

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE - RENOTIFICATION - SDR-4730 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: PICERNE DEVELOPMENT CORPORATION - OWNER: CLIFF'S EDGE, LLC - Request for a Site Development Plan Review FOR A PROPOSED 392-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT AND A WAIVER OF CLIFF'S EDGE MASTER DEVELOPMENT PLAN AND DESIGN GUIDELINES TO ALLOW 10-FOOT SETBACK ON THE WESTERN PROPERTY LINE FOR THREE-STORY BUILDINGS AND A ZERO-FOOT SETBACK FROM THE EASTERN AND WESTERN PROPERTY LINE FOR ONE AND TWO-STORY BUILDINGS on 15.69 acres adjacent to the southwest corner of Dorrell Lane and Hualapai Way (APN 126-24-601-003), PD (Planned Development) Zone [Medium Density Residential Cliff's Edge Special Land Use Designation], Ward 6 (Mack).

IF APPROVED: C.C.: 01/19/05**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)****PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

1**RECOMMENDATION:**

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:**NIGRO – APPROVED** subject to conditions and amending the following condition:

2. All development shall be in conformance with the site plan *dated 11/09/2004* and building elevations *dated 12/16/2004*, except as amended by conditions.

– UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005**MINUTES:**

See Item 24 [VAR-5547] for all related information on Item 24 [VAR-5547] and Item 25 [SDR-4730].

(7:06 – 7:21)

1-2386

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 25 – SDR-4730

CONDITIONS:

Planning and Development

1. Approval and conformance to a Variance application for deviation from the Residential Adjacency Standards, prior to issuance of any permits.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
7. 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.] (Apartment complexes require a management company on-site).
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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CONTINUED – Continued:

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall conform to the Cliff's Edge Master Development Plan and Design Guidelines. 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.

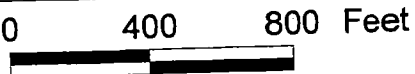
Public Works

14. The Special Improvement District Section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to release of the Final Map for this site.
15. If not already constructed by the Master Developer, construct half-street improvements including appropriate overpaving (if legally able) on Dorrell Lane, Hualapai Way and Deer Springs Way 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. 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). In addition, a minimum of two lanes of paved, legal access to the nearest constructed public street shall be in place prior to final inspection of any units within this site.
16. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. A traffic queuing analysis for the proposed access on Dorrell Lane must be submitted to and approved by the City Traffic Engineer prior to the issuance of any permits or the submittal of any construction drawings for this site, whichever may occur first. The access to Deer Springs Way shall be limited to egress only, unless otherwise allowed by the City Traffic Engineer in writing.
17. A Homeowner's Association or Landscape Maintenance 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.

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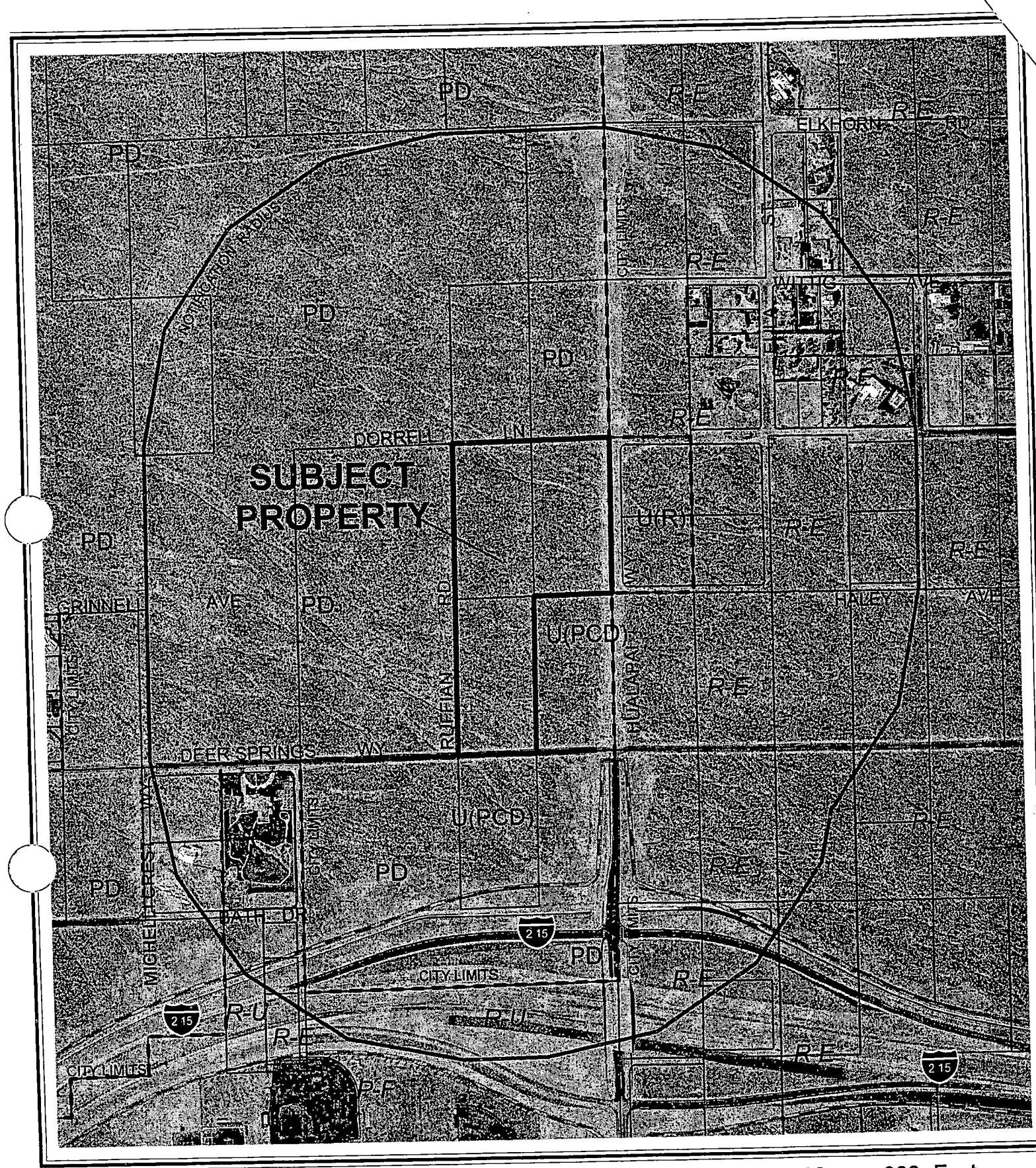
CONDITIONS:

18. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction drawings for this site or the issuance of any permits, whichever may occur first. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
19. If not constructed at the time of development by the Master Developer, landscape and maintain all unimproved right-of-way adjacent to this site concurrent with development of this site.
20. If not obtained at the time of development by the Master Developer, obtain an Encroachment Agreement for all landscaping and private improvements in the public rights-of-way adjacent to this site.
21. 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.
22. An update to the Master sewer study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved sewer study prior to occupancy of any units within this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works.
23. Site development to comply with all applicable conditions of approval for previous zoning actions, Cliff's Edge Parent Map, Cliff's Edge Development Standards, Design Guidelines and Development Agreement, MOD-3955 and all other applicable site-related actions.



PD (PLANNED DEVELOPMENT) ZONE [M (MEDIUM DENSITY) CLIFF'S EDGE
SPECIAL LAND USE DESIGNATION]





CASE: **SDR-4730**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [M (MEDIUM DENSITY) CLIFF'S EDGE
SPECIAL LAND USE DESIGNATION]

0 400 800 Feet



AGENDA MEMO.

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - RENOTIFICATION - SDR-4730 -

APPLICANT: PICERNE DEVELOPMENT CORPORATION - OWNER: CLIFF'S
EDGE, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval and conformance to a Variance application for deviation from the Residential Adjacency Standards, prior to issuance of any permits.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
7. 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.] (Apartment complexes require a management company on-site).
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.

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9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall conform to the Cliff's Edge Master Development Plan and Design Guidelines. 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. The Special Improvement District Section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to release of the Final Map for this site.
15. If not already constructed by the Master Developer, construct half-street improvements including appropriate overpaving (if legally able) on Dorrell Lane, Hualapai Way and Deer Springs Way 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. 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). In addition, a minimum of two lanes of paved, legal access to the nearest constructed public street shall be in place prior to final inspection of any units within this site.
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17. A Homeowner's Association or Landscape Maintenance Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
18. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction drawings for this site or the issuance of any permits, whichever may occur first. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
19. If not constructed at the time of development by the Master Developer, landscape and maintain all unimproved right-of-way adjacent to this site concurrent with development of this site.
20. If not obtained at the time of development by the Master Developer, obtain an Encroachment Agreement for all landscaping and private improvements in the public rights-of-way adjacent to this site.
21. 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.
22. An update to the Master sewer study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved sewer study prior to occupancy of any units within this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works.

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23. Site development to comply with all applicable conditions of approval for previous zoning actions, Cliff's Edge Parent Map, Cliff's Edge Development Standards, Design Guidelines and Development Agreement, MOD-3955 and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

Request for a Site Development Plan Review for a proposed 392-unit multi-family residential development and a Waiver of Cliff's Edge Master Development Plan and Design Guidelines to allow 10-foot setback on the western property line for three-story buildings and a zero-foot setback from the eastern and western property line for one and two-story buildings, on 15.69 acres adjacent to the southwest corner of Dorrell Lane and Hualapai Way. This application will be considered with a related Variance (VAR-5547) application.

B) Applicant's Justification

The applicant states no specific justification for this application other than a general statement claiming, "The proposed use is consistent with the present use designation..." and, "The proposed improvements will comply in all material respects with applicable and controlling design standards of both the master plan and the City of Las Vegas.

11/01/04 A new site plan was submitted. Multi-Use Trail has been indicated on plans. Numerous revisions were made to alleviate some of the previous waivers.

12/06/08 The applicant has supplied a letter of support from the adjacent property owner who will be impacted by the reduction in building setbacks.

C) Master Developer's Justification

06/25/04 "The Architectural Site Plan dated June 10, 2004 that was prepared for Picerne Development on pod 125 includes a setback deviation from the standard Design Guidelines on building 6,8,9, and 23 thru 35. It is the opinion of the design review committee that this deviation is necessary to remain consistent with the theme of the Providence master planned development. The submitted Architectural Site Plan therefore complies with the design guidelines and is hereby approved."

06/25/04 Revised letter sent detailing required waivers for building setbacks. Justified by stating, "This deviation is necessary to maintain the community 'feel' of the project and to screen the development from future and potentially more intense use on the adjacent parcel."

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07/28/04 Additional letter explaining the details of the Multi-Use Trail along Hualapai Way, building to building separations and handicap parking conformance. "Regarding the deviations from the standard, The Design Review Committee's approval letter states the justification for the deviations. Please see attached." DRC comments regarding Picerne Development for Pod 125 at Providence....None. Comments.... "Thank You."

BACKGROUND INFORMATION

A) Previous Actions

- 02/05/03 The City Council approved an Annexation (A-0035-02) of over 1,056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south, including the subject sites of this Rezoning request. The Planning Commission and staff recommended approval on 09/26/02. The effective date of this annexation was 02/14/03.
- 03/19/03 The City Council approved a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission and staff recommended approval on 02/13/03.
- 07/16/03 The City Council approved a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres covering 21 separate parcels in the Cliff's Edge area, and approved text modifications to the related Cliff's Edge Master Development Plan to address conditions of approval of ZON-1520. The Planning Commission and staff recommended approval on 06/12/03.
- 02/18/04 The Cliff's Edge Development Agreement (DIR-3451) was introduced to the City Council at this time. It was approved in ordinance form on 03/17/04. The Planning Commission and staff recommended approval on 01/08/04.
- 05/05/04 The City Council approved a Major Modification (MOD-3955) request to the Cliff's Edge Master Development Plan to change land use designations from: village commercial to: medium low density residential and medium residential; from: medium residential to: residential small lot; and from: medium low density

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residential to: pump & reservoir; to modify section 6.2.3 regarding retaining walls; and to modify table 1 (section 2.2) to reflect changes to the land use categories on 40 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission and staff recommended approval on 04/08/04.

08/12/04 The Planning Commission approved a motion to table a Site Development Plan Review (SDR-4730) application due to the Cliff's Edge Parent Map and SID problems not being resolved. Additionally, the applicant was required to submit a Variance (VAR-5547) application for residential adjacency standards.

B) Pre-Application Meeting

05/12/04 A pre-application conference was held and resulted in the following comments:

1. An approval letter from the Cliff's Edge Design Review Committee (DRC).
2. MOD-3955 change the land use designation to Medium Density Residential.
3. Off-site improvement requirements were discussed.
4. Two access points are required – a main entry and rolling access gate for residential only.
5. Signal traffic fee required.
6. A waiver of the parking lot fingers standard is to be requested.
7. A waiver of setback requirements from 3.2.1 of the Cliff's Edge Master Development Plan and Design Guidelines for one, two, and three-story structures.

09/17/04 A follow up meeting was held with the developers, Providence and Kummer, Kaempfer, Bonner & Renshaw. Deficiencies with project were discussed and a Variance 9VAR-5547) application was required for residential adjacency standards. Providence agreed to waive all deviations from the Cliff's Edge Master Development Plan and Design Guidelines.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 15.69

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B) Existing Land Use

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

C) Planned Land Use

Subject Property: PCD (Planned Community Development)
 North: PCD (Planned Community Development)
 South: PCD (Planned Community Development)
 East: R (Rural Density Residential)
 West: PR-OS (Parks – Open Space)

D) Existing Zoning

Subject Property: PD (Planned Development)
 North: PD (Planned Development)
 South: U (PCD) [Undeveloped (Planned Community Development General Plan designation)] & PD (Planned Development)
 East: Clark County Zoning [Rural Estates Residential [2 Units per Acre] (R-E)]
 West: PD (Planned Development)

E) General Plan Compliance

This site is located on the Centennial Hills Sector Plan Map of the General Plan. The Centennial Hills Sector Plan designates this site as PCD (Planned Community Development). The site is designated as M (Medium Density Residential) within the Cliff's Edge Master Development Plan.

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

Cliff's Edge Master Plan:

The City Council approved a master development plan entitled the "Cliff's Edge Master Development Plan and Design Guidelines" on 03/19/03. The land use and text changes to the master plan were approved through the City Council by means of several Rezonings and Major Modification (MOD-3599), approved on 05/05/04.

Multi-Use Non-Equestrian (Transportation) Trail:

A Multi-use Transportation Trail is required along the western portion of the Hualapai Way street frontage, as shown on Map 2 of the Transportation Trails Element of the Master Plan. A multi-use transportation trail refers to paved trail paths separated from the roadway and designed for the exclusive use of bicyclists, pedestrians, and other users of non-motorized vehicles. Provision of the right-of-way for, and construction of, the Multi-Use Non-Equestrian (Transportation) Trail, will be the responsibility of the developers of the Cliff's Edge project. The trail and street frontage along Hualapai Way are to conform to the Cliff's Edge Parent Map as depicted in TMP-3798.

PROJECT DESCRIPTION

The proposed 392-unit multi-family residential subdivision is composed of eight building types, which range from one to three stories. The site contains a clubhouse, two pools, and three spas with accompanying cabanas. The applicant is requesting waivers from the Cliff's Edge Master Development Plan and Design Guidelines to allow a three-story structure to have a 10-foot setback from the western property line where 30 feet is required, two-story structures to have a zero-foot setback where 20 feet is required along the western property line, and to allow one-story structures to have a zero-foot setback where 10 feet is required along eastern property line.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to The Cliff's Edge Master Development Plan And Design Guidelines, the following Development Standards apply to the subject proposal:

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Standards	Required	Provided	Compliance
Minimum Setbacks			
Principle Buildings and Accessory Structures from the Property Line • Single Story Structures • Two Story Structures • Three Story Structures	10 Feet 20 Feet 30 Feet	Zero Feet Zero Feet 10 Feet	NO* NO* NO*
Principle Buildings and Accessory Structures Adjacent to Street R.O.W. at Parcel Perimeter • Single Story Structure • Two Story Structure • Three Story Structure	10 Feet 20 Feet 25 Feet	N/A 25+ Feet 25+ Feet	YES YES YES
Principle Buildings and Accessory Structures Adjacent to Parks, Open Space, Landscaped Areas Adjacent to Perimeter Streets, or Paseo Pl • Single Story Structures • Two Story Structures • Three Story Structures	10 Feet 10 Feet 10 Feet	N/A Zero Feet 10 Feet	YES NO*** YES
Living Area or Porch from Private Street or Parking	10 Feet	Zero Feet	NO* [@]
Garage Face Setback from Private Street	Less than 5 Feet or 18 Feet plus	N/A	YES

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Building Separation			
• Balcony to Balcony	30 Feet	N/A	N/A
• Balcony to Non-Balcony	20 Feet	20 Feet	YES
• Non-Balcony to Non-Balcony	15 Feet	15 Feet	YES
• Between Main Bldg & Acc. Structure	10 Feet	10 Feet	YES
Maximum Bldg Height			
• Principle Building and Accessory Structures	50 Feet Subject to Setback Criteria Above	42 Feet	YES
Trash Enclosure	YES	13	YES
Mech. Equipment	YES	YES	YES

* Buildings 8, 9, and 22 thru 27 are single-story structures (garages), which are located along the east property line at a zero-foot setback where 10 feet is required. Buildings 28 thru 35 are two-story structures (lofts located over a garage), which are located along the west property line at a zero-foot setback where 20 feet is required. Building 1 is a three-story structure (apartment building), which is located along side the west property line at a 10-foot setback where 30 feet is required. All of these buildings fail to meet the development standards set forth by 3.2.1 of the Cliff's Edge Master Development Plan and Design Guidelines and require a waiver of said standards. The Master Developer of Cliff's Edge "Providence" has granted the applicant a waiver of the before mentioned deviations from the Cliff's Edge Master Development Plan and Design Guidelines, by stating "that since the requested 10' setback is adjacent to the future Las Vegas Valley Water District facility there would be no impact to the adjacent property owner." In addition, Picerne has proposed a modified roof for buildings 22 thru 27 that "will not be visible from the adjacent parcel."

*** Buildings 28 thru 35 are two-story structures (lofts located over a garage), which are located along the west property line at a zero-foot setback from an adjacent park where 10 feet is required. These buildings fail to meet the development standards set forth by 3.2.1 of the Cliff's Edge Master Development Plan and Design Guidelines and require a waiver of said standards. The Master Developer of Cliff's Edge "Providence" has granted the applicant a waiver of the before mentioned deviations from the Cliff's Edge Master Development Plan and Design Guidelines.

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*@ Buildings 28 thru 35 are two-story structures in which lofts are located directly above a garage and are abutting parking spaces provided for the rest of the apartment development. Parking spaces are separated by either a two to three-foot landscape planter or by a five-foot landscape planter. These buildings fail to meet the development standards set forth by 3.2.1 of the Cliff's Edge Master Development Plan and Design Guidelines and require a waiver of said standards. The Master Developer of Cliff's Edge "Providence" has granted the applicant a waiver of the before mentioned deviations from the Cliff's Edge Master Development Plan and Design Guidelines, by stating "Since the living space is on the second floor, the separation is achieved."

A2) Residential Adjacency Standards

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

- a) Proximity slope. Building 7 is approximately 30 feet from the nearest residential property line. The applicant is proposing a building approximately 42 feet in height, which would require a 126-foot setback, a 320% deviation of the proximity slope. The proposed fails to meet the proximity slope requirement.
- b) Building setback. Building 7 is approximately 30 feet from the nearest residential property line, where approximately 125 feet is required, therefore the proposed development fails to meet the required building setback.

The proposed development is adjacent to a non-owner parcel with the zoning designation of U (PCD) [Undeveloped (Planned Community Development General Plan designation)], which is currently not a part of the Cliff's Edge Master Planned Community. The PCD designation allows for a number of different uses, one of which is residential. This meets the criteria in the Zoning Code for the application of Residential Adjacency Standards. Therefore, the proximity of Building 7 to the property line of said parcel is not in conformance with Residential Adjacency Standards, and will require a separate Variance application. The Residential Adjacency Standards will be considered as part of a separate Variance (VAR-5547) application.

A3) Parking and Traffic Standards

Pursuant to Title 19.10 and the Cliff's Edge Master Development Plan and Design Guidelines, the following Parking Standards apply to the subject proposal:

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Uses	Ratio	Units	Required
Studio or 1 Bedroom units	1.25 / Unit	162	202.5
Two bedroom units	1.75 / Unit	206	360.5
Units w/ more than 2 bedrooms	2 / Unit	24	48
Visitor parking	0.2 / Unit	392	78.4
Club House	1 space / 300 GFA	6,487 SF.	21.6
Total			711

Type	Provided
Uncovered	245
Covered	392
Garage	80
Total	717

Handicap Parking	Ratio	Required	Provided
Regular	2% of total required spaces	12	14
Van Accessible	1 / 6 handicap spaces	3	4
Total		15	18

The total amount of parking spaces provided onsite exceeds the required amount of parking for the proposed development therefore it is in compliance. The proposed development exceeds the required number of standard and van accessible handicap parking spaces. All proposed handicap spaces are to meet the design standards set forth by the 1992 CABO/ ANSI A117.1, Section 4.6 and Title 19.10.010.G.3.

A4) Landscape and Wall Standards

Pursuant to Title 19.12 and the Cliff's Edge Master Development Plan and Design Guidelines, the following Landscape Standards apply to the subject proposal:

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Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree / 10 Spaces	25 Trees	79*
Buffer:	1 Trees/ 30 Linear Feet	130 Trees	50**
• Min. Trees			
• Min. Zone Width			
Hualapai Way	20 Feet		YES* [@]
Dorrell Lane	10 Feet		YES
Deer Springs Way	10 Feet		YES
Non-ROW Perimeter	6 Feet		NO* [^]
• Wall height	6 Feet & 6 Feet 2 Inches		YES

* The proposed parking lot landscaping shows a minimum of one 36-inch box tree to be planted every 10 parking spaces, as well as landscape islands to contain a minimum of one tree per parking stall depth. The applicant has provided a number of trees, but has done so in a non-conforming manner. The applicant has supplied trees within most of the landscape islands throughout the parking lot. Additionally, the applicant has utilized landscape islands as locations for trash enclosures in addition to required landscaping.

The landscape planter around the interior parking lots is to have a depth of 10 feet, including sidewalks. A minimum of one 24-inch box tree is to be planted every 20 feet. The applicant has provided varying spacing of interior landscape that surround the interior parking lot ranging from 20 feet to 50 feet. Therefore, the perimeter landscape that surrounds the interior parking lot does not comply with the Cliff's Edge Master Development Plan and Design Guidelines. However the Master Developer of Cliff's Edge, "Providence" has granted the applicant a waiver of the before mentioned deviations from the Cliff's Edge Master Development Plan and Design Guidelines.

** The proposed development has over 3,875 linear feet of property line in which roughly 130 trees are required at a spacing of one 24-inch box tree every 30 linear feet. The applicant has provided approximately 50 trees along Hualapai Way and Dorrell Lane at a spacing of less than 30 linear feet on center. Unfortunately, the applicant has provided approximately 6 of the 50 provided trees along the rest of the property lines. Therefore, the perimeter landscaping is insufficient and fails to meet the requirements set forth by both Title 19.12 and the Cliff's Edge Master Development Plan and Design Guidelines. The applicant has noted on the landscape plan that all of the street planting is to be done by the developer, therefore not their responsibility and subsequently not shown on the plans. In addition the Master Developer of Cliff's Edge, "Providence" has granted the applicant a waiver of the before mentioned deviations from the Cliff's Edge Master Development Plan and Design Guidelines.

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December 16, 2004 - Planning Commission Meeting

*@ The property line along Hualapai Way calls for a proposed 20-foot landscape that consists of a 10-foot landscape strip abutting a 10-foot sidewalk, by means of the recording of the Cliff's Edge Parent Final Map. It is the case that on the east side of Hualapai Way exists a single-family residential use/zoning district which, (per the Urban Design Guidelines and Standards) requires a minimum of fifteen (15) feet wide landscape planter to be provided in addition to the width of any detached or attached sidewalk; additionally in such cases, which this so happens to be, the planter may be nineteen (19) feet wide when a meandering sidewalk is provided within the planted area.

A Multi-Use Transportation Trail is to be developed along the eastern property line of the proposed development. The trail and street frontage along Hualapai Way are to conform to the Cliff's Edge Parent Map as depicted in TMP-3798.

*^ The proposed development illustrates a zero to 6-foot landscape buffer along all property lines that do not abut a public right-of-way. The required landscape buffer, per Title 19 is 6 feet for multi-family development for the before mentioned areas.

Perimeter wall heights in regards to the entry gate area are in conformance with the development standards set forth by the Cliff's Edge Master Development Plan and Design Guidelines Exhibit #16. The applicant has not supplied wall details for the rest of the perimeters, therefore it cannot be said with any certainty whether or not they will conform to the Cliff's Edge Master Development Plan and Design Guidelines. The applicant has called out on the site plan proposed perimeter walls to be eight feet in height. This would be acceptable under Title 19, but is not in conformance with the Cliff's Edge Master Development Plan and Design Guidelines, Section 6, Exhibit #16, therefore requiring a waiver from said standards, for the plans as submitted to be approved.

A5) Open Space Standards

Pursuant to the Cliff's Edge Master Development Plan and Design Guidelines, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required		Provided
15.63 Acres	24.9	100 Sq. Ft./ Unit	39,200 Sq. Ft.	145,087 Sq. Ft.

The proposed project meets and exceeds the required amount of open space required for this development.

A6) Sign Standards

Pursuant to Title 19.14, the following Sign Standards apply to the subject proposal:

The proposed site plan and landscape plan indicate a site directory sign, located within a landscape median at the entrance gate on Dorrell Lane. The Cliff's Edge Master Development Plan and Design Guidelines do not address this type of signage. No other signage has been indicated on the submitted plans.

B) *General Analysis and Discussion*

• Zoning

The subject site is currently zoned PD (Planned Development). The site is located within the Cliff's Edge Master Plan with a special land use designation of M (Medium Density Residential). The proposed project is in conformance with both the zoning district and Cliff's Edge special land use designation.

• Site Plan

The site plan depicts a multi-family apartment complex consisting of 35 structure on site located on the southwest corner of Hualapai Way and Dorrell Lane. The plans are drawn to a 1-inch equals 50-foot scale, which fails to meet the submittal requirements set forth by the Cliff's Edge Master Development Plan and Design Guidelines Section 9.4. The main entrance to the complex is from Dorrell Lane, while a smaller entrance is proposed from a knuckle on Deer Springs Way.

Large apartment complex buildings are located along the north and east property lines, while smaller lofts and garage facilities are to be located along the west, as well as part of the east property line at a zero-foot setback, which will require a waiver from the Cliff's Edge Master Development Plan and Design Guidelines. Interior to the site are three large apartment complex nodes, in which each centers around common open spaces consisting of either a pool or spa. The proposed lofts front immediately onto the parking lot area and therefore will also require a waiver.

The site plan indicates 717 parking spaces, 18 of which are handicap spaces, to be provided on-site. The parking to be provided will consist of both covered and uncovered parking spaces through out the entire site. Trash enclosures have been located within parking landscape islands through out the site.

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December 16, 2004 - Planning Commission Meeting

The site plan depicts the required 20-foot Multi-Use Non-Equestrian Trail along the Hualapai Way frontage. It has been noted on the plans that the street planting is to be done by the developer, but not illustrated.

- **Waivers**

The proposed project will require a waiver of the Cliff's Edge Master Development Plan and Design Guidelines, which states that principal buildings and accessory structures must maintain a 10-foot setback for single-story structures, 20-foot setback for two-story structures, and a 30-foot setback for three-story structures from the property line.

The proposed project will require a waiver of the Cliff's Edge Master Development Plan and Design Guidelines, which states that principal buildings and accessory structures must maintain a 10-foot setback for two-story structures from adjacent parks, open space, landscape areas adjacent to perimeter streets.

The proposed project will require a waiver of the Cliff's Edge Master Development Plan and Design Guidelines, which states that living area or porch must maintain a 10-foot setback from private streets or parking.

The proposed project will require a waiver of the Cliff's Edge Master Development Plan and Design Guidelines, regarding interior landscaping within parking lots which calls for a minimum of one 24-inch box tree to be planted every 10 parking spaces, as well as landscape islands to contain a minimum of one tree per parking stall depth.

The proposed project will require a waiver of the Cliff's Edge Master Development Plan and Design Guidelines, regarding interior landscape that surrounds the interior parking lots which states that it shall have a depth of 10 feet, including walks, as well as a minimum of one 24-inch box tree shall be planted for every 20 linear feet of landscape area.

The proposed project will require a waiver of the Las Vegas Urban Design Guidelines and Standards and Title 19, regarding perimeter landscaping along the west and portions of the east property line where six feet of landscaping is required.

The proposed project will require a waiver of the Cliff's Edge Master Development Plan and Design Guidelines, regarding perimeter wall heights to exceed six feet as described in Section 6, Exhibit #16 of the Cliff's Edge Master Development Plan and Design Guidelines.

- Landscape Plan

As mentioned in Section A6 of this report the proposed landscaping is deficient in a number of regards. Generally, the plan is lacking in perimeter landscaping, interior landscaping within parking lots, and interior landscape that surrounds the interior parking lots, as well as the required landscape buffers along the south, west and portions of the east property line.

- Elevation

The proposed development consists of eight different building types, including a loft option. The buildings range from one to three-stories and from 12 feet to 42 feet in height. All of the buildings will have two toned stucco effect to differentiate between the lower levels and the upper floors. In addition all of the buildings will have tile roofs and decorative metal railings and entry doors. The site plan proposes 4 of building type #1, 6 of building type #2, 4 of building type #3, 1 of building type #4, 2 of building type #5, 1 of building type #6, 1 of building type #7, and 8 of building type #8 (loft).

- Floor Plan

Each of the eight building types has associated floor plans, which range from one to three bedrooms. The proposed development consists of 162 one-bedroom units, 206 two-bedroom units, and 24 three-bedroom units. The site proposes 75 of the Unit A1 type, 24 of the Unit A2 type, 75 of Unit A3 type, 36 of Unit B1, 75 of Unit B2 type, 75 of Unit B3 type, 24 of Unit C1 type, and 8 Units of the Loft type within the proposed apartment complex.

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 surrounding area, with the exception of single-family residences to the east, is undeveloped. The proposed use of the property is consistent with Cliff's Edge Master Planned Community special land use designation of M (Medium Density Residential). However the proposed development does not take into account the adjacent land uses, which is evident by the number of waivers and the needed variance from the Residential Adjacency Standards. Therefore, the proposed development is not compatible with adjacent development and development in the area.

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

The proposed development is not consistent with the Cliff's Edge Master Development Plan and Design Guidelines, Title 19, and the Las Vegas Urban Design Guidelines & Standards, as is evident by the numerous requested waivers and necessary variance.

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

The site will have ingress and egress from Dorrell Lane, a 70-foot right-of-way as depicted on the approved parent tentative map of Cliff's Edge, and egress only, per Public Works condition, on Deer Springs Way, a 60-foot right-of-way as depicted on the approved parent tentative map of Cliff's Edge. The site access' impact on adjacent road ways or neighborhood traffic is questionable and has been conditioned by Public Works to supply a traffic queuing analysis.

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

The proposed landscape and building materials are appropriate for the area and conform to such materials as direct by the Cliff's Edge Master Development Plan and Design Guidelines.

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

The building elevations are typical of multi-family residential apartment complexes and will be compatible with the Cliff's Edge Master Development Plan and Design Guidelines.

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

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

SDR-4730 - Staff Report Page Sixteen
December 16, 2004 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

NOTICES MAILED 39 (Mailed with VAR-5547 at 12/16/04 PC)
40 (8/12/04 PC)

APPROVALS 1

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4730 APN: 126-24-601-002, 003, 021

Name of Property Owner: Cliff's Edge LLC

Name of Applicant: Picerna Development Corporation

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: Not Applicable

Partner(s): Not Applicable

APN: Not Applicable

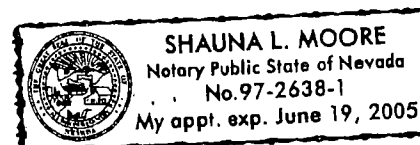
Signature of Property Owner/Authorized Agent: [Signature]

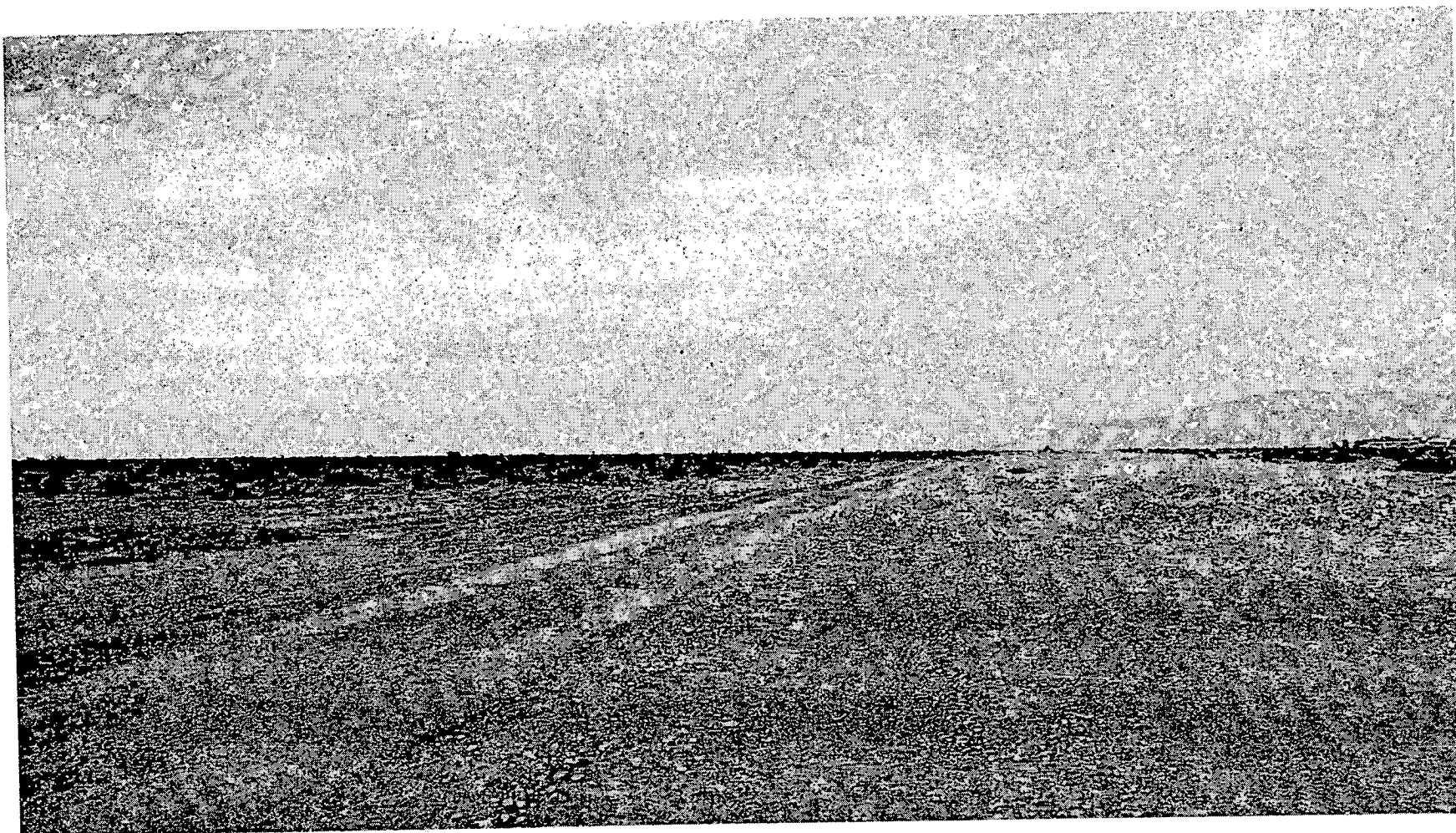
Print Name: LARRY W. BROSS

Subscribed and sworn before me

This 24th day of JUNE, 2004

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





SDR-4730 - APPLICANT: PICERNE DEVELOPMENT CORPORATION - OWNER: PICERNE PROVIDENCE, LLC
SOUTHWEST CORNER OF DORRELL LANE AND HUALAPAI WAY
DECEMBER 16, 2004 PLANNING COMMISSION

11/30/04

RECEIVED

DEC 12 2004

November 5, 2004

Mr. Gary Leobold, AICP
Senior Planner
City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, Nevada 89101

RE: Recommendation of Approval of
Variance to Residential Adjacency Standards
By Picerne Providence LLC

Dear Mr. Leobold:

This correspondence is to advise you that as owner representative of APN 126-24-601-013, I support the above application and recommend approval as submitted.

Specifically, I support the location of all structures adjacent APN 126-24-601-13 including residential building #7 and for a zero setback of ancillary structures numbered 8G, 9GM, 22G, 23G, 24G, 25G, 26G and 27G (see attached site plan for exact locations). Representatives of the applicant have provided me with materials and explanations sufficient for me to support their application.

If you have any questions regarding this recommendation of approval, please feel free to contact me at (702) 524-0589.

Sincerely,

Jeffrey Parker

WAIMEA FAMILY L P
P O BOX 371149
LAS VEGAS NV 89137-1149

cc: Ms. Ann Pierce, Kummer Kaempfer Bonner & Renshaw
Mr. Jeffrey L. Allen, Picerne Development Corporation

A
4730

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - SUP-4930 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: YOUR CREDIT, INC. D/B/A LAS VEGAS FINANCE - OWNER: SAHARA PAVILION NORTH U.S., INC. - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED AND FOR WAIVERS OF THE 1,000-FOOT DISTANCE SEPARATION REQUIREMENT BETWEEN SIMILAR USES AND THE 200-FOOT DISTANCE SEPARATION REQUIREMENT FROM RESIDENTIAL USES at 2121 South Decatur Boulevard, Suite #29 (APN 162-06-402-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

IF APPROVED: C.C.: 01/19/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Planning Commission – (3) Letters of Support – Tony Woo, Shawn Henson and Elie Tabachry

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with EVANS voting NO and DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning Development Department
Item 26 – SUP-4930

MINUTES – Continued:

GARY LEOBOLD, Planning & Development Department, explained that there was a previous application for Financial Institution Specified in the subject suite. That application number was SUP-2655, which was denied by City Council on 10/01/2003. This was initially scheduled to come before the Planning Commission on 10/21/2004 but it was held in abeyance. As a result, it had been over a year before being heard again by City Council.

He pointed out that the use does not meet the conditions of approval for a Special Use Permit relative to the distance separation requirement from residential development, which is 200 feet. There are two multi-family developments adjacent to subject parcel. Also, this would be the third similar use within a 1,000-foot radius. Staff felt approval of this application would result in an over saturation of the use in the area. MR. LEOBOLD indicated that another justification for staff's recommendation of denial is that enough time has not lapsed since the new ordinance was adopted to be able to evaluate the effects of the standards on surrounding neighborhoods.

BILL CURRAN, Attorney, Curran & Perry, 300 South 4th Street, appeared on behalf of the applicant. He confirmed that there was an application for a different suite in this shopping center just over a year ago. The Planning Commission followed staff's recommendation and approved the application; however, it was denied by the City Council. The owner of the beauty shop adjacent to the proposed location objected to the application, as he thought it would be detrimental for his business to be situated next to this type of use.

ATTORNEY CURRAN stated his client has been in this business for many years at a location on West Charleston Boulevard. The applicant was looking for a more commercial setting for his business, and when he found the subject property, he was not aware of the previous action by the City Council. He entered into a lease with the operators of the shopping center, but they did not disclose to him that he was leasing the exact suite that the previously denied application had proposed to occupy. The applicant applied for a business license with the City and it was approved. Once receiving the new license, the applicant terminated the Charleston Boulevard location and moved into the subject site.

The operator of the beauty shop, who had objected to the previous application, wondered how the use had been allowed within the same suite and contacted the shopping center executives for an explanation. Those individuals have been working with ATTORNEY CURRAN to resolve the situation. The shopping center management group tried to find suitable space within the shopping center that would accommodate the minimum 1,500 square-foot requirement of the ordinance. He added that 1,500 square feet exceeds the necessary amount of space for this use. ATTORNEY CURRAN thought that the business could operate in a suite of approximately 300 to 400 square feet. This use does not rely on flashing lights for clientele; the banks refer most of the applicant's clients.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning Development Department
Item 26 – SUP-4930

MINUTES – Continued:

A suitable location was identified. The applicant approached the nearby operators to see if there were any objections to locating the use in that area, there were none. In fact, ATTORNEY CURRAN was able to submit letters of approval from two of the nearby businesses. He said that it has been difficult to get letters of support from the closer businesses because they are national chain stores and it is hard to get out of town headquarters to focus on a small matter such as this one. The owner of the beauty shop has also submitted a letter supporting the new site.

ATTORNEY CURRAN concluded by reiterating the applicant operated at the Charleston Boulevard location for a very long time. He emphasized it is very difficult to find a location anywhere in this area where there is not a violation of the setback standards. The applicant is trying to preserve his business, his employees' jobs and his longstanding relationship with clients. He reminded the Commission that the residential adjacency standard is measured from the far boundary of the entire shopping center; however, the specific location is over 200 feet away from the nearest residential use.

MARGO WHEELER, Deputy Director, Planning & Development Department, confirmed with ATTORNEY CURRAN that the correct suite number of the proposed site is Suite 29. With that knowledge, she informed the Council that the photos shown on the overhead were incorrect. As the photos were of the former suite, she requested they be removed.

COMMISSIONER STEINMAN stated that if the location shown on the overhead was incorrect, he wanted to know where the actual site was. VICE CHAIRMAN NIGRO stated that the overall location was correct, it was just a different suite. COMMISSIONER STEINMAN confirmed with ATTORNEY CURRAN that the old location fronted Decatur Boulevard. DEPUTY CITY ATTORNEY BRYAN SCOTT clarified for the Commissioner that the photos were incorrect and were not of the suite being considered on the application before the Commission. COMMISSIONER STEINMAN then asked ATTORNEY CURRAN to identify the specific location on the map of the proper suite. MS. WHEELER indicated it was on the map and was interior to the site, next to the Mayflower restaurant. COMMISSIONER STEINMAN felt the red dot on the map indicating the proper site was incorrect. VICE CHAIRMAN NIGRO concurred. MS. WHEELER responded that the dot was not accurate but the location was near the dot. COMMISSIONER STEINMAN felt the dot was very misleading. Once the exact location was identified, COMMISSIONER STEINMAN felt he could support the item because it was not impacting residential and was actually on a very busy corner.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:21-7:32)

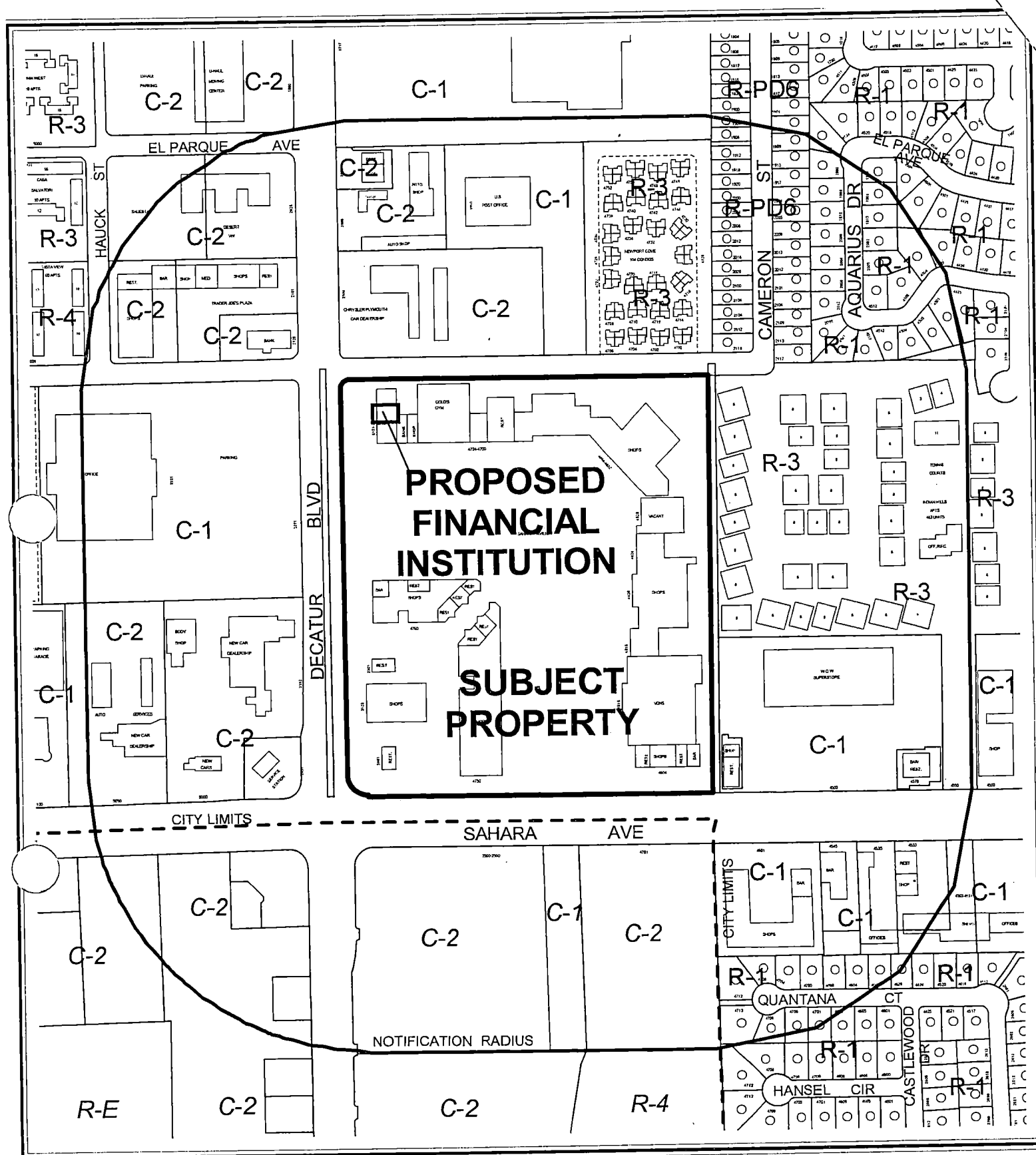
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PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning Development Department
Item 26 – SUP-4930

CONDITIONS:

Planning and Development

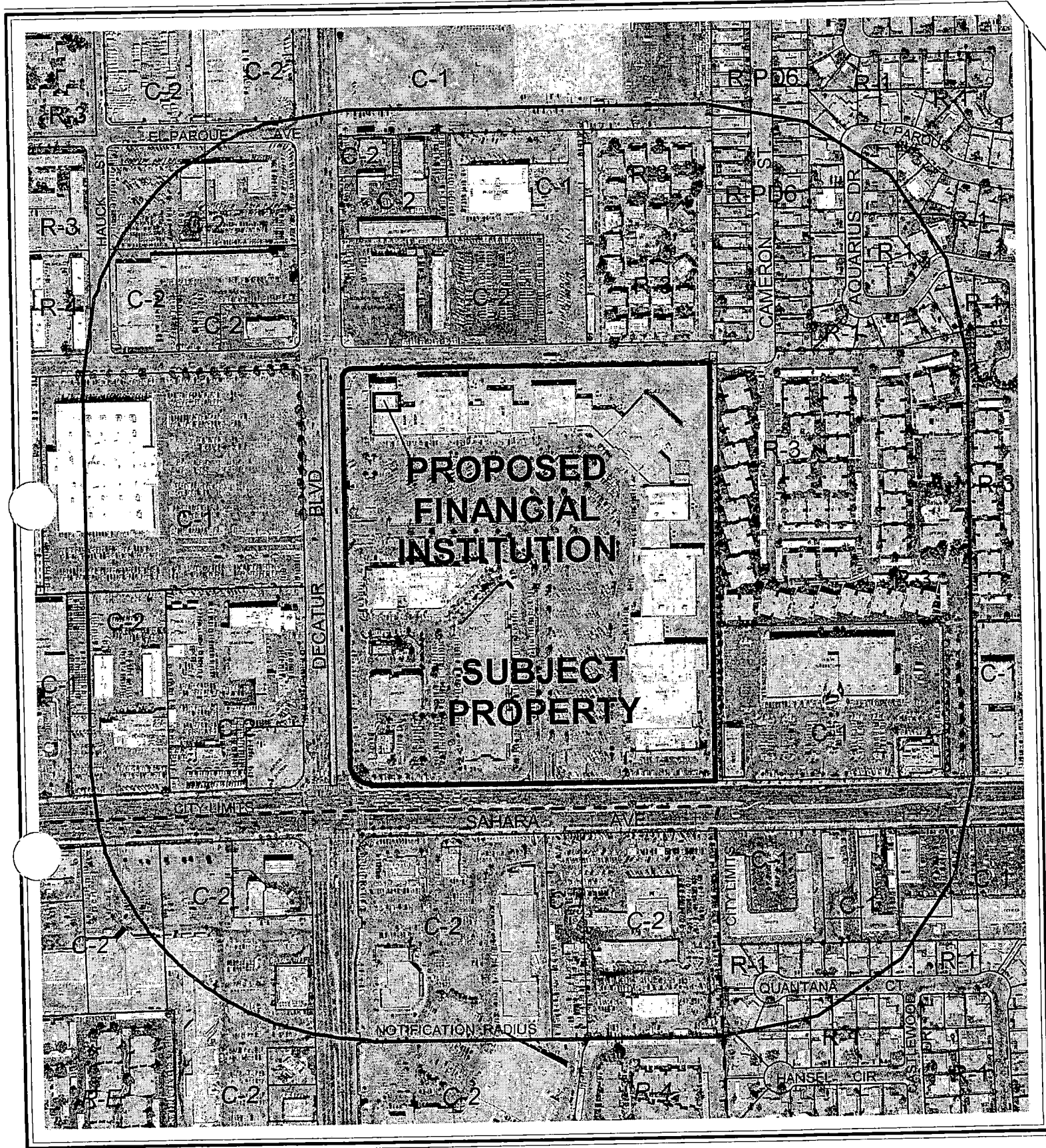
1. Conformance to all minimum requirements under Title 19.04.050 for the Financial Institution, Specified use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.



CASE: SUP-4930

RADIUS: 750 FT

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



0 300 600 Feet

CASE: SUP-4930

RADIUS: 750 FT

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



City of Las Vegas

AGENDA MEMO.

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - RENOTIFICATION - SUP-4930 -

APPLICANT: YOUR CREDIT, INC. D/B/A LAS VEGAS FINANCE - OWNER:
SAHARA PAVILION NORTH U.S., INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for the Financial Institution, Specified use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a Financial Institution, Specified and Waivers of the required 1,000-foot distance separation between similar uses and the 200-foot distance separation requirement from residential uses at 2121 South Decatur Boulevard, Suite #29. The application was held in abeyance at the 11/18/04 Planning Commission meeting so that the application could be renotified to correct the suite number.

B) Applicant's Justification

The applicant states that local management of the 4347 West Charleston Las Vegas Finance location recently determined that it was appropriate to relocate in order to better serve the needs of its patrons. Because the Sahara Pavilion Center is located on such a large parcel, the distance from the proposed financial institution to residential uses is much greater than 200 feet, and could not possibly have a negative impact on those residents. According to the applicant, this location is also over 2,000 feet from the nearest similar use. Therefore, the Waiver requests are justified.

BACKGROUND INFORMATION

A) Previous Actions

- 08/05/87 The City Council approved a Rezoning (Z-0057-87) to C-1 (Limited Commercial) on 38.5 acres, including this property, as part of a larger request. The Planning Commission and staff recommended approval.
- 05/12/88 The Planning Commission approved a Plot Plan Review [Z-0057-87(1)] for a proposed shopping center on this site.
- 10/01/03 The City Council denied a request for a Special Use Permit (SUP-2655) for a proposed Financial Institution, Specified (Cashback Payday Loans) at this location (2121 South Decatur Boulevard, Suite 2). The Planning Commission and staff recommended approval.

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December 16, 2004 - Planning Commission Meeting

- 04/21/04 The City Council adopted an ordinance (proposed as Bill No. 2003-78) establishing locational restrictions and additional development standards for the uses "Auto Pawn," "Auto Title Loan," and "Specified Financial Institution."
- 10/21/04 The Planning Commission voted to hold this item in abeyance to allow the applicant time to prepare the request.
- 11/18/04 The Planning Commission voted to hold this item in abeyance to publish notice of public hearing for location of the proposed use in Suite #29 instead of Suite #2.

B) Pre-Application Meeting

- 06/22/04 A pre-application meeting was held and the submittal requirements and application timetable for a Special Use Permit application were discussed. A number of waivers from distance separation requirements for Financial Institutions, Specified would be required in connection with this application. In addition, it was noted that this project would be deemed a "Project of Regional Significance."

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 29.40 (overall commercial subdivision)

B) Existing Land Use

Subject Property: Financial Institution, Specified
North: Commercial Shopping Center
South: Commercial Shopping Center
East: Commercial Shopping Center
West: Commercial Shopping Center

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
South: Unincorporated Clark County
East: SC (Service Commercial)
West: SC (Service Commercial)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)

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December 16, 2004 - Planning Commission Meeting

South: Unincorporated Clark County
East: C-1 (Limited Commercial)
West: C-1 (Limited Commercial)

E) General Plan Compliance

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	

Clark County Notification – The notification radius for this request includes properties under Clark County jurisdiction. The owners of these properties were notified of a public hearing for this item.

Project of Regional Significance – The parcel location of the proposed financial institution is within 500 feet of the City's boundary with Clark County, and therefore this Special Use Permit request is deemed to be a Project of Regional Significance. In accordance with City Ordinance No. 5477, an environmental impact assessment questionnaire was submitted with other materials for this application, and a summary of the comments received from various agencies is detailed below.

INTERAGENCY ISSUES

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

- o Any Special Use Permit within 500' of the City's border with Clark County or North Las Vegas.

The Special Use Permit concerns property that is located within 75 feet of the City of Las Vegas boundary with Clark County. 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:

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December 16, 2004 - Planning Commission Meeting

1) The City of Las Vegas Department of Public Works (Sanitary Sewers Division) indicated that the proposed development would have minimal impact on the existing sewer system.

2) The City of Las Vegas Department of Public Works (Flood Control Division) will not require a drainage study for this project.

3) The Las Vegas Metropolitan Police Department did not find a significant law enforcement impact on the surrounding area.

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution, Specified	1,640 SF.	1/200 GFA	8	1	1,340	Not Shown

Parking facilities within the existing shopping center meet the requirements of the Zoning Code and are adequate to accommodate the proposed specified financial institution use. No new parking spaces are required or proposed as a result of this project.

A2) Minimum Distance Separation Requirements

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

BTS/SS

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December 16, 2004 - Planning Commission Meeting

Standards	Code Requirement	Provided
Financial Institution, Specified	1,000 feet from any other Specified Financial Institution, Auto Title Loan or Auto Pawn use	Two other similar uses within the 1,000 foot distance separation radius
	200 feet from any parcel used or zoned for residential use	The parcel line abuts the residential use to the east and is 60 feet from residential uses to the north

The proposed Financial Institution, Specified use does not meet the minimum distance separation requirements from three residential developments and two similar uses.

A3) Financial Institution, Specified Building Size

Standards	Code Requirement	Provided
Financial Institution, Specified	The building or portion thereof that is dedicated to the use shall have a minimum size of 1,500 square feet.	1,640 square feet

At 1,640 square feet, the proposed Financial Institution, Specified meets the minimum 1,500 square foot space size requirement.

B) General Analysis and Discussion

• **Zoning**

The Financial Institution, Specified use is permitted in a C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit, subject to meeting certain requirements listed below.

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December 16, 2004 - Planning Commission Meeting

- Use

The proposed Financial Institution, Specified offers consumer cash loans to its customers. The business will be located within a 1,640 square-foot tenant space within an existing, approved building; therefore, no exterior work will be performed other than replacement of wall signage, ensuring compatibility with the shopping center and surrounding development. There are two Financial Institution, Specified uses within 1,000 feet of the subject parcel and two multi-family developments adjacent to the subject parcel. This particular use and waivers are recommended for denial for the following reasons:

- 1) The distance separation standards were adopted in April of 2004. Requests for waivers to these standards are premature, as not enough time has elapsed to evaluate their effects on neighborhoods.
- 2) A major reason for these standards were preventing over- saturation, but to ensure that the building elevations are harmonious and compatible with the surrounding area. Allowing a third such use within a 1,000 foot radius of this site clearly constitutes over-saturation.

- Conditions

Title 19.04.050 lists the following conditions for a Financial Institution, Specified use, adopted by the City Council on 04/21/04:

1. The use shall comply with all applicable requirements of Las Vegas Municipal Code Title 6. (Non-waivable)
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. (Non-waivable)
3. No temporary signs (as described in Las Vegas Municipal Code 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 (20%) of the area of all exterior windows;
 - b. Include flashing lights or neon lighting; or

SUP-4930 - Staff Report Page Seven
December 16, 2004 - Planning Commission Meeting

- 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 8:00 a.m. to 11:00 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 have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
- 7. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or pawn 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 lines of fee interest parcels and not leasehold parcels.

The proposed check-cashing center fails to comply with Paragraph Number 7 of the ordinance. The subject site is adjacent to condominium and apartment developments and lies within the 1,000-foot minimum distance separation from two 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 parcels to the north and east are designated M (Medium Density Residential). The residential parcel east of the subject site shares a common property line. The Zoning Code requires a 200-foot buffer between Specified Financial Institutions and residential uses. Additionally, the use is proposed to be located within 1,000 feet of two similar uses, therefore creating a higher probability of saturation in the area. The proposed land use cannot be conducted in a

SUP-4930 - Staff Report Page Eight
December 16, 2004 - Planning Commission Meeting

manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan. This is exemplified through the number of waivers requested by the applicant in order to gain approval.

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

The subject shopping center site can easily accommodate the proposed Financial Institution use, as there is adequate parking available and easy access to the storefront.

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 site is from Decatur Boulevard, classified as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. Alternative access is available on Sahara Avenue, a 150-foot Primary Arterial. These roadways are adequate in capacity to accommodate the demand of the proposed development.

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

The 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 Financial Institution, Specified would be subject to inspections for a Certificate of Occupancy.

NOTICES MAILED 196 [12/16/04 PC]
196 [10/21/04 PC]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4930 APN: 162-06-402-001

Name of Property Owner: Pap Pacific Retail Properties

Name of Applicant: Your Credit Inc. dba Las Vegas Finance

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: _____

Stuart A. Tanz

President and

Chief Executive Officer

Jeffrey S. Stauffer

Executive Vice President
Chief Operating Officer

Subscribed and sworn before me

This 26th day of July, 2004

Michael W. Young

Notary Public in and for said County and State

State of California / County of San Diego



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-4930** APN: _____

Name of Property Owner: Sahara Pavillion North U.S., Inc.

Name of Applicant: Your Credit Inc. dba Las Vegas Finance

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: Stuart A. Tanz Jeffrey S. Stauffer
President and Executive Vice President
Print Name: Chief Executive Officer Chief Operating Officer

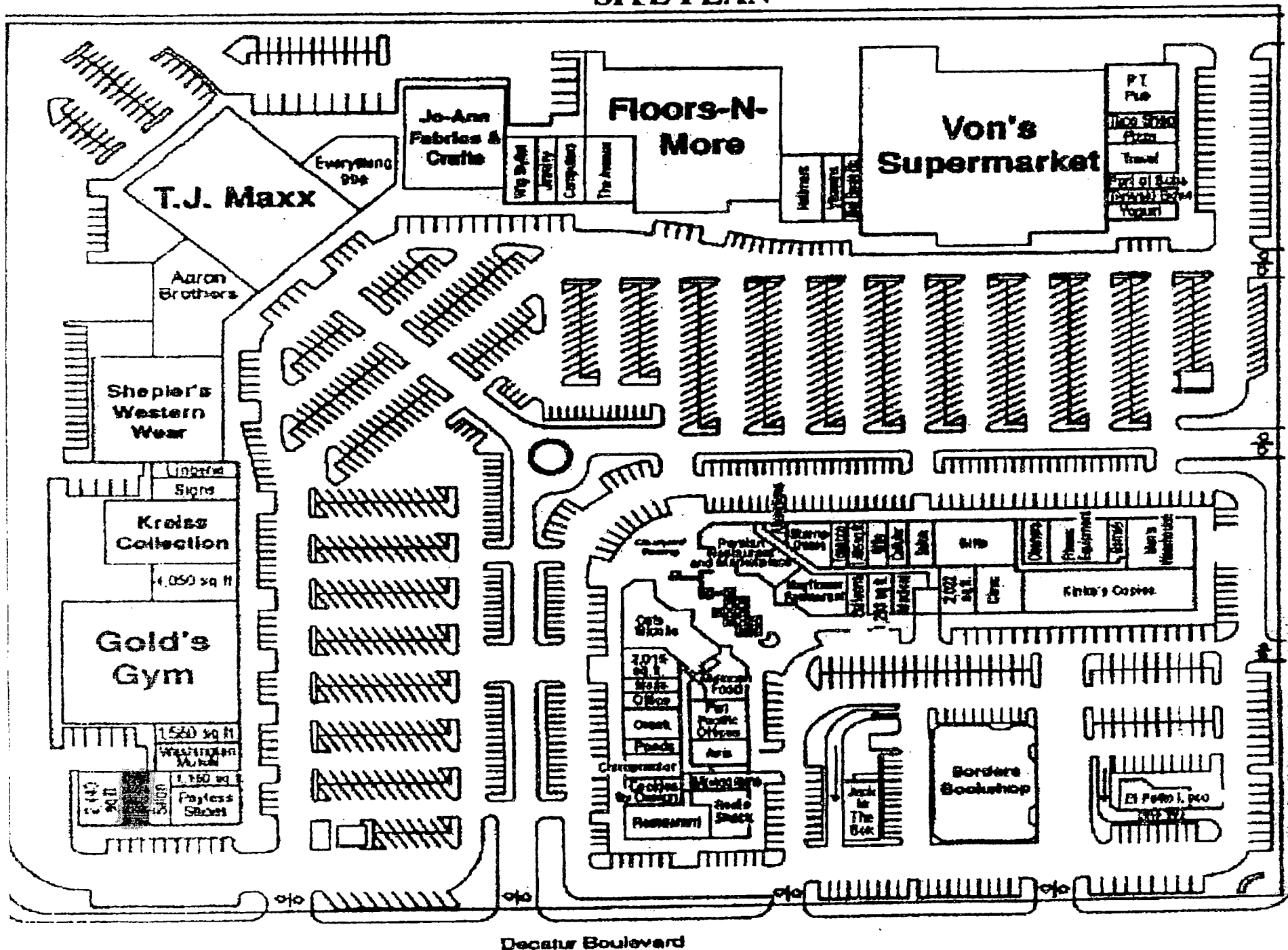
Subscribed and sworn before me

This 29th day of July, 2004

Michael W. Murray State of Calif / County of San Diego
Notary Public in and for said County and State

SAHARA PAVILION NORTH SHOPPING CENTER

SITE PLAN



Sahara Avenue

SUP-4930
12-16-04 PC

FRONT

26

SCALE 1/8 to 1

Address:

2121 South DECATUR

Suit 2

LAS VEGAS NV 89102

PROPOSED COUNTER

63

BATH ROOM

→ NORTH

BACK

SUP-4930

12-16-04 PC



SUP-4930 - APPLICANT: YOUR CREDIT, INC. D/B/A LAS VEGAS FINANCE - OWNER: SAHARA
PAVILION NORTH U.S., INC.
2121 SOUTH DECATUR BOULEVARD, SUITE #29
DECEMBER 16, 2004 PLANNING COMMISSION

10/12/04



SUP-4930 - APPLICANT: YOUR CREDIT, INC. D/B/A LAS VEGAS FINANCE - OWNER: SAHARA
PAVILION NORTH U.S., INC.
2121 SOUTH DECATUR BOULEVARD, SUITE #29
DECEMBER 16, 2004 PLANNING COMMISSION

10/12/04

I am not in opposition to the Las Vegas Finance Application for a Special Use Permit for a financial institution, specified, in the Sahara Pavilion North Shopping Center, located at Sahara and Decatur.

Tony Woo
Print Name *MAYFLOWER*

11/18/04
Date

TW
Signature

Submitted at Planning Commission (3 letters)

Date *12-16-04* Item #26

I am not in opposition to the Las Vegas Finance Application for a Special Use Permit for a financial institution, specified, in the Sahara Pavilion North Shopping Center, located at Sahara and Decatur.

Shawn Benson / president 18 Nov 04
Print Name Date

[Signature]
Signature

Dark Tower Comics

I am not in opposition to the Las Vegas Finance Application for a Special Use Permit for a financial institution, specified, in the Sahara Pavilion North Shopping Center, located at Sahara and Decatur. @ 4750 S. Decatur

ELIE TABACHRY

Print Name

11-18-04

Date



Signature

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

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

SET DATE: 01/05/05

C.C.: 01/19/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the January 27, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

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

MOTION:

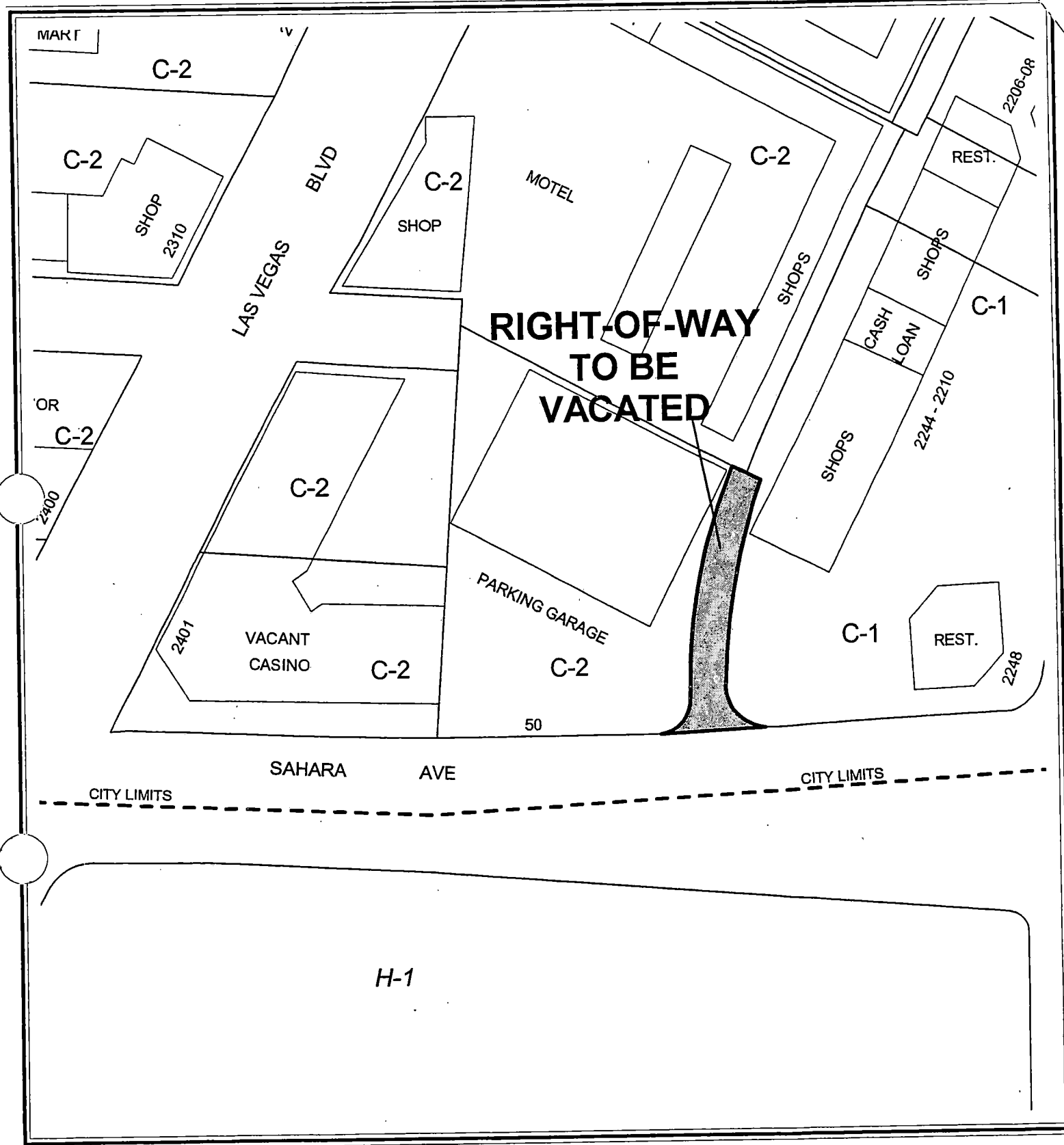
NIGRO – Motion to HOLD IN ABEYANCE to 1/27/2005 Planning Commission meeting – UNANIMOUS with TRUESDELL abstaining as he has an interest in the property adjacent to the proposed site and DAVENPORT and McSWAIN excused

NOTE: At the commencement of the meeting, the initial motion for all abeyance items made by NIGRO, which carried UNANIMOUSLY with DAVENPORT and McSWAIN excused, was rescinded as to Item 27 [VAC-5030] upon motion by NIGRO, which also carried UNANIMOUSLY with DAVENPORT and McSWAIN excused.

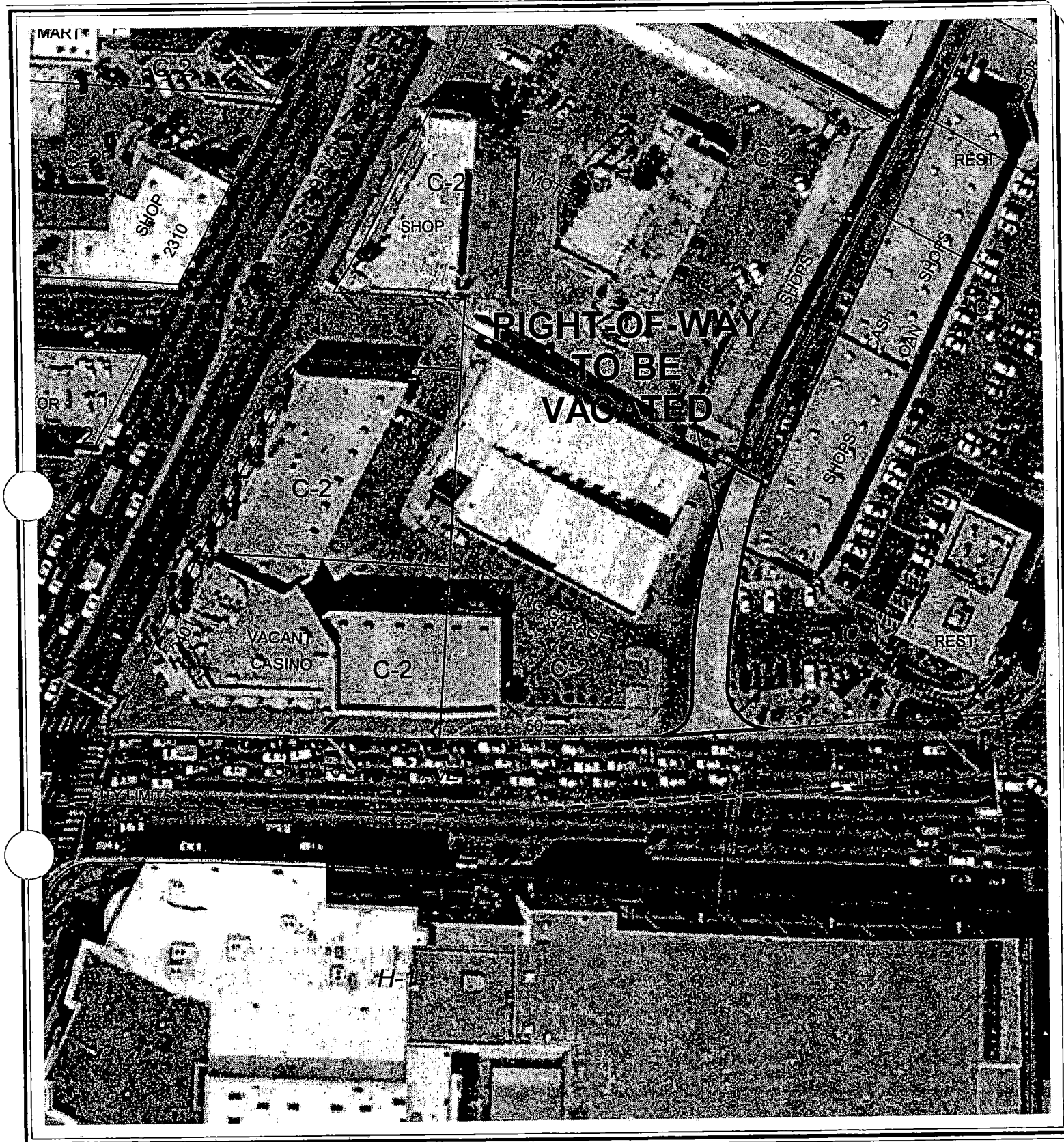
MINUTES:

CHAIRMAN TRUESDELL requested to rescind the motion relative to Item 27 [VAC-5030], as he realized he needed to abstain on this item because he has an interest in the property adjacent to the proposed site.

