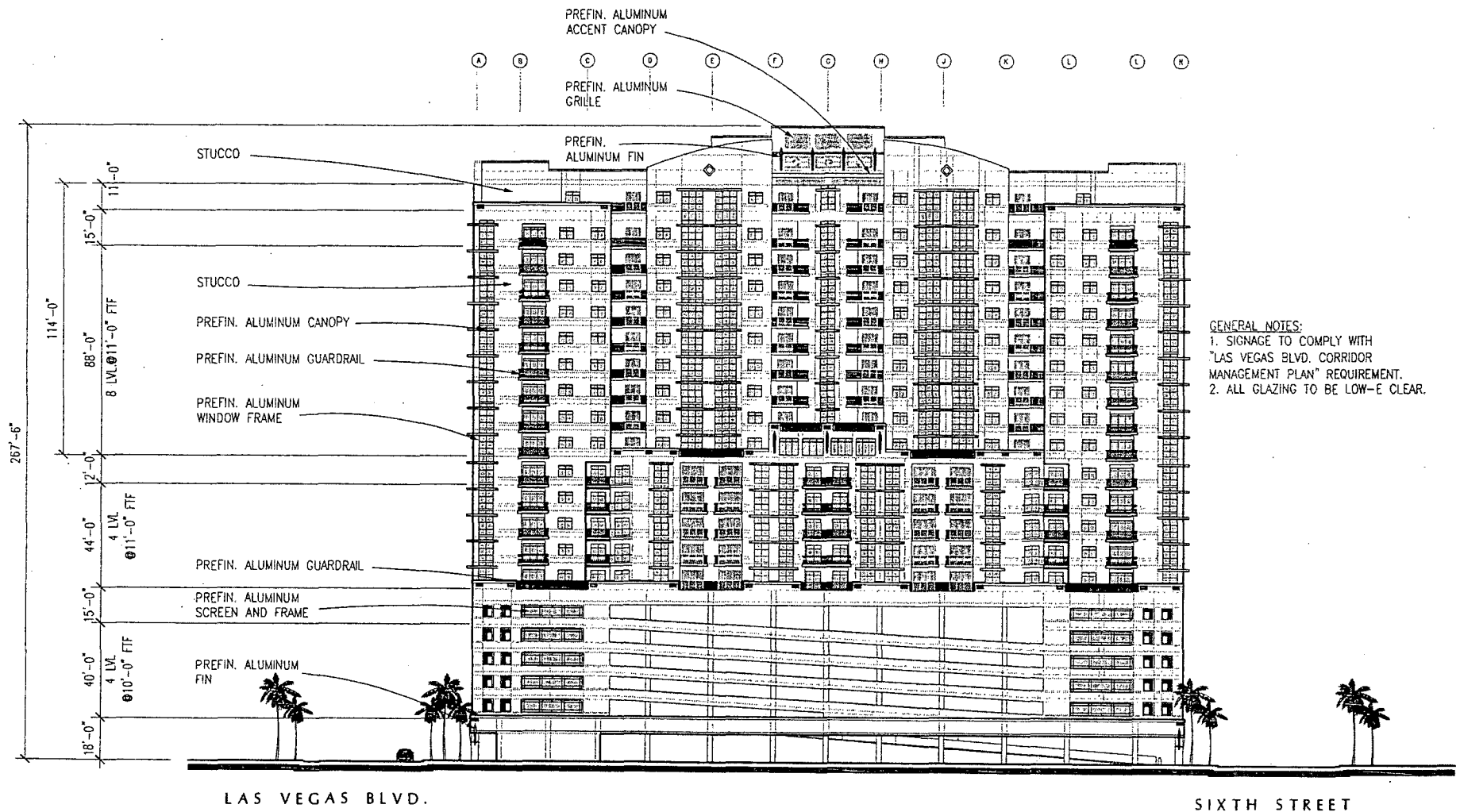
OGDEN STREET ELEVATION

SCALE 1" = 40'-0"

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

PGAL

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



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

SEPTEMBER 2, 2004

STREAMLINE ACCEPTANCE GROUP, LLC.

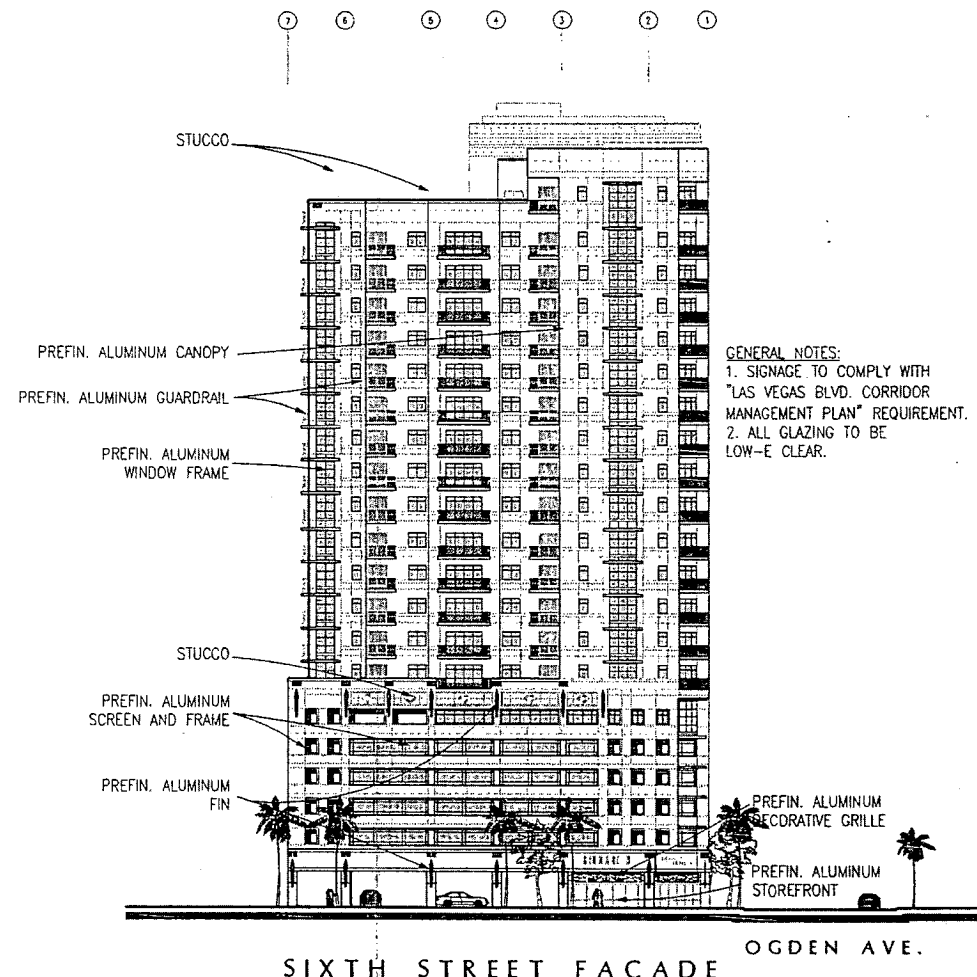
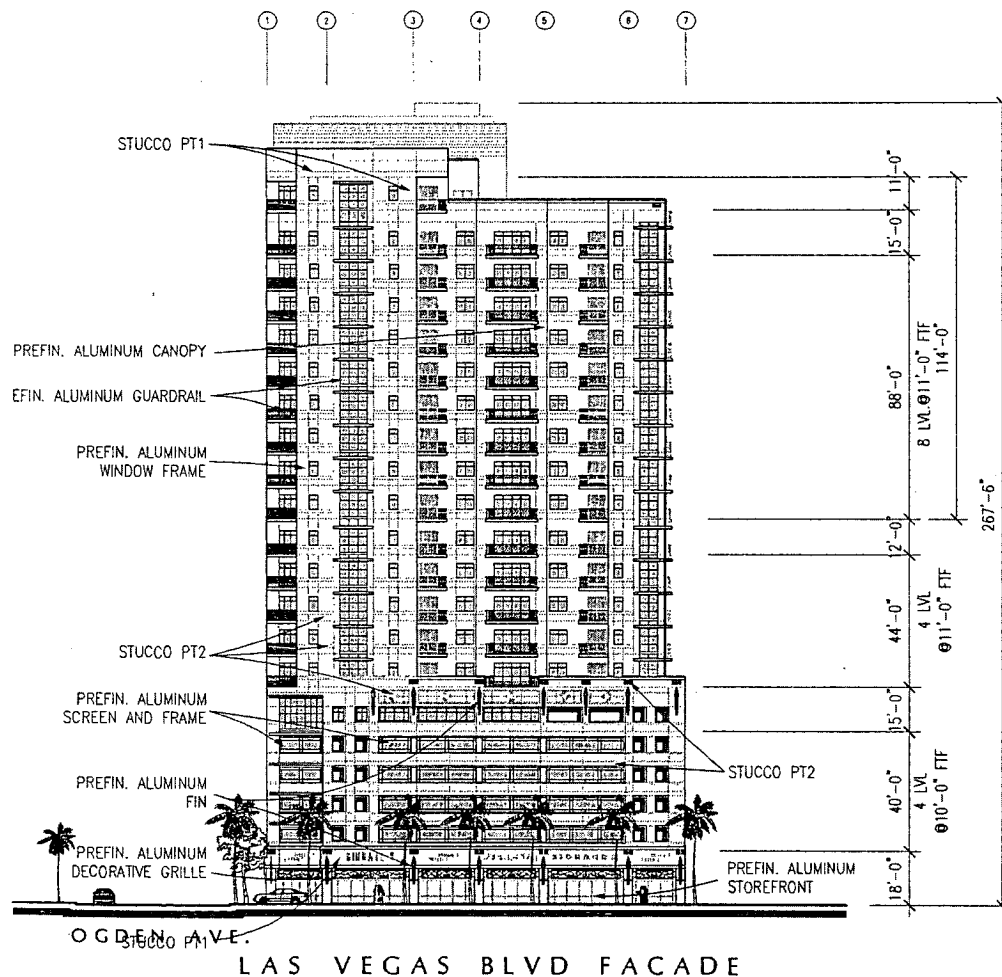
REAR ELEVATION

SCALE: 1" = 40'-0"

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

PGAL
Design

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



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

SEPTEMBER 2, 2004

STREAMLINE ACCEPTANCE GROUP, LLC.

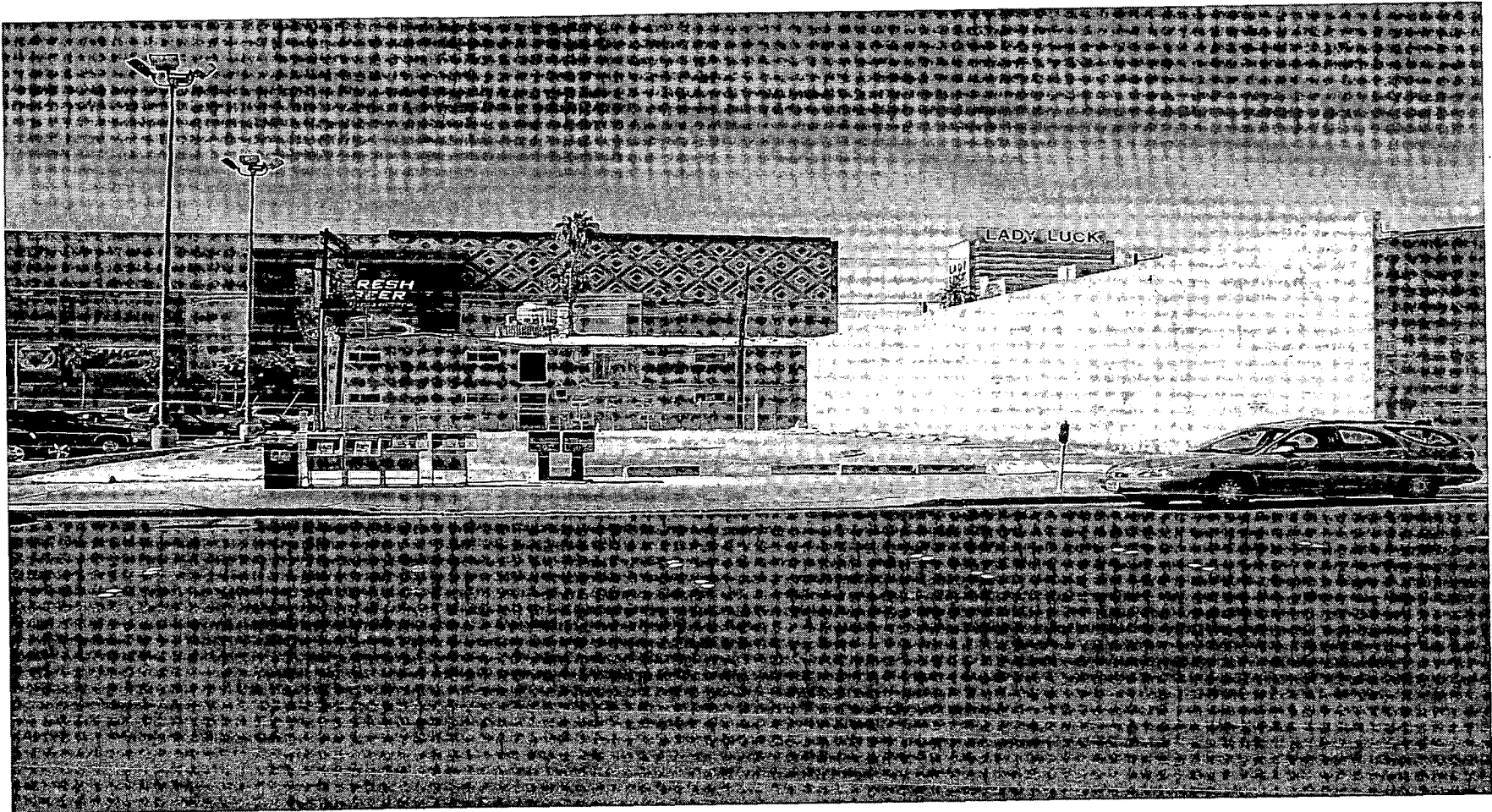
SIDE ELEVATIONS

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

SCALE 1" = 40'-0"

PGAL
Copyright

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



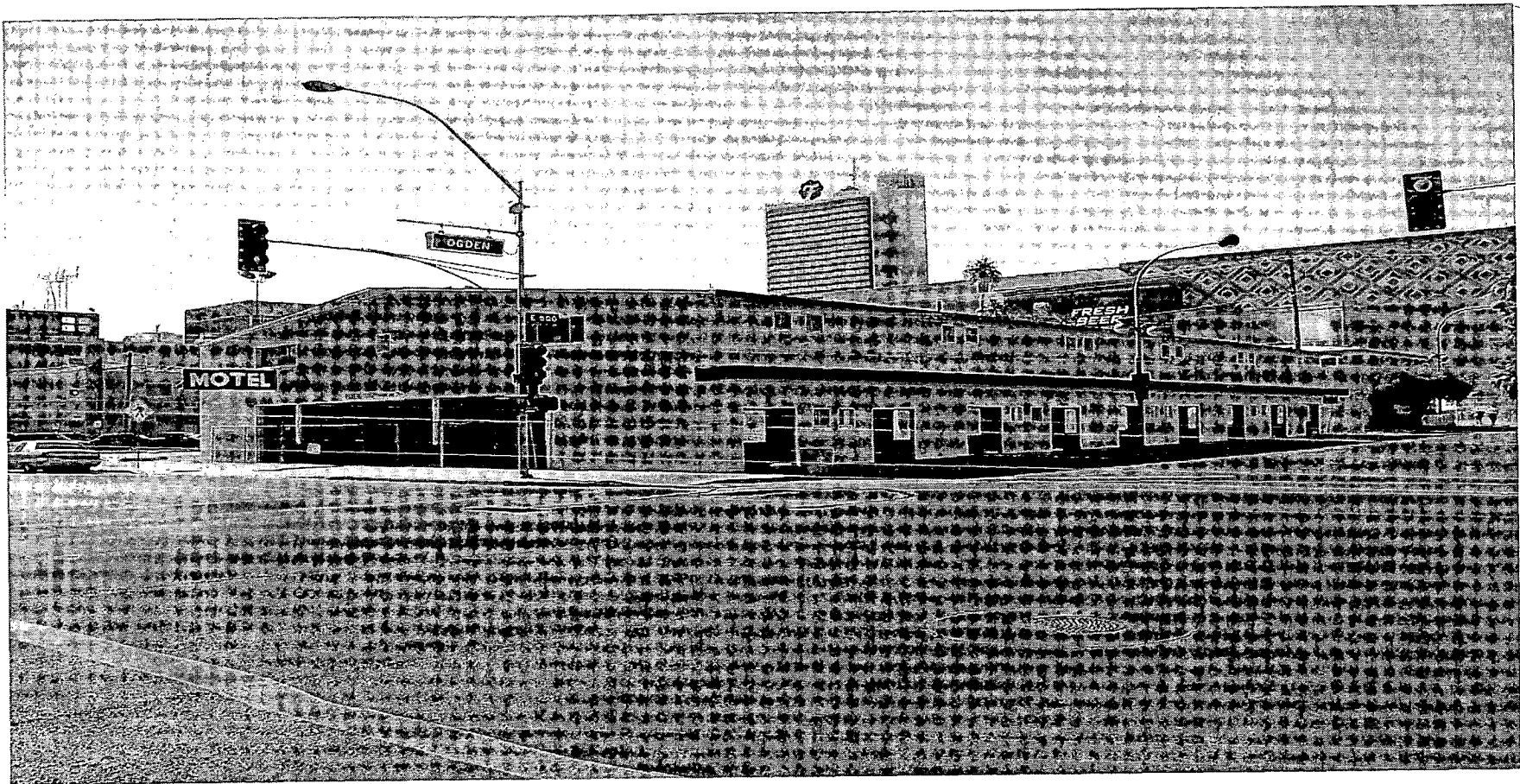
SDR-5180 - APPLICANT/ OWNER: STREAMLINE TOWER, LLC
SOUTHEAST CORNER OF LAS VEGAS BOULEVARD AND OGDEN AVENUE
OCTOBER 21, 2004 PLANNING COMMISSION

10/06/04



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

10/06/04



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

10/06/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-5189 - PUBLIC HEARING - APPLICANT: JEFF & KELLI WOLF - OWNER: RANCHO PINES, LP - Request for a Special Use Permit FOR A THERAPEUTIC MASSAGE ESTABLISHMENT AND A WAIVER FROM THE 400 FOOT DISTANCE SEPARATION REQUIREMENT FROM A CHILD CARE FACILITY at 4588 North Rancho Drive, Suite #12 (APN 138-02-214-002), C-1 (Limited Commercial) Zone, Ward 6 (Mack). (NOTE: This item to be heard in conjunction with Morning Session Item 74) The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted 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 subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open for Item 137 [SUP-5189] and Item 74 [Massage License at 4588 North Rancho Drive].

JEFF and KELLI WOLF, 4588 North Rancho Road, submitted a letter of support from the daycare facility.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed for Item 137 [SUP-5189] and Item 74 [Massage License at 4588 North Rancho Drive].