(6:03 – 6:06)



CASE: VAC-5030



0 70 140 Feet

CASE: VAC-5030



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - VAC-5030 - APPLICANT: JMA

ARCHITECTURE STUDIO - OWNER: RINKAI AMERICA, INC.

***APPLICANT REQUESTS THIS ITEM BE HELD
IN ABEYANCE TO THE JANUARY 27, 2005
PLANNING COMMISSION MEETING***

JMA ARCHITECTURE STUDIOS

December 2, 2004

Flinn Fagg
City of Las Vegas
731 South Fourth Street
Las Vegas, NV 89101

Re: The Summit VAC-5030
JMA Project # 200401166

Flinn,

This letter is in response to the VAC-5030 that has been added to the Planning Commission agenda on December 16, 2004. We are currently working with the neighboring landowner to resolve all issues related to VAC-5030. We would like to abeyance this item for 30 days and add it to the January 27, 2005 agenda.

Your assistance is greatly appreciated. If you have any questions or desire additional information please feel free to give my office a telephone call.

Sincerely,



Nic Niccum

Cc: Gary Leobold, AICP

Thomas J. Schoeman, AIA
President

Edward A. Vance, AIA
Sr. Vice President

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-5030 APN: 16204813070/16204813071/16203410008

Name of Property Owner: Rinkai America, Inc.

Name of Applicant: Ken Kim

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: Tom Mc

State of CALIFORNIA. Print Name: KUN SAM KIM

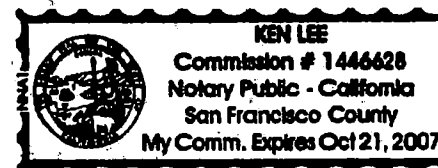
County of SAN FRANCISCO.

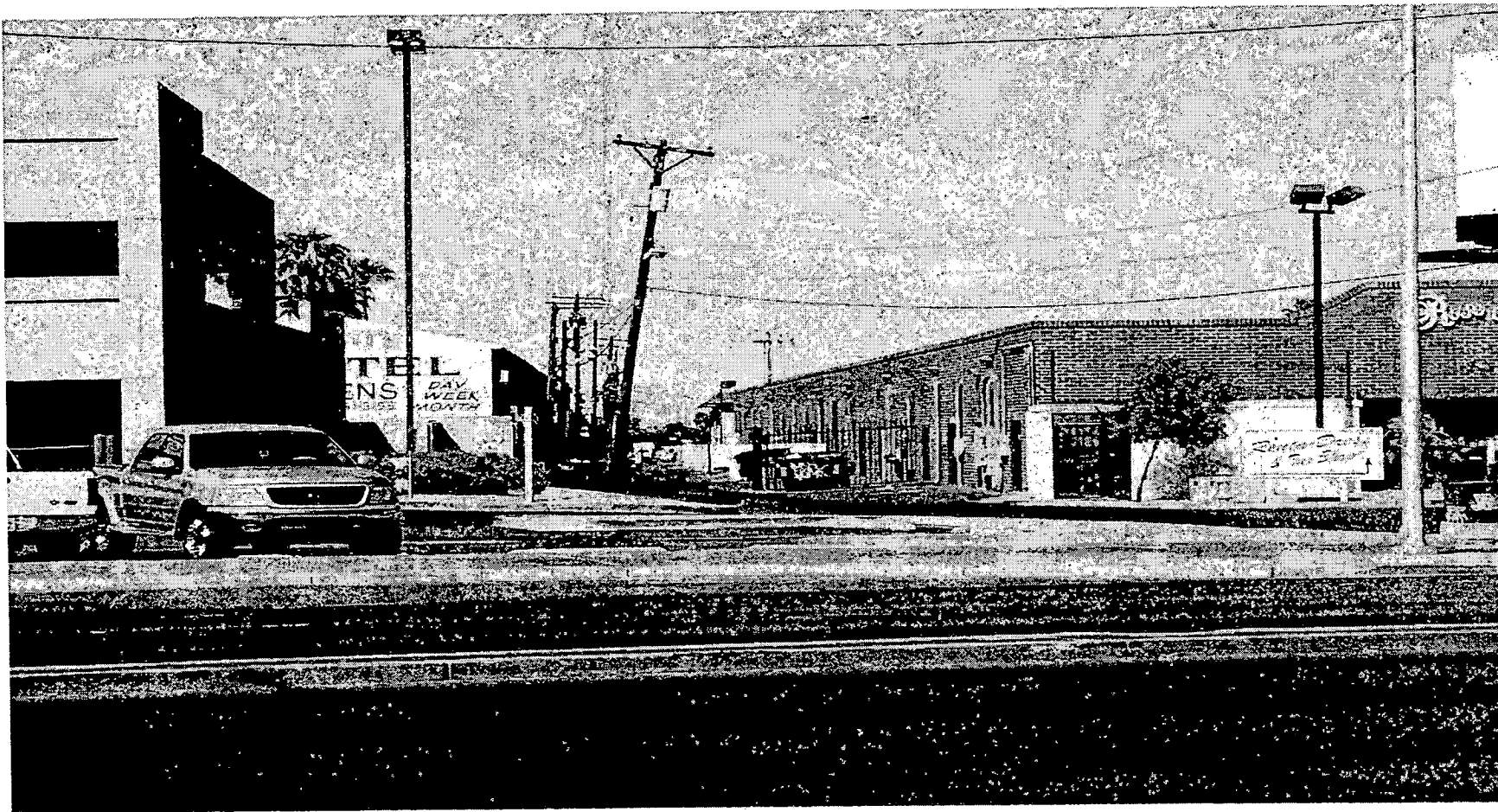
Subscribed and sworn before me

This 26TH day of August, 2004

KEN LEE, Notary Public
Notary Public in and for said County and State

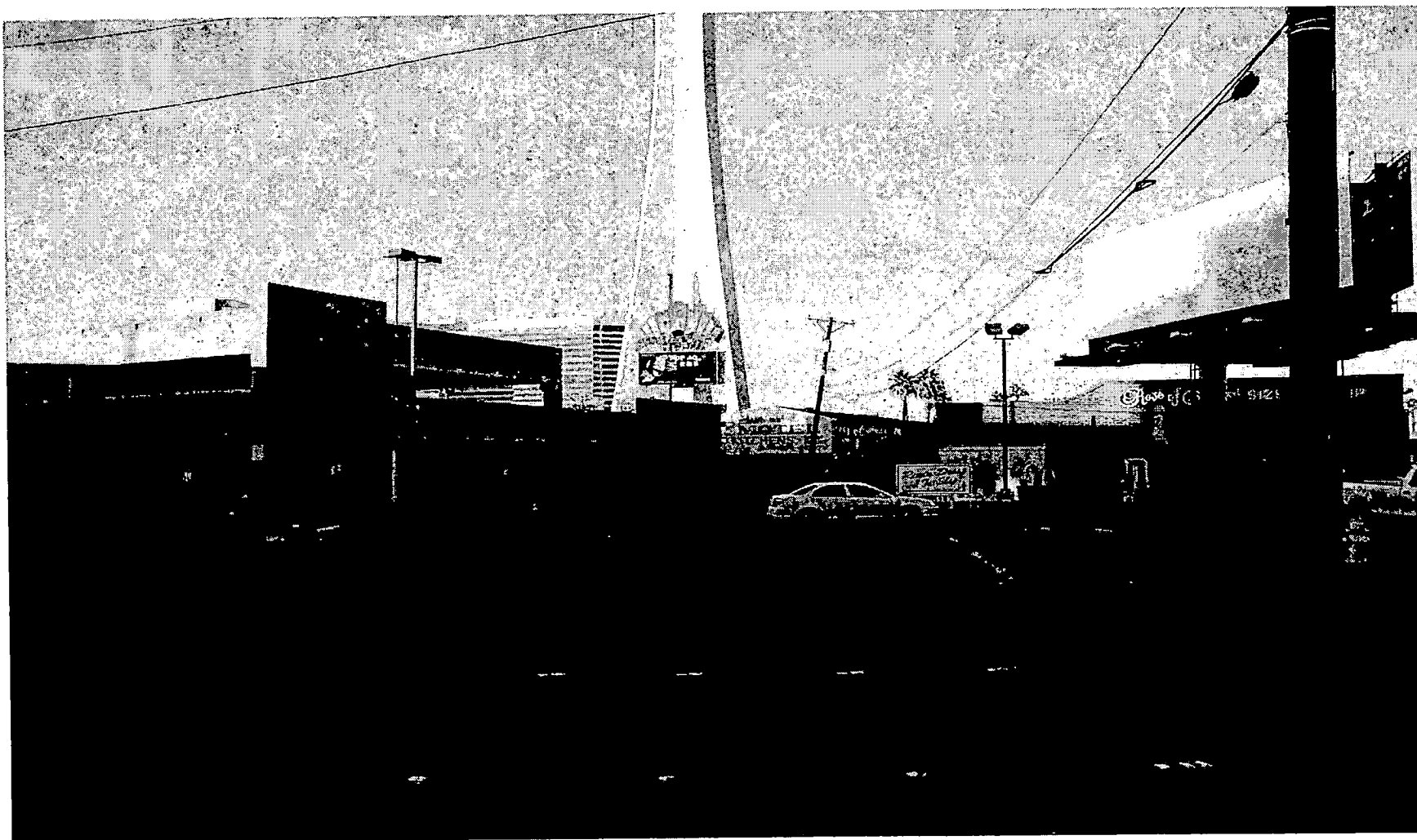
Signature of Notary Public





VAC-5030 - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: RINKAI AMERICA, INC.
NORTH OF SAHARA AVENUE, WEST OF PARADISE ROAD
DECEMBER 16, 2004 PLANNING COMMISSION

09/17/04



VAC-5030 - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: RINKAI AMERICA, INC.
NORTH OF SAHARA AVENUE, WEST OF PARADISE ROAD
DECEMBER 16, 2004 PLANNING COMMISSION

11/12/04



VAC-5030 - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: RINKAI AMERICA, INC.
NORTH OF SAHARA AVENUE, WEST OF PARADISE ROAD
DECEMBER 16, 2004 PLANNING COMMISSION

11/12/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

MOD-5581 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT: OMEGA DEVELOPMENT - OWNER: LONE MOUNTAIN COMMERCIAL, LLC AND THE CITY OF LAS VEGAS - Request for a Major Modification to the Lone Mountain Master Development Plan TO CHANGE LAND USE DESIGNATIONS FROM: NEIGHBORHOOD COMMERCIAL AND PARK/SCHOOL/RECREATION/OPEN SPACE TO: MULTI-FAMILY MEDIUM on 8.74 acres adjacent to the east side of Hualapai Way, north and south of Gilmore Avenue (APN 138-07-201-001 and 002; 138-07-103-006), U (Undeveloped) Zone [PCD (Planned Community Development) and PR-OS (Parks/Recreation/Open Space) General Plan Designations] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown).

C.C.: 01/19/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Meeting – Petition (opposition) with signatures

MOTION:

NIGRO – APPROVED subject to conditions – Motion carried with STEINMAN voting NO and DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 28 [MOD-5581] and Item 29 [SDR-5579].

GARY LEOBOLD, Planning & Development Department, stated that regarding the request for the modification, the subject property is located immediately to the west of the large detention

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning Development Department
Item 28 – MOD-5581

MINUTES – Continued:

basin and undeveloped land that the City has an interest in as a future park site. To the west, across Hualapai Way, there are existing multi-family developments at similar densities. The lower portion of the site that is currently designated for Neighborhood Commercial would be removed from that category to allow the development to take place; however, there is Neighborhood Commercial located about a half a mile to the south, along Hualapai Way and Cheyenne Avenue. Staff felt these reasons make the request for the modification appropriate.

C MR. LEOBOLD indicated that staff is now asking applicants for Major Modifications to host neighborhood meetings in a similar fashion as is done for Special Use Permits. The applicant will hold such a meeting on January 11th, which is prior to the January 19th date of when the item will be heard by City Council.

Regarding the Site Plan approval, MR. LEOBOLD explained that the proposed project is for a 136-unit condominium project with a density of approximately 15-½ dwelling units per acre. There would be 17 two-story buildings with eight two-bedroom units in each building. There are two proposed building models. The site would have three access points to Hualapai Way and all parking would be exterior to the buildings. Staff recommended some additional landscaping be installed along the perimeters of the site and some other site amenities that are addressed through the conditions for approval. MR. LEOBOLD informed the Commission that at the time the report was prepared, there were no protests; however, since that time, a petition was submitted protesting the modification. Staff recommended approval of both requests subject to conditions.

C MICHAEL McDONALD, 4175 Cameron Street, appeared on behalf of the applicant with his associate DAVE BROWN, also at 4175 Cameron Street. MR. BROWN thanked staff for their recommendation and concurred with all conditions. He indicated that the request downzones the property from Neighborhood Commercial to Medium Density Residential. MR. McDONALD pointed out that as of earlier the same day, he found out that there might be a problem with the January 11th neighborhood meeting conflicting with a neighborhood meeting being held by COUNCILMAN BROWN. The applicant does not wish to cause a conflict and would be happy to move the meeting to the 12th if necessary. He also offered that if COUNCILMAN BROWN would like the applicant to attend his meeting, they would be happy to do so.

VITO IPPOLITO, 3810 Juno Beach Street, appeared and stated he lives directly across the street from the subject property. He voiced two concerns over the proposed project. The first related to the triangular portion that is currently planned for the park and recreation area. He said that the Legends/Lone Mountain Condominiums that are located across the street is a gated community. The only access gate for pedestrians is directly across the street from that piece of property. There are several families and children that would be utilizing the park that should have been directly across the street from that gate. If this development were approved, those

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning Development Department
Item 28 – MOD-5581

MINUTES – Continued:

park users would have to circumvent the proposed complex to access the park. MR. IPPOLITO said that there are several residential units with the nearest commercial at Cheyenne Avenue and Rampart Boulevard. The commercial parcel just to the south of subject site represented by the applicant would be a much smaller commercial site that indicated and would be preferable to the large residential development proposed.

DEENA IPPOLITO, 3810 Juno Beach Street, stated her concern is that there are condos proposed just to the north of her subdivision and a huge apartment complex is proposed to the south of her home. She felt the addition of the proposed project would box in her subdivision. The park was a huge factor in the decision to purchase their home and taking away the park to build more homes would be the same to her as building a 20-foot wall all around her home. People need a place to go to enjoy life. She asked that the Commission deny the application.

ROY V. SMITH, 3730 John Bailey Street, stated he lives in the Shadow Hills Community and was speaking on his wife's behalf as well. They strenuously object to the proposed modification of the Lone Mountain Development Plan. The proposed change would violate the existing Master Plan and the trust that the homeowners placed in the City of Las Vegas when they purchased their homes. The Smith's purchased their home because of the planned development of the area as a single-family home community with a large, planned open park adjacent for recreation activities. They were looking specifically for a single-family community because of the privacy that assures. The modification would allow multi-story residences would seriously overcrowd the neighborhood and overwhelm the proposed park's usage. He felt it was a quality of life issue and that approval of the modification would alter the developmental goals and the balance of the Shadow Hills Community. It would also have a serious impact on the single-story community.

MR. SMITH found the proposal to be incompatible with the community and would disrupt the existing harmonious balance. He quoted information from the City of Las Vegas website which described the square footage of available park space, per resident, in the City is well below national standards. MR. SMITH commented that the addition of dense housing in this area would further reduce that number. He pointed out three nearby apartment and condominium developments, which are adjacent to the Shadow Hills Community and total over 1,000 units combined. He urged the Commission to take a closer look at the area and recognize that it has been overbuilt and that this application should be denied.

BETTY GOODROE, 3734 John Bailey Street, indicated her property is the closest to the proposed development. She concurred 100 percent with all of MR. SMITH'S statements. She said that a lot premium was required for her property and if she would have known that condominiums could be built she would have purchased a cheaper lot away from the area. MS.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning Development Department
Item 28 – MOD-5581

MINUTES – Continued:

GOODROE found it interesting that it was not only objected to by the single-family homeowners but by the condominium owners as well. She stated the area did not need additional traffic and asked for denial.

IVORYRINE GREEN, 10129 James Harbin Avenue, stated that she had concerns regarding traffic congestion the proposal would cause. She felt that there had not been enough detail made in reference to the traffic lights and any necessary street widening. The traffic concerns were important to her because traffic directly affects the children in the community.

C FRANK SUTHERLAND, 3709 John Bailey Street, asked the Commission if they received a copy of the petition. MR. LEOBOLD informed the Commissioners that a copy of the petition was provided in the backup materials. MR. SUTHERLAND submitted 23 additional emails to the City Clerk to be entered into the record. He concurred with the statements of the previous speakers and said the density is being increased exponentially with the apartments, townhouses, condominiums and cluster homes. He challenged formula used by the Planning staff to calculate the definition of high density. MR. SUTHERLAND also reiterated MR. SMITH'S concerns about loss of privacy when multi-story homes are built adjacent to single story. He equated it to being in a fish bowl. He said the park has always been planned and it showed on everyone's plans. It should not be taken away. Rezoning the park property for any use other than a park would be a violation of a verbal contract and MR. SUTHERLAND felt doing so would have legal repercussions.

C KEITH BROOKS, 3700 John Bailey Street, concurred with the statements made by his neighbors. He spoke for both he and his wife. MR. BROOKS indicated his home is one of the eight that are directly to the west of the proposed project. They purchased within the single-story community for privacy. They purchased in this area because of the park and the neighborhood commercial that was planned and they trusted that information. The SMITH'S paid a large premium for their lot and two-story condominiums and apartments now surround them. Approval of these applications would affect their quality of life.

ARNOLD KOWITT, 3714 Spring Shadow Road, stated the site was supposed to be a park and he wants it to stay that way. He requested denial on both items.

HAROLD RHEA, 10135 Clark Wooldrige Court, stated that the water detention basin is being groomed for a park and recreation area with lighted softball fields with a walking track. As a park and recreation specialist, it did not make sense to MR. RHEA that the City might take that open space and allow a 136 condominium development to occupy it.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning Development Department
Item 28 – MOD-5581

MINUTES – Continued:

DAN TRACZK, 10126 James Harbin Avenue, said that he has lived in the neighborhood for three and a half years and during that time, he has seen plans for the properties that surrounded his development and there has been one rezoning after another. The soft commercial properties have been going to condominiums, apartments and cluster homes. He felt the Shadow Hills Development Community has been surrounded by high density. MR. TRACZK suggested that someone from Council should look into this situation because the area is over populated. He pointed out that another commercial property at Cheyenne Avenue and Hualapai Way has recently been rezoned and it could be more cluster homes. He said the he and his wife strongly oppose these applications.

LEE ZALALIS, 3718 John Bailey Street, stated that his backyard abuts the west side of Hualapai Way and that he and everyone else who purchased homes adjacent to his, had to pay a premium for the view and the quiet and solitude afforded by the location. He said this application would result in additional traffic and they will lose their view of the proposed park. MR. ZALALIS felt misled by the information he was offered when purchasing his home and suggested that he was misled by people who knew this type of change was in the works and failed to inform the buyers about it. MR. ZALALIS said that at several of COUNCILMAN BROWN'S neighborhood meetings, the residents were told the property would be a park district with a one-story park field or a one-story commercial area with a 500-foot frontage on East Haulapai Way. He stated that that has changed several times now. It looked to MR. ZALALIS suggested work is already being done on the site and questioned why the owner is doing work before the board took the vote. He requested the board deny the rezoning. He also requested that if the City had some form of an ethics review board, that they investigate this situation.

NICK CAPUTO stated that he recently moved from New York to get away from what is happening now in his new neighborhood. Speaking for himself and his wife, he asked that the applications be denied.

SUSAN MARTIN, 10125 James Harbin Avenue, said that this property has always been designated as a park and that something strange is going on if suddenly a condominium or apartment complex is allowed in the middle of the park.

CHAIRMAN TRUESDELL wanted to clarify a couple items before the applicant was given his rebuttal period. He stated that in looking at the Master Plan for the area and reviewing the history of the site, the south side of the property, from the drainage channel south, has always been designated Neighborhood/Commercial. The application is not a large change in that regard. The commercial has always been there. The north side, is a remnant parcel created by the alignment of the road and it has been a problem area that the City has had to address. This issue is not a new one. CHAIRMAN TRUESDELL was offended by the implications that the

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning Development Department
Item 28 – MOD-5581

MINUTES – Continued:

Commissioners are doing anything unethical regarding this property. He pointed out that the only work he knew was being done on the site was gravel work related to the detention basin in the park. He let the applicant take time for a rebuttal.

C MR. McDONALD said that he understood the neighborhoods apprehension regarding this project. He acknowledged that a home investment is the biggest investment many people make and protecting that home is always important. He wanted to give some history on the project. A private party purchased the parcel that was designated as Neighborhood Commercial in 1967. As the area began to grow, the Master Plan was changed several times. In 1997, the City of Las Vegas designed the Master Plan as it is with the park and the property owner at that time had requested Neighborhood/Commercial.

MR. McDONALD stated that the days of the acre estates might be gone with the hike in real estate prices and the current water shortage. Development is building upward and condominiums are the new affordable housing in the valley. He clarified that the park is not going away. COUNCILMAN BROWN was very active in park building and MR. McDONALD felt everyone could be assured about the retention of green space. In fact, it will not be a park, it will be lighted softball fields which will be located on the parcel that they are digging at this time. The gravel being dug from that basin is being placed on the subject site and that could be the work that MR. ZALALIS referenced. He assured the Commission that the applicant had not touched the parcel as far as staking what is proposed for construction.

C Regarding Hualapai Way, MR. McDONALD explained that it was a major arterial that runs north and south. Looking at the history of how this road was cut for the Warmington Community, it can be seen that the subject property was created as somewhat of a remnant piece. Regarding MR. SMITH'S comments regarding two-story development impeding on the privacy of the single-family homeowners, MR. McDONALD pointed out that commercial development could build up to 35 feet and the proposed condominiums would only be built to 32-½ feet, which would be lower.

The applicant wanted to acquire the northern piece of property from the City because they want the site to be harmonious. The applicant will have to install a lift station and access to the drainage channel so they are trying to box the area in so it is slightly for the neighborhood. They want to be sure everyone in the community is proud of the development.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
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Item 28 – MOD-5581

MINUTES – Continued:

Regarding the lot premiums, MR. McDONALD acknowledged that the homebuilder might have told the buyers there was a lot premium but the designation across the street has remained Neighborhood/Commercial since 1997. It has not been like a golf course where there may be a box culvert to overlook. The residents with the single-story homes could look onto a 35-foot tall commercial building if the designation is not changed to allow these lower condominiums.

MR. BROWN clarified that the proposed development would be a reduction in traffic. The commercial would generate more trips than the condominiums would. Also, the people in the condominiums would not be able to see into the backyards of the single-family homes because of the difference in gradient of where the finished floors are going to be and the fact that a 100-foot arterial will separate them.

COMMISSIONER EVANS asked MR. LEOBOLD to list some of the conceivable uses allowed within the Neighborhood/Commercial designation. MR. LEOBOLD replied that list was long but the uses would be fewer than what would be available in C-1 but some of those would require Special Use Permits not required in C-1. To compare within the plan, MR. LEOBOLD explained that there are two categories, Village/Commercial and Neighborhood/Commercial. This site is designated with the lesser of the two in regards to impact. The only development built at the Village/Commercial level is located at Shady Timber and Cheyenne Avenue. MR. McDONALD offered to provide the Commissioner with a list of allowed uses. He also stated that the neighbors were provided with that list as well. The list was passed forward for review; however, it was not made a part of the record.

COMMISSIONER STEINMAN said that if he had moved into the neighborhood to the west and was informed he would be looking at a park at one part and a commercial property on the other part, he would have said, the park portion will be open and that will retain the view but that view would include a drainage channel and lights. He would have assumed that the commercial part to be only one story. Not how tall it was, but the number of stories. The Commissioner could sympathize with the residents and what their expectations would have been. He did not have a problem with the plan change relative to the commercial; however, he did with the land that was anticipated to be a park. He acknowledged that the City might not have the money to ever make that land into a park. The designation of a park does not mean the funding is in place to make it into a park. He said that if staff had any knowledge regarding the need for parking for the softball fields, he would like to be made aware of it.

COMMISSIONER STEINMAN said the situation is really one of “what’s worse” and he had concern over putting 32-foot tall buildings across the street from these properties when they were not anticipated.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
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MINUTES – Continued:

MR. McDONALD explained that the parking for the park was laid out and designed previously and it is designated for the area south of the subject site. The traffic would be coming off of Hualapai Way to access that lot. He also pointed out that the single-family homes are across from the parcel that was always zoned commercial. Those were the people who say they were charged a lot premium; however, that property has been commercial since the homes were in. MR. BROWN added that a single-story commercial structure with façade would most likely be around 28 feet tall.

C VICE CHAIRMAN NIGRO asked for clarification regarding how the parcel was created and how it related to the road alignment. MR. BROWN replied that Hualapai Way curves to the east and the parcel that resulted was not considered part of the area designated as a park. MR. McDONALD recollected that when the City first designed the zoning for this area, several neighbors did not want commercial zoning on the site; however, the subject site was already commercial so that is how it went. The pioneers of the Lone Mountain Master Plan implemented a blanket overlay for the park and once Hualapai Way was cut through and Warmington went in the parcel was created. MR. LEOBOLD confirmed that the smaller parcel was property of the City that was acquired for the roadway alignment. VICE CHAIRMAN NIGRO confirmed that the City acquired the land because it needed to determine where the road was going to go and have enough property for that road. MR. LEOBOLD confirmed his statement and referenced the Poggemeyer drawing, which indicated that there would not be any park activity on the subject site.

C VICE CHAIRMAN NIGRO wanted to be sure that that point was made clear, that the facts are straight relative to how this parcel came about. He did not think it was a situation where park property was being taken for the project. It was more a case of dealing with a remnant piece of property that was adjacent to commercial property, which leaves the decision to be made of whether residential was a better use for that commercial piece. He agreed with staff in looking at compatibility between the park and the single-family homes. It cannot be a strip retail center with parking lots and lights and be complementary to the neighbors. Also, the difference between 32 feet and 35 feet is negligible. At either height, there is no view except for the view that would have been over the top of a commercial building. He felt the residents would be much better off with residential than commercial adjacent to the site. He would support the application.

MR. McDONALD stated that he could not recall the City ever selling a piece of property that was designated as park property. He asked that staff correct him if he was wrong. He reiterated that the Mayor and Council have developed more green space than any other Council in the City's history.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning Development Department
Item 28 – MOD-5581

MINUTES – Continued:

C
COMMISSIONER GOYNES asked for clarification over the neighborhood meeting. He was concerned that there had not been one. MR. McDONALD replied that the meeting could be held on the 11th or the 12th of January depending on when COUNCILMAN BROWN was having his neighborhood meeting and whether or not he wanted MR. McDONALD'S group present for that meeting. His goal was to not interfere with the Councilman's meeting. The meeting for this project was scheduled to be held at the YMCA and it can be moved to the 12th to accommodate that. The Commissioner felt that perhaps the neighbors had not been fully informed about the project. He felt it was important that the neighbors have their due diligence at a neighborhood meeting. COMMISSIONER GOYNES was not sure if he would support moving forward on the item without the meeting being held already. He stressed the importance of communication with residents through neighborhood meetings.

COMMISSIONER STEINMAN stated that he agreed with COMMISSIONER GOYNES and that he was a big advocate for neighborhood meetings. He did not think that City rules provided for enough of them. The Commissioner felt it was very necessary and that it was not an appropriate time to vote since they did not hold the meeting first. He thought it was being done backwards.

C
CHAIRMAN TRUESDELL wanted to make it very clear that it is important to look at the history of items that have come before the Planning Commission. On November 4th, the Site Development Plan and Zone change was approved for the Alexander/Hualapai Softball complex, which was a public hearing and meetings were held to display the planned park to the neighborhood. One of those plans that was reviewed, showed the park development as it was proposed and it very clearly shows these parts as remnants outside of the parks. He wanted everyone to know that what the Commission has always seen coming through the meetings since the alignment of the road has always been with regards to not a part on the remnant parcel. If that representation was made to someone, he cannot speak for; however, he could attest to the fact that the subject parcels were always remnants and that was consistent with the plans for the park.

CHAIRMAN TRUESDELL agreed that the applicant should reach out to the neighbors and meet with them for their input and participation but to look at this in a fair light, it has been on record for some time.

COMMISSIONER EVANS asked if the planned meeting was prior to the City Council that these items would be heard at. MR. BROWN confirmed that it was. The Commissioner acknowledged COMMISSIONER GOYNES' and STEINMAN'S concerns with the matter but he was concerned that holding the item to have a meeting would require the residents to come back before Planning and then again to City Council. He thought that as long as the meeting was

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
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MINUTES – Continued:

held prior to the Council meeting, that would be sufficient. COMMISSIONER EVANS thought it was a matter of if the item should be approved and if this the right project. He was reluctant to have people come back repeatedly.

MR. McDONALD stated that even if the matter were to come back before the Commission, the fact of the matter is that everything the neighbors had brought up was addressed. The history of the site was given and each concern such as lot premiums and quality of life were addressed. Someone had made a misrepresentation to the neighbors that property was going to be taken away from the park but staff has indicated that the property was never designed as part of the park. It was an overlay district. He appreciated their comments and wanted to hear from them and that is one of the reasons he did not want the neighborhood meeting to conflict with COUNCILMAN BROWN'S meeting.

VICE CHAIRMAN NIGRO agreed with COMMISSIONER EVANS that the neighbors had a strong opinion on the topic and they will make themselves heard at the neighborhood meeting and at City Council. The applicant has made an effort to contact the Councilman's office to discuss the meetings and the need for the meetings. He found the Site Plan to be relatively simple; there was nothing that the City has not evaluated before. The issue would be the use of commercial as opposed to residential. The Commission heard the concerns of the residents and the communication would continue at the neighborhood meeting.

COMMISSIONER EVANS stated that he felt that residential was a better fit than commercial and the commercial is not going away on the one parcel that has been designated as such since 1997.

COMMISSIONER GOYNES agreed that the commercial was a better fit as well but he wanted to be sure the neighbors have a chance to understand that point as well. He felt that it would be the proper buffer. The meeting could assist the residents in seeing what the worst case scenarios are for the parcels and make an educated decision. He believed the residents would eventually see the residential as a better fit and then they could have input on the design and landscaping, which he felt the applicant would be open to. COMMISSIONER GOYNES indicated that to him, the neighborhood appeared to be in total shock. They expected one thing and something else has materialized.

In response to a comment made by MR. ZALALIS, COMMISSIONER GOYNES also wanted to reiterate the comments made at the City Council meeting of 12/15/2004 by COUNCILMAN WOLFSON that there is no such thing as a done deal before going through the City Council.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
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MINUTES – Continued:

CHAIRMAN TRUESDELL stated that the commercial had been well represented and the remnant piece was an integral part of what the City has and has been there. The park remains as designed. To mislead anyone that any vacant piece of dirt will be a park is wrong of whoever may say that. That concept is not doable and not part of the Master Plan. The Chairman found the modification appropriate and the request for the public hearing is an appropriate way to look at it. He acknowledged that he typically does see commercial as a solution to many types of problems; however, in this case the residential use is appropriate to him. Approving and moving the item on would not affect the neighbor's input as the item goes forward. The applicant has very clearly set the meetings.

COMMISSIONER STEINMAN stated that he liked what was shown and he would like to be able to abstain but has no reason to do so. He would be voting for denial; however, he wanted to explain that it was not against the project, it is against the order in which the item was being handled.

COMMISSIONER GOYNES indicated that he would support the item but wanted the assurance of the applicant that the neighborhood meeting would be conducted and that the applicant would thoroughly give due diligence to the residents.

MR. McDONALD stated that when the final date was established, he could notify COMMISSIONER GOYNES in case he wanted to attend. The Commissioner agreed because he knows that his main concern is for the neighbors and their investments and what has been done. If he were invited, he would attend. His main objective was to ensure that the residents got to have their say on this issue.

Subsequent to the vote on both applications, CHAIRMAN TRUESDELL asked the applicant to get the names of the residents in the audience to make sure they are noticed for the meeting. MR. McDONALD replied that they are also working with COUNCILMAN BROWN'S liaison so that they can contact the individuals who signed the petition as well.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 28 [MOD-5581] and Item 29 [SDR-5579].

(7:32 – 8:25)

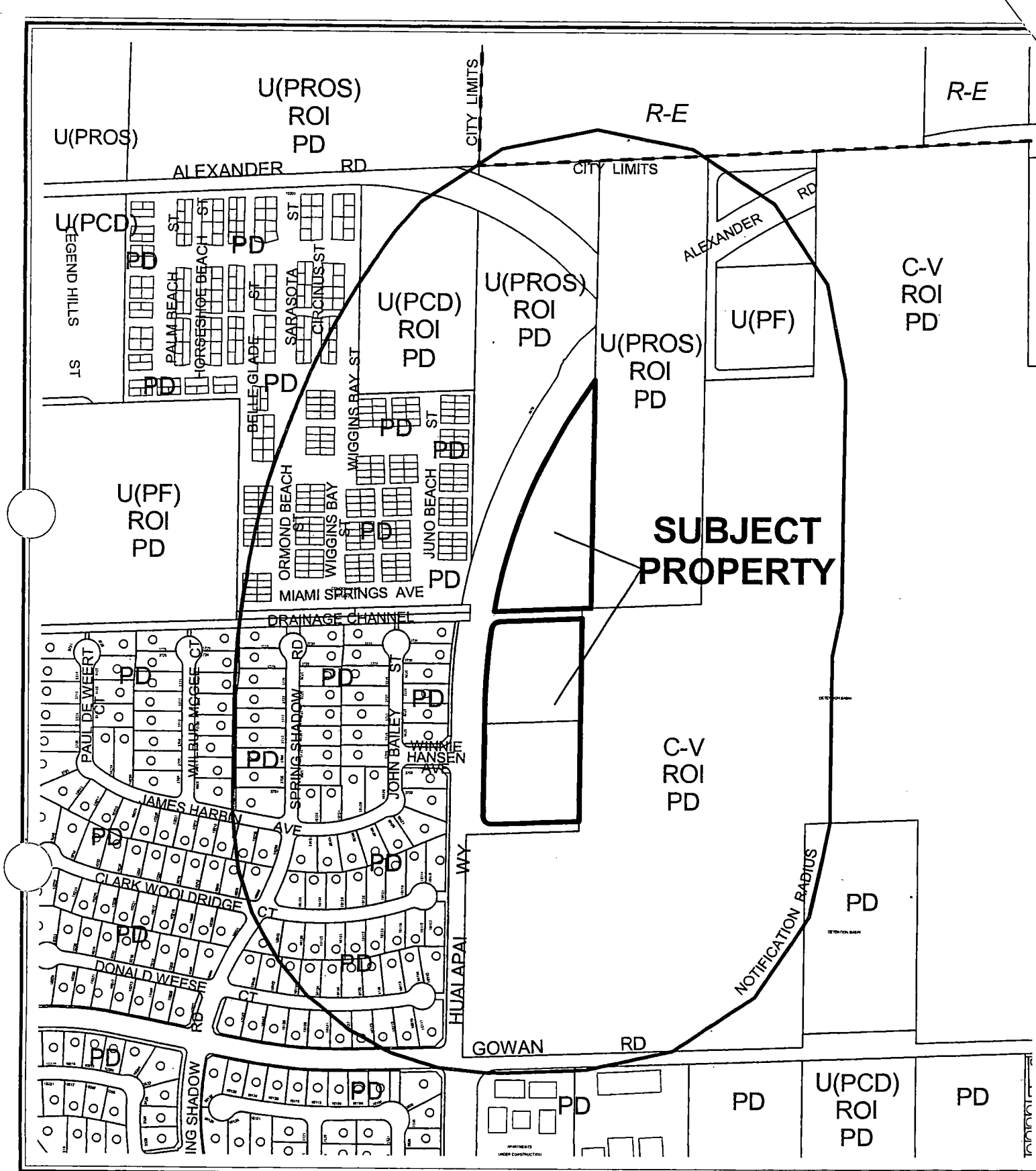
2-103

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning Development Department
Item 28 – MOD-5581

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for the Financial Institution, Specified use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.



CASE: MOD-5581

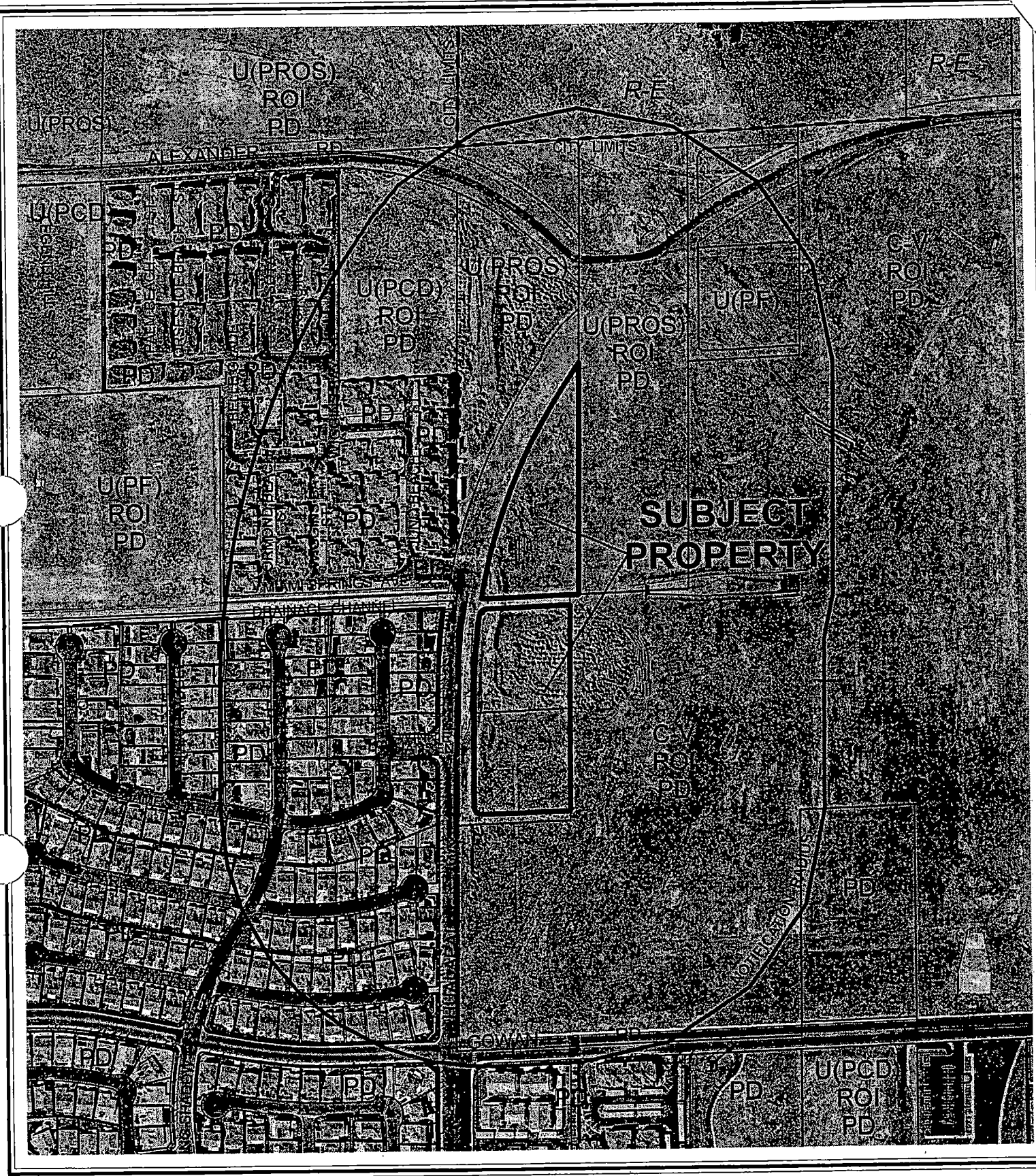
RADIUS: 750 FT

LONE MOUNTAIN MASTER PLAN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
NEIGHBORHOOD COMMERCIAL AND PARK/SCHOOL/RECREATION/OPEN SPACE

PROPOSED LONE MOUNTAIN MASTER PLAN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
MULTI-FAMILY MEDIUM

0 300 600 Feet





CASE: MOD-5581

RADIUS: 750 FT

**LONE MOUNTAIN MASTER PLAN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
NEIGHBORHOOD COMMERCIAL AND PARK/SCHOOL/RECREATION/OPEN SPACE**

**PROPOSED LONE MOUNTAIN MASTER PLAN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
MULTI-FAMILY MEDIUM**

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: MOD-5581 - APPLICANT: OMEGA DEVELOPMENT -

OWNER: LONE MOUNTAIN COMMERCIAL, LLC AND THE CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

- 1 Approval of a Site Development Plan Review (SDR-5579) by the City Council.
2. Conformance to the Lone Mountain West Master Development Plan, except as amended by this request.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Major Modification to the Lone Mountain Master Development Plan to change the land use designations from Neighborhood Commercial and Park/School/Recreation/ Open Space to Multi-Family Medium on 8.74 acres adjacent to the east side of Hualapai Way, north and south of Gilmore Avenue.

B) Applicant's Justification

The applicant has justified the request by stating the following:

"This application is for a Site Development Review and Major Modification to develop 136 for-sale condominium homes on these parcels. This project is adjacent to residential (across Hualapai Way) and more specifically condominiums. The City of Las Vegas is currently in the process of constructing a park that would abut these parcels to the east. The residential development is much more appropriate for this area given the residential feel to the area and lack of high intense commercial developments. The park will provide a much needed relaxation spot for all of the adjacent residential neighbors."

BACKGROUND INFORMATION

A) Actions

06/23/97 The City Council approved a request for Rezoning (Z-0033-97) from C-V (Civic) and N-U (Non Urban) under a Resolution of Intent to R-CL (Single-Family Compact Lot) and R-PD9 (Residential Planned Development - 9 Units per Acre) to PD (Planned Development) for the Lone Mountain Master Plan Area. The subject property is included in that area. The Planning Commission and staff recommended approval on 06/12/97.

11/06/03 A request for Rezoning (ZON-2999) of a portion of the subject property from a U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) to C-V (Civic) Zone was stricken from the Planning Commission's agenda.

MOD-5581 - Staff Report Page Two
December 16, 2004 - Planning Commission Meeting

12/16/04 The Planning Commission is scheduled to consider an accompanying item for a Site Development Plan Review (SDR-5579) for a 136-unit residential condominium project.

B) Pre-Application Meeting

10/19/04 The staff met with the prospective applicant to review a proposal to establish a residential condominium development on the subject property. It was indicated that a Major Modification would be required to change the commercial and open space classifications of the Lone Mountain Master Development Plan to permit the development. The procedures for both a Major Modification and a Site Development Plan Review were discussed.

C) Neighborhood Meetings

The staff has required a neighborhood meeting for this Major Modification; however, a meeting has not yet been held. The results of the meeting will be reported to the Planning Commission at the Commission meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 8.74

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped and detention basin
West: Single-family residences, residential condominiums, and undeveloped

C) Planned Land Use

Subject Property: Neighborhood Commercial and Park/School/Recreation/Open Space
North: Park/School/Recreation/Open Space
South: Park/School/Recreation/Open Space
East: Park/School/Recreation/Open Space
West: Multi-Family Medium and Medium-Low Attached

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December 16, 2004 - Planning Commission Meeting

D) Existing Zoning

Subject Property: PD (Planned Development)
North: PD (Planned Development)
South: PD (Planned Development)
East: PD (Planned Development)
West: PD (Planned Development)

E) General Plan Compliance

This property is designated for PCD (Planned Community Development) land uses in the Centennial Hills Sector Plan of the General Plan. The site is included within the Lone Mountain Master Development Plan area and is designated for Neighborhood Commercial and Park/School/Recreation/Open Space land uses.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		
Lone Mountain Master Development 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

A multi-use transportation trail is required along the east side of Hualapai Way with provisions for a crossing to the north side of Alexander Road. This trail is not shown on the latest site plan submitted. This matter is discussed in detail in an accompanying Site Development Plan Review (SDR-5579).

ANALYSIS:

A) Zoning Code Compliance

The subject property is zoned PD (Planned Development) which is a zone intended to permit and encourage comprehensively planned developments. This zoning district provides the flexibility for the subject property to be developed according to the permitted land uses and development standards of the Lone Mountain Master Development Plan.

B) General Analysis and Discussion

Approximately five acres of the subject property was designated in the Lone Mountain Master Development Plan for "Neighborhood Commercial" development. There is no explanation in the Plan as to the purpose for this land use designation in this particular location. According to the land use descriptions of the Plan (page 9 of Section 2.3), "The

MOD-5581 - Staff Report Page Four
December 16, 2004 - Planning Commission Meeting

Neighborhood Commercial category addresses parcels of five acres or less and provides for the development of convenience retail shopping, services and professional offices principally serving neighborhood needs, and compatible in scale, character and intensity with adjacent residential development." For the convenience of the neighborhood, Neighborhood Commercial is also located approximately a half mile to the south at Hualapai Way and Cheyenne Avenue, resulting in some redundancy for Neighborhood Commercial uses in the subject location.

The subject property is located immediately west of a large detention basin and undeveloped areas that the City has an interest in developing for a major park. Commercial development at this location has no relationship to the proposed park. Neither land use is served or benefited by the other. Conversely, residential development at this location would benefit immensely by the presence of the park.

The applicant is interested in a residential land use classification (Multi-Family Medium) that permits a density of development of from 12.1 to 18 dwelling units per acre. The proposal is to develop a 136-unit residential condominium project on 8.74 acres for an overall density of 15.6 dwelling units per acre. The subject property is separated from other developments to the west by Hualapai Way and from any other development by the proposed park and detention basin to the north, east and west. For this and the above reasons, the proposed development is an appropriate land use for this area, and it is recommended that the subject request for a Major Modification be approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 436 [Mailed with SDR-5568]

APPROVALS 0

PROTESTS 2



STATEMENT OF FINANCIAL INTEREST

Case Number: **MOD-5581** APN: 138-07-103-006

Name of Property Owner: City of Las Vegas

Name of Applicant: Omega Dev.

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: _____

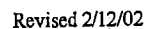
Signature of Property Owner/Authorized Agent: _____

Print Name: David Roark

Subscribed and sworn before me

This 1st day of November, 2004

Joe Melone
Notary Public in and for said County and State





STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Omega Development

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

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

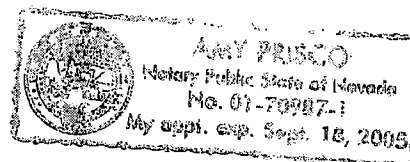
Signature of Property Owner/Authorized Agent:

Print Name: Row Day

Subscribed and sworn before me

This 2 day of November, 2004

Amy Prisco
Notary Public in and for said County and State



SITE DATA

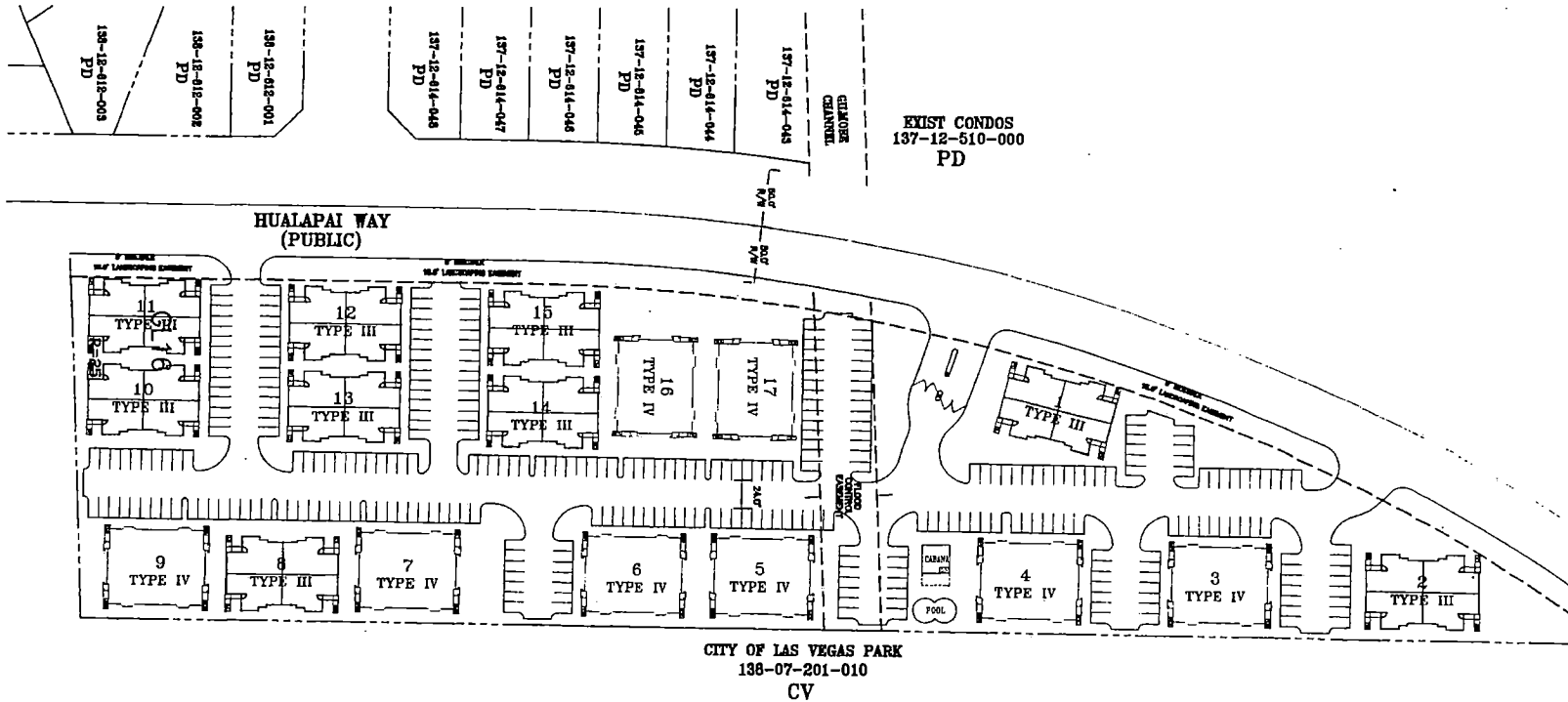
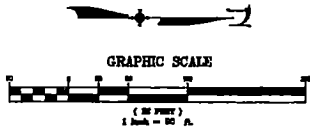
PROPOSED USE : LOW DENSITY RESIDENTIAL
 AREA : 8.74 GROSS ACRES
 CURRENT GEN. PLAN DESIGNATION: LONE MOUNTAIN - NEIGHBORHOOD COMMERCIAL & PARK
 PROPOSED GEN. PLAN DESIGNATION: MAJOR MOD. TO MEDIUM DENSITY RESIDENTIAL
 PROPOSED UNITS: 136-3 BEDROOM CONDOS
 PROPOSED DENSITY: 15.06 UNITS/ACRE

MIN FRONT SETBACK : 20'
 MIN SIDE YARD SETBACK : 10'
 MIN CORNER SIDEYARD SETBACK: 10'
 MIN REAR YARD SETBACK : 10'
 MAX BUILDING HEIGHT : 2 STORIES OR 30' (WHICHEVER IS LESS)

APN NUMBERS

APN: 136-07-103-008, 136-07-201-001, -002

OF 2 BED UNITS: 136
 REQUIRED PARKING PER UNIT: 1.75 SPACES PER UNIT
 GUEST PARKING REQUIRED: 6 SPACES/100 SPACES
 TOTAL PARKING REQUIRED: 236 RESIDENT + 12 GUEST = 250 SPACES
 TOTAL PARKING PROVIDED: 318 SPACES



PROJECT LOCATION	
OWNER	
DATE	
SCALE	
DRAWN	
4175 CAMDEN STREET, SUITE A LAS VEGAS, NEVADA 89121 TEL: 702-493-1400 FAX: 702-493-1401 email: dpatrick@brown-engineers.com	
LONE MOUNTAIN HILLS GILMORE AND HUALAPAI CONDOMINIUMS PRELIMINARY SITE PLAN	
SHEET SP 1 OF 1 SHEETS HTG	

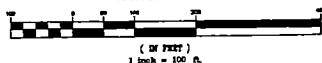
MOD-5581
 12/16/04 PC

APN NUMBERS

LEDGEND

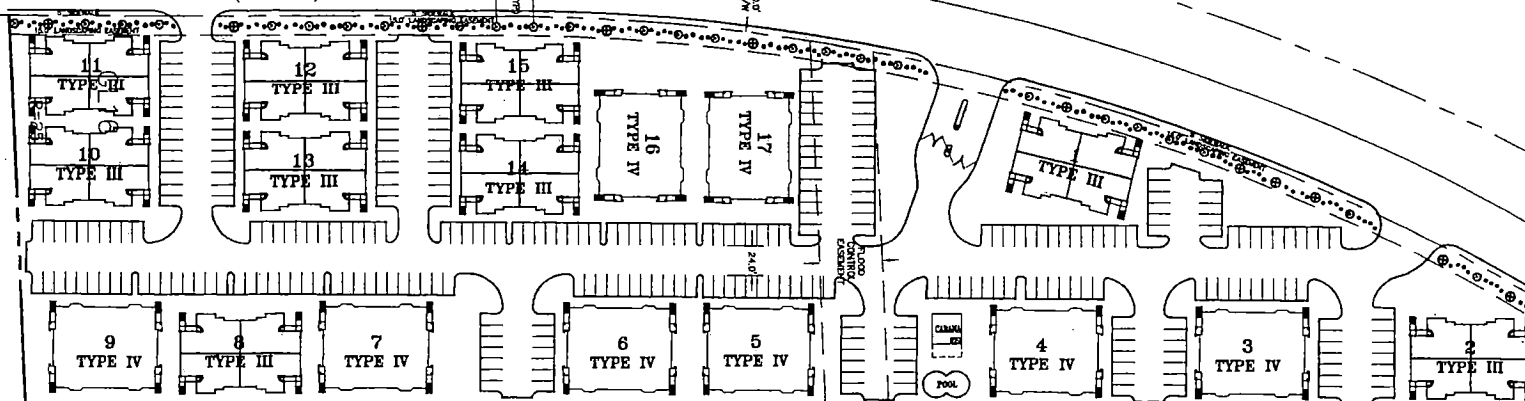
SYM.	TYPE	QTY
⊕	24" Box Modesto Ash	14
⊙	24" Box Mandal Pine	24
●	5 gallon Texas Ranger	42
●	5 gallon Autumn Sage	73
●	5 gallon Deer Grass	48

GRAPHIC SCALE



EXIST CONDOS
137-12-510-000
PD

HUALAPAI WAY
(PUBLIC)



CITY OF LAS VEGAS PARK
138-07-201-010
CV

MOD-5581
12/16/04 PC

LONE MOUNTAIN HILLS
 GILMORE AND HUALAPAI CONDOMINIUMS
 LANDSCAPE PLAN
 DS
 12/16/04



MOD-5581 - APPLICANT: OMEGA DEVELOPMENT - OWNER: LONE MOUNTAIN COMMERCIAL, LLC
AND THE CITY OF LAS VEGAS
EAST SIDE OF HUALAPAI WAY, NORTH AND SOUTH OF GILMORE AVENUE
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04

December 10, 2004

Susan L. Martin
Michael F. Martin
10125 James Harbin Ave
Las Vegas, NV 89129

Members of the City of Las Vegas Planning Commission
400 Stewart Avenue
Las Vegas, Nevada 89101

Fax # (702) 474-0352

Subject: Objections to Modification to the Lone Mountain Master Plan and Site
Development

Reference: MOD-5579 and MOD-5581

Dear Sir:

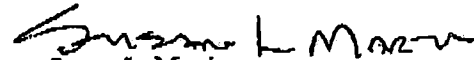
Susan L. and Michael F. Martin, citizens of Las Vegas, strongly object to the proposed modification to the Lone Mountain Master Development Plan. This proposed change would not only violate the existing Master Plan but would be a violation of the trust we placed in the City of Las Vegas when we bought our home in the Shadow Hills Community. We purchased our home because of the planned development of the area as a single family home community with a large park adjacent for recreational activities.

The proposed modification to allow multi-family, multi-storied residencies will seriously overcrowd the neighborhood. If the Planning Commission and the City Council would take a closer look at the area and the Hualapai Way corridor from Cheyenne Street to Alexander Road, you would surely see that the area has been overbuilt with multi-unit housing.

The residents of the Shadow Hill Master Planned Community have previously objected to any planned development of this land for other than an extension of the proposed park. The area in consideration, the 8.74 acres, should have been secured and added to the proposed park site long before now to make the park larger and to maintain the sight lines into and out of the park.

We object to the proposed significant modification to the Lone Mountain Master Development Plan

Yours truly


Susan L. Martin


Michael F. Martin

December 5, 2004

To Members of the City of Las Vegas Planning Commission
Members of the Las Vegas City Council
Councilman Larry Brown

From Roy Van & Arneva D. Smith
3730 John Bailey Street - Las Vegas NV 89129
702-255-4303
RSmith281@cox.net

Subject Objections to modification to the Lone Mountain Master Plan and Site Development.

Reference MOD-5581 and SDR-5579

The above listed citizens of Las Vegas, Roy Van and Arneva D. Smith, hereby strenuously object to the proposed modification of the Lone Mountain Master Development Plan. This proposed change would not only violate the existing master plan but would be a violation of the trust we placed in the city of Las Vegas when we bought our home in the Shadow Hills Community. We bought because of the planned development of the area as a single family home community with a large park adjacent for recreational activities.

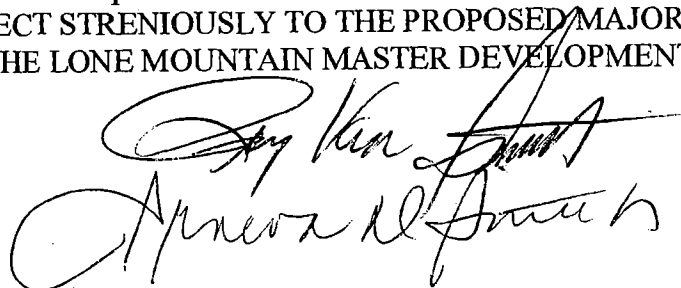
The proposed modification to allow multi-family, multi-storied residences will seriously overcrowd the neighborhood and overwhelm the parks usage. This is a serious quality of life issue. The square footage of park space to residence is already too low and the additional dense housing would lower the numbers further. If the Planning Commission and the City Council would take a closer look at the area and the Hualapai Way corridor from Cheyenne Street to Alexander Road surely you will see that the area has been overbuilt with multi-unit housing.

The area on the east side of Hualapai Way between Cheyenne Street and Gowan Road is over built with apartments. Further inspection will show that on the west side of Cheyenne north of the drainage channel, the area is over built with multi-unit condominiums.

The residents of the Shadow Hills MASTER PLANNED COMMUNITY have on numerous occasions voiced our objections to any planned development other than an extension of the proposed park on the site in question. We have made our choices and our voices clear to our City of Las Vegas Council representative, Larry Brown.

The area in consideration, the 8.74 acres, should have been secured and added to the proposed park site long before now to make the park larger and to maintain the sight lines into and out of the park.

WE OBJECT STRENUOUSLY TO THE PROPOSED MAJOR
MODIFICATION TO THE LONE MOUNTAIN MASTER DEVELOPMENT PLAN.

The block contains two handwritten signatures in black ink. The top signature is for Roy Van, and the bottom signature is for Arneva D. Smith. Both signatures are written in a cursive, flowing style.

Subj: **Re: SHADOW HILLS NEIGHBORHOOD INFORMATION URGENT REPLY NEEDED**
 Date: 12/15/2004 2:28:03 PM Pacific Standard Time
 From: wclayton3@yahoo.com
 To: fm165@cs.com
 Received from Internet: [click here for more information](#)

Hello Frank,

I support the following petition:

**PETITION TO THE CITY OF LAS VEGAS PLANNING COMMISSION OBJECTING TO SITE
 DEVELOPMENT PLAN SDR-5579 AND MAJOR MODIFICATION MOD-5581**

Walt Clayton
 3420 Crystal Tower St.
 Las Vegas, NV 89129
 256-0095
wclayton3@yahoo.com

Do you Yahoo!?
 Send a seasonal email greeting and help others. Do good.
<http://celebrity.mail.yahoo.com>

Submitted at Planning Commission

Date 12-16-04 Item # 28 + 29

Subj: **support**
 Date: 12/15/2004 1:30:09 PM Pacific Standard Time
 From: smevorah@cox.net
 To: FM165@cs.com
 Received from Internet: [click here for more information](#)

I support the petition sent to me by email whole heartedly ! I don't have much time, but if help is needed , I will try.

Steven and Eileen Mevorah
 10119 Donald Weese Ct
 Las Vegas, NV 89129 Grandview at Shadow Hills

Steve Mevorah
Senior Loan Officer
Prime Cap Financial
6540 S. Pecos Rd.
Las Vegas, Nevada
 Cell: (702) 334-4357
 Direct (702) 413-7467 until 9 pm daily
 Fax (702) 413-7468



Subj:
Date: 12/16/2004 12:17:29 PM Pacific Standard Time
From: lnelson21@cox.net
To: FM165@cs.com
Received from Internet: [click here for more information](#)



We the undersigned are petitioning the planning commission to reject both SDR-5579 and MOD-5581.

We live at 10114 Donald Weese Ct. Las Vegas, NV. Our phone number is (702) 324-0742 and our e-mail is lnelson21@cox.net

Sincerely,

Lyn and Deborah Nelson

Subj:
Date: 12/16/2004 5:04:40 PM Pacific Standard Time
From: andy.hali@cox.net
To: FM165@cs.com
Received from Internet: [click here for more information](#)

You have our support
Andy and Hali Saylor
1-3-1 William Fortye ave
Las Vegas NV 89129

Subj: **Objecting to Site Development**

Date: 12/15/2004 1:51:52 PM Pacific Standard Time

From: BKeane@itt-tech.edu

To: FM165@cs.com

Received from Internet: [click here for more information](#)

I am a resident of Belle Crest II and want to say I OPPOSE any additional building such as proposed in our area. It's bad enough that the elementary school site was built high above our home levels, so that they have full view of our yards, and we too of the entire playground and school. This is not what I think was originally planned and has soured our community on who we should be believing about construction in our Shadow Hills Area.

Beverley keane
10304 Robert Dula Avenue
Las Vegas, NV 89128

Beverley Keane
Executive Secretary
ITT Technical Institute
168 North Gibson Road
Henderson, NV 89014
Phone 702-558-5404
Toll Free 800-488-8459
Fax 702-558-5412

Subj: Petition
Date: 12/15/2004 1:23:07 PM Pacific Standard Time
From: glennbraun@msn.com
To: FM165@cs.com
Received from Internet: [click here for more information](#)

Yes Frank we support this petition.

Glenn & Aura Braun are authors and speakers who have written over 10 books and have spoken at numerous conferences and seminars. They are currently working on their next book, "The Power of Love".
10209 Crystal Arch Ave 89129 702-228-5491 Cell 702-324-9674 E-mail:
glennbraun@msn.com

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-01-2001 BY 60322

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Subj: (no subject)
Date: 12/15/2004 1:40:48 PM Pacific Standard Time
From: BearsAK@aol.com
To: FM165

My name is Arnold Kowitt at 3714 Spring Shadow Road, my "E" Mail is BearsAK@aol.com and my phone # is 702-296-7169.

I AM AGAINST BOTH PROPOSALS !!!!!!!!!!!

Subj: **against development of additioanal condos**
Date: 12/16/2004 12:09:13 PM Pacific Standard Time
From: Dgeorgecpa@aol.com
To: FM165

Debra George
3400 White Bark Pine Street 89129

326-4141, 363-1561

Subj: **Petition**
Date: 12/16/2004 11:36:12 AM Pacific Standard Time
From: BarbeeRealtor@aol.com
To: & FM165

Hank & Barbee Ramirez support the objection petition.

CompuServe
FM165
12/16/2004
11:36:12 AM

FM165

Subj: **Building Condos at Cheyenne & Hauipi**
Date: 12/16/2004 7:33:09 AM Pacific Standard Time
From: patjt@cox.net
To: FM165@cs.com
Received from Internet: [click here for more information](#)

Patricia Faivre
10353 Sloping Hill Ave
Las Vegas NV
Patjt@cox.net

I Oppose!!

Subj: **Preservation of Shadow Hills Master Plan**
Date: 12/15/2004 10:44:20 PM Pacific Standard Time
From: wlescano@msn.com
To: FM165@cs.com
Received from Internet: [click here for more information](#)

Frank,

I appreciate your support to the preservation of Shadow Hills, and it's integrity. You have my support as a home owner at Timberline.

My information is: Walter Lescano, 3428 White Bark Pine St., Las Vegas, NV 89129, wlescano@msn.com.

Please let me know if you need anything else from me.

Thank You,

Walter

Subj: **Petition**
Date: 12/15/2004 9:38:41 PM Pacific Standard Time
From: smallworld@bigplanet.com
To: FM165@cs.com
Received from Internet: [click here for more information](#)

Kimberly Mallas
3722 Spring Shadow Rd.
Las Vegas, NV 89129
smallworld@bigplanet.com
702-655-0015

Subj: **Shadow Hill Neighborhood**
Date: 12/15/2004 9:11:43 PM Pacific Standard Time
From: jintana1@cox.net
To: FM165@cs.com
Received from Internet: [click here for more information](#)

we support this petition. 1225-007-0163-2121 (not signed) 12/15/04 9:11:43 PM

Jack and Jintana Parton
3212 Hill Valley St
E mail jintana1@cox.net

12/15/04 9:11:43 PM

12/15/04 9:11:43 PM
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12/15/04 9:11:43 PM
12/15/04 9:11:43 PM

Subj: **We support you :)**

Date: 12/15/2004 8:43:34 PM Pacific Standard Time

From: freewayo@cox.net

To: FM165@cs.com

Received from Internet: [click here for more information](#)

My husband and I support you regarding rejecting both SDR-5579 and MOD-5581.

Thank you for making a difference for all of us :)

Gary and Jackie Ordesch
3241 Hill Valley Street
Las Vegas, NV 89129
702.395.4712

Thursday, December 16, 2004 1:00 PM CompuServe: FM165

Subj:
Date: 12/15/2004 9:32:07 PM Pacific Standard Time
From: lisa.rossnagel@farmersinsurance.com
To: FM165@cs.com
Received from Internet: [click here for more information](#)

We support the petition.

Lisa & Tom Rossnagel
10212 Crystal Arch Ave.
Las Vegas, NV 89129

Lisa M Rossnagel
Las Vegas Metro Claims Service Center
(702) 562-2350

Subj: **petition**
 Date: 12/15/2004 7:28:57 PM Pacific Standard Time
 From: JBborabora@aol.com
 To: [FM165](#)

Jeannine Louie
 3424 White Bark Pine St
 LV, NV. 89129
jbborabora@aol.com

mailing and receive it

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Subj: **Site Development Plan**
Date: 12/15/2004 7:20:17 PM Pacific Standard Time
From: wally2413@hotmail.com
To: FM165@cs.com
Received from Internet: [click here for more information](#)

We support the petition to the City of Las Vegas Planning Commission
objecting to Site Development Plan SDR-5579 and Major Modification MOD-5581.
Walter and Margaret Wilgus
3233 Hill Valley St.
Las Vegas, NV 89129
wally2413@cox.net

Subj: SDR-5579 & MOD-5581
Date: 12/15/2004 6:52:32 PM Pacific Standard Time
From: SHERRYOR1@aol.com
To: FM165

Frank,

We spoke to Doris Wertenberger, 3205 Hill Valley St. about the petition. She does not have internet capability so she couldn't tell you she wants to support the petition. She asked us to tell you to add her name.

Thanks,
Pat and Sherry O'Reilly
3237 Hill Valley St.

Subj: **SDR-5579 & MOD-5581**
 Date: 12/15/2004 6:16:00 PM Pacific Standard Time
 From: SHERRYOR1@aol.com
 To: FM165

Frank,

We want to join in the petition to the planning commission to reject both SDR-5579 & MOD-5581. We
 would attend the meeting on the 16th but we will be out of town. Please include our names. We have
 an undeveloped 5 acres behind our home which we do not want rezoned for multilevel homes or condos.

Thanks,
 Pat and Sherry O'Reilly
 3237 Hill Valley St.
 869-2805

Subj: **signatures**
 Date: **12/15/2004 3:50:42 PM Pacific Standard Time**
 From: **tadmanna@cox.net**
 To: **& FM165@cs.com**
 Received from Internet: [click here for more information](#)

add pamela davis
harold mann
10123 donald weese court
89129
647-8583

Thank
 For and Cheryl O'Reilly
 3333 Hill Valley Ct
 89129

Subj: **Petition To The City of Las Vegas - Shadow Hills Neighborhood**
Date: 12/15/2004 6:28:43 PM Pacific Standard Time
From: Veranye@aol.com
To: & FM165

David Montanez
10241 James Harbin Ave
Las Vegas, NV 89129
702.869.5581
veranye@AOL.COM

Received: 12/15/2004 12:00:00 PM
From: Veranye@aol.com
Subject: Petition To The City of Las Vegas - Shadow Hills Neighborhood
[HTML Message]
1010 100 000 0 000

Subj: **Petition**
 Date: 12/15/2004 3:14:47 PM Pacific Standard Time
 From: alicesouthard@cox.net
 To: FM165@cs.com
 Received from Internet: [click here for more information](#)

Yes, we support this petition
 Hank & Alice Southard
 10309 Marc Kahre Ave
 LV NV 89129
 Ph # 541-301-8159

Received from Internet:
 Click here for more information

Subj: **petition**
Date: 12/16/2004 3:15:10 PM Pacific Standard Time
From: Beauangel327@aol.com
To: & FM165

Hi Frank-
Please add my husband and myself to your petition.

Irv & Rhonda Hopkins
3248 Hill Valley Street
LV NV 89129

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5579 RELATED TO MOD-5581 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: OMEGA DEVELOPMENT - OWNER: LONE MOUNTAIN COMMERCIAL, LLC AND THE CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED 136-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT on 8.74 acres adjacent to the east side of Hualapai Way, north and south of Gilmore Avenue (APN 138-07-201-001 and 002; 138-07-103-006), U (Undeveloped) Zone [PCD (Planned Community Development) and PR-OS (Parks/Recreation/Open Space) General Plan Designations] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown).

C.C.: 01/19/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

2

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions – Motion carried with STEINMAN voting NO and DAVENPORT and McSWAIN excused

To be heard by the City Council on 1/19/2005

MINUTES:

See Item 28 [MOD-5581] for all related discussion on Item 28 [MOD-5581] and Item 29 [SDR-5579].

(7:32 – 8:25)

2-103

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning Development Department
Item 29 – SDR-5579

CONDITIONS:

Planning and Development

1. Approval of a Major Modification to the Lone Mountain Master Development Plan (MOD-5581) 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 12/08/04, except as amended by conditions herein.
4. The standards for this development shall include the following:

Standards	Dimensions
Min. Setbacks	
• Front	20 feet
• Side	5 feet
• Corner	5 feet
• Rear	10 feet
• Space between buildings	10 feet
Max. Building Height	2 Stories / 35 feet

5. The site plan shall be revised to show compliance with the standards above, the provision of handicapped parking spaces, and other conditions of approval stated herein and approved by staff of the Planning and Development Department prior to the time application is made for a tentative map or a building permit, whichever comes first.
6. The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a tentative map or a building permit, whichever comes first, to reflect the following:
 - A multi-use transportation trail that complies with the design specifications of the "Master Plan Transportation Trails Elements" shall be constructed along Hualapai Way. Provision shall be made for a crossing of the path to the north side of Alexander Road. Street trees spaced 30 feet on center shall be provided within the minimum five-foot amenity zone along the backside of the trail path. A detailed section of the transportation trail and landscaping shall be provided on the landscape plan.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning Development Department
Item 29 – SDR-5579

CONDITIONS – Continued:

- Perimeter landscaping with 24 inch box trees, 30 feet on center shall be provided along the rear and side property lines and shall be planted within a six-foot wide planting area. The landscaping shall be shown on the landscape plan.
 - Trees shall be provided within the parking area and comply with the Parking Area standards of the City's "Landscape, Wall, and Buffer Guidelines." The parking area trees shall be shown on the landscape plan.
 - A detail of the perimeter walls, including the design and materials shall be illustrated on the landscape plan. All property line walls shall be decorative block walls, with at least 20 percent contrasting materials, and they shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet. The front wall along Hualapai Way shall consist of a combination of a two-foot 10-inch high solid wall with a wrought iron fence in between solid pilasters with a cap.
 - The total amount of open space, to consist of a minimum of 330 square feet per dwelling unit, shall be designated on the landscape plan.
7. Landscaping and a permanent underground sprinkler system shall be installed as required and shall be permanently maintained in a satisfactory manner.
8. The elevation drawings and floor plans shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map or a building permit, whichever comes first, to reflect the following:
- Notation of the total square footage for each type of unit.
 - Elevation drawings with details of the architectural embellishments and colors.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
10. 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.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning Development Department
Item 29 – SDR-5579

CONDITIONS – Continued:

11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City code requirements and design standards of all City departments must be satisfied.
14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
15. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements along with assignment of maintenance responsibility to a common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met and the City of Las Vegas is required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level shall be defined as removal of debris and surface grading once every calendar year. Should the common interest community, or members thereof, request additional maintenance activities, the associated costs shall be assessed to the common interest community and/or members thereof.

Public Works

16. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map or the issuance of any building permits, whichever may occur first. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning Development Department
Item 29 – SDR-5579

CONDITIONS – Continued:

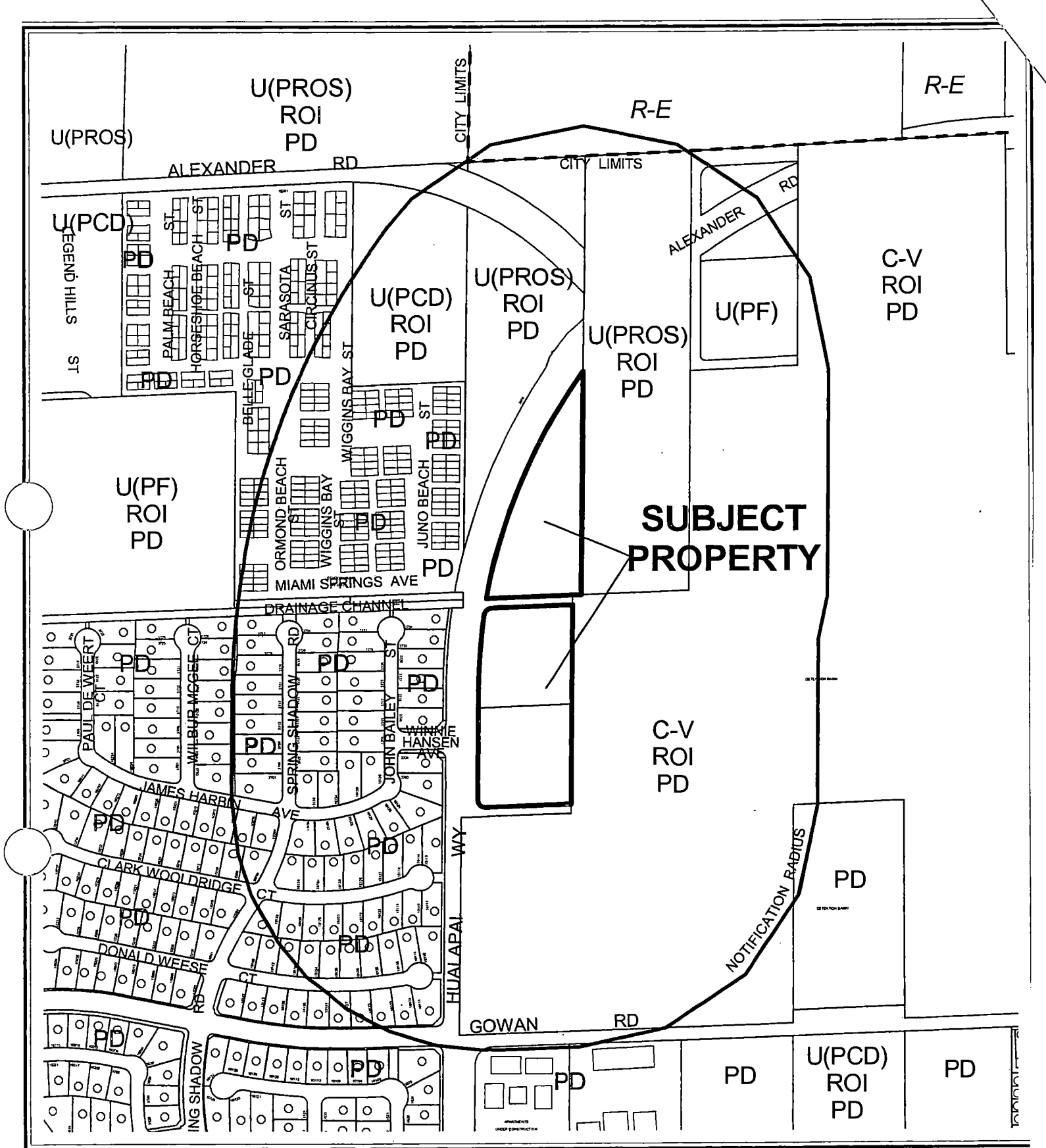
17. Dedicate an area acceptable to the Flood Control Section of the Department of Public Works for the existing flood control channel shown on the submitted site plan as “Drainage Right-of-Way” with the Final Map for this site.
18. Coordinate with the City of Las Vegas Engineering Design Section of the Department of Public Works to determine any impacts to this site from the Hualapai Way SID Project #1493, if any, prior to the submittal of any construction drawings for this site.
19. Vacate all rights-of-way in conflict with this site prior to the recordation of a Final Map for this site, unless otherwise allowed by the City Engineer.
20. The proposed site plan is acceptable for a multi-family condominium development, however does not comply with private street code requirements for a townhome development; if townhomes are proposed, the site must be re-designed to comply with Title 18 requirements unless a waiver of such is approved by City Council.
21. Landscape and maintain all unimproved right-of-way adjacent to this site.
22. Submit an Encroachment Agreement for all landscaping and private improvements located in the Hualapai Way and drainage channel public rights-of-way adjacent to this site prior to occupancy of this site.
23. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
24. The proposed entrance driveway shall align with the existing driveway on the west side of Hualapai Way and shall be designed, located and constructed in accordance with Standard Drawing #222a. Driveway throat depth shall be a minimum of 120-feet unless otherwise allowed by the City Traffic Engineer.
25. An update to the Master 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

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning Development Department
Item 29 – SDR-5579

CONDITIONS – Continued:

C 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, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

- C
26. 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.
27. Site development to comply with all applicable conditions of approval for Z-33-97, the Lone Mountain Master Plan and all other applicable site-related actions.



CASE: SDR-5579

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) AND PR-OS (PARKS/RECREATION/OPEN SPACE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT)

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5579 - APPLICANT: OMEGA DEVELOPMENT -

OWNER: LONE MOUNTAIN COMMERCIAL, LLC AND THE CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of a Major Modification to the Lone Mountain Master Development Plan (MOD-5581) 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 12/08/04, except as amended by conditions herein.
4. The standards for this development shall include the following:

Standards	Dimensions
Min. Setbacks	
• Front	20 feet
• Side	5 feet
• Corner	5 feet
• Rear	10 feet
• Space between buildings	10 feet
Max. Building Height	2 Stories / 35 feet

5. The site plan shall be revised to show compliance with the standards above, the provision of handicapped parking spaces, and other conditions of approval stated herein and approved by staff of the Planning and Development Department prior to the time application is made for a tentative map or a building permit, whichever comes first.
6. The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a tentative map or a building permit, whichever comes first, to reflect the following:

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- A multi-use transportation trail that complies with the design specifications of the "Master Plan Transportation Trails Elements" shall be constructed along Hualapai Way. Provision shall be made for a crossing of the path to the north side of Alexander Road. Street trees spaced 30 feet on center shall be provided within the minimum five-foot amenity zone along the back side of the trail path. A detailed section of the transportation trail and landscaping shall be provided on the landscape plan.
 - Perimeter landscaping with 24 inch box trees, 30 feet on center shall be provided along the rear and side property lines and shall be planted within a six-foot wide planting area. The landscaping shall be shown on the landscape plan.
 - Trees shall be provided within the parking area and comply with the Parking Area standards of the City's "Landscape, Wall, and Buffer Guidelines." The parking area trees shall be shown on the landscape plan.
 - A detail of the perimeter walls, including the design and materials shall be illustrated on the landscape plan. All property line walls shall be decorative block walls, with at least 20 percent contrasting materials, and they shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet. The front wall along Hualapai Way shall consist of a combination of a two-foot 10-inch high solid wall with a wrought iron fence in between solid pilasters with a cap.
 - The total amount of open space, to consist of a minimum of 330 square feet per dwelling unit, shall be designated on the landscape plan.
7. Landscaping and a permanent underground sprinkler system shall be installed as required and shall be permanently maintained in a satisfactory manner.
8. The elevation drawings and floor plans shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map or a building permit, whichever comes first, to reflect the following:
- Notation of the total square footage for each type of unit.
 - Elevation drawings with details of the architectural embellishments and colors.

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9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
10. 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.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City code requirements and design standards of all City departments must be satisfied.
14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
15. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements along with assignment of maintenance responsibility to a common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met and the City of Las Vegas is required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level shall be defined as removal of debris and surface grading once every calendar year. Should the common interest community, or members thereof, request additional maintenance activities, the associated costs shall be assessed to the common interest community and/or members thereof.

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Public Works

16. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map or the issuance of any building permits; whichever may occur first. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
17. Dedicate an area acceptable to the Flood Control Section of the Department of Public Works for the existing flood control channel shown on the submitted site plan as "Drainage Right-of-Way" with the Final Map for this site.
18. Coordinate with the City of Las Vegas Engineering Design Section of the Department of Public Works to determine any impacts to this site from the Hualapai Way SID Project #1493, if any, prior to the submittal of any construction drawings for this site.
19. Vacate all rights-of-way in conflict with this site prior to the recordation of a Final Map for this site, unless otherwise allowed by the City Engineer.
20. The proposed site plan is acceptable for a multi-family condominium development, however does not comply with private street code requirements for a townhome development; if townhomes are proposed, the site must be re-designed to comply with Title 18 requirements unless a waiver of such is approved by City Council.
21. Landscape and maintain all unimproved right-of-way adjacent to this site.
22. Submit an Encroachment Agreement for all landscaping and private improvements located in the Hualapai Way and drainage channel public rights-of-way adjacent to this site prior to occupancy of this site.
23. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
24. The proposed entrance driveway shall align with the existing driveway on the west side of Hualapai Way and shall be designed, located and constructed in accordance with Standard Drawing #222a. Driveway throat depth shall be a minimum of 120-feet unless otherwise allowed by the City Traffic Engineer.

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25. An update to the Master 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, or 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.
26. 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.
27. Site development to comply with all applicable conditions of approval for Z-33-97, the Lone Mountain Master Plan and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a proposed 136-unit residential condominium development on 8.74 acres adjacent to the east side of Hualapai Way, north and south of Gilmore Avenue.

B) Applicant's Justification

The applicant has justified the request by stating the following:

"This application is for a Site Development Review and Major Modification to develop 136 for-sale condominium homes on these parcels. This project is adjacent to residential (across Hualapai) and more specifically condominiums. The City of Las Vegas is currently in the process of constructing a park that would abut these parcels to the east. The residential development is much more appropriate for this area given the residential feel to the area and lack of high intense commercial developments. The park will provide a much needed relaxation spot for all of the adjacent residential neighbors."

BACKGROUND INFORMATION

A) Actions

- 06/23/97 The City Council approved a request for Rezoning (Z-0033-97) from C-V (Civic) and N-U (Non Urban) under a Resolution of Intent to R-CL (Single-Family Compact Lot) and R-PD9 (Residential Planned Development - 9 Units per Acre) to PD (Planned Development) for the Lone Mountain Master Plan Area. The subject property is included in that area. The Planning Commission and staff recommended approval on 06/12/97.
- 11/06/03 A request for Rezoning (ZON-2999) of a portion of the subject property from a U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) to C-V (Civic) Zone was stricken from the Planning Commission's agenda.

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12/16/04 The Planning Commission is scheduled to consider an accompanying item for a Major Modification (MOD-5581) to the Lone Mountain Master Development Plan to change the land use designations from Neighborhood Commercial and Park/School/Recreation/ Open Space to Multi-Family Medium.

B) Pre-Application Meeting

10/19/04 The staff met with the prospective applicant to review a proposal to establish a residential condominium development on the subject property. It was indicated that a Major Modification would be required to change the commercial and open space classifications of the Lone Mountain Master Development Plan to permit the development. The procedures for both a Major Modification and a Site Development Plan Review were discussed.

C) Neighborhood Meetings

A neighborhood meeting was required by staff to be held by the applicant for this Major Modification; however, a meeting has not yet been held. The results of the meeting will be reported to the Planning Commission at the Commission meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 8.74

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped and detention basin
West: Single-family residences, residential condominiums, and undeveloped

C) Planned Land Use

Subject Property: Neighborhood Commercial
North: Park/School/Recreation/Open Space
South: Park/School/Recreation/Open Space
East: Park/School/Recreation/Open Space
West: Multi-Family Medium and Medium-Low Attached

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D) Existing Zoning

Subject Property: PD (Planned Development)
North: PD (Planned Development)
South: PD (Planned Development)
East: PD (Planned Development)
West: PD (Planned Development)

E) General Plan Compliance

This property is designated for PCD (Planned Community Development) land uses in the Centennial Hills Sector Plan of the General Plan. The site is included within the Lone Mountain Master Development Plan area and is designated for Neighborhood Commercial and Park/School/Recreation/Open Space land uses. The site plan will comply with the proposed special land use designation of Multi-Family Medium, if an accompanying application for a Major Modification (MOD-5581) is approved.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Lone Mountain Master Development 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

A multi-use transportation trail is required along the east side of Hualapai Way with provisions for a crossing to the north side of Alexander Road. This trail is not shown on the latest site plan submitted. This matter is discussed in detail later in this report, and is addressed through a condition of approval.

PROJECT DESCRIPTION

The proposed development is to consist of 136 residential condominium units on 8.74 acres for an overall density of 15.56 dwelling units per acre. The 136 units are distributed within 17 two-story buildings with eight units in each building. There are two models proposed, nine buildings with "Type III" units and eight buildings with "Type IV" units. All the units are to have two bedrooms.

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Three access points to Hualapai Way are proposed that will connect to a north-south drive through the development. All parking will be exterior to the buildings. The only landscaping proposed for the development is within a 15-foot landscape strip along Hualapai Way.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Development Standards for the subject development are to comply with those standards approved in the Lone Mountain Master Development Plan; however, according to the Development Plan, the setback requirements are to be according to Title 19 requirements. Since the property is zoned PD (Planned Development) and there are no specific standards for the PD Zone, the proposed standards are compared to the setback requirements for an R-3 (Medium Density Residential and Apartment District).

Standards	R-3 Zone	Provided
Min. Setbacks		
• Front	20 feet	20 feet
• Side	5 feet	10 feet
• Corner	5 feet	10 feet
• Rear	20 feet	10 feet
Between buildings	10 feet	Unknown
Max. Building Height	2 Stories / 35 feet	2 Stories / 35 feet

In comparing the standards of the proposed development to an R-3 (Medium Density Residential and Apartment District) of Title 19, the standards are similar. Title 19 requires a separation of 10 feet between buildings. This distance is not indicated or noted on the site plan, but it is recommended that this minimum distance be provided. The development standards above, including the separation requirement, are addressed in the conditions of approval for this staff report.

A2) Parking and Traffic Standards

Pursuant to the Lone Mountain Master Development Plan, the parking requirements are to adhere to Title 19 requirements. Accordingly, Title 19.10 requires the following:

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Uses	Units	Required		Provided	
		Ratio	Parking		Parking
			Regular	Handicap	
Multi-family	136	1 3/4/unit +	238		
Two bedroom		1/6 units	23		
Total	136		256	5	319
					0

For 136 two-bedroom residential condominium units, 261 total parking spaces are required. A total of 319 parking spaces are provided which exceeds the requirement. All parking spaces are exterior to the units, and no differentiation is made as to which of the required 23 spaces are for guest parking. Handicapped parking spaces are to be provided at the ratio of two percent times the total number of parking spaces. For 319 spaces, six are to be handicapped spaces. One of the six handicapped spaces must be van accessible. This is addressed as a condition of approval in this staff report.

A3) Landscape and Open Space Standards

According to the Lone Mountain Master Development Plan, perimeter area landscaping is to be in accordance with the City's "Landscape, Wall, and Buffer Guidelines." The Guidelines require a 10-foot wide landscape planter or a 14-foot wide landscape planter including a meandering sidewalk along a public street and a six-foot wide landscape planter along rear and side property line solid walls.

The development is proposed to have a 15-foot landscape easement in back of a five-foot sidewalk along Hualapai Way. A multi-use transportation trail is required along Hualapai Way that is designed and constructed to comply with the "Master Plan Transportation Trails Element." In lieu of a five-foot sidewalk constructed along the street curb, a 10-foot wide sidewalk constructed five feet off the street curb should be provided. There is sufficient width within the landscape easement to provide a five-foot amenity zone to the rear of the 10-foot wide sidewalk. Trees spaced 30 feet on center within the five-foot amenity zone are required. No other landscaping is illustrated for the development, including the required trees along the rear and side property lines. Neither is landscaping proposed for the parking areas. The Lone Mountain Master Development Plan requires that landscaping "be incorporated into parking areas to break up expanses of pavement and provide visual, heat and glare relief" (Section 6.2.3B). It is recommended that the parking areas be provided with trees in compliance with the City's "Landscape, Wall, and Buffer Guidelines."

Also, perimeter walls are proposed around the development to establish a gated development. The Lone Mountain Master Development Plan includes broad statements as to the design of perimeter walls that are consistent with the design standards for walls of the "Landscape, Wall, and Buffer Guidelines." In particular, the walls should be constructed to consist of 20 percent contrasting materials. Five-foot wrought iron "view fencing" is proposed along the rear property line. A detail of the fencing has not been provided. It is recommended that a combination of a two-foot 10-inch high solid wall with a wrought iron fence in between solid pilasters with caps be provided along Hualapai Way.

According to the Lone Mountain Master Development Plan, a minimum of 330 square feet per dwelling unit shall be allocated to open space. There is no indication on the plan as to compliance with this requirement.

To address the deficiencies and discrepancies indicated above, the Conditions of Approval in this staff report include the following stipulations:

- A multi-use transportation trail that complies with the design specifications of the Master Plan Transportation Trails Elements shall be constructed along Hualapai Way. Street trees spaces 30 feet on center shall be provided within the minimum five-foot amenity zone along the back of the trail path. A detailed section of the transportation trail and landscaping shall be provided on the landscape plan.
- Perimeter landscaping with 24 inch box trees, 30 feet on center shall be provided along the rear and side property lines and shall be planted within a six-foot wide planting area. The landscaping shall be shown on the landscape plan.
- Trees shall be provided within the parking area and comply with the Parking Area standards of the City's "Landscape, Wall, and Buffer Guidelines." The parking area trees shall be shown on the landscape plan.
- The perimeter walls shall be shown on the landscape plan. A detail of the perimeter walls, including the design and materials shall be illustrated on the landscape plan. It is recommended that the front wall along Hualapai Way consist of a combination of a two-foot 10-inch high solid wall with a wrought iron fence in between solid pilasters with caps.
- Open space, to consist of 330 square feet per dwelling unit, shall be designated on the landscape plan.

B) General Analysis and Discussion

• **Zoning**

The present zoning of the property is PD (Planned Development). The proposed development is permitted within this zoning district.

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- **Site Plan**

Elements of the site plan are described in the "Project Description" section and addressed in A of the "Analysis section" above. Except for noted deficiencies and discrepancies, there are no major concerns with the site plan.

- **Waivers**

No Waivers are being requested.

- **Landscape Plan**

The landscape plan is discussed in detail above. As noted, there are major deficiencies and discrepancies in the provisions of landscaping.

- **Elevation**

The elevation drawings illustrate two story buildings with concrete tile roofs and stucco siding on the exterior. Second floor stairways extend either out from the building or turn at a landing partway down. Exterior columns extend the height of the building and second-story balconies provide visual interest to the buildings' design. A color palate has not been submitted. This is addressed in the Conditions of Approval for this development.

- **Floor Plan**

Floor plans have been submitted for two types of units. Both units are similar in the number of bedrooms, bathrooms and other spaces, but their configuration is much different. One floor plan illustrates a kitchen located central to the floor space, and the other has a living room as the central focus. The square footage of the space is not indicated and should be noted on the plan. This is addressed as a condition of approval with this report.

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 is separated from other residential developments to the west by Hualapai Way and from any other development by a proposed City park and detention basin to the north, east and west. Since the development is virtually isolated from any other development, compatibility is not an issue. The City park will provide a direct service and benefit to the residents of the proposed residential development.

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

The proposed development complies generally with the Lone Mountain Master Development Plan. However, there are major deficiencies and discrepancies in compliance with the Landscape, Wall and Buffer Standards of Title 19. This concern is addressed as a condition of approval in this report.

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

According to the Master Plan of Streets and Highways, Hualapai Way is a Primary Arterial (100-foot wide) street. The street is designed to carry significant volumes of traffic that originate from within and beyond the site. The central drive to the complex and its juxtaposition with a drive to a residential development across Hualapai Way is not shown on the site plan. This is addressed as a condition of approval in this report.

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

Building materials are similar to other projects of this type and include concrete roof tile and stucco siding. Numerous architectural embellishments, including protruding columns and recessed balconies, provide visual interest to the design of the buildings. The site is devoid of landscaping as addressed in the "Analysis" section above.

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;"**

As addressed in 1 and 4 above, the buildings are not unsightly, undesirable or obnoxious in appearance, and they are compatible with development in the area.

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

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Because the site will be subject to ongoing inspection, the public health, safety, and welfare will not be compromised.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 436 [Mailed with MOD-5581]

APPROVALS 0

PROTESTS 2

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5579** APN: 138-07-201-001, -002

Name of Property Owner: Lone Mountain, LLC

Name of Applicant: Omega Development

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: _____

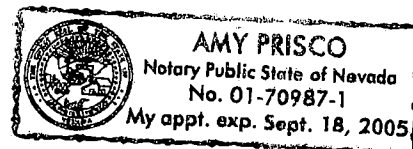
Signature of Property Owner/Authorized Agent: [Signature]

Print Name: _____

Subscribed and sworn before me

This 2 day of November, 2004

Amy Prieto
Notary Public in and for said County and State





STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5579** APN: 138-07-103-006

Name of Property Owner: City of Las Vegas

Name of Applicant: Omega Dev.

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: _____

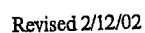
Signature of Property Owner/Authorized Agent: _____

Print Name: David Roark

Subscribed and sworn before me

This 1st day of November, 2004

Neil McLean
Notary Public in and for said County and State



SITE DATA

PROPOSED USE :
AREA :
CURRENT GEN. PLAN DESIGNATION:
PROPOSED GEN. PLAN DESIGNATION:
PROPOSED UNITS:
PROPOSED DENSITY:

LOW DENSITY RESIDENTIAL
0.74 GROSS ACRES
LOVE MOUNTAIN - NEIGHBORHOOD COMMERCIAL & PARK
MAJOR MOD. TO MEDIUM DENSITY RESIDENTIAL
138-2 BEDROOM CONDOS
10.50 UNITS/ACRE

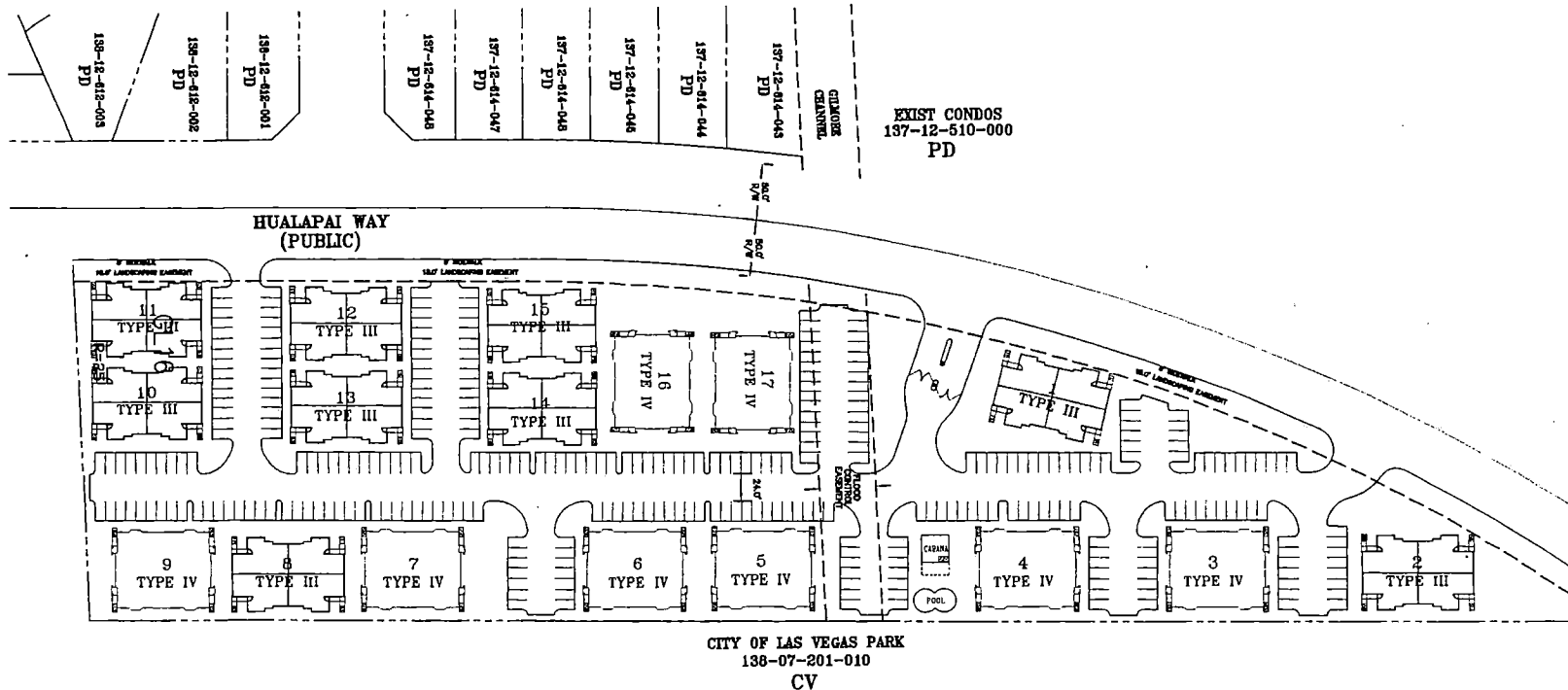
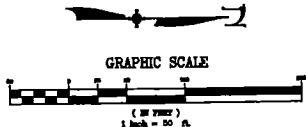
MIN FRONT SETBACK : 20'
MIN SIDE YARD SETBACK : 10'
MIN CORNER SIDEYARD SETBACK : 10'
MIN REAR YARD SETBACK : 10'
MAX BUILDING HEIGHT : 2 STORIES OR 30' (WHICHEVER IS LESS)

APN NUMBERS

APN 138-07-103-005, 138-07-201-001, -002

OF 2 BED UNITS: 138
REQUIRED PARKING PER UNIT: 1.75 SPACES PER UNIT
GUEST PARKING REQUIRED: 0 SPACES/100 SPACES
TOTAL PARKING REQUIRED: 238 RESIDENT + 12 GUEST = 250 SPACES
TOTAL PARKING PROVIDED: 316 SPACES

GRAPHIC SCALE



PROJECT NO. SDR-5579	
DESIGNER	HTA
DATE	8/20/04
SCALE	AS SHOWN
CADRE	
HTA GILMORE STREET, SUITE A 138 MOUNTAIN HILLS LAS VEGAS, NEVADA 89103 702-737-1544 702-737-1545 FAX www.hta-engineers.com	
LOVE MOUNTAIN HILLS GILMORE AND HUALAPAI CONDOMINIUMS PRELIMINARY SITE PLAN	
SHEET	SP
1 OF 1 SHEET	HTA

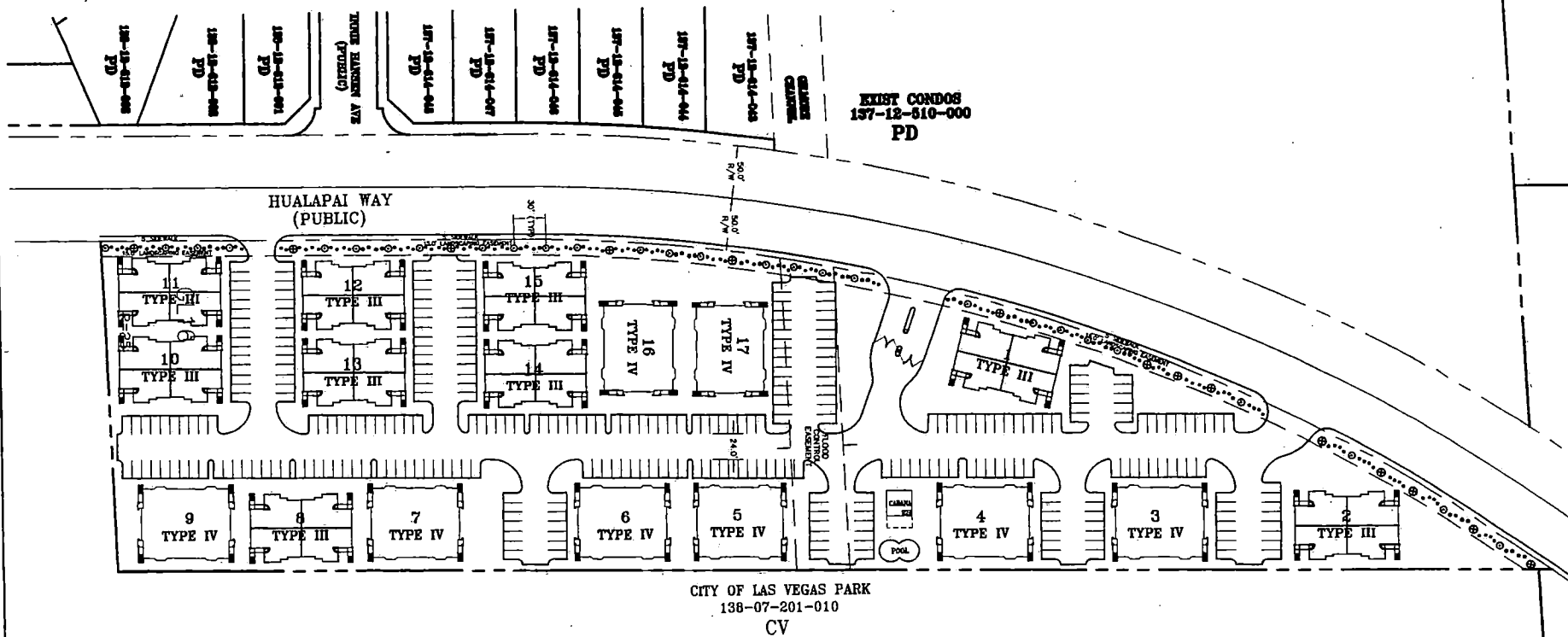
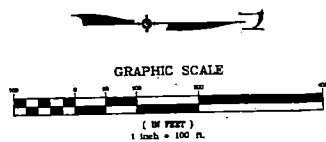
SDR-5579
12/16/04 PC

APN NUMBERS

APN: 138-07-201-010 - CV
138-07-105-048

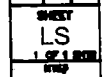
LEDGEND

SYM.	TYPE	QTY
⊕	24" Box Modesto Ash	14
⊙	24" Box Mondel Pine	24
●	5 gallon Texas Ranger	42
●	5 gallon Autumn Sage	73
●	5 gallon Deer Grass	48



SDR-5579
12/16/04 PC

LONE MOUNTAIN HILLS
GILMORE AND HUALAPAI CONDOMINIUMS
LANDSCAPE PLAN





SDR-5579 - APPLICANT: OMEGA DEVELOPMENT - OWNER: LONE MOUNTAIN COMMERCIAL, LLC
AND THE CITY OF LAS VEGAS
EAST SIDE OF HUALAPAI WAY, NORTH AND SOUTH OF GILMORE AVENUE
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04

December 5, 2004

To Members of the City of Las Vegas Planning Commission
Members of the Las Vegas City Council
Councilman Larry Brown

From Roy Van & Arneva D. Smith
3730 John Bailey Street - Las Vegas NV 89129
702-255-4303
RSmith281@cox.net

Subject Objections to modification to the Lone Mountain Master Plan and Site Development.

Reference MOD-5581 and SDR-5579

The above listed citizens of Las Vegas, Roy Van and Arneva D. Smith, hereby strenuously object to the proposed modification of the Lone Mountain Master Development Plan. This proposed change would not only violate the existing master plan but would be a violation of the trust we placed in the city of Las Vegas when we bought our home in the Shadow Hills Community. We bought because of the planned development of the area as a single family home community with a large park adjacent for recreational activities.

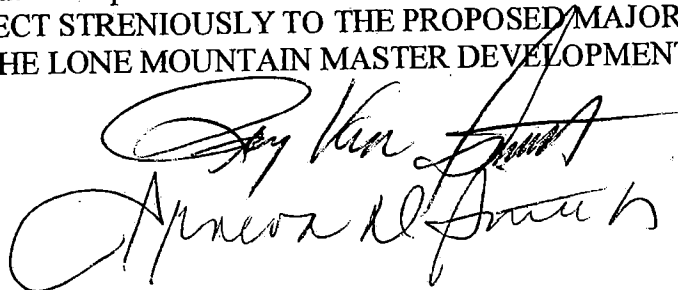
The proposed modification to allow multi-family, multi-storied residences will seriously overcrowd the neighborhood and overwhelm the parks usage. This is a serious quality of life issue. The square footage of park space to residence is already too low and the additional dense housing would lower the numbers further. If the Planning Commission and the City Council would take a closer look at the area and the Hualapai Way corridor from Cheyenne Street to Alexander Road surely you will see that the area has been overbuilt with multi-unit housing.

The area on the east side of Hualapai Way between Cheyenne Street and Gowan Road is over built with apartments. Further inspection will show that on the west side of Cheyenne north of the drainage channel, the area is over built with multi-unit condominiums.

The residents of the Shadow Hills MASTER PLANNED COMMUNITY have on numerous occasions voiced our objections to any planned development other than an extension of the proposed park on the site in question. We have made our choices and our voices clear to our City of Las Vegas Council representative, Larry Brown.

The area in consideration, the 8.74 acres, should have been secured and added to the proposed park site long before now to make the park larger and to maintain the sight lines into and out of the park.

WE OBJECT STRENUOUSLY TO THE PROPOSED MAJOR
MODIFICATION TO THE LONE MOUNTAIN MASTER DEVELOPMENT PLAN.



December 10, 2004

Susan L. Martin
Michael F. Martin
10125 James Harbin Ave
Las Vegas, NV 89129

Members of the City of Las Vegas Planning Commission
400 Stewart Avenue
Las Vegas, Nevada 89101

Fax # (702) 474-0352

Subject: Objections to Modification to the Lone Mountain Master Plan and Site
Development

Reference: MOD-5579 and MOD-5581

Dear Sir:

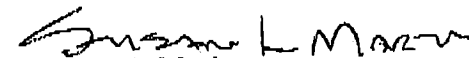
Susan L. and Michael F. Martin, citizens of Las Vegas, strongly object to the proposed modification to the Lone Mountain Master Development Plan. This proposed change would not only violate the existing Master Plan but would be a violation of the trust we placed in the City of Las Vegas when we bought our home in the Shadow Hills Community. We purchased our home because of the planned development of the area as a single family home community with a large park adjacent for recreational activities.

The proposed modification to allow multi-family, multi-storied residencies will seriously overcrowd the neighborhood. If the Planning Commission and the City Council would take a closer look at the area and the Hualapai Way corridor from Cheyenne Street to Alexander Road, you would surely see that the area has been overbuilt with multi-unit housing.

The residents of the Shadow Hill Master Planned Community have previously objected to any planned development of this land for other than an extension of the proposed park. The area in consideration, the 8.74 acres, should have been secured and added to the proposed park site long before now to make the park larger and to maintain the sight lines into and out of the park.

We object to the proposed significant modification to the Lone Mountain Master Development Plan

Yours truly


Susan L. Martin


Michael F. Martin

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ZON-5566 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: SHANDER INTERNATIONAL, LLC - Request for a Rezoning FROM: R-PD14 (RESIDENTIAL PLANNED DEVELOPMENT - 14 UNITS PER ACRE) TO: R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE) on 12.58 acres at 5800 West Charleston Boulevard (APN 138-36-401-012 through 020; 138-36-406-001 and 009), Ward 1 (Moncrief).

C.C.: 01/19/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 30 [ZON-5566] and Item 31 [SDR-5568].

STEVE SWANTON, Planning & Development Department, explained that approval of the rezoning would allow for the addition of a six-unit multi-family building to an existing apartment complex. The added units would bring the total number of units to 188. The increase in density would not affect the General Plan Designation for the site. The development, which has been in existence since 1990, has demonstrated compatibility with the nearby uses and the increase in density should have little to no negative impact on these uses.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 30 – ZON-5566

MINUTES – Continued:

MR. SWANTON continued by saying the conditions of approval for the accompanying Site Plan Review would insure that the development meets the current zoning Code standards to maintain compatibility with the surrounding area and the elevations of the new building would match the existing apartment buildings on the site; therefore, staff recommended approval of both applications.

MICHAEL LIVINGSTON, Architect, 1350 Town Center Drive, Suite #3032, appeared on behalf of the applicant and concurred with all conditions on both applications. He offered to answer any questions and he requested approval.

COMMISSIONER STEINMAN confirmed with MR. LIVINGSTON that the proposed building would be constructed in an area that is currently open space with a pool. The Commissioner questioned staff about the effect of the deletion of the open space. MR. SWANTON replied that staff did ask the applicant to provide open space totals for the project as proposed and it would still meet the open space requirement with the deletion of the open space at the subject site. MR. LIVINGSTON pointed out that there were three swimming pools in the complex so two would remain after construction of the proposed addition. He thought that information was included in the report.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 30 [ZON-5566] and Item 31 [SDR-5568].

(8:25 – 8:30)

2-1991

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application (SDR-5568) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

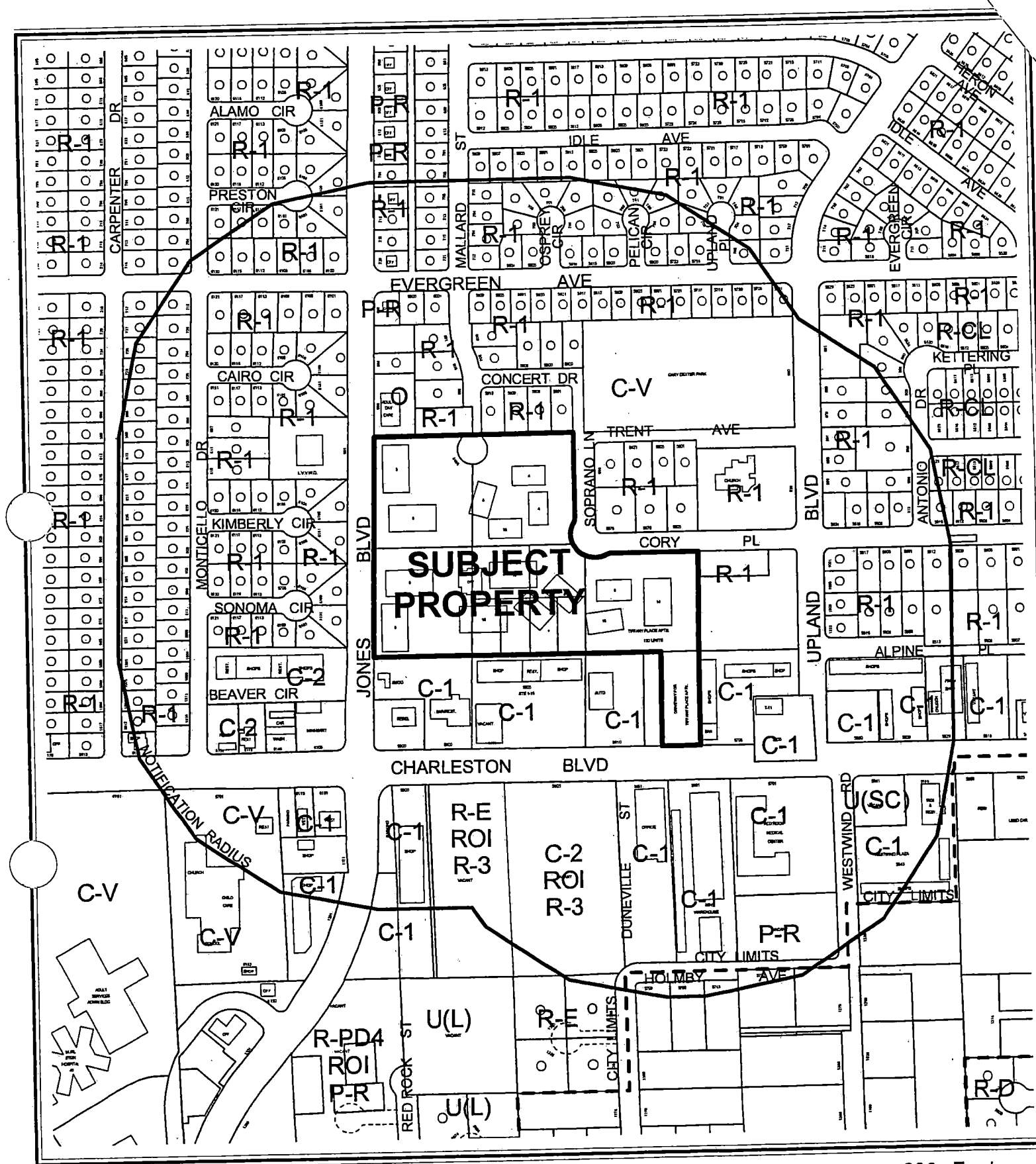
Public Works

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.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 30 – ZON-5566

CONDITIONS – Continued:

4. 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 the submittal of any construction drawings. Provide and improve all drainageways as recommended in the approved drainage plan/study.
5. Site development to comply with all applicable conditions of approval for Z-100-88 and all other subsequent site-related actions.



CASE: ZON-5566

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-PD14 (RESIDENTIAL PLANNED DEVELOPMENT - 14 UNITS PER ACRE)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE)



CASE: ZON-5566

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-PD14 (RESIDENTIAL PLANNED DEVELOPMENT - 14 UNITS PER ACRE)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE)

0 300 600 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-5566 - APPLICANT/OWNER: SHANDER
INTERNATIONAL, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application (SDR-5568) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

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. 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 the submittal of any construction drawings. Provide and improve all drainageways as recommended in the approved drainage plan/study.
5. Site development to comply with all applicable conditions of approval for Z-100-88 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-PD14 (Residential Planned Development – 14 Units Per Acre) to R-PD15 (Residential Planned Development – 15 Units Per Acre) on 12.58 acres at 5800 West Charleston Boulevard.

B) Applicant's Justification

The applicant justifies this application by stating that the project will meet requirements for the R-PD15 (Residential Planned Development – 15 Units Per Acre) zoning district. The overall development, including the proposed building, will meet Title 19 parking, setback, height, and residential adjacency requirements.

BACKGROUND INFORMATION

A) Previous Actions

- 11/02/88 The City Council denied a request to Rezone (Z-0100-88) the subject property from R-1 (Single-Family Residential) with a portion under Resolution of Intent to C-1 (Limited Commercial) to R-PD16 (Residential Planned Development – 16 Units Per Acre). The Planning Commission recommended approval. Staff recommended denial.
- 02/15/89 The City Council rescinded the previous denial of the request to Rezone (Z-0100-88) the subject property from R-1 (Single-Family Residential) with a portion under Resolution of Intent to C-1 (Limited Commercial) to R-PD16 (Residential Planned Development – 16 Units Per Acre). The decision was based on revised plans showing a reduction in the number of units from 208 to 182 and one-story buildings along the north portion of the site abutting R-1-(Single Family Residential) zoned properties. Staff recommended denial.
- 04/13/89 The City Council approved a request to Rezone (Z-0100-88) the subject property from R-1 (Single-Family Residential) with a portion under Resolution of Intent to C-1 (Limited Commercial) to R-PD16 (Residential Planned Development – 16 Units Per Acre). The approval was amended to R-PD14 with a maximum of 182 units. The Planning Commission recommended approval. Staff recommended denial.

ZON-5566 - Staff Report Page Two
December 16, 2004 - Planning Commission Meeting

- 10/18/89 The City Council approved a Review of Condition No. 14 [Z-0100-88(1)] of the approved Rezoning (Z-0100-88) prohibiting access to Jones Boulevard except for emergency purposes. The request was to allow a temporary driveway from Jones Boulevard to the leasing office while the Charleston Boulevard entrance was being completed. The City Council conditioned its approval on the discontinuation of the temporary driveway 60 days following the approval of the first Certificate of Occupancy for any unit on the property. The Planning Commission and staff recommended approval.
- 06/28/99 The City Council approved a Review of Condition No. 14 [Z-0100-88(2)] of the approved Rezoning (Z-0100-88) prohibiting access to Jones Boulevard except for emergency purposes. The condition was deleted and a new landscaping plan for the site was required. Staff recommended approval.
- 12/16/04 The Planning Commission will consider a companion Site Development Plan Review (SDR-5568) for a proposed addition of a six-unit multi-family building to an existing apartment complex on the subject site.

B) Pre-Application Meeting

- 10/19/04 The applicant was made aware that the increase in multi-family units would increase the density such that a rezoning for the entire complex area would be required. Such a rezoning would still be compatible with the General Plan. The applicant demonstrated that the proposed building would match the architecture of the existing buildings and would meet code with respect to setbacks. The parking standard would be maintained, and landscaping could be upgraded to current standards.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Rezoning application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 12.58
Net Acres: 11.98

ZON-5566 - Staff Report Page Three
December 16, 2004 - Planning Commission Meeting

B) Existing Land Use

Subject Property: Multi-Family Residential (Apartment Complex)
North: Single-Family Residential
Social Service Provider (Adult Day Care)
South: Retail
Restaurants
East: Single-Family Residential
Undeveloped
West: Single-Family Residential

C) Planned Land Use

Subject Property: M (Medium Density Residential)
North: L (Low Density Residential),
M (Medium Density Residential)
O (Office)
South: SC (Service Commercial)
East: L (Low Density Residential)
SC (Service Commercial)
West: L (Low Density Residential)

D) Existing Zoning

Subject Property: R-PD14 (Residential Planned Development – 14 Units Per Acre)
North: R-1 (Single-Family Residential)
O (Office)
South: C-1 (Limited Commercial)
R-1 (Single-Family Residential) under Resolution of Intent to C-1
(Limited Commercial)
East: R-1 (Single-Family Residential)
C-1 (Limited Commercial)
West: R-1 (Single-Family Residential)

E) General Plan Compliance

The subject site is designated M (Medium Density Residential) on the Southwest Sector Map of the General Plan. This land use classification allows residential developments up to a density of 25 dwelling Units Per Acre. The proposed R-PD15 (Residential Planned Development – 15 Units Per Acre) zoning district would conform to this General Plan designation.

ZON-5566 - Staff Report Page Four
December 16, 2004 - Planning Commission Meeting

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

The site is located within the Neighborhood Revitalization Area as established by the Las Vegas Master Plan 2020. The Plan identifies neighborhoods that may contain declining infrastructure, increasing traffic and noise, and increases in property crimes and vandalism, so that they may be stabilized and protected from further deterioration.

ANALYSIS

A) General Analysis and Discussion

The proposed rezoning would allow for the addition of a six-unit multi-family building to an existing apartment complex. With the added units the total number of units in the development will rise to 188, with a density of 14.94 dwelling units per gross acre. This new density falls within the range of the existing M (Medium Density Residential) General Plan designation, which includes this development and some single-family lots to the north, up to the south side of Evergreen Avenue. The existing development is surrounded on three sides by R-1 (Single-Family Residential) development, with the exception of one lot to the north zoned O (Office). Existing commercial development zoned C-1 (Limited Commercial) lies to the south along Charleston Boulevard. The existing development has demonstrated compatibility with the nearby residential uses, and a negligible increase in density should have little to no negative impact on these uses. Conditions of approval for the accompanying Site Development Plan Review (SDR-5568) will ensure that the development meets current zoning code standards to maintain compatibility with the surrounding area.

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."

ZON-5566 - Staff Report Page Five
December 16, 2004 - Planning Commission Meeting

The existing General Plan designation of the subject site is M (Medium Density Residential). This land use category allows a maximum of 25 dwelling units per gross acre. The proposed rezoning to R-PD15 (Residential Planned Development - 15 Units Per Acre) is consistent with the current General Plan designation.

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

The existing R-PD14 (Residential Planned Development - 14 Units Per Acre) site has a much higher density than single-family residential development to the north, west, and east; however, the multi-family uses on the site have proven over time to be harmonious and compatible with the lower densities. The addition of six units to the development would have a negligible impact on these single-family developments.

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

The growing need in the area for leasable multi-family units indicates the appropriateness of the proposed rezoning.

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 the property will be available via a private drive from Charleston Boulevard, designated as a 100-foot Primary Arterial street on the Master Plan of Streets and Highways, and Jones Boulevard, an 80-foot Secondary Collector. These streets have proven to be adequate to meet the traffic demands of the existing multi-family residential development, and will have adequate capacity to accommodate the additional traffic generated by a slight increase in the number of residential units.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

NOTICES MAILED 107 [Mailed with SDR-5568]

APPROVALS 0

PROTESTS 0

SS

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-5566** APN: 138-76-401-013 ^{012, 014}
406-001 & 009

Name of Property Owner: INT'L ASSET MGRS., INC.

Name of Applicant: INT'L ASSET MGRS., INC.

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

Yes

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): _____

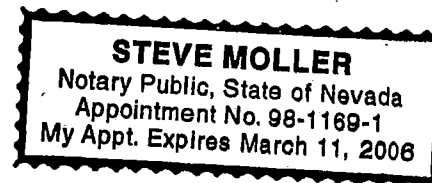
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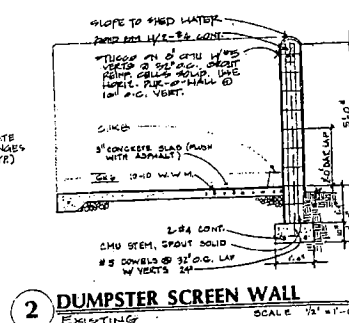
Signature of Property Owner/Authorized Agent:**Print Name:**

Subscribed and sworn before me

This 26th day of October, 2004

Notary Public In and for said County and State





LANDSCAPING

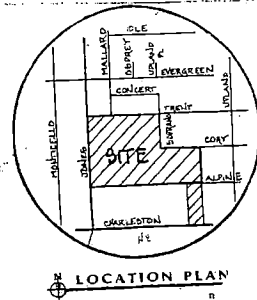
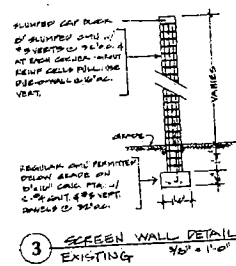
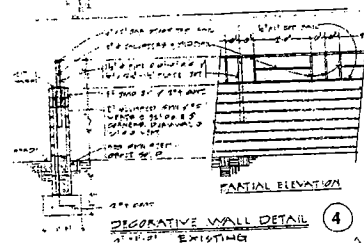
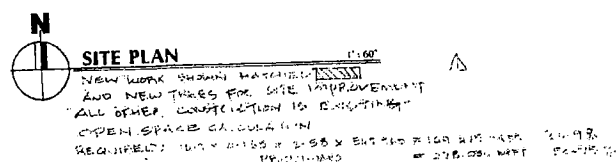
LANDSCAPING			
(M)	THINLY SET TREE DECIDUOUS	EXISTING 66	
(P)	EVERGREEN OR PAULI TREE P = G.W. BALTIMORE- T ₁ = PALM (30')	EXISTING 65	NEW # 4
(L)	LARGE SHADE TREE	EXISTING 16	
TOTAL TREES		EXISTING 147	NEW # 4

* PROVIDE NEW EVERGREEN OR 15FT PALM TREES TO REPLACE
DAMAGED OR PREVIOUSLY REMOVED APPROVED TREES
WHERE MARKED *

WHERE MARKED *

△ TE PROVIDE MATCHING ROOFS TO ALL TRASH ENCLOSURES

△  PROVIDE STRIPING TO HANDICAP PARKING SPACE



ZON-5566
SDR-5568
12/16/04 PC

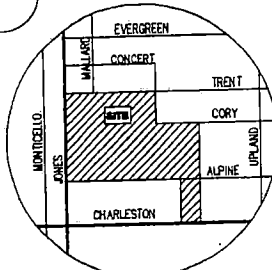
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12.1.04

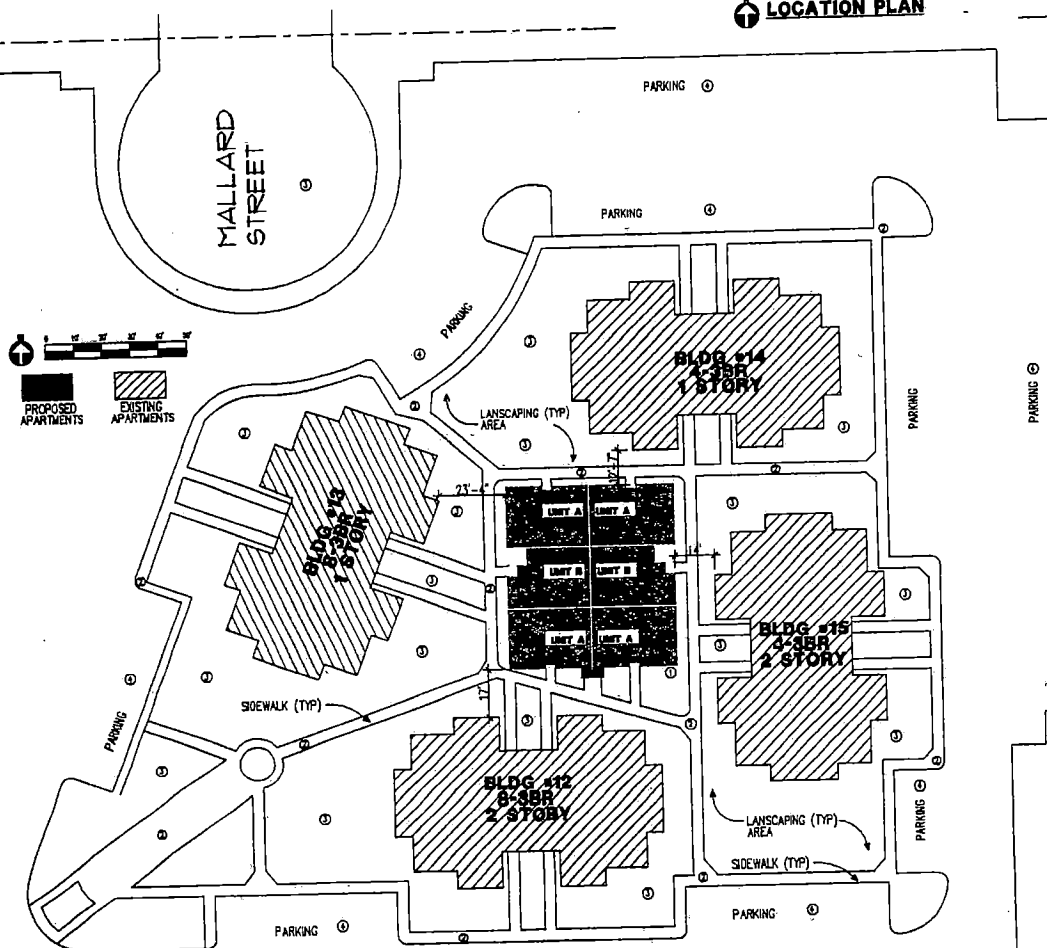
FANY APARTMENTS 138-36-401-013
WARD 1
N.E. Corner Charleston / Jones
City of Las Vegas, Nevada 89146

SITE PLAN & LANDSCAPING

		UNIVERSITY OF THE PACIFIC 620 UNIVERSITY AVENUE STOCKTON, CA 95211-8800 TEL: (209) 955-4000 FAX: (209) 955-4001	
STUDENT INFORMATION NAME: _____ ID: _____ ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____		ADVISOR INFORMATION NAME: _____ ID: _____ ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____	
CLASS INFORMATION COURSE: _____ SECTION: _____ INSTRUCTOR: _____ MEETING: _____		GRADING INFORMATION GRADE: _____ CREDIT: _____ REASON: _____	



LOCATION PLAN



ABULATION

LEGAL
A PORTION OF THW SW 1/4 OF THE SW 1/4 OF SECTION 36: T 20 S; R 60 E;
MON ; CITY OF LAS VEGAS, CLARK COUNTY, NEVADA
ZONING:
EXISTING: RPD-14
PROPOSED: RPD-15
LAND AREA: GROSS - 547,968 SF (12.58 ACRES)

EXISTING BUILDING AREA

48 - 1 BR UNITS @ 639 SF = 30,672 SQ. FT
110 - 2 BR UNITS @ 947 SQ FT = 104,170 SQ. FT
24 - 3 BR UNITS @ 1070 SF = 25,680 SQ. FT
182 - TOTAL RENTABLE UNITS = 160,522 SQ. FT
RECREATION BUILDING = 3,970 SQ. FT
TOTAL BUILDABLE AREA = 164,492 SQ. FT

DENSITY 14.47 UNITS/GROSS ACRE (PERMITTED) = 182 UNITS
14.47 UNITS/GROSS ACRE (PROVIDED) = 182 UNITS

PARKING REQUIRED	SPACES PER UNIT	UNITS	PARKING REQUIRED	PARKING PROVIDED
1 BR UNIT	1.25 + 1 PER 6	48	68	
2 BR UNIT	1.75 + 1 PER 6	110	203	
3 BR UNIT	2.00 + 1 PER 6	24	52	
REQUIRED		182	323	
PROVIDED				499

PROPOSED BUILDING AREA

48 - 1 BR UNITS @ 639 SF = 30,672 SQ. FT
110 - 2 BR UNITS @ 947 SQ FT = 104,170 SQ. FT
24 - 3 BR UNITS @ 1070 SF = 25,680 SQ. FT
2 - 2 BR UNITS @ 1285 SQ FT = 2,570 SQ. FT
4 - 3 BR UNITS @ 1,237 SF = 4,948 SQ. FT

188 - TOTAL RENTABLE UNITS = 168,040 SQ. FT
RECREATION BUILDINGS = 3,618 SQ. FT
TOTAL BUILDABLE AREA = 171,658 SQ. FT

DENSITY CHANGE REQUIRED 14.94 UNITS/GROSS ACRE (PERMITTED) = 188 UNITS

PARKING REQUIRED	SPACES PER UNIT	UNITS	PARKING REQUIRED	PARKING PROVIDED
1 BR UNIT	1.25 + 1 PER 6	48	68	
2 BR UNIT	1.75 + 1 PER 6	112	215	
3 BR UNIT	2.00 + 1 PER 6	28	61	
REQUIRED		188	344	
PROVIDED				499

BUILDING CODE ANALYSIS

GROUP OCCUPANCY: R-1 APARTMENTS
CONSTRUCTION TYPE: V - 1 HR
BUILDING HEIGHT: 30'-0"
NO. STORIES: 1 & 2

KEY NOTES

- 1 NEW 2 STORY APARTMENTS (6 TOTAL)
- 2 NEW CONCRETE SIDEWALK
- 3 EXISTING LANDSCAPED AREA
- 4 EXISTING PARKING

TIFFANY APARTMENTS 138-36-401-013
WARD 1
N.E. Corner Charleston / Jones
City of Las Vegas, Nevada 89146

SITE DEVELOPMENT PLAN

SP1

REVISED
12.1.04

ZON-5566
SDR-5568
12/16/04 PC

RECEIVED
DEC 1 2004

ELEVATION (UNITS A+B+A) NORTH

ELEVATION UNITS A+B+A1 SOUTH

ELEVATION (UNITS A+A) EAST

ELEVATION (UNITS A+A) WEST

GROUND FLOOR BUILDING PLAN

EXTERIOR FINISHES:
MATCH ADJACENT CEMENT ROOF TILES
AND PAINTED STUCCO WALLS

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



TIFFANY APARTMENTS 138-36-401-013

WARD 1

WARD 1
N.E. Corner Charleston / Jones
City of Las Vegas, Nevada 89148

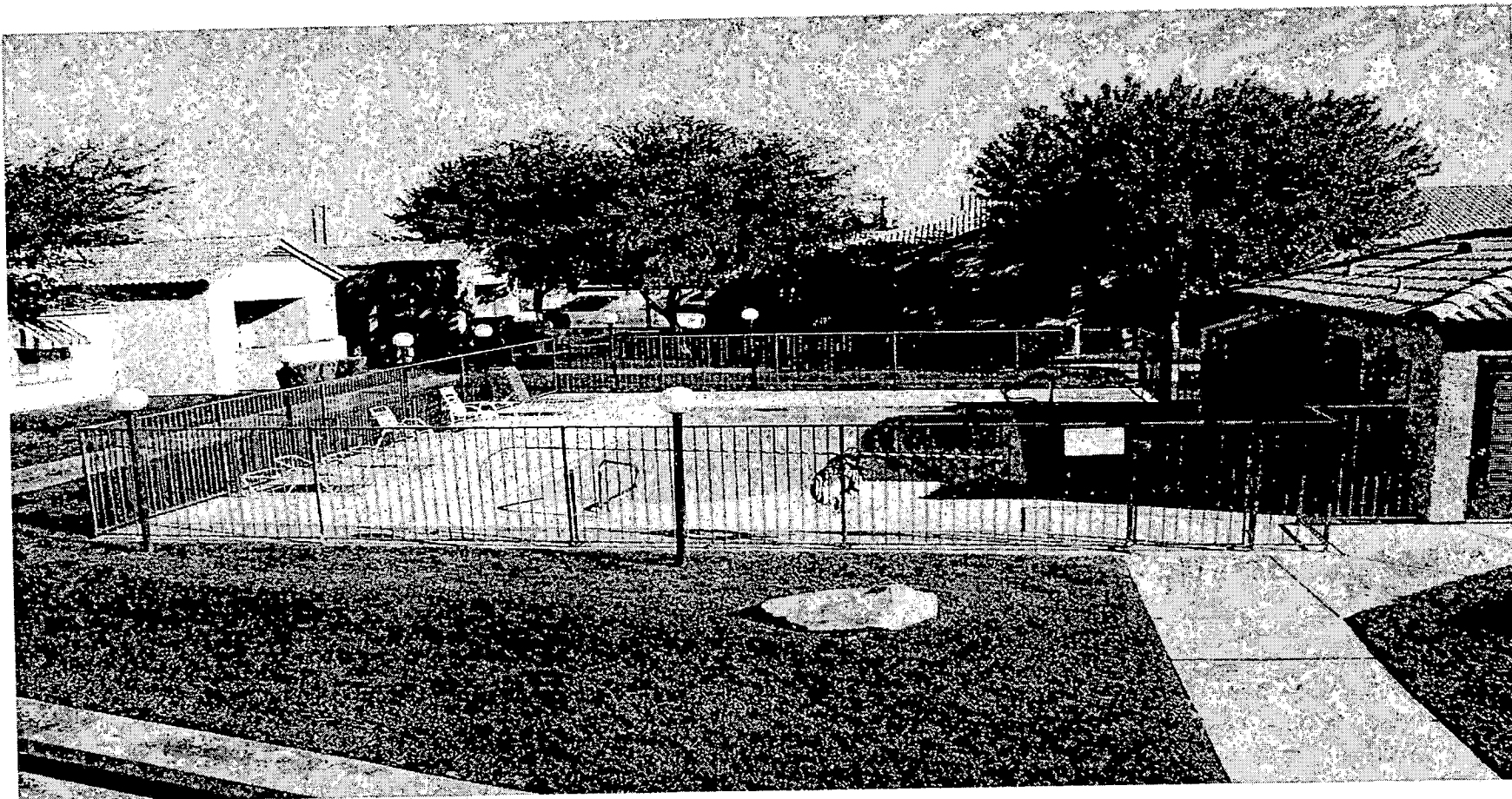
ELEVATIONS BUILDING FLOOR PLANS

SP3

ZON-5566
SDR-5568
12/16/04 PC

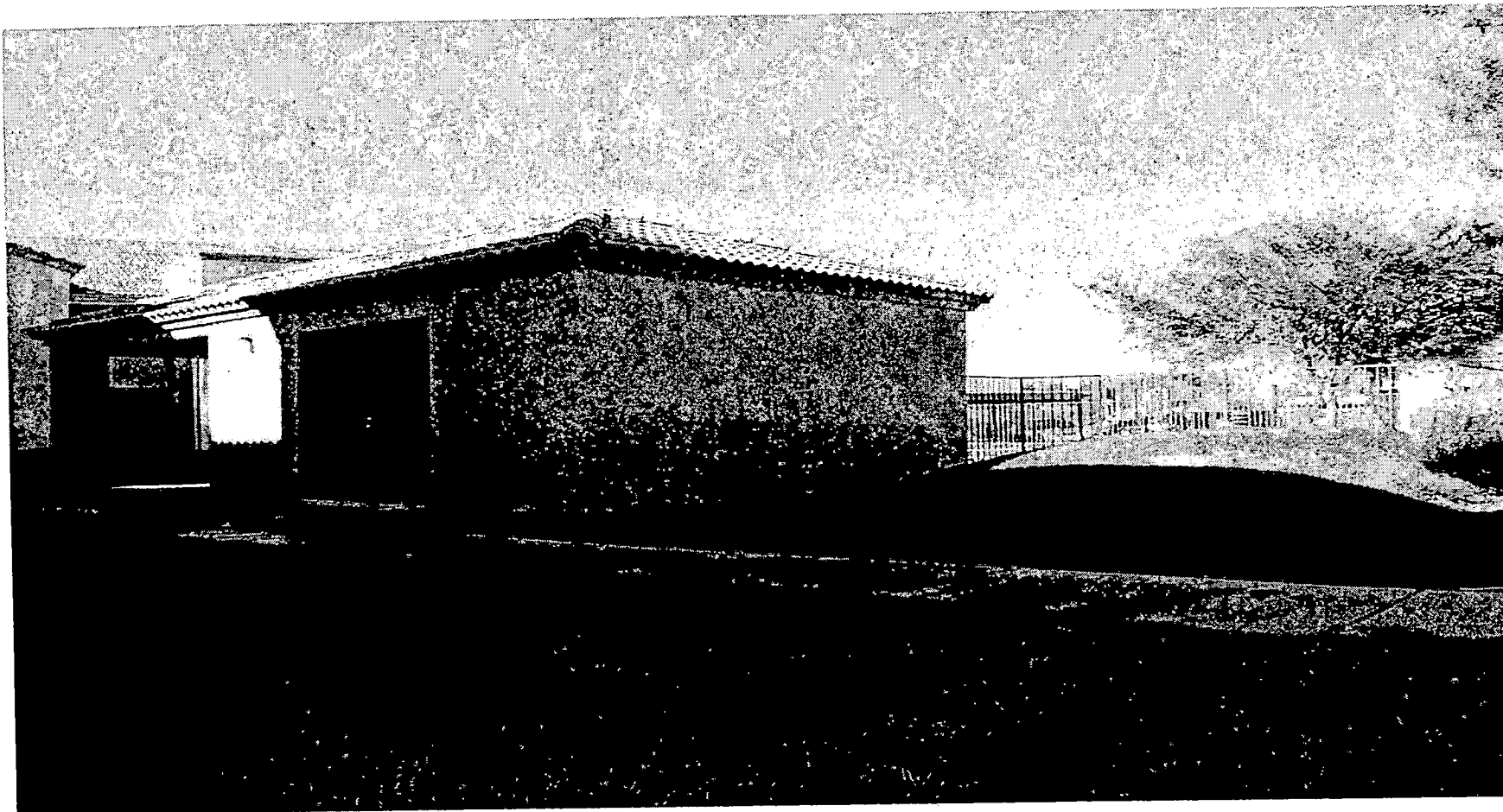
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DEC 1 2004

REVISED
12.1.04



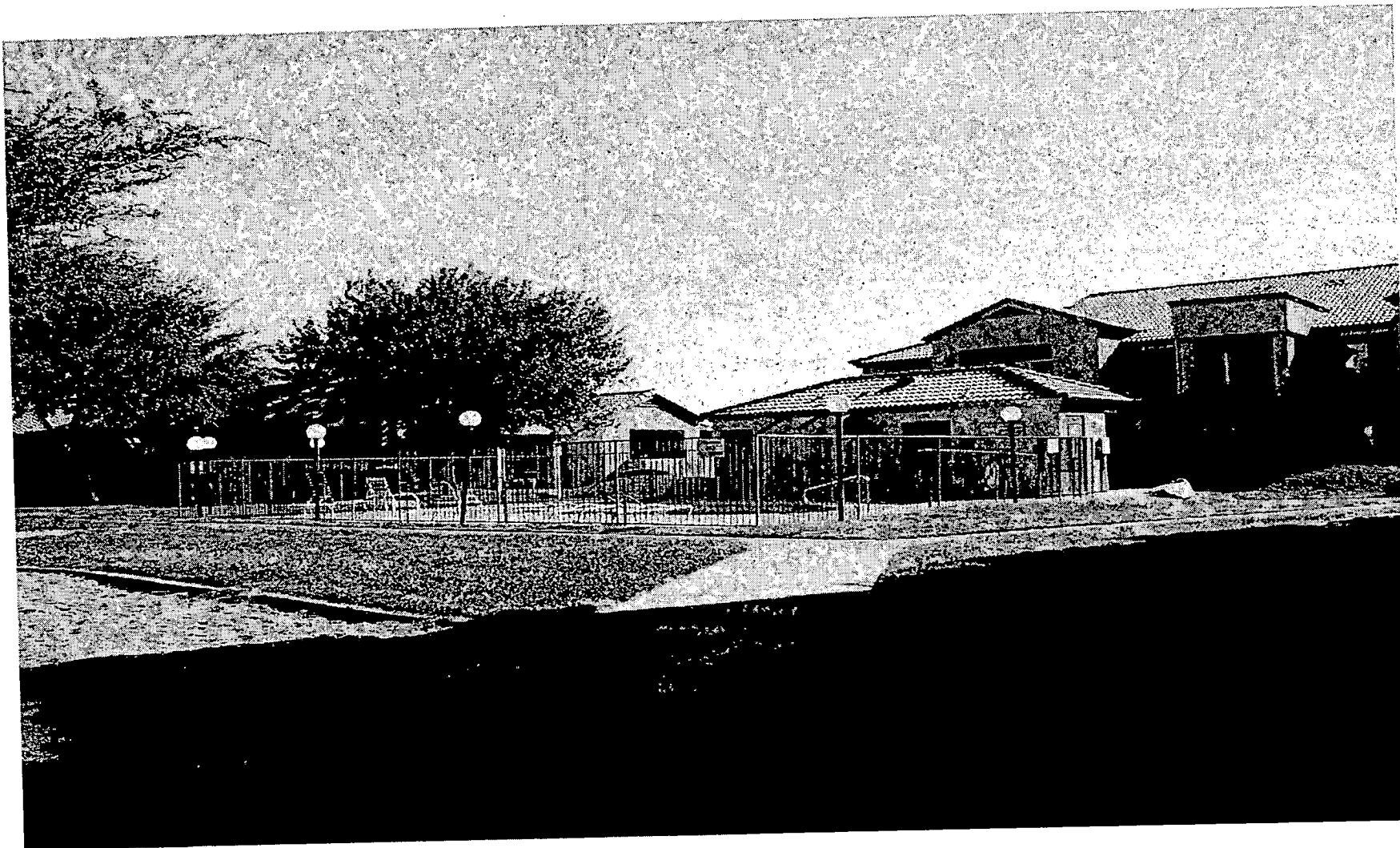
ZON-5566 - APPLICANT/OWNER: SHANDER INTERNATIONAL, LLC
5800 WEST CHARLESTON BOULEVARD
DECEMBER 16, 2004 PLANNING COMMISSION

11/24/04



ZON-5566 - APPLICANT/OWNER: SHANDER INTERNATIONAL, LLC
5800 WEST CHARLESTON BOULEVARD
DECEMBER 16, 2004 PLANNING COMMISSION

11/24/04



ZON-5566 - APPLICANT/OWNER: SHANDER INTERNATIONAL, LLC
5800 WEST CHARLESTON BOULEVARD
DECEMBER 16, 2004 PLANNING COMMISSION

11/24/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-5568 RELATED TO ZON-5566 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: SHANDER INTERNATIONAL, LLC -
Request for a Site Development Plan Review FOR A PROPOSED ADDITION OF A SIX-UNIT MULTI-FAMILY BUILDING TO AN EXISTING APARTMENT COMPLEX on 12.58 acres at 5800 West Charleston Boulevard (APN 138-36-401-012 through 020; 138-36-406-001 and 009), R-PD14 (Residential Planned Development - 14 Units Per Acre) [PROPOSED: R-PD15 (Residential Planned Development - 15 Units Per Acre)], Ward 1 (Moncrief).