(2:27 - 2:28)

2-3149

CONDITIONS:

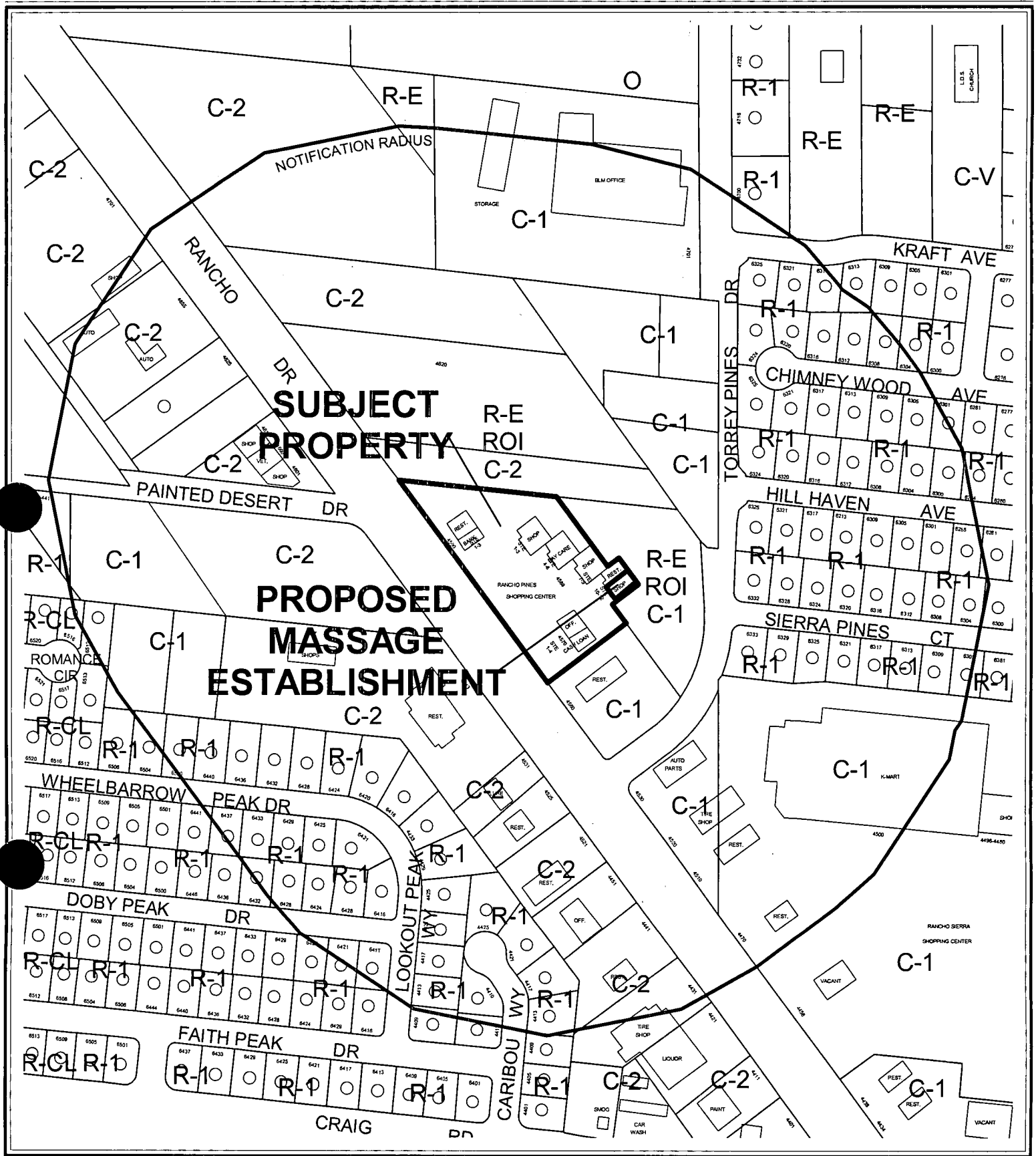
Planning and Development

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

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

CONDITIONS - Continued:

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



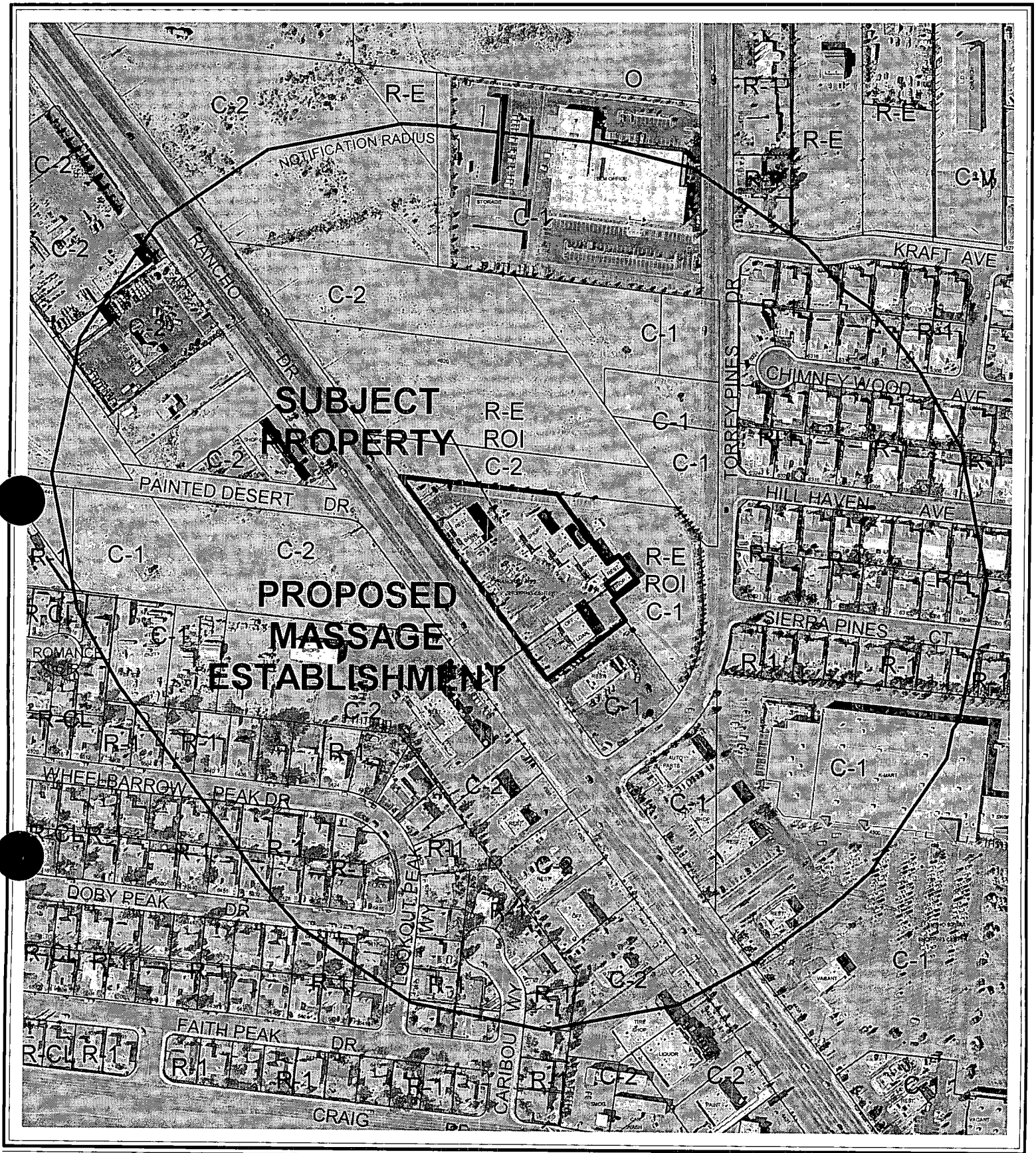
CASE: SUP-5189

RADIUS: 750 FT

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

0 200 400 Feet





CASE: SUP-5189

RADIUS: 750 FT

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



SUP-5189

Protected Landuses

-  Parks
-  Religious
-  Schools

Business Licenses

-  Massage Establishment
-  Child Care/ Children Facility

-  Subject Property
-  Buffers

0 315 630 1,260 Feet



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Richard & Roberta Good

Name of Applicant: Same as above

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

 Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

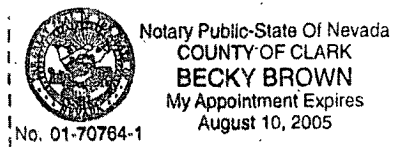
Signature of Property Owner/Authorized Agent: Roberta Good Richard Good

Print Name: Richard & Roberta Good

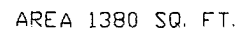
State of Nevada
County of Clark
Subscribed and sworn before me

This 20th day of August, 2004

Becky Brown
Notary Public in and for said County and State



2. **ROOF TRUSS CONNECTION:**
USE W/8X10 OR E24145 HANGBRACE TIES AT 24" O.C.
ALL JOINTS BETWEEN MEMBERS TIED AT SUPPORT.
3. **ROOF TRUSS BRACING:**
USE W/8X10 OR E24145 HANGBRACE TIES AT 24" O.C.
ALL JOINTS BETWEEN TRUSSES AT SUPPORT.
4. **BEAM BRACE - "A" - "E" - "F" - "G"**
USE W/8 X 10 PLATE OR E24145 BEAM BRACE NAILS BY 6" NAILS AT 8" O.C.
HOLD DOWN
W/8 X 10 W/8TH A.D. OR STRONG STRAP
BEAM END
L/8TH STRAP B. LOCKING AT W/8HEAD + BULL PLATE
N/8TH PLATE AT ALL OTTHS IN BEAM WALLS.
5. **BEAM BRACE - "H" - "I" - "J" - "K"**
USE W/8 X 10 PLATE OR E24145 BEAM BRACE NAILS BY 6" NAILS AT 8" O.C.
HOLD DOWN
W/8 X 10 W/8TH A.D. OR STRONG STRAP
BEAM END
L/8TH STRAP B. LOCKING AT W/8HEAD + BULL PLATE
N/8TH PLATE AT ALL OTTHS IN BEAM WALLS.
6. **W/8TH BRACE:**
W/8TH BRACE AT EACH END PLACED AT TOP OF WALL ELEVATION.
7. **W/8TH ANCHORAGE:**
ANCHOR 10" DIA. AT 4" O.C. AT 4" O.C. IF BRIDGEHEAD. USE 10" DIA. W/8 PLATE BRACE + LOCKING NUT. PROVIDE 1" DIA. W/8TH BRACE CLEARING 1" DIA. HOLE IN INTERIOR PARTITION WALLS BUT SUBSTITUTE 3/4" DIA.
8. **W/8TH BRACE:**
ANCHOR 6" O.D. OR 6" DIA. OF 6" W/8HEAD
10" DIA. W/8TH BRACE AT 4" O.C. AT 4" O.C.



DETACHED STRUCTURE ADDITION

NOTE:

6. FLOOR FINISHES AS SELECTED BY OWNER
7. LIGHT FIXTURES PROVIDED BY OWNER & INSTALLED BY CONTRACTOR
8. CONTRACTOR TO COORDINATE ALL ARCHITECTURAL PLANS WITH STRUCTURAL DRAWINGS AND CALC'S.



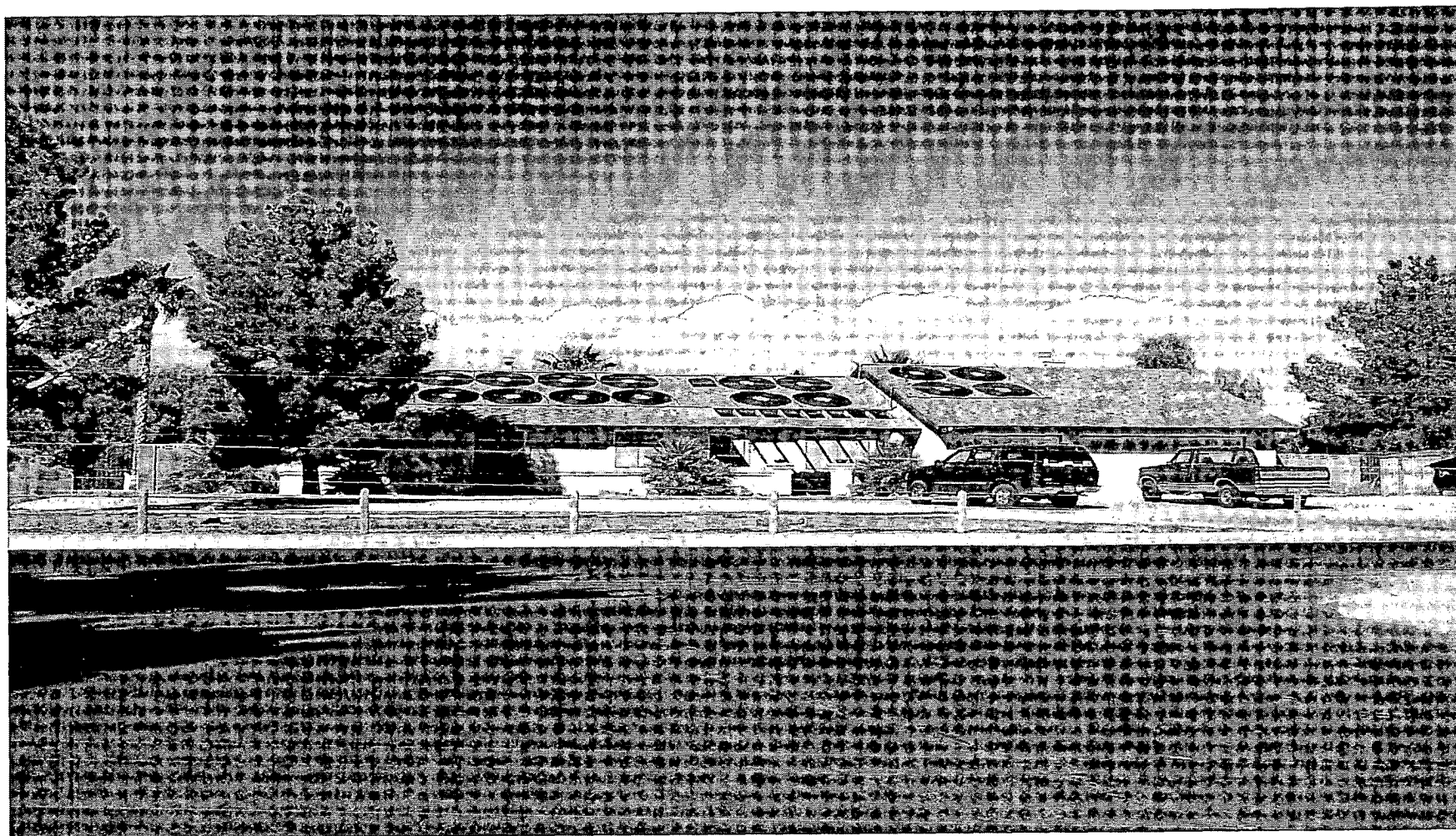
GRAPHIC SCALE

PROJECT NUMBER: HSOJ0802 - PG
DRAWN BY: "
CHECKED BY: -
CAD FILE: HSOJ02-6294P
DATE: 8/16/2004
SCALE: AS NOTED
SHEET NUMBER:

SHEET NUMBER:

A-2

SUP-5148
10/21/04 PC



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

10/04/04

November 9, 2004

City Clerk, Barbara Jo Ronemus
1st Floor, City Hall
400 Stewart Ave.
Las Vegas, NV 89101

Re: SUP-5148

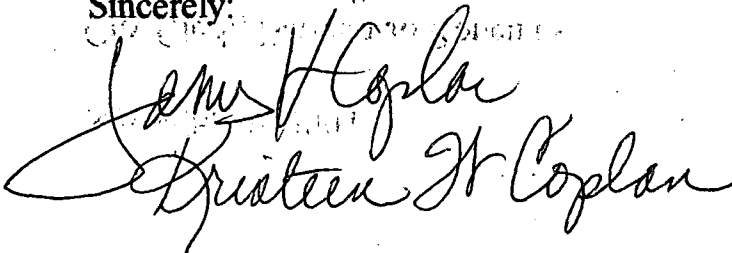
Protest

Dear Ms. Ronemus;

This letter is in response to an application of a request for a special use permit, SUP-5148. (attached)

We, James H. & Kristeen W. Coplan are OPPOSED to this building permit. We feel if we let one person in our neighborhood build this kind of a structure it will leave the door open for all to come in and build Guest Houses to rent out. This is a single home neighborhood, not an apartment complex area.

Sincerely:



James H. Coplan
Kristeen W. Coplan

2004 NOV 12 P 1:26

RECEIVED
CITY CLERK

Submitted after final agenda

Date 11/12/04 Item# 134

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

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

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Base conditions for the approval of a Special Use Permit for a Massage Establishment (City of Las Vegas Title 19.04 .050.B) shall be satisfied, except for minimum distance separation requirements, which are hereby waived.
3. Staff of the Massage Establishment shall maintain all City and/or State required Massage Therapy Licenses, without lapse.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

Request for a Special Use Permit for a Massage Establishment and a Waiver from the 400 foot distance separation requirement from a childcare facility and residential parcels at 4588 North Rancho Drive, Suite #12.

B) Applicant's Justification

This business's foundation is therapeutic intervention through massage. The requested Waiver is supported by the daycare business, which operates in the same retail development.

BACKGROUND INFORMATION

A) Previous Actions

- 02/16/00 City Council approved a request for a Special Use Permit (U-0145-99) at this location for a proposed 3,000 square foot wedding chapel and existing 19,500 square foot retail center (Rancho Pines Shopping Center).
- 10/31/02 The Planning and Development Department approved a request for an Administrative Site Development Plan Review (SDR-1078) for a proposed 650 square foot addition to an existing retail building.
- 04/24/03 The Planning Commission approved a request by the City's Planning and Development Department for a Text Amendment (TXT-1506) to amend Title 19.04 to allow massage establishments with approval of a Special Use Permit in the C-1 (Limited Commercial), C-2 (General Commercial), C-PB (Planned Business Park), C-M (Commercial Manufacturing) and M (Manufacturing) zoning districts.
- 10/21/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #69/srs).

B) Pre-Application Meeting

- 08/23/04 Elements of a Special Use Permit were discussed. The applicant was informed that a waiver for the distance separation requirement from a child care business would have to be requested for approval by the Planning Commission and City Council.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 2.41

B) *Existing Land Use*

Subject Property: Shops and Restaurants
North: Undeveloped
South: Shops
East: Undeveloped
West: Undeveloped

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: C-1 (Limited Commercial)
North: R-E (Residential Estates) under Resolution of Intent to C-2 (General Commercial)
South: C-1 (Limited Commercial)
East: R-E (Residential Estates) under Resolution of Intent to C-1 (General Commercial)
West: C-2 (General Commercial)

E) *General Plan Compliance*

This property is located in the Centennial Hills Sector of the General Plan. Its designation is SC (Service Commercial). The existing C-1 (Limited Commercial) zoning is compatible with this land use designation.

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

A multi-use transportation trail runs along the east side of Rancho Drive, along the west property line of subject parcel.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses		Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Massage Establishment	3 Massage tables	Two spaces per massage room, table or chair, with a minimum of six spaces	6	1	22	4

There is sufficient parking to accommodate the use.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Massage Establishment	May not be located within 400 feet of any church, synagogue, school, city park, child care facility, or any parcel zoned for residential use May not be located within 1,000 feet of any other massage establishment	NO. A child care facility is located 110 feet away NO. 16 residences are located within 400 feet. No other massage establishments within 1,000 feet

The proposed Massage Establishment does not meet the 400-foot distance separation requirement from a childcare facility and parcels zoned for residential use. The applicant has requested a waiver from this base condition of the Special Use Permit.

B) General Analysis and Discussion

- Zoning

The subject property is zoned C-1 (Limited Commercial). The Massage Establishment use is permitted in this zoning district with approval of a Special Use Permit.

- Use

The proposed Massage Establishment will occupy a suite within the Rancho Pines Shopping Center, a one-story retail/office complex. The type of massage that will be practiced will be strictly therapeutic. The business would function similar to a typical medical office. According to the floor plan, 3 rooms will be designed for therapy, with a table in each room.

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

- Conditions

Title 19.04.050 lists the following specific base conditions for the approval of a Special Use Permit request for a Massage Establishment:

- (1) The use shall comply with all applicable requirements of LVMC Title 6.
- (2) The use must be located on a secondary thoroughfare or larger.
- (3) The use may not be located within four hundred feet of any church, synagogue, school, City park, childcare facility, or any parcel zoned for residential use.
- (4) The use may not be located within one thousand feet of any other massage establishment.
- (5) The hours of operation shall be limited to the period between eight a.m. and nine p.m., unless further limited by the City Council on a case-by-case basis.

The request needs all the conditions with the exception of number 3.

FINDINGS

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

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

The proposed Massage Establishment will be offering a medical service typical of other offices. The use is permitted within the C-1 (Limited Commercial) zoning district with approval of this Special Use Permit. The fact that the proposed Massage Establishment will be located on property that is less than 400 feet from residentially-zoned parcels is mitigated by screening provided by walls on the east property lines.

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

The subject site can easily accommodate the impacts of the proposed Massage Establishment, which are expected to be minimal.

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

The subject site is accessed via the Rancho Drive, an 100-foot wide Primary Arterial as designated on the Master Plan of Streets and Highways. These roadways will be adequate in capacity to meet the expected needs of the proposed Massage Establishment use.

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

The proposed Massage Establishment will be subject to inspections for business licensing and for a Certificate of Occupancy, and will not compromise the public health, safety or welfare.