C.C.: 01/19/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:

See Item 30 [ZON-5566] for all related discussion on Item 30 [ZON-5566] and Item 31 [SDR-5568].

(8:25 – 8:30)

2-1991

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 31– SDR-5568

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-5566) to a R-PD15 (Residential Planned Development – 15 Units Per Acre) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan, landscape plan and building elevations date stamped 12/01/04, except as amended by conditions herein. Damaged or missing trees on the perimeter of the site adjacent to public rights-of-way shall be replaced according to the landscape plan.
4. A minimum distance of 10 feet shall be maintained between buildings, and building height shall not exceed two stories or 35 feet, whichever is less, except for buildings abutting single-family residential properties, which shall be single-story.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box shade trees and a minimum of four five-gallon shrubs for each tree within parking lot planters, per Title 19.12.040.
6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. Prior to the time application is made for 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 trash enclosures shall be roofed in conformance with Title 19.08.045.
9. Handicapped parking spaces shall be striped in conformance with Title 19.10.010.G.
10. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

Public Works

11. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

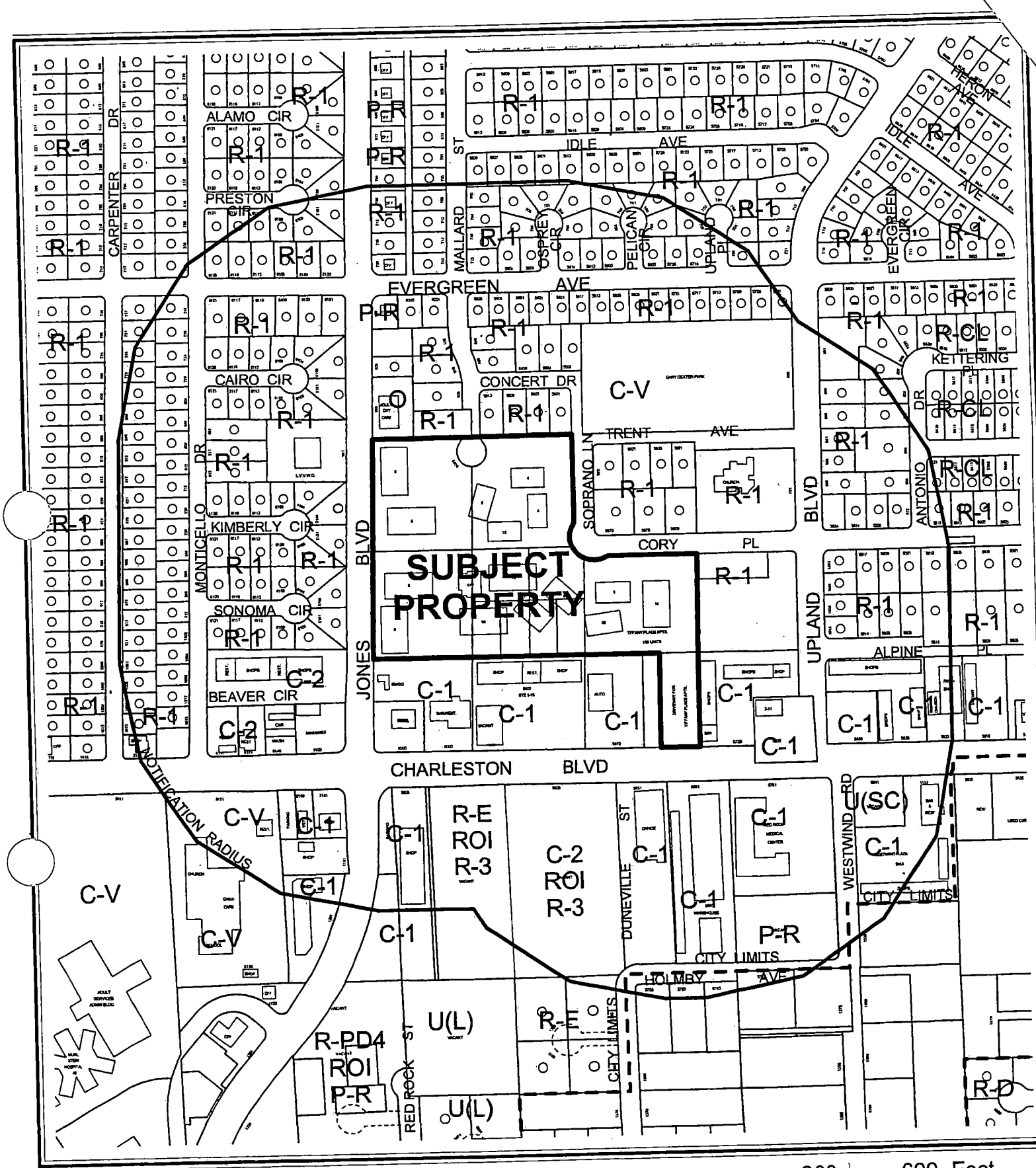
PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 31– SDR-5568

CONDITIONS – Continued:

12. Site development to comply with all applicable conditions of approval for Z-100-88, ZON-5566 and all other applicable site-related actions.

C

C



CASE: SDR-5568

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-PD14 (RESIDENTIAL PLANNED DEVELOPMENT - 14 UNITS PER ACRE)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE)

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5568 - APPLICANT/OWNER: SHANDER INTERNATIONAL, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:-

Planning and Development

1. A Rezoning (ZON-5566) to a R-PD15 (Residential Planned Development – 15 Units Per Acre) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan, landscape plan and building elevations date stamped 12/01/04, except as amended by conditions herein. Damaged or missing trees on the perimeter of the site adjacent to public rights-of-way shall be replaced according to the landscape plan.
4. A minimum distance of 10 feet shall be maintained between buildings, and building height shall not exceed two stories or 35 feet, whichever is less, except for buildings abutting single-family residential properties, which shall be single-story.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box shade trees and a minimum of four five-gallon shrubs for each tree within parking lot planters, per Title 19.12.040.
6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. Prior to the time application is made for 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 trash enclosures shall be roofed in conformance with Title 19.08.045.
9. Handicapped parking spaces shall be striped in conformance with Title 19.10.010.G.

SDR-5568 - Conditions Page Two
December 16, 2004 - Planning Commission Meeting

10. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

Public Works

11. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
12. Site development to comply with all applicable conditions of approval for Z-100-88, ZON-5566 and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed addition of a six-unit multi-family building to an existing apartment complex on 12.58 acres at 5800 West Charleston Boulevard.

B) Applicant's Justification

The applicant justifies this application by stating that the overall development, including the proposed building, will meet Title 19 parking, setback, height, and residential adjacency requirements. Existing buffer trees that have been damaged or removed will be replaced to conform to the original approval of the site.

BACKGROUND INFORMATION

A) Previous Actions

- 11/02/88 The City Council denied a request to Rezone (Z-0100-88) the subject property from R-1 (Single-Family Residential) with a portion under Resolution of Intent to C-1 (Limited Commercial) to R-PD16 (Residential Planned Development – 16 Units Per Acre). The Planning Commission recommended approval. Staff recommended denial.
- 02/15/89 The City Council rescinded the previous denial of the request to Rezone (Z-0100-88) the subject property from R-1 (Single-Family Residential) with a portion under Resolution of Intent to C-1 (Limited Commercial) to R-PD16 (Residential Planned Development – 16 Units Per Acre). The decision was based on revised plans showing a reduction in the number of units from 208 to 182 and one-story buildings along the north portion of the site abutting R-1 (Single Family Residential) zoned properties. Staff recommended denial.
- 04/13/89 The City Council approved a request to Rezone (Z-0100-88) the subject property from R-1 (Single-Family Residential) with a portion under Resolution of Intent to C-1 (Limited Commercial) to R-PD16 (Residential Planned Development – 16 Units Per Acre). The approval was amended to R-PD14 (Residential Planned Development – 14 Units Per Acre) with a maximum of 182 units. The Planning Commission recommended approval. Staff recommended denial.

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- 10/18/89 The City Council approved a Review of Condition No. 14 [Z-0100-88(1)] of the approved Rezoning (Z-0100-88) prohibiting access to Jones Boulevard except for emergency purposes. The request was to allow a temporary driveway from Jones Boulevard to the leasing office while the Charleston Boulevard entrance was being completed. The City Council conditioned its approval on the discontinuation of the temporary driveway 60 days following the approval of the first Certificate of Occupancy for any unit on the property. The Planning Commission and staff recommended approval.
- 06/28/99 The City Council approved a Review of Condition No. 14 [Z-0100-88(2)] of the approved Rezoning (Z-0100-88) prohibiting access to Jones Boulevard except for emergency purposes. The condition was deleted and a new landscaping plan for the site was required. Staff recommended approval.
- 12/16/04 The Planning Commission will consider a companion Rezoning request (ZON-5566) from R-PD14 (Residential Planned Development – 14 Units Per Acre) to R-PD15 (Residential Planned Development – 15 Units Per Acre) on the subject site.

B) Pre-Application Meeting

- 10/19/04 The applicant was made aware that the increase in multi-family units would increase the density such that a rezoning for the entire complex area would be required. Such a rezoning would still be compatible with the General Plan. The applicant demonstrated that the proposed building would match the architecture of the existing buildings and would meet code with respect to setbacks. The parking standard would be maintained, and landscaping could be upgraded to current standards.

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: 12.58
Net Acres: 11.98

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B) Existing Land Use

Subject Property: Multi-Family Residential (Apartment Complex)
North: Single-Family Residential
Social Service Provider (Adult Day Care)
South: Retail and Restaurants
East: Single-Family Residential
Undeveloped
West: Single-Family Residential

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-PD14 (Residential Planned Development – 14 Units Per Acre)
North: R-1 (Single-Family Residential)
O (Office)
South: C-1 (Limited Commercial)
R-1 (Single-Family Residential) under Resolution of Intent to C-1
(Limited Commercial)
East: R-1 (Single-Family Residential)
C-1 (Limited Commercial)
West: R-1 (Single-Family Residential)

E) General Plan Compliance

The subject site is designated M (Medium Density Residential) on the Southwest Sector Map of the General Plan. This land use classification allows residential developments up to a density of 25 dwelling Units Per Acre. The proposed R-PD15 (Residential Planned Development – 15 Units Per Acre) zoning district would conform to this General Plan designation.

PROJECT DESCRIPTION

The proposal calls for the removal of an existing swimming pool and structure containing related mechanical equipment and replacement with a new six-unit, two-story apartment building. This would create a cluster of five buildings in the northeastern portion of the site. The proposed 7,740 square foot building would contain an additional two 2-bedroom units and four 3-bedroom units. A series of paths connecting the buildings to each other would be reconstructed adjacent to the new building. A total of 499 parking spaces are currently provided, well in excess of the required 344 spaces. Perimeter landscaping consists of existing deciduous, evergreen, and palm trees along Soprano Lane, Cory Place, and Jones Boulevard, as well as along the private entry drive into the complex from Charleston Boulevard. New trees to match the existing species will be planted to replace damaged trees or trees that have been removed since their original planting.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

In accordance with Title 19.06, the following Development Standards are proposed for the site:

Standards	Proposed
Min. Setbacks	
• Front (Jones Blvd.)	22 Feet
• Side	15 Feet
• Corner	N/A
• Rear	72 Feet
Min. Distance Between Buildings	10 Feet
Max. Building Height	2 Stories / 35 Feet, except for buildings abutting R-1 zoning (single-story)
Trash Enclosure	No new structures
Mech. Equipment	Screened

The existing setbacks will not be affected by approval of the proposed building; however, this building will be required to be set back at least 10 feet from any other building. The proposed height of the new building is 30 feet, which is comparable to the other two-story buildings on the site. The one-story restriction for buildings that abut R-1 (Single-Family Residential) zoned properties is reiterated as part of this request. No new trash enclosures are proposed.

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A2) Residential Adjacency Standards

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

- a) Proximity slope. At a maximum height of 30 feet, the proposed building (at its highest point) must be set back at least 90 feet from the nearest property line of the protected single-family dwellings located to the north and east of the subject site. The building is shown at 160 feet from the properties to the north and 215 feet from the properties to the east; therefore, the adjacency standard with respect to the proximity slope has been met.
- b) Building setback. The proposed building must be setback a minimum of 20 feet from the protected single-family properties located both north and east of the subject site. At setbacks of 160 feet from the properties to the north and 215 feet from the properties to the east, the adjacency standard with respect to building setback is satisfied.

A3) Parking and Traffic Standards

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

Uses	No. of Units	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Multi-Family (1-bedroom units)	48	1.25 spaces/unit + 1 space/6 units	68	N/A		
Multi-Family (2-bedroom units)	112 (2 new)	1.75 spaces/unit + 1 space/6 units	215	N/A		
Multi-Family (3-bedroom units)	28 (4 new)	2 spaces/unit + 1 space/6 units	61	N/A		
TOTAL	188	---	344	N/A	493	6

The proposed building will add 13 spaces to the onsite requirement, for a total of 344 spaces. The site currently provides 321 uncovered and 178 covered spaces (including garages) for a total of 499 spaces; therefore, the development exceeds Title 19 parking requirements.

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A condition of approval will require the applicant to meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

A4) Landscape and Open Space Standards

The perimeter of the site adjacent to public rights-of-way contains existing deciduous, evergreen and palm trees planted according to the previous zoning action (Z-0100-88). As the planters are already existing and the trees and shrubs mature, only damaged or missing trees need to be replaced. The parking area is missing planter fingers, which should be placed at a ratio of one per six uncovered spaces. At least one 24-inch box shade tree should be provided per island along with a minimum of four (4) five-gallon evergreen shrubs per tree provided.

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

Total Acreage	Density	Ratio	Required		Provided	
			Percent	Area	Percent	Area
12.58 acres	14.9 du/ac	1.65	24.59 %	134,722 SF or 3.09 acres	50.75 %	278,080 SF or 6.38 acres

The development as proposed meets Title 19 open space requirements.

A5) Sign Standards

No changes are proposed to the existing signage on the site. Any new signage would be subject to the standards contained in Title 19.14 for the R-3 (Medium Density Residential) zoning district.

B) General Analysis and Discussion

- Zoning**

The site is currently zoned R-PD14 (Residential Planned Development – 14 Units Per Acre). The increased density associated with the addition of six units to the development would require a zone change to R-PD15 (Residential Planned Development – 15 Units Per Acre). An application for Rezoning (ZON-5566) for the 12.58-acre site has been filed as a companion to this Site Development Plan Review.

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- **Site Plan**

The addition of a new apartment building on the site is acceptable as long as the site is upgraded to meet current zoning codes as required for new development. Although the development would lose a swimming pool, another pool still exists in the southern portion of the site. In light of new development, all proposed handicapped spaces shall be re-stripped to conform to the standards contained in Title 19.10. In addition, all trash enclosures on the site shall be roofed in accordance with the Commercial Development Standards. The site plan should be revised to indicate these changes.

- **Waivers**

No waivers are requested as part of this Site Development Plan Review request, and none are required.

- **Landscape Plan**

Prior to the concurrent request for rezoning, the site complied with perimeter landscaping per the original zoning approval. The applicant has indicated where damaged or missing trees are located and marked for replacement. The applicant, as part of the site upgrade, should be able to provide additional trees within the parking area without reducing the number of parking spaces below the minimum required by the current zoning code. Therefore, a condition of approval requires additional planter fingers to be constructed that will include trees and shrubs according to Title 19.12.

- **Elevation**

The elevations match the existing apartment buildings on the site and indicate painted stucco exteriors with concrete tile roofs. The two-bedroom units each contain balconies.

- **Floor Plan**

The floor plans indicate that two (2) two-bedroom units and four (4) three-bedroom units would be added. Each unit contains two levels.

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 six-unit apartment building will be built with similar architectural features as the existing buildings that will surround it. This building will meet Residential Adjacency Standards and will be partially screened from view of neighboring single-family residential properties. The amount of parking will remain in excess of current code standards. The existing apartment complex was constructed in 1990 and has proven to be compatible with the area.

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

Even with the proposed slight increase in residential units, the project complies with the current M (Medium Density Residential) General Plan designation. Certain aspects of the site, including striping of handicapped parking spaces, roofing of trash enclosures, and the provision of additional trees in the parking lot must be brought up to code as the site is redeveloped.

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

Access to the site remains from Charleston Boulevard, designated a Primary (100-foot) Arterial and Jones Boulevard, designated a Secondary (80-foot) Collector on the Master Plan of Streets and Highways. Addition of six units will have minimal effect on circulation around the site and virtually no effect on neighborhood traffic.

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

Building materials include stucco exteriors, canvas awnings, and concrete tile roofs to match existing buildings on the site. Most landscaping is existing, but damaged or missing trees and shrubs will be replaced with similar materials.

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

The proposed elevations, which are similar in character and materials to the existing apartment buildings, ensure that an orderly and aesthetically pleasing environment is created.

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

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The construction of the proposed building will be subject to inspection by public agencies; therefore, the health, safety and general welfare of the public will be safeguarded.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 107 [mailed with ZON-5566]

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5568** APN: 138-36-401-013 ^{012, 014}
406-001 & 009

Name of Property Owner: INT'L ASSET MGRS., INC.

Name of Applicant: INT'L ASSET MGRS., INC.

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

Yes

☒ 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: _____

X Signature of Property Owner/Authorized Agent: _____

X Print Name:

Alex Tzevolaksky
Managing Member

Subscribed and sworn before me

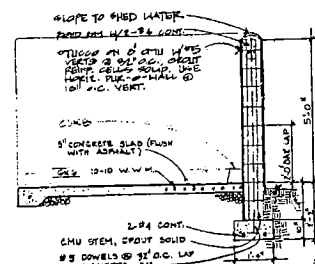
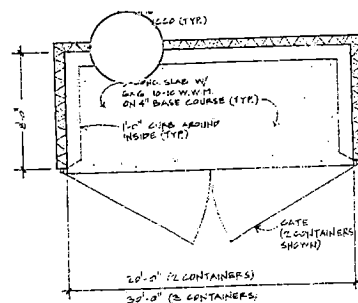
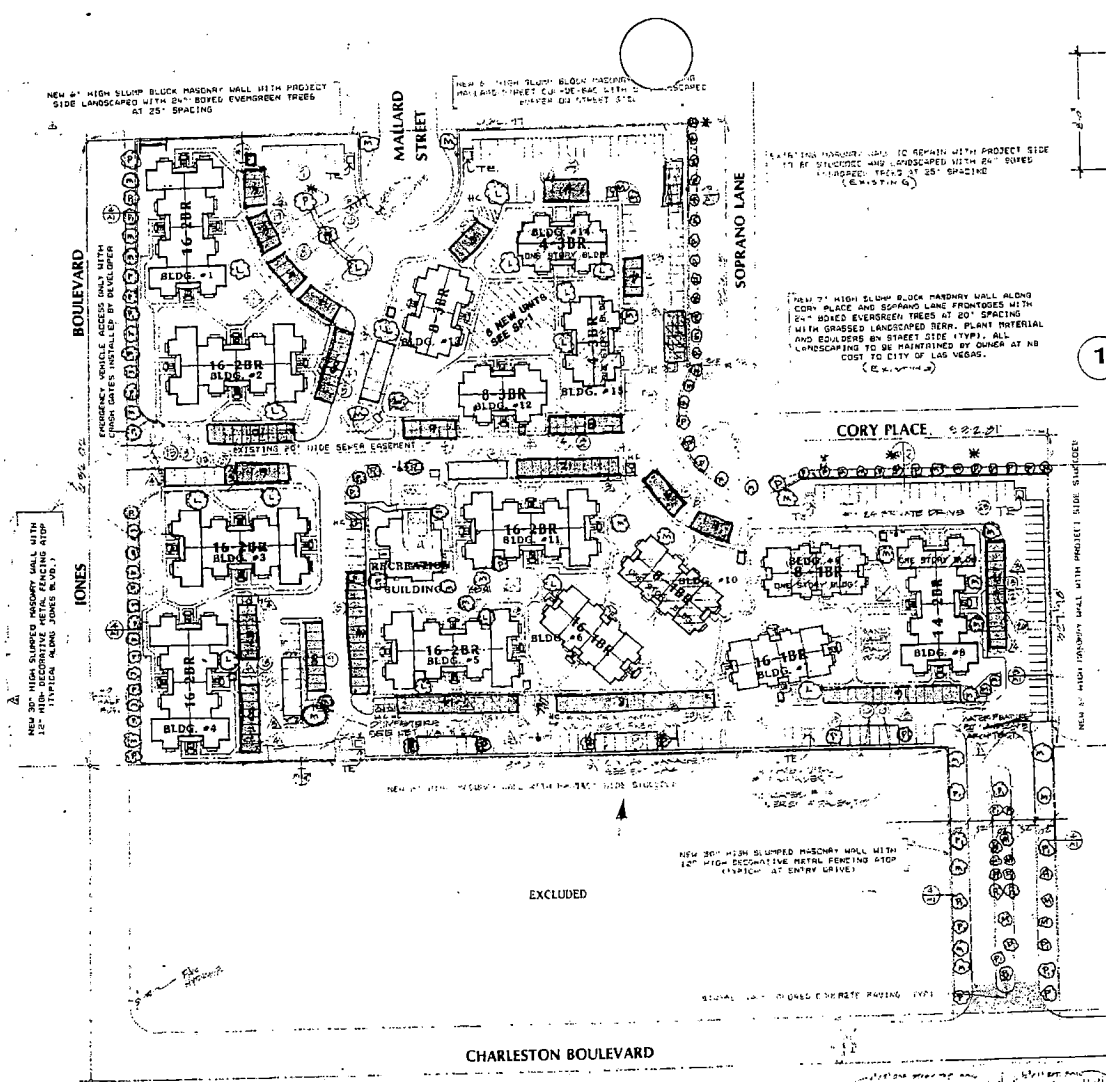
This 26th day of October, 2004

Notary Public in and for said County and State

Revised 2/12/02

STEVE MOLLER
Notary Public, State of Nevada
Appointment No. 98-1169-1
My Appt. Expires March 11, 2006

f:\depot\Application Packet\Statement of Financial Interest.doc



NOTE: EXCEPT AS OTHERWISE NOTED

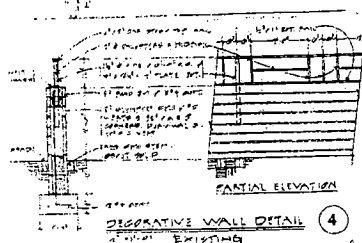
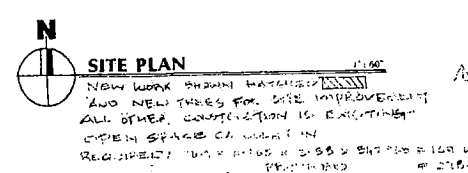
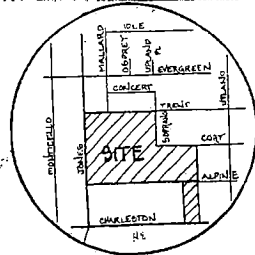
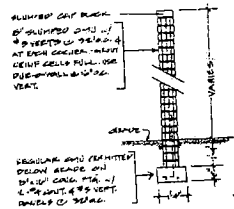
- NOTE: EXCEPT ON OTHER USE NOTES
1. ALL SITES REFERRED TO EITHER TYPE I OR II, DEPENDS UPON CONTAINMENT REQUIREMENTS.
2. " " " H " "
3. " " " III " "
4. SEE SITE PLAN SHEET FOR LOCATIONS OF UNDESIRABLE CONSPIRATIONS.

LANDSCAPING		EXISTING	NEW #
(M) MEDUML BLUE TREE THICKENS	66	EXISTING	4
(P) OVERMATURED ONE PALM TREE $P = H - BULBES - 10$ $P. \leq \text{PALM } (33)$	65	EXISTING	
(L) LARGE SHADE TREE	16	EXISTING	
TOTAL TREES	147	EXISTING	4

* PROVIDE NEW EVERGREEN OR 5 FT PALM TREES TO REPLACE DAMAGED OR PREVIOUSLY REMOVED APPROVED TREES WHERE MARKED *

TE PROVIDE MATCHING ROOPS TO ALL TURN ENCLOSURES

HL PROVIDE STRIPING TO HANDICAP PARKING SPOTS



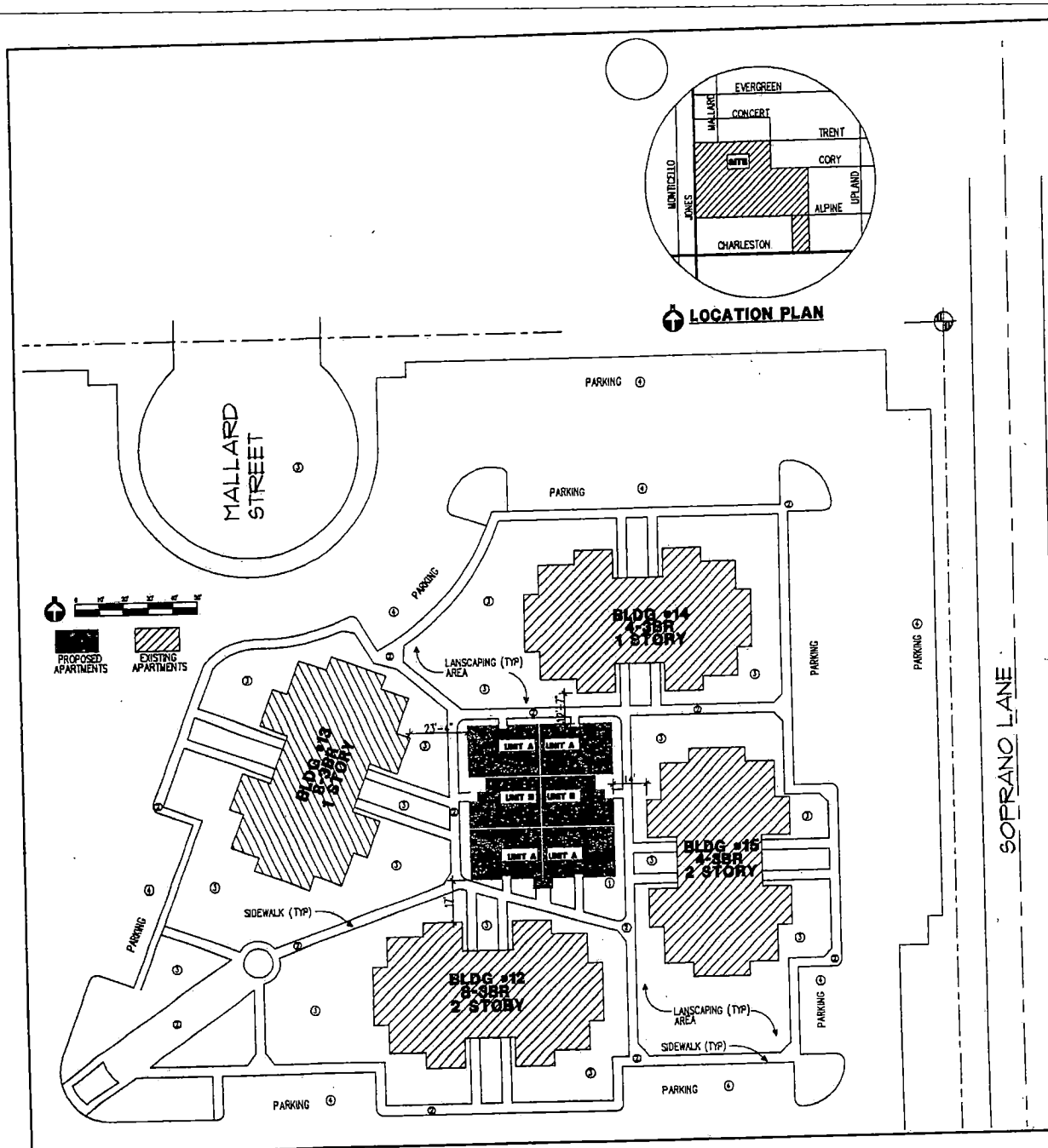
ZON-5566
SDR-5568
12/16/04 PC

RECEIVED
DEC 1 2004

ANY APARTMENTS 138-36-401-013
WARD 1
N.E. Corner Charleston / Jones
City of Las Vegas, Nevada 89146

SITE PLAN & LANDSCAPING

SP4



ABULATION

LEGAL
A PORTION OF THW SW 1/4 OF THE SW 1/4 OF SECTION 36: T 20 S; R 60 E;
MDW : CITY OF LAS VEGAS, CLARK COUNTY, NEVADA
ZONING:
EXISTING: RPD-14
PROPOSED: RPD-15
LAND AREA: GROSS - 547,968 SF (12.58 ACRES)

EXISTING				
48 - 1 BR UNITS @ 639 SF	=	30,672 SQ. FT		
110 - 2 BR UNITS @ 947 SQ. FT	=	104,170 SQ. FT		
24 - 3 BR UNITS @ 1070 SF	=	25,680 SQ. FT		
182- TOTAL RENTABLE UNITS	=	160,522 SQ. FT		
RECREATION BUILDING	=	3,970 SQ. FT		
TOTAL BUILDABLE AREA	=	164,492 SQ. FT		
DENSITY	14.47 UNITS/GROSS ACRE (PERMITTED)	=	182 UNITS	
	14.47 UNITS/GROSS ACRE (PROVIDED)	=	182 UNITS	
PARKING REQUIRED	SPACES PER UNIT	UNITS	PARKING REQUIRED	PARKING PROVIDED
1 BR UNIT	1.25 + 1 PER 6	48	68	
2 BR UNIT	1.75 + 1 PER 6	110	203	
3 BR UNIT	2.00 + 1 PER 6	24	52	
REQUIRED		182	323	
PROVIDED				499

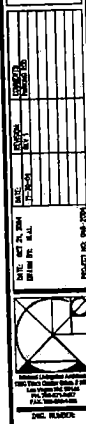
PROPOSED				
48 - 1 BR UNITS @ 639 SF	=	30,672 SQ. FT		
110 - 2 BR UNITS @ 947 SQ. FT	=	104,170 SQ. FT		
24 - 3 BR UNITS @ 1070 SF	=	25,680 SQ. FT		
2 - 2 BR UNITS @ 1285 SQ. FT	=	2,570 SQ. FT		
4 - 3 BR UNITS @ 1,237 SF	=	4,948 SQ. FT		
188- TOTAL RENTABLE UNITS	=	168,040 SQ. FT		
RECREATION BUILDINGS	=	3,618 SQ. FT		
TOTAL BUILDABLE AREA	=	171,658 SQ. FT		
DENSITY CHANGE REQUIRED	14.94 UNITS/GROSS ACRE (PERMITTED)	=	188 UNITS	
PARKING REQUIRED	SPACES PER UNIT	UNITS	PARKING REQUIRED	PARKING PROVIDED
1 BR UNIT	1.25 + 1 PER 6	48	68	
2 BR UNIT	1.75 + 1 PER 6	112	215	
3 BR UNIT	2.00 + 1 PER 6	28	61	
REQUIRED		188	344	
PROVIDED				499

BUILDING CODE ANALYSIS
GROUP OCCUPANCY : R-1 APARTMENTS
CONSTRUCTION TYPE : V - 1 HR
BUILDING HEIGHT : 30'-0"
NO. STORIES : 1 & 2

- KEY NOTES**
1. NEW 2 STORY APARTMENTS (6 TOTAL)
 2. NEW CONCRETE SIDEWALK
 3. EXISTING LANDSCAPED AREA
 4. EXISTING PARKING

TIFFANY APARTMENTS 138-36-401-013
WARD 1
N.E. Corner Charleston / Jones
City of Las Vegas, Nevada 89146

SITE DEVELOPMENT PLAN



SP1

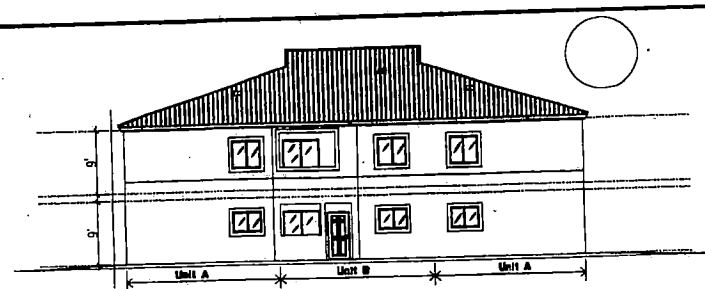
REVISED
12.1.04

ZON-5566
SDR-5568
12/16/04 PC

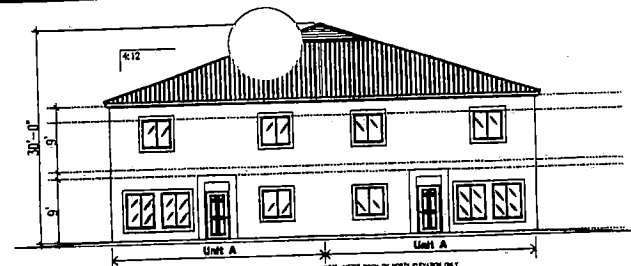
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TIFFANY APARTMENTS 138-36-401-013
WARD 1
N.E. Corner Charleston / Jones
City of Las Vegas, Nevada 89146

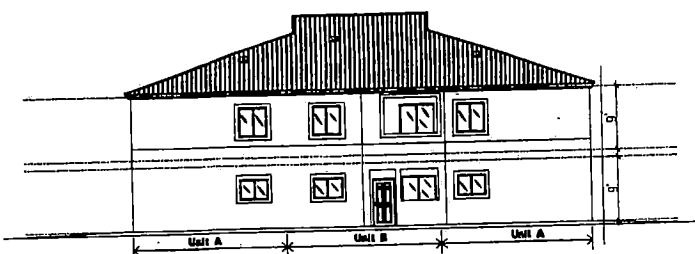
ELEVATIONS
BUILDING FLOOR PLANS



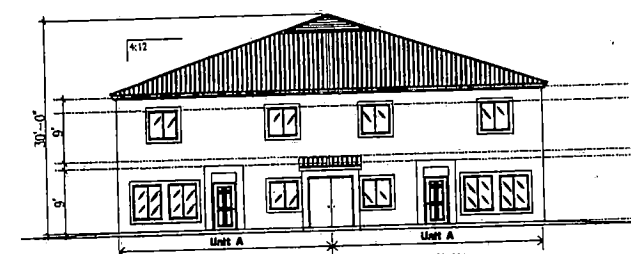
ELEVATION (UNITS A+B+A) NORTH



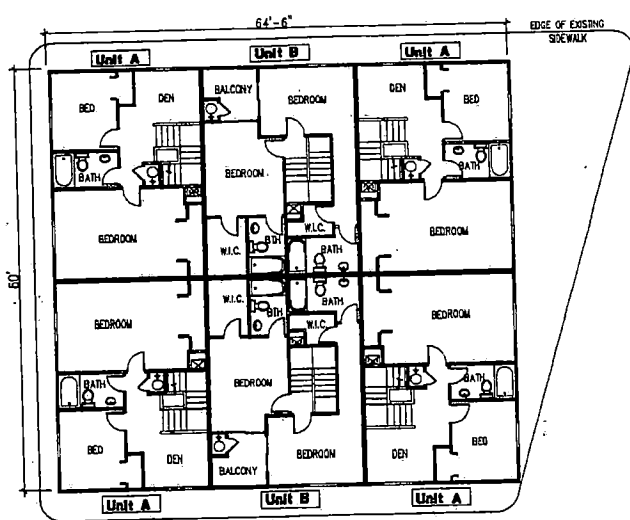
ELEVATION (UNITS A+A) EAST



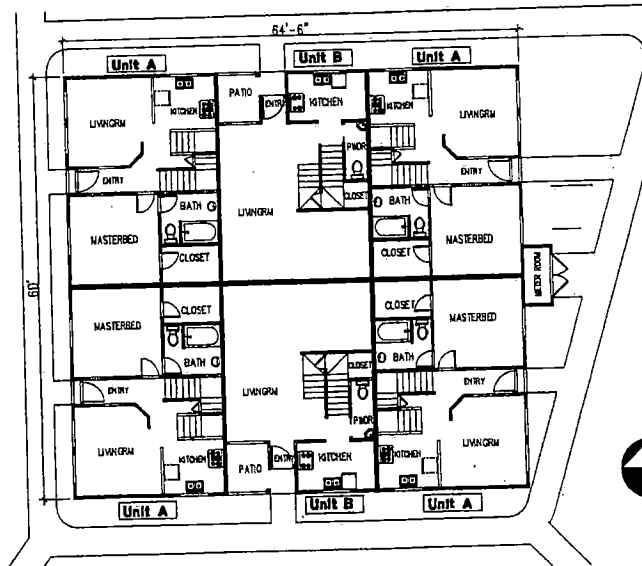
ELEVATION (UNITS A+B+A) SOUTH



ELEVATION (UNITS A+A) WEST

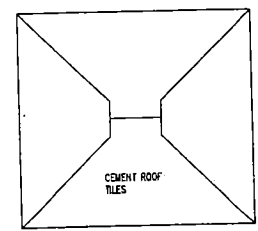


SECOND FLOOR BUILDING PLAN



GROUND FLOOR BUILDING PLAN

EXTERIOR FINISHES:
MATCH ADJACENT CEMENT ROOF TILES
AND PAINTED STUCCO WALLS



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

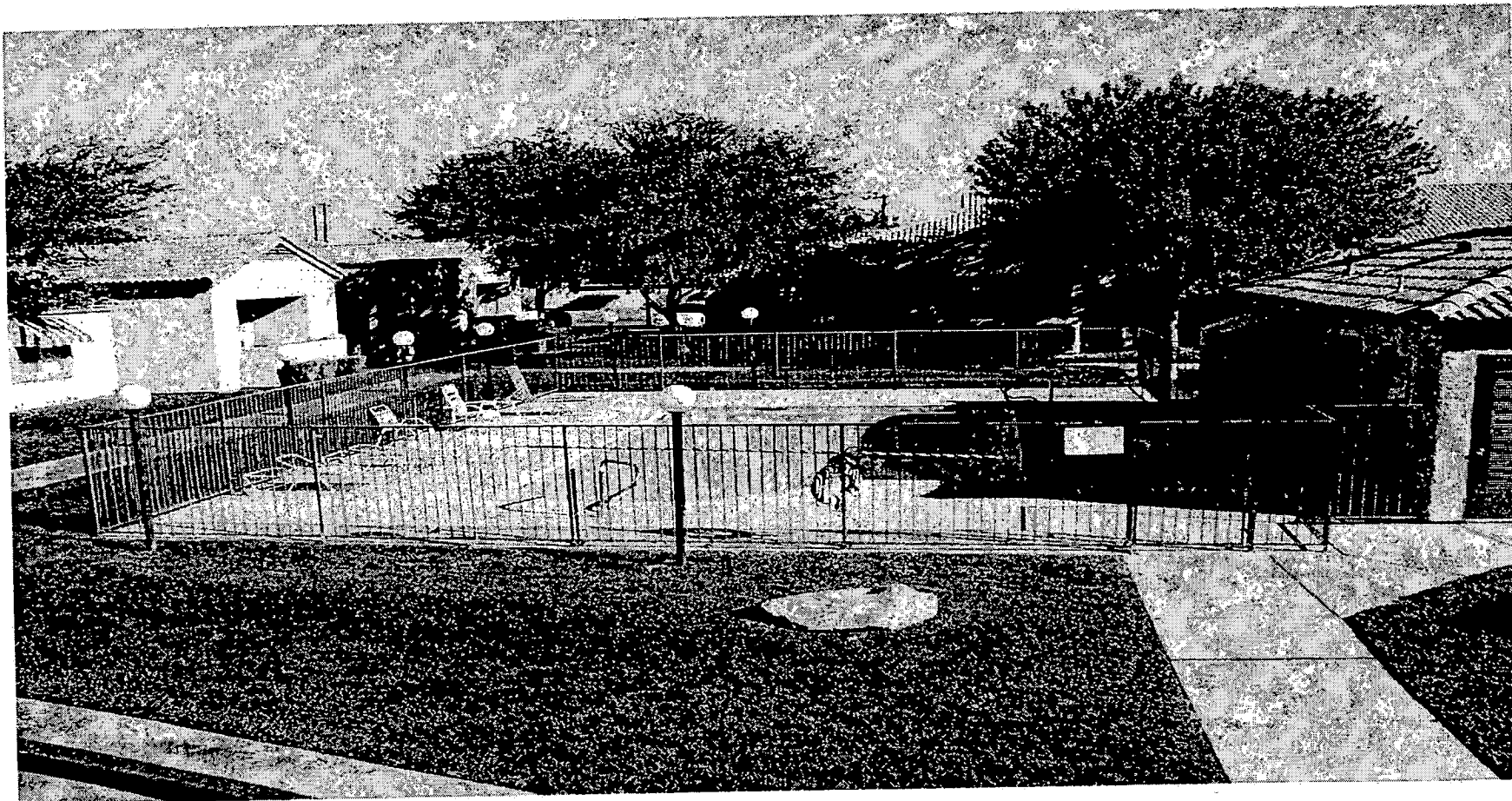


SP3

REVISED
12.1.04

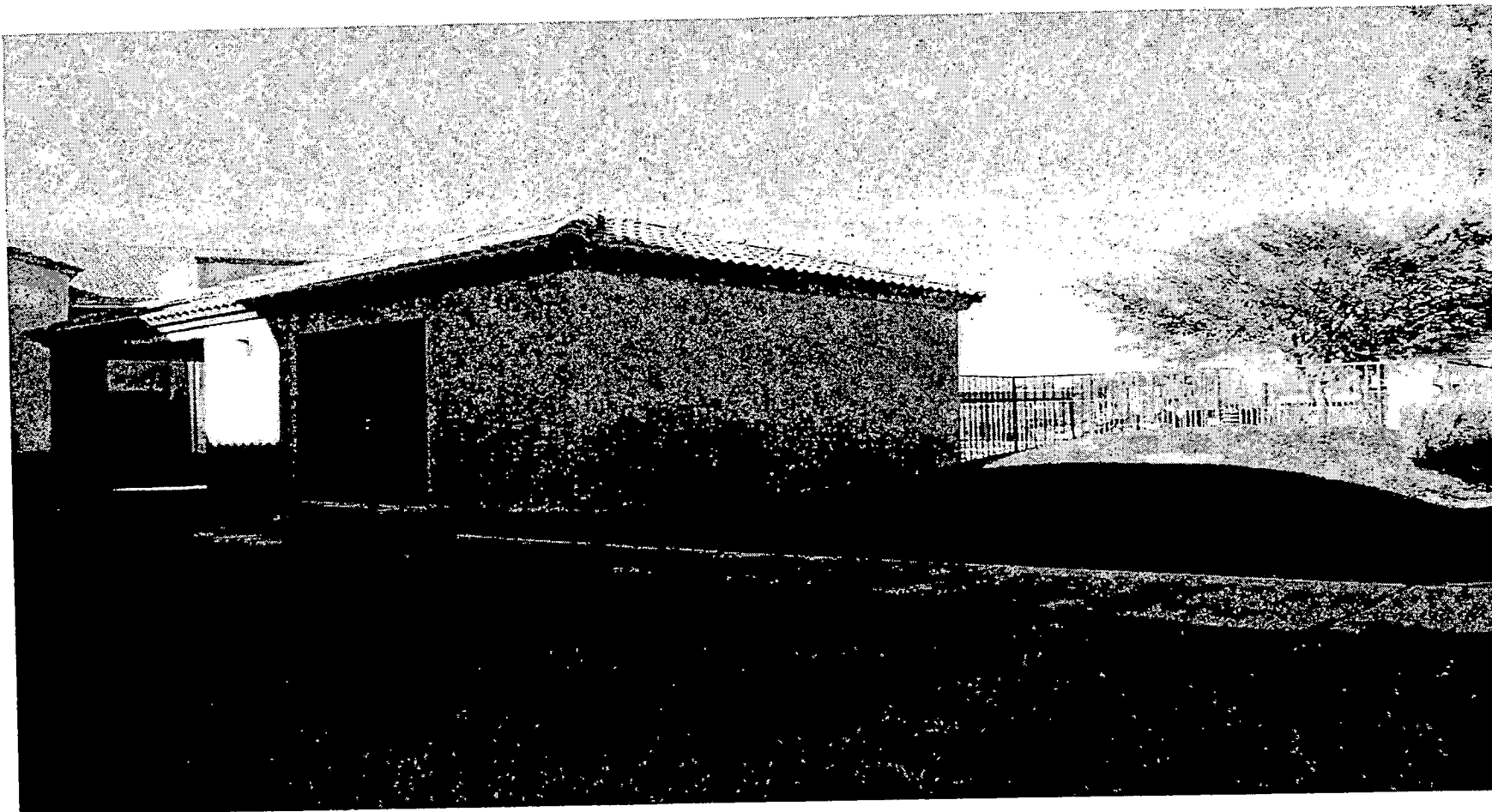
ZON-5566
SDR-5568
12/16/04 PC

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DEC 1 2004



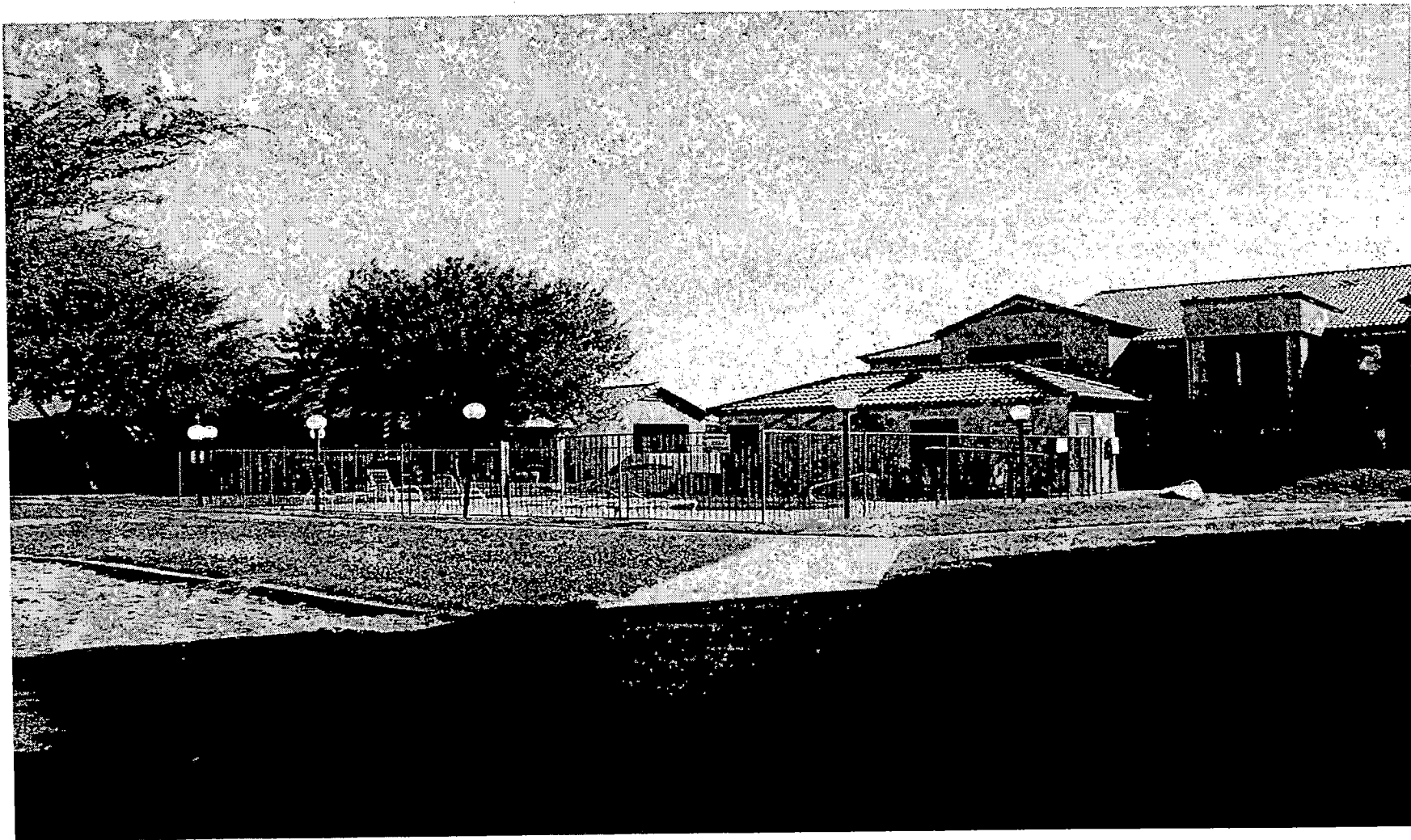
SDR-5568 - APPLICANT/OWNER: SHANDER INTERNATIONAL, LLC
5800 WEST CHARLESTON BOULEVARD
DECEMBER 16, 2004 PLANNING COMMISSION

11/24/04



SDR-5568 - APPLICANT/OWNER: SHANDER INTERNATIONAL, LLC
5800 WEST CHARLESTON BOULEVARD
DECEMBER 16, 2004 PLANNING COMMISSION

11/24/04



SDR-5568 - APPLICANT/OWNER: SHANDER INTERNATIONAL, LLC
5800 WEST CHARLESTON BOULEVARD
DECEMBER 16, 2004 PLANNING COMMISSION

11/24/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5548 - VARIANCE - PUBLIC HEARING - APPLICANT: OVATION DEVELOPMENT - OWNER: LONE MOUNTAIN APTS. I, LLC - Request for a Variance TO ALLOW A ZERO REAR YARD SETBACK WHERE THREE FEET IS REQUIRED FOR ACCESSORY STRUCTURES (FOUR COVERED PARKING GARAGES) AND A VARIANCE TO ELIMINATE THE SIX-FOOT WIDE LANDSCAPE PLANTER AND REQUIRED TREES IN THE LOCATION OF THE ACCESSORY STRUCTURES IN CONJUNCTION WITH A PROPOSED MULTI-FAMILY RESIDENTIAL DEVELOPMENT adjacent to the east side of Rainbow Boulevard, approximately 350 feet south of Lone Mountain Road (APN 138-02-101-001 and 013), R-E (Residence Estates) and C-2 (General Commercial) Zones under Resolution of Intent to R-3 (Medium Density Residential), Ward 6 (Mack).

C.C.: 01/19/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the January 13, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – Motion to bring forward and HOLD IN ABEYANCE Item 32 [VAR-5548] and Item 64 [VAR-5548] to 1/13/2005 Planning Commission meeting; Item 58 [SDR-5503], Item 59 [SDR-5517] and Item 61 [SDR-5519] to 1/27/2005 Planning Commission meeting; Item 44 [VAC-5569], Item 45 [VAR-5567] and Item 46 [SDR-5565] to 2/10/2005 Planning Commission meeting; STRIKE Item 51 [SUP-5502]; TABLE Item 63 [TXT-5037] and WITHDRAW WITHOUT PREJUDICE Item 52 [SUP-5558] – UNANIMOUS with DAVENPORT and McSWAIN excused

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 32 – VAR-5548

MINUTES:

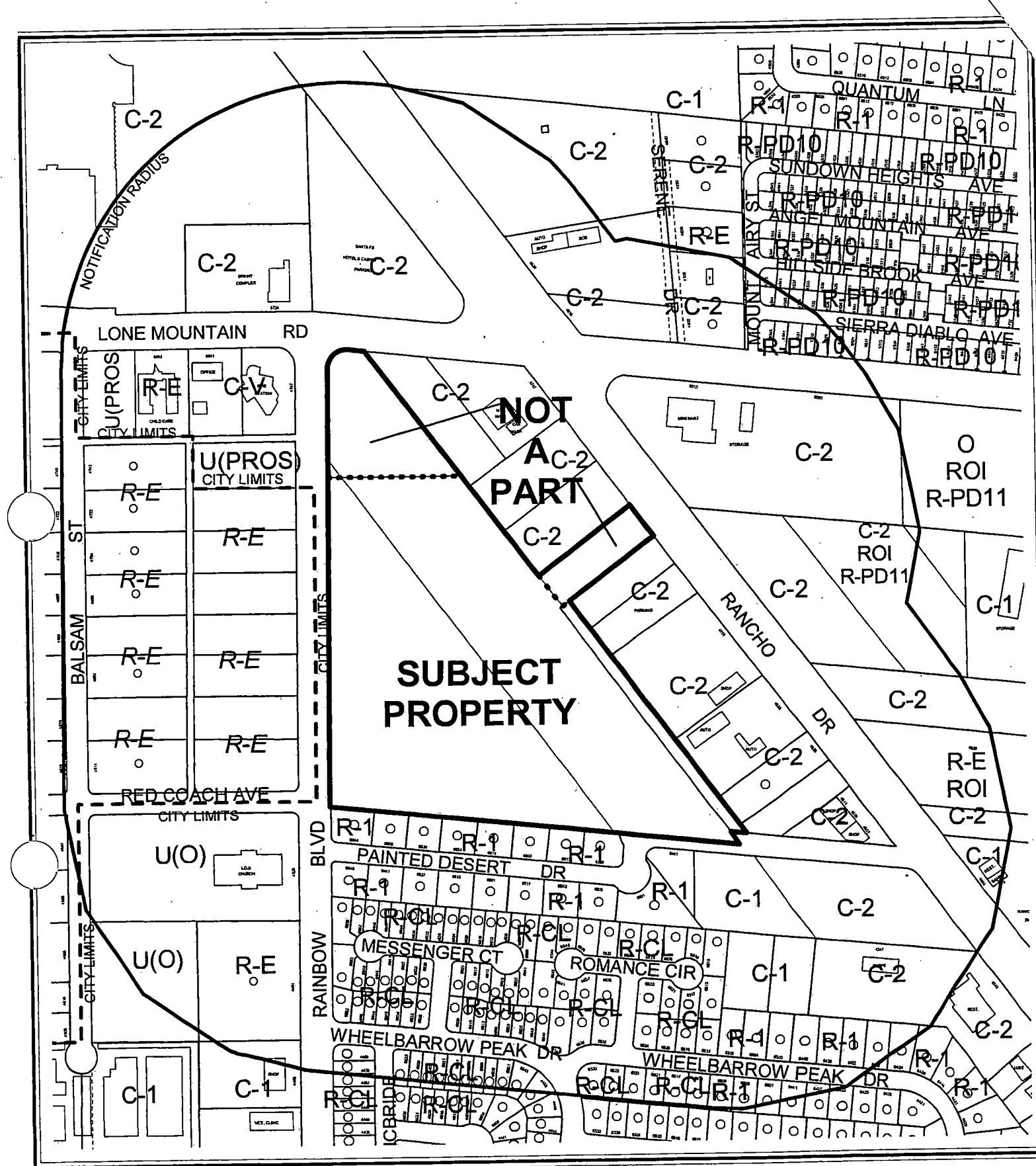
GARY LEOBOLD, Planning and Development, stated that letters are on file for each of the requests.

(6:03 – 6:06)

1-104

C

C

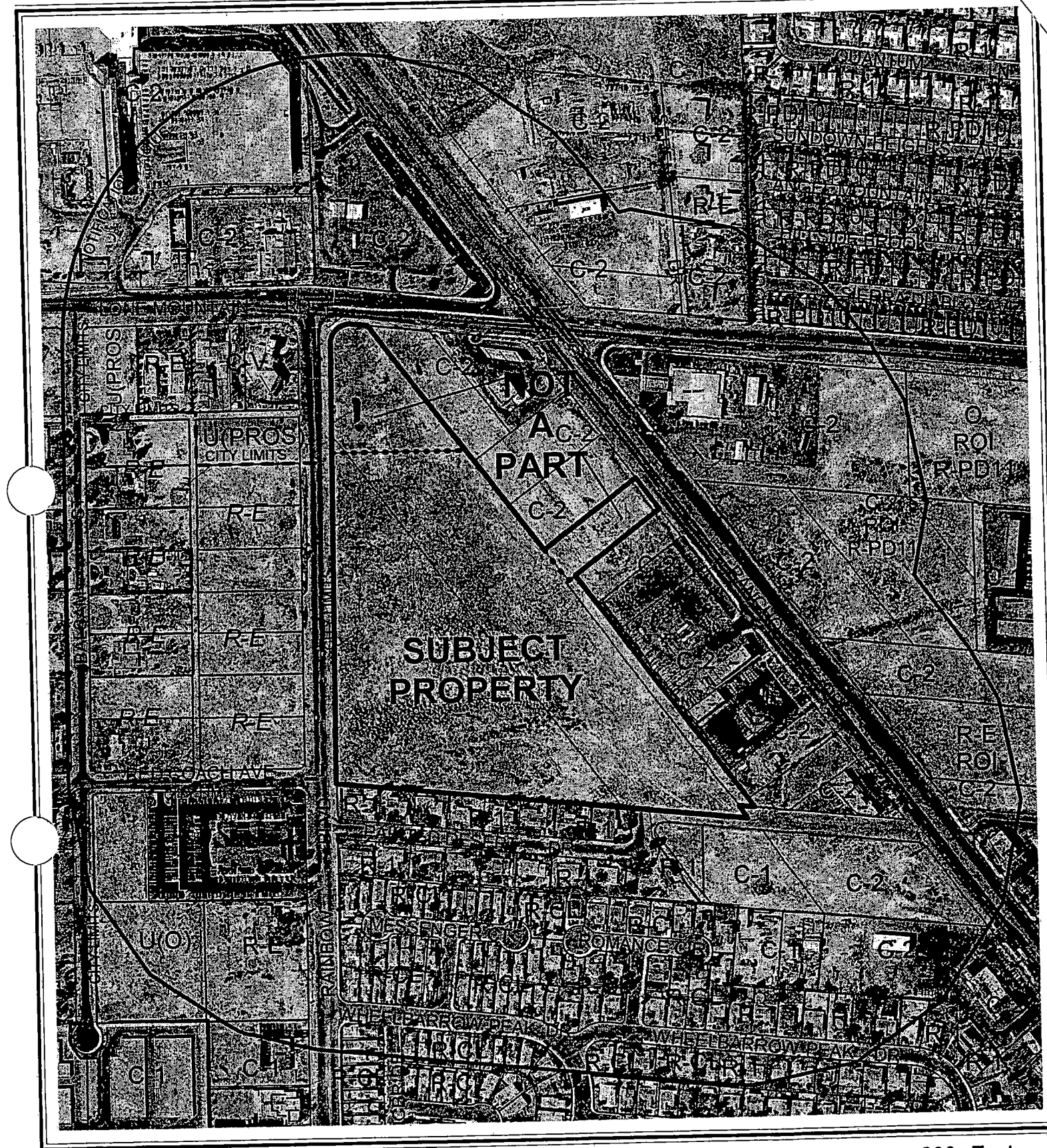


CASE: VAR-5548

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) AND C-2 (GENERAL COMMERCIAL) UNDER RESOLUTION OF INTENT TO R-3 (MEDIUM DENSITY RESIDENTIAL)



CASE: VAR-5548

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) AND C-2 (GENERAL COMMERCIAL) UNDER RESOLUTION
OF INTENT TO R-3 (MEDIUM DENSITY RESIDENTIAL)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5548 - APPLICANT: OVATION DEVELOPMENT -

OWNER: LONE MOUNTAIN APTS. I, LLC

***APPLICANT REQUESTS THIS ITEM BE HELD IN
ABEYANCE TO THE JANUARY 13, 2005 PLANNING
COMMISSION MEETING IN AN EFFORT TO RENOTIFY***

LAS VEGAS OFFICE
info@kkbr.com

December 8, 2004

VIA HAND DELIVERY

Mr. Don Schmeiser
City of Las Vegas
Planning Department
731 S. 4th Street
Las Vegas, Nevada 89106

Re: VAR-5548

Dear Don:

Please accept this letter as a request to hold the above-referenced item until the January 13, 2004 City of Las Vegas Planning Commission hearing to allow for re-notification.

In addition, there has been a slight change to the site plan. We have relocated the garage located in the center of the project and added an additional garage for a total of six garages along the northeastern boundary of our project. For your review, enclosed are the following:

- 1) Six (6) revised 24 x 36 site plans; and
- 2) One (1) revised 8 ½ x 11 site plan.

We will provide you with a 24 x 36 colored plan next week.

Thank you for your consideration and assistance with this application. If you have any questions or need anything further, please do not hesitate to contact Tom Amick or me.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW



Ann M. Pierce
Licensing Coordinator

AMP/kd
Encl.

cc: Jan Goyer (w/o encl. via facsimile)
Gary Leobold (w/o encl. via facsimile)

RECEIVED

DEC 08 2004





STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Oration Development

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

Ng

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: Alan J. McLaughlin

Print Name: ALAN L MOLASKY

Subscribed and sworn before me

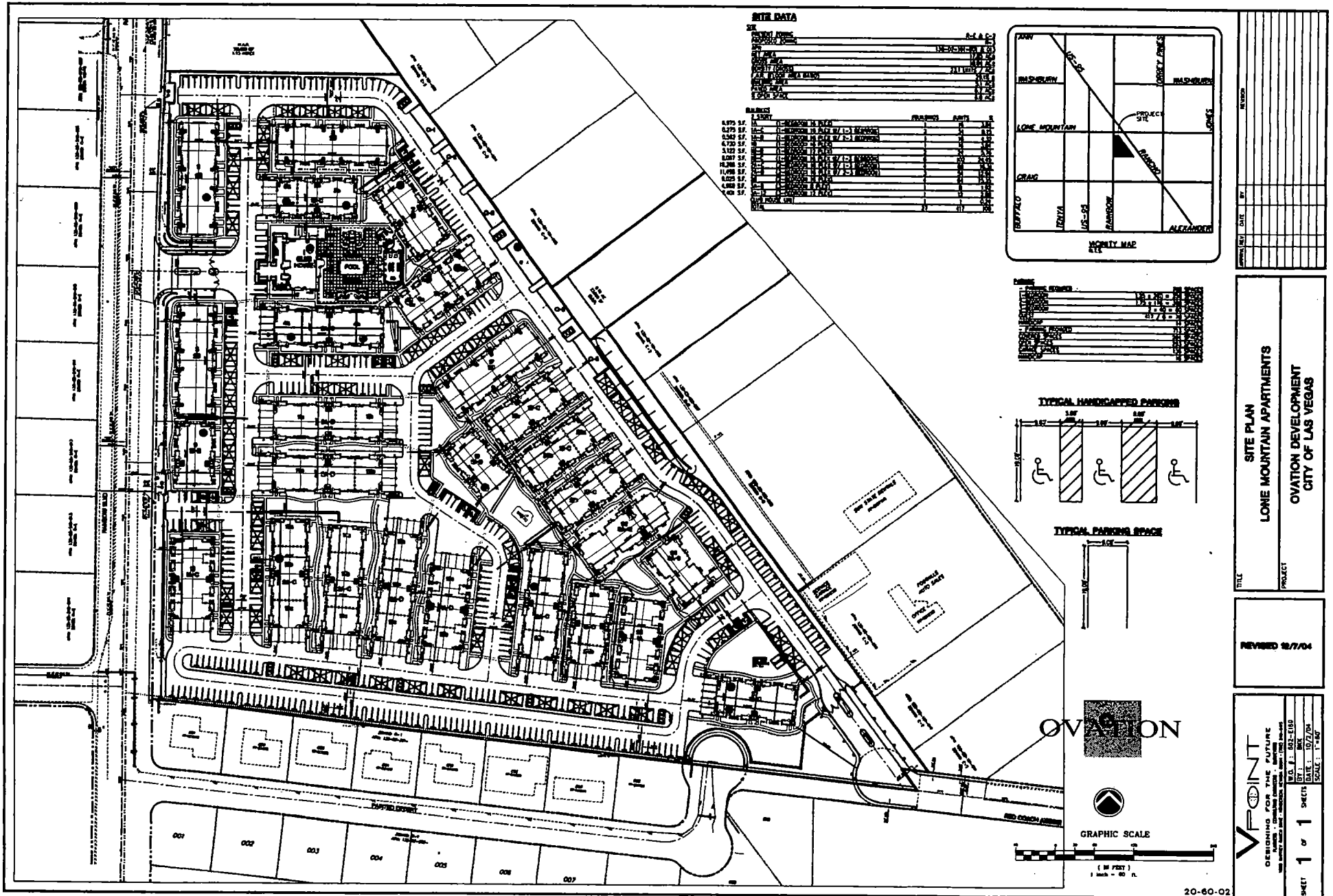
This 26th day of OCTOBER, 2009

Notary Public in and for said County and State



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DEC 08 2004



REVISED
12.8.04

VAR-5548
12/16/04 PC

POINT
DESIGNING FOR THE FUTURE
ARCHITECTS, ENGINEERS, PLANNERS
100 WEST 10TH AVE. SUITE 200
DENVER, CO 80202
TEL: 303.733.0000
FAX: 303.733.0001
WWW.POINTDESIGN.COM

CONCEPTUAL LANDSCAPE PLAN
PROJECT: **LONE MOUNTAIN/RAINBOW**

NO.	DATE	BY	REVISION
1			
2			
3			
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20-60-02

SHEET 1 of 1

DATE: 11-07

SCALE: 1"=50'

BY: BSK

NO. 1: 602-001

DATE: 11-07

SCALE: 1"=50'

BY: BSK

NO. 1: 602-001

DATE: 11-07

SCALE: 1"=50'

BY: BSK

NO. 1: 602-001

DATE: 11-07

SCALE: 1"=50'

BY: BSK

NO. 1: 602-001

DATE: 11-07

SCALE: 1"=50'

BY: BSK

NO. 1: 602-001

DATE: 11-07

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NO. 1: 602-001

DATE: 11-07

SCALE: 1"=50'

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NO. 1: 602-001

DATE: 11-07

SCALE: 1"=50'

BY: BSK

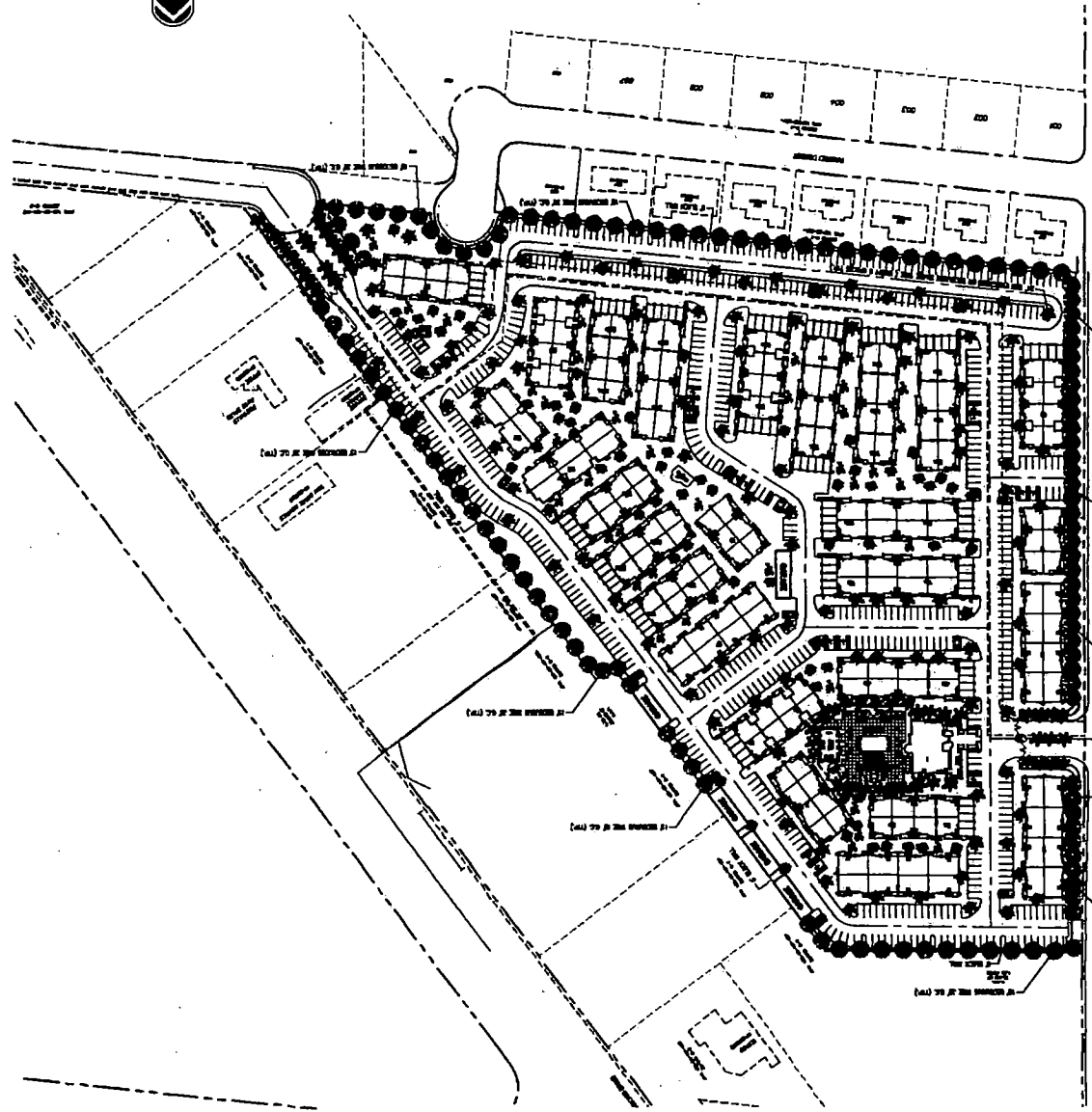
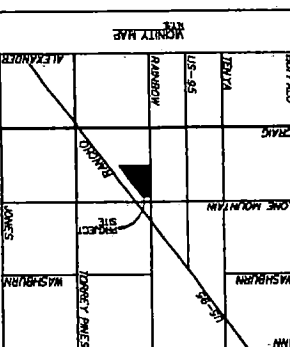
NO. 1: 602-001

DATE: 11-07

SCALE: 1"=50'



- LANDSCAPE MATERIAL**
- 1. ASPHALT DRIVE - 12" MIN. THICK
 - 2. ASPHALT DRIVE - 12" MIN. THICK
 - 3. ASPHALT DRIVE - 12" MIN. THICK
 - 4. ASPHALT DRIVE - 12" MIN. THICK
 - 5. ASPHALT DRIVE - 12" MIN. THICK
 - 6. ASPHALT DRIVE - 12" MIN. THICK
 - 7. ASPHALT DRIVE - 12" MIN. THICK
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 - 10. ASPHALT DRIVE - 12" MIN. THICK
 - 11. ASPHALT DRIVE - 12" MIN. THICK
 - 12. ASPHALT DRIVE - 12" MIN. THICK
 - 13. ASPHALT DRIVE - 12" MIN. THICK
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 - 17. ASPHALT DRIVE - 12" MIN. THICK
 - 18. ASPHALT DRIVE - 12" MIN. THICK
 - 19. ASPHALT DRIVE - 12" MIN. THICK
 - 20. ASPHALT DRIVE - 12" MIN. THICK



VAR-5548

12/16/04 PC

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NOV 01 2004

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NOV 01 2004

ELEVATION KEY NOTES

[illegible]

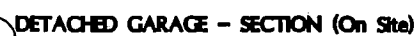
SCALE: 1/4" = 1'-0"



SCALE: WT = 1-4



10415-10416



A
A75

SCALE: 100 = 100%





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

**SCOTT L. BAKER,
ARCHITECT, INC.**



THE MONTREAL STAR
LET YOUR MOUTH
DO THE TALKING
MAY 2008

OVATION
LONE MOUNTAIN PROJECT
RANCHO AND LONE MOUNTAIN
CITY OF LAS VEGAS, NEVADA

Diagram illustrating the components of a box and lid assembly. The lid is shown with a handle, and the box is shown with a handle. The lid is labeled "Lid" and the box is labeled "Box".

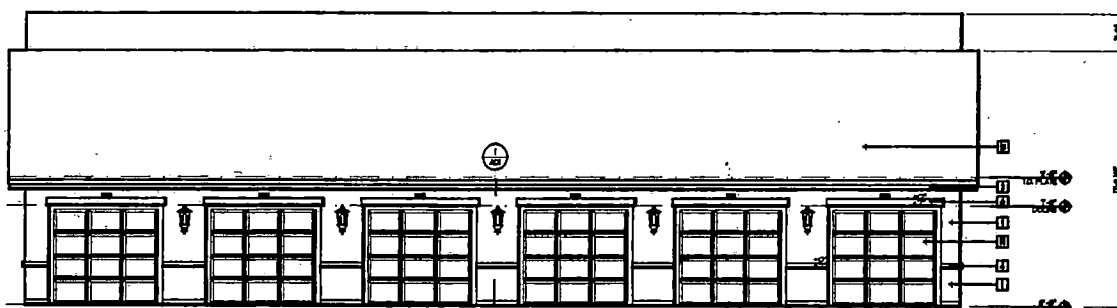
809 DL
OCTOBER 25, 2004
DL
DL
DL

**DETACHED GARAGE
ELEVATIONS &
SECTIONS**
A7.5

VAR-5548
12/16/04 PC

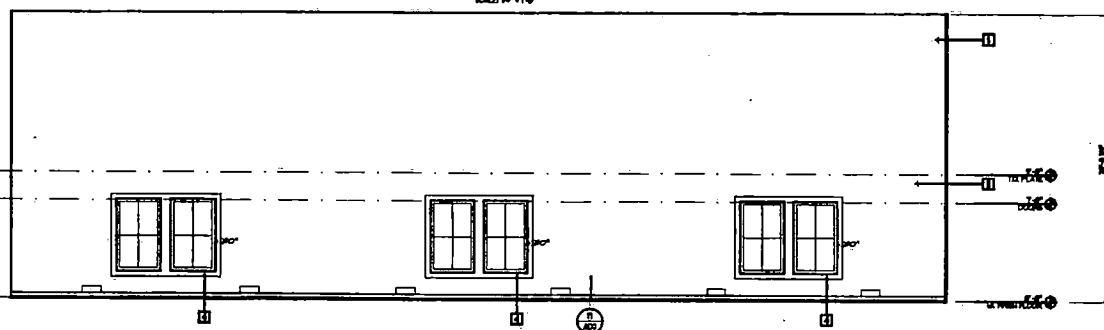
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NOV 01 2004

DETACHED GARAGE



DETACHED GARAGE ELEVATION - FRONT (property line)

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



DETACHED GARAGE ELEVATION - REAR (property line)

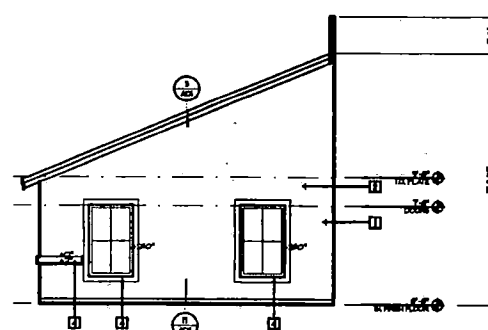
SCALE: 1/4" = 1'-0"



DETACHED GARAGE - SECTION (property line)

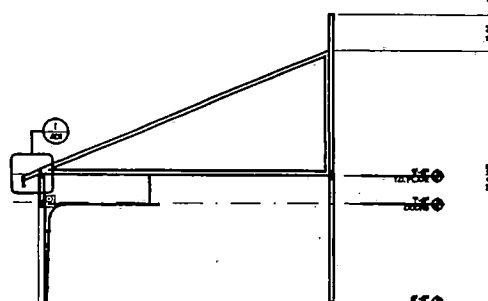
SCALE: 1/4" = 1'-0"

ELEVATION KEY NOTES	
NO.	DESCRIPTION - TYPICAL BUILDINGS
1	2 - 1/2" CORR. BURRER BRICK
2	IMPROVED BRICK FABRIC - SEE ARCHITECTURAL DETAILS
3	BRICK FABRIC - SEE ARCHITECTURAL DETAILS
4	2 1/2" CORR. BURRER BRICK
5	BRICK FABRIC - SEE ARCHITECTURAL DETAILS
6	2 1/2" CORR. BURRER BRICK
7	IMPROVED BRICK FABRIC - SEE ARCHITECTURAL DETAILS
8	2 1/2" CORR. BURRER BRICK
9	BRICK FABRIC - SEE ARCHITECTURAL DETAILS
10	2 1/2" CORR. BURRER BRICK
11	IMPROVED BRICK FABRIC - SEE ARCHITECTURAL DETAILS
12	2 1/2" CORR. BURRER BRICK
13	BRICK FABRIC - SEE ARCHITECTURAL DETAILS
14	2 1/2" CORR. BURRER BRICK
15	IMPROVED BRICK FABRIC - SEE ARCHITECTURAL DETAILS
16	2 1/2" CORR. BURRER BRICK
17	BRICK FABRIC - SEE ARCHITECTURAL DETAILS
18	2 1/2" CORR. BURRER BRICK
19	IMPROVED BRICK FABRIC - SEE ARCHITECTURAL DETAILS
20	2 1/2" CORR. BURRER BRICK



DETACHED GARAGE ELEVATION - SIDES

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



DETACHED GARAGE ELEVATION - SIDES (property line)

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

SCOTT L. BAKER,
ARCHITECT, INC.

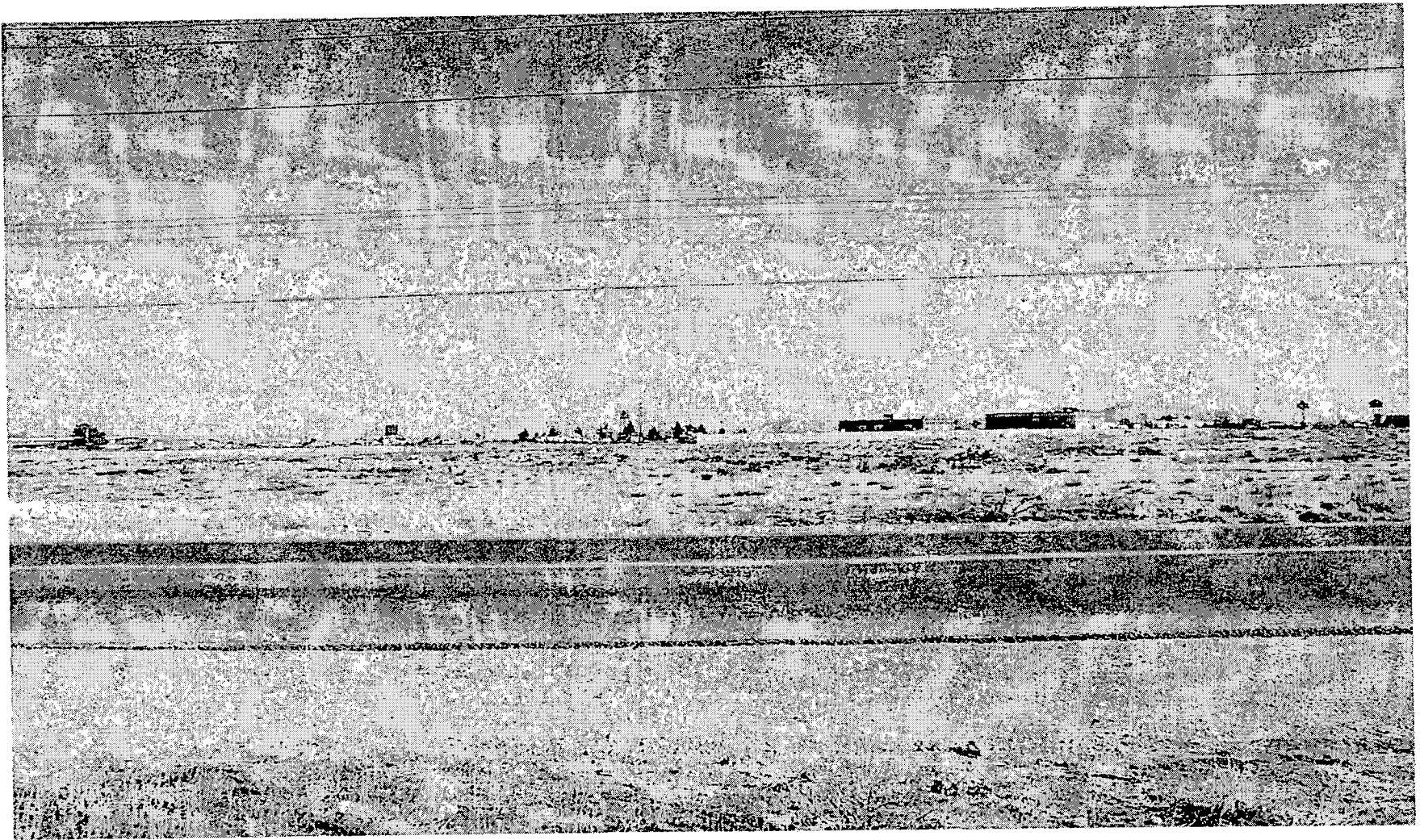


OVATION
LONE MOUNTAIN PROJECT
RANCHO AND LONE MOUNTAIN
CITY OF LAS VEGAS, NEVADA

NO.	DESCRIPTION
1	2 - 1/2" CORR. BURRER BRICK
2	IMPROVED BRICK FABRIC - SEE ARCHITECTURAL DETAILS
3	BRICK FABRIC - SEE ARCHITECTURAL DETAILS
4	2 1/2" CORR. BURRER BRICK
5	BRICK FABRIC - SEE ARCHITECTURAL DETAILS
6	2 1/2" CORR. BURRER BRICK
7	IMPROVED BRICK FABRIC - SEE ARCHITECTURAL DETAILS
8	2 1/2" CORR. BURRER BRICK
9	BRICK FABRIC - SEE ARCHITECTURAL DETAILS
10	2 1/2" CORR. BURRER BRICK
11	IMPROVED BRICK FABRIC - SEE ARCHITECTURAL DETAILS
12	2 1/2" CORR. BURRER BRICK
13	BRICK FABRIC - SEE ARCHITECTURAL DETAILS
14	2 1/2" CORR. BURRER BRICK
15	IMPROVED BRICK FABRIC - SEE ARCHITECTURAL DETAILS
16	2 1/2" CORR. BURRER BRICK
17	BRICK FABRIC - SEE ARCHITECTURAL DETAILS
18	2 1/2" CORR. BURRER BRICK
19	IMPROVED BRICK FABRIC - SEE ARCHITECTURAL DETAILS
20	2 1/2" CORR. BURRER BRICK

NO.	DESCRIPTION
1	2 - 1/2" CORR. BURRER BRICK
2	IMPROVED BRICK FABRIC - SEE ARCHITECTURAL DETAILS
3	BRICK FABRIC - SEE ARCHITECTURAL DETAILS
4	2 1/2" CORR. BURRER BRICK
5	BRICK FABRIC - SEE ARCHITECTURAL DETAILS
6	2 1/2" CORR. BURRER BRICK
7	IMPROVED BRICK FABRIC - SEE ARCHITECTURAL DETAILS
8	2 1/2" CORR. BURRER BRICK
9	BRICK FABRIC - SEE ARCHITECTURAL DETAILS
10	2 1/2" CORR. BURRER BRICK
11	IMPROVED BRICK FABRIC - SEE ARCHITECTURAL DETAILS
12	2 1/2" CORR. BURRER BRICK
13	BRICK FABRIC - SEE ARCHITECTURAL DETAILS
14	2 1/2" CORR. BURRER BRICK
15	IMPROVED BRICK FABRIC - SEE ARCHITECTURAL DETAILS
16	2 1/2" CORR. BURRER BRICK
17	BRICK FABRIC - SEE ARCHITECTURAL DETAILS
18	2 1/2" CORR. BURRER BRICK
19	IMPROVED BRICK FABRIC - SEE ARCHITECTURAL DETAILS
20	2 1/2" CORR. BURRER BRICK

DETACHED GARAGE
ELEVATIONS &
SECTIONS
A7.6
OF



VAR-5548 - APPLICANT: OVATION DEVELOPMENT - OWNER: LONE MOUNTAIN APTS. I, LLC
EAST SIDE OF RAINBOW BOULEVARD, APPROXIMATELY 350 FEET SOUTH OF LONE MOUNTAIN ROAD
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-5572 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: PLUMBERS & PIPEFITTERS UNION LOCAL NO. 525 - Request for a Variance TO ALLOW 41 PARKING SPACES WHERE A MINIMUM OF 110 PARKING SPACES IS REQUIRED on 1.95 acres at 760 North Lamb Boulevard (APN 140-30-803-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 01/19/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 33 [VAR-5572] and Item 34 [SDR-5571].

GARY LEOBOLD, Planning & Development Department, explained that regarding the Variance, the total amount of spaces required on the site is 110 and only 41 would be provided as designed. This represents a 63 percent reduction in parking. Many of those spaces would go towards meeting the requirements for the assembly area within the building because in addition to office space, the building will function as a union hall. Keeping this in mind, staff acknowledged the parking spaces would be underutilized most of the time; however, the spaces

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 33 – VAR-5572

MINUTES – Continued:

would be needed in the evenings when the applicant would have meetings. Because of this, staff felt there could be some impact on surrounding areas due to spillover parking. MR. LEOBOLD informed the Commission that the same applicant owns the abutting parcel to the west and the applicant has indicated that it is necessary to keep the two parcels separate. There is shared parking and access along the shared line so the applicant will need to submit a cross access agreement in addition to a shared parking agreement if that is how the parking issue is to be remedied. The hardship is considered self-imposed as there is no basis for it by law and staff recommended denial.

Regarding the Site Plan, MR. LEOBOLD explained that the structure is proposed as a two-story, 19,000 square-foot building. There are waivers being requested for building placement and parking lot landscaping. Staff is requesting that some of the project be redesigned as “if approved” conditions. Staff does find the waiver request from perimeter buffering on the rear property line acceptable due to the shared driveway area. Due to the associated variance, staff is recommending denial on the Site Plan Review as well.

CARON RICHARDSON, Richardson Partnership, 815 Pilot Road, Suite E, Las Vegas, appeared on behalf of the applicant and indicated that her firm was the architect on the project. She stated that hearing the parking reduction described as 60 percent sounds bleak; however, the applicant felt the reduction was not as bad as it sounded and felt it could be further clarified. MS. RICHARDSON explained that there are two parcels and they are separate, which creates the need for the Variance request. She pointed out that adjacent to the subject site, there is a vacant area that was not developed in the first phase of the construction of the Plumbers and Pipefitters training facility. That area is approximately four acres and it is available for future development of additional parking. It is possible that there could be an increase in the size of the training facility onto that parcel as well.

MS. RICHARDSON stated that there are 162 parking spaces and there will be an agreement between the two owners to share all of those spaces with the additional 40 spaces as proposed for construction with the new union hall. Because of this, the applicant feels there would be adequate parking for both sites.

Regarding the Site Development Plan Review, she stated the area at the front of the parcel would be where the new parking area would be located. Currently, the existing union hall is occupying that site but it is scheduled to be demolished because of asbestos issues and foundation problems. The applicant proposes vacating that area while preparing for the construction of the new building, almost simultaneously. One of the reasons the applicant is setting the building back is because there is a lot of traffic on Lamb Boulevard and there are rumors that Nevada Department

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 33 – VAR-5572

MINUTES – Continued:

of Transportation (NDOT) could be considering increasing Lamb Boulevard into something similar to the Desert Inn Arterial. If that is possible, there is the potential of having right-of-way vacated and if the building was set at the back of the landscaping, there could be future problems of noise and visibility. The building being set back further also increases the visibility at the corner for the area residents. MS. RICHARDSON also informed the Commissioners that the entire site is designed to be a campus environment so bringing the union hall to the training facility would not result in parking conflicts because meetings are not held when training is underway.

C MS. RICHARDSON asked for the removal of Condition 4 from both applications and that the first sentence of Condition 7 on Item 34 [SDR-5571], which required landscape islands in the parking area, be removed.

COMMISSIONER GOYNES stated that he could support the item and thought the campus style design would be beneficial. He questioned staff about MS. RICHARDSON'S comments regarding the possible expansion of Lamb Boulevard. GINA VENGLASS, Department of Public Works, replied that she was unaware of any plans by NDOT to do so.

C COMMISSIONER STEINMAN asked if the large building to the back of the property was up to Code in regards to parking requirements. MS. RICHARDSON stated that she believed that building did meet Code in relation to parking. She said that if there were a Variance it would have only been for a few spaces but that from memory, she felt it met Code. The Commissioner indicated that he was trying to estimate the square footage inside the building but that it was difficult to do. MS. RICHARDSON told him it was a large building of approximately 30,000 square feet. COMMISSIONER STEINMAN confirmed with MS. RICHARDSON that the vacant parcel to the south of the subject site was available for expansion in the future.

COMMISSIONER EVANS stated that he was very familiar with the area in the past and he agreed with MS. RICHARDSON that seldom would someone see the uses in the halls occurring all at the same time. He suspected that during training, there would not, most likely, be general membership meetings. In his experience, there would be a new parking lot with two or three cars during the day unless there was a special activity going on. He said the usage would be like those discussed in the past such as a movie theatre or a beauty shop that would typically operate at different times.

CHAIRMAN TRUESDELL wanted to clarify that the cross access agreement is a critical component to this project and must be in place. COMMISSIONER EVANS confirmed with MS. RICHARDSON that the agreement is not in place at this time but the sample language is being reviewed. She assured the Commissioner that the agreement would be in place.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 33 – VAR-5572

MINUTES – Continued:

COMMISSIONER EVANS stated that on Item 34 [VAR-5572], he did not have a problem with the setback of the building because the applicant made a compelling argument. He did voice concern over the request to delete the landscape finger islands in the parking lot. MS. RICHARDSON stated the request was made because the parking lot is already surrounded on three sides by landscaping. In some places that landscaping exceeds 15 feet on Harris Avenue and Lamb Boulevard. The installation of the finger islands would result in the loss of two parking spaces.

No one appeared in opposition.

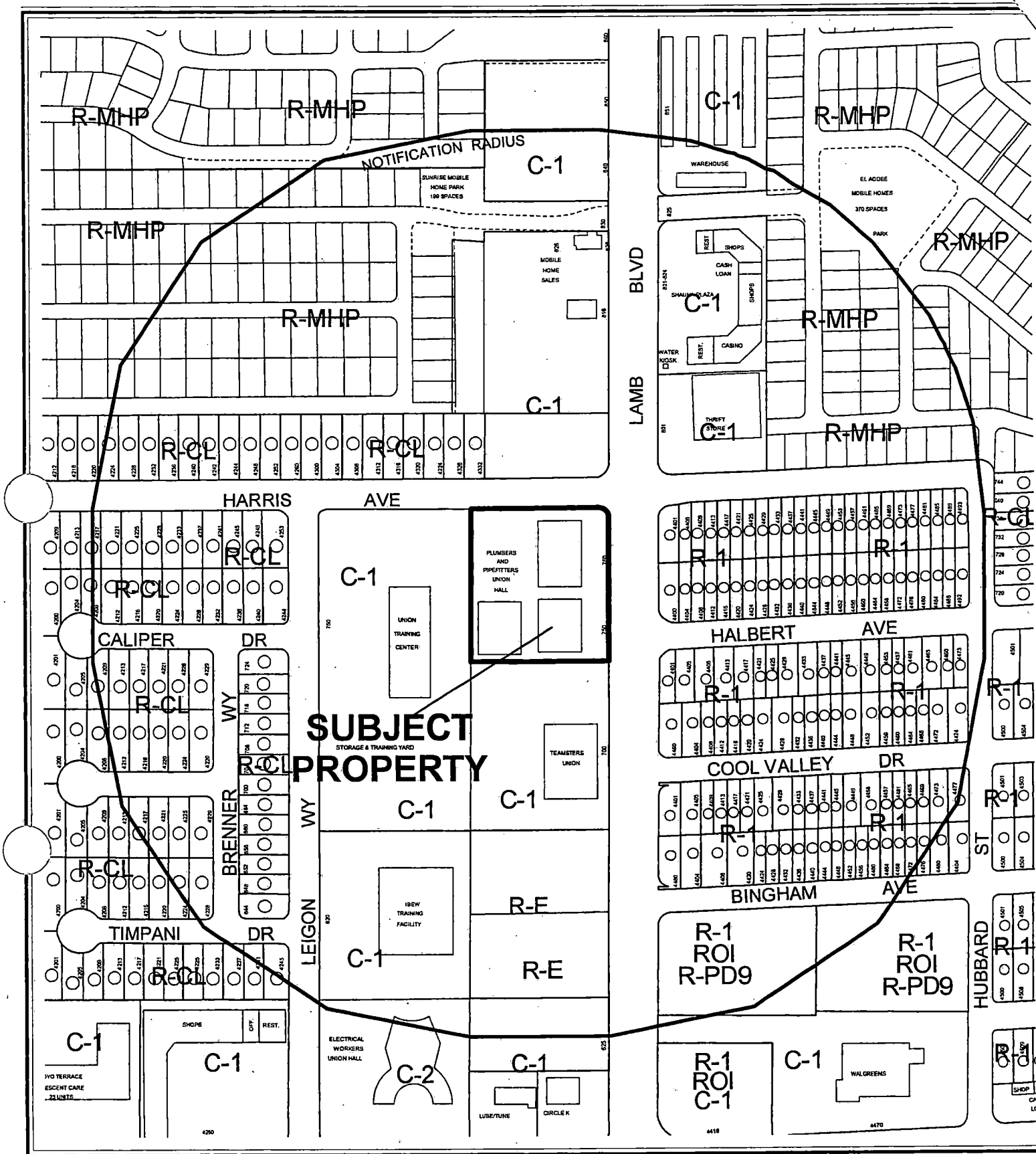
CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 33 [VAR-5572] and Item 34 [SDR-5571].

(8:46 – 8:57)
2-2190

CONDITIONS:

Planning and Development

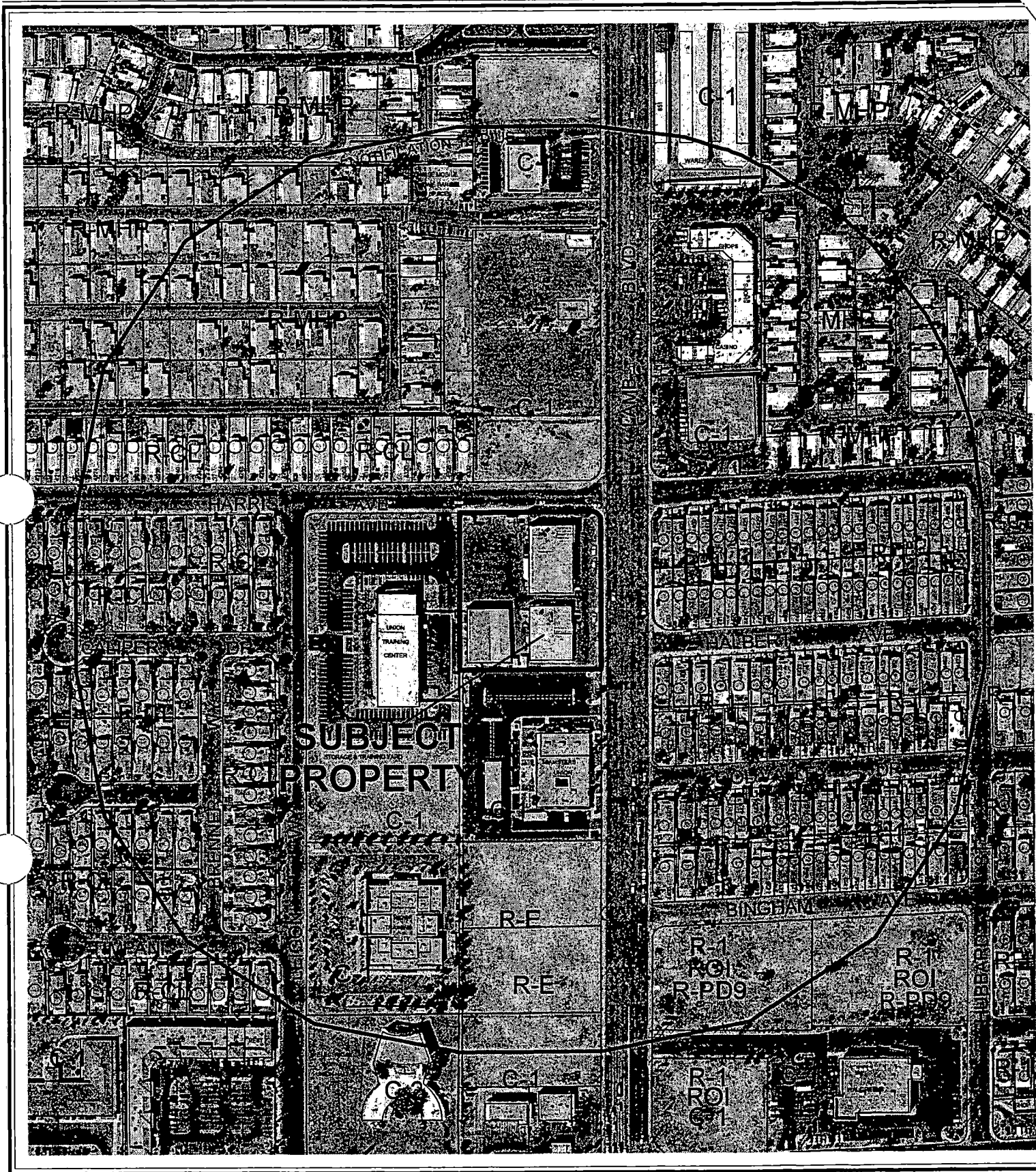
1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5571).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. The applicant shall execute a shared parking agreement with the abutting parcel to the west in accordance with the requirements of Title 19.10.010, subject to review and approval by the City Attorney, prior to the time application is made for a building permit.



CASE: VAR-5572

RADIUS: 750 FT

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



CASE: VAR-5572

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-5572 - APPLICANT/OWNER: PLUMBERS &
PIPEFITTERS UNION LOCAL NO. 525

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5571).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. The applicant shall execute a shared parking agreement with the abutting parcel to the west in accordance with the requirements of Title 19.10.010, subject to review and approval by the City Attorney, prior to the time application is made for a building permit.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow 41 parking spaces where a minimum of 110 parking spaces is required on 1.95 acres at 760 North Lamb Boulevard. An associated Site Development Plan Review (SDR-55721) will be considered concurrently with this request.

B) Applicant's Justification

The applicant states that they share access with the abutting training facility property to the west, and that it can be used for overflow parking. In addition, the applicant states that the properties are related to each other but are required to have separate deeds; consequently, they are agreeable to entering into a shared parking agreement.

BACKGROUND INFORMATION

A) Previous Actions

- 09/24/96 The Board of Zoning Adjustment approved a Variance (V-0107-96) to allow 98 parking spaces in lieu of the 122 spaces required by Code for the existing Union Hall and trade school.
- 10/02/96 The City Council approved a Rezoning (Z-0087-96) from R-E (Residence Estates) to C-1 (Limited Commercial) for the existing Union Hall.
- 12/16/04 The Planning Commission will consider a related Site Development Plan Review (SDR-5571) request. Staff recommends denial of the request.

B) Pre-Application Meeting

- 10/12/04 At the pre-application conference, issues were discussed relative to the building placement, parking lot landscaping, parking requirements, and residential adjacency requirements.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 1.95

B) *Existing Land Use*

Subject Property: Union Hall
North: Mobil Home Sales
Single-Family Residential Use
South: Training Facility Use
East: Single-Family Residential Use
West: Training Facility Use

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
R-CL (Single Family Compact Lot)
South: C-1 (Limited Commercial)
East: R-1 (Single Family Residential)
West: C-1 (Limited Commercial)

E) *General Plan Compliance*

The Southeast General Plan designates the subject parcel as SC (Service Commercial), which allows low- to medium-intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. The proposed use is generally consistent with the Service Commercial land use designation.

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

VAR-5572 - Staff Report Page Three
December 16, 2004 - Planning Commission Meeting

The site is not subject to any plan area, overlay district or trail requirement.

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
Office	12,600 SF	1/300 GFA	42			
Auditorium	4,976 SF	1/100 SF	50			
Warehouse/Industrial	8,177 SF	1/1,000 SF	9			
Warehouse/Industrial	8,488 SF	1/1,000 SF	9			
Total:			105	5	36	5

A total of 110 parking spaces is required, and only 41 spaces will be provided on site. Regardless of the reduction in parking spaces, the required number of handicap spaces will be provided.

B) General Analysis and Discussion

This request is for a Variance to reduce the required number of parking spaces for a proposed 19,094 square foot union hall and offices facility. The new structure will be constructed on the same parcel as two existing training facility buildings, which total 16,665 square feet. The total amount of parking required for the new and existing structures is 110 spaces, but only 41 spaces will be provided on the site, which is only 37% of the total spaces required.

The abutting parcel to the west is also owned by the Plumbers and Pipefitters Union; the applicant has indicated that it is necessary to keep the two parcels separate. Parking and driveway access is shared between the parcels; the applicant will need to submit a cross-access agreement in addition to any shared parking agreement.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

The proposed Variance will not permit a use that is not allowed, nor will it vary a spacing requirement between uses. However, no evidence of a unique or extraordinary circumstance has been presented, and the applicant has created a self-imposed hardship. There are no unique qualities about the site that prevent compliance with the parking requirement, nor does the regulation unduly restrict the use or development of the property. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

NOTICES MAILED 1,072 [Mailed with SDR-5571]

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-5572** APN: 40-30-803-002

Name of Property Owner: Plumbers and Pipe-fitters Union, Local #525

Name of Applicant: Plumbers and Pipefitters Union, Local #525

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: Bill L. Anderson

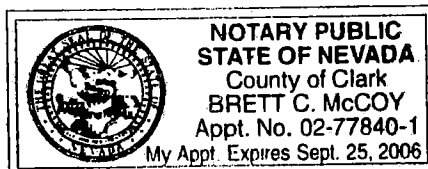
Print Name: Billy L. ANDERSON

Subscribed and sworn before me

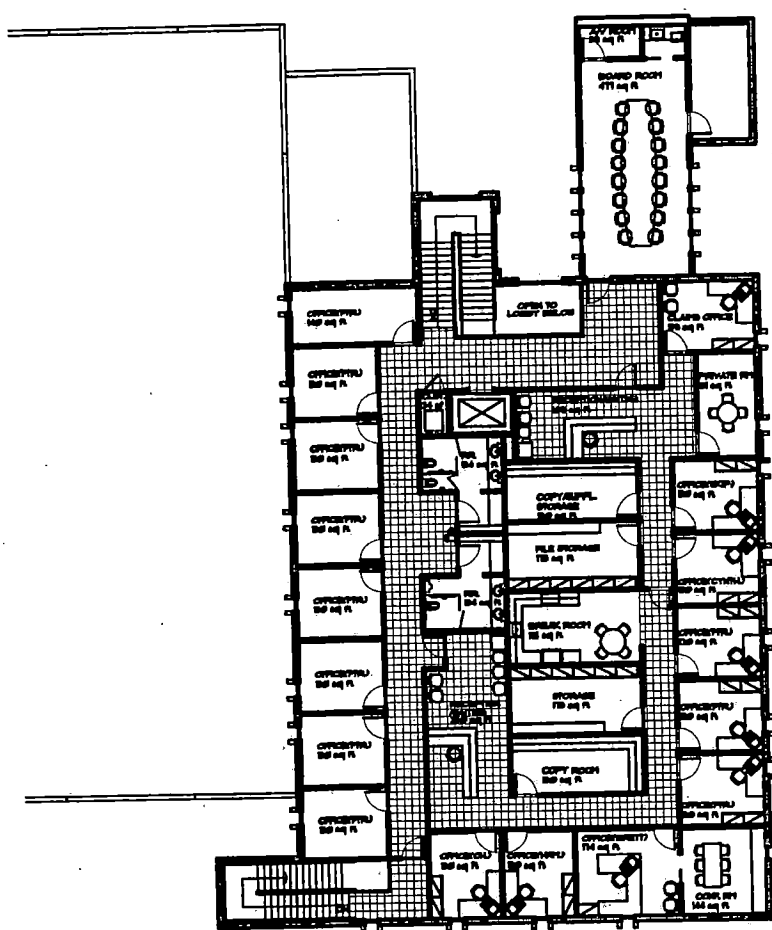
This 28th day of OCTOBER, 2004

Brett C. McCoy
Notary Public in and for said County and State

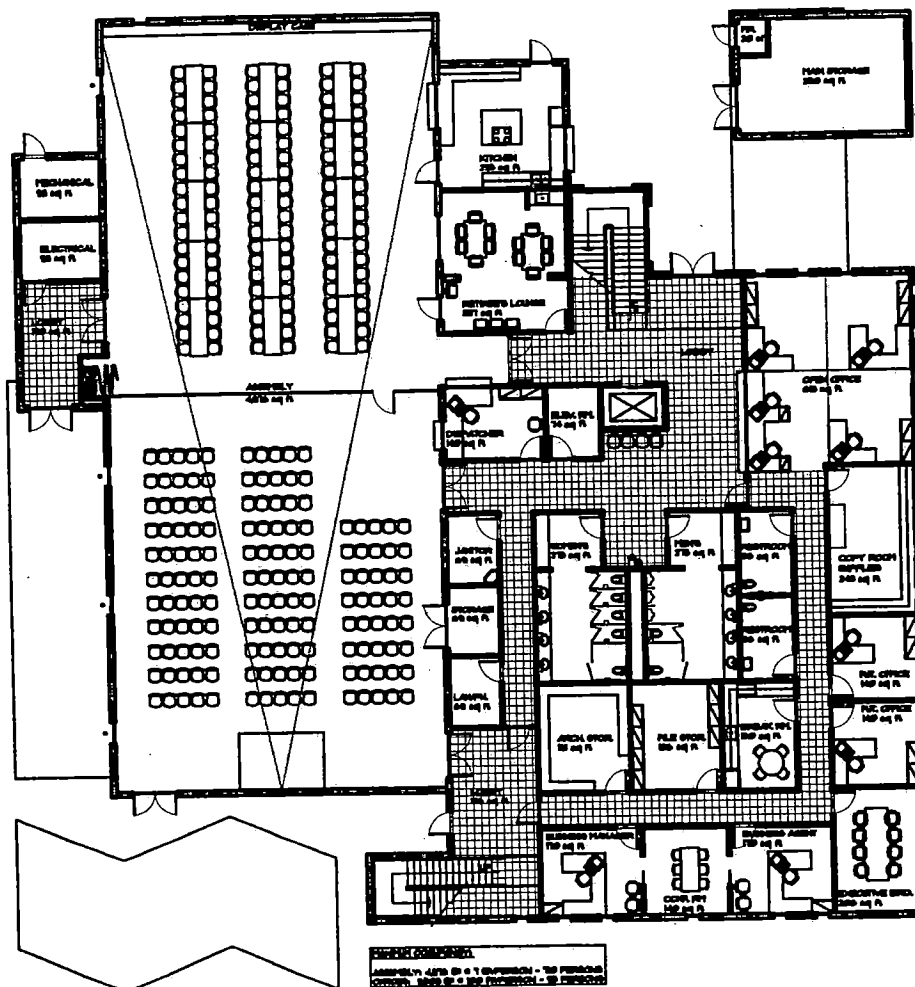
Revised 2/12/02



f:\depot\Application Packet\Statement of Financial Interest.doc



SECOND FLOOR



FIRST FLOOR

FLOOR PLANS

NOVEMBER 2004

PIPE TRADES UNION HALL AT LAMB BLVD AND HARRIS AVENUE

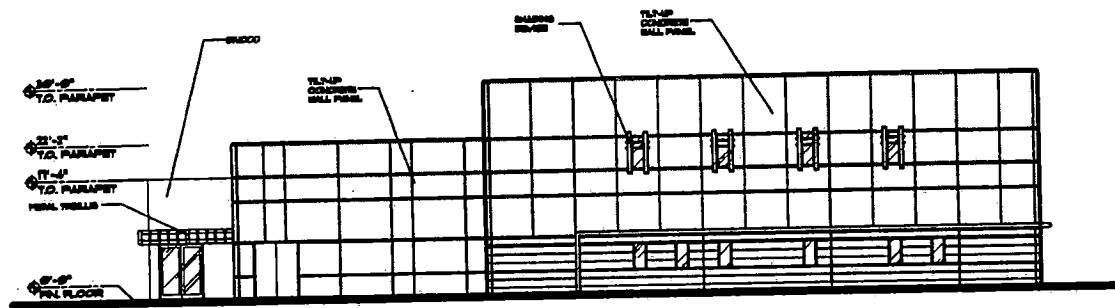
VAR-5572
12/16/04 PC

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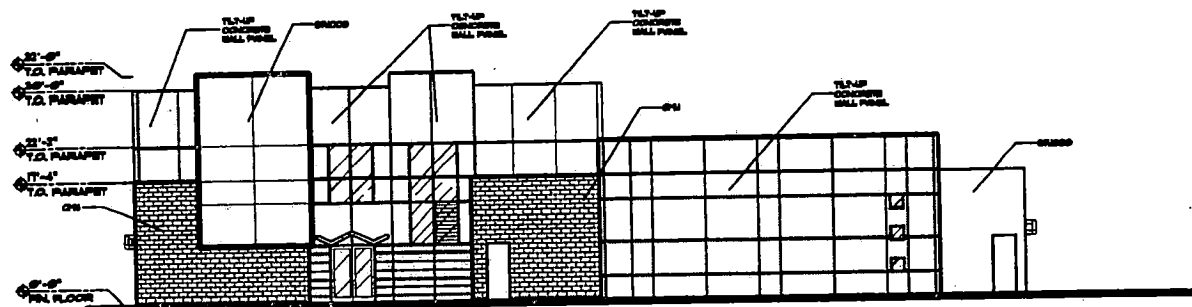


LTD Inc. architecture
planning
interiors
THE RICHARDSON PARTNERSHIP, INC.
11501 BAYVIEW BLVD. SUITE 1000
PHOENIX, AZ 85042
TEL: 602.998.1111 FAX: 602.998.1112
WWW.RICHARDSON-PA.COM

LAS VEGAS - NEVADA



SOUTH



NORTH

ELEVATIONS

NOVEMBER 2004

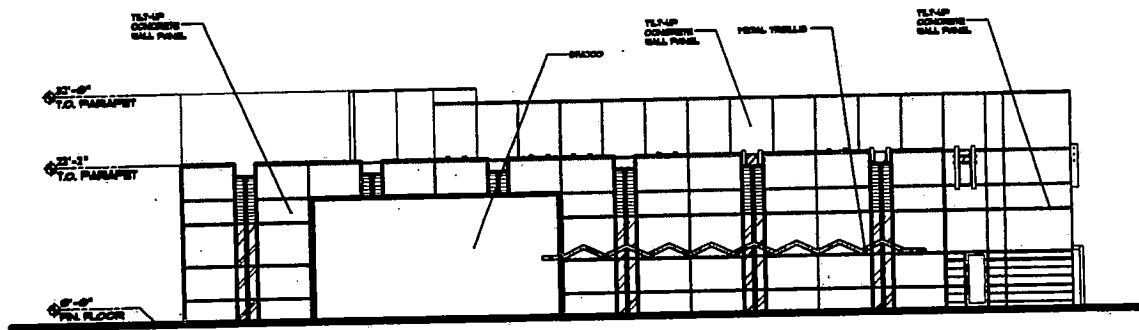
PIPE TRADES UNION HALL AT LAMB BLVD AND HARRIS AVE

LAS VEGAS - NEVADA

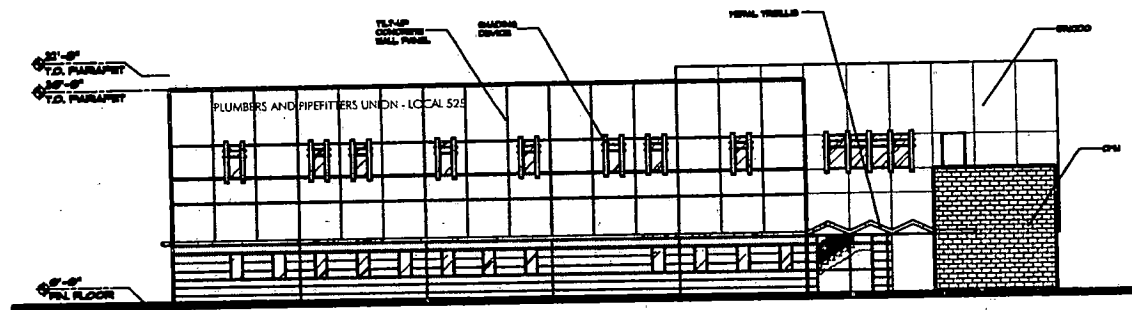


UTD Inc. architecture
planning
interiors
THE RICHARDSON PARTNERSHIP, INC.
515 PHOENIX AVENUE, SUITE 100, LAS VEGAS, NEVADA 89101
PHONE: 702.259.8122 FAX: 702.274.0155
E-MAIL: MUI@UTD-ARCHITECT.COM

VAR-5572
12/16/04 PC



WEST



EAST

ELEVATIONS

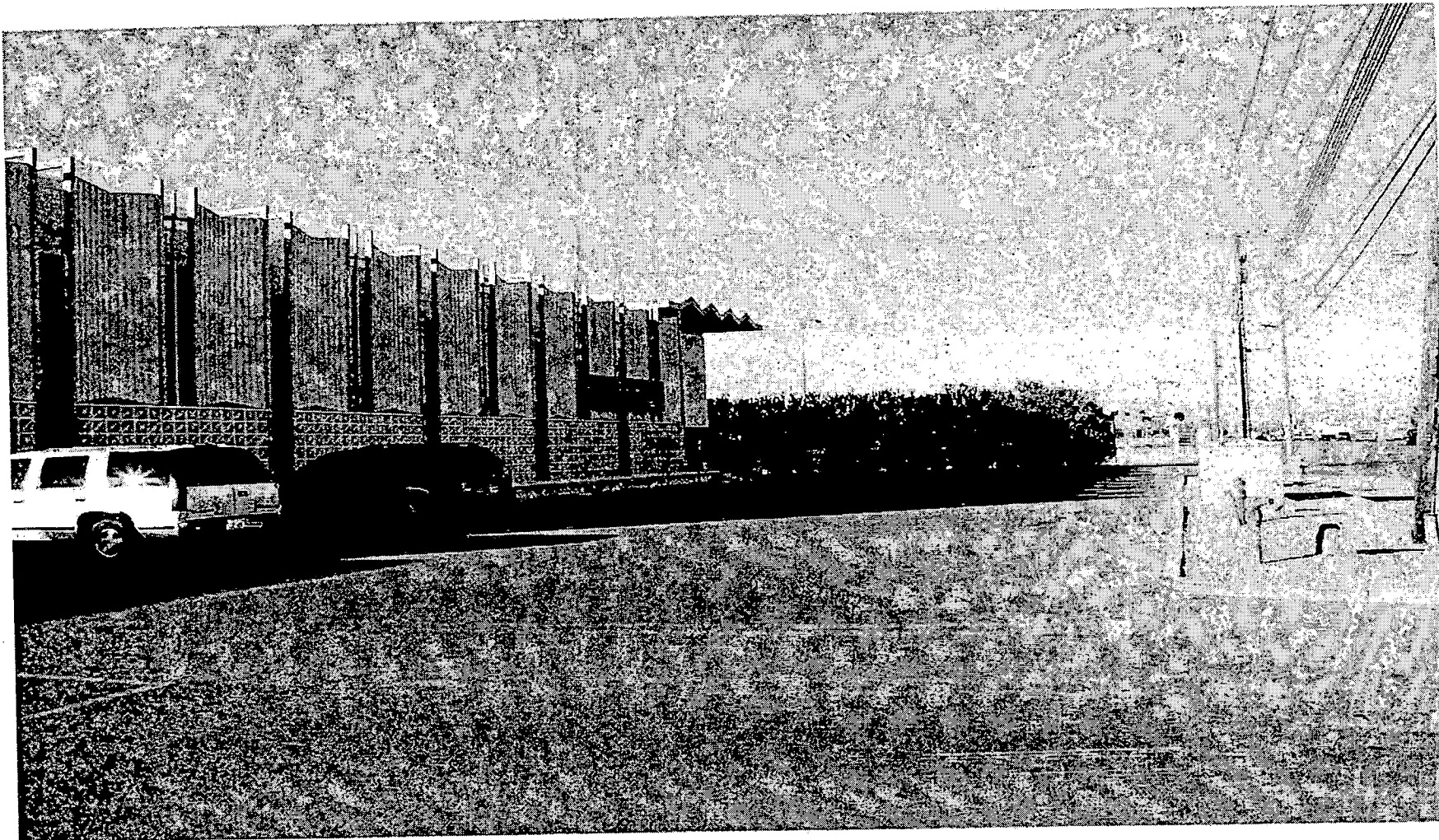
NOVEMBER 2004

PIPE TRADES UNION HALL AT LAMB BLVD AND HARRIS AVE

LAS VEGAS - NEVADA

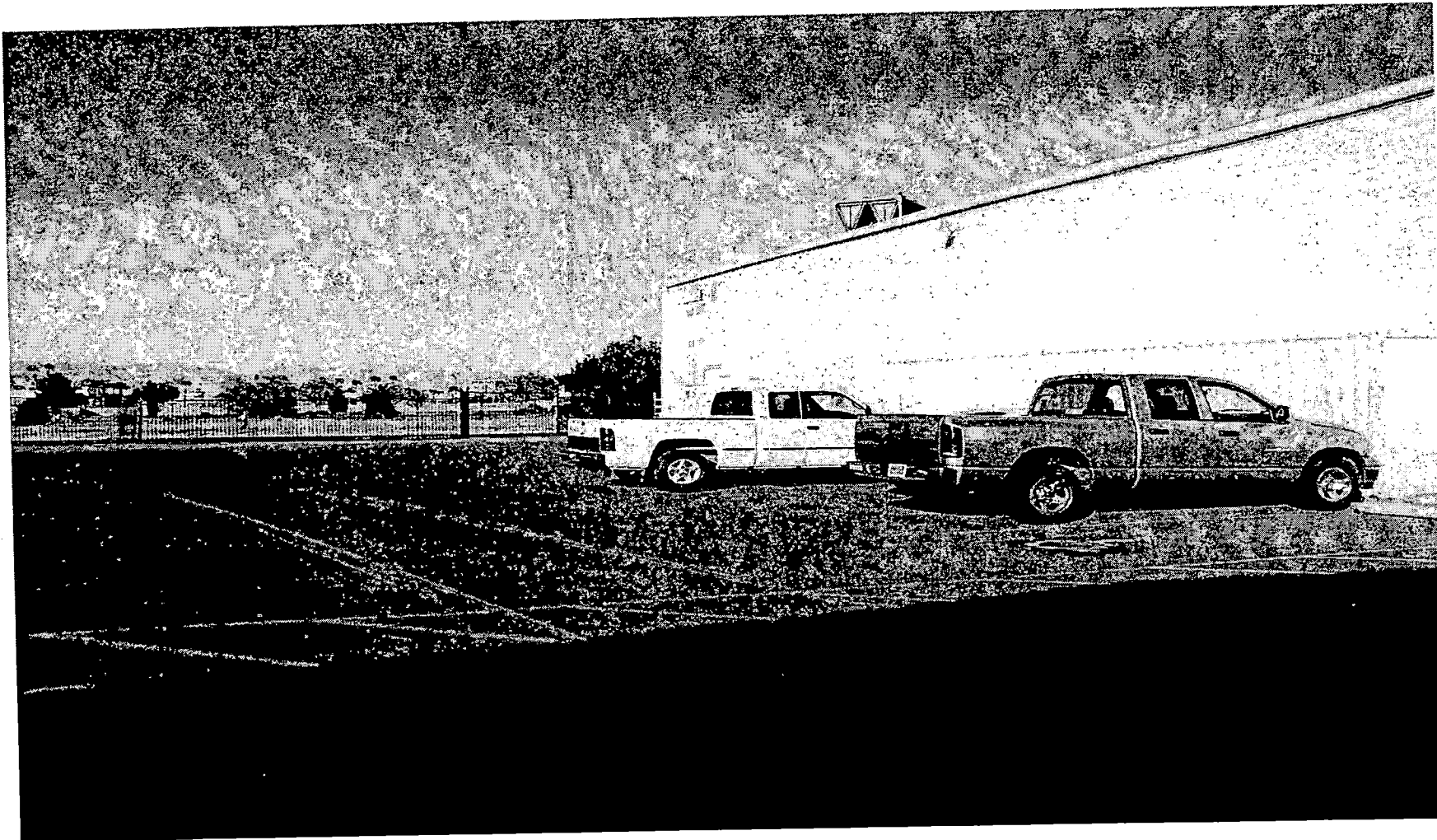
VAR-5572
12/16/04 PC





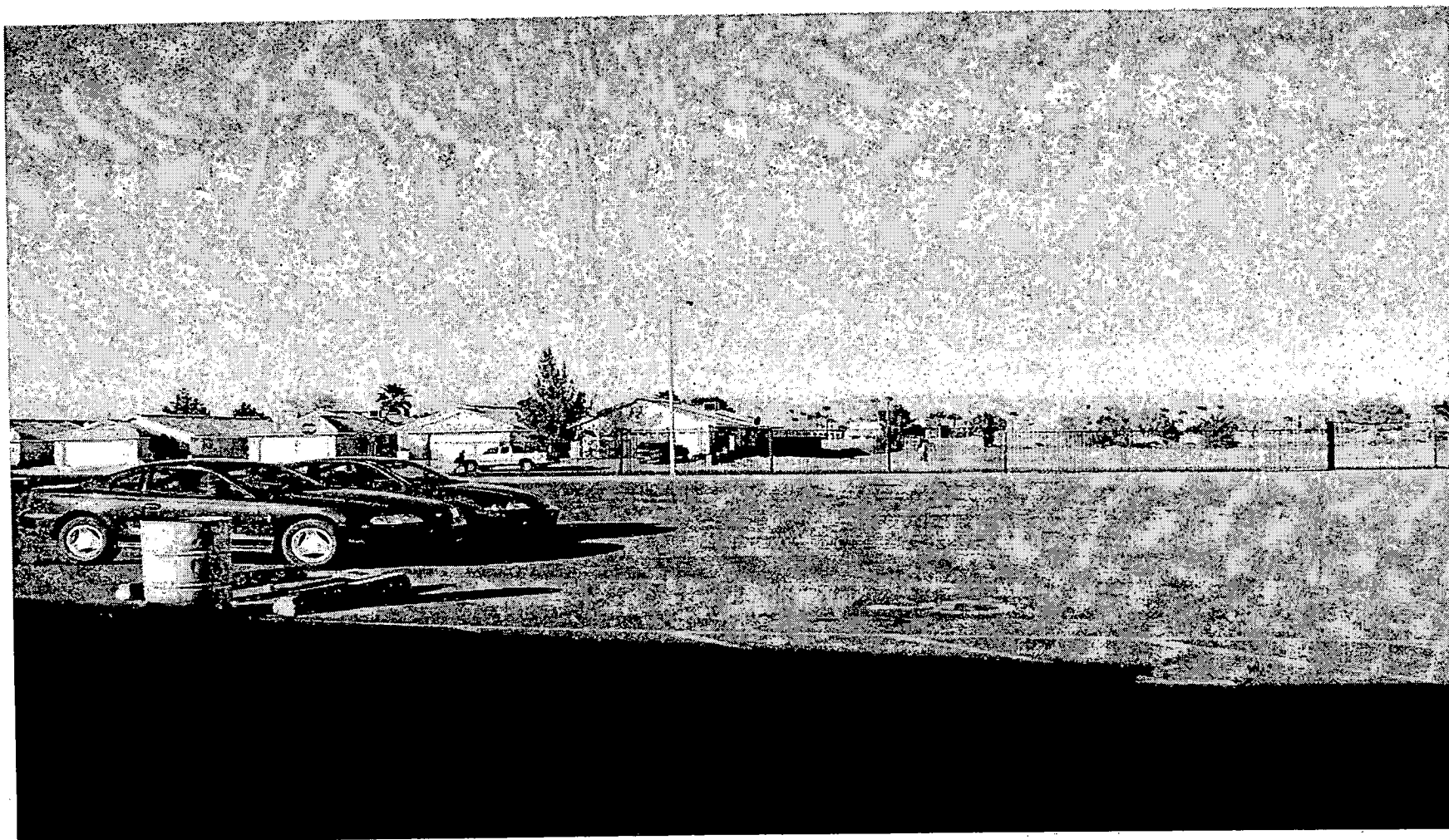
VAR-5572 - APPLICANT/OWNER: PLUMBERS & PIPEFITTERS UNION LOCAL NO. 525
760 NORTH LAMB BOULEVARD
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04



VAR-5572 - APPLICANT/OWNER: PLUMBERS & PIPEFITTERS UNION LOCAL NO. 525
760 NORTH LAMB BOULEVARD
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04



VAR-5572 - APPLICANT/OWNER: PLUMBERS & PIPEFITTERS UNION LOCAL NO. 525
760 NORTH LAMB BOULEVARD
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5571 RELATED TO VAR-5572 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: PLUMBERS & PIPEFITTERS UNION LOCAL NO. 525 - Request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 19,094 SQUARE-FOOT OFFICE/ASSEMBLY BUILDING AND WAIVERS FOR BUILDING PLACEMENT, PARKING LOT AND PERIMETER LANDSCAPING STANDARDS on 1.95 acres at 760 North Lamb Boulevard (APN 140-30-803-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 01/19/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions, deleting Condition 4 and amending the following condition:

7. The landscape plan shall be revised and approved by staff of the Planning and Development Department to reflect these changes prior to the time application is made for a building permit.

– UNANIMOUS with DAVENPORT and McSWAIN excused

MINUTES:

See Item 33 [VAR-5572] for all related discussion on Item 33 [VAR-5572] and Item 34 [SDR-5571].

(8:46 – 8:57)

2-2190

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 34 – SDR-5571

CONDITIONS:

Planning and Development

1. A Variance (VAR-5572) to allow a reduction in the required number of parking spaces 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 11/02/04, except as amended by conditions herein.
4. The site plan shall be revised so the new structure is located at the front of the property on Lamb Boulevard, with the parking located to the rear of the site in accordance with Title 19.08.045. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit.
5. The Waiver from the requirement for a perimeter buffer at the rear property line is hereby approved.
6. The landscape plan shall be revised and approved by staff of the Planning and Development Department, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within planters provided along Harris Avenue and Lamb Boulevard. The use of turf shall be limited to 12.5% of all landscape areas on the site.
7. Trees and landscape islands shall be provided in the parking lot area in accordance with Title 19.12. The landscape plan shall be revised and approved by staff of the Planning and Development Department to reflect these changes prior to the time application is made for a building permit.
8. The required landscaping and a permanent underground sprinkler system shall be installed as required and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
9. Provide a copy of a recorded Joint Access Agreement between this site and the abutting parcel to the west prior to the issuance of a building permit.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 34 – SDR-5571

CONDITIONS – Continued:

10. 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.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Any on-site trash enclosure shall be walled and roofed in accordance with the requirements of Title 19.08.045, and an illustration of the enclosure shall be shown on the site plan.
12. 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.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
14. All City code requirements and design standards of all City departments must be satisfied.

Public Works

15. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southwest corner of Lamb Boulevard and Harris Avenue prior to the issuance of any permits.
16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
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

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 34 – SDR-5571

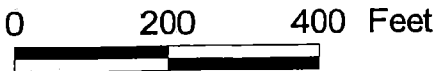
CONDITIONS – Continued:

determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

18. Site development to comply with all applicable conditions of approval for Z-87-96 and all other subsequent site-related actions.

C

C



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



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5571 - APPLICANT/OWNER: PLUMBERS & PIPEFITTERS UNION LOCAL NO. 525

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. A Variance (VAR-5572) to allow a reduction in the required number of parking spaces 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 11/02/04, except as amended by conditions herein.
4. The site plan shall be revised so the new structure is located at the front of the property on Lamb Boulevard, with the parking located to the rear of the site in accordance with Title 19.08.045. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit.
5. The Waiver from the requirement for a perimeter buffer at the rear property line is hereby approved.
6. The landscape plan shall be revised and approved by staff of the Planning and Development Department, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within planters provided along Harris Avenue and Lamb Boulevard. The use of turf shall be limited to 12.5% of all landscape areas on the site.
7. Trees and landscape islands shall be provided in the parking lot area in accordance with Title 19.12. The landscape plan shall be revised and approved by staff of the Planning and Development Department to reflect these changes prior to the time application is made for a building permit.
8. The required landscaping and a permanent underground sprinkler system shall be installed as required 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.

SDR-5571 - Conditions Page Two
December 16, 2004 - Planning Commission Meeting

9. Provide a copy of a recorded Joint Access Agreement between this site and the abutting parcel to the west prior to the issuance of a building permit.
10. 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.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Any on-site trash enclosure shall be walled and roofed in accordance with the requirements of Title 19.08.045, and an illustration of the enclosure shall be shown on the site plan.
12. 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.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
14. All City code requirements and design standards of all City departments must be satisfied.

Public Works

15. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southwest corner of Lamb Boulevard and Harris Avenue prior to the issuance of any permits.
16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
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

SDR-5571 - Conditions Page Two
December 16, 2004 - Planning Commission Meeting

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.

18. Site development to comply with all applicable conditions of approval for Z-87-96 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed two-story, 19,094 square foot office/assembly building and for Waivers of building placement, parking lot, and perimeter landscaping requirements on 1.95 acres at 760 North Lamb Boulevard.

B) Applicant's Justification

The applicant has noted that placing the parking lot at the front of the site will allow for greater visibility at the intersection and that the required landscape buffer at the rear of the property is not needed as the driveway area is shared with the adjacent training facility.

BACKGROUND INFORMATION

A) Previous Actions

- 09/24/96 The Board of Zoning Adjustment approved a Variance (V-0107-96) to allow 98 parking spaces in lieu of the 122 spaces required by Code for the existing Union Hall and trade school.
- 10/02/96 The City Council approved a request for Rezoning (Z-0087-96) the existing Union Hall from R-E (Residence Estates) to C-1 (Limited Commercial).
- 12/16/04 The Planning Commission is scheduled to consider an accompanying request for a Variance (VAR-5572) to reduce the required number of parking spaces. It is recommended that that request be denied.

B) Pre-Application Meeting

- 10/12/04 At the pre-application conference, issues were discussed relative to the building placement, parking lot landscaping, parking requirements, and residential adjacency requirements.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application request and no meeting was held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.95

B) Existing Land Use

Subject Property: Union Hall
North: Mobil Home Sales
Single-Family Residential Use
South: Training Facility Use
East: Single-Family Residential Use
West: Training Facility Use

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
R-CL (Single Family Compact Lot)
South: C-1 (Limited Commercial)
East: R-1 (Single Family Residential)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The Southeast Sector of the General Plan designates the subject parcel as SC (Service Commercial), which allows low- to medium-intensity retail, office or other commercial uses that serve primarily local area patrons and does not include more intense general commercial characteristics. The proposed use is generally consistent with the Service Commercial land use designation.

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

SDR-5571 - Staff Report Page Three
December 16, 2004 - Planning Commission Meeting

The site is not subject to any plan area, overlay district or trail requirements.

PROJECT DESCRIPTION

The project entails the demolition of the northernmost existing building on the site and the construction of a new 19,094 square foot office and meeting facility for the Plumbers and Pipefitters Union. The new building will include approximately 5,000 square feet of assembly area for union meetings, with the rest of the building being used for administrative office space. The exterior of the building will feature a combination of pre-cast concrete panels, decorative masonry block, and a stucco finish. Decorative metal shading devices will be provided at the window openings, and coordinating metal trellis structures will be provided at the entries to the building. A total of 41 parking spaces are to be provided on site; the applicant has submitted an accompanying request for a Variance (VAR-5572) to address the parking shortage. The existing training buildings at the south side of the site are to remain.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A		N/A
Min. Lot Width	100 Feet	278 Feet	Y
Min. Setbacks			
• Front	20 Feet	125'-10"	Y
• Side	10 Feet	164 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	20 Feet	24'-4"	Y
Max. Lot Coverage	50 %	26%	Y
Max. Building Height	N/A	32 Feet	Y
Trash Enclosure	Walled and roofed	Not indicated	Not indicated
Mech. Equipment	Screened	Not indicated	Not indicated

The proposed structure complies with setback, height, and lot coverage requirements. No information has been provided relative to the screening of mechanical equipment or location of a trash enclosure.

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December 16, 2004 - Planning Commission Meeting

A2) Residential Adjacency Standards

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

- a) Proximity slope. The proposed structure appears to conform to the 3:1 proximity slope specified in the Adjacency Standards; the portion of the structure nearest to the residential properties on Harris Avenue is 22 feet tall and is over 75 feet from the property line of the protected properties.
- b) Building setback. The proposed structure exceeds the minimum required building setback.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office	12,600 SF	1/300 GFA	42			
Auditorium	4,976 SF	1/100 SF	50			
Warehouse/ Industrial	8,177 SF	1/1,000 SF	9			
Warehouse/ Industrial	8,488 SF	1/1,000 SF	9			
Total:			105	5	36	5

A total of 110 parking spaces are required for the existing and proposed development; only 41 spaces are to be provided on the site. The applicant has submitted an accompanying request for a Variance (VAR-5572) to address the parking shortage. It is recommended that the request for a Variance be denied.

A4) Landscape and Open Space Standards

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

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December 16, 2004 - Planning Commission Meeting

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	7 Trees	5 Trees
Buffer:			
• Min. Trees	1 Tree/20 Linear Feet	29 Trees	21 Trees
• Min. Zone Width (@ street)	15 Feet		15 Feet
• Min. Zone Width (interior)	8 Feet		Not provided

Additional trees should be provided in the parking lot area to comply with Code requirements. The trees provided in the perimeter buffers, as shown on the landscape plan, comply with the minimum spacing requirement; however, no information is provided regarding the perimeter landscaping at the southeast corner of the site. The perimeter buffer conforms to the minimum depth requirements; no perimeter buffer is provided at the rear property line due to the configuration and access of the parking lot on that side of the property. This deficiency is addressed as a condition of approval for this report.

A5) Sign Standards

Pursuant to Title 19.14, the following Sign Standards apply to the subject proposal:

Wall Signs: East Elevation

Standards	Allowed	Provided
Maximum Number	N/A	N/A
Maximum Area	20%/elevation	2%
Maximum Projection	2 Feet	Not indicated
Illumination	Internal/External	Not indicated

The proposed wall signage complies the area requirements listed in Title 19.14. No information has been provided relative to the illumination or project of the wall signage.

B) General Analysis and Discussion

• Zoning

The subject property is zoned C-1 (Limited Commercial); the proposed office and assembly use is in conformance with the uses permitted in that district. The proposed structure complies with the setbacks, height, and lot coverage requirements. This deficiency is addressed as a condition of approval for this report.

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- Site Plan

The site plan depicts the proposed building at the northwest corner of the site, with a parking lot located facing Lamb Boulevard. Two existing training buildings will remain on the south half of the property. Principal access to the property will be from Lamb Boulevard, and driveway access is shown to the abutting property to the west. A cross-access agreement will be needed for the secondary driveway connection and parking spaces that take access from the abutting property. No trash enclosure is shown on the property; if an enclosure is provided, it will need to be walled and roofed in accordance with Title 19.08. This deficiency is addressed as a condition of approval for this report.

- Waivers

Waivers have been requested as follows:

1. Building placement. Title 19.08.045 requires that buildings be located at the front setback line, with parking located to the side of the rear. While the proposed building complies with this requirement on the Harris Avenue frontage, the location of the parking lot at the front of the property facing Lamb Boulevard is non-compliant. The applicant states that the location of the parking lot at the front of the property improves visibility and allows for the expansion of Lamb Boulevard. Staff is of the opinion that the required setback and landscape buffer at the front of the property allows for sufficient expansion of Lamb Boulevard, and that visibility will be adequate with the setbacks that are in place. In addition, the building on the property to the south is located at the front setback line in accordance with Title 19.08, and it is preferable to establish a consistent building line along the street. As location of the building can be easily moved to the front of the property with little additional impact to the existing parking situation, staff would recommend denial of the Waiver.
2. Perimeter Buffer. Title 19.12 requires an eight-foot deep buffer at the rear property line; as designed, no landscape buffer will be provided due to the location of parking spaces at the rear of the property that require access from the abutting property. Staff would recommend approval of the request, provided that a joint access easement agreement is recorded between the properties.
3. Parking lot landscaping. Landscape fingers are required every six spaces at the interior of the parking lot area; no fingers are provided due to the shortage of parking available on the site. Staff would recommend denial of this request, as it demonstrates the potential over-building of the site by not being able to conform to parking and landscape requirements.

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December 16, 2004 - Planning Commission Meeting

- **Landscape Plan**

The perimeter buffers on Lamb Boulevard and Harris Avenue comply with the minimum depth requirement and tree spacing requirement. No information is provided relative to the landscaping of the existing perimeter buffer at the southeast corner of the site. If no trees exist in that buffer area, they will need to be provided on 20-foot centers in accordance with Title 19.12. Two additional trees will be required within the parking lot area to conform to the landscape requirements. The required landscape islands have not been provided in the parking lot area due to the need for additional parking spaces; the applicant has requested a Waiver from the parking space requirement.

- **Elevations**

The elevations of the proposed new building show multiple floor levels that vary from 22 feet to 32 feet high. The exterior of the new building will feature a combination of pre-cast concrete panels, decorative masonry block, and a stucco finish. Decorative metal shading devices will be provided at the window openings, and coordinating metal trellis structures will be provided at the entries to the building. The building has aesthetic architectural embellishments and is an attractive building.

- **Floor Plan**

The floor plans for the proposed new building illustrate approximately 5,000 square feet of assembly area for union meetings, with the rest of the building being used for administrative office space. The space configuration is typical of similar buildings for this purpose. Occupancy standards of the City's building code will have to be met.

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 site of the development is located across Harris Avenue from an area zoned C-1 (Limited Commercial). However, west of the C-1 zoning district is an existing single-family residential development. The applicant is requesting that the proposed new building be located back on the site in closer vicinity to the residential development. For this and other reasons addressed above, it is recommended that the building be located forward on the property as required by Title 19. Doing so will increase the compatibility of the development with other development in the area.

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

The proposed development is generally consistent with adopted City plans, policies and standards. The applicant is requesting a Variance (VAR-5572) in the number of required parking spaces and Waivers of landscape standards and the location of the building on the site. Concerns have been expressed as addressed in an accompanying report for the Variance and with the landscaping and building placement above.

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

The site has access to Lamb Boulevard, a Primary Arterial (100-foot wide) street and Harris Avenue, a local street that intersects with Lamb Boulevard. Lamb Boulevard is designed to accommodate high traffic volumes. With access to Lamb Boulevard, site access and circulation to other streets in the neighborhood should not be impacted.

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

Building materials are appropriate for the proposed building, and except for the deficiencies discussed above in the landscape standards, the landscape materials proposed are also 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;"**

The exterior of the new building will feature a combination of pre-cast concrete panels, decorative masonry block, and a stucco finish. Decorative metal shading devices will be provided at the window openings, and coordinating metal trellis structures will be provided at the entries to the building. The building should be visually compatible with other buildings in the area.

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

Because the site will be subject to ongoing inspection, the public health, safety, and welfare will not be compromised.

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December 16, 2004 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 1,072 [Mailed with VAR-5572]

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-5571** APN: 40-30-803-002

Name of Property Owner: Plumbers and Pipefitters Union, Local #525

Name of Applicant: Plumbers and Pipefitters Union, Local #525

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: _____

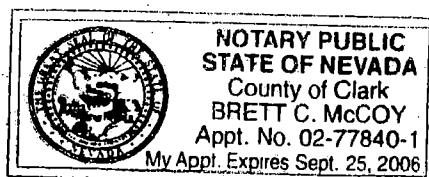
Signature of Property Owner/Authorized Agent:

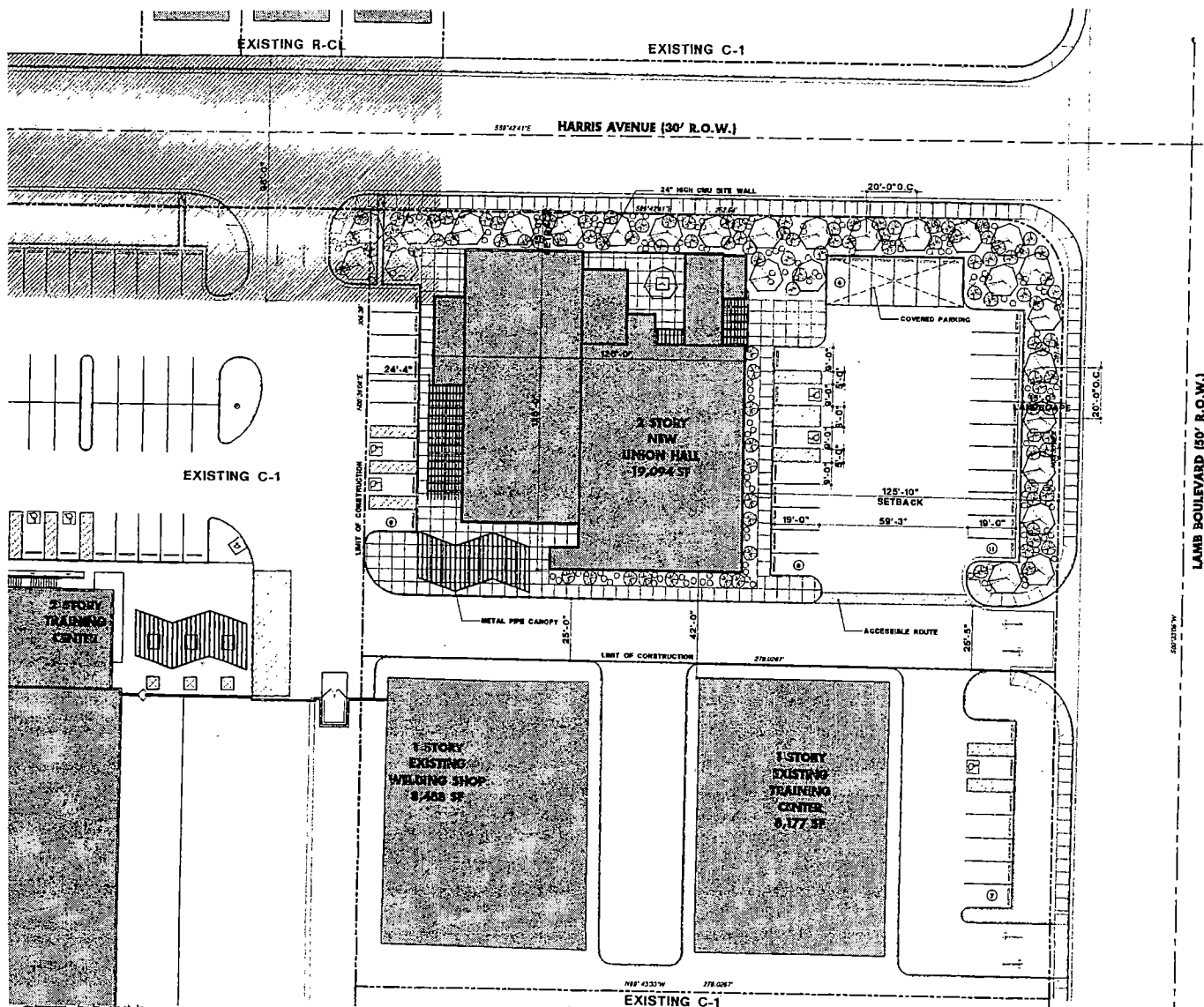
Print Name: _____

Subscribed and sworn before me

This 28th day of OCTOBER, 2004

Notary Public in and for said County and State





PROJECT DATA

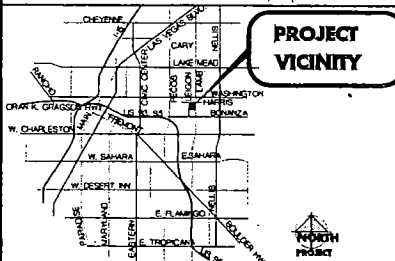
ASSESSORS PARCEL NUMBER (APN):	140-30-503-002
CURRENT ZONING:	C-1
SITE:	NET: 89,948 SF (1.65 ACRES) AREA OF WORK: 48,123 SF (1.12 ACRES)
REQUIRED SETBACKS:	FRONT: 20' MIN. SIDE: 10' MIN. CORNER: 15' MIN. REAR: 10' MIN.
WATERS/VARIANCE:	ALLOW PARKING AT THE FRONT CORNER OF THE BUILDING. SETBACK PARKING REQUIREMENTS FROM NO. 10 TO 41.
SITE COVERAGE:	20% OF AREA OF WORK (1.12 ACRES)
PROJECT ANALYSIS:	
ASSEMBLY:	4,878 SF
ADMINISTRATIVE AREA:	2,000 SF
ORGANIZERS:	1,451 SF
TRAINING DEPARTMENT:	948 SF
FUTURE OFFICES:	890 SF
SHARED USE:	3,378 SF
TOTAL BUILDING AREA:	NET: 14,475 SF GROSS: 10,048 SF
PARKING ANALYSIS:	
OFFICES: 12,500 SF (GROSS) @ 1,500 SF:	42 SPACES
ASSEMBLY: 4,878 SF (NET) @ 1,500 SF OF NON-FIXED SEATING:	50 SPACES
EXISTING TRAINING CENTER: 8,177 SF (GROSS) @ 1,500 SF:	9 SPACES
EXISTING WELDING SHOP: 8,468 SF (GROSS) @ 1,000 SF:	9 SPACES
TOTAL PARKING REQUIRED:	105 STD. A 3 ACC.
TOTAL PARKING PROVIDED:	30 STD. A 3 ACC.