NOTICES MAILED 128 by City Clerk

APPROVALS 0

PROTESTS 0

From:

09/01/2004 23:51 #543 P.014



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5189** APN: 138-02-214-002

Name of Property Owner: RANCHO PINES L.P.

Name of Applicant: Jeff and Kelli Wolf

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

 Yes

 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: Arac Lasky ELI SHAHMOON

Subscribed and sworn before me

This 3 day of September, 2004 Personally appeared Eliya Shahmoon,

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

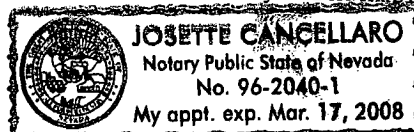
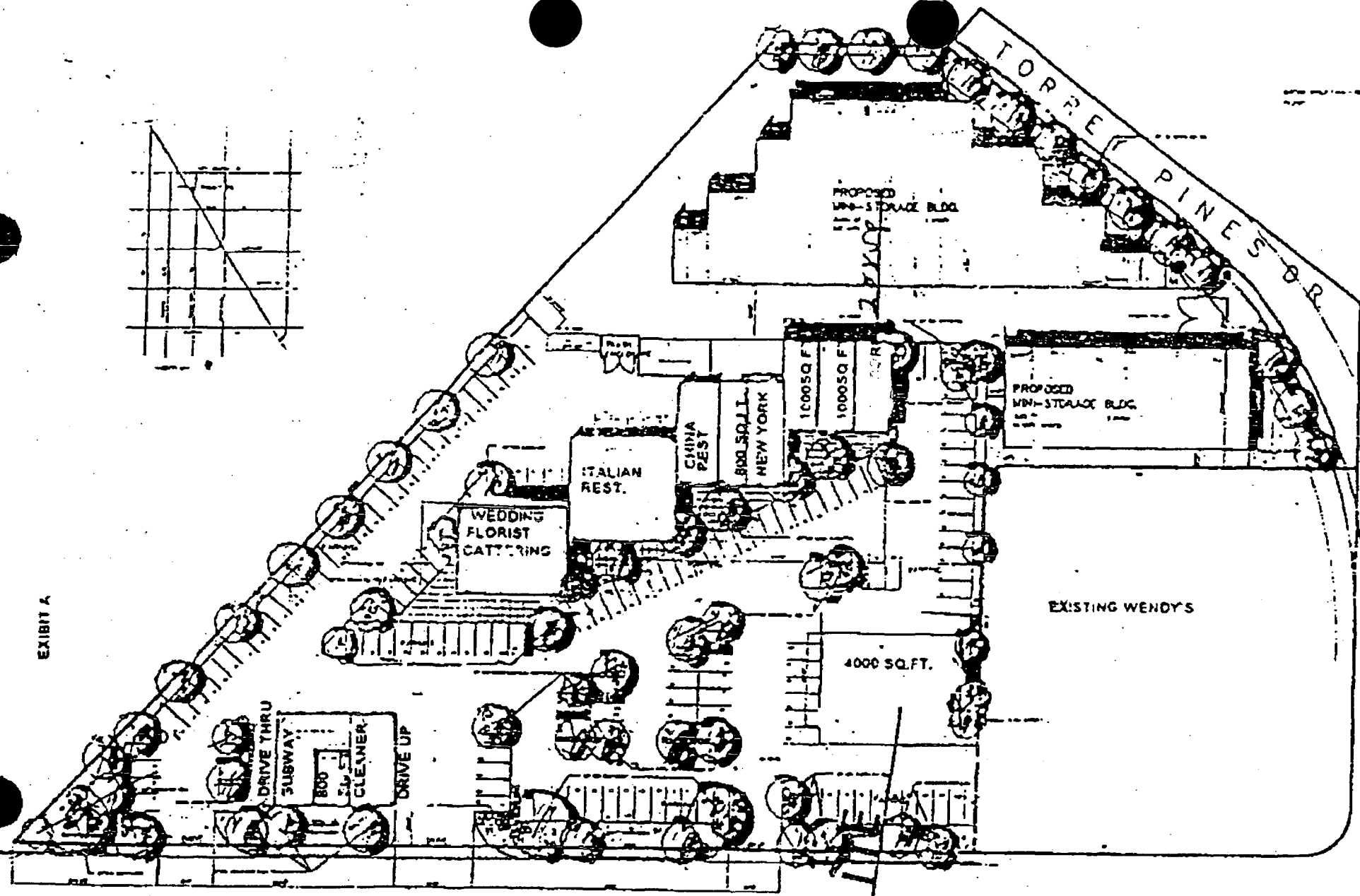


EXHIBIT A



RANCHO DRIVE

PRELIMINARY
LANDSCAPE PLAN
7-14-07



NO. 1	1/2" = 1' - 0"
NO. 2	1/4" = 1' - 0"
NO. 3	1/8" = 1' - 0"
NO. 4	1/16" = 1' - 0"
NO. 5	1/32" = 1' - 0"
NO. 6	1/64" = 1' - 0"
NO. 7	1/128" = 1' - 0"
NO. 8	1/256" = 1' - 0"
NO. 9	1/512" = 1' - 0"
NO. 10	1/1024" = 1' - 0"
NO. 11	1/2048" = 1' - 0"
NO. 12	1/4096" = 1' - 0"
NO. 13	1/8192" = 1' - 0"
NO. 14	1/16384" = 1' - 0"
NO. 15	1/32768" = 1' - 0"
NO. 16	1/65536" = 1' - 0"
NO. 17	1/131072" = 1' - 0"
NO. 18	1/262144" = 1' - 0"
NO. 19	1/524288" = 1' - 0"
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NO. 31	1/2147483648" = 1' - 0"
NO. 32	1/4294967296" = 1' - 0"
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SUP-5189
10/21/04 PC

RECEIVED
SEP 07 2004



SUP-5189 - APPLICANT: JEFF & KELLI WOLF - OWNER: RANCHO PINES, LP
4588 NORTH RANCHO DRIVE, SUITE #12
OCTOBER 21, 2004 PLANNING COMMISSION

10/04/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-5191 - PUBLIC HEARING - APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC. - Request for a Special Use Permit FOR A CHILD CARE CENTER TO ACCOMMODATE A MAXIMUM OF 186 CHILDREN adjacent to the southwest corner of Tule Springs Road and Farm Road (a portion of APN 125-16-301-001 and 002), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open for Item 138 [SUP-5191] and Item 139 [SDR-5192].

GEORGE ROGERS, Architect, 4625 South Polaris Avenue, appeared on behalf of the applicant, concurred with the recommendation and noted the neighbor to the east appeared at the Planning Commission hearing in support. COUNCILMAN MACK pointed out that, east of this property, a development by Richmond American Homes was approved and the area is in need of this type of service. He expressed gratitude for the selection of this area and wished the applicant good luck. The representative confirmed completion is projected for September 2005.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed for Item 138 [SUP-5191] and Item 139 [SDR-5192].

(2:29 - 2:32)

2-3269

CONDITIONS:

Planning and Development

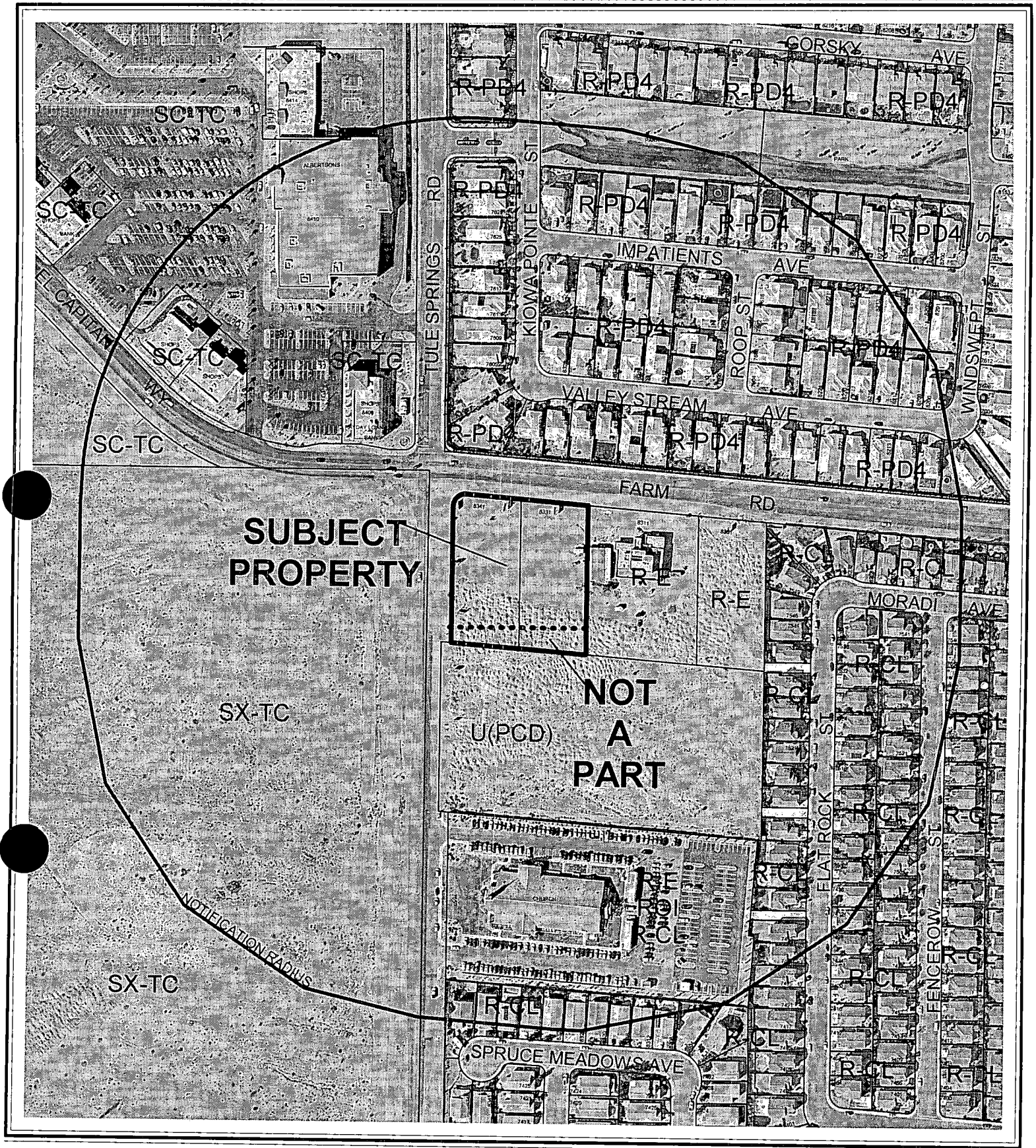
1. Conformance to all Minimum Requirements under Title 19.04.040 for Child Care Center (More Than 12 Children) use.

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

CONDITIONS - Continued:

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5192).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.





CASE: SUP-5191

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5191 - APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC.

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.040 for Child Care Center (More Than 12 Children) use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5192).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Special Use Permit for a Child Care Center to accommodate a maximum of 186 children adjacent to the southeast corner of Tule Springs Road and Farm Road.

B) Applicant's Justification

The applicant justifies this application by stating; "The building should recognize a scale and character that will provide a sensitive transition for the residential property to the south and east as well as a pleasing addition to the residential character of this portion of Tule Springs Road and Farm Road."

BACKGROUND INFORMATION

A) Previous Actions

- 10/07/04 The Planning Commission will consider a Rezoning (ZON-5087) application for the reclassification of property from R-E (Residence Estates) and U (Undeveloped) zone [PCD (Planned Community Development) General Plan designation] to R-PD8 (Residential Planned Development - 8 Units Per Acre) on 6.3 acres adjacent to the southeast corner of Farm Road and Tule Springs Road. This application will impact a portion the subject parcels. Staff recommended approval.
- 10/07/04 The Planning Commission will consider a Site Development Plan Review (SDR-5088) application for a proposed 51-lot single-family development on 6.3 acres adjacent to the southeast corner of Farm Road and Tule Springs Road. This application will impact a portion the subject parcels. Staff recommended approval.
- 10/21/04 The Planning Commission recommended approval of a Site Development Plan Review for a proposed 11,000 square foot Child Daycare Center located adjacent to the southeast corner of Tule Springs Road and Farm Road. Staff recommended approval.
- 10/21/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #70/pl).

B) Pre-Application Meeting

- 08/17/04 A pre-application conference was held resulting in the following comments:

1. The parking requirements shall be one space per staff member plus one space per every ten children.
2. The proposed trash enclosure is to be relocated away from the south property line.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 1.53 acres

B) *Existing Land Use*

Subject Property: Undeveloped
North: Single Family Residential
South: Undeveloped (Proposed Single Family Residential Subdivision)
East: Single Family Residential
West: Undeveloped

C) *Planned Land Use*

Subject Property: PCD (Planned Community Development)
North: L (Low Density Residential)
South: PCD (Planned Community Development)
East: PCD (Planned Community Development)
West: TC (Town Center)

D) *Existing Zoning*

Subject Property: R-E (Residential Estates)
North: R-PD4 (Residential Planned Development - 4 Units Per Acre)
South: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
East: R-E (Residence Estates)
West: T-C (Town Center)

E) *General Plan Compliance*

The subject site is designated PCD (Planned Community Development) within the Centennial Hills Sector of the General Plan. The Planned Community Development category allows for a mix of residential uses (single-family detached, single-family attached, condominiums, apartments, townhouses, etc.) provided the overall density does not exceed eight dwelling units per gross acre. Compatibility with adjacent development is also a factor in determining appropriate density. In addition, limited commercial, public facility and office uses may be

incorporated as part of an overall master plan. The subject site is currently within a R-E (Residence Estates) zoning district. The current zoning is in conformance with the PCD (Planned Community Development) General Plan designation. The proposed commercial use is permitted within an R-E (Residence Estates) zoning district by means of an approved Special Use Permit.

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

There are no special plans or overlays that affect the subject site.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Child Care Center (More Than 12 Children)	11,000 SF.	1 Space / Staff Member plus 1 space / 10 students	34	2	43	2

The proposed development exceeds the required amount of parking set forth by Title 19.10.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Child Care Center (More Than 12 Children) use.

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

Standards	Code Requirement	Provided
Trash Enclosure	No	Yes

The proposed development includes a trash enclosure. The subject trash enclosure meets the required distance separation from residential uses to the north, east and south.

B) General Analysis and Discussion

- Zoning

The subject parcels are zoned R-E (Residence Estates). A Child Care Center is a permitted use within the R-E (Residence Estates) zoning classification with the approval of a Special Use Permit, as is the case for all residential zones where this use is permitted.

- Use

A Child Care Center is any commercial facility in which day or overnight care is provided for more than 12 children. The applicant's justification letter indicates that the proposed Child Care Center will serve a maximum of 186 children. The applicant has not indicated the hours of operation.

The Child Care Center is to be located within a proposed 11,000 square foot building in the southeast portion of the site. Playground areas are proposed to the east, south and west of the proposed building. The site meets current parking code standards.

- Conditions

Pursuant to Title 19.04 the following base conditions shall apply:

- (1) Access to the child care center shall be by means of a collector street or larger.
- (2) The maximum lot coverage shall not exceed thirty percent.
- (3) The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site. The layout of driveways, circulation patterns and parking shall be approved by the City Traffic Engineer prior to the issuance of any building permits.
- (4) Where structures or play areas have residential adjacency:
 - (a) An eight-foot high block wall shall be installed along the common property line, with an additional buffer of evergreen trees along the play area. The trees shall be a minimum of twenty-four inch box and shall be installed at a minimum of twenty feet on center and shall be a variety that will grow together to form a visual screen.
 - (b) The building entrance and access shall be oriented away from residential uses on local streets.
 - (c) Outdoor play shall be limited to daylight hours.
 - (d) Outdoor lighting shall be designed so as to not shine directly onto any abutting residential property.
- (5) The use is subject to the childcare regulations and standards of the Department of Finance and Business Services.

The proposed Child Care Center appears to be in conformance with the before mentioned conditions.

FINDINGS

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

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

The proposed Child Care center will be an appropriate use adjacent to other community uses and nearby to single-family and multi-family residential uses, with sufficient landscaping and visual buffering incorporated in the design. Additionally, the use can be conducted in a harmonious and compatible manor with the surrounding community.

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

The proposed site is designed to facilitate the demands of a Child Care Center use. The play areas are significantly screened from adjacent properties.

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

The overall site is bounded by Tule Springs Road, designated as Frontage (80-foot) Street on the Master Plan of Streets and Highways, to the west and by Farm Road, designated Secondary (80-foot) Collector on the Master Plan of Streets and Highway, to the north. Primary access to the site will be from both Tule Springs Road and Farm Road. These streets will be adequate to provide access to the subject site for the intensity of development that will be allowed on this site.

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

The proposed Child Care Center will be subject to inspections for building and licensing, which will ensure that the public health, safety and general welfare will be safeguarded.

NOTICES MAILED 148 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5191** APN: 125-16-301 (001 & 002)

Name of Property Owner: Sandcastle Enterprises, Inc.

Name of Applicant: Carol Levins

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

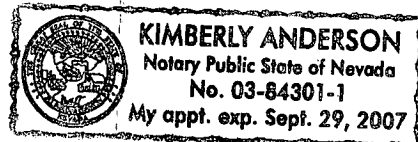
Signature of Property Owner/Authorized Agent: Carol Levins

Print Name: CAROL LEVINS

Subscribed and sworn before me

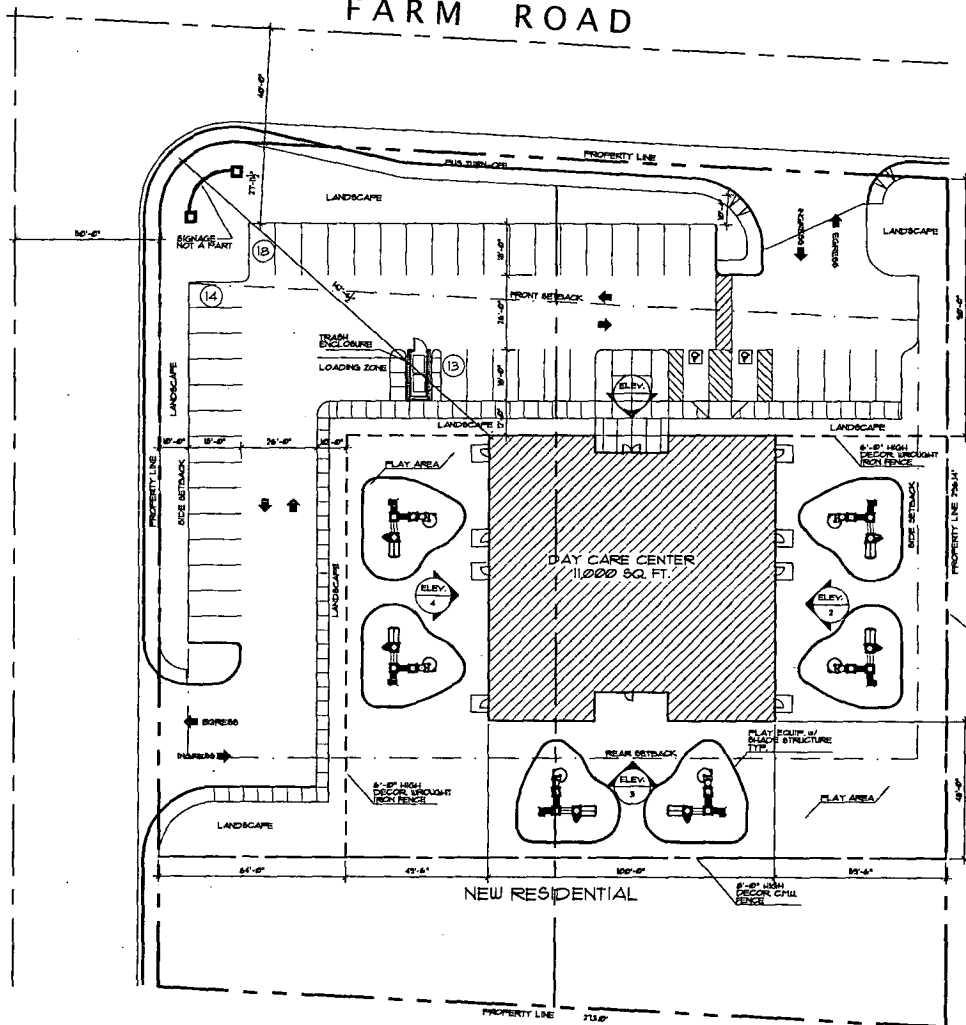
This 2nd day of September, 2004

Kimberly Anderson Clark, NV
Notary Public in and for said County and State

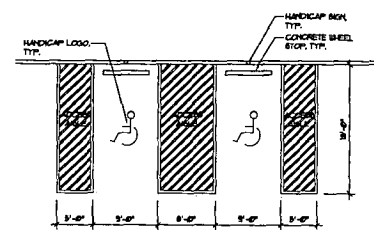
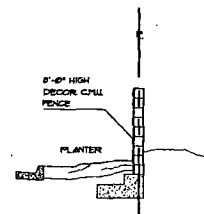


TULE SPRINGS ROAD

FARM ROAD

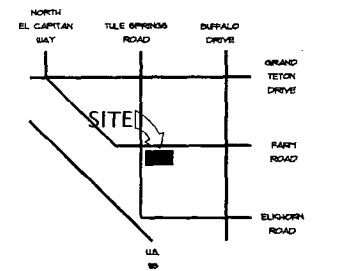


WALL DETAIL
SCALE: 1/4" = 1'-0"



PARKING DETAIL
SCALE: 1/8" = 1'-0"

PROJECT DATA (CITY OF LAS VEGAS)		
PROPERTY ADDRESS:	800 TULE SPRINGS & FARM LAS VEGAS, NV 89101	
JURISDICTIONAL AGENCY:	LAS VEGAS (TITLE 19)	
CURRENT ZONING:	R-E (RURAL ESTATES)	
DESIRED ZONING:	R-E (RURAL ESTATES)	
BUILD. SETBACKS	MIN. DIST. REQ'D.	PROVIDED
FRONT	50'-0"	50'-0" (N)
REAR	10'-0"	10'-0" (E)
STREET CORNER	10'-0"	10'-0" (S)
REAR	10'-0"	10'-0" (W)
ADDRESSOR'S PARCEL NO.:	05-16-341 (001, 002)	
LEGAL DESCRIPTION:	0000	
NET SITE AREA:	66,663 SF (1.53 ACRES)	
BUILDING HEIGHT:	ALLIGABLE	2 STORES/30'-0"
AREA BATHARY:	26'-0"	
NEW BLDG.:	DAY CARE CENTER 11,000 SF.	
TOTAL	11,000 SF (GFA)	
ON SITE PARKING		
PARKINGS REQUIRED:	36	CL. TAB. TABLE 1
UNB. STUDENTS + STAFF	186 STUDENTS + STAFF	
HANDICAP PARKING	2	CL. TAB. TABLE 2
PARKINGS PROVIDED:	2	
TOTAL PARKINGS PROVIDED:	48	
REGULAR SPACE	5'-0" x 10'-0"	
ACCESSIBLE SPACE (VAN)	13'-0" x 10'-0" (11'-0" x 10'-0")	



VICINITY MAP
SCALE: N.T.S.