LANDSCAPE PLAN

SYMBOL	BOTANICAL NAME	COMMON NAME	REMARKS	SIZE	QTY.
1	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	34" BOX	LARGE	14
2	ACACIA STEROPHYLLA	SHORETOWN ACACIA	24" BOX	MEDIUM	14
3	LEUCOPHYLLUM FRUTESCENS	BARKER	5 GALLON	LARGE	94
4	LANTANA	LANTANA	1 GALLON	GROUND	143

NOTE: ALL TREES/SHRUBS TO BE PLANTED IN ACCORDANCE WITH LAS VEGAS ZONING CODE (TITLE 16), CHAPTER 16.12 LANDSCAPE AND BUFFER STANDARDS

VICINITY MAP



OWNER/DEVELOPER

PLUMBERS AND PIPEFITTERS UNION
LOCAL 525
760 NORTH LAMB BOULEVARD
LAS VEGAS, NV 89110

CONCEPTUAL DESIGN ONLY - FOR LAND USE PURPOSES
PROPERTY LINE DIMENSIONS ARE NOT BASED ON SURVEYED INFORMATION



SITE PLAN

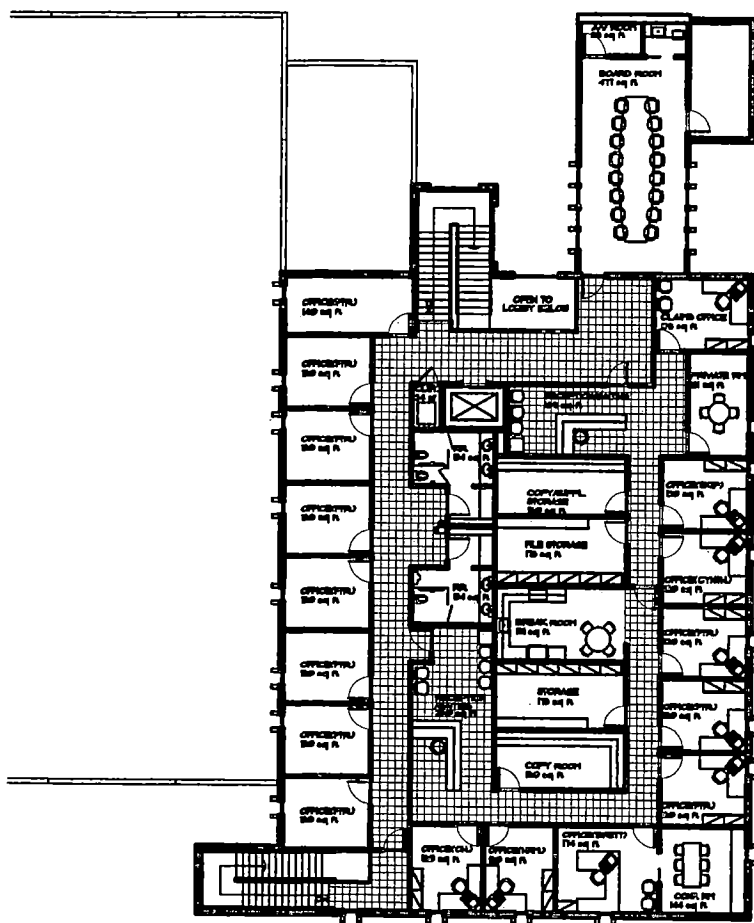
NOVEMBER 2004

PIPE TRADES UNION HALL AT LAMB BLVD AND HARRIS AVE

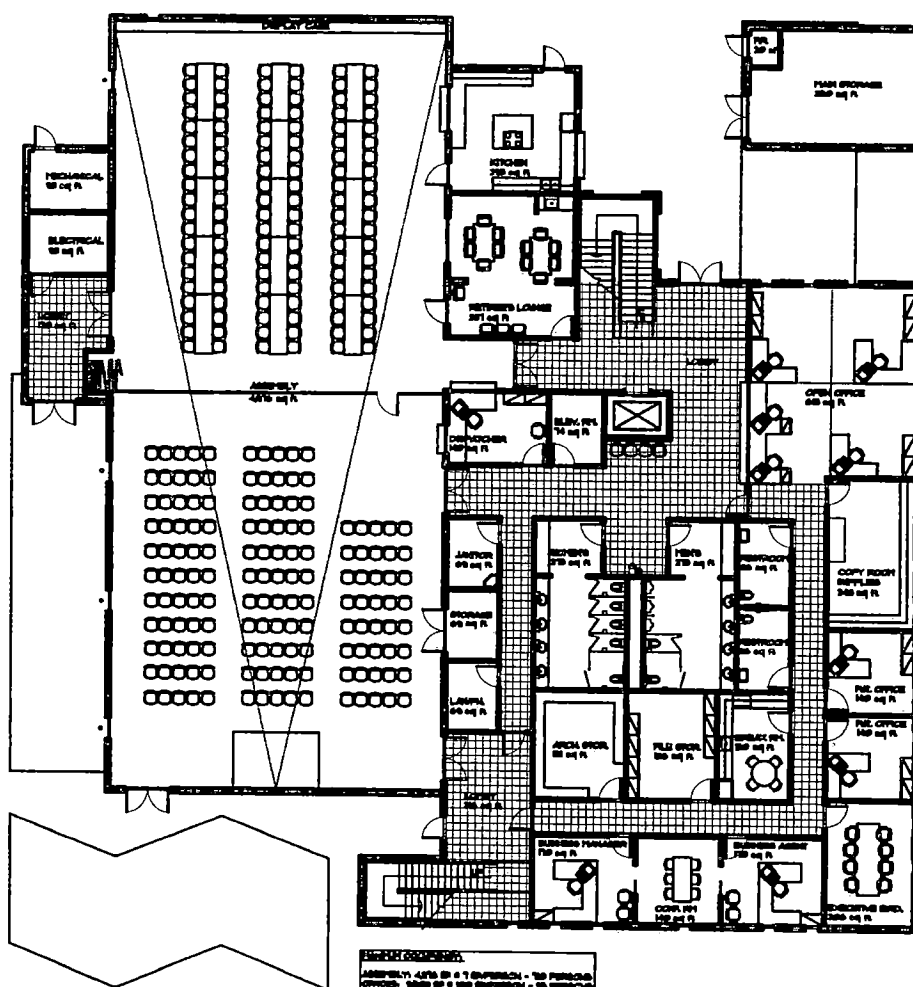
LAS VEGAS - NEVADA

SDR-5571

12/16/04 PC



SECOND FLOOR



FIRST FLOOR

FLOOR PLANS

NOVEMBER 2004

PIPE TRADES UNION HALL AT LAMB BLVD AND HARRIS AVENUE

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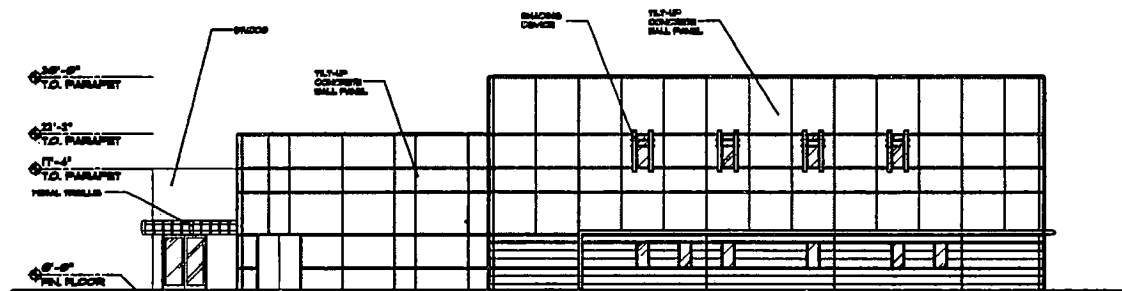


LTP Inc. architecture
planning
interiors

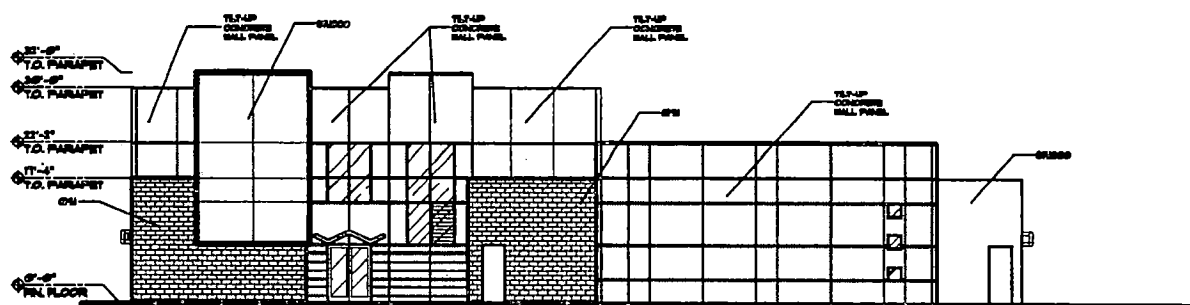
LAS VEGAS - NEVADA

THE RICHARDSON PARTNERSHIP, INC.
215 FIRST FLOOR SUITE 100 LAS VEGAS, NEVADA 89101
PHONE 702.734.4432 FAX 702.734.4433
E-MAIL: info@ltp-richardson.com

SDR-5571
12/16/04 PC



SOUTH



NORTH

ELEVATIONS

NOVEMBER 2004

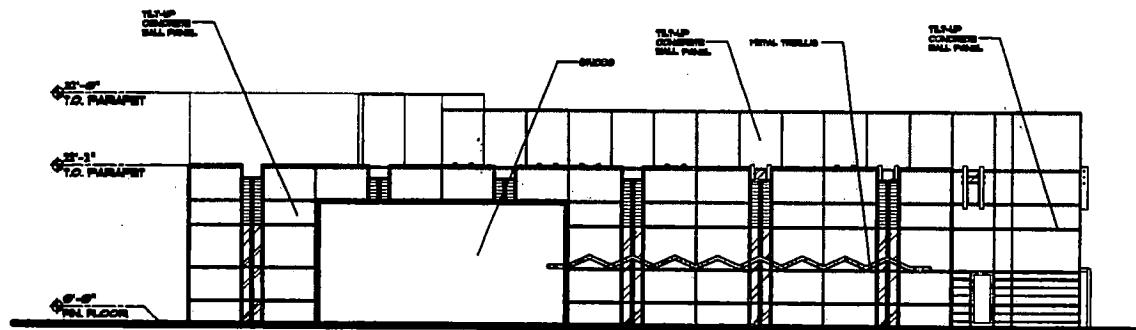
LAS VEGAS - NEVADA

PIPE TRADES UNION HALL AT LAMB BLVD AND HARRIS AVE

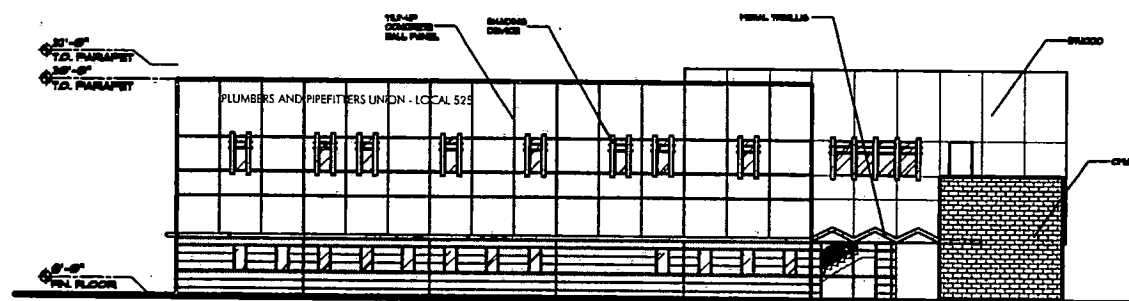


trp Inc. architecture
planning
interiors
THE RICHARDSON PARTNERSHIP, INC.
315 Fifth Road Suite 101 Las Vegas, Nevada 89119
PHONE 352.254.9122 FAX 702.254.9158
E-MAIL: MCI@TRP-ARCHITECT.COM

SDR-5571
12/16/04 PC



WEST



EAST

ELEVATIONS

NOVEMBER 2004

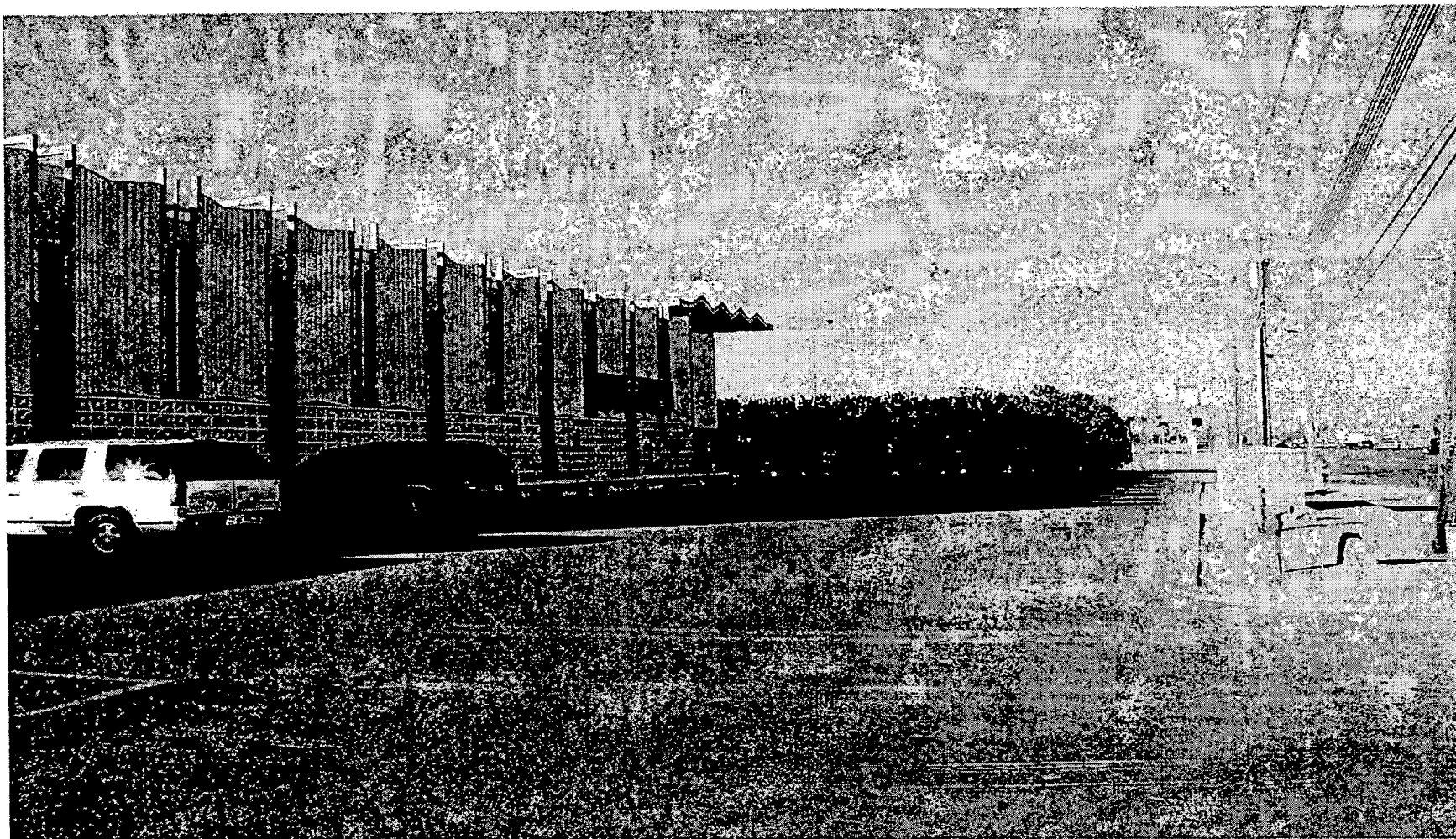
PIPE TRADES UNION HALL AT LAMB BLVD AND HARRIS AVE

LAS VEGAS - NEVADA

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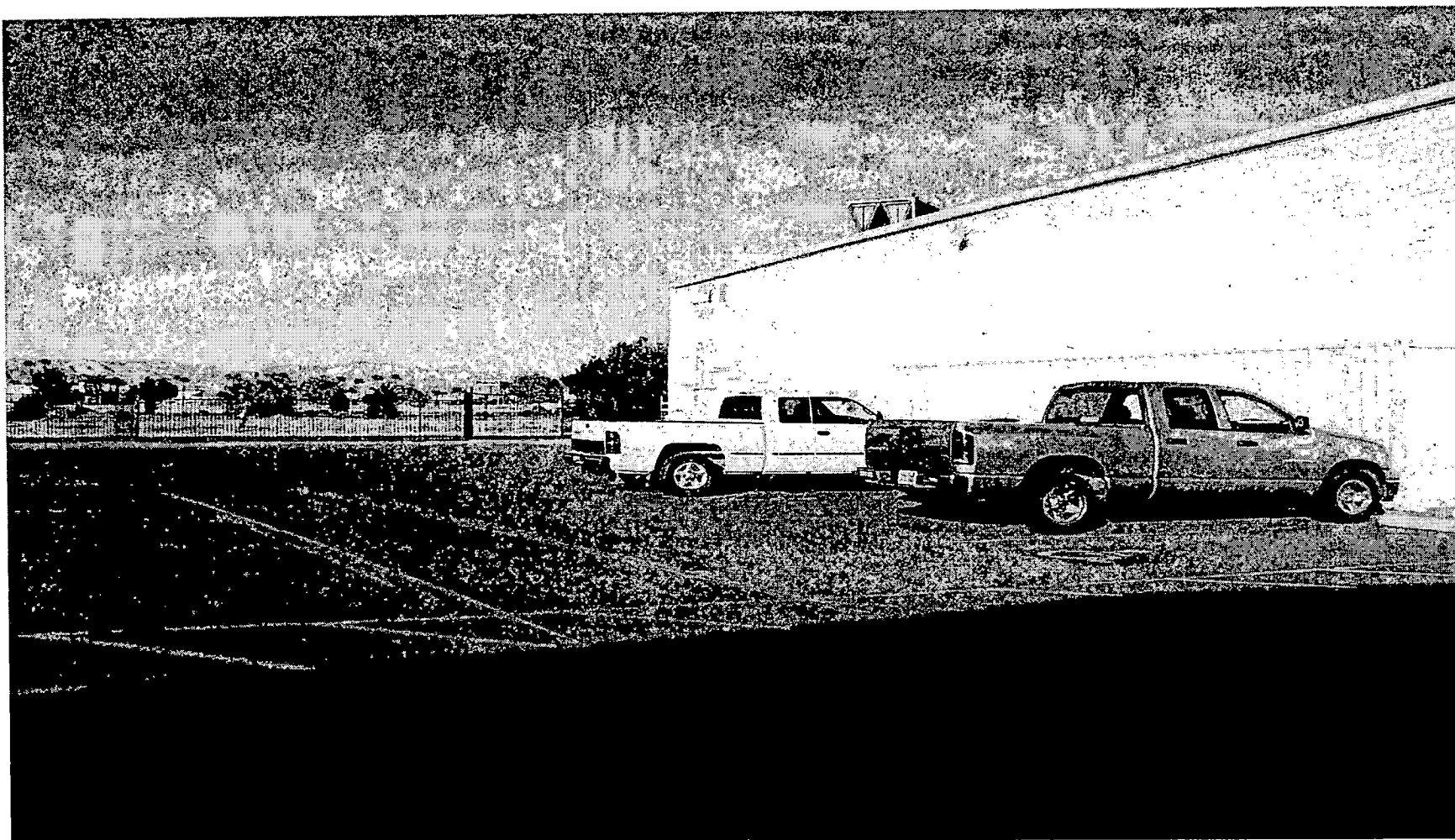
lrp inc. architecture
planning
interiors
THE RICHARDSON PARTNERSHIP, INC.
215 PIONEER BLVD. SUITE 1100 P.O. BOX 11111
PHOENIX, AZ 85066-1111 FAX 602.734.1111
E-MAIL: info@lrp-architect.com

SDR-5571
12/16/04 PC



SDR-5571 - APPLICANT/OWNER: PLUMBERS & PIPEFITTERS UNION LOCAL NO. 525
760 NORTH LAMB BOULEVARD
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04



SDR-5571 - APPLICANT/OWNER: PLUMBERS & PIPEFITTERS UNION LOCAL NO. 525
760 NORTH LAMB BOULEVARD
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04



SDR-5571 - APPLICANT/OWNER: PLUMBERS & PIPEFITTERS UNION LOCAL NO. 525
760 NORTH LAMB BOULEVARD
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SCD-5551 - MAJOR DEVIATION - PUBLIC HEARING - APPLICANT: HARMON ENTERPRISES, INC. - OWNER: CBS I, LLC - Request for a Major Deviation from the Summerlin Development Standards TO ALLOW 546 PARKING SPACES WHERE A MINIMUM OF 591 PARKING SPACES IS REQUIRED FOR A PROPOSED PUB (TAVERN) WITHIN AN APPROVED OFFICE COMPLEX on 4.74 acres adjacent to the northeast corner of Charleston Boulevard and Indigo Drive (APN 137-36-811-018), P-C (Planned Community) Zone, Ward 2 (Wolfson).

C.C.: 01/19/05

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 35 [SCD-5551], Item 36 [SUP-5549] and Item 37 [SUP-5550].

STEVE SWANTON, Planning & Development Department, explained that the proposed location of this tavern with gaming is on the site of an approved commercial office complex, which as part of its original approval, had parking calculated based solely on office uses. The addition of the tavern, which is a more intense use, would create a parking deficiency within the complex. This

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 35 – SCD-5551

MINUTES – Continued:

would be most evident during the hours of operation of the office complex. The uses themselves are compatible with the area so staff recommended approval of both Special Use Permit applications but staff could not support the Variance request in this situation.

JENNIFER LAZOVICH, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She said the project is a continuation of a current office project that already exists on the site. The Howard Hughes Corporation has their main office nearby on the corner of Hualapai Way and Charleston Boulevard. The applicant is proposing the construction of an office building that would mirror the existing building. The new building would have a restaurant with the requested uses on the ground floor.

Regarding the Major Deviation for parking, ATTORNEY LAZOVICH said the overall site with both the existing and proposed buildings having office uses, would require approximately 500 spaces. With the inclusion of the restaurant, the number increased to a requirement of 591 spaces. Between the existing office building and the proposed building, there would be a total of 545 spaces. ATTORNEY LAZOVICH stated that if any of the Commissioners were to drive by the site, they would see that the current parking lot is not very full with the existing office building. The current parking would be doubled with the construction of the proposed building. She also pointed out that during the restaurants peak time, which would be for dinner service, the office uses would be closed leaving additional spaces for the restaurant patrons.

ATTORNEY LAZOVICH explained that the proposed restaurant would have a bistro theme of dark wood, parquet floors and white tablecloths. She showed the architect's rendering of the interior of similar designs. The applicant is hoping to create a product that is unique within Las Vegas. Building the restaurant into the bottom floor of an office complex would do that. It is done in other cities but there is nothing like it in Las Vegas.

ATTORNEY LAZOVICH said a neighborhood meeting was not required for these applications; however, the applicant did hold one and approximately 10 residents were in attendance. The owner of the property and the chef were also there and the concept was well received by the residents.

JAMES VELELLUM, Indigo Drive LLC., stated that he and his partner own the office building that is directly adjacent across the private drive and he questioned the restaurant usage compared to the tavern usage. CHAIRMAN TRUESDELL confirmed for him that the usage was as a tavern. MR. VELELLUM stated that when his property was purchased from Howard Hughes, it was understood that no other usage than office would go onto that parcel. He had the recorded Development and Reciprocal Easement Declaration that specifically prohibited any food or retail operations in the Hughes Plaza Development and he stated representatives of the Hughes Corporation and the North Summerlin Association signed that document.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
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MINUTES – Continued:

ALLAN SCHWARTZ, Indigo Drive LLC, stated they are primarily concerned about the parking issue the tavern could cause and about how trash issues that could result from the tavern would be handled.

DEPUTY CITY ATTORNEY BRYAN SCOTT said that the document referenced by MR. VELELLUM was a private agreement entered into by the Hughes Corporation and the owner of the lots and the City does not get involved in those types of situations. He suggested that the gentlemen from Indigo LLC., speak to the association that governs those contracts.

ATTORNEY LAZOVICH stated that the Howard Hughes Corporation is aware of this project and supportive of it. The applicant did submit a letter from the Hughes Corporation, which acknowledged the application being put into the system. She could not speak to the reference that there was a restriction against restaurants or retail on the property because she was not aware of such a restriction.

ATTORNEY LAZOVICH indicated that a Shared Access parking agreement was recorded and in place with the existing office project to the east. She explained that she refers to the project as a restaurant because it functions more as a restaurant than most taverns do in the sense that the square footage of the entire restaurant is proposed at 9,000 square feet. The dining portion is approximately 7,500 square feet of that with about 1,500 square feet for the bar area. She also pointed out that taverns in Las Vegas are allowed to be open 24 hours and this use would have hours of operation from 7 a.m. to 2:30 a.m. The applicant is asking to sell alcohol and to have restricted gaming in the bar area such as a tavern would do but beyond that, ATTORNEY LAZOVICH felt this was very different from a typical tavern usage. She reiterated that the reduction is of only 45 spaces and offered to answer any questions the Commissioners had.

COMMISSIONER EVANS asked for clarification regarding the restaurant uses taking place primarily in the evening when there would be less office generated parking. ATTORNEY LAZOVICH replied that the restaurant would be open for breakfast, lunch and dinner with the anticipated hours mentioned; however, the applicant estimates that the bulk of the traffic generated from outside the development would occur during dinnertime. In that case, the majority of the offices would generally be closed by that time.

COMMISSIONER EVANS questioned staff as to whether the primary reason for denial on all three applications was the parking deficiency. GARY LEOBOLD, Planning & Development Department, replied that the denial is on the deviation and the uses are recommended as approval. He added that if the building were occupied strictly by office uses, the parking requirement would be met. He also wanted to point out that Planning staff did have a letter on file from the Howard Hughes Corporation, dated November 2, 2004, which stated the use was approved with up to 15

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 35 – SCD-5551

MINUTES – Continued:

gaming machines and the sale of alcoholic beverages. The letter also stated the hours of operation would be approved as 7:00 a.m. to 2:30 a.m., seven days a week. A Vice President of the Hughes Corporation signed the letter.

COMMISSIONER EVANS asked ATTORNEY LAZOVICH why the applicant applied for a tavern permit if the use is primarily as a restaurant. She replied that the developer has built other projects in town such as Sedonia and the soon to be opened Agave. These other facilities do primarily function as restaurants but they do have the inclusion of the machines. The applicants are familiar with the usage, they are long time Nevadans and it is what they are asking for. ATTORNEY LAZOVICH felt that it was appropriate for the area.

COMMISSIONER EVANS concluded by acknowledging that although the Commission does not have any jurisdiction regarding the contract that the gentlemen from Indigo LLC., referenced, he personally thought that it seemed disingenuous that they had a signed agreement that was not honored.

COMMISSIONER STEINMAN pointed out to staff that the backup referenced the hours of operation as 7:00 a.m. to 2:30 p.m. He wanted to be sure that it was clear that the hours referenced by ATTORNEY LAZOVICH were 7:00 a.m. to 2:30 a.m. and that the letter from the Hughes Corporation approved 7:00 a.m. to 2:30 p.m.

COMMISSIONER STEINMAN asked why staff was recommending approval on the restaurant and gaming uses knowing that those are what raised the parking requirement to a point that staff had to recommend denial on the deviation. MR. LEOBOLD replied that staff has no problems with the uses and they would be appropriate for the location; however, the variance had not been adequately defended under state law. Staff acknowledged that the applicant was trying to construct a building that would mirror the existing building but doing so is not required. The applicant could design a slightly smaller building and keep the proposed uses and meet Code or, they could build a mirror image of the existing building but then the proposed uses would not be accommodated as far as parking requirements go. State law determines the parameters in which staff can work regarding recommendations. If the hardship is self imposed and manageable in nature, staff cannot recommend approval of the application.

COMMISSIONER STEINMAN commented that he did not want to get into the legal issues of the gentlemen of Indigo LLC., but he wanted them to know that he has lived in cities where restaurants could be found in office buildings similar to this situation. The Commissioner stated that such a situation is a positive for attracting tenants to the park. He felt the gentlemen raised a good point about how the trash and delivery situation would be addressed since there was not a Site Development Review with these applications. CHAIRMAN TRUESDELL said that he was

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 35 – SCD-5551

MINUTES – Continued:

familiar with the Summerlin Design Standards and they were, in some regards, more stringent than the City's Title 19 requirements for trash enclosures. The Summerlin Standards require more of a building-like enclosure with stringent maintenance requirements. COMMISSIONER STEINMAN confirmed with CHAIRMAN TRUESDELL that no additional conditions needed to be added to the Special Use Permit applications to ensure compliance. MARGO WHEELER, Deputy Director, Planning & Development, indicated that those standards are already required and additional conditions are not required.

CHAIRMAN TRUESDELL voiced concerns he had due to the nature of roof mounted systems for restaurants. Although it is not part of the design, he wanted to be sure that the screening of those items was not lost in the shuffle of the application process. Also, he was concerned with the reduction in parking because it is a self-created hardship. He felt the master plan design of the overall park was designed to create a good interaction with parking. He knew the developers have been diligent in trying to maintain what they need to have the properties function. He would support the uses.

COMMISSIONER EVANS asked what the acronym SCD stood for since it represented what was being called a major deviation. MR. SWANTON informed him that SCD stood for Summerlin Community Deviation.

MS. WHEELER informed the Commission that Condition 1 of both Item 36 [SUP-5549] and Item 37 [SUP-5550] would be deleted if the Commission approved Item 35 [SCD-5551]. She also reminded everyone that if the item were approved, the corrected hours of operation would need to be added as a condition on both SUP applications as well.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 35 [SCD-5551], Item 36 [SUP-5549] and Item 37 [SUP-5550].

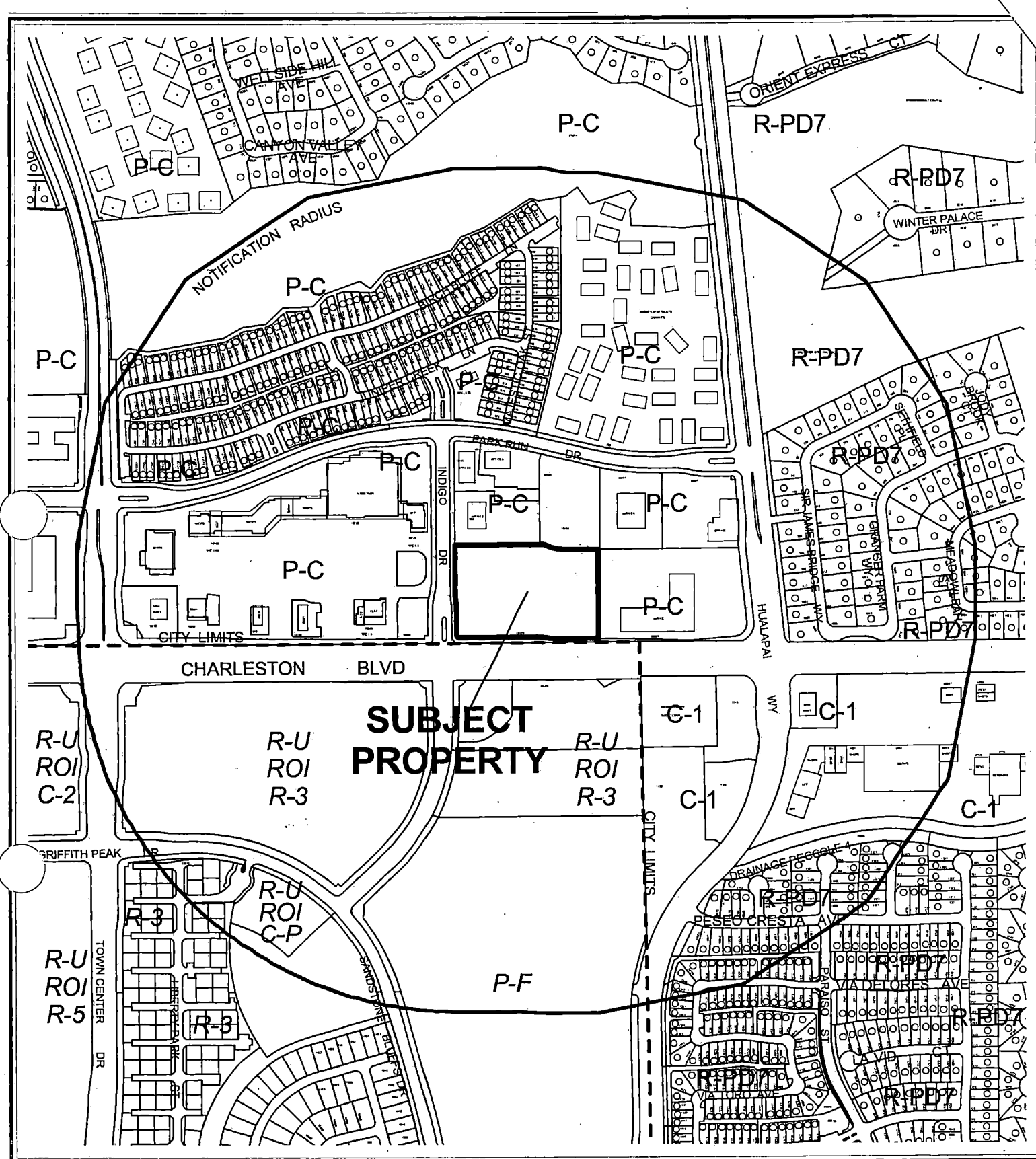
(8:57 – 9:21)

2-2739

CONDITIONS:

Planning and Development

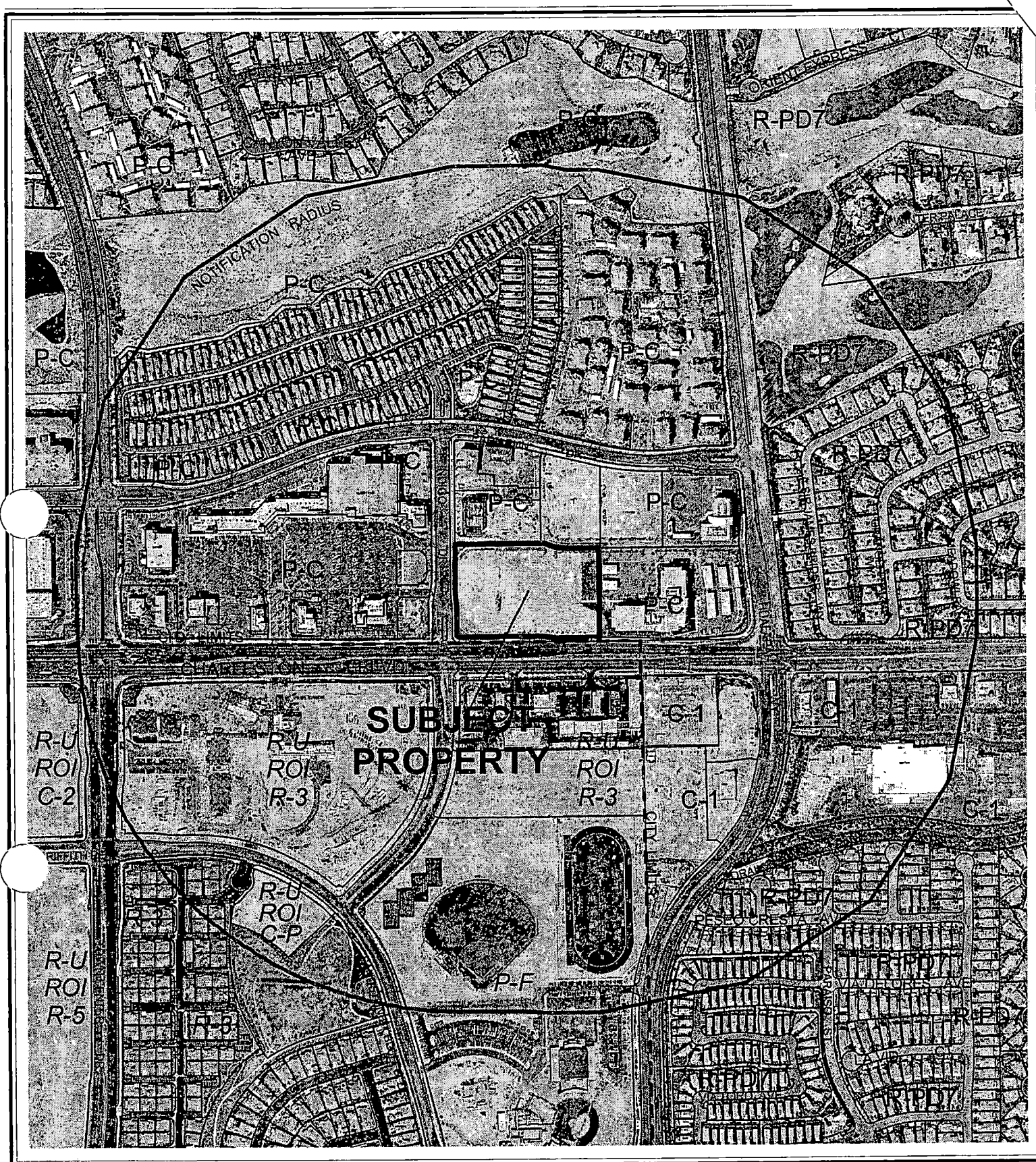
1. Approval of and conformance to the Conditions of Approval for Special Use Permits [SUP-5549 & SUP-5550] and Site Development Plan Review [CRG-4414].
2. Conformance to Summerlin Development Standards, "Shared Parking", Section 3 h.
3. This Major Deviation shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



CASE: **SCD-5551**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)



CASE: **SCD-5551**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

0 300 600 Feet



City of Las Vegas

AGENDA MEMO.

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SCD-5551 - APPLICANT: HARMON ENTERPRISES, INC. -
OWNER: CBS I, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permits [SUP-5549 & SUP-5550] and Site Development Plan Review [CRG-4414].
2. Conformance to Summerlin Development Standards, "Shared Parking", Section 3 h.
3. This Major Deviation 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 Major Deviation from the Summerlin Development Standards to allow 546 parking spaces where a minimum of 591 parking spaces are required in conjunction with two approved office buildings on 4.74 acres adjacent to the northeast corner of Charleston Boulevard and Indigo Drive. This application is to be considered in conjunction with a Special Use Permit (SUP-5549) for a Pub (Tavern) and a Special Use Permit (SUP-5550) for Gaming.

B) Applicant's Justification

The applicant states that they intent to construct an upscale restaurant (the "Restaurant"), with a Bistro theme on the first floor of a future office building. The applicant further states the following:

- The hours of operation are to be from 7:00 am to 2:30 pm
- Aesthetically, the future office building is to mirror the first phase of the office development, and have been approved in April 2004.
- The applicant states that the proposed uses are sanctioned by Summerlin.
- The project will be located on the north side of Charleston Boulevard, a 100-foot right-of-way.
- Summerlin Development Standards do not require any distance separation.
- "This is an appropriate location for this type of development given the proximity to a primary arterial and the creativity of placing two distinct uses within an office building."
- There are a total of 546 parking spaces provided, where only 490 a required for the office buildings. "With the inclusion of the restaurant, the total amount of parking spaces required is 591 spaces."
- "Although the applicant is seeking a variance to reduce parking, the variance will have minimal practical effect because when the office is close in the evening there will be hundreds of spaces available for patrons of the Restaurant."

BACKGROUND INFORMATION

A) *Previous Actions*

- 02/16/94 The City Council approved a Rezoning (Z-0135-93) application to reclassify the subject property from N-U (Non-Urban) to P-C (Planned Community) as part of a larger request. The Planning Commission and staff both recommended approval.
- 10/23/97 The City Referral Group approved a Site Development Plan Review (SV-0038-97) for proposed commercial office complex located in Village 11/12 East Commercial Center. Staff recommendation not available. (Phase I).
- 04/14/04 The City Referral Group approved a Site Development Plan Review for a 72,000 square foot office building located on the northeast corner of Charleston Boulevard and Indigo Street in Howard Hughes Plaza. Staff recommended approval. (Phase II).
- 09/15/04 The City Council approved a revised development standards manual for Summerlin (DIR-3934). The Planning Commission and Staff both recommended approval.

B) *Pre-Application Meeting*

- 10/21/04 A Pre-application conference was held, resulting in the following comments:
1. The original site parking was calculated out for an office use only.
 2. A new parking analysis is to be submitted on or with the site plan.
 3. Special Use Permits are need for both the Pub and Gaming.
- 11/01/04 A pre-application submittal checklist was filled out as a result of the new parking analysis. No pre-application conference was held for this application.

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*

Gross Acres: 4.74

SCD-5551 - Staff Report Page Three
December 16, 2004 - Planning Commission Meeting

B) Existing Land Use

Subject Property: Undeveloped (Proposed Second Phase of the Hughes Office Development)
North: Under construction (Proposed Commercial Office Complex)
South: Commercial/Retail Center
East: Office Building "A" (First Phase of the Hughes Office Development)
West: Commercial/Retail Center

C) Planned Land Use

Subject Property: LI/R (Light Industrial/ Research) & SC (Service Commercial)
North: SC (Service Commercial)
South: Clark County
East: LI/R (Light Industrial/ Research)
West: LI/R (Light Industrial/ Research) & SC (Service Commercial)

D) Existing Zoning

Subject Property: P-C (Planned Community) [EC (Employment Center)]
North: P-C (Planned Community) [EC (Employment Center)]
South: Clark County (Commercial)
East: P-C (Planned Community) [EC (Employment Center)]
West: P-C (Planned Community) [EC (Employment Center)]

E) General Plan Compliance

The subject parcel is designated both LI/R (Light Industrial/ Research) and SC (Service Commercial) within the Southwest Sector Land Use Map of the General Plan. The LI/R (Light Industrial/ Research) and SC (Service Commercial) General Plan designations are in conformance with the subject site's Summerlin Special Land Use designation of EC (Employment Center). The proposed uses are in conformance with those permitted within a EC (Employment Center) special land use district.

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

Summerlin: EC (Employment Center)

The Employment Center (EC) land use district will provide employment opportunities for Summerlin residents. These areas may accommodate office, light industry, business, professional, and support commercial services and may include higher density multi-family residential areas.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Summerlin Development Standards, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Pubs, Bars and Lounges	5,700 SF. (Indoor/Out door)	1 Space / 50 SF. of public and waiting area, including outdoor seating/eating areas, plus 1 Space / 200 SF. of the total remaining GFA, with a minimum of 10 spaces	123	12	535	11
	1,800 SF. (Non- Public)					
Office	140,200 SF.	1 Space / 300 SF.	468	12		
Total	147,700 SF.		579	12		

The addition of a Pub (Tavern) with Gaming use, to a previously approved (CRG-4144) commercial office complex, greatly increases the required amount of parking to be provided onsite. The commercial office complex is composed of the existing office building (Phase I) and the proposed office building (Phase II). The total parking provided by both phases is insufficient for the proposed Pub (Tavern) with gaming.

B) General Analysis and Discussion

The proposed location of the Pub (Tavern) with Gaming will be that of a commercial office complex, which as part of its original approvals had had its parking calculated out based upon office use only. The addition of a more intense use to the site will most definitely create a parking deficiency within the complex. This will be especially evident during the hours of operation of the office complex.

FINDINGS

As this Major Deviation from Summerlin Development Standards is tantamount to a Variance, the Code standards will be employed in determining the findings of this case. In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by placing an intense use of such size within proposed commercial office complex. Alternative location selection with adequate parking would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

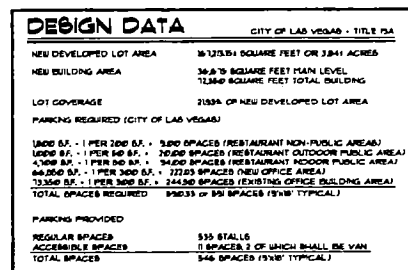
SCD-5551 - Staff Report Page Six
December 16, 2004 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

NOTICES MAILED 381 [Mailed with SUP-5549 & SUP-5550]

APPROVALS 0

PROTESTS 0



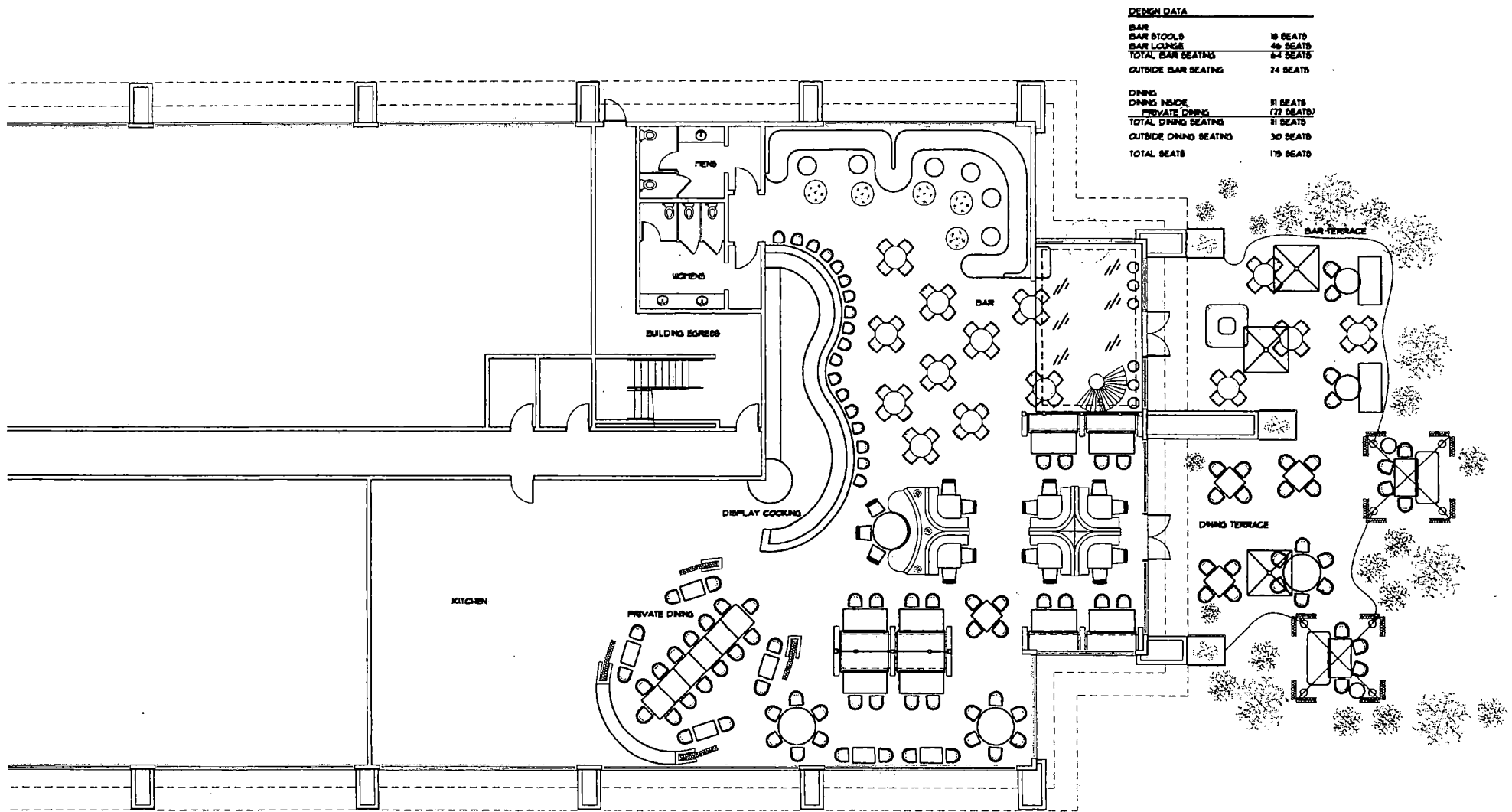
SCALE 1" = 40'-0"

SCD-5551

12/16/04 PC

RECEIVED
NOV 01 2004

AS1.11



DESIGN DATA

BAR	18 SEATS
BAR STOOLS	46 SEATS
BAR LOUNGE	64 SEATS
TOTAL BAR SEATING	128 SEATS
OUTSIDE BAR SEATING	24 SEATS
DINING	81 SEATS
DINING INSIDE	77 SEATS
PRIVATE DINING	4 SEATS
TOTAL DINING SEATING	81 SEATS
OUTSIDE DINING SEATING	30 SEATS
TOTAL SEATS	179 SEATS

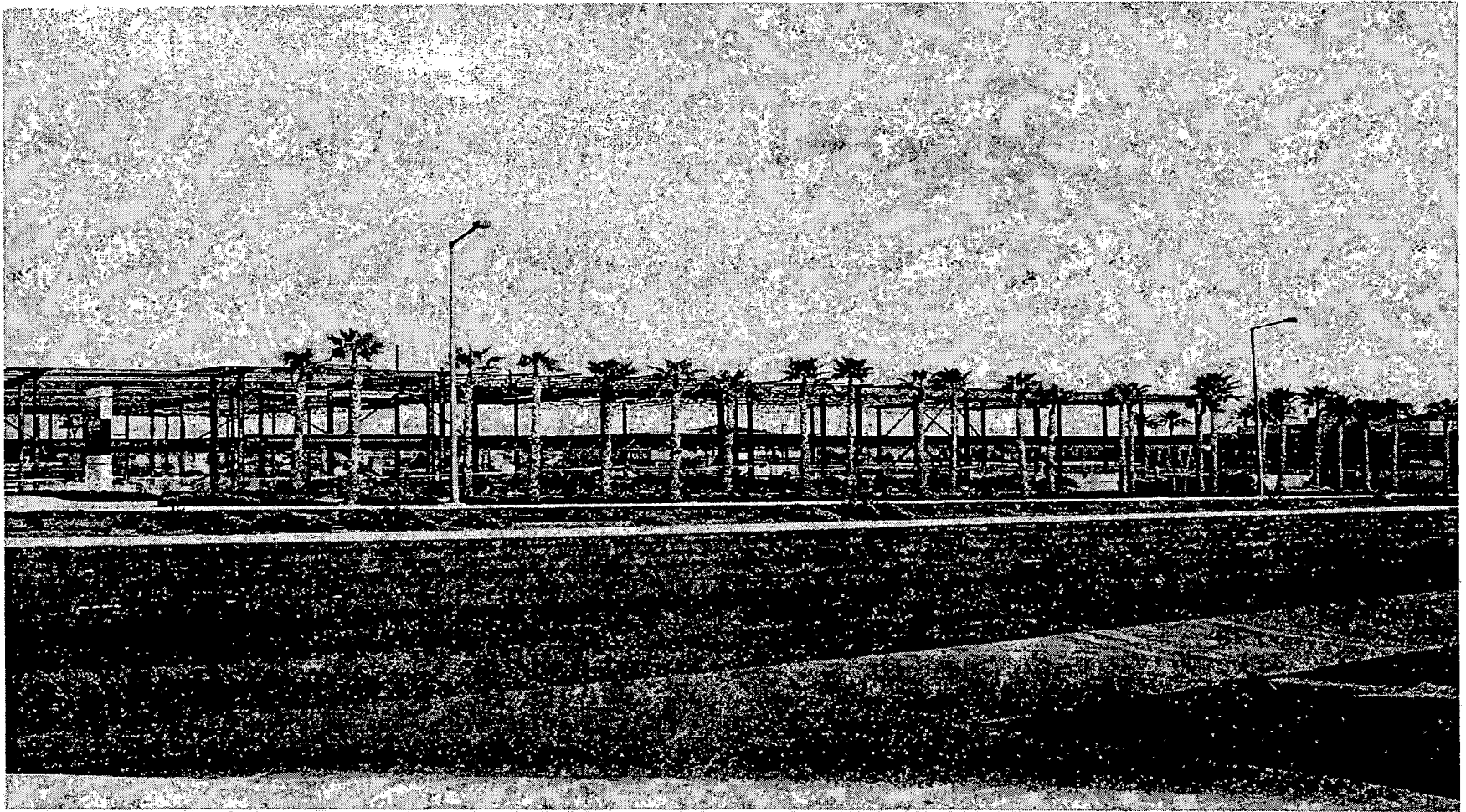
SCD-5551
12/16/04 PC

RECEIVED
 NOV 01 2004



SCD-5551 - APPLICANT: HARMON ENTERPRISES, INC. - OWNER: CBS I, LLC
ADJACENT TO THE NORTHEAST CORNER OF CHARLESTON BOULEVARD AND INDIGO DRIVE
DECEMBER 16, 2004 PLANNING COMMISSION

11/19/04



SCD-5551 - APPLICANT: HARMON ENTERPRISES, INC. - OWNER: CBS I, LLC
ADJACENT TO THE NORTHEAST CORNER OF CHARLESTON BOULEVARD AND INDIGO DRIVE
DECEMBER 16, 2004 PLANNING COMMISSION

11/19/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5549 RELATED TO SCD-5551 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HARMON ENTERPRISES, INC. - OWNER: CBS I, LLC - Request for a Special Use Permit FOR A PROPOSED PUB (TAVERN) on 4.74 acres adjacent to the northeast corner of Charleston Boulevard and Indigo Drive (APN 137-36-811-018), P-C (Planned Community) Zone, Ward 2 (Wolfson).

IF APPROVED: C.C.: 01/19/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions, deleting Condition 1 and adding the following condition:

- The hours of operation shall be 7:30 a.m. to 2:30 p.m.
- UNANIMOUS with DAVENPORT and McSWAIN excused**

To be heard by City Council 1/19/2005

MINUTES:

See Item 35 [SCD-5551] for all related discussion on Item 35 [SCD-5551], Item 36 [SUP-5549] and Item 37 [SUP-5550].

(8:57 – 9:21)

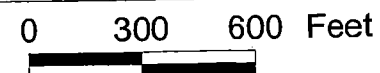
2-2739

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 36 – SUP-5549

CONDITIONS:

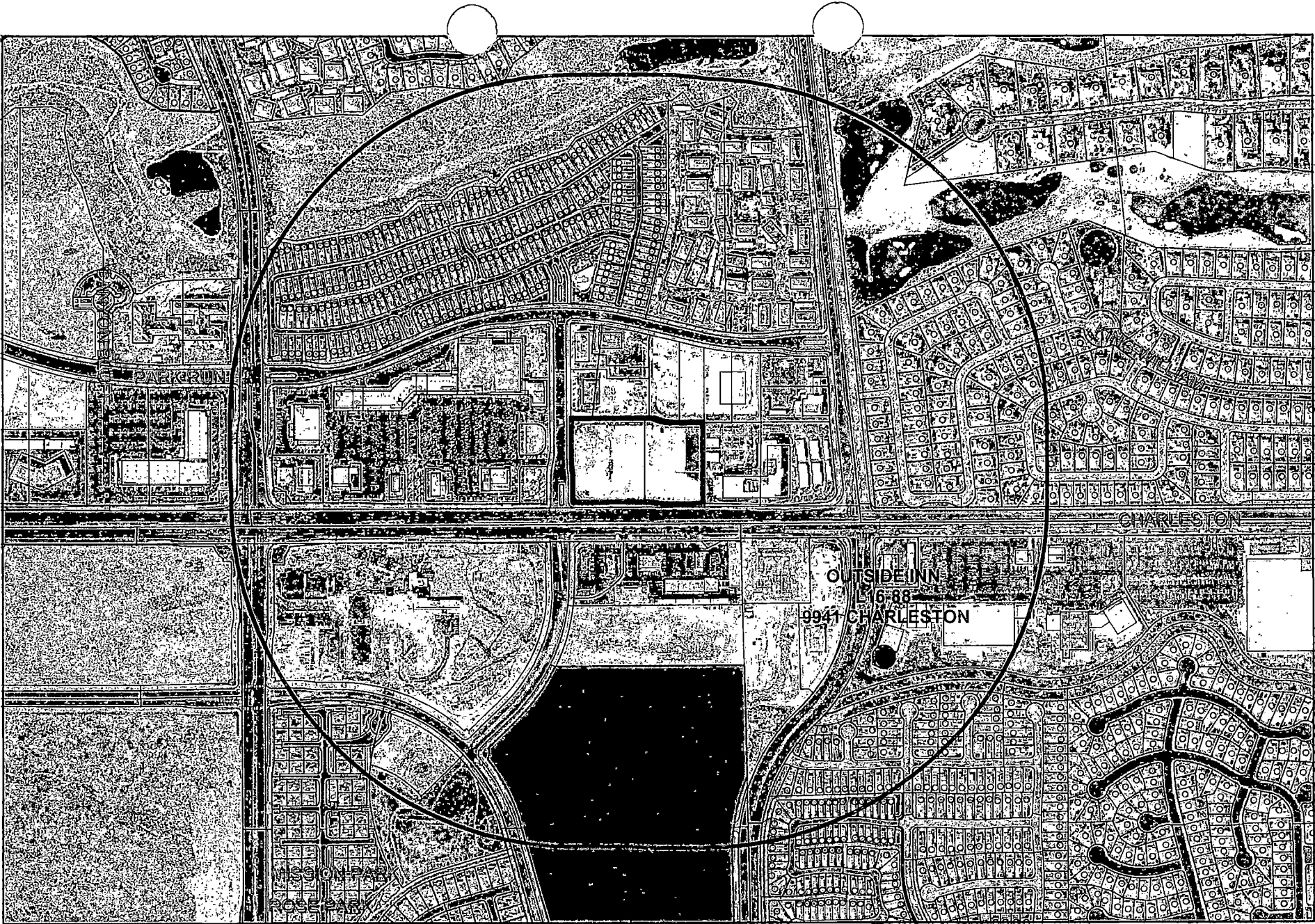
Planning and Development

1. The proposed use shall meet the parking requirements as defined in the Summerlin Development Standards.
2. Conformance to Summerlin Development Standards, “Shared Parking”, Section 3 h.
3. Proposed exterior building mounted signage must be approved by the developer and the Summerlin Architectural Review Committee prior to obtaining sign permits.
4. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [CRG-4144], Major Deviation [SCD-5551] and Special Use Permit [SUP-5550].
5. 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.
6. Approval of this Special Use Permit does not constitute approval of a liquor license.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
8. All City Code requirements and design standards of all City departments must be satisfied.



ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)





SUP-5549
Taverns

Business Licenses

- Child Care/
Children Facility
- Tavern

- RELIGIOUS
- PARKS
- SCHOOLS

- Subject Property
- 1500 foot buffer



AGENDA MEMO.

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5549 - APPLICANT: HARMON ENTERPRISES, INC. -

OWNER: CBS I, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The proposed use shall meet the parking requirements as defined in the Summerlin Development Standards.
2. Conformance to Summerlin Development Standards, "Shared Parking", Section 3 h.
3. Proposed exterior building mounted signage must be approved by the developer and the Summerlin Architectural Review Committee prior to obtaining sign permits.
4. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [CRG-4144], Major Deviation [SCD-5551] and Special Use Permit [SUP-5550].
5. 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.
6. Approval of this Special Use Permit does not constitute approval of a liquor license.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
8. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Pub (Tavern) on 4.74 acres adjacent to the northeast corner of Charleston Boulevard and Indigo Drive. This application will be considered in conjunction with another Special Use Permit (SUP-5550) for Gaming and a Major Deviation (SCD-5551) from the Summerlin Development Standards for relief from parking requirements.

B) Applicant's Justification

The applicant states that they intent to construct an upscale restaurant (the "Restaurant"), with a Bistro theme on the first floor of a future office building. The applicant further states the following:

- The hours of operation are to be from 7:00 am to 2:30 pm
- Aesthetically, the future office building is to mirror the first phase of the office development, and have been approved in April 2004.
- The applicant states that the proposed uses are sanctioned by Summerlin.
- The project will be located on the north side of Charleston Boulevard, a 100-foot right-of-way.
- Summerlin Development Standards do not require any distance separation.
- "This is an appropriate location for this type of development given the proximity to a primary arterial and the creativity of placing two distinct uses within an office building."
- There are a total of 546 parking spaces provided, where only 490 a required for the office buildings. "With the inclusion of the restaurant, the total amount of parking spaces required is 591 spaces."
- "Although the applicant is seeking a variance to reduce parking, the variance will have minimal practical effect because when the office is close in the evening there will be hundreds of spaces available for patrons of the Restaurant."

BACKGROUND INFORMATION

A) Previous Actions

02/16/94 The City Council approved a Rezoning (Z-0135-93) application to reclassify the subject property from N-U (Non-Urban) to P-C (Planned Community) as part of a larger request. The Planning Commission and staff both recommended approval.

SUP-5549 - Staff Report Page Two
December 16, 2004 - Planning Commission Meeting

- 10/23/97 The City Referral Group approved a Site Development Plan Review (SV-0038-97) for proposed commercial office complex located in Village 11/12 East Commercial Center. Staff recommendation not available. (Phase I).
- 04/14/04 The City Referral Group approved a Site Development Plan Review for a 72,000 square foot office building located on the northeast corner of Charleston Boulevard and Indigo Street in Howard Hughes Plaza. Staff recommended approval. (Phase II).
- 09/15/04 The City Council approved a revised development standards manual for Summerlin (DIR-3934). The Planning Commission and Staff both recommended approval.

B) Pre-Application Meeting

10/21/04 A Pre-application conference was held, resulting in the following comments:

1. The original site parking was calculated out for an office use only.
2. A new parking analysis is to be submitted on or with the site plan.
3. Special Use Permits are need for both the Pub and Gaming.

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

Gross Acres: 4.74

B) Existing Land Use

Subject Property: Undeveloped (Proposed Second Phase of the Hughes Office Development)

North: Under construction (Proposed Commercial Office Complex)

South: Commercial/Retail Center

East: Office Building "A" (First Phase of the Hughes Office Development)

West: Commercial/Retail Center

C) Planned Land Use

Subject Property: LI/R (Light Industrial/ Research)
SC (Service Commercial)
North: SC (Service Commercial)
South: Clark County
East: LI/R (Light Industrial/ Research)
West: LI/R (Light Industrial/ Research)
SC (Service Commercial)

D) Existing Zoning

Subject Property: P-C (Planned Community) [EC (Employment Center)]
North: P-C (Planned Community) [EC (Employment Center)]
South: Clark County (Commercial)
East: P-C (Planned Community) [EC (Employment Center)]
West: P-C (Planned Community) [EC (Employment Center)]

E) General Plan Compliance

The subject parcel is designated both LI/R (Light Industrial/ Research) and SC (Service Commercial) within the Southwest Sector Land Use Map of the General Plan. The LI/R (Light Industrial/ Research) and SC (Service Commercial) General Plan designations are in conformance with the subject site's Summerlin Special Land Use designation of EC (Employment Center). The proposed uses are in conformance with those permitted within a EC (Employment Center) special land use district.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Summerlin		
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	

Summerlin: EC (Employment Center)

The Employment Center (EC) land use district will provide employment opportunities for Summerlin residents. These areas may accommodate office, light industry, business, professional, and support commercial services and may include higher density multi-family residential areas.

County/North Las Vegas/HOA Notification

As the notification radius for this application includes lands within Clark County, notification of this request was sent to this entity. At this time Clark County has not responded with comments pertinent to this matter.

Project of Regional Significance

This request was determined to be a Project of Regional Significance. Information relative to this status is provided below.

INTERAGENCY ISSUES

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

- 1) Any Special Use Permit within 500 feet of Clark County

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:

- 2) No comments have been received at the time this report was prepared.

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

ANALYSIS

A) Zoning Code Compliance

- A1) Parking and Traffic Standards

Pursuant to Summerlin Development Standards, the following Parking Standards apply to the subject proposal:

SUP-5549 - Staff Report Page Five
December 16, 2004 - Planning Commission Meeting

Uses	GFA	Required Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Pubs, Bars and Lounges	5,700 SF. (Indoor/ Outdoor)	1 Space / 50 SF. of public and waiting area, including outdoor seating/eating areas, plus 1 Space / 200 SF. of the total remaining GFA, with a minimum of 10 spaces	123	12	535	11
	1,800 SF. (Non- Public)					
Office	140,200 SF.	1 Space / 300 SF.	468	12		
Total	147,700 SF.		579	12		

The commercial office complex, in which the proposed Pub (Tavern) is to be located, is composed of the existing office building (Phase I) and a proposed office building (Phase II). The total parking provided by both phases is insufficient for the proposed Pub (Tavern) with gaming. This application will be consider in conjunction with a Major Deviation (SCD-5551) application to allow for a reduction in required parking.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Summerlin Development Standards that apply to the proposed Pub (Tavern) use; however, there is one similar approved uses within the 1,500-foot notification distance.

B) General Analysis and Discussion

- Zoning**

The subject site is currently zoned P-C (Planned Community) and has both a LI/R (Light Industrial/ Research) and a SC (Service Commercial) General Plan designation. The subject site is located within the Summerlin Special Plan Area and has a land use designated within that plan of EC (Employment Center). The proposed Pub (Tavern) use is within the range of uses permitted, with approval of a Special Use Permit, in the EC (Employment Center) land use district.

SUP-5549 - Staff Report Page Six
December 16, 2004 - Planning Commission Meeting

- **Use**

There are no minimum separation distances or similar criteria that are applicable to the Pubs, Bars & Lounges use category within the Summerlin Development Standards. The proposed location of the use is within 1,500 feet of another Tavern located on the southeast corner of Hualapai Way and Charleston Boulevard. Additionally, the proposed Pub (Tavern) is located within 1,500 feet of the Lutheran Secondary School. Both of these protected uses are separated from the subject site by Charleston Boulevard, a 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways. The commercial office complex in which the Pub (Tavern) is proposed has inadequate parking, therefore the applicant has also applied for a Major Deviation from the Summerlin Development Standards (SCD-5551).

- **Conditions**

There are no base conditions within the Summerlin Development Standards, therefore this application will be subject to the conditions of approval of Site Development Plan Review (CRG-4144), Major Deviation (SCD-5551), and Special Use Permit (SUP-5550).

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 location is part of a larger commercial office complex, which offers a range of different services, therefore the proposed use will be compatible with the surrounding land uses as projected by the General Plan.

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

The subject site is physically suitable for the type of use proposed, as long as the size of the use can accommodate the required amount of parking associated with such a 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.”**

Access to the site is via two 24-foot wide drives from Park Run Drive, as well as one 24-foot wide drive aisle from Indigo Drive and interior drives within the existing commercial subdivision. The provided access ways to the site are adequate in size to meet the requirements of the proposed use.

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

The proposed use on this site will be subject to periodic inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

NOTICES MAILED 381 [Mailed with SCD-5551 & SUP-5550]

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5549** APN: 137-36-811-018

Name of Property Owner: CBS I, LLC

Name of Applicant: Harmon Enterprises, Inc.