SITE PLAN
SCALE: 1"=20"



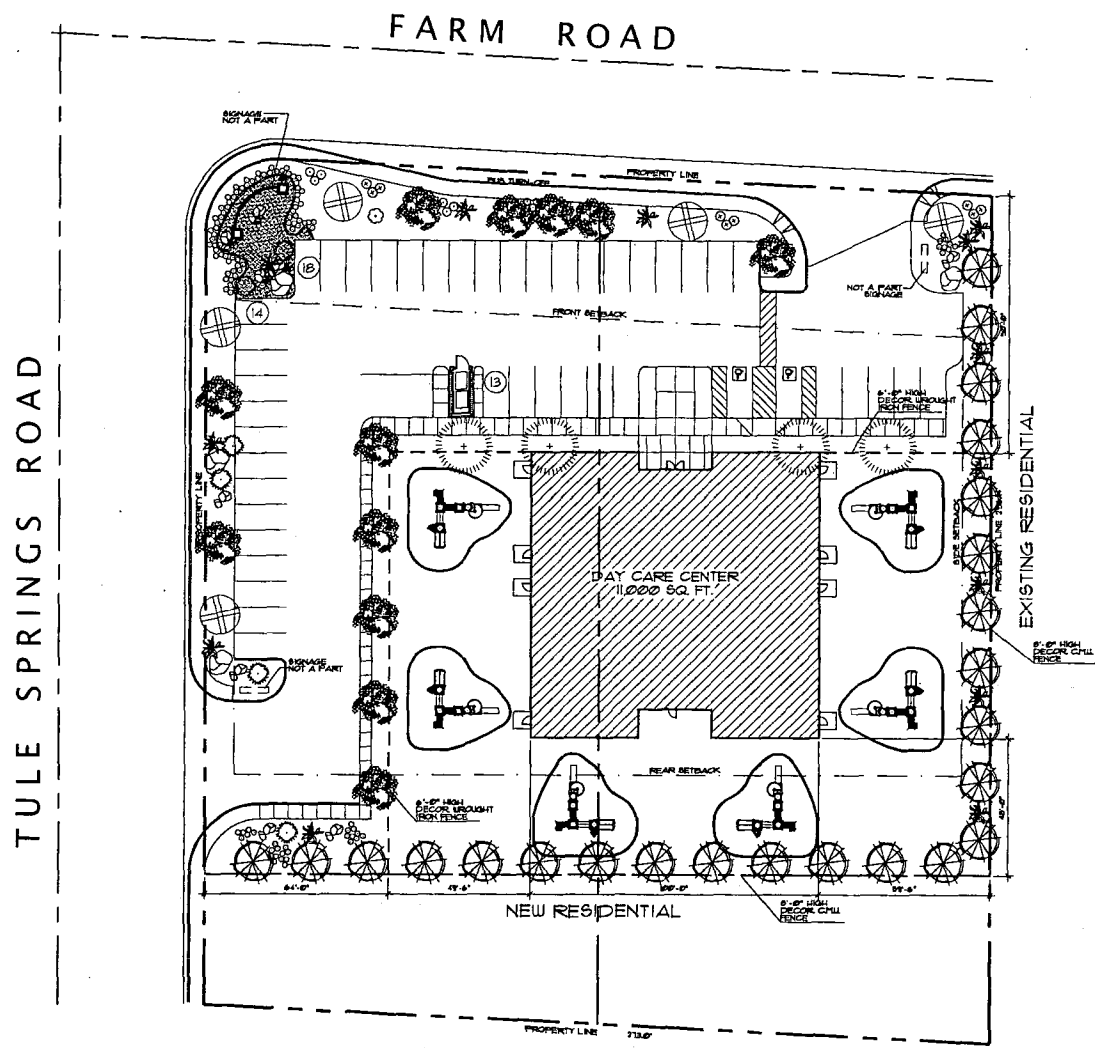
TULE SPRINGS & FARM ROAD
LAS VEGAS, NEVADA



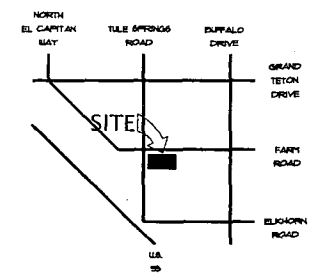
4625 S. Polaris Avenue
Suite 216
Las Vegas, Nevada 89103
(702) 894-6827
Fax (702) 894-6028
www.gmrarchitect.com

DATE: 07 SEPTEMBER 2004
JOB NO.: 04-323

RECEIVED **SUP-5191**
SEP 07 2004 **10/21/04 PC**



PLANT MATERIALS SCHEDULE			
TREES/PALMS			
COLLECTION NAME	BOTANICAL NAME	SIZE	QUANTITY
BLUE PALO VERDE	CERODENDRUM FLORIDUM	24" BOX	23
THORNTLESS GREEN MESQUITE	PROSOPIA CHLORIS	24" BOX	21
MEDITERRANEAN FAN PALM	CHAMPAEROPS HEBERLEI	8" BTH	6
MEXICAN FAN PALM	WASHINGTONIA ROBUSTA	8" BTH	10
MONDEL PINE	PINUS ELDARICA	24" BOX	34
TOTAL			100
SUGGESTIVE SHRUBS/GROUND COVERS			
COLLECTION NAME	BOTANICAL NAME	SIZE	QUANTITY
PEASHY CASSIA	SENNA ARTEMISIOIDES	1 GAL.	AS SHOWN
MEXICAN BIRD OF PARADISE	CAESALPINIA PULCHERRIMA	5 GAL.	AS SHOWN
RED YUCCA	HESTERALOE PARVIFOLIA	1 GAL.	AS SHOWN
OCOTILLO	FOUQUIERIA SPLENDENS	10 GAL.	AS SHOWN
GREEN CLOUD TEXAS RANGER	LEUCOPHYLLUM P.	5 GAL.	AS SHOWN
TRAILING LANTANA	LANTANA MONTEVIDENSIS	5 GAL.	AS SHOWN
MISC.			
LARGE ROCK/BOULDERS	POLYVAE GOLD 2' X 4' MIN. (800 100 TONS)		
GRAVEL MULCH	POLYVAE GOLD 3/4" MIN. NO PIES		

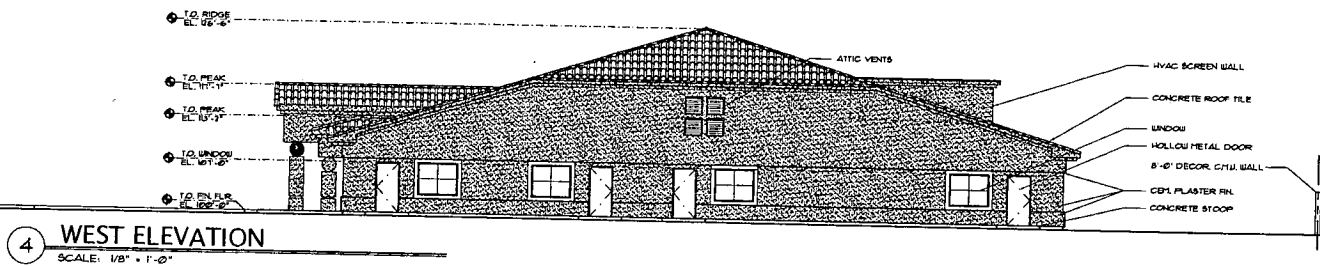
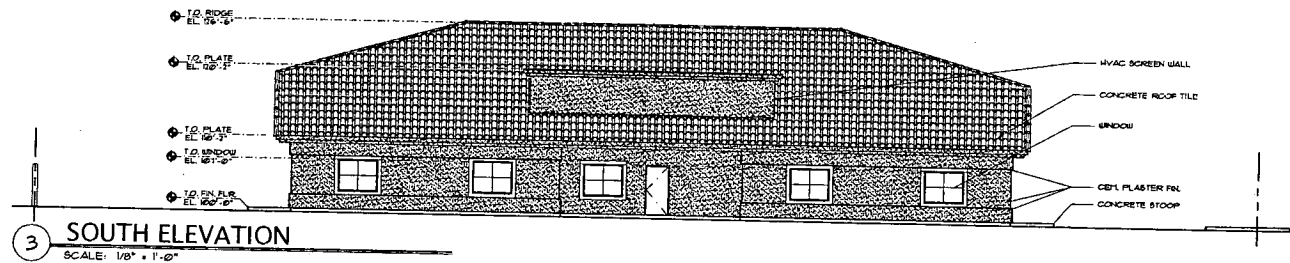
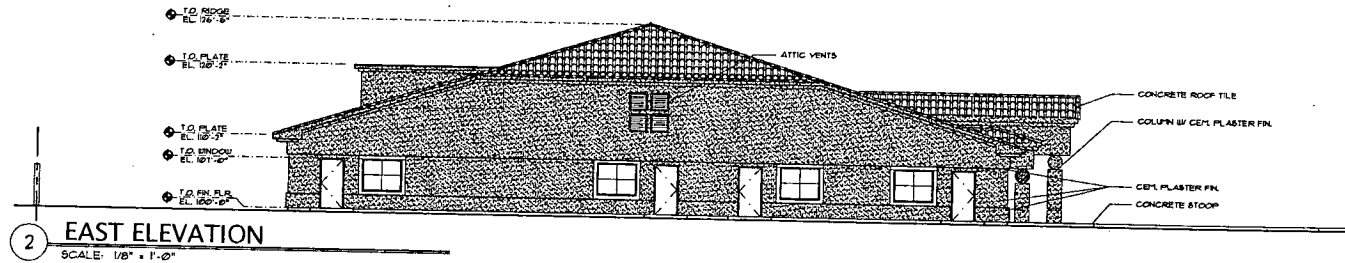
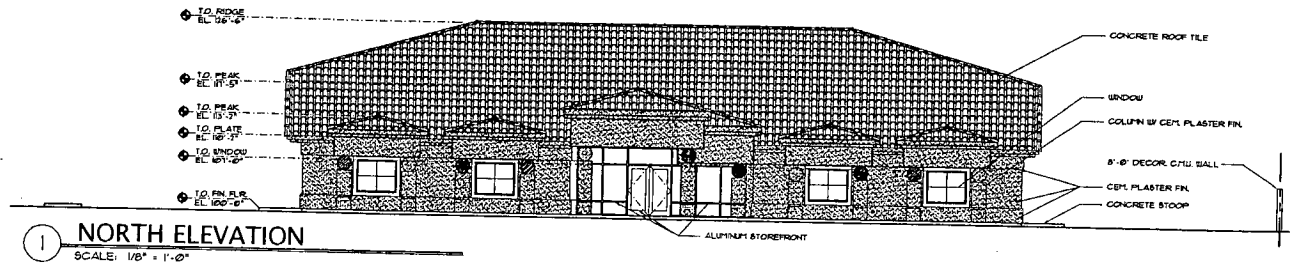


GMRA
George M. Rogers, Architect
Architecture & Interiors
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Las Vegas, Nevada 89103
(702) 894-5027
Fax (702) 894-5028
www.gmrarchitect.com

DATE: 07 SEPTEMBER 2004
JOB NO.: 04-323

LANDSCAPE PLAN SCALE: 1"=20" TULE SPRINGS & FARM ROAD LAS VEGAS, NEVADA

RECEIVED
SEP 07 2004
VICINITY MAP
SCALE: N.T.S.
SUP-5191
10/21/04 PC



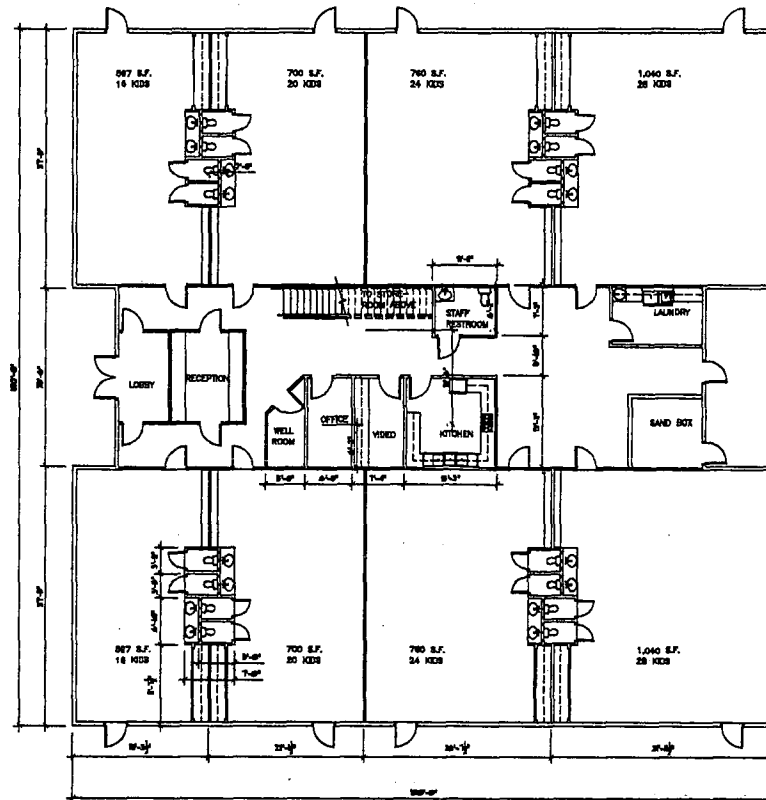
4525 S. Polaris Avenue
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Fax (702) 894-5028
www.gmraarchitect.com

DATE: 07 SEPTEMBER 2004
JOB NO.: 04-323

TULE SPRINGS & FARM ROAD
LAS VEGAS, NEVADA

SUP-5191
10/21/04 PC

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SEP 07 2004



1 FLOOR PLAN
SCALE: 1/8" = 1'-0"

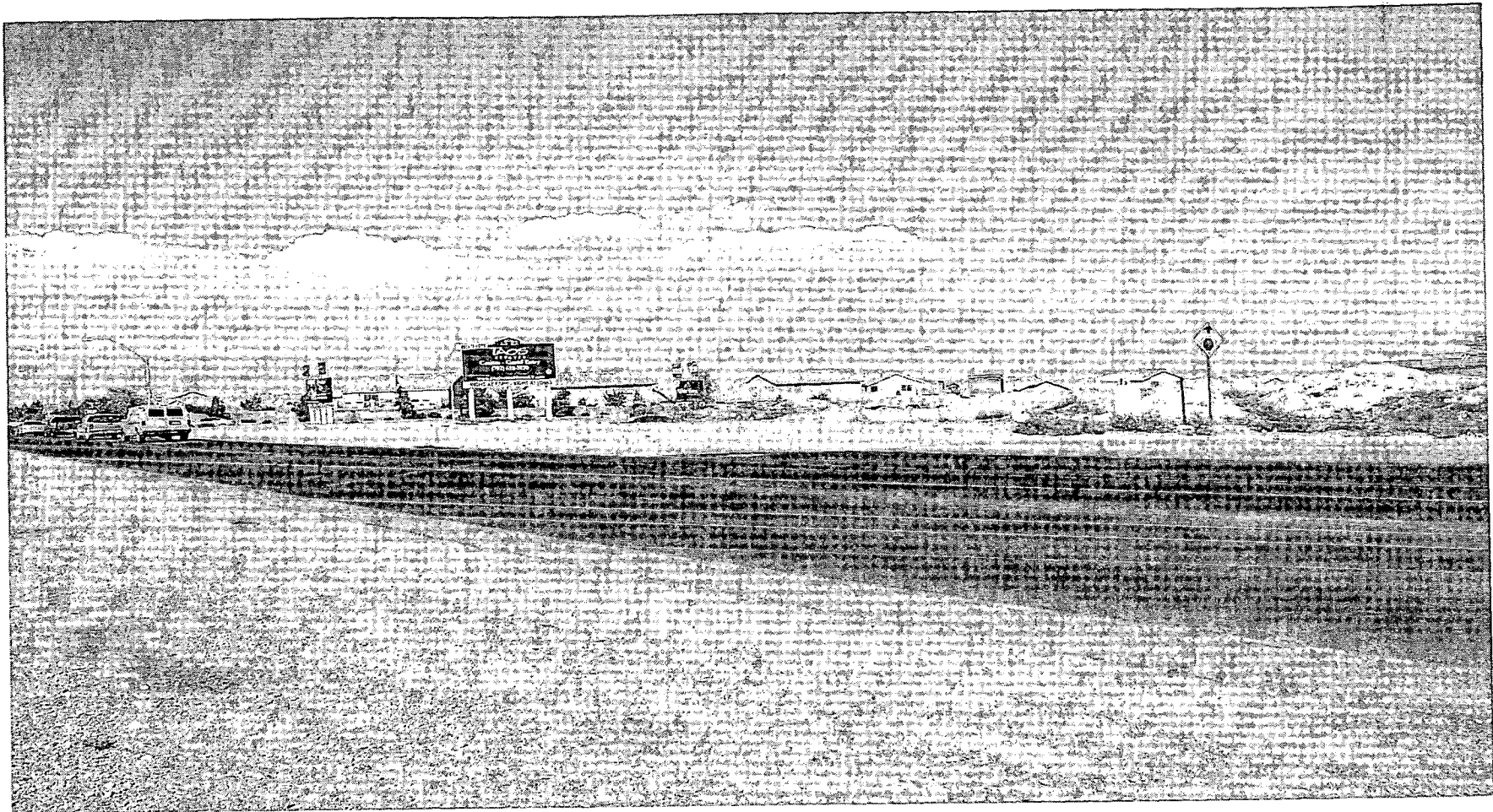


DATE: 07 SEPTEMBER 2004
JOB NO.: 04-323

TULE SPRINGS & FARM ROAD
LAS VEGAS, NEVADA

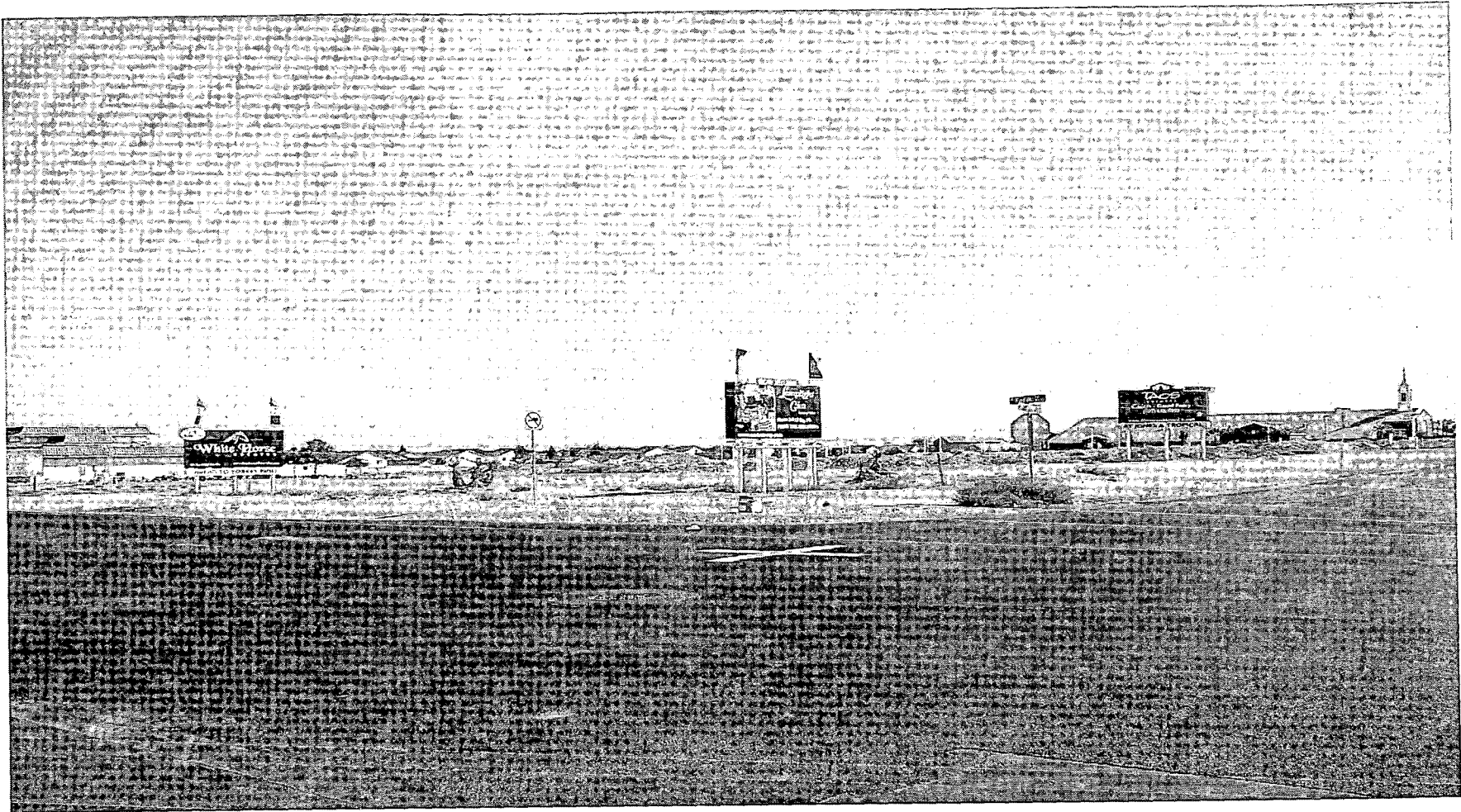
RECEIVED

SUP-5191 SEP 07 2004
10/21/04 PC



SUP-5191 - APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC.
SOUTHWEST CORNER OF TULE SPRINGS ROAD AND FARM ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/01/04



SUP-5191 - APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC.
SOUTHWEST CORNER OF TULE SPRINGS ROAD AND FARM ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/01/04



SUP-5191 - APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC.
SOUTHWEST CORNER OF TULE SPRINGS ROAD AND FARM ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/01/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5191

SDR-5192 - PUBLIC HEARING - APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC. - Request for a Site Development Plan Review FOR A CHILD CARE CENTER on 1.53 acres adjacent to the southwest corner of Tule Springs Road and Farm Road (a portion of APN 125-16-301-001 and 002), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

NOTE: See Item 138 [SUP-5191] for related discussion.
(2:29 - 2:32)
2-3269

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations date stamped September 7, 2004, except as amended by conditions herein.
3. A Reversionary Parcel Map must be submitted and approved prior to the issuance of any building permits.
4. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

CONDITIONS - Continued:

address plan shall be submitted with any future building permit applications related to the site.

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

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

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

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

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

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

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

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

Public Works

14. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the southeast corner of Tule Springs Road and Farm Road prior to the issuance of any permits.

15. Coordinate with the City Surveyor to determine whether a Merger and Re-subdivision Map or other map is necessary. Comply with the recommendations of the City Surveyor.

16. Construct half-street improvements including appropriate overpaving on Tule Springs Road and Farm Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

17. Landscape and maintain all unimproved rights-of-way on Tule Springs Road and Farm Road adjacent to this site.

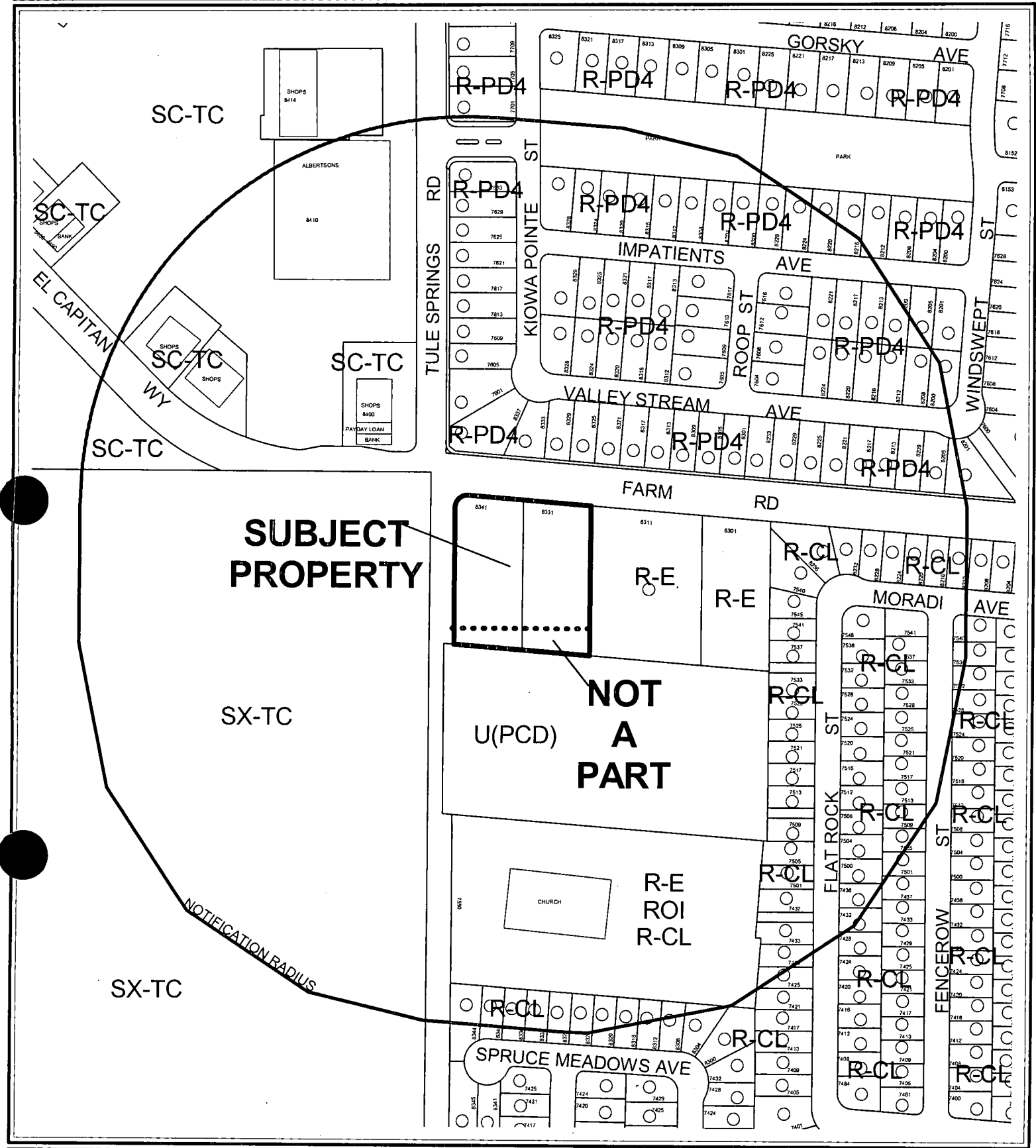
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

CONDITIONS - Continued:

18. Submit an Encroachment Agreement for all landscaping and private improvements located in the Tule Springs Road and Farm Road public rights-of-way adjacent to this site prior to occupancy of this site.

19. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

20. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



CASE: SDR-5192

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5192 - APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC.

**** CONDITIONS ****

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

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations date stamped September 7, 2004, except as amended by conditions herein.
3. A Reversionary Parcel Map must be submitted and approved prior to the issuance of any building permits.
4. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the southeast corner of Tule Springs Road and Farm Road prior to the issuance of any permits.
15. Coordinate with the City Surveyor to determine whether a Merger and Re-subdivision Map or other map is necessary. Comply with the recommendations of the City Surveyor.
16. Construct half-street improvements including appropriate overpaving on Tule Springs Road and Farm Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
17. Landscape and maintain all unimproved rights-of-way on Tule Springs Road and Farm Road adjacent to this site.
18. Submit an Encroachment Agreement for all landscaping and private improvements located in the Tule Springs Road and Farm Road public rights-of-way adjacent to this site prior to occupancy of this site.
19. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development

activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

20. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Site Development Plan Review for a proposed 11,000 square foot Child Daycare Center located adjacent to the southeast corner of Tule Springs Road and Farm Road.

B) Applicant's Justification

The applicant justifies this application by stating; "The building should recognize a scale and character that will provide a sensitive transition for the residential property to the south and east as well as a pleasing addition to the residential character of this portion of Tule Springs Road and Farm Road."

BACKGROUND INFORMATION

A) Previous Actions

- 10/07/04 The Planning Commission will consider a Rezoning (ZON-5087) application for the reclassification of property from R-E (Residence Estates) and U (Undeveloped) zone [PCD (Planned Community Development) General Plan designation] to R-PD8 (Residential Planned Development - 8 Units Per Acre) on 6.3 acres adjacent to the southeast corner of Farm Road and Tule Springs Road. This application will impact a portion the subject parcels. Staff recommended approval.
- 10/07/04 The Planning Commission will consider a Site Development Plan Review (SDR-5088) application for a proposed 51-lot single-family development on 6.3 acres adjacent to the southeast corner of Farm Road and Tule Springs Road. This application will impact a portion the subject parcels. Staff recommended approval.
- 10/21/04 The Planning Commission recommended approval of a Special Use Permit for a Child Care Center to accommodate a maximum of 186 children adjacent to the southeast corner of Tule Springs Road and Farm Road. Staff recommended approval.
- 10/21/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #71/pl).

B) Pre-Application Meeting

- 08/17/04 A pre-application conference was held resulting in the following comments:

1. The parking requirements shall be one space per staff member plus one space per every ten children.
2. The proposed trash enclosure is to be relocated away from the south property line.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.53 acres

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Residential Subdivision
South: Undeveloped (Proposed Single Family Residential Subdivision)
East: Single Family Residence
West: Undeveloped

C) Planned Land Use

Subject Property: PCD (Planned Community Development)
North: L (Low Density Residential)
South: PCD (Planned Community Development)
East: PCD (Planned Community Development)
West: TC (Town Center)

D) Existing Zoning

Subject Property: R-E (Residential Estates)
North: R-PD4 (Residential Planned Development - 4 Units Per Acre)
South: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
East: R-E (Residential Estates)
West: T-C (Town Center)

E) General Plan Compliance

The subject site is designated PCD (Planned Community Development) within the Centennial Hills Sector of the General Plan. The Planned Community Development category allows for a mix of residential uses (single family detached, single-family attached, condominiums, apartments, townhouses, etc.) provided the overall density does not exceed eight dwelling units per gross acre. Compatibility with adjacent development is also a factor in determining appropriate density. In addition, limited commercial, public facility and office uses may be incorporated as part of an overall master plan. The subject site is currently within a R-E

(Residence Estates) zoning district. The current zoning is in conformance with the PCD (Planned Community Development) General Plan designation. The proposed commercial use is permitted within an R-E (Residence Estates) zoning district by means of an approved Special Use Permit.

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

There are no special plans or overlays that affect the subject site.

PROJECT DESCRIPTION

The proposed development consists of an 11,000 square foot, one-story structure that will facilitate a Child Care Center for the area. The building is situated towards the innermost portion of the site, to allow for parking to be located in the front of the building. The floor plan depicts eight classrooms, a central lobby and reception area, as well as kitchen and other ancillary facilities. The structure is slightly over 26 feet in height, and is constructed of reinforced concrete masonry with concrete roof tile. Columns with cement plaster finish adorn the building elevations facing the right-of-way. Six play areas skirt the west, south, and east sides of the proposed building. A parking area to north and West of the building consists of 43 regular parking spaces, including two van accessible handicap parking spaces and a drop-off area. The parking area is accessed by a two-way drive from Tule Springs Road to the west and Farm Road to the north.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	20,000 Feet	1.53 Acres	Yes
Min. Lot Width	100 Feet	238 Feet	Yes

Min. Setbacks			
• Front	50 Feet	96 Feet	Yes
• Side	10 Feet	60 Feet	Yes
• Corner			
• Rear	15 Feet	113 Feet	Yes
	35 Feet	48 Feet	Yes
Max. Lot Coverage	30%*	17%	Yes
Max. Building Height	2 Stories / 35 Feet	26 ½ Feet	Yes
Trash Enclosure	Yes	Yes	Yes
Loading Zone	Yes*	Yes	Yes

*Pursuant to Title 19.04 a Child Care Center for more than 12 children must not exceed a maximum lot coverage of 30%. Additionally, the site shall be designed so that all discharging or loading of children from a vehicle is accomplished on the site.

The proposed site conforms to the development standards set forth by Title 19.08.

A2) Residential Adjacency Standards

This proposal complies with the City's Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Child Care Center (More Than 12 Children)	11,000 SF.	1 Space / Staff Member plus 1 space / 10 students	34	2	43	2

The proposed development exceeds the required amount of parking set forth by Title 19.10.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/ 6 Space	6 Trees	20 Trees
Buffer:			
• Min. Trees	1 Tree/20 Linear Feet	26 Trees	45 Trees
• Min. Zone Width			
• Front	15 Feet		15 Feet
• Side	8 Feet		8 Feet
• Wall height	8 Feet		8 Feet

The site consists of 24 Mondel Pines along the south and east property lines, which buffer the designated play areas from adjacent properties. An additional 21 trees line the building as well as the west and north property lines. A 15-foot landscape buffer exists along the Tule Springs Road frontage. An 8-foot perimeter wall is proposed along the south and east common property lines.

A5) Sign Standards

Pursuant to Title 19.14, the following Sign Standards apply to the subject proposal:

Institutional Sign: [Freestanding]

Standards	Allowed	Provided
Maximum Number	1 / Street frontage 2 total	2 / Street frontage 3 total
Maximum Area	50 SF /sign	Not Available
Maximum Height	8 Feet	NA
Minimum Setback	5 Feet	NA
Illumination	Direct/Internal	NA

The site plan calls out that the depicted signage is not a part of this site plan. However, what has been indicated is the presence of three distinct locations of signage. Title 19.14 allows one institutional (detached) sign per street frontage. The site plan illustrates one facing Tule Springs Road, one towards Farm Road, and a large planter with signage located on the corner of Tule Springs Road and Farm Road. Approval of this Site Development Plan Review does not grant approval of any indicated signage; due to all signage being reviewed the Planning Department when sign permits are applied for.

B) General Analysis and Discussion

- Zoning

A childcare center is a permitted use in the R-E (Residence Estates) zone upon approval of a Special Use Permit. Five standard conditions apply to the proposed business operation.

- Site Plan

The site plan depicts an orderly arrangement of the project, including the proposed building, recreation areas, parking, loading areas, vehicle driveways and access points.

- Waivers

There are no waiver requests associated with this application.

- Landscape Plan

The proposed landscaping, which includes 45 trees and associated shrubs and groundcover planted around the building, the parking area, the play area and along Tule Springs Road and Farm Road, appears to be appropriate for the site.

- Elevation

The submitted building elevations provide interest and variety as well as a sense of continuity.

- Floor Plan

The submitted building floor plan illustrates a continual flow from the central lobby and reception area to the rest of the building.

FINDINGS

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

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

The proposed Child Care center will be an appropriate use adjacent to other community uses and nearby to single-family and multi-family residential uses, with sufficient landscaping and visual buffering incorporated in the design.

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

The proposed project will be consistent with Title 19 and applicable City plans, policies and standards with implementation of the conditions as contained in this report.

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

The overall site is bounded by Tule Springs Road, designated as Frontage (80-foot) Street on the Master Plan of Streets and Highways, to the west and by Farm Road, designated Secondary (80-foot) Collector on the Master Plan of Streets and Highway, to the north. Primary access to the site will be from both Tule Springs Road and Farm Road. These streets will be adequate to provide access to the subject site for the intensity of development that will be allowed on this site.

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

The proposed development will be appropriate for the City, in terms of the facility layout, buildings, and vehicular and pedestrian circulation. The proposed site layout demonstrates an effective arrangement of amenities that will create a harmonious facility.

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

The building elevations provide interest and variety as well as a sense of continuity.

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

The proposed Child Care Center development will be subject to inspections for Certificate of Occupancy, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 146 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5192** APN: 125-16-301 (001 & 002)

Name of Property Owner: Sandcastle Enterprises, Inc.

Name of Applicant: Carol Levins

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

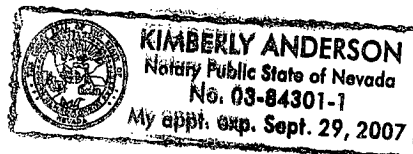
Signature of Property Owner/Authorized Agent: Carol Levins

Print Name: CAROL LEVINS

Subscribed and sworn before me

This 2nd day of September, 2004

Kimberly Anderson Clark, NV
Notary Public in and for said County and State



FARM ROAD

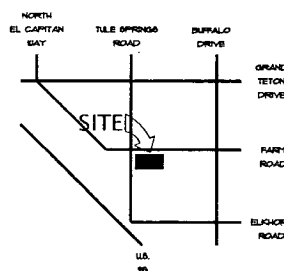


The diagram illustrates a cross-section of a curb and gutter assembly. Key components and dimensions are labeled as follows:

- HANDICAP LOOPS, TYP.**: Points to the raised circular loops on the sidewalk surface.
- HANDICAP BUSH, TYP.**: Points to the raised rectangular bump on the sidewalk surface.
- CONCRETE WHEEL BUSH, TYP.**: Points to the raised rectangular bump on the curb face.
- Dimensions**:
 - Vertical dimension: 18" (height of the curb).
 - Horizontal dimensions for the sidewalk sections: 3'-4", 9'-0", 3'-4", 9'-0", and 3'-4".