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

Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

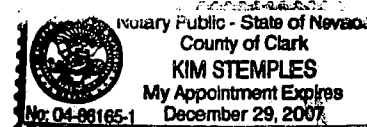
Signature of Property Owner/Authorized Agent:

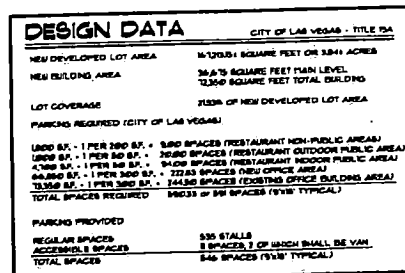
Print Name: Michael Comgar

Subscribed and sworn before me

This 28th day of October, 2004

Kim Samples
Notary Public in and for said County and State



[illegible]

CONTRACTOR		DATE: _____	
ONE OF THESE TWO PERSONS HAS RECEIVED A 30 DAY CONTRACTOR'S ID CARD AND MUST WEAR IT AT ALL TIMES WHEN ON THE JOB		TDDO NUMBER: _____ CONTRACTOR'S IDENTIFICATION OR IDENTIFICATION NUMBER: _____	
NAME OF BUILDING: _____ COMPANY: _____		SIGNATURE: _____ DATE: _____	
TDDO NUMBER: _____ BUILDING NUMBER: _____		SIGNATURE: _____ DATE: _____	

**BRESLIN
BUILDER**

DESIGN & CONSTRUCTION
LICENSED GENERAL CONTRACTOR

LICENS# 6977

8825 POLARIS AVE
SUITE 100
LAS VEGAS, NEVADA 89115

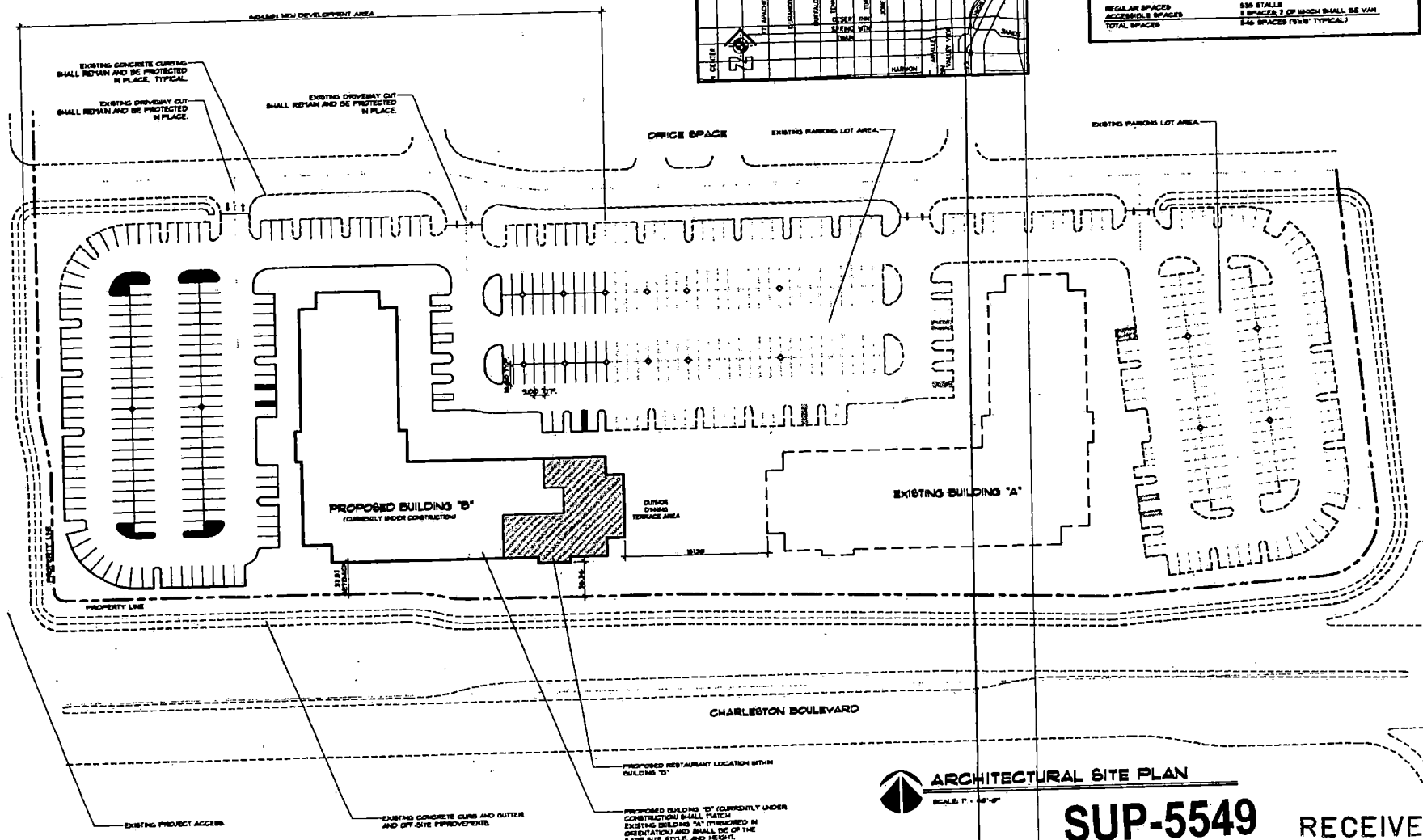
(702) 798-
FAX (702) 798-

Project Owner:
Charleston
Hualapai
Office
10000 Charleston
Boulevard,
Las Vegas, Nevada

Architectural Site Plan with Restaurant

Date: March 17, 2004	Designed By: Yash McShay
Project No.: 1504A	Drawn By: ELC
Architect: City of Las Vegas	Checked By: TAMM

AS1.1



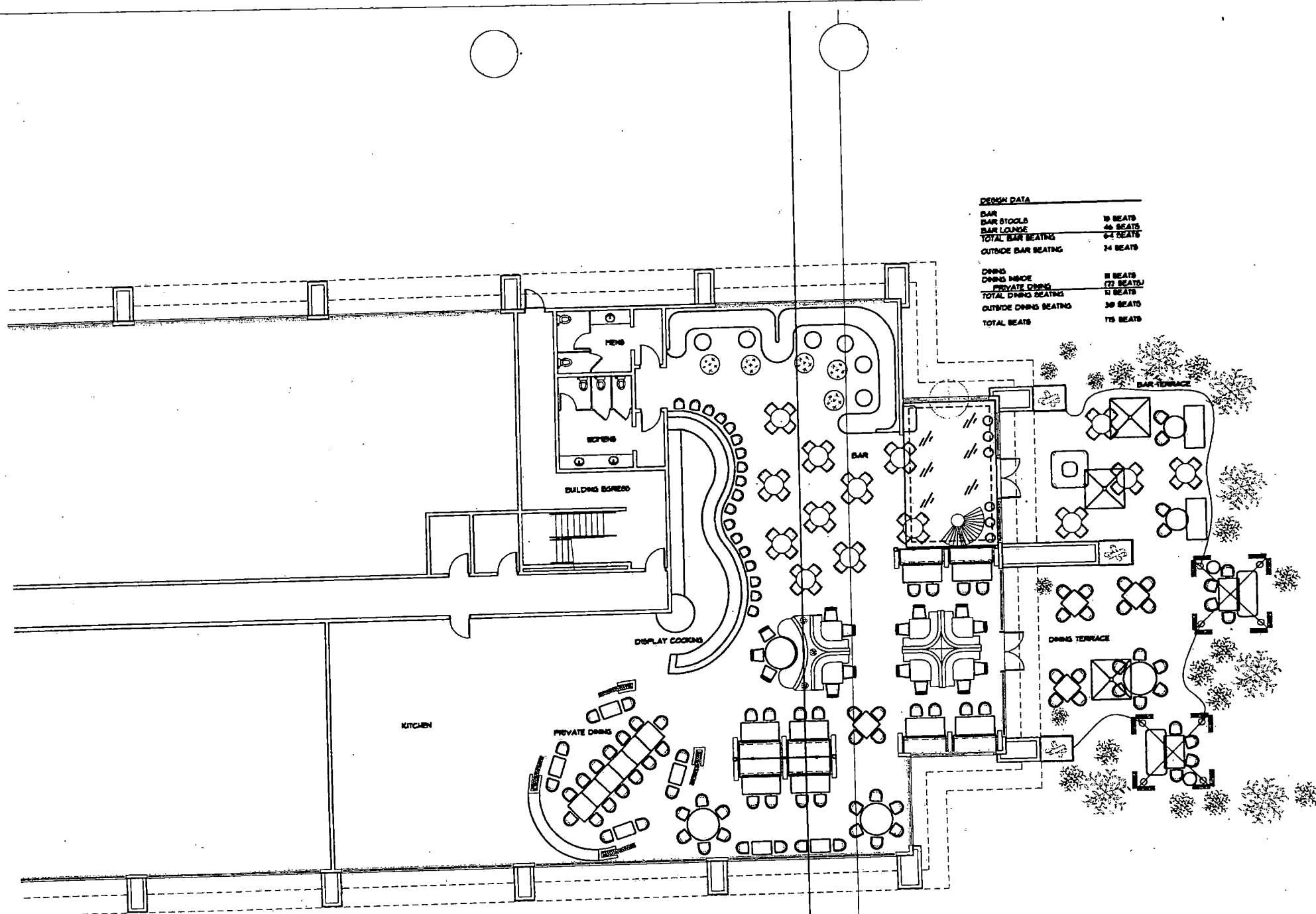
ARCHITECTURAL SITE PLAN

SUP-5549 RECEIVED
12/16/04 PC NOV 01 2004

RECEIVED

12/16/04 PC NOV 01 200

NOV 01 2000



DESIGN DATA	
BAR STOOLS	10 SEATS
BAR LOUNGE	46 SEATS
TOTAL BAR SEATING	56 SEATS
OUTSIDE BAR SEATING	24 SEATS
DINING	11 SEATS
DINING INSIDE	177 SEATS
PRIVATE DINING	11 SEATS
TOTAL DINING SEATING	198 SEATS
OUTSIDE DINING SEATING	30 SEATS
TOTAL SEATS	228 SEATS

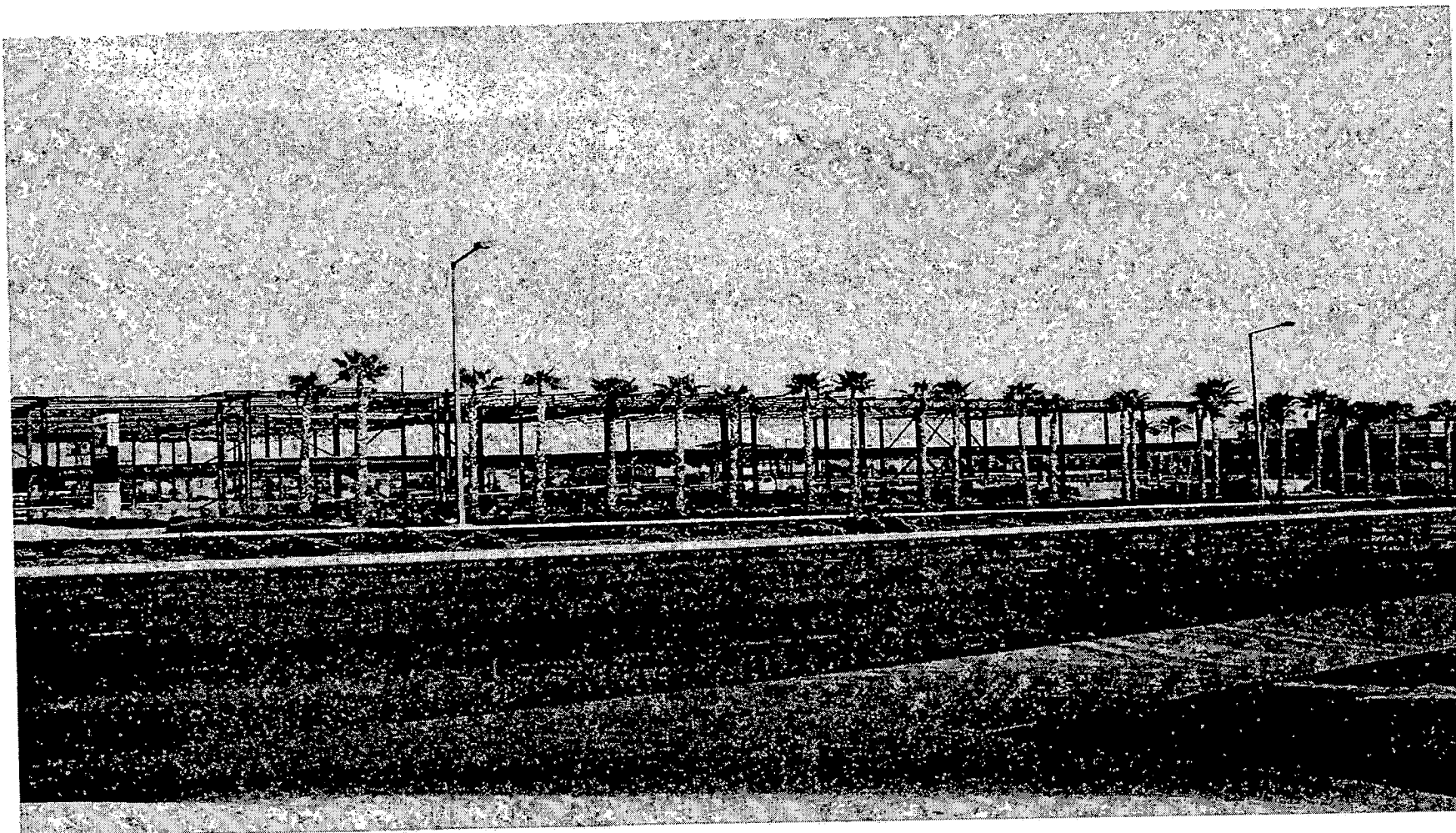
SUP-5549
12/16/04 PC

RECEIVED
 NOV 01 2004



SUP-5549 - APPLICANT: HARMON ENTERPRISES, INC. - OWNER: CBS I, LLC
ADJACENT TO THE NORTHEAST CORNER OF CHARLESTON BOULEVARD AND INDIGO DRIVE
DECEMBER 16, 2004 PLANNING COMMISSION

11/30/04



SUP-5549 - APPLICANT: HARMON ENTERPRISES, INC. - OWNER: CBS I, LLC
ADJACENT TO THE NORTHEAST CORNER OF CHARLESTON BOULEVARD AND INDIGO DRIVE
DECEMBER 16, 2004 PLANNING COMMISSION

11/30/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5550 RELATED TO SCD-5551 AND SUP-5549 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HARMON ENTERPRISES, INC. - OWNER: CBS I, LLC - Request for a Special Use Permit FOR A PROPOSED GAMING USE on 4.74 acres adjacent to the northeast corner of Charleston Boulevard and Indigo Drive (APN 137-36-811-018), P-C (Planned Community) Zone, Ward 2 (Wolfson).

IF APPROVED: C.C.: 01/19/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions, deleting Condition 1 and adding the following condition:

- The hours of operation shall be 7:30 a.m. to 2:30 p.m.
- UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:

See Item 35 [SCD-5551] for all related discussion on Item 35 [SCD-5551], Item 36 [SUP-5549] and Item 37 [SUP-5550].

(8:57 – 9:21)

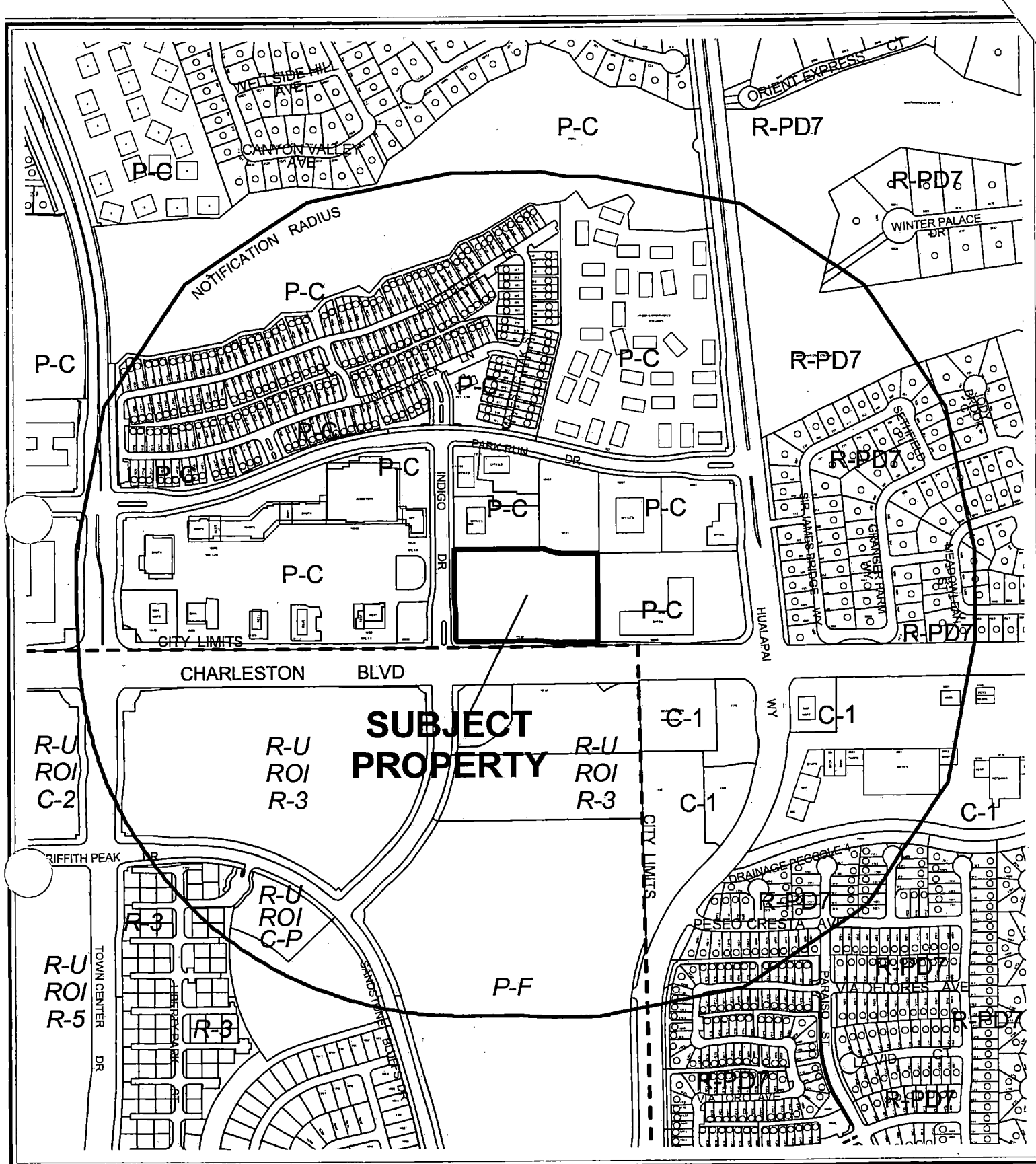
2-2739

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 37 – SUP-5550

CONDITIONS:

Planning and Development

1. The proposed use shall meet the parking requirements as defined in the Summerlin Development Standards.
2. Conformance to Summerlin Development Standards, "Shared Parking", Section 3 h.
3. Proposed exterior building mounted signage must be approved by the developer and the Summerlin Architectural Review Committee prior to obtaining sign permits.
- C 4. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [CRG-4144], Major Deviation [SCD-5551] and Special Use Permit [SUP-5549].
5. 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.
6. The proposed gaming use shall be restricted to not more than fifteen (15) slot machines, which are incidental to the primary business at the establishment, and no other game or gaming devices.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
- C 8. All City Code requirements and design standards of all City departments must be satisfied.



CASE: SUP-5550

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

AGENDA MEMO.

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5550 - APPLICANT: HARMON ENTERPRISES, INC. -

OWNER: CBS I, LLC

**** CONDITIONS ****

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

Planning and Development

1. The proposed use shall meet the parking requirements as defined in the Summerlin Development Standards.
2. Conformance to Summerlin Development Standards, "Shared Parking", Section 3 h.
3. Proposed exterior building mounted signage must be approved by the developer and the Summerlin Architectural Review Committee prior to obtaining sign permits.
4. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [CRG-4144], Major Deviation [SCD-5551] and Special Use Permit [SUP-5549].
5. 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.
6. The proposed gaming use shall be restricted to not more than fifteen (15) slot machines, which are incidental to the primary business at the establishment, and no other game or gaming devices.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
8. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Gaming use on 4.74 acres adjacent to the northeast corner of Charleston Boulevard and Indigo Drive. This application will be considered in conjunction with a Special Use Permit (SUP-5549) for a proposed Pub (Tavern) and a Major Deviation (SCD-5551) from the Summerlin Development Standards for relief from parking requirements.

B) Applicant's Justification

The applicant states that they intent to construct an upscale restaurant (the "Restaurant"), with a Bistro theme on the first floor of a future office building. The applicant further states the following:

- The hours of operation are to be from 7:00 am to 2:30 pm
- Aesthetically, the future office building is to mirror the first phase of the office development, and have been approved in April 2004.
- The applicant states that the proposed uses are sanctioned by Summerlin.
- The project will be located on the north side of Charleston Boulevard, a 100-foot right-of-way.
- Summerlin Development Standards do not require any distance separation.
- "This is an appropriate location for this type of development given the proximity to a primary arterial and the creativity of placing two distinct uses within an office building."
- There are a total of 546 parking spaces provided, where only 490 a required for the office buildings. "With the inclusion of the restaurant, the total amount of parking spaces required is 591 spaces."
- "Although the applicant is seeking a variance to reduce parking, the variance will have minimal practical effect because when the office is close in the evening there will be hundreds of spaces available for patrons of the Restaurant."

BACKGROUND INFORMATION

A) Previous Actions

02/16/94 The City Council approved a Rezoning (Z-0135-93) application to reclassify the subject property from N-U (Non-Urban) to P-C (Planned Community) as part of a larger request. The Planning Commission and staff both recommended approval.

SUP-5550 - Staff Report Page Two
December 16, 2004 - Planning Commission Meeting

- 10/23/97 The City Referral Group approved a Site Development Plan Review (SV-0038-97) for proposed commercial office complex located in Village 11/12 East Commercial Center. Staff recommendation not available. (Phase I).
- 04/14/04 The City Referral Group approved a Site Development Plan Review for a 72,000 square foot office building located on the northeast corner of Charleston Boulevard and Indigo Street in Howard Hughes Plaza. Staff recommended approval. (Phase II).
- 09/15/04 The City Council approved a revised development standards manual for Summerlin (DIR-3934). The Planning Commission and Staff both recommended approval.

B) Pre-Application Meeting

- 10/21/04 A Pre-application conference was held, resulting in the following comments:
1. The original site parking was calculated out for an office use only.
 2. A new parking analysis is to be submitted on or with the site plan.
 3. Special Use Permits are need for both the Pub and Gaming.

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

Gross Acres: 4.74

B) Existing Land Use

Subject Property: Undeveloped (Proposed Second Phase of the Hughes Office Development)

North: Under construction (Proposed Commercial Office Complex)

South: Commercial/Retail Center

East: Office Building "A" (First Phase of the Hughes Office Development)

West: Commercial/Retail Center

SUP-5550 - Staff Report Page Three
December 16, 2004 - Planning Commission Meeting

C) *Planned Land Use*

Subject Property: LI/R (Light Industrial/ Research)
SC (Service Commercial)
North: SC (Service Commercial)
South: Clark County
East: LI/R (Light Industrial/ Research)
West: LI/R (Light Industrial/ Research)
SC (Service Commercial)

D) *Existing Zoning*

Subject Property: P-C (Planned Community) [EC (Employment Center)]
North: P-C (Planned Community) [EC (Employment Center)]
South: Clark County (Commercial)
East: P-C (Planned Community) [EC (Employment Center)]
West: P-C (Planned Community) [EC (Employment Center)]

E) *General Plan Compliance*

The subject parcel is designated both LI/R (Light Industrial/ Research) and SC (Service Commercial) within the Southwest Sector Land Use Map of the General Plan. The LI/R (Light Industrial/ Research) and SC (Service Commercial) General Plan designations are in conformance with the subject site's Summerlin Special Land Use designation of EC (Employment Center). The proposed uses are in conformance with those permitted within a EC (Employment Center) special land use district.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Summerlin		
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	

Summerlin: EC (Employment Center)

The Employment Center (EC) land use district will provide employment opportunities for Summerlin residents. These areas may accommodate office, light industry, business, professional, and support commercial services and may include higher density multi-family residential areas.

County/North Las Vegas/HOA Notification

As the notification radius for this application includes lands within Clark County, notification of this request was sent to this entity. The County indicated by letter that it had no comment with respect to this application.

Project of Regional Significance

This request was determined to be a Project of Regional Significance. Information relative to this status is provided below.

INTERAGENCY ISSUES

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

1) Any Special Use Permit within 500 feet of Clark County

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:

2) No comments have been received at the time this report was prepared.

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Summerlin Development Standards, the following Parking Standards apply to the subject proposal:

SUP-5550 - Staff Report Page Five
December 16, 2004 - Planning Commission Meeting

Uses	GFA	Required Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Pubs, Bars and Lounges	5,700 SF. (Indoor/ Outdoor) 1,800 SF. (Non- Public)	1 Space / 50 SF. of public and waiting area, including outdoor seating/eating areas, plus 1 Space / 200 SF. of the total remaining GFA, with a minimum of 10 spaces	123	12	535	11
Office	140,200 SF.	1 Space / 300 SF.	468	12		
Total	147,700 SF.		579	12		

The commercial office complex, in which the proposed Pub (Tavern) is to be located, is composed of the existing office building (Phase I) and a proposed office building (Phase II). The total parking provided by both phases is insufficient for the proposed Pub (Tavern) with gaming. This application will be consider in conjunction with a Major Deviation (SCD-5551) application to allow for a reduction in required parking.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Summerlin Development Standards that apply to the proposed Gaming use; however, there is one similar approved use within the 1,500-foot notification distance.

B) General Analysis and Discussion

- Zoning**

The subject site is currently zoned P-C (Planned Community) and has both a LI/R (Light Industrial/ Research) and a SC (Service Commercial) General Plan designation. The subject site is located within the Summerlin Special Plan Area and has a land use designated within that plan of EC (Employment Center). The proposed Gaming use is within the range of uses permitted, with approval of a Special Use Permit, in the EC (Employment Center) land use district.

SUP-5550 - Staff Report Page Six
December 16, 2004 - Planning Commission Meeting

- Use

There are no minimum separation distances or similar criteria that are applicable to the Gaming use category within the Summerlin Development Standards. The proposed location of the use is within 1,500 feet of another Tavern with gaming located on the southeast corner of Hualapai Way and Charleston Boulevard. The before mentioned Tavern use is separated from the subject site by Charleston Boulevard, a 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways. The commercial office complex in which the Pub (Tavern) with Gaming is proposed has inadequate parking, therefore the applicant has also applied for a Major Deviation from the Summerlin Development Standards (SCD-5551).

- Conditions

There are no base conditions within the Summerlin Development Standards, therefore this application will be subject to the conditions of approval of Site Development Plan Review (CRG-4144), Major Deviation (SCD-5551), and Special Use Permit (SUP-5549).

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 location is part of a larger commercial office complex, which offers a range of different services, therefore the proposed use will be compatible with the surrounding land uses as projected by the General Plan.

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

The subject site is physically suitable for the type of use proposed, as long as the size of the use can accommodate the required amount of parking associated with such a 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."**

SUP-5550 - Staff Report Page Seven
December 16, 2004 - Planning Commission Meeting

Access to the site is via two 24-foot wide drives from Park Run Drive, as well as one 24-foot wide drive aisle from Indigo Drive and interior drives within the existing commercial subdivision. The provided access ways to the site are adequate in size to meet the requirements of the proposed use.

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

The proposed use on this site will be subject to periodic inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

NOTICES MAILED 381 [Mailed with SUP-5549 & SCD-5551]

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Harmon Enterprises, Inc.

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

 Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: Michael Corrigan

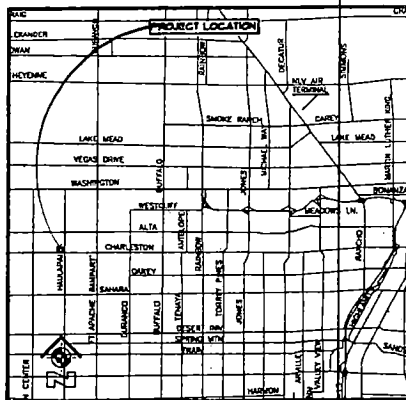
Print Name: _____

Subscribed and sworn before me

This 15th day of November, 2004

Kim Stamples
Notary Public in and for said County and State





DESIGN DATA	
CITY OF LAS VEGAS - TITLE 52A	
NEW DEVELOPED LOT AREA	16,720.51 SQUARE FEET OR 3.841 ACRES
NEW BUILDING AREA	36,475 SQUARE FEET MAIN LEVEL 12,359 SQUARE FEET TOTAL BUILDING
LOT COVERAGE	21.53% OF NEW DEVELOPED LOT AREA
PARKINGS REQUIRED (CITY OF LAS VEGAS)	
1,000 SF. - 1 PER 300 SF. - 1,200 SPACES (RESTAURANT NON-PUBLIC AREA)	
1,000 SF. - 1 PER 50 SF. - 20,000 SPACES (RESTAURANT OUTDOOR PUBLIC AREA)	
4,700 SF. - 1 PER 50 SF. - 9,400 SPACES (RESTAURANT INDOOR PUBLIC AREA)	
60,000 SF. - 1 PER 300 SF. - 200 SPACES (NEW OFFICE AREA)	
13,350 SF. - 1 PER 300 SF. - 44,500 SPACES (EXISTING OFFICE BUILDING AREA)	
TOTAL SPACES REQUIRED	99,850 (15% TYPICAL)
PARKINGS PROVIDED	
REGULAR SPACES	535 STALLS
ACCESSIBLE SPACES	8 SPACES, 2 OF WHICH SHALL BE VAN
TOTAL SPACES	543 SPACES (15% TYPICAL)

REVISIONS		
Rev.	Date	Description

CONTRACTOR	
NAME	
PHONE	
FAX	
EMAIL	
WEBSITE	
ADDRESS	
CITY	
STATE	
ZIP	

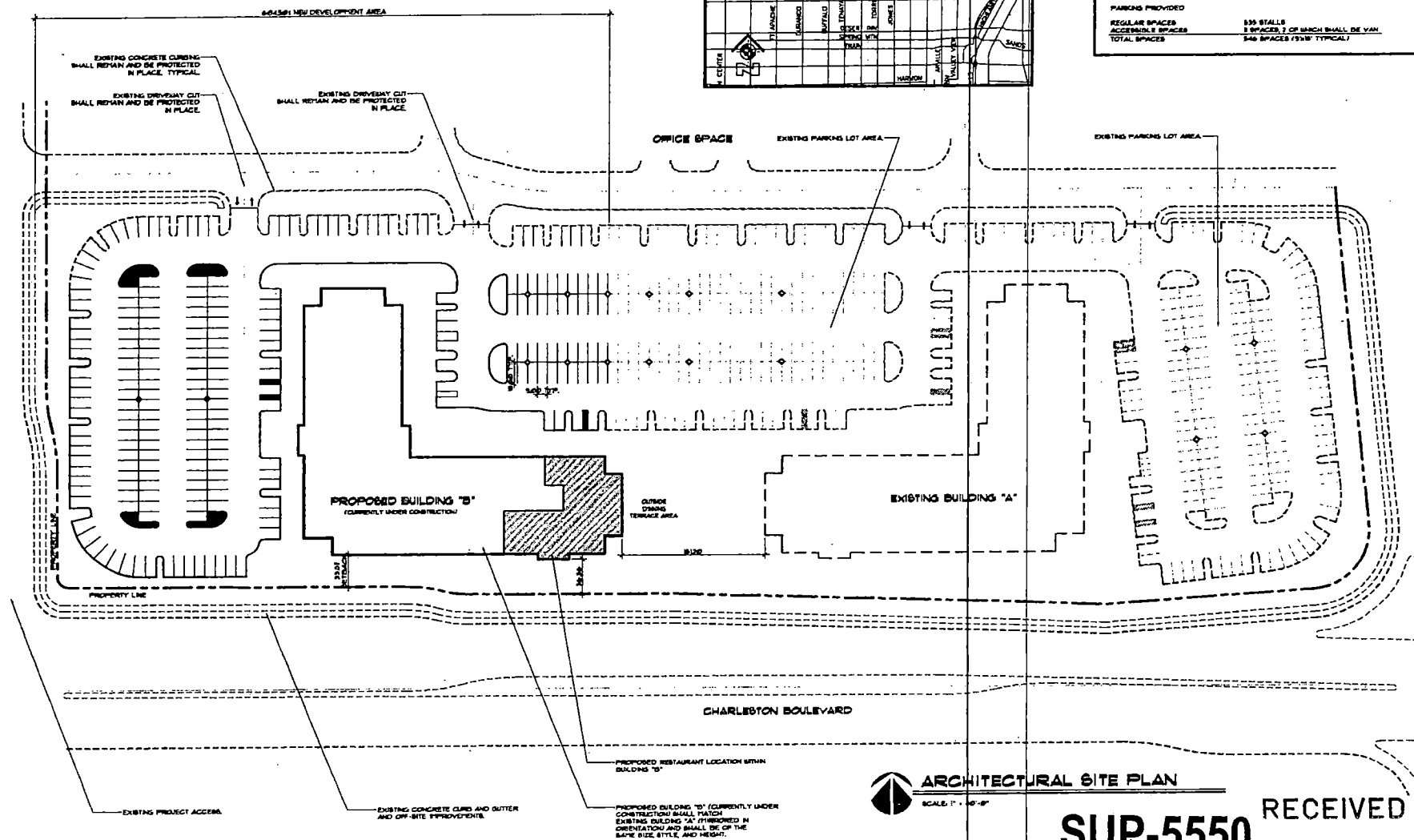
DRESLIN BUILDERS
 DESIGN & CONSTRUCTION
 LICENSED GENERAL CONTRACTORS
 LICENSE # 10000
 8025 POLARIS AVENUE, SUITE 8
 LAS VEGAS, NEVADA 89118
 (702) 798-8877
 FAX (702) 798-3828
 www.dreslinbuilders.com

Project Owner:
Charleston Hualapai Office
 10000 Charleston Boulevard,
 Las Vegas, Nevada

Sheet Title:
Architectural Site Plan with Restaurant

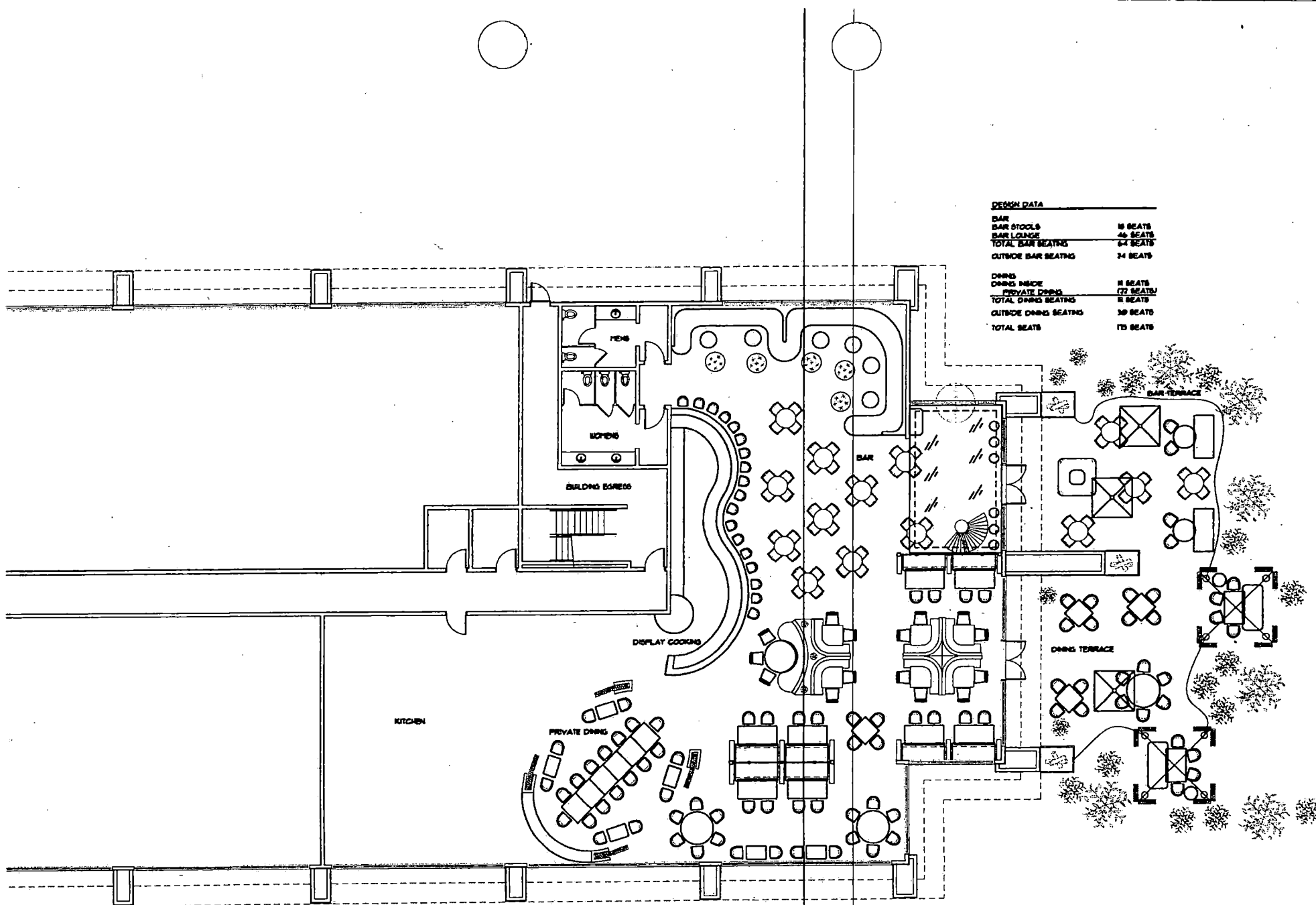
Client:	March 17, 2004	Designed By:	Todd McElroy
Project No.:	10044	Drawn By:	SJM
Architect:	City of Las Vegas	Checked By:	FAB/AB

AS1.1r



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

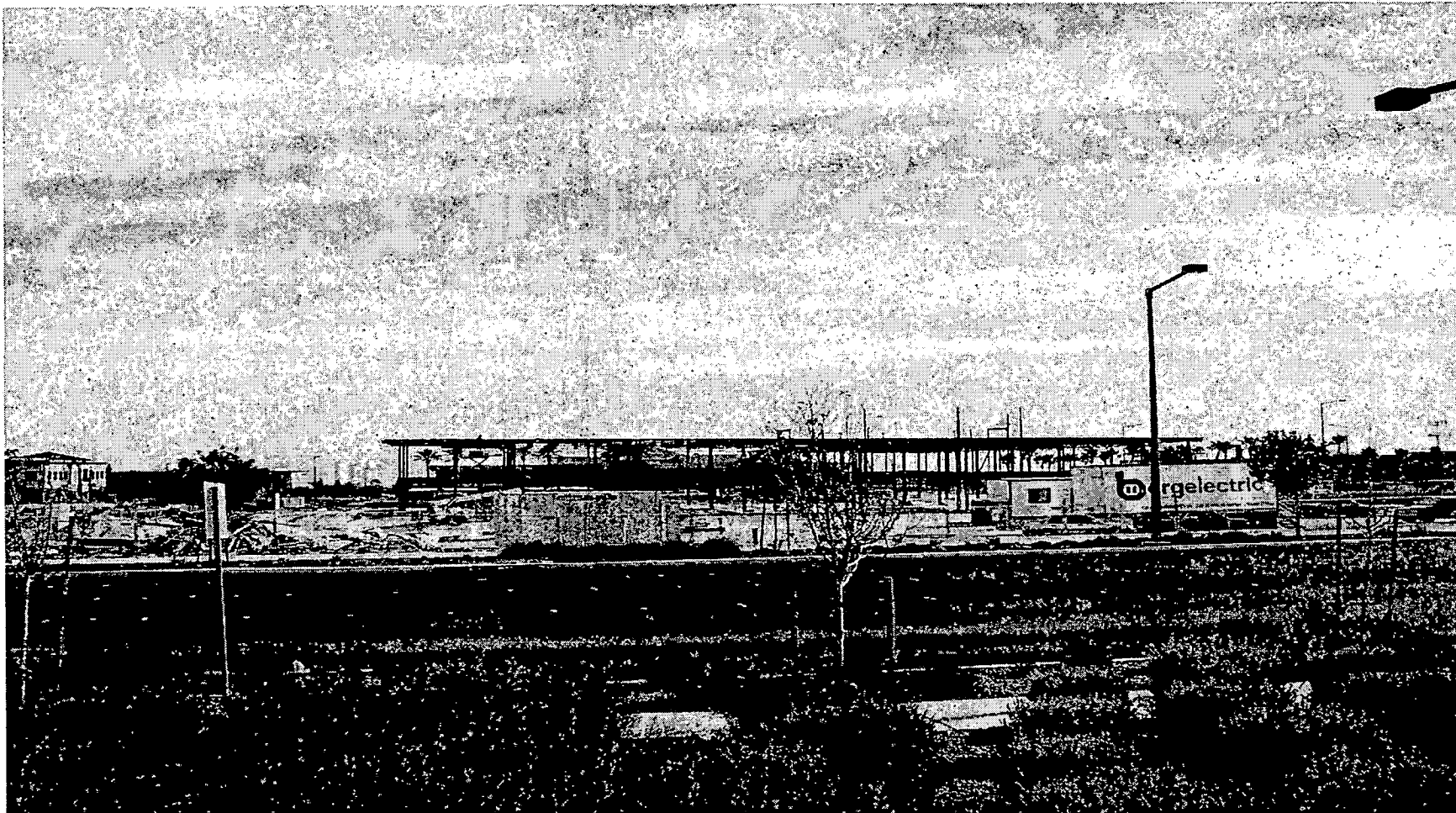
SUP-5550
12/16/04 PC
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DESIGN DATA	
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BAR STOOLS	44 SEATS
BAR LOUNGE	24 SEATS
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DINING INSIDE	11 SEATS
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OUTSIDE DINING SEATING	30 SEATS
TOTAL SEATS	175 SEATS

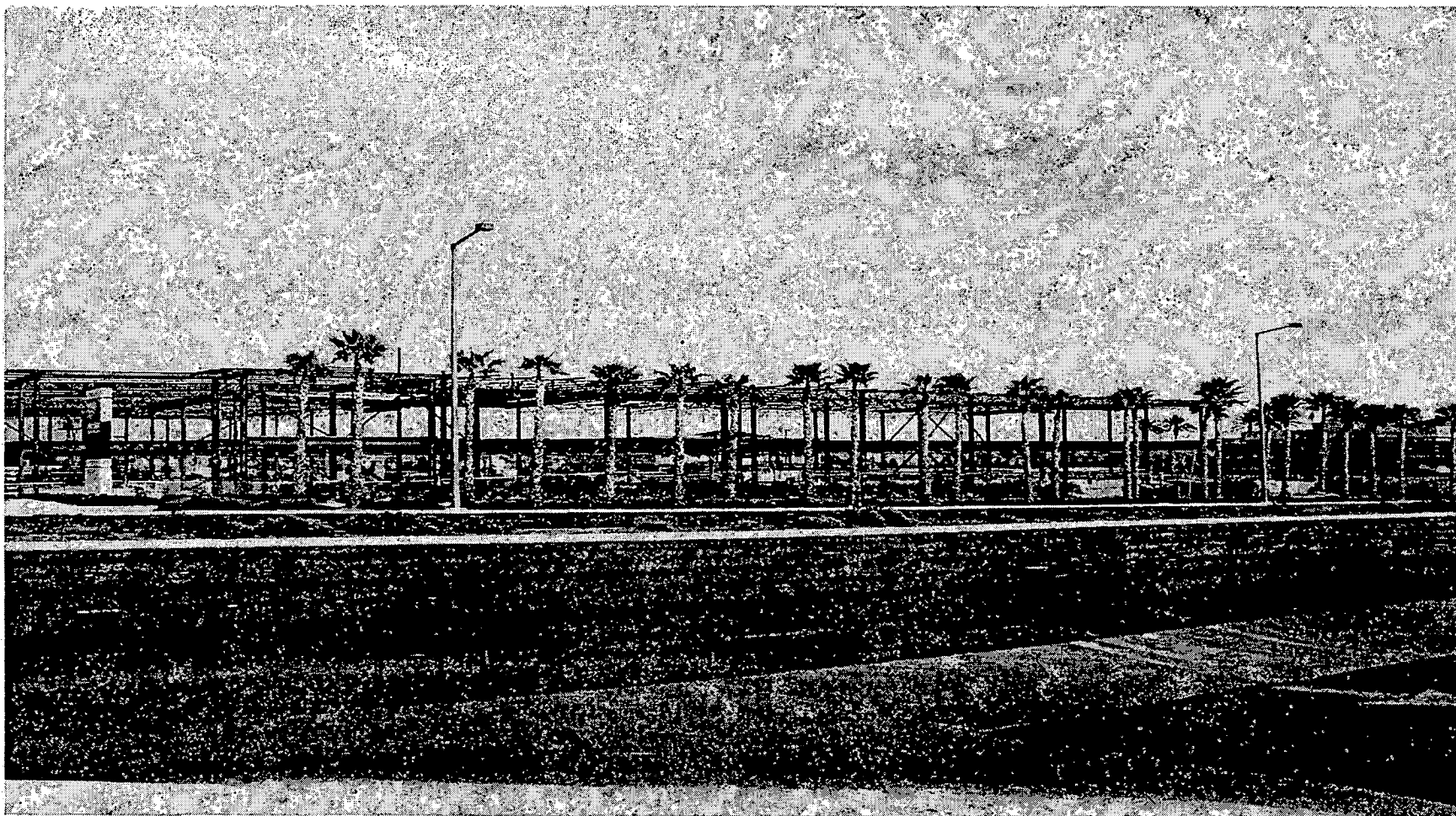
SUP-5550
12/16/04 PC

RECEIVED
 NOV 01 2004



SUP-5550 - APPLICANT: HARMON ENTERPRISES, INC. - OWNER: CBS I, LLC
ADJACENT TO THE NORTHEAST CORNER OF CHARLESTON BOULEVARD AND INDIGO DRIVE
DECEMBER 16, 2004 PLANNING COMMISSION

11/19/04



SUP-5550 - APPLICANT: HARMON ENTERPRISES, INC. - OWNER: CBS I, LLC
ADJACENT TO THE NORTHEAST CORNER OF CHARLESTON BOULEVARD AND INDIGO DRIVE
DECEMBER 16, 2004 PLANNING COMMISSION

11/19/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SUP-5554 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SCOTT ASHJIAN - OWNER: W.I.T. BRO, INC. D/B/A A & A ASPHALT PAVING COMPANY
- Request for a Special Use Permit FOR A PROPOSED AUTO DETAIL FACILITY at 4485 North Rainbow Boulevard (APN 138-03-602-013), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 01/19/05**IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)****PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions – **UNANIMOUS** with **TRUESDELL** abstaining because the adjacent property is owned by an individual who is his partner in a real estate transaction and **DAVENPORT** and **McSWAIN** excused

To be heard by City Council 1/19/2005**MINUTES:**

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 38 [SUP-5554] and Item 39 [SDR-5553].

GARY LEOBOLD, Planning & Development Department, explained that the Special Use Permit application is for a proposed auto detail facility to be located on the back portion of the subject property. The use would consist of one building with a detailing shop inside the structure and two tents, one for vacuuming and one for washing the vehicles. The tents are arranged so that the vehicles would enter through the wash tent and leave from the detailing shop.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 38 – SUP-5554

MINUTES – Continued:

He indicated that there is a mini-storage facility to the west of the site, a veterinary clinic to the south and a single-family dwelling to the north. The site is designated as O (Office) and the use is approximately 210 feet from the residential dwelling. Staff did not identify any issues in connection with the proposed development as far as the Use Permit was concerned.

MR. LEOBOLD stated that regarding the Site Plan Review, there was originally a request for parking and perimeter landscaping waivers but after the plan's revision, only the perimeter-landscaping waiver remains for an area of the property line on the west edge of the property, adjacent to the mini-storage facility. The wall of that mini-storage facility comes up to the property line. Because of this, staff feels the request to waive landscaping in that area is appropriate due to concerns about watering up against that wall.

JACK LOHMAN, Manager, Poggemeyer Design Group, 2601 North Tenaya Way, appeared on behalf of the applicant and concurred with all conditions and the recommendations. He requested approval on both applications.

COMMISSIONER STEINMAN asked if an area shown in blue on the site map was going to be completely paved. MR. LOHMAN confirmed that it would be. The Commissioner then asked about the tents. He wanted to know how tall they would be and if they were visible from outside the property. MR. LOHMAN deferred the question to the property owner. SCOTT ASHIJAN, 4485 North Rainbow Boulevard, explained to COMMISSIONER STEINMAN that the tents would serve to provide shade for the interior of the property. He stated that there is an existing 18-foot wall on the mini storage side of the property, the veterinarian clinic on the other and that the land to the north is undeveloped.

COMMISSIONER STEINMAN confirmed with MR. LEOBOLD that the tents would be considered temporary structures by Code and that they could remain there forever. MR. LEOBOLD reminded the Commissioner that in the past, it has been said that there is nothing more permanent than a temporary structure.

MR. LOHMAN replied that with an 18-foot wall on the north property line it would not be likely that much of the tent would be visible from the north. The mini-storage facility would also prevent the tent from being seen from the back as well. To the south, the veterinary clinic's large building would shield the tent from view and to the front, there is the existing facility. In his opinion, the tents would not be obtrusive. MR. ASHIJAN pointed out that his office would be in the building in front of the tent and there is a gate in the back that when closed, prevents anyone from seeing into the yard from that direction.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 38 – SUP-5554

MINUTES – Continued:

COMMISSIONER STEINMAN stated he did not want to see a garishly colored tent from Rainbow Boulevard. MR. LOHMAN assured him it would be a relatively low-key facility.

MARGO WHEELER, Deputy Director, Planning & Development Department, informed the Commission that if Item 39 [SDR-5553] were to be approved, Condition 3 would require an amendment. The verbiage indicated plans date stamped 11/01/2004 and the correct date would be 12/08/2004.

C No one appeared in opposition.

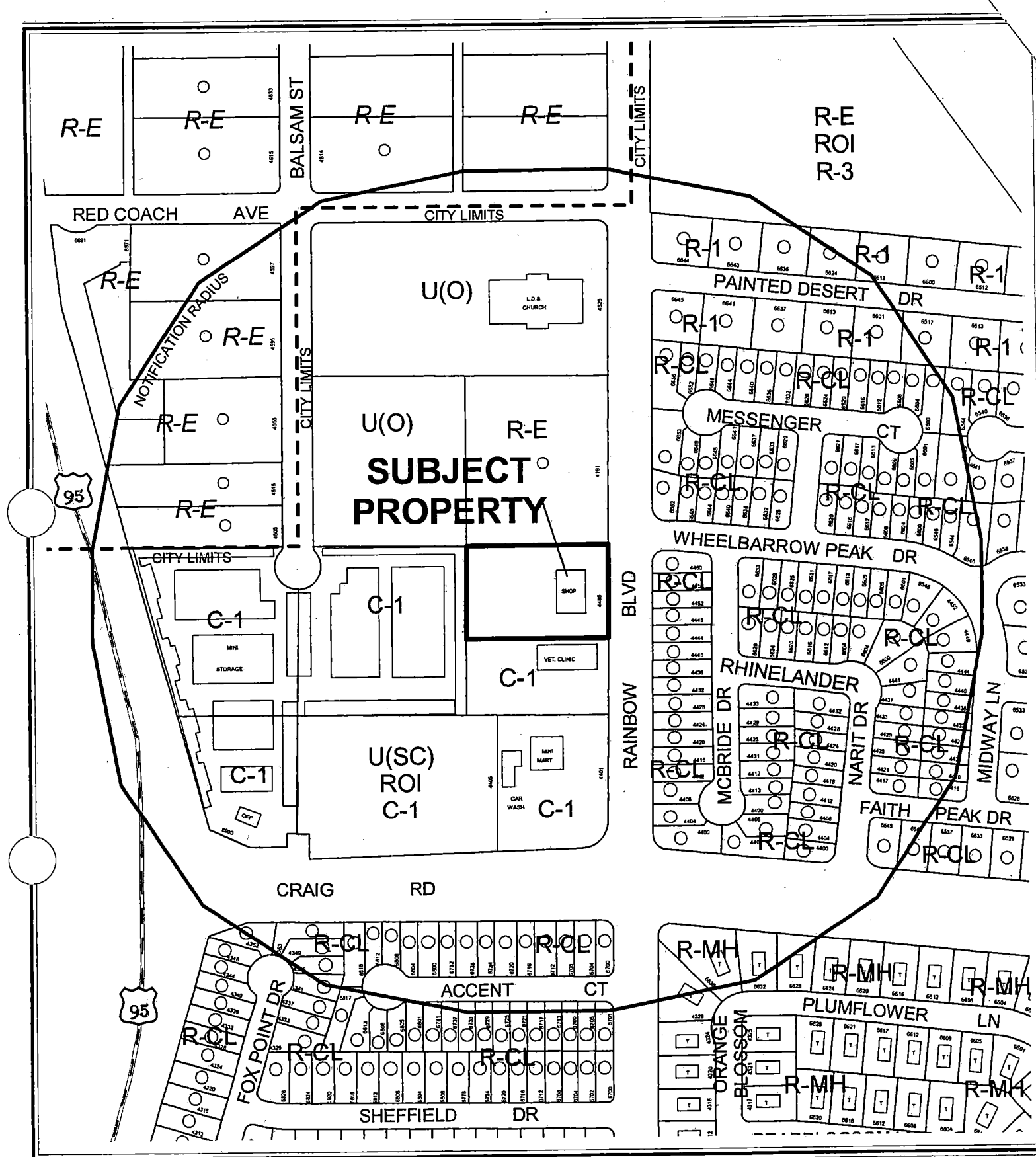
VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 38 [SUP-5554] and Item 39 [SDR-5553].

(9:21 – 9:27)
3-230

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5553.
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.



CASE: SUP-5554
RADIUS: 750 FT
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

City of Las Vegas

AGENDA MEMO.

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-5554 - APPLICANT: SCOTT ASHJIAN - OWNER:
W.I.T. BRO, INC. D/B/A A & A ASPHALT PAVING COMPANY

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5553.
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.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a proposed Auto Detail Facility at 4485 North Rainbow Boulevard.

B) Applicant's Justification

A letter has been submitted with this application presenting the following justification for the request:

- The proposed use would be located in an area that is already developed as a commercial area and would be buffered from public view from the street by an existing building on the front portion of the lot.
- The subject site is physically suitable for this type of development, because it would allow a relatively low intensity commercial use and improve the area with a modern commercial building, parking, and landscaping. The area is currently a vacant dirt lot.
- There is existing access from Rainbow Boulevard, and adequate parking and circulation are provided as shown in the site plan.
- The proposal is consistent with the General Plan land use designation of SC (Service Commercial) and the C-1 Zoning District (with the approval of the Special Use Permit).
- The proposal is consistent with the public health, safety and welfare, and, in fact, will provide a needed service for the community, employment opportunities for six to eight persons, and an additional tax base for the City.

BACKGROUND INFORMATION

A) Actions

07/12/99 The City Council approved a request for Rezoning (Z-0029-99) the subject property from R-E (Residence Estates) to C-1 (Limited Commercial) subject to a Resolution of Intent with a one-year time limit. The Planning Commission and staff recommended approval.

07/12/00 The Resolution if Intent on the subject site expired.

SUP-5554 - Staff Report Page Two
December 16, 2004 - Planning Commission Meeting

- 12/18/02 The City Council approved a request for Rezoning (ZON-1112) the subject property from R-E (Residence Estates) to C-1 (Limited Commercial) to convert a single-family home into a professional office building. The Planning Commission and staff recommended approval on 11/21/02.
- 12/16/004 The Planning Commission is to consider in conjunction with this application a request for a proposed 2,200 square-foot Auto Detail Facility and a Waiver of perimeter landscaping standards on the subject property.

B) Pre-Application Meeting

- 10/28/04 The staff met with the prospective applicant who indicated an interest in establishing an Auto Detail Facility on the subject site. Since the use is only permitted in a C-1 (Limited Commercial) zoning district with a Special Use Permit, the staff reviewed these procedures and requirements.

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

Net Acres: 1.21 Acres

B) Existing Land Use

Subject Property: Office building
North: Single-family dwelling
South: Veterinary clinic
East: Single-family dwellings
West: Mini-storage facility

C) Planned Land Use

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

SUP-5554 - Staff Report Page Three
December 16, 2004 - Planning Commission Meeting

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: R-E (Residence Estates)
South: C-1 (Limited Commercial)
East: R-CL (Residential Compact Lot)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) within the Centennial Hills Sector Plan of the General Plan. The present zoning of C-1 (Limited Commercial) is in conformance with this land use designation. The proposed Auto Detail Facility is allowed in the C-1 district subject to the approval of a Special Use Permit.

<i>SPECIAL DISTRICTS/ZONES</i>	<i>Yes</i>	<i>No</i>
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	

The site is not subject to any special districts or trail requirements. The proposed use is a Project of Regional Significance, which is discussed below.

INTERAGENCY ISSUES

Because the use is within 500 feet of land in the unincorporated portion of Clark County, pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance." An Environmental Impact Assessment questionnaire was circulated to the affected agencies and entities for the mandated 15-day period. No comments have been received.

ANALYSIS

A) Zoning Code Compliance

There are no specific Title 19 restrictions that are applicable to an Auto Detail Facility. However, the use does require the approval of a Special Use Permit.

DDS

B) General Analysis and Discussion

- Zoning

The subject property is zoned C-1 (Limited Commercial). An Auto Detail Facility is permitted in a C-1 (Limited Commercial) zoning district subject to the approval of a Special Use Permit.

- Use

An Auto Detail Facility is: "Any building or premises used for washing and cleaning of passenger vehicles." Unlike a self-service car wash, the detailing would be accomplished by trained persons who would perform this service.

- Conditions

There are no specific conditions of Title 19 that are applicable to an Auto Detail Facility.

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."**

To the west of the subject property is a mini-storage facility and to the south is a veterinarian clinic. On property to the north is a single-family dwelling in an O (Office) land use designation. The dwelling is located approximately 210 feet from the subject property. Across the street are single-family residences that would be screened from view by an existing office building to the front of the property that is owned by the applicant. The proposed Auto Detail Facility would be harmonious and compatible to existing and future land uses, particularly with the perimeter buffers proposed.

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

The subject site has sufficient land area to support an Auto Detail Facility and to meet the requirements for the 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 Auto Detail Facility would have access to Rainbow Boulevard, a secondary collector (80-foot wide) street. The street is designed to provide adequate access to the property.

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 Auto Detail Facility would be subject to periodic inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

NOTICES MAILED 181 [Mailed with SDR-5553]

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5554 APN: 138-03-602-013

Name of Property Owner: W.I.T.BRO Inc. c/o Scott Ashjian

Name of Applicant: Scott Ashjian

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: _____

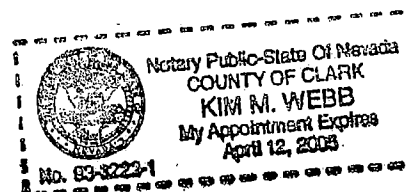
Signature of Property Owner/Authorized Agent: _____

Print Name: Scott Ashjian

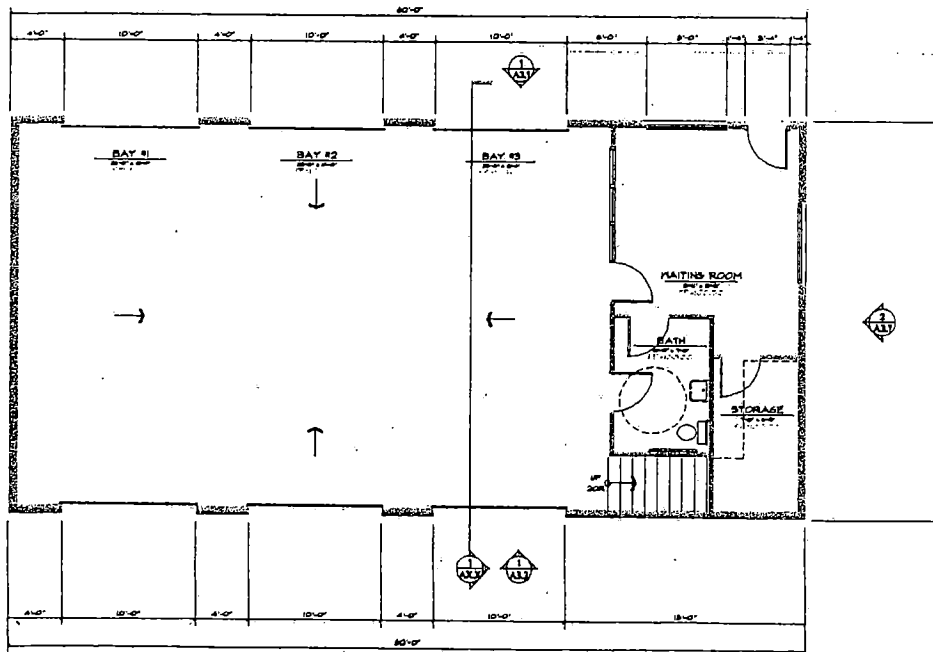
Subscribed and sworn before me

This 27th day of October, 2004

Kenneth Webb
Notary Public in and for said County and State



Jonathan Allgale
Architect
3727 Champagne Wood Dr
North Las Vegas, NV 89033
consultor



PLAN NOTES

1. REFER TO STRUCTURAL DRAWINGS FOR ADDITIONAL NOTES AND DETAILS PERTAINING TO FOUNDATION STRUCTURE.
2. ALL STEEL BARS, HOLDINGS, FORTIFIERS, ETC. SHALL BE WELDED IN PLACE PRIOR TO THE FOUNDATION FORMWORK INSPECTION. THE CONCRETE CONTRACTOR AND FRAMING CONTRACTOR SHALL COORDINATE THE PLACEMENT OF ALL CONNECTORS.
3. FINISH FLOOR SHALL BE 6" ABOVE FINISHED GRADE. GRADE SHALL SLOPE AWAY FROM THE BUILDING.
4. CONCRETE CONTRACTOR SHALL PROVIDE UFER BRANDS NEAR THE ELECTRIC METER. COORDINATE WITH THE ELECTRICAL CONTRACTOR.
5. FOUNDATION SUPPORTER BRANDS SHALL EXTEND AT LEAST 6" ABOVE THE ADJACENT FINISHED GRADE.
6. ALL FOUNDATION BILLS AND PLATES ON A CONCRETE SLAB WHICH ARE IN DIRECT CONTACT WITH THE EARTH SHALL BE PRESURE TREATED DOUGLAS-FIR OR FOUNDATION GRADE REDWOOD.
7. REFER TO MECHANICAL FOR DRYER VENT INFORMATION.
8. ALL ANGLES SHALL BE 45 DEGREES MIN.
9. DIMENSIONS ARE TO FINISHED SURFACE UNLESS NOTED OTHERWISE.
10. ALL SLIDING GLASS DOORS AND FRENCH DOORS TO HAVE TOP-PIECED GLASS.
11. SHOWER DOORS SHALL BE SAFETY GLASS.

AREA CALCULATIONS

FIRST FLOOR	1800	SQ. FT.
MEZANINE	420	SQ. FT.
TOTAL	2220	SQ. FT.

NOTES

1. 3/4" STEEL WITH 1/2" STIFFEN BOARD EACH SIDE
2. 3/4" STEEL WITH 1/2" STIFFEN BOARD EACH SIDE

WALL SCHEDULE

DRAWING DETAIL NUMBER
ELEVATION NUMBER
SHEET NUMBER

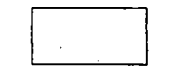
DRAWING DETAIL NUMBER
DIRECTION OF CUT
ELEVATION NUMBER
SHEET NUMBER

DOOR PER SCHEDULE
WINDOW PER SCHEDULE
ROOFING/CEILING

SYMBOLS & LEGEND

A&A Paving
Auto Detailing Facility
Craig Road & Rainbow Blvd
Las Vegas, NV

Keyplan



Revision Log

1	12/16/04	1
---	----------	---

Project No
03-215

Drawn By
FPE

Checked By
JWA

City of Las Vegas Planning Submittal
09.08.04

Sheet Content

First Floor Plan

Sheet No

A2.1

SUP-5554
12/16/04 PG

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NOV 01 2004

Jonathan Allgaler
Architect
3727 Champagne Wood Drive
North Las Vegas, NV 89031
consultant

1401

project name

A&A Paving
Auto Detailing Facility
Craig Road & Rainbow Blvd
Las Vegas, NV

keyplan



revision log



Project No.

03-215

Drawn By

FPD

Checked By

JWA

City of Las Vegas Planning Submittal

09.08.04

Sheet Content

Mezzanine Floor Plan

Sheet No.

A2.2

PLAN NOTES

1. REFER TO STRUCTURAL DRAWINGS FOR ADDITIONAL NOTES AND DETAILS PERTAINING TO FOUNDATION STRUCTURE.
2. ALL STEEL BARS, HOLDINGS, POSTERS, ETC. SHALL BE PLACED PRIOR TO THE FOUNDATION POURING. INSPECTION, THE CONCRETE CONTRACTOR AND FRAMING CONTRACTOR SHALL COORDINATE THE PLACEMENT OF ALL CONNECTORS.
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11. SHOWER DOORS SHALL BE SAFETY GLASS.

AREA CALCULATIONS

FIRST FLOOR	1800	SQ. FT.
MEZZANINE	420	SQ. FT.
TOTAL	2220	SQ. FT.

NOTES

- 2x4 STUDS WITH 1/2" SYSTEM BOARDS EACH SIDE
- 2x4 STUDS WITH 1/2" SYSTEM BOARDS EACH SIDE

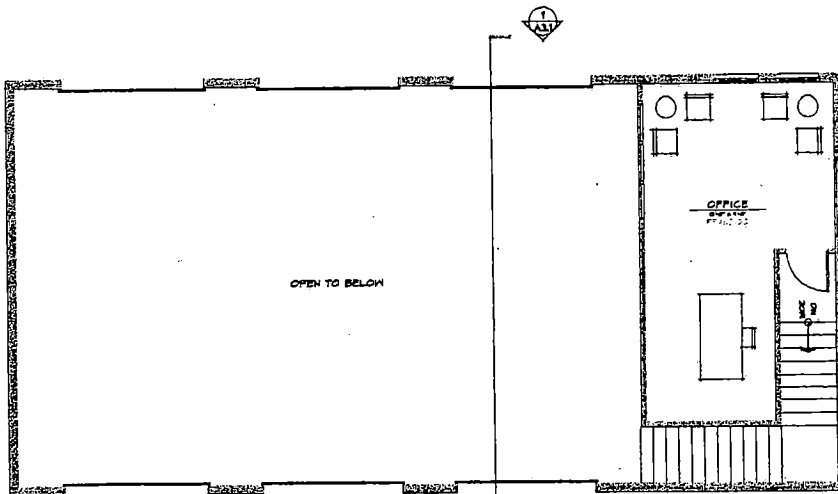
WALL SCHEDULE

DRAWING/DETAIL NUMBER
ELEVATION REFERENCE
SHEET NUMBER

DRAWING/DETAIL NUMBER
ELEVATION REFERENCE
SHEET NUMBER

DOOR PER SCHEDULE
WINDOW PER SCHEDULE
SOFFIT/DROPPED CEILING

SYMBOLS & LEGEND



MEZZANINE FLOOR PLAN

1/2" = 1'-0"

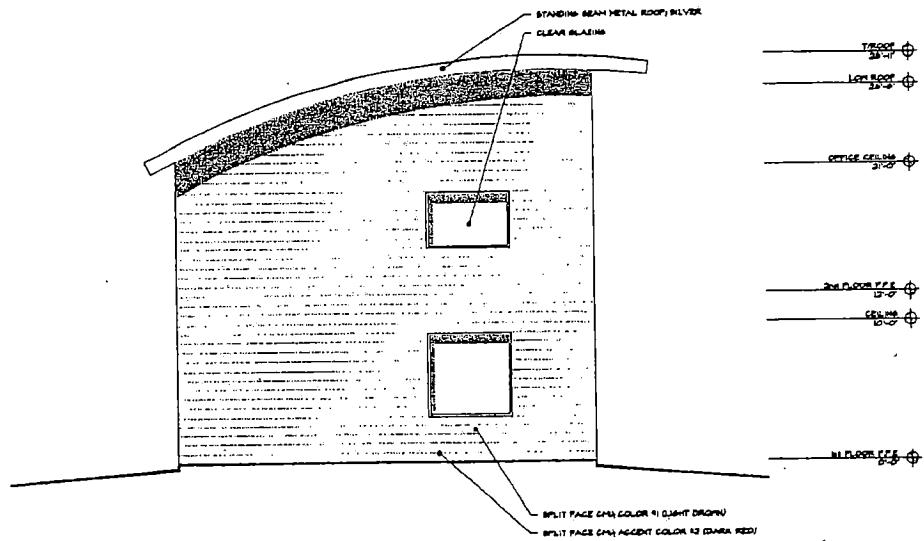


1/2" = 1'-0"

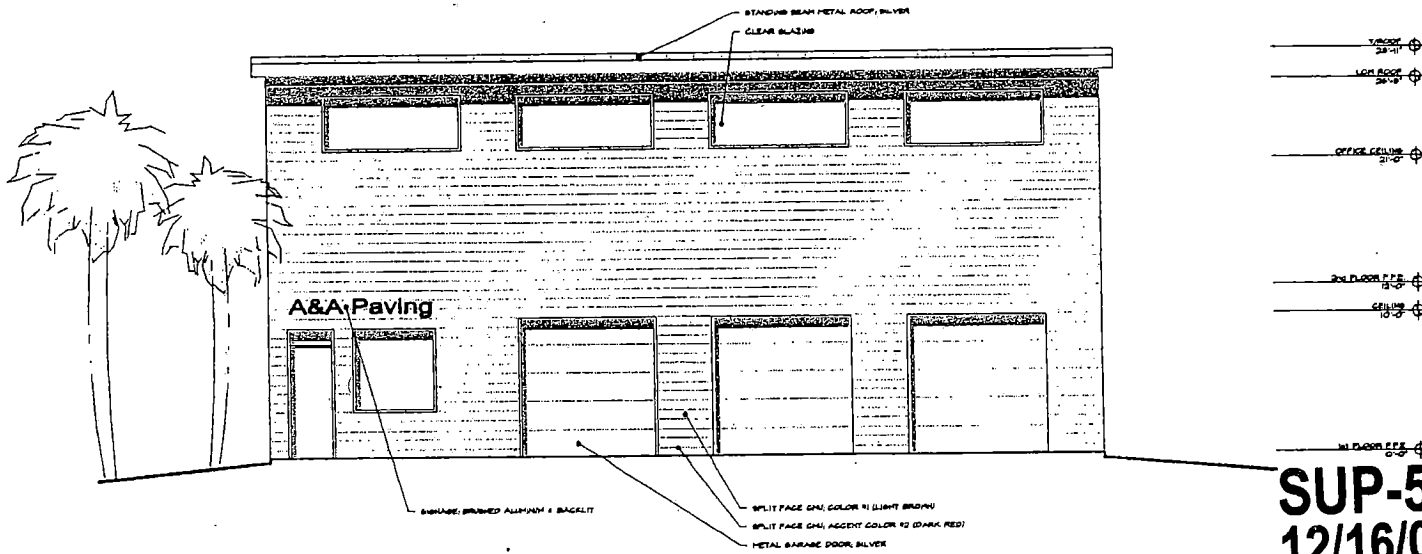
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Jonathan Algaler
Architect
3727 Champagne Wood Drive
North Las Vegas, NV 89031
consultant



EAST ELEVATION
A3.3



NORTH ELEVATION
A3.3

SUP-5554
12/16/04 PC

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A&A Paving
Auto Detailing Facility
Craig Road & Rainbow Blvd
Las Vegas, NV

Revision Log

Project No
03-215
Drawn by
FPC
Checked by
JWA
City of Las Vegas Planning Submittal
09.08.04
Sheet Content

North Elevation
East Elevation

Sheet No

A3.1

Jonathan Allgale
Architect
3727 Champagne Wood Drive
North Las Vegas, NV 89031

CONVOLUTION

180

project name

A&A Paying
Auto Detailing Facility
Craig Road & Rainbow Blvd
Las Vegas, NV

Keyplan



Revision 1a



Project #

03-21

Drawn by

FPI

Checked by

JW

City of Las Vegas Planning Submittal

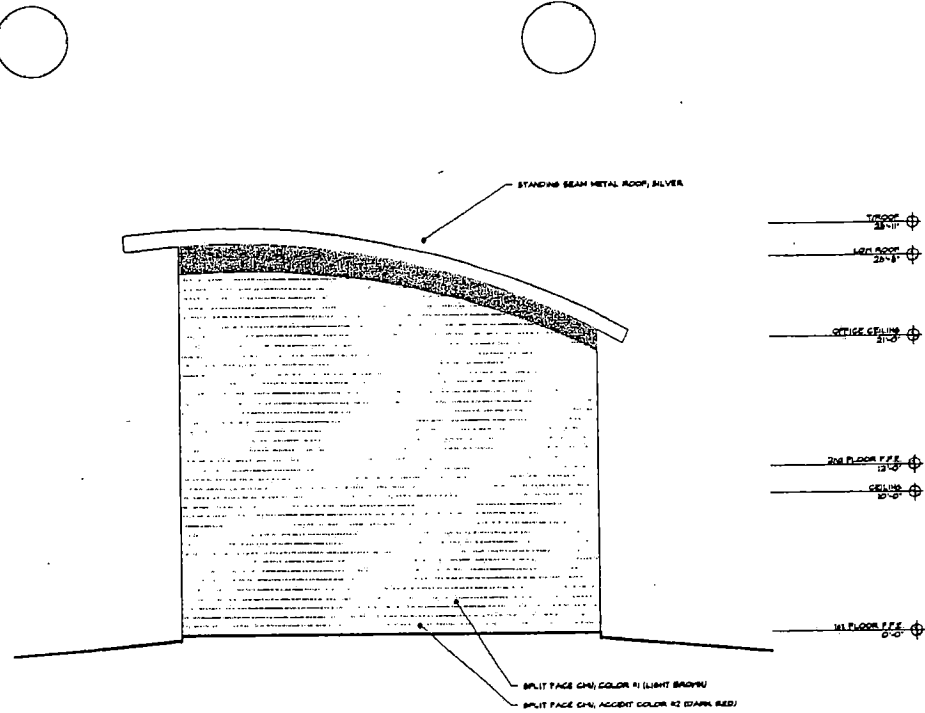
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Sheet Content

South Elevation
West Elevation

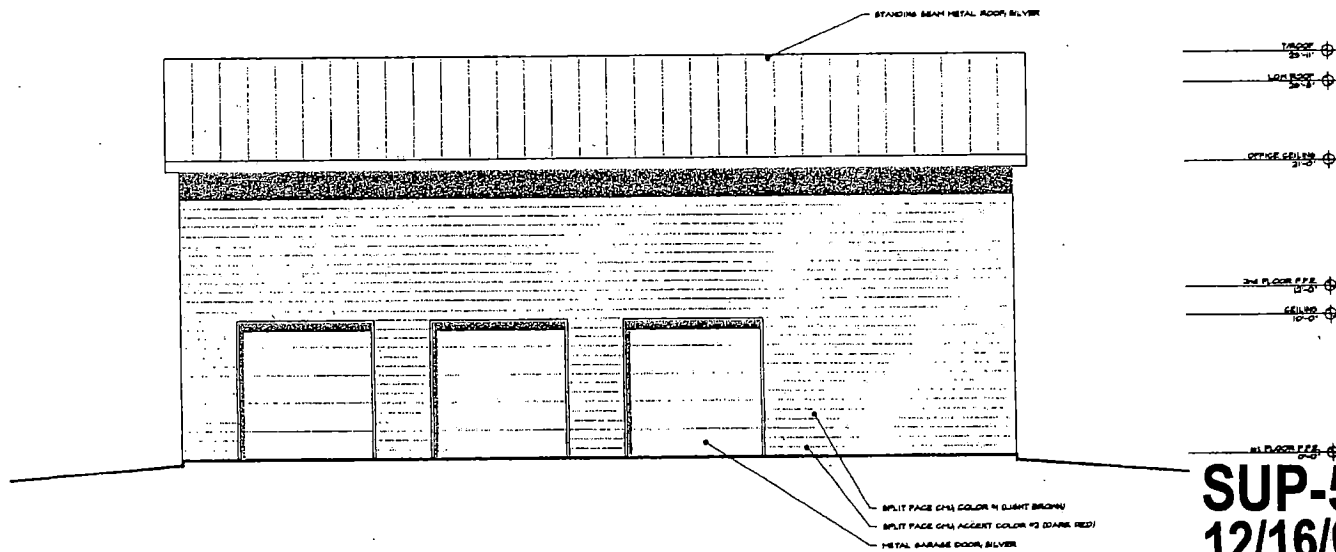
Sheet #

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WEST ELEVATION

1/4" = 1'-0"



SUP-5554
12/16/04 PC

SOUTH ELEVATION

1/4" = 1'-0"

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NOV 01 2004

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5553 RELATED TO SUP-5554 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: SCOTT ASHJIAN - OWNER: W.I.T. BRO, INC. D/B/A A & A ASPHALT PAVING COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 2,220 SQUARE-FOOT AUTO DETAIL FACILITY AND WAIVERS OF PARKING LOT AND PERIMETER LANDSCAPING STANDARDS AND FOUNDATION LANDSCAPING STANDARDS on 1.21 acres at 4485 North Rainbow Boulevard (APN 138-03-602-013), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 01/19/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions and amending the following condition:

3. All development shall be in conformance with the site plan and building elevations date stamped 12/08/04, except as amended by conditions herein.