PARKING DETAIL

04-000		PROJECT OATA		CITY OF LAS VEGAS	
PROPERTY ADDRESS:	SEC TITLE APPENDIX 4 FARM 1 LAS VEGAS, NV 89301				
JURISDICTIONAL AGENCY:	LAS VEGAS (TITLE 15)				
CURRENT ZONING:	R-16 (RURAL ESTATES)				
DESIRED ZONING:	R-16 (RURAL ESTATES)				
BUILD. RETRACKS		FIN. DIST. REQ'D.		PROVIDED	
FRONT	50'-0"	50'-0"	NO		
SIDE	30'-0"	30'-0"	NO		
STREET CORNER	30'-0"	30'-0"	NO		
REAR	30'-0"	30'-0"	NO		
ASSESSMENTS PARCEL NO.:		05-16-365 (DEL 06/2)			
LEGAL DESCRIPTION:		0000			
NET SITE AREA:	666,665 SF (153 ACRES)				
BUILDING HEIGHT:	ALLOWABLE 2 STORIES/ 35'-0" 26'-6"				
AREA SUMMARY					
NEW BUILD:					
DAY CARE CENTER		1,000 SF.			
TOTAL		1,000 SF (0.0A)			
ON SITE PARKING					
PARKING REQUIRED:		36	CH. TRIP TABLE 1		
VAP STUDENTS + VISITAPP.		160	STUDENTS + VISITAPP		
HANDICAPP PARKING					
PARKING REQUIRED:		2	CH. TRIP TABLE 2		
PARKING PROVIDED:		2			
TOTAL PARKING PROVIDED: 40					
REGULAR SPACE		5'-0" x 10'-0"			
ACCESSIBLE SPACE (VAPU)		3'-0" x 10'-0" (11'-0" x 10'-0")			



VICINITY MAP

north

A simple compass rose with a circle and four lines pointing to the cardinal directions. The word 'north' is written above the top line. The lines are labeled 'north', 'south', 'east', and 'west' at their respective ends.

DATE: 07 SEPTEMBER 2004
JOB NO.: 04-323

SITE PLAN

SCALE: 1"=20'

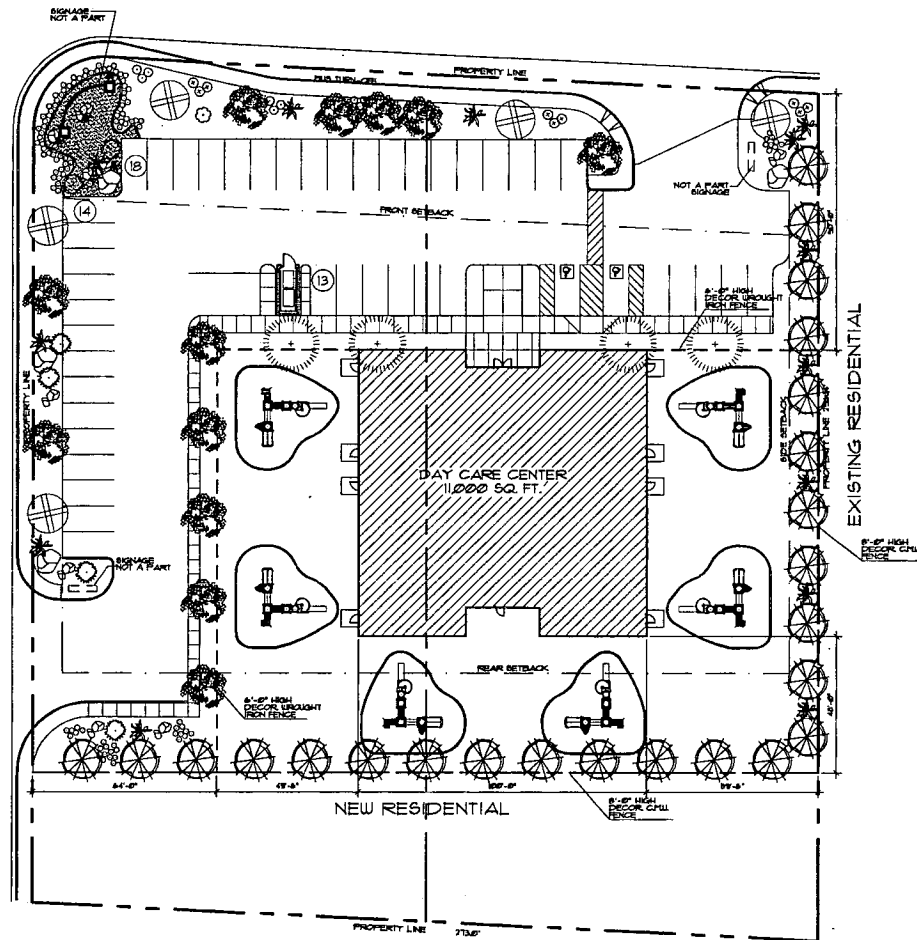


TULE SPRINGS & FARM ROAD
LAS VEGAS, NEVADA

RECEIVED SDR-5192
SEP 07 2004 10/21/04 PC

TULE SPRINGS ROAD

FARM ROAD



LANDSCAPE PLAN

SCALE: 1"=20'

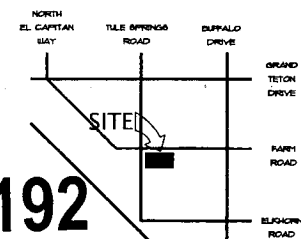
TULE SPRINGS & FARM ROAD
LAS VEGAS, NEVADA



RECEIVED

SEP 07 2004

PLANT MATERIALS SCHEDULE			
TREES/PALMS			
SYMBOL NAME	BOTANICAL NAME	SIZE	QUANTITY
	BLUE PALO VERDE	CORDON FLORIDUM	24" BOX 23
	THORNLESS GREEN HEDGE	PROSCYPS GILLENIS	24" BOX 21
	MEDITERRANEAN FAN PALM	CHAMAEDORIS LAFELIS	8" BTH 6
	MEXICAN FAN PALM	WASHINGTONIA ROBUSTA	8" BTH 10
	MONKEY PINE	PNIS ELIDARICA	24" BOX 24
SUGGESTIVE SHRUBS/GROUND COVERS			
SYMBOL NAME	BOTANICAL NAME	SIZE	QUANTITY
	PEATHERY CASSIA	GENNA ANTEROXIDES	1 GAL. AS SHOWN
	MEXICAN BIRD OF PARADISE	CAESALPINA PULCHERRIMA	5 GAL. AS SHOWN
	RED YUCCA	HEPERALOE PARVIFOLIA	1 GAL. AS SHOWN
	COCOTILLO	FOUQUIERIA IMPLENDIS	5 GAL. AS SHOWN
	GREEN CLOUD TEXAS RANGER	LEUCOPHYLLUM F.	5 GAL. AS SHOWN
	TRAILING LANTANA	LANTANA MONTEVIDENSIS	5 GAL. AS SHOWN
MISC.			
	LARGE ROCKS/BOULDERS	MOJAVE GOLD 2' X 4' MAX. (800 LBS MAX)	
	GRAVEL MULCH	MOJAVE GOLD 3/4" MIN-NO FINES	



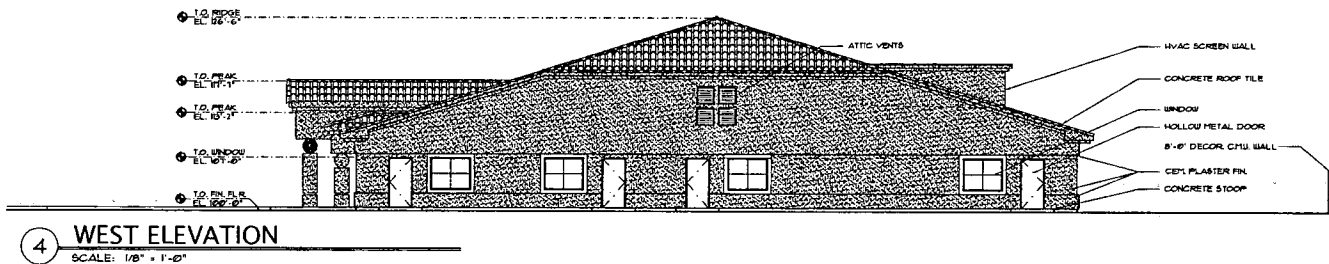
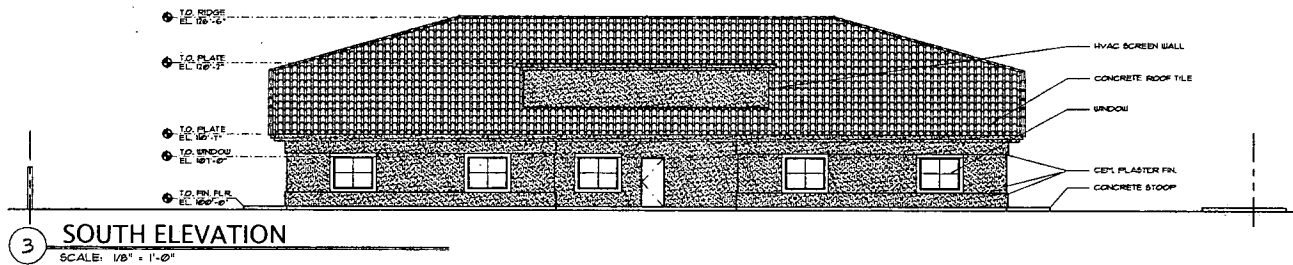
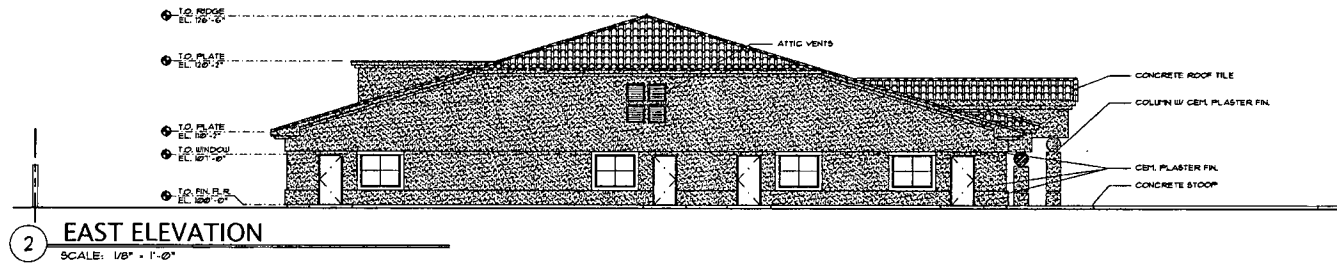
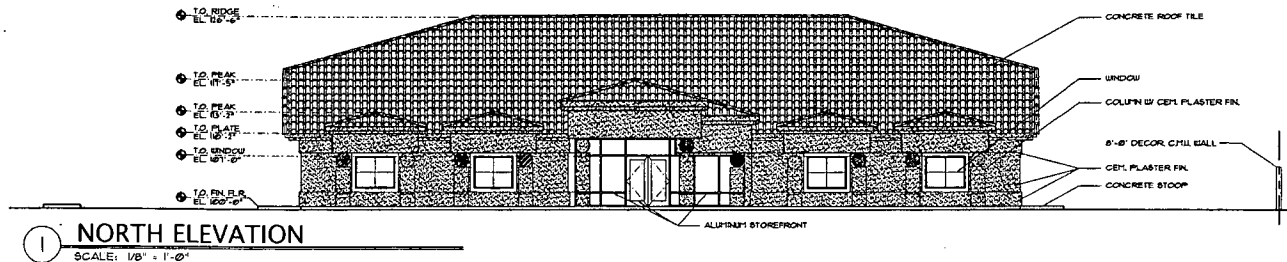
VICINITY MAP

SCALE: N.T.S.



4625 S. Polaris Avenue
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Las Vegas, Nevada 89103
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Fax (702) 894-6020
www.gmrarchitect.com

DATE: 07 SEPTEMBER 2004
JOB NO.: 04-323

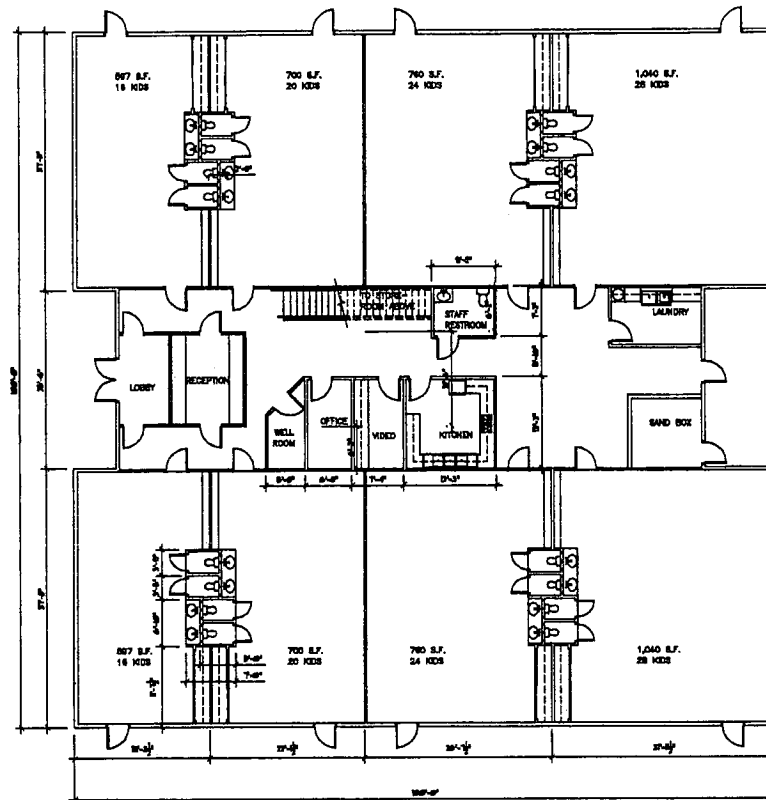


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JOB NO.: 04-323

TULE SPRINGS & FARM ROAD
LAS VEGAS, NEVADA

SDR-5192 RECEIVED
10/21/04 PC SEP 07 2004



1 FLOOR PLAN
SCALE: 1/8" = 1'-0"

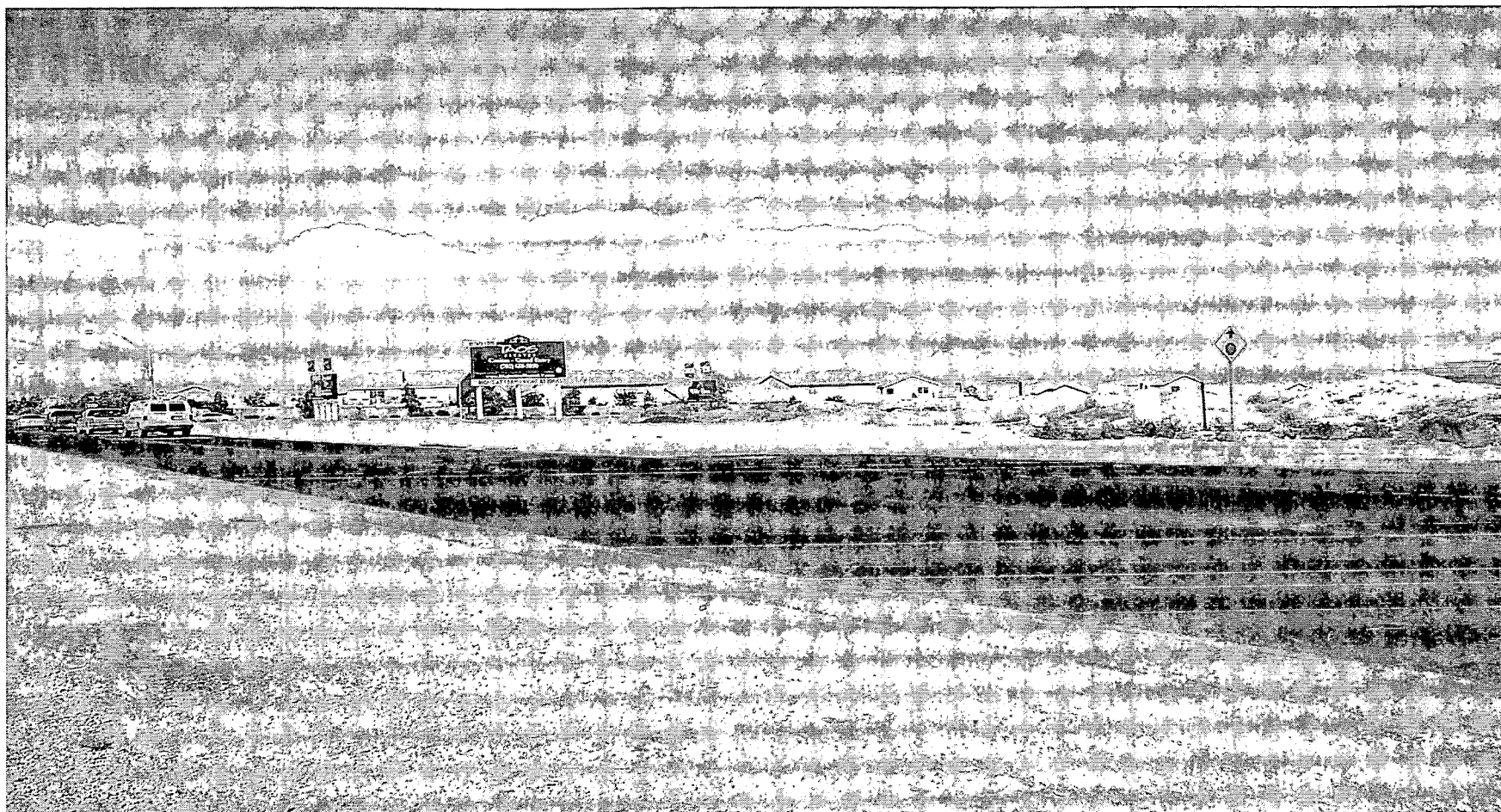


DATE: 07 SEPTEMBER 2004
JOB NO.: 04-323

TULE SPRINGS & FARM ROAD
LAS VEGAS, NEVADA

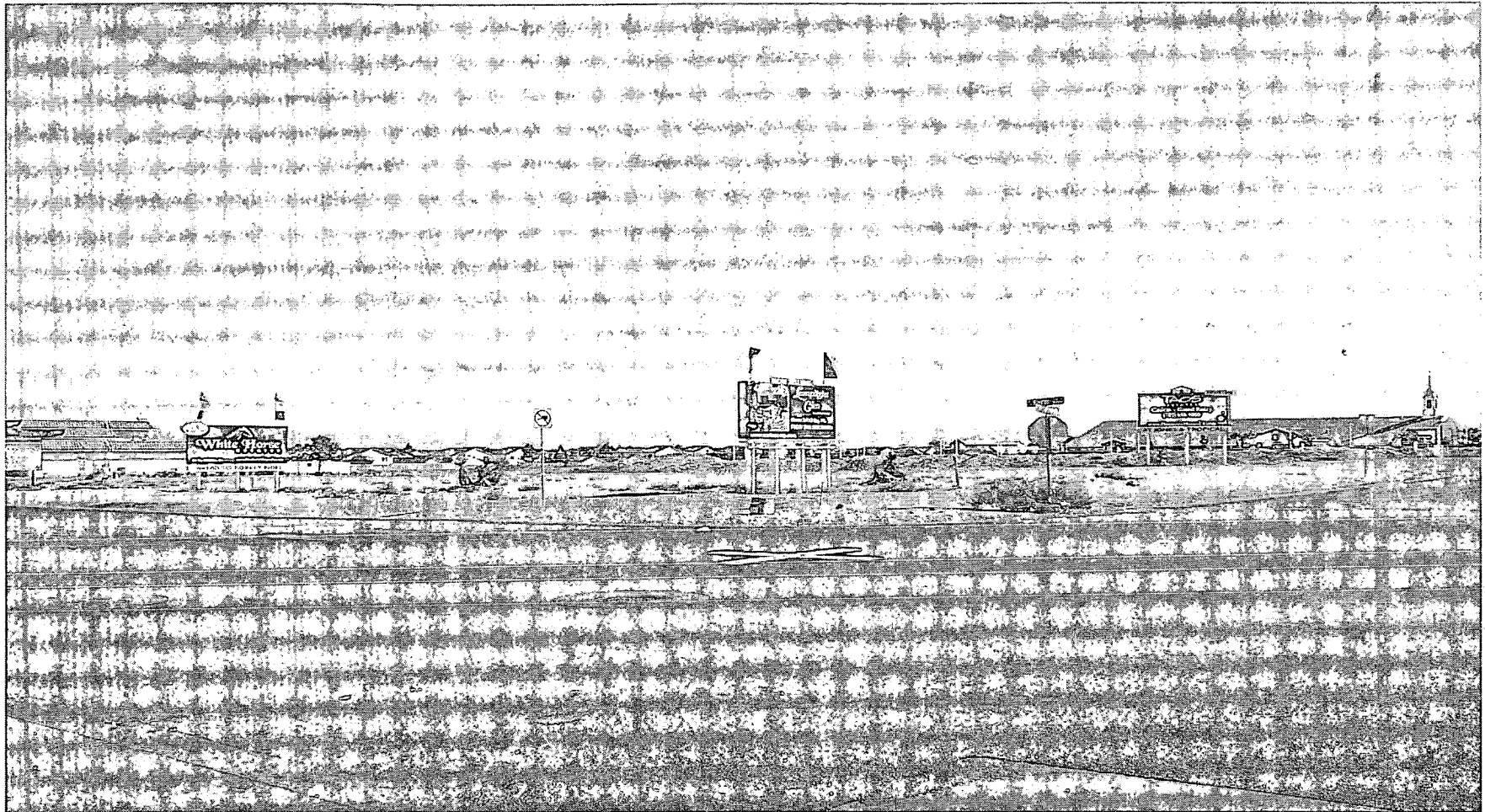
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SDR-5192 SEP 07 2004
10/21/04 PC



SDR-5192 - APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC.
SOUTHWEST CORNER OF TULE SPRINGS ROAD AND FARM ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/01/04



SDR-5192 - APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC.
SOUTHWEST CORNER OF TULE SPRINGS ROAD AND FARM ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/01/04



SDR-5192 - APPLICANT/OWNER: SANDCASTLE ENTERPRISES, INC.
SOUTHWEST CORNER OF TULE SPRINGS ROAD AND FARM ROAD
OCTOBER 21, 2004 PLANNING COMMISSION

10/01/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

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

SPECIAL USE PERMIT

SUP-5215 - PUBLIC HEARING - APPLICANT: DAVID VANZANTEN - OWNER: JAMES POLLINS AND LUISA TAPIA - Request for a Special Use Permit FOR A TAVERN AND FOR A WAIVER OF THE 1,500 FOOT MINIMUM DISTANCE SEPARATION REQUIREMENT FROM A RELIGIOUS FACILITY at 9 West Charleston Boulevard (APN 162-03-110-109), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	1
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	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
4. Submitted after final agenda - protest letter from Bill Nason
5. Backup referenced from the 10/21/2003 Planning Commission meeting Item 74

MOTION:

MONCRIEF - APPROVED subject to conditions, deleting Condition 5 and amending the following condition as read for the record:

7. The Off-Premise Advertising Sign at 9 West Charleston shall be removed within one year after issuance of a business license for this establishment.

- UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

DAVID VANZANTEN, 8709 Red Rio, asked for clarification on Condition 5. The condition states the owners of all parcels within the commercial subdivision, including the owner of the parcel on which the liquor establishment tavern will be located, execute and record an agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross access, ingress and egress throughout the commercial subdivision. That situation already exists, and he demonstrated his point via the overhead, referencing the public roads. Such a condition would be redundant. MARGO WHEELER, Deputy Director, Planning and Development, concurred with the removal of Condition 5. COUNCILWOMAN MONCRIEF agreed to the deletion of Condition 5.

MR. VANZANTEN also stated that COMMISSIONER McSWAIN agreed to a one year after opening extension of the Off-Premise Advertising Sign, which pertains to Condition 7. They anticipate opening Summer of 2005. COUNCILWOMAN MONCRIEF questioned if the entire building would be remodeled and MR. VANZANTEN clarified the outside would be lightly remodeled, with some remodeling on the inside for a boxing theme museum with food and alcohol. COUNCILWOMAN

CITY COUNCIL MEETING OF: NOVEMBER 17, 2004

MINUTES - Continued:

MONCRIEF then added a condition stipulating the removal of the offsite premise advertising sign at the completion of the exterior development. MS. WHEELER pointed out the applicant is requesting to have the advertisement sign stay up for a year from the time the business begins operation. MR. VANZANTEN stressed the revenue would help with cash flow.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:32 - 2:37)

2-3451

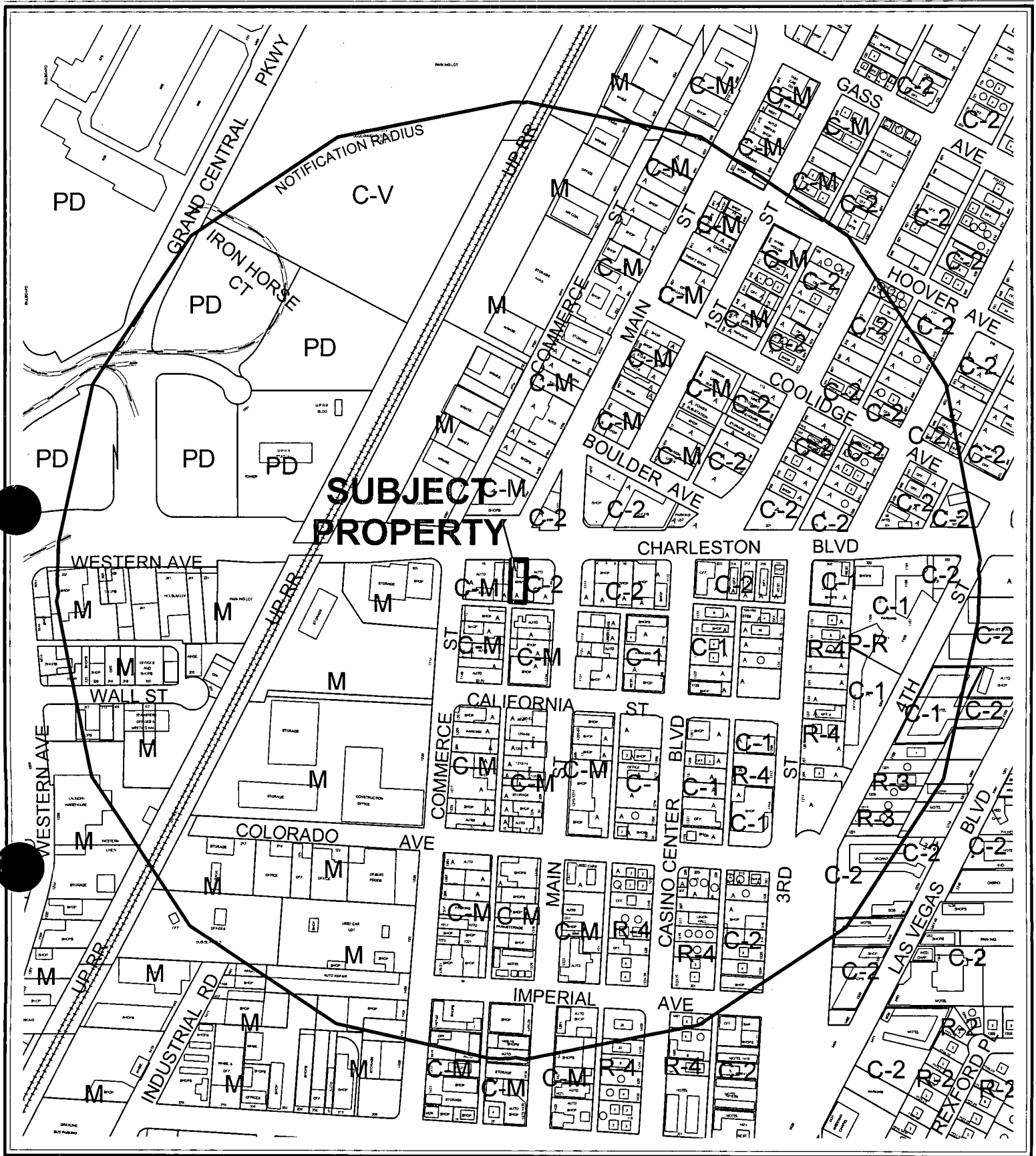
CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. The proposed Liquor Establishment (Tavern) must have direct access (both ingress and egress) from a street having a minimum right-of-way width of one hundred feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed liquor establishment (tavern) will be located.
4. A fully enclosed and roofed refuse collection area shall be built with the same design theme and materials similar to those used in the main structure.
5. The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the Liquor Establishment (Tavern) will be located, execute and record an agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.
6. Architectural Design Standards of the Downtown Arts District regarding Façade Configuration and Exterior Materials shall serve as a guide to exterior enhancement of the building. The murals at the rear of the property shall be maintained.
7. The Off-Premise Advertising Sign at 9 W Charleston Boulevard shall be removed within one year of approval of this special use.
8. All equipment and non-permitted signage shall be kept clear from the roof.
9. The use shall conform to the provisions of LVMC Chapter 6.50.

Public Works

10. Remove all substandard public street improvements, including alley improvements, adjacent to this site and replace with new improvements meeting current Las Vegas Downtown Centennial City Standards prior to the issuance of any permits for this site.



CASE: SUP-5215

RADIUS: 1500 FT

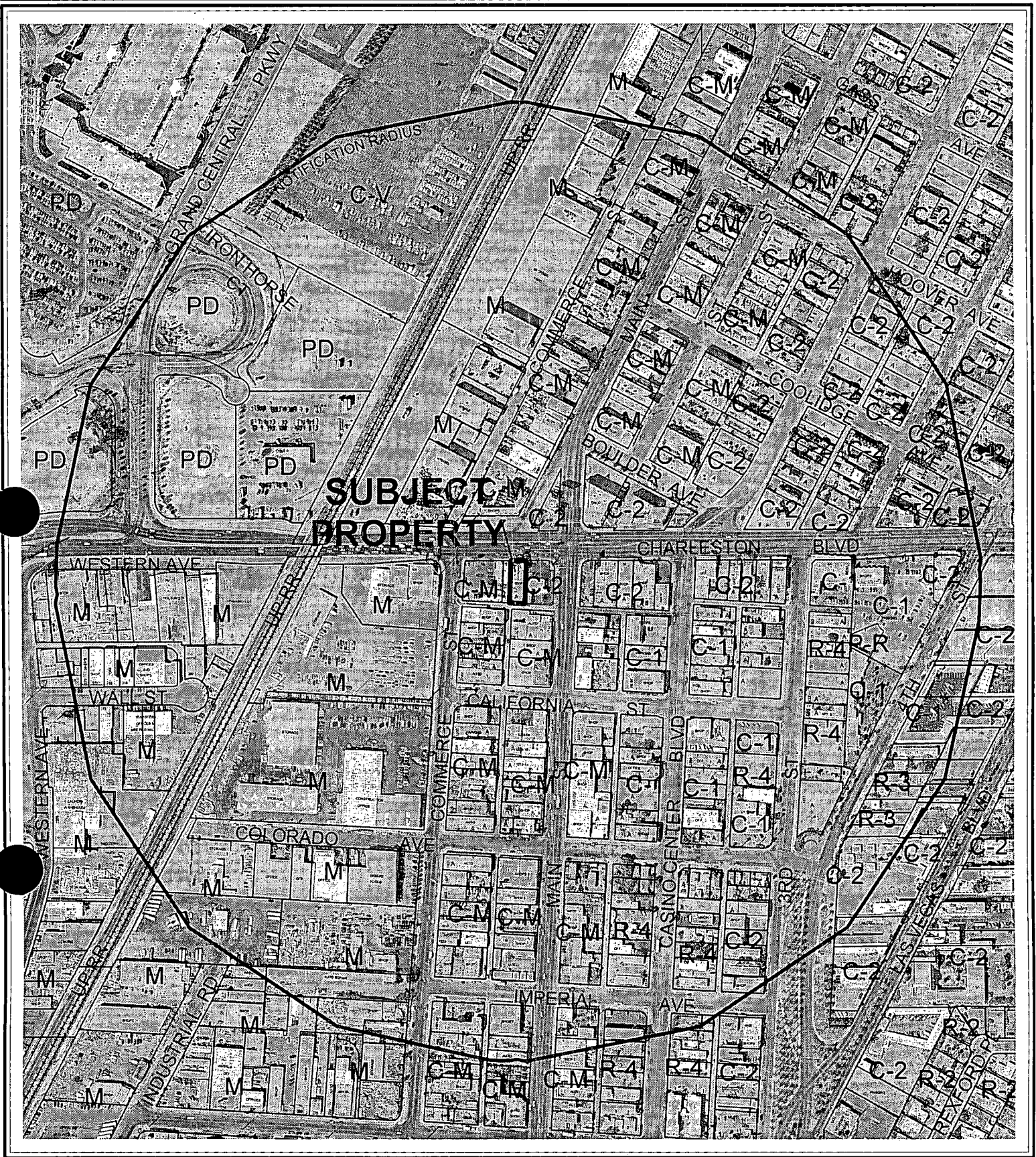
ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

0 300 600 Feet



140





CASE: SUP-5215

RADIUS: 1500 FT

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

SUP-5215

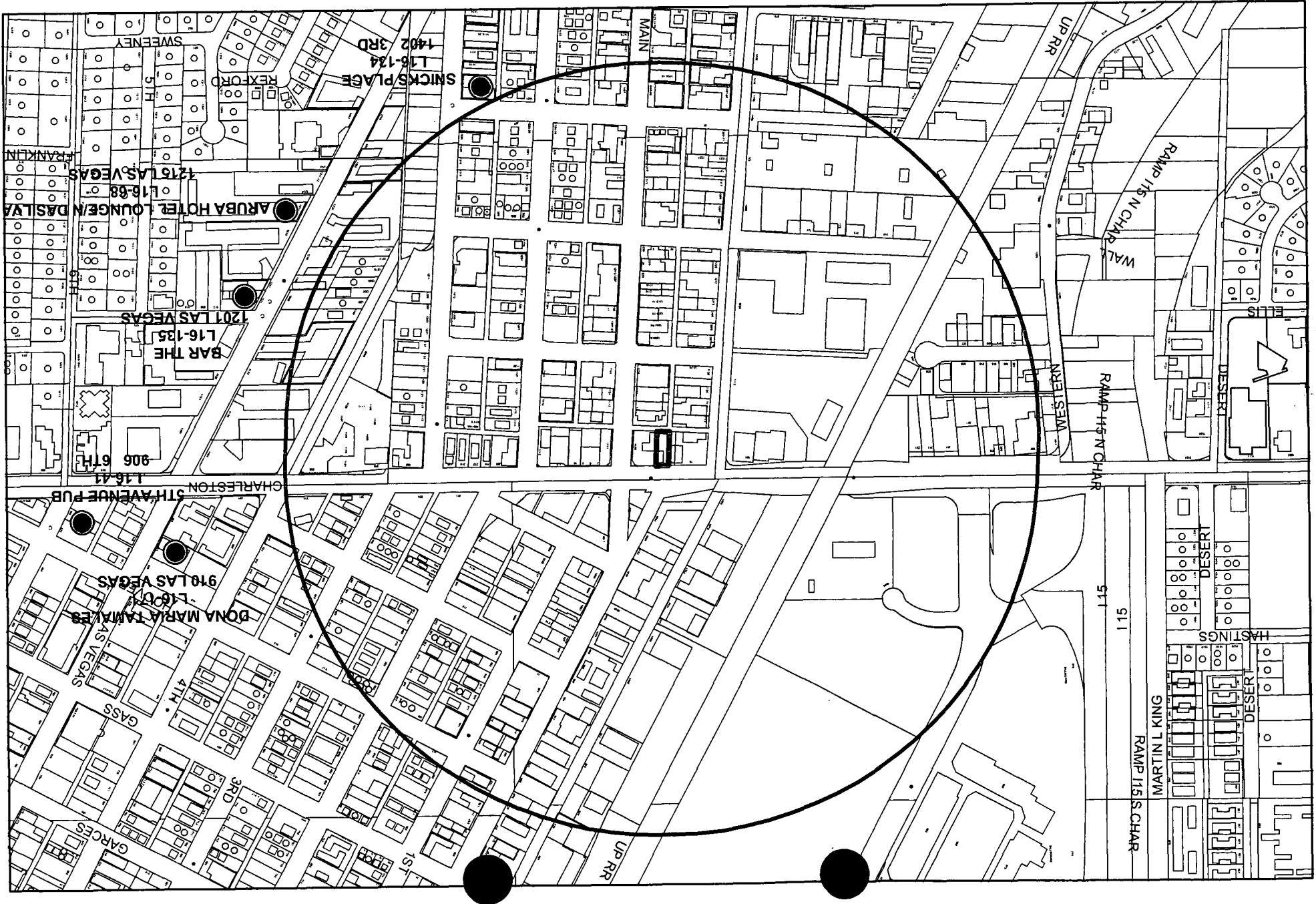
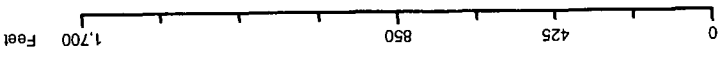
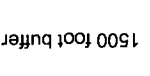
Protected Landuses

- Schools
- Parks
- Religious
- Taverns

Business Licenses

- Tavern
- Child Care/Children Facility

Subject Property



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 17, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5215 - APPLICANT: DAVID VANZANTEN - OWNER: JAMES POLLINS AND LUISA TAPIA

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. The proposed Liquor Establishment (Tavern) must have direct access (both ingress and egress) from a street having a minimum right-of-way width of one hundred feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed liquor establishment (tavern) will be located.
4. A fully enclosed and roofed refuse collection area shall be built with the same design theme and materials similar to those used in the main structure.
5. The owners of all parcels within the commercial subdivision, including the owner of the parcel on which the Liquor Establishment (Tavern) will be located, execute and record an agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.
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9. The use shall conform to the provisions of LVMC Chapter 6.50.

Public Works

10. Remove all substandard public street improvements, including alley improvements, adjacent to this site and replace with new improvements meeting current Las Vegas Downtown Centennial City Standards prior to the issuance of any permits for this site.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a Liquor Establishment (Tavern) and Waivers of the 1,500 foot Minimum Distance Separation Requirement from Religious Land Uses at 9 West Charleston Boulevard.

B) Applicant's Justification

This proposed boxing/old-Vegas-themed tavern supports the Mayor's vision of invigorating the Arts District and the Downtown area. The integrity of the building's historic significance will remain intact.

BACKGROUND INFORMATION

A) Previous Actions

- 10/01/04 City Council approved the Planning and Development Department's request to amend (GPA-2497) the City of Las Vegas Downtown Development Plan Map (Map 9) of the Las Vegas Redevelopment Plan from Industrial to Commercial and from Industrial to Mixed Use for properties bounded by Charleston Boulevard to the north, Third Street to the east, Commerce Street to the west and Colorado Street to the south. Final Action: October 6, 2004.
- 10/21/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #74/srs).

B) Pre-Application Meeting

- 08/23/04 Parking standards for a Tavern were discussed. Elements of a Special Use Permit application were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.16

B) Existing Land Use

Subject Property: Vacant Boxing Gym, Off-Premise (Billboard) Sign
North: Warehouses, Industrial Shops
South: Radiator Repair Shop
East: Tour Bus Depot
West: 24-Hour Tire, Muffler, & Window Tinting Shop

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: C-M (Commercial Industrial)
East: C-2 (General Commercial)
West: C-2 (General Commercial)
C-M (Commercial Industrial)

E) General Plan Compliance

The C-2 (General Commercial) zoning is in conformance with the Southeast Sector of the General Plan, which designates the subject site as C (Downtown Commercial) as part of the Downtown Centennial Plan. The intent of this district is to establish an atmosphere that fosters creativity and freedom of expression of multiple tastes and cultures.

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

This proposal is located in the Downtown Centennial Plan's Arts District.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.06.060.C, properties within the Downtown Overlay District are exempt from the automatic application of the standard parking requirements of Title 19.10. However, the exemption does not prohibit the Planning Commission and the City Council from evaluating on a case-by-case basis to determine the extent to which those standards shall be required.

Pursuant to Title 19.10.010.F, the following Parking Standards would apply to the subject proposal if it were *not* situated within the Downtown Overlay District:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Restaurant, Café, Tavern, or Bar	2,308 SF Public 770 SF Remaining 3,078 SF Total	One space /50 square feet of public seating and waiting area, plus one space for each 200 square feet of the total remaining gross floor area.	46 spaces	2 spaces	6 spaces	1 space

Public Works has no comment on circulation and traffic issues regarding this Special Use Permit request.

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.04.050.B, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Liquor Establishment (Tavern)	May not be located within fifteen hundred feet (property line to property line) of any other liquor establishment (tavern), church, synagogue, school, child care facility, or City park.	YES: 1,513 feet from nearest liquor establishment. NO: 1,130 feet from a Religious use.

Pursuant to subsection 5.c of the above-noted Liquor Establishment (Tavern) use conditions, the Religious use in question is separated from the proposed Tavern by Charleston Boulevard, which is designated as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. As a result, the waiver of the 1,500-foot separation distance, which has been requested as part of this application, can be granted. There is another site that shows up as a Religious use within the 1,500-foot distance, but inspection of records for this site indicate that it is in use as a Thrift Shop. No distance separation is applicable in this instance.

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

Standards	Code Requirement	Provided
Trash Enclosure	Enclosed and roofed with same design theme and materials similar to those used in the main structure.	Not indicated

A Condition of Approval has been added above, which requires a fully enclosed and roofed refuse collection area with the same design theme and materials similar to those used in the main structure.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-2 (General Commercial) within the C (Downtown Commercial) General Plan designation.

The proposed Liquor Establishment (Tavern) is within the range of permitted uses, with approval of a Special Use Permit, in the Arts District of the Downtown Centennial Plan.

- Use

Wavers of Minimum Distance Separation Requirements

The City's Zoning Code, Title 19.04.050.B requires a tavern to be a minimum of 1,500 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line. In this case, this use meets the minimum distance separation requirements, as no other Liquor Establishments are located within 1,500 feet of the subject property.

However, approval of this Special Use Permit request will require Waivers of the 1,500 foot Minimum Distance Separation Requirement between a Liquor Establishment and Religious (and religiously owned) Land Uses:

- a. The proposed Tavern is located 1,130 feet (property line to property line) from Full Gospel Deliverance Church, 910 South First Street.
- b. The proposed Tavern is located 1,230 feet (property line to property line) from Opportunity Village Thriftstore, 915 South Main Street.
- c. The proposed Tavern is located 1,272 feet (property line to property line) from an industrial facility, owned by a religious establishment, at 901 South First Street.

Of these, only the Full Gospel Deliverance Church is a protected land use that is not only owned by a religious establishment, but actually serves as a religious use. It should be noted, however, that this use is separated from the proposed Tavern by Charleston Boulevard, which is designated as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. As a result, the waiver of the 1,500-foot separation distance, which has been requested as part of this application, can be granted. There is another site that shows up as a Religious use within the 1,500-foot distance, but inspection of records for this site indicate that it is in use as a Thrift Shop. No distance separation is applicable in this instance.

- Conditions

Arts District Architectural Design Standards

Background: This structure that will house this use was built in 1942, and had served as a boxing gym for many years. This plain yet exceptional property conjures up a glimpse of 1940's era Las Vegas street life. The giant murals of legendary boxers in the rear of the parcel were probably painted in the 1970s. Applicant for this Liquor Establishment (Tavern) has submitted elevations that already appear to conform to Arts District Architectural Design Standards.

Conditions: Conformance to Arts District Architectural Design Standards, with special emphasis on Façade Configuration and Exterior Materials. Maintain the murals at the rear of the property.

Off-Premise (Billboard) Sign

Background: An 50 foot tall 14' x 48' Off-Premise Advertising Sign is anchored to the ground through the roof and space of the building that will contain the tavern. The billboard currently has no advertising posted, and sports graffiti at its "base" above the roof. Off-Premise Advertising Signs in the Downtown Arts District requires a special use permit. No special use permit is on record for the billboard at 9 W Charleston Boulevard.

Pursuant to Las Vegas Centennial Plan Arts District Design Standard AD1.a.6 (page 77), "Off-Premise Advertising Signs in the Downtown Arts District must be directly mounted to and flush with the wall of a structure, and shall not be freestanding, mounted on top of a roof, or project past the walls or roof of a building."

Condition: The Off-Premise Advertising Sign at 9 W Charleston Boulevard shall be removed within one year of approval of this special use.

FINDINGS

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

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

Title 19.04.050.B requires a tavern to be a minimum of 1,500 feet from any church, synagogue, school, childcare facility, or City Park. In this case, this use meets the minimum distance separation requirements as other liquor establishment uses are not located within 1,500 feet of the subject property. Other protected land uses include parcels owned by religious establishments, and one church. The church is somewhat isolated in a C-M (Commercial-Industrial) zone, 1,230 feet away at 910 South First Street, across Charleston Boulevard. This separation distance is waivable per Code, as the sites are separated by a 100-foot Primary Arterial (Charleston Boulevard). The waiver is appropriate in this instance.

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

The subject site will be physically suitable for the type and intensity of land use as proposed by this proposed tavern.

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

Patrons of this proposed tavern would likely access the Arts District area via Charleston Boulevard, a 100-foot wide Primary Arterial. Subject tavern, built to the north, east, and west property lines, has no access from Charleston. The sole access for this use comes from a 20-foot wide alleyway behind the building, which directly accesses the tavern's parking area. The alleyway is accessed via Commerce and Main Streets (80-foot wide Secondary Collectors). These collector streets provide adequate access, however, this narrow gravel alleyway is clogged with parked vehicles from adjacent uses.

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

The proposed tavern use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

PLANNING COMMISSION ACTION

The Planning Commission eliminated a condition originally proposed by staff regarding parking and amended condition #7 to allow one year for removal of the billboard.

NOTICES MAILED 241 by City Clerk

APPROVALS 0

PROTESTS 1



 **TERESA WILCOX**
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 02-74544-1
MY APPT. EXPIRES FEB. 13, 2006

W. Charleston

Approximately 6' City Sidewalk/Curb

50'

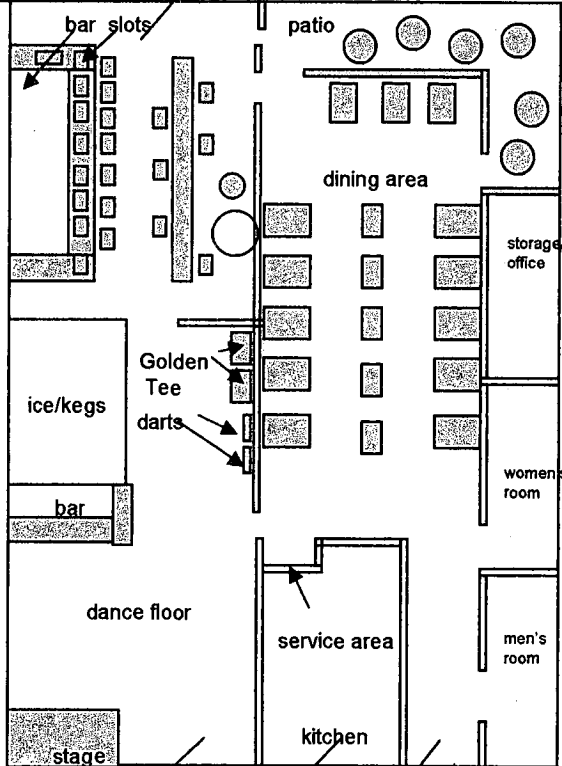
Llantas Tire Shop

95' to Main St.

Bus Depot Parking

147'

67.5'



Bus Depot

79.5'

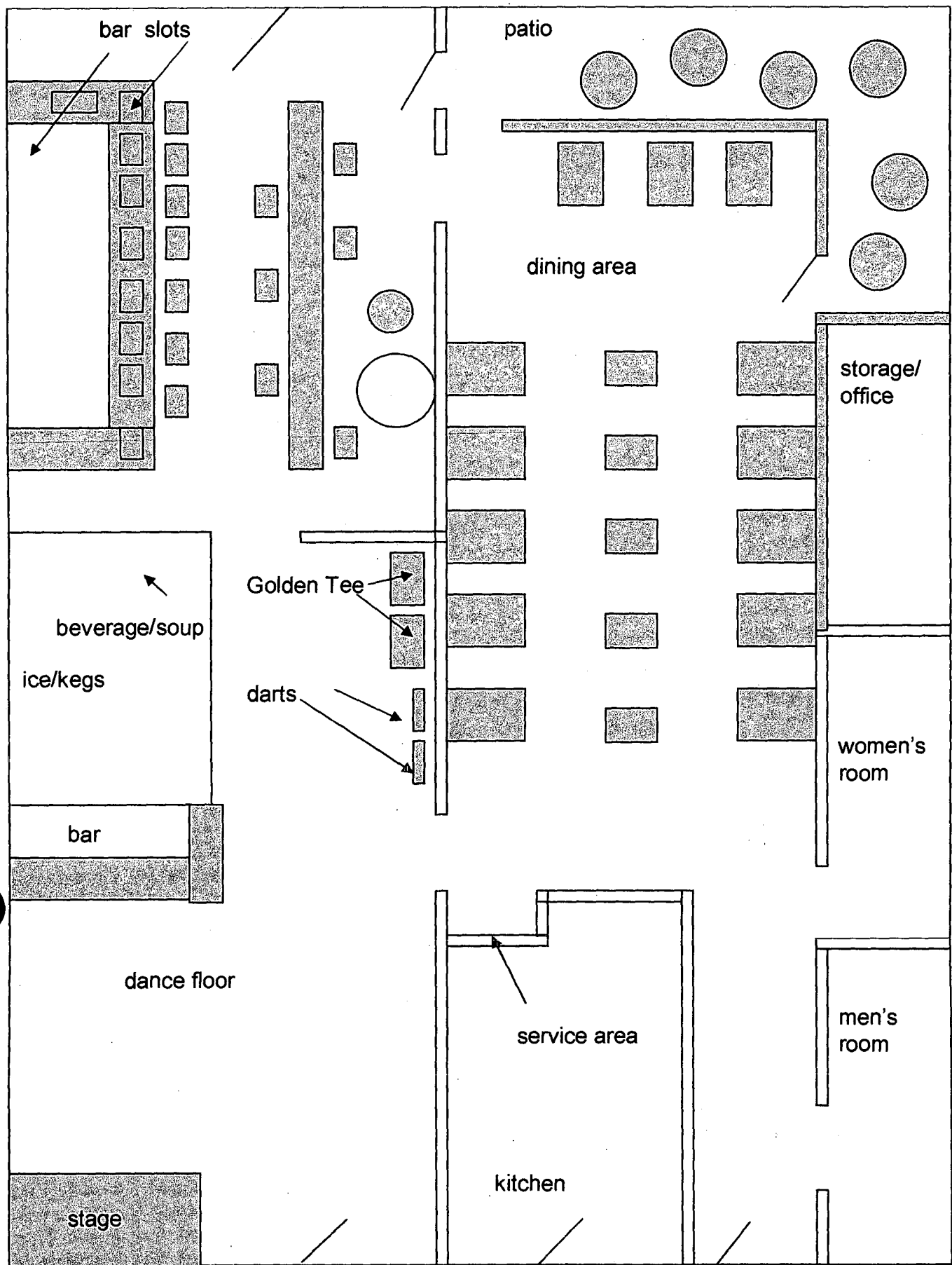
Parking

The Right Hook
9 West Charleston
Parcel 16203110109

Scale 1" = 17' North

Alley

SUP-5215
10/21/04 PC



Scale 1" = 7' North ↑

The Right Hook
9 West Charleston
Parcel 16203110109

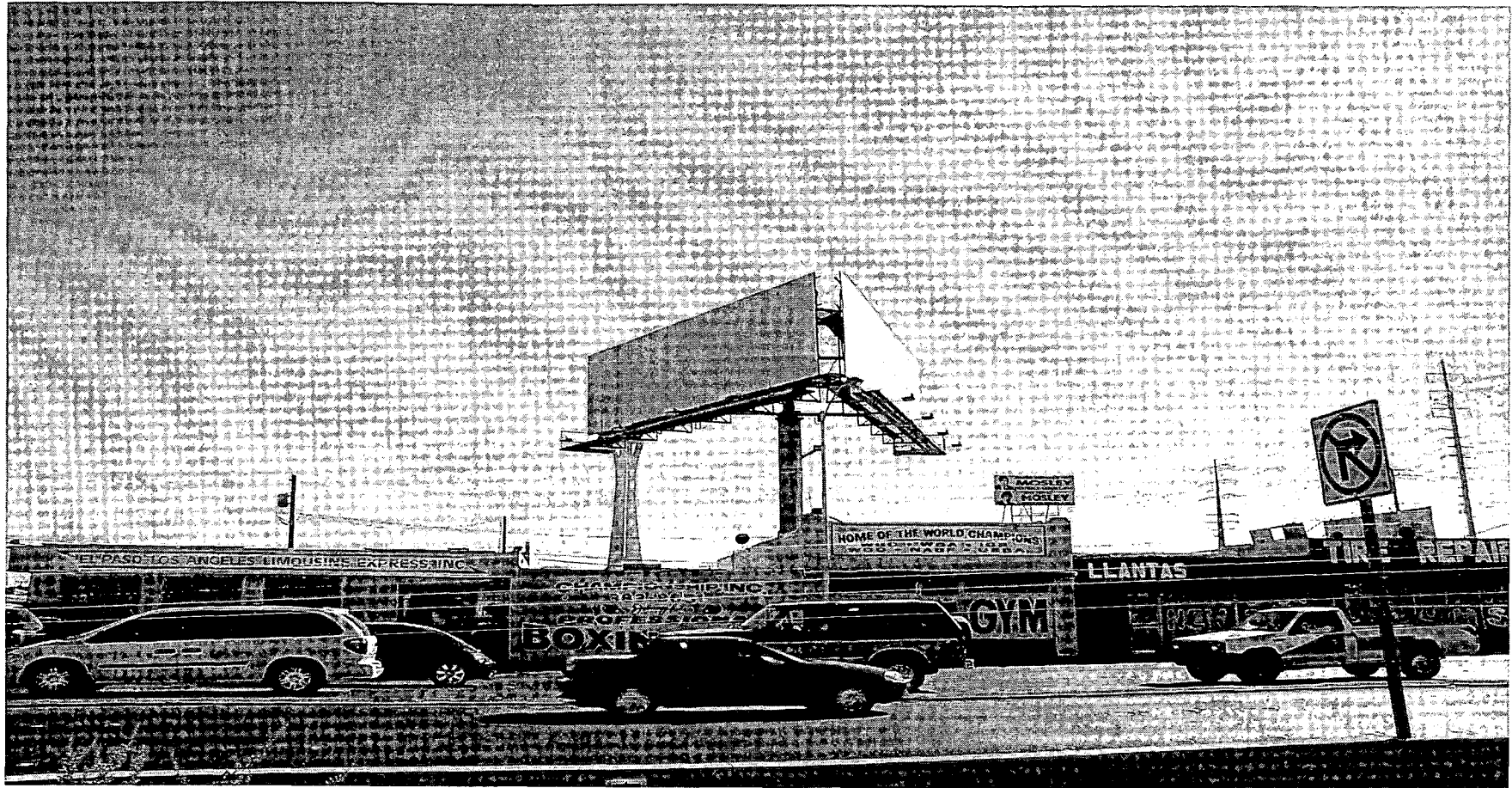
Inside width: 47'
Inside length: 65.5'

SUP-5215
10/21/04 PC



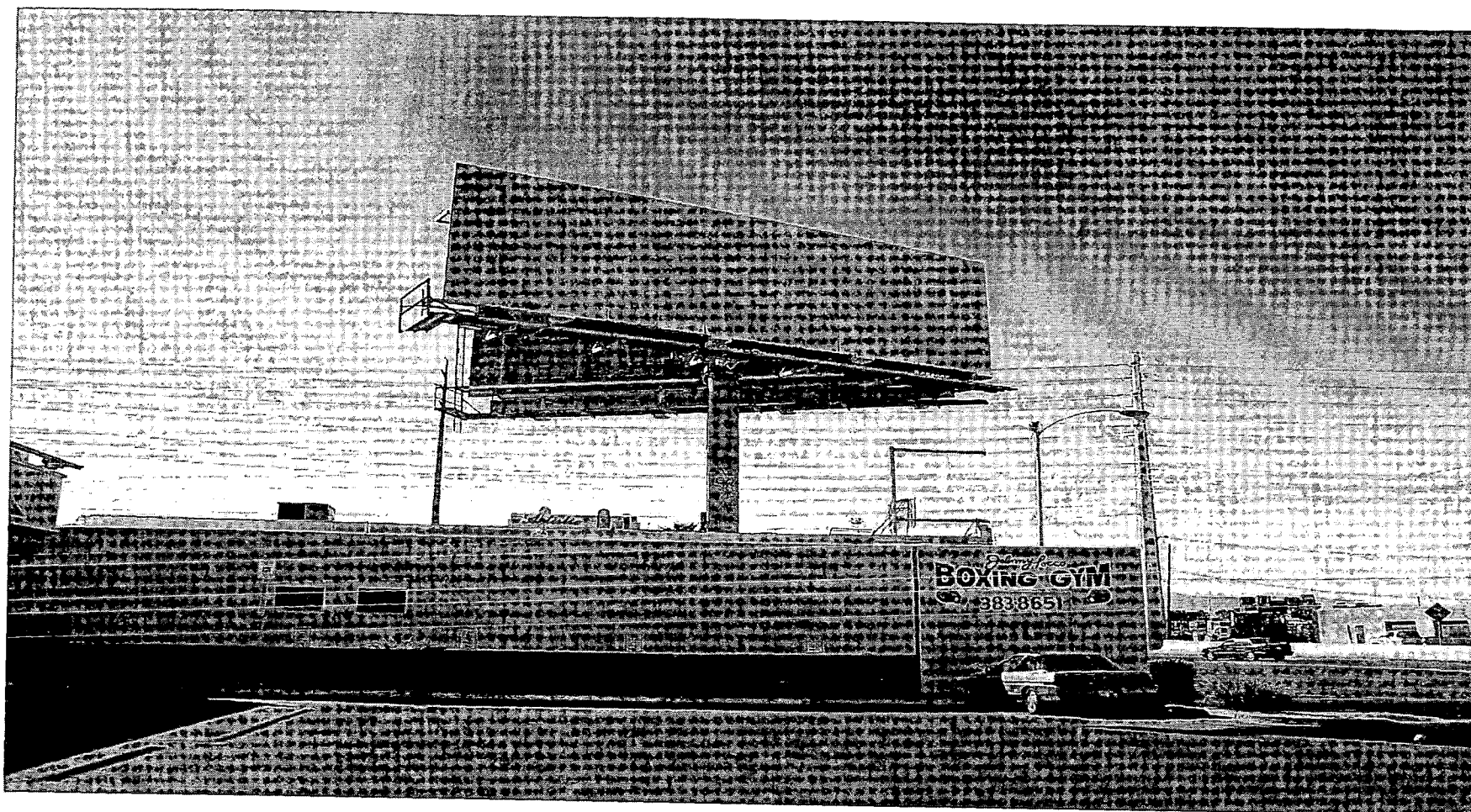
SUP-5215 - APPLICANT: DAVID VANZANTEN - OWNER: JAMES POLLINS AND LUISA TAPIA
9 WEST CHARLESTON BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



SUP-5215 - APPLICANT: DAVID VANZANTEN - OWNER: JAMES POLLINS AND LUISA TAPIA
9 WEST CHARLESTON BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04



SUP-5215 - APPLICANT: DAVID VANZANTEN - OWNER: JAMES POLLINS AND LUISA TAPIA
9 WEST CHARLESTON BOULEVARD
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

I AM A DISABLED PERSON
AND CAN NOT COME TO MEETING
I OBJECT TO HAVE A TAVERN IN
MY AREA WE HAVE TWO MANY
TAVERNS HERE ALREADY

Bill Nason

A Special Note

RECEIVED
CITY CLERK

2004 NOV -9

59

Protest

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT

NASON WILLIAM F
5002 HAYSTACK
LAS VEGAS NV 89122-6825

MEETING: CITY COUNCIL
DATE: NOVEMBER 17, 2004
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-5215

Submitted after final agenda

Date 11/9/04 Item

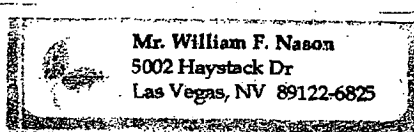
#140

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

I HAVE A DISABLED
CONDITION AND CAN NOT COME
TO THE COUNCIL MEETING. BUT I
OBJECT TO THIS REQUEST FOR ANY
SPECIAL PERMIT FOR A TAVERN (WORD I) MEN CRIEF
I HAVE A BUSINESS AT 24 WEST CALIFORNIA
WITCH I HAVE RENTALS OF A
BODY SHOP - MECHANICS & CAR LOT
C M ZONE - I WANT TO KEEP THEM CLEAN
I DO NOT WANT PEOPLE DRINKING
BY MY SHOPS

Thank you

William F. Nason



RECEIVED

04 OCT 20 PM 4:20

RECEIVED

SUP-5215

READ INTO
THE RECORD