– UNANIMOUS with TRUESDELL abstaining because the adjacent property is owned by an individual who is his partner in a real estate transaction and DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 39 – SDR-5553

MINUTES:

See Item 38 [SUP-5554] for related discussion on Item 38 [SUP-5554] and Item 39 [SDR-5553].
(9:21 – 9:27)

3-230

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-5554) 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 11/01/04, except as amended by conditions herein.
4. A request for a Waiver in the Landscape, Wall and Buffer Standards of Title 19 for the perimeter landscaping along the westerly property line shall be approved.
5. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect the relocation of the dumpster to a location more than 50 feet from the north property line and meet the design standards of Title 19.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the following:
 - Seven minimum 24-inch box trees provided for the parking area.
 - Bushes planted within a minimum six-foot wide planter area along the west property line.
7. Landscaping and a permanent underground sprinkler system shall be installed and shall be permanently maintained in a satisfactory manner.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 39 – SDR-5553

CONDITIONS – Continued:

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and it shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City code requirements and design standards of all City departments must be satisfied.
14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
15. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements along with assignment of maintenance responsibility to a common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met and the City of Las Vegas is required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the

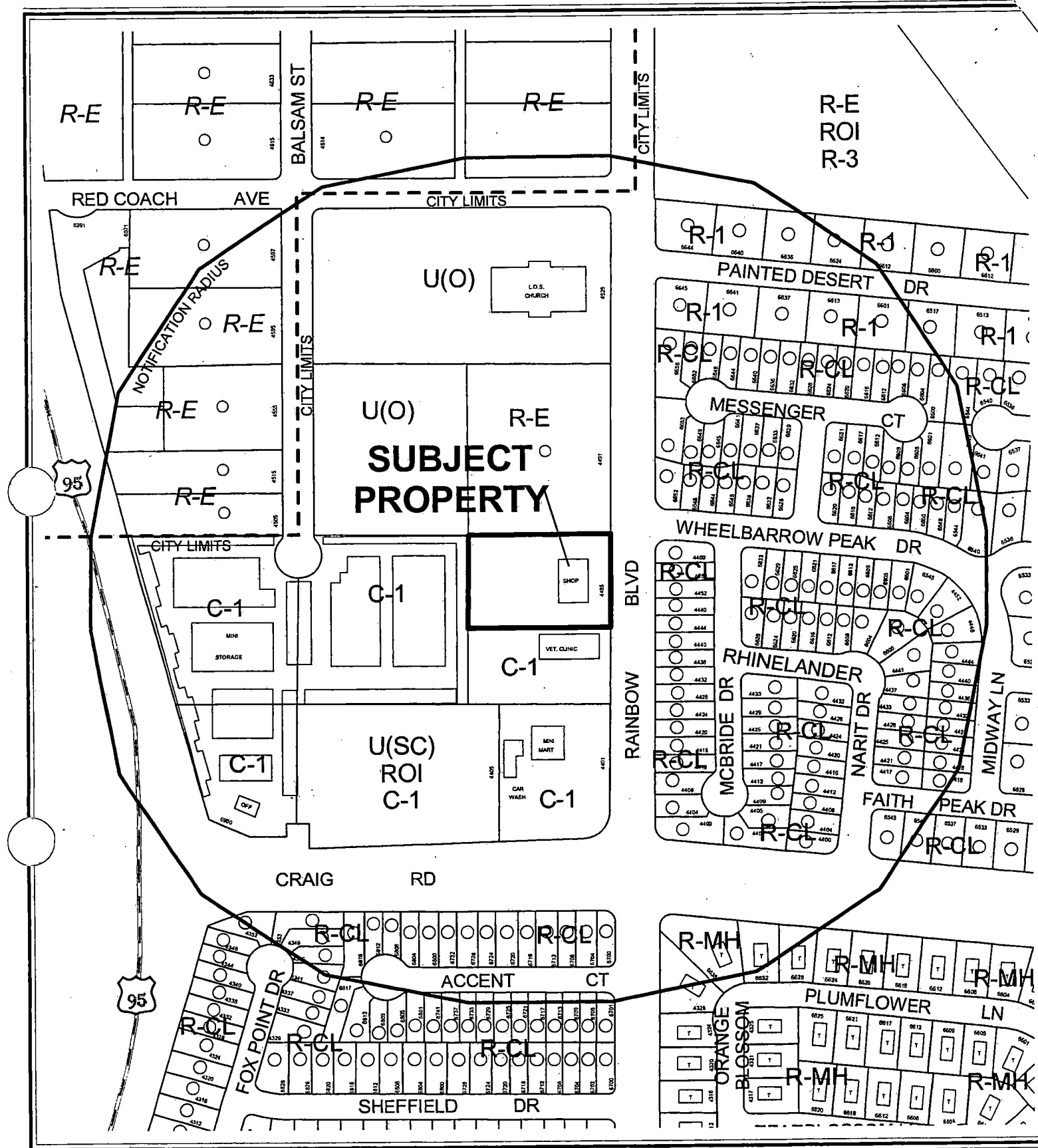
PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 39 – SDR-5553

CONDITIONS – Continued:

last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level shall be defined as removal of debris and surface grading once every calendar year. Should the common interest community, or members thereof, request additional maintenance activities, the associated costs shall be assessed to the common interest community and/or members thereof.

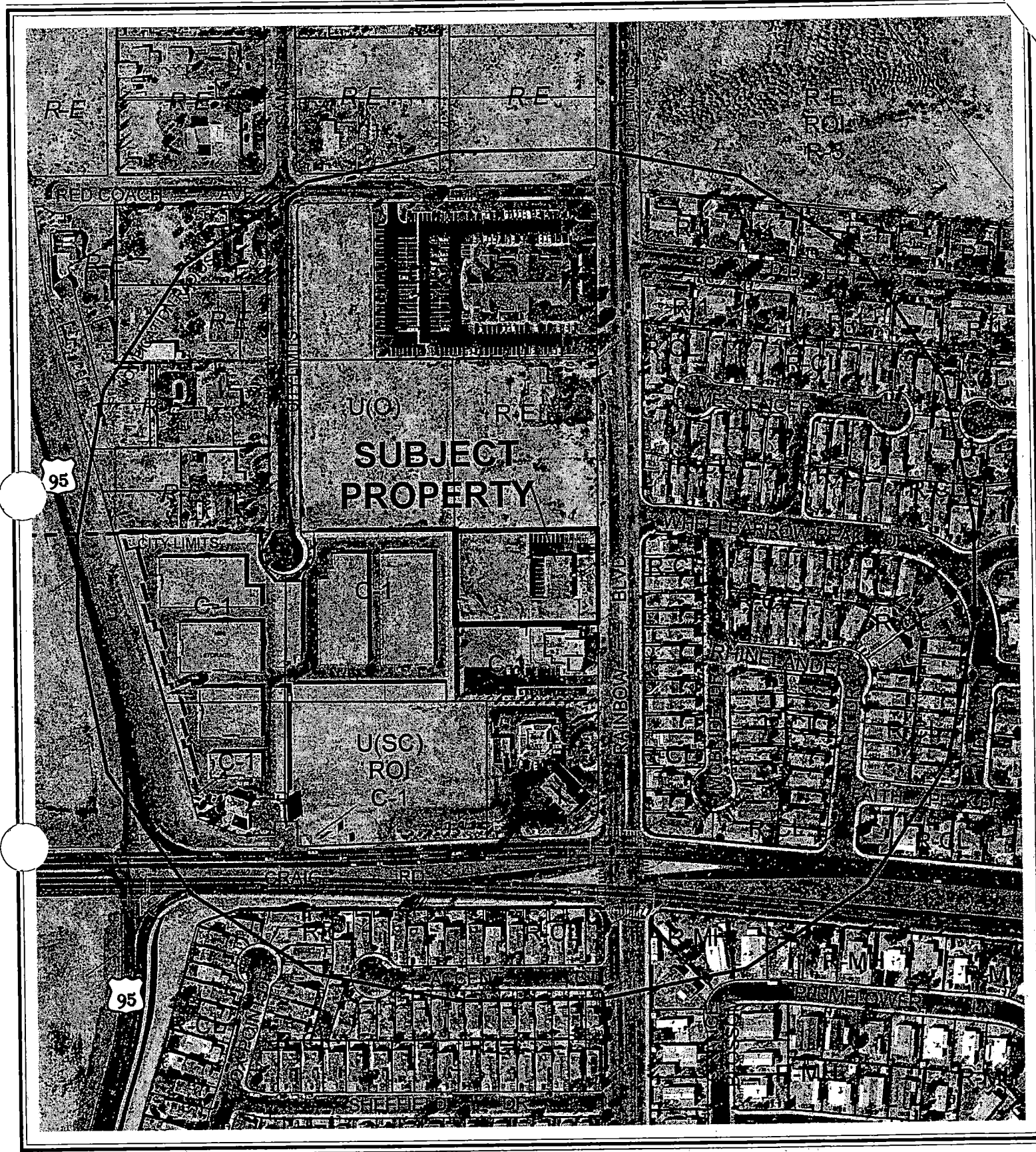
Public Works

- C
16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
 17. Provide proof to the City that this site has a sewer connection to the existing sewer line in Rainbow Boulevard. If such proof cannot be provided, this site shall be required to connect to the City sanitary sewer system in Rainbow Boulevard prior to the issuance of any permits or the issuance of a Business License whichever may occur first.
 18. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade 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 drainage ways as recommended.
 - C 19. Site development to comply with all applicable conditions of approval for Z-29-99, ZON-1112 and all other subsequent site-related actions.



0 200 400 Feet





CASE: SDR-5553

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO.

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5553 - APPLICANT: SCOTT ASHJIAN - OWNER:
W.I.T. BRO, INC. D/B/A A & A ASPHALT PAVING COMPANY

**** CONDITIONS ****

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

Planning and Development

1. A Special Use Permit (SUP-5554) 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 11/01/04, except as amended by conditions herein.
4. A request for a Waiver in the Landscape, Wall and Buffer Standards of Title 19 for the perimeter landscaping along the westerly property line shall be approved.
5. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect the relocation of the dumpster to a location more than 50 feet from the north property line and meet the design standards of Title 19.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the following:
 - Seven minimum 24-inch box trees provided for the parking area.
 - Bushes planted within a minimum six-foot wide planter area along the west property line.
7. Landscaping and a permanent underground sprinkler system shall be installed and shall be permanently maintained in a satisfactory manner.
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 residential property or screened, and shall not create fugitive lighting on adjacent properties.

SDR-5553 - Conditions Page Two
December 16, 2004 - Planning Commission Meeting

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and it shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City code requirements and design standards of all City departments must be satisfied.
14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
15. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements along with assignment of maintenance responsibility to a common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met and the City of Las Vegas is required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level shall be defined as removal of debris and surface grading once every calendar year. Should the common interest community, or members thereof, request additional maintenance activities, the associated costs shall be assessed to the common interest community and/or members thereof.

SDR-5553 - Conditions Page Three
December 16, 2004 - Planning Commission Meeting

Public Works

18. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
19. Provide proof to the City that this site has a sewer connection to the existing sewer line in Rainbow Boulevard. If such proof cannot be provided, this site shall be required to connect to the City sanitary sewer system in Rainbow Boulevard prior to the issuance of any permits or the issuance of a Business License whichever may occur first.
20. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade 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 drainage ways as recommended.
21. Site development to comply with all applicable conditions of approval for Z-29-99, ZON-1112 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a proposed 2,200 square-foot Auto Detail Facility and a Waiver of perimeter landscaping standards on 1.21 acres at 4485 North Rainbow Boulevard.

B) Applicant's Justification

A letter of justification has been submitted with the application. The applicant is requesting a Waiver in the perimeter-landscaping requirement on the western edge of the subject property adjacent to a mini-storage complex. The reasons for this request are stated as follows:

- The rear of the subject property directly abuts the exterior wall of a mini-storage facility, which runs along the entire length of its western property line; and
- To implement planting in that area could have detrimental effect on the buildings of the adjacent mini-storage facility, due to encroachment of trees and roots into the structures as they mature.

BACKGROUND INFORMATION

A) Actions

- 07/12/99 The City Council approved a request for Rezoning (Z-0029-99) the subject property from R-E (Residence Estates) to C-1 (Limited Commercial) subject to a Resolution of Intent with a one-year time limit. The Planning Commission and staff recommended approval.
- 07/12/00 The Resolution of Intent on the subject site expired.
- 12/18/02 The City Council approved a request for Rezoning (ZON-1112) the subject property from R-E (Residence Estates) to C-1 (Limited Commercial) to convert a single-family home into a professional office building. The Planning Commission and staff recommended approval on 11/21/02.

SDR-5553 - Staff Report Page Two
December 16, 2004 - Planning Commission Meeting

12/16/004 The Planning Commission is to consider in conjunction with this application a request for a Special Use Permit (SUP-5554) for a proposed Auto Detail Facility on the subject property.

B) Pre-Application Meeting

08/03/04 The staff met with the prospective applicant on a proposal to establish an Auto Detail Facility on the subject property. The staff explained that both a Special Use Permit and a Site Development Plan Review would be required. The procedures and requirements for submitting these applications were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review and one was not held.

DETAILS OF APPLICATION REQUEST

B) Existing Land Use

Subject Property: Office building
North: Single-family dwelling
South: Veterinary clinic
East: Single-family dwellings
West: Mini-storage facility

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: R-E (Residence Estates)
South: C-1 (Limited Commercial)
East: R-CL (Residential Compact Lot)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) within the Centennial Hills Sector Plan of the General Plan. The present zoning of C-1 (Limited Commercial) is in conformance with this land use designation.

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	

The site is not subject to any special districts or trail requirements. The proposed use is a Project of Regional Significance, which is discussed below.

INTERAGENCY ISSUES

Because the use is within 500 feet of land in the unincorporated portion of Clark County, pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance." An Environmental Impact Assessment questionnaire was circulated to the affected agencies and entities for the mandated 15-day period. No comments have been received.

PROJECT DESCRIPTION

The proposed Auto Detail Facility is to be located on the back portion of the subject property. The use is to consist of one building, a detailing shop, and two tents: a "wash tent" and "vacuum tent." The building and tents are arranged on site such that the vehicles enter the wash tent and leave the detailing shop.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

SDR-5553 - Staff Report Page Four
December 16, 2004 - Planning Commission Meeting

Standards	Required	Provided	Compliance
Min. Lot Size	NA	5,271 sq. ft.	NA
Min. Lot Width	100 feet	185 feet	Y
Min. Setbacks			
• Front	20 feet	48 feet	Y
• Side	10 feet	48 feet	Y
• Corner	15 feet	NA	NA
• Rear	20 feet	61 feet	Y
Max. Lot Coverage	50 %	10 %	Y
Max. Building Height	NA	36 feet	NA
Trash Enclosure	Yes	Yes	Unknown

With the exception of the trash enclosure, the proposed Auto Detail Facility meets the development standards of Title 19. A trash enclosure (dumpster) is being provided, but the site plan does not illustrate its design or that it has a roofed enclosure. Where adjacent to a residential property line, the enclosure may not be closer than 50 feet to the property line. In this case, the trash enclosure is next to the residential property line and must be relocated. This deficiency is noted in the Conditions of Approval for this staff report.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the Residential Adjacency Standards require that a commercial building be located a distance of three times its height from adjoining residentially property which is either developed for sale or designated for such development in the General Plan. Property to the north of the subject site is zoned R-E (Residence Estates) which is a protected zone. The proposed building is to be 28 feet high. At a three to one slope, the building must be more than 84 feet from the residential boundary line. The site plan shows that the building is 101 feet away; therefore, the Residential Adjacency Standards are met.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following parking standards apply to the subject proposal:

Uses	Floor Area (sq.ft.)	Required			Provided	
		Ratio (spaces/sq.ft.)	Parking Spaces		Parking Spaces	
			Regular	Handicap	Regular	Handicap
Auto Detail (Car Wash)	2220	1/150	14	1	23	1

SDR-5553 - Staff Report Page Five
December 16, 2004 - Planning Commission Meeting

An Auto Detail Facility is required to meet the parking space requirements for a full service car wash. At the ratio of one parking space for each 150 square feet of building area, 15 parking spaces are required. Since 24 parking spaces are provided, the parking standards are met.

A4) Landscape Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 trees/ 3.4 spaces	7 trees	3
Buffer:			
• Min. Trees	One tree/20 linear feet	13 trees	13 trees
• Min. Trees	One tree/30 linear feet	16 trees	9 trees

For the parking area, one tree is required for each six parking spaces plus one tree for each two tree islands located at the ends of parking rows. With 24 parking spaces and five tree islands, seven trees are required; however, only three trees are provided. Since more parking spaces are provided than required, it is recommended that the applicant find locations within the parking area for the additional trees. This deficiency is addressed as a condition of approval for this staff report.

The development is deficient in the number of trees required along the perimeter. For this reason, the applicant has requested a Waiver in the perimeter landscaping located along the westerly property line. Along the westerly property line, the building wall of a mini-warehouse development abuts the development. If trees were planted within an eight-foot planter width next to the building of the mini-warehouse facility, the foliage and roots of the trees could result in damage to the building. For this reason, it is recommended that the requested Waiver be granted. However, it is recommend that bushes be planted within a minimum six-foot wide planter along the westerly property line.

B) General Analysis and Discussion

- **Zoning**

The subject property is zoned C-1 (Limited Commercial). An Auto Detail Facility is permitted in a C-1 zoning district subject to the approval of a Special Use Permit. An application for a Special Use Permit (SUP-5554) to allow the Auto Detail Facility has been submitted in conjunction with this application. It is recommended that that application be approved.

DDS

SDR-5553 - Staff Report Page Six
December 16, 2004 - Planning Commission Meeting

- Site Plan

The proposed Auto Detail Facility is to be located within the back portion of the subject site and will not be readily visible to the public from Rainbow Boulevard. The facility's 36-foot high building is to consist of 2,220 square feet of floor area. The orientation of the building, parking, drive and site amenities portray a development that will be functional and attractive to the area.

- Waivers

The applicant has requested a Waiver in the perimeter landscaping required along the westerly property line. This Waiver is discussed above, and it is recommended that this Waiver be granted.

- Landscape Plan

A landscape plan has been submitted with the application. A total of 36 trees are required for the development, 29 trees of which are for the perimeter of the site and seven for the parking area. Eleven trees are required along the perimeter for the office development located at the front of the site, but seven trees were planted. The Applicant has requested a Waiver in the perimeter-landscaping requirement along the west property line. It is recommended that this Waiver be approved. With a Waiver and including the trees required for the office development, 22 perimeter trees are required, and 22 trees have been provided. The development is deficient four trees for the parking area, and this deficiency is addressed as a condition of approval in this staff report.

- Elevation

The elevations of the building for the Auto Detail Facility illustrate walls composed of alternating layers of split face block in light brown and dark red colors. The metal garage doors are to be silver in color. The building would be 37 feet tall at the highest point of the curved standing seam metal roof.

- Floor Plan

The floor plan for the Auto Detail Facility building shows three bays for detailing and office space. The floor plan is typical of other similar facilities.

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;"**

To the west of the subject property is a mini-storage facility and to the south is a veterinarian clinic. On property to the north is a single-family dwelling in an O (Office) future land use designation. The dwelling is located approximately 210 feet from the subject property. Across the street are single-family residences that would be screened from view by an existing office building to the front of the property that is owned by the applicant. The proposed Auto Detail Facility would be harmonious and compatible to existing and future land uses, particularly with the perimeter buffers proposed.

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

The proposed development is consistent with City plans, policies and standards with the exception of a deficiency in the number of trees and bushes for the parking area and perimeter. The trash receptacle is also in a location that is closer than permitted from a residential zone. This is addressed as a condition of approval in this staff report.

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

The Auto Detail Facility would have access to Rainbow Boulevard, a secondary collector (80-foot wide) street. The street is designed to provide adequate access to the property.

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

The building and landscape materials are appropriate for the site. It should be noted that an abundance of landscaping has been provided along Rainbow Boulevard at the front of site for the existing office building.

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;"**

SDR-5553 - Staff Report Page Eight
December 16, 2004 - Planning Commission Meeting

The Auto Detail Facility building is to be located at the back of a site where its visibility from the street will be substantially diminished by the presence of an office building at the front. Regardless, the building features are visually acceptable to adjoining development.

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

The proposed Auto Detail Facility would be subject to periodic inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

NOTICES MAILED 181 [Mailed with SUP-5554]

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Scott Ashjian

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: _____

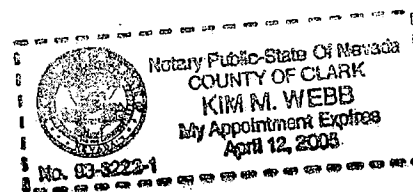
Signature of Property Owner/Authorized Agent: _____

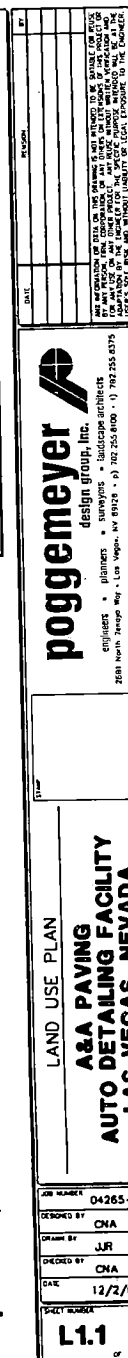
Print Name: Scott Ashjian

Subscribed and sworn before me

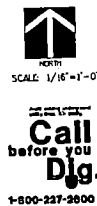
This 27th day of October, 2004

Kenneth Webb
Notary Public in and for said County and State

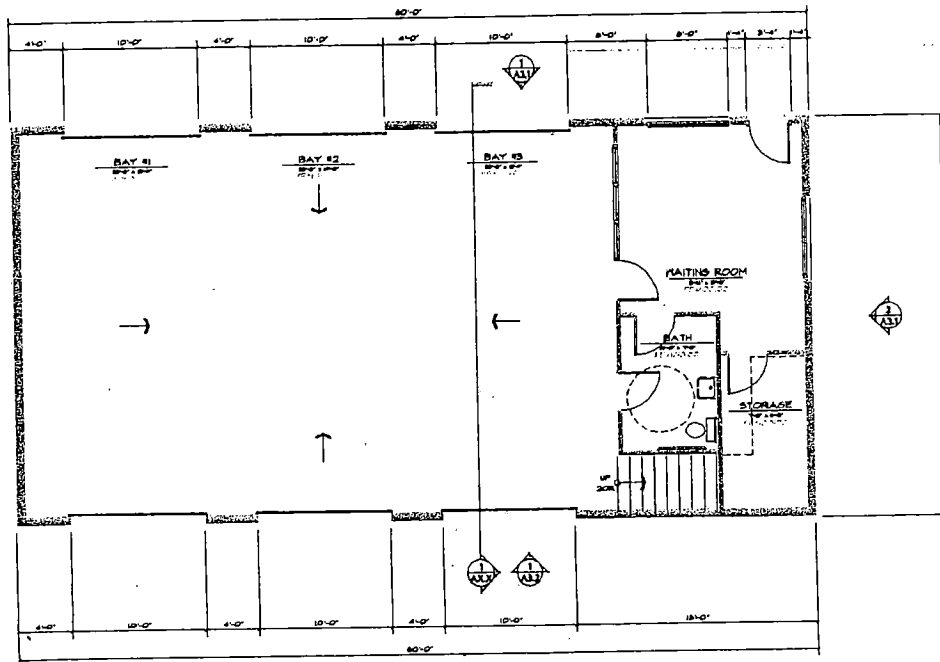




REVISED
12.8.24



Jonathan Algalier
Architect
3727 Champagne Wood Drive
North Las Vegas, NV 89031
consultant



PLAN NOTES

1. REFER TO STRUCTURAL DRAWINGS FOR ADDITIONAL NOTES AND DETAILS PERTAINING TO FOUNDATION STRUCTURE.
2. ALL STEEL BARS, HOLDINGS, POSTTENSIONERS, ETC. SHALL BE PLACED IN PLACE PRIOR TO THE FOUNDATION POURING. THE CONCRETE CONTRACTOR AND FRAMING CONTRACTOR SHALL COORDINATE THE PLACEMENT OF ALL CONNECTORS.
3. FINISH FLOOR SHALL BE 6" ABOVE FINISHED GRADE. GRADE SHALL SLOPE AWAY FROM THE BUILDING.
4. CONCRETE CONTRACTOR SHALL PROVIDE UTILITY ROOM NEAR THE ELECTRIC METER. COORDINATE WITH THE ELECTRICAL CONTRACTOR.
5. FOUNDATION SUPPORTS SHALL EXTEND AT LEAST 6" ABOVE THE ADJACENT FINISHED GRADE.
6. ALL FOUNDATION PILLS AND PLATES ON A CONCRETE SLAB WHICH ARE IN DIRECT CONTACT WITH THE EARTH SHALL BE PRESSURE TREATED DOUGLASS-PK OR FOUNDATION GRADE REDWOOD.
7. REFER TO MECHANICAL FOR DRYER VENT INFORMATION.
8. ALL ANGLES SHALL BE 45 DEGREES UNLESS NOTED OTHERWISE.
9. DIVISIONS ARE TO FINISHED SURFACE UNLESS NOTED OTHERWISE.
10. ALL SLIDING GLASS DOORS AND FRENCH DOORS TO HAVE TYPED GLASS.
11. SHOWER DOORS SHALL BE SAFETY GLASS.

AREA CALCULATIONS

FIRST FLOOR	1800	SQ. FT.
MEZANINE	420	SQ. FT.
TOTAL	2220	SQ. FT.

NOTES

1. 2x4 STUDS WITH 1/2" GYPSEUM BOARD EACH SIDE
2. 2x4 STUDS WITH 1/2" GYPSEUM BOARD EACH SIDE

WALL SCHEDULE

DRYING/DETAIL NUMBER
ELEVATION REFERENCE
SHEET NUMBER

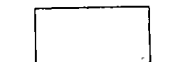
DRYING/DETAIL NUMBER
DIRECTION OF CUT
ELEVATION REFERENCE
SHEET NUMBER

1. DOOR PER SCHEDULE
2. WINDOW PER SCHEDULE
3. SOFFIT/STRIPPED CELL

SYMBOLS & LEGEND

A&A Paving
Auto Detailing Facility
Craig Road & Rainbow Blvd.
Las Vegas, NV

Revision Log



Project No.
03-215
Drawn By
FPC
Checked By
JWA
City of Las Vegas Planning Submittal
09.08.04
Sheet Content

First Floor Plan

Sheet No.

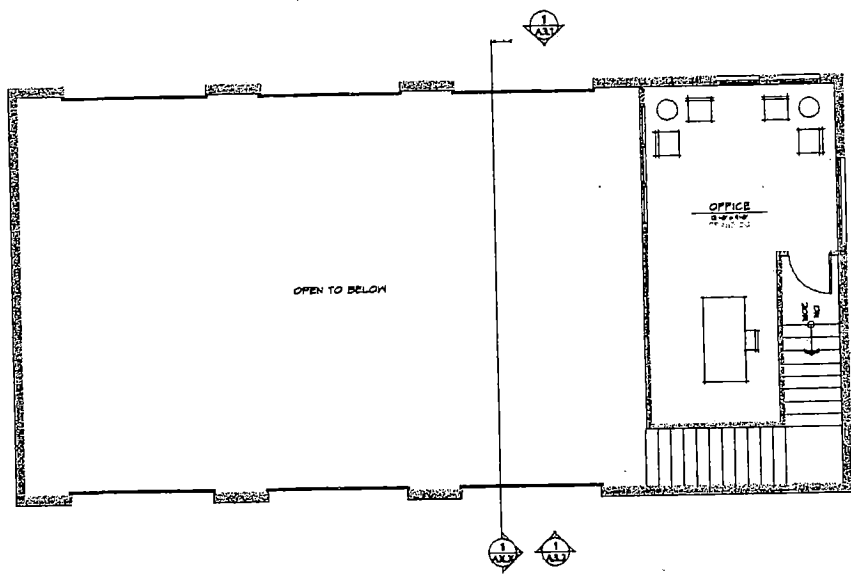
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SDR-5553
12/16/04 PC

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NOV 01 2004

FIRST FLOOR PLAN

Jonathan Allgaler
Architect
3727 Champagne Wood Drive
North Las Vegas, NV 89031
consultant



PLAN NOTES

1. REFER TO STRUCTURAL DRAWINGS FOR ADDITIONAL NOTES AND DETAILS PERTAINING TO FOUNDATION STRUCTURE.
2. ALL STEEL BARS, HOLDINGS, POSTBARS, ETC. SHALL BE PLACED IN PLACE PRIOR TO THE FOUNDATION FORMWORK ERECTION. THE CONCRETE CONTRACTOR AND FRAMING CONTRACTOR SHALL COORDINATE THE PLACEMENT OF ALL CONNECTORS.
3. FINISH FLOOR SHALL BE 6" ABOVE FINISHED GRADE. GRADE SHALL SLOPE AWAY FROM THE BUILDING.
4. CONCRETE CONTRACTOR SHALL PROVIDE UTILITY GROUING NEAR THE ELECTRIC METER. COORDINATE WITH THE ELECTRICAL CONTRACTOR.
5. FOUNDATION SUPPORTING WOOD SHALL EXTEND AT LEAST 6" ABOVE THE ADJACENT FINISHED GRADE.
6. ALL FOUNDATION BILLS AND PLATES ON A CONCRETE SLAB PRIOR ARE IN DIRECT CONTACT WITH THE EARTH SHALL BE PRESURE TREATED DOUGLAS-FIR OR FOUNDATION GRADE REDWOOD.
7. REFER TO MECHANICAL FOR DRYER VENT INFORMATION.
8. ALL ANGLES SHALL BE 45 DEGREE W/40.
9. DIMENSIONS ARE TO FINISHED SURFACE UNO.
10. ALL SLURRY SLAB DOORS AND FRENCH DOORS TO HAVE TEMPERED GLASS.
11. SHOWER DOORS SHALL BE SAFETY GLASS.

AREA CALCULATIONS

FIRST FLOOR	1800	SQ. FT.
MEZZANINE	430	SQ. FT.
TOTAL	2230	SQ. FT.

NOTES

- 2x4 STUDS WITH 1/2" STYPHUM BOARD EACH SIDE
- 2x6 STUDS WITH 1/2" STYPHUM BOARD EACH SIDE

WALL SCHEDULE

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

DRAWING/DETAIL NUMBER
ELEVATION REFERENCE
SHEET NUMBER

DRAWING/DETAIL NUMBER
DIRECTION OF CUT
ELEVATION REFERENCE
SHEET NUMBER

DOOR PER SCHEDULE
WINDOW PER SCHEDULE

BOFFY/DROPPED CEILING

SYMBOLS & LEGEND

A&A Paving
Auto Detailing Facility
Craig Road & Rainbow Blvd
Las Vegas, NV

Keyplan



Revision Log

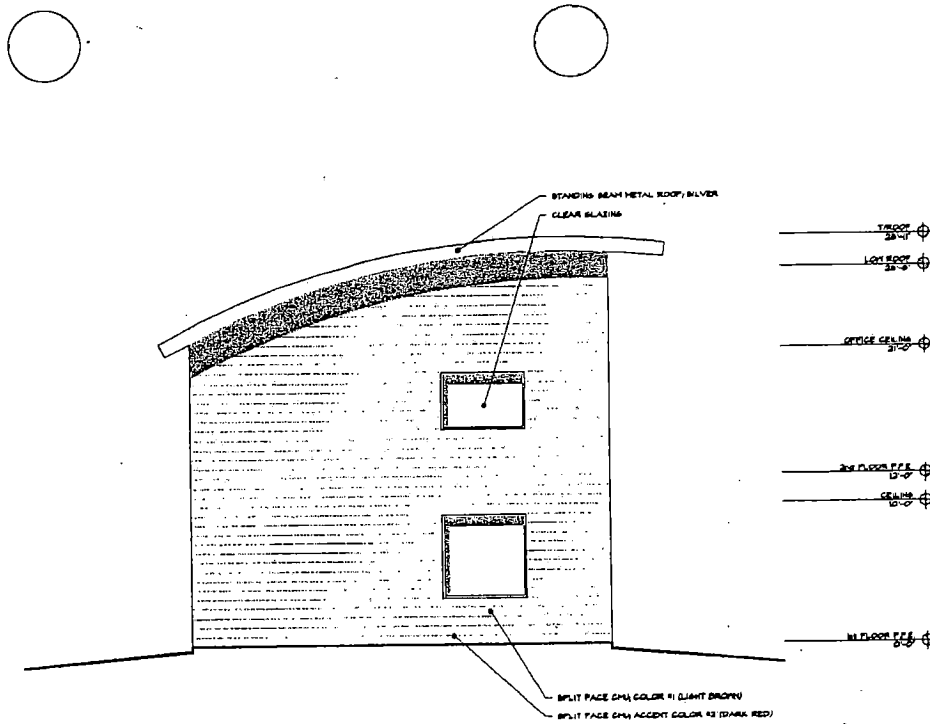
Project No.
03-215
Drawn By
FPD
Checked By
JWA
City of Las Vegas Planning Submittal
09.08.04
Sheet Content

SDR-5553
12/16/04 PC
Mezzanine Floor Plan
Sheet No.
A2.2

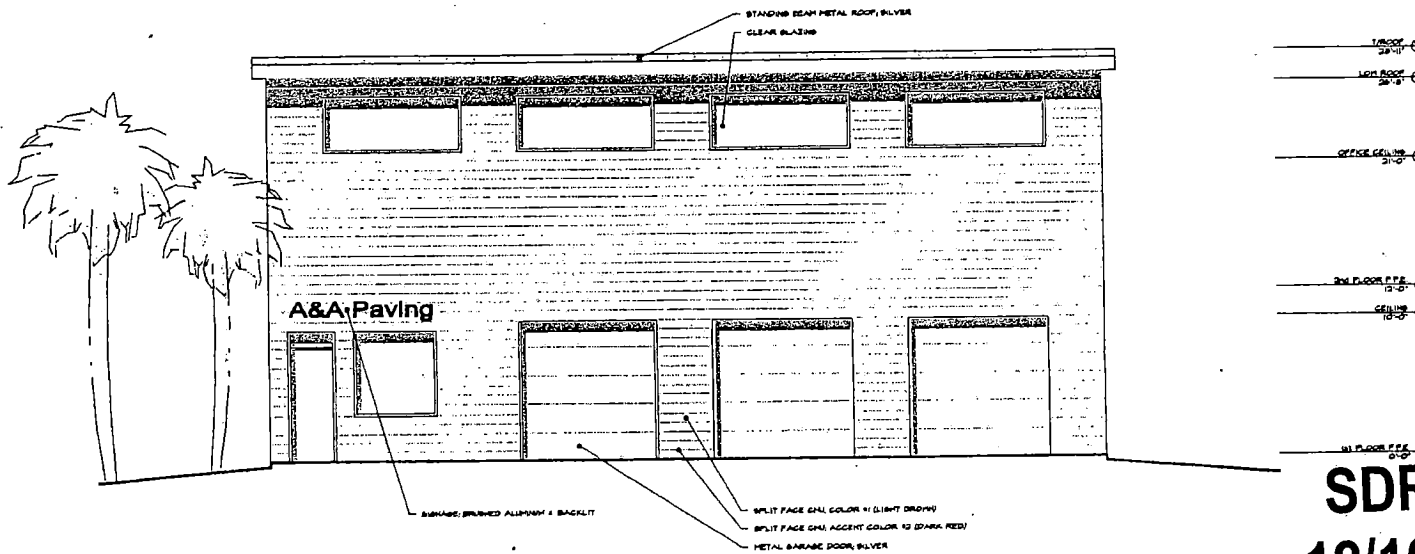
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Jonathan Algalier
Architect
3727 Champagne Wood Drive
North Las Vegas, NV 89031
consultant



12 EAST ELEVATION
A3.1



12 NORTH ELEVATION
A3.1

SDR-5553
12/16/04 PC

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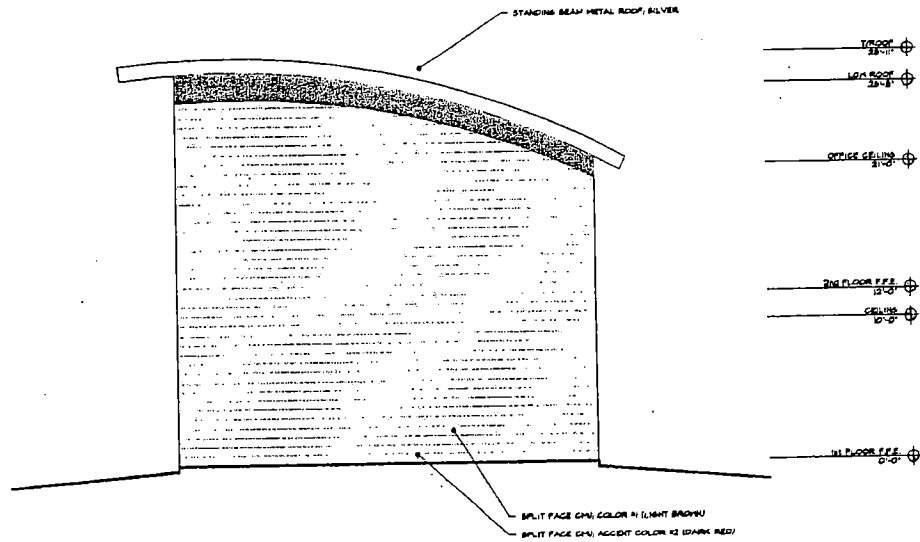
A&A Paving
Auto Detailing Facility
Craig Road & Rainbow Blvd
Las Vegas, NV

Project No.
03-215
Drawn By
FPD
Checked By
JWA
City of Las Vegas Planning Submittal
09.08.04
Sheet Contents

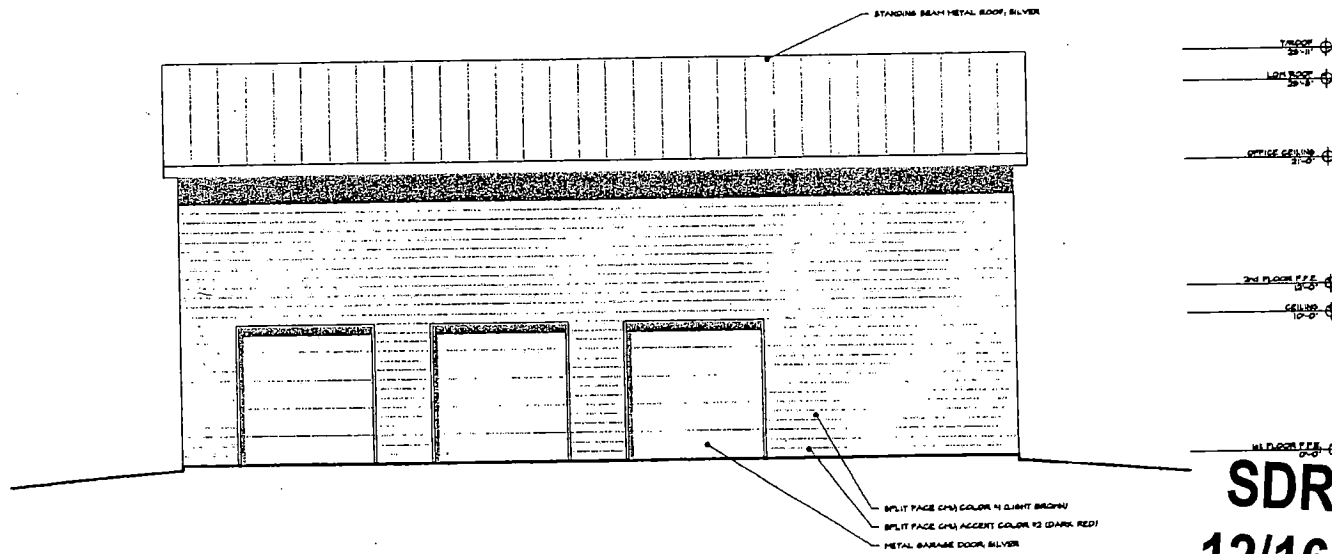
North Elevation
East Elevation

A3.1

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North Las Vegas, NV 89031
consultant



12-2 WEST ELEVATION
A3.2



12-2 SOUTH ELEVATION
A3.2

SDR-5553
12/16/04 PC

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NOV 01 2004

project name
A&A Paving
Auto Detailing Facility
Craig Road & Rainbow Blvd
Las Vegas, NV

Revision Log
1. 12/16/04

Project No.
03-215
Drawn By
FPI
Checked By
JWW
City of Las Vegas Planning Submittal
09.08.04
Sheet Content

South Elevation
West Elevation

Sheet No.

A3.2

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-5564 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PEP BOYS
- OWNER: WACHOVIA DEVELOPMENT CORPORATION - Request for a Special Use Permit FOR A PROPOSED CAR WASH (SELF-SERVICE) AND WAIVER TO ALLOW BAY OPENINGS AND VACUUM BAYS TO FACE THE PUBLIC RIGHT-OF-WAY at 4141 Rancho Drive (APN 138-02-814-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 01/19/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions and deleting Condition 3 – UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 40 [SUP-5564] and Item 41 [SDR-5562].

STEVE SWANTON, Planning & Development Department, stated that all the Code requirements had been met for the Special Use Permit with the exception of one, which prohibited the wash bay openings from facing the public right-of-way. Staff favored the waiver because the bays would be set back far enough on the property to not be visually intrusive. A recent revision to the Site Plan, which had occurred within the previous few days, showed the vacuum bays placed behind the car wash facility; therefore, the need to waive the condition prohibiting the vacuum bays from facing Rancho Drive should be removed. MR. SWANTON

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 40 – SUP-5564

MINUTES – Continued:

indicated that to do so, Condition 3 of Item 40 [SUP-5534] should be deleted.

Regarding the Site Plan Review, MR. SWANTON explained that all of the Code requirements were met, including the parking requirement generated by the car wash use. He noted that if approved, Item 41 [SDR-5562] would need Condition 4 amended. The date referenced in that condition is listed as 11/02/2004 and the corrected date would be 12/15/2004.

MARK BANGAN, L.R. Nelson Consulting Engineers, 6765 West Russell Road, appeared on behalf of the applicant and confirmed MR. SWANTON'S comments regarding the revised Site Plan. The revision was prompted by the concerns of the Planning Department staff regarding the placement of the vacuum bays. Those bays were originally located adjacent to Rancho Drive and to address staff's concerns, they were relocated to an area behind the car wash. Regarding the Rancho Drive setback, for the wash bay itself, the setback is over 84 feet where only 20 feet is required.

COMMISSIONER GOYNES asked about the proximity of the new location of the vacuums to the neighbors who reside on Jory Trail. He wondered if they would be able to hear the noise generated by the car wash. MR. BANGAN indicated the car wash is fully enclosed with roll up garage doors for security at night. He assured the Commissioner that the unit was state of the art and touchless. COMMISSIONER GOYNES confirmed with MR. BANGAN that the vacuums would not be enclosed. MR. BANGAN offered to install a screen wall along the back to help manage noise. The hours of operation would be in conjunction with the Pep Boys store located on the same property and that the store is open until 10 p.m. at night. COMMISSIONER GOYNES was concerned that the nearby neighbors would be able to hear quarters dropping and vacuum motors revving in the evening from their back yards. MR. BANGAN stated he did not foresee that happening.

COMMISSIONER STEINMAN stated he did not understand why Pep Boys was reducing their parking in the front of the store to add a car wash; however, after the discussion regarding vacuums, he felt that noise might have been one of the reasons to locate it in that area. He was also surprised to find out that the City would permit the entire north side of building to not have thru access. COMMISSIONER STEINMAN acknowledged the common road that branched off of the driveway, which serves the property to the rear. He found it unusual that the entire side of the site was just cut off. He asked if from a safety standpoint, this situation was acceptable. GARY LEOBOLD, Planning & Development Department, informed COMMISSIONER STEINMAN that staff did not identify any difficulties with the proposal from a safety aspect. There is the common road there as indicated so in terms of Fire safety and access, there is the availability to get all the way around the building.

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 40 – SUP-5564

MINUTES – Continued:

COMMISSIONER STEINMAN confirmed with MR. BANGAN that this Pep Boys location is the first in the Nation to add a car wash on their property. CHAIRMAN TRUESDELL asked if the addition of car washes to existing Pep Boys locations was the direction the Pep Boys Corporation was considering. MR. BANGAN confirmed that the Corporation is considering it as an additional service to offer to their client base. CHAIRMAN TRUESDELL wanted to make it clear that support of this application would not indicate support for each location. Each store which may apply to offer this service would have to be judged on its' own merit.

MR. BANGAN pointed out that if approved, not only should Condition 3 be removed from Item 40 [SUP-5564], but also Condition 3 from Item 41 [SDR-5562] because the vacuum bays that the condition pertains to have already been relocated. MARGO WHEELER, Deputy Director, Planning & Development Department agreed that the condition is no longer required. MR. BANGAN then asked if Condition 5 was still mandatory. Condition 5 pertained to a revision of the Site Plan to accommodate all imposed conditions. It was his opinion that the Site Plan date stamped 12/15/2004 addressed all issues because it is the final Site Plan.

MR. LEOBOLD stated that he thought the condition was a residual from the prior plan, which showed the vacuums bays at the front of the property. He did not feel the condition was mandatory since those bays have been relocated.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 40 [SUP-5564] and Item 41 [SDR-5562].

(9:27 – 9:37)

3-422

CONDITIONS:

Planning and Development

1. Approval of a Site Development Plan Review [SDR-5562] approved by the City Council.
2. The request for a Waiver of base condition #2 of a Car Wash (Self Service) use in Title 19.04 shall be approved.
3. The request for a Waiver of base condition #8 of a Car Wash (Self Service) use in Title 19.04 shall be denied.

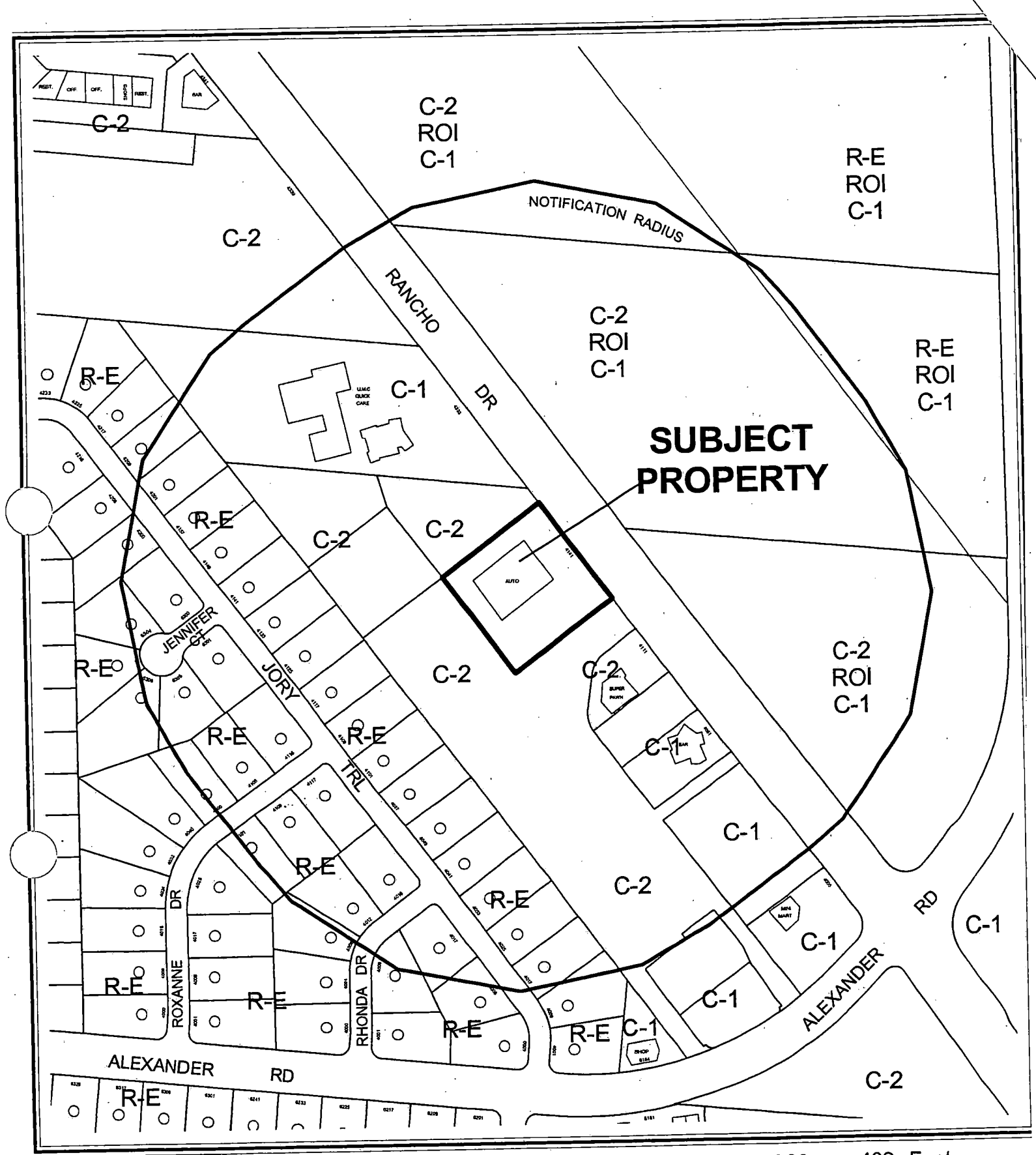
PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 40 – SUP-5564

CONDITIONS – Continued:

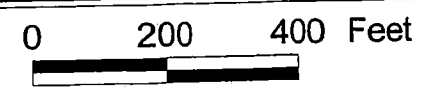
4. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

C

C



CASE: SUP-5564
RADIUS: 750 FT
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-5564 - APPLICANT: PEP BOYS - OWNER: WACHOVIA
DEVELOPMENT CORPORATION**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of a Site Development Plan Review [SDR-5562] approved by the City Council.
2. The request for a Waiver of base condition #2 of a Car Wash (Self Service) use in Title 19.04 shall be approved.
3. The request for a Waiver of base condition #8 of a Car Wash (Self Service) use in Title 19.04 shall be denied.
4. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for a Car Wash (Self Service) and Waivers of Conditions #2 and #8 to allow bay openings and vacuum bays to face the public right-of-way at 4141 Rancho Drive.

B) Applicant's Justification

A letter of justification for the proposed use has been submitted with the subject application. The applicant is requesting to add a car wash in conjunction with the existing Pep Boy's building on the subject property. Along with the request, the applicant is requesting a Waiver of #2 and #8 of the base conditions for the use. The applicant states that the wash bay opening to Rancho Drive would be setback over 84 feet and would not pose any danger to traffic flow along Rancho Drive. The applicant also states that the car wash addition is compatible with the surrounding area and will be an enhancement to the commercial use and would not be detrimental to the neighborhood.

BACKGROUND INFORMATION

A) Actions

- | | |
|----------|---|
| 10/10/96 | The Planning Commission approved a request for an Aesthetic Review for a proposed 18,560 square foot Pep Boys retail and service center on the subject property. |
| 03/23/98 | The City Council approved the Reinstatement and Extension of Time for an approved Special Use Permit [U-0053-96(1)] for a Tavern in conjunction with a proposed 5,000 square foot restaurant on a larger site that included the subject property. The Planning Commission recommended approval on 02/26/98. |
| 09/28/98 | The City Council approved a Special Use Permit (U-0091-98) for a proposed 5,443 square foot Pawn Shop, Secondhand Sales, and Check Cashing business on a larger site that included the subject property. The Planning Commission recommended approval on 08/27/98. |

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December 16, 2004 - Planning Commission Meeting

- 10/26/98 The City Council approved a Special Use Permit (U-0089-98) for a Packaged Liquor Sales in conjunction with a proposed 5,720 square foot drug store on a larger site that included the subject property. The Planning Commission recommended approval on 08/27/98.
- 04/02/03 The City Council considered an application for Rezoning (ZON-1364) to rezone properties located on both sides of Rancho Drive to various zoning districts, including a C-1 (Limited Commercial) Zone on the subject property. The Planning Commission recommended approval on 02/27/03 and the staff recommended approval on 01/16/03.
- 12/16/04 The Planning Commission is scheduled to consider an application submitted in conjunction with this request for a Special Use Permit for a Carwash (Self Service) on the subject property.

B) Pre-Application Meeting

- 10/02/04 The staff met with the prospective applicant on a proposal to establish a carwash on the subject site. It was noted that a Special Use Permit for a Carwash (Self Service) use and a Site Development Plan Review would be required. It was also noted that the applicant would have to request Waivers in the orientation of the carwash and vacuum bays that would face Rancho Drive.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 1.86

B) Existing Land Use

Subject Property: Auto oriented use
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

SUP-5564 - Staff Report Page Three
December 16, 2004 - Planning Commission Meeting

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-2 (General Commercial)
South: C-2 (General Commercial)
East: C-2 (General Commercial) under a Resolution of Intent to C-1
(Limited Commercial)
West: C-2 (General Commercial)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Centennial Hills Sector map of the General Plan. The site is zoned C-1 (Limited Commercial), which is a zoning district permitted in the SC land use classification.

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

There are no special districts or zones that are applicable to the subject property.

ANALYSIS

A) Zoning Code Compliance

The proposed use is a Special Use that is permitted in a C-1 (Limited Commercial) zoning district subject to approval of a Special Use Permit and compliance with the base conditions for a Carwash (Self Service). The applicant is seeking Waivers in #2 and #8 of the base conditions of Title 19.04 for a Carwash (Self Service) facility. The first condition reads: "Openings to the wash bays shall not face public right-of-way and shall be designed to minimize the visual intrusion into adjoining properties." The second reads: "Vacuum bays are permitted as part of this use if their operation is in compliance with the other base standards for this use (i.e. openings to the public right-of-way shall not be permitted)." The applicant is interested in orienting both the carwash and vacuum bays toward Rancho Drive.

DDS

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The placement of the carwash would be far enough back from the street that it should not be perceived as a high activity use, particularly since it will abut another vehicular oriented use (auto repair garage and retail store). It is recommended that a Waiver in base condition #2 be approved. However, the vacuum bays would be placed at the front of the site facing the public right-of-way. This is high activity use that should not be located forward on the lot in such a highly visible location. It also is in a location where there would be a lot of cross traffic from vehicles entering and exiting the site and vehicles exiting the carwash facility. For these reasons, it is recommended that the Waiver in base condition #8 not be approved and that the vacuum bays be relocated to some other less visible and congested location on the site.

Other Zoning Code requirements are fully addressed in an accompanying Site Development Plan Review (SDR-5562)

B) General Analysis and Discussion

- Zoning

The site is currently zoned C-1 (Limited Commercial). The proposed Car Wash (Self Service) is a use allowed by Special Use Permit in the C-1 zoning district.

- Use

The proposed Carwash (Self Service) would be located in conjunction with existing uses that are related to automobile service uses, including an Auto Repair Garage and an auto parts store. The carwash would be located along the north side of the existing building and oriented such that cars would enter from the west side of the facility and exit toward the east side on Rancho Drive. According to the base standards for a Carwash (Self Service), the opening to the carwash may not face Rancho Drive. Therefore, the applicant has requested a Waiver to this standard.

Vacuum bays are also proposed for this use and are located along at the front of the site along Rancho Drive. The vacuum bays also face Rancho Drive, which is not permitted by the base standards. The applicant has also requested a Waiver in this standard. These Waivers are addressed in the "Zoning Code Compliance" section above.

- Conditions

Pursuant to Title 19.04, a Car Wash (Self-Service) use has conditions that are applicable as follows:

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December 16, 2004 - Planning Commission Meeting

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 repairing 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 requested use meets all the standards with the exception of base conditions #2 and #8. The applicant has an interest in facing both the carwash and vacuum bays toward Rancho Drive. The applicant has requested Waivers in these base conditions, which are addressed above in the "Zoning Code Compliance" section.

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 proposed use is a vehicular oriented use that is to be located on property presently devoted to that purpose. Abutting property is presently undeveloped and zoned C-2 (General Commercial), which permits a higher intensity of commercial uses than the zoning on the subject site. Consequently, there should be no compatibility issues with future land uses that choose to locate adjacent to an existing vehicular oriented use.

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

The site is adequate to meet the requirements of the proposed use. The applicant is seeking waivers to the orientation of the proposed uses; however, even if the waivers were not granted it appears there are alternative locations on site for the proposed use.

The requested use meets all the base standards with the exception of #2 and #8. The applicant has an interest in facing both the carwash and vacuum bays toward Rancho Drive. The applicant has requested Waivers in these base conditions, which are addressed above in the "Zoning Code Compliance" section. It is recommended that request for a Waiver of #2 be approved but that a Waiver of #8 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."**

The site currently has, and will continue to have access to Rancho Drive, designated as a Freeway-Expressway on the Master Plan of Streets and Highways. The site also has indirect access to an internal drive that connects to Alexander Road, a Primary Arterial (100-foot wide) street. The access to Rancho Drive is limited to right-in, right-out turning movements, but with the access to Alexander Road, the streets are adequate to serve the needs of the proposed use.

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

The proposed Car Wash (Self Service) use will be subject to inspections for building and licensing, which will ensure that the public health, safety and general welfare will be safeguarded.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

NOTICES MAILED 49 [Mailed with SDR-5562]

APPROVALS 0

PROTESTS 0

DDS



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-5564** - APN: 138-02-814-003

Name of Property Owner: Wachovia Dev. Corp.

Name of Applicant: Pep Boys

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. N/A

City Official: _____

Partner(s): _____

APN: _____ The Pep Boys Manny, Moe & Jack of California
as lessee and agent for Wachovia Development Corp

Signature of Property Owner/Authorized Agent: J. A. Clark

Print Name: Joseph A. Cirelli, Vice President

Subscribed and sworn before me Helene B. Porter

This 15th day of October, 2004

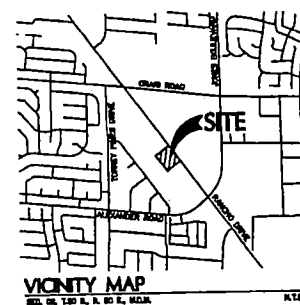
Richard B. Porter
Notary Public in and for said County and State

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Helene B. Porter, Notary Public
City Of Philadelphia, Philadelphia County
My Commission Expires Nov. 24, 2007

Member, Pennsylvania Association Of Notaries

CAR WASH ADDITION FOR PEP BOY'S, INC.



LEGEND

STREET CENTERLINE
EXISTING IMPROVEMENTS
PROPERTY BOUNDARY LINE
PARKING STALLS

PARKING DATA

REQUIRED	
NUMBER OF RETNA	= 77 SPACES
PROVIDED (CONTINUED)	
SPACE OPEN SPACES	= 6 SPACES
SPACE HANDICAPPED	= 6 SPACES
SPACE OPEN SPACES	= 70 SPACES
TOTAL SPACES	= 80 SPACES
WALKIN SPACES	= 6 SPACES
(SEE ANALYSIS IN PARAGRAPH THEREAFTER TOTAL)	

TABULATION

APN # _____ 139-02-014-003
CURRENT ZONING _____ D-1
PROPOSED ZONING _____ D-1
ACREAGE _____ 1.87 ACRES

[illegible]

L. R. NELSON CONSULTING ENGINEER, INC.
6745 West Russell Road, Suite 200
Las Vegas, Nevada 89118
STRUCTURAL CIVIL
702) 798-7978
702) 491-2266 FAX
PLANNING
SURVEY

CAR WASH ADDITION
FOR
DEB ROY'S, NC

SHEET NUMBER
1
OF 1 SHEET

CVMA

CAR WASH BUILDING DETAIL

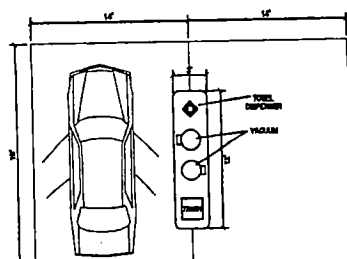
FILED

LEGAL DESCRIPTION

TRACT 1 OF A SECOND OF SURVEY RECORDED FEBRUARY 10, 1987 IN PLAT 57 AT PAGE 44 OF "BIRMINGHAM", CLARK COUNTY, BEING A PORTION OF LOT 1 OF "BIRMINGHAM TOWN & COUNTRY SHIPPING CENTER", RECORDED IN PLAT BOOK 78, PAGE 5, CLARK COUNTY, DESCRIBED AS:

A TRACT OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER (NE 1/4) OF SECTION 2, TOWNSHIP 30 SOUTH, RANGE 10 EAST, N.E. 1/4, CITY OF LAG WEDAR, CLARK COUNTY, MISSISSIPPI.

CONTAINING 1.87 ACRES MORE OR LESS.



VACUUM AREA DETAIL

DOMESTIC

OWNER

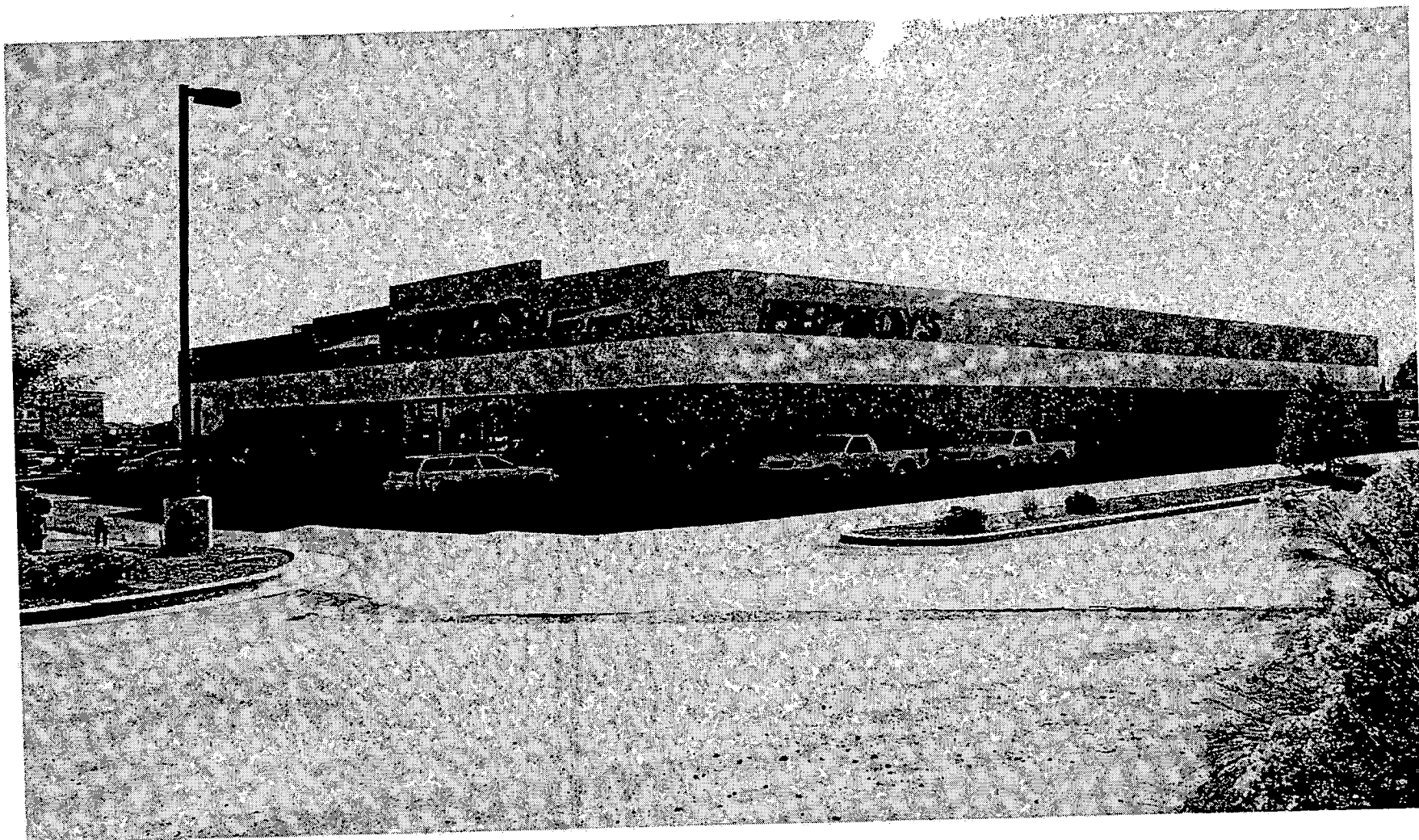
WACHSMA DEVELOPMENT
CORPORATION
8711 E. ALLESTOWN AVE
PHILADELPHIA, PA 19132

DEVELOPER

References

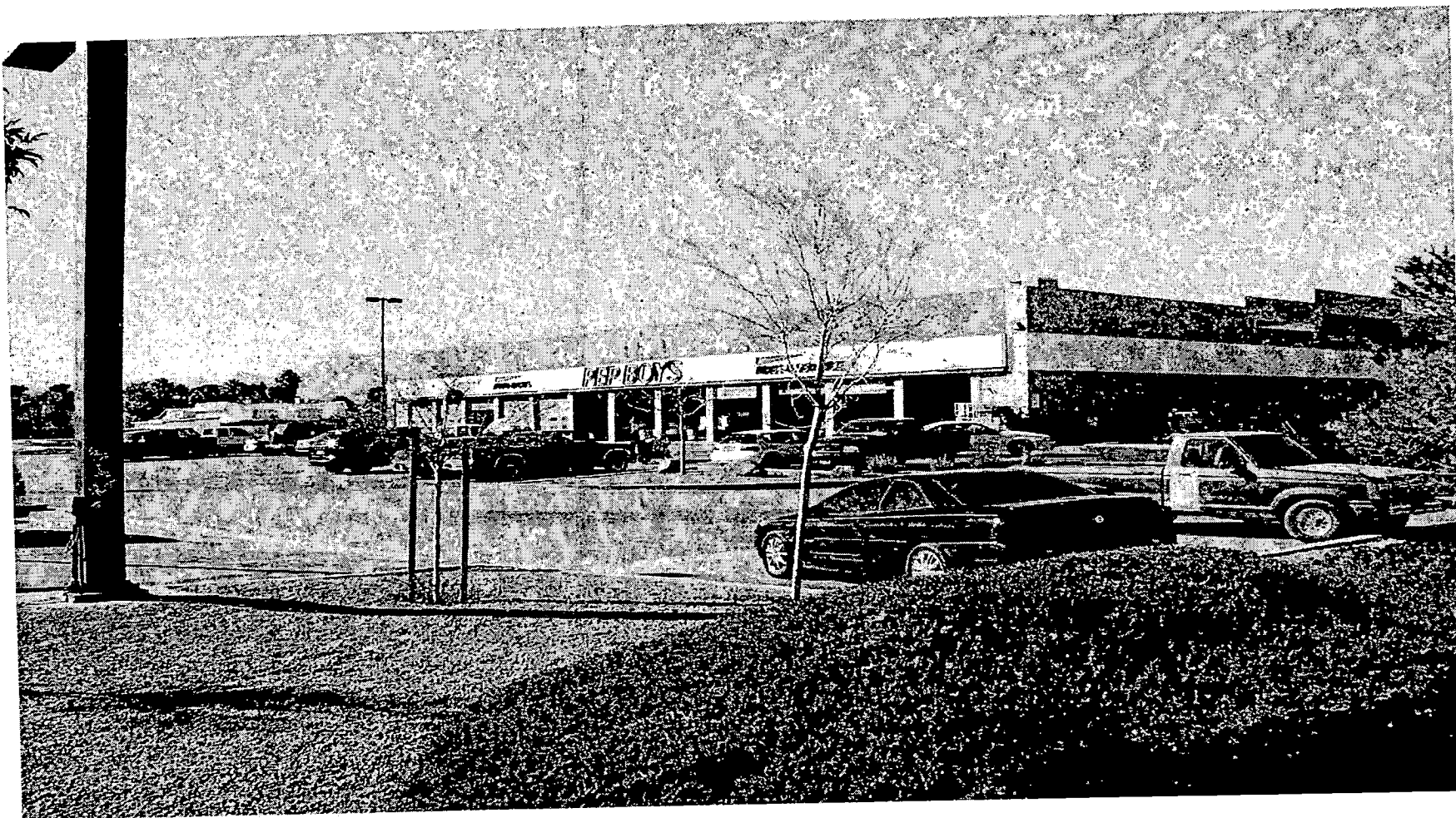
SUP-5564
12/16/04 PC

CONCRETE LAYER: 200



SUP-5564 - APPLICANT: PEP BOYS - OWNER: WACHOVIA DEVELOPMENT CORPORATION
4141 RANCHO DRIVE
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04



SUP-5564 - APPLICANT: PEP BOYS - OWNER: WACHOVIA DEVELOPMENT CORPORATION
4141 RANCHO DRIVE
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 16, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-5562 RELATED TO SUP-5564 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: PEP BOYS - OWNER: WACHOVIA DEVELOPMENT CORPORATION - Request for a Site Development Plan Review FOR A PROPOSED CAR WASH (SELF SERVICE) on 1.86 acres at 4141 Rancho Drive (APN 138-02-814-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 01/19/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions and deleting Condition 3 and Condition 5 and amending the following condition:

4. All development shall be in conformance with the site plan, landscape plan, and building elevations date stamped 12/15/2004, except as amended by conditions herein.

– UNANIMOUS with DAVENPORT and McSWAIN excused

To be heard by City Council 1/19/2005

MINUTES:

See Item 40 [SUP-5564] for all related discussion on Item 40 [SUP-5564] and Item 41 [SDR-5562].

(9:27 – 9:37)

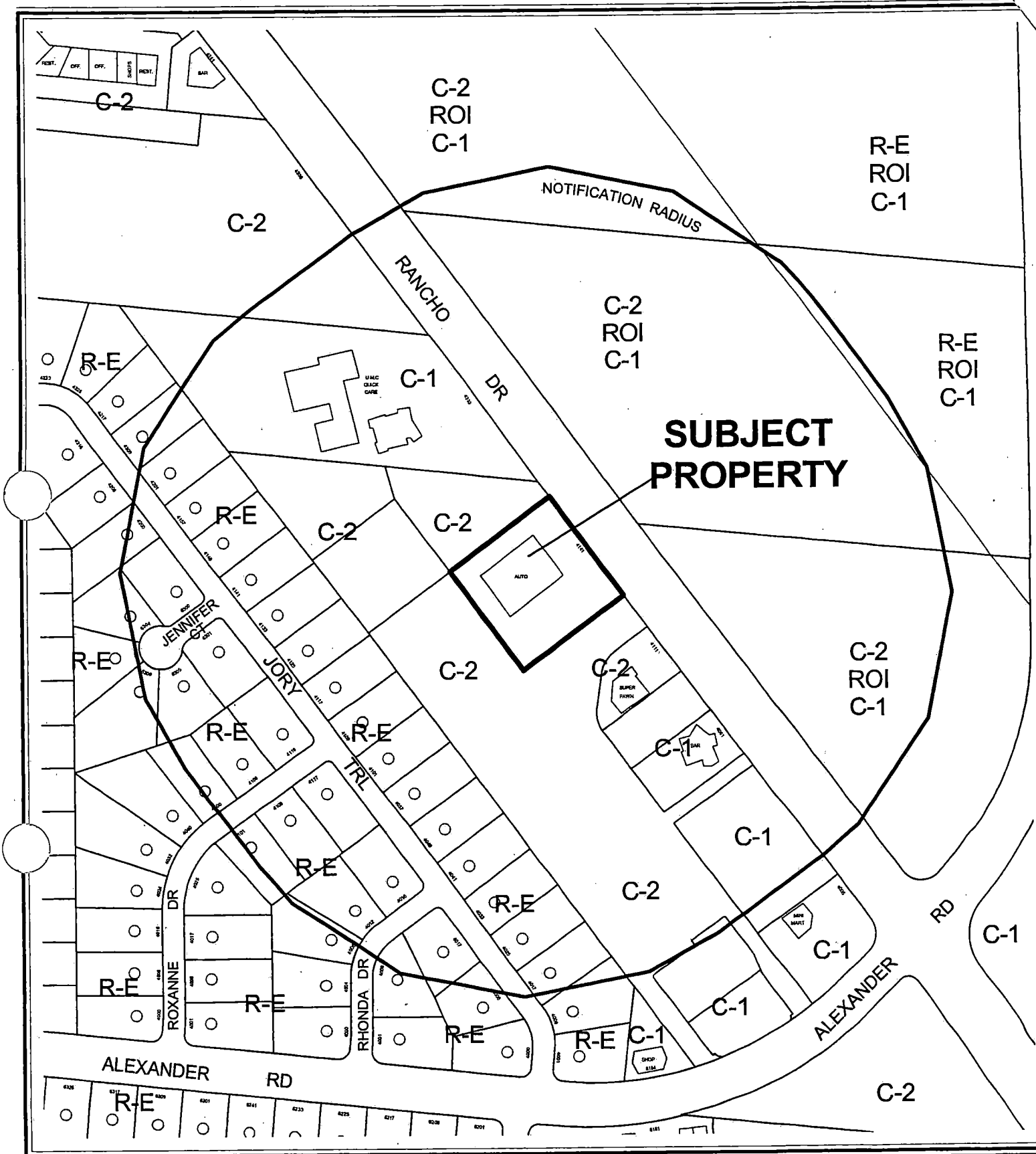
3-422

PLANNING COMMISSION MEETING OF DECEMBER 16, 2004
Planning and Development Department
Item 41 – SDR-5562

CONDITIONS:

Planning and Development

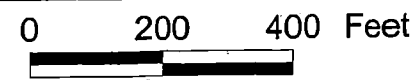
1. A Special Use Permit (SUP-5564) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The vacuum bays shall be relocated to some other less visible and congested location on the site.
4. All development shall be in conformance with the site plan, landscape plan, and building elevations date stamped 11/02/04, except as amended by conditions herein.
5. The site plan shall be revised and approved by staff of the Planning and Development Department staff prior to the time application is made for a building permit to reflect the conditions herein.
6. The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit, to reflect the proposed number and species of 24-inch box trees and bushes.
7. Landscaping and a permanent underground sprinkler system shall be installed as required and shall be permanently maintained in a satisfactory manner.
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.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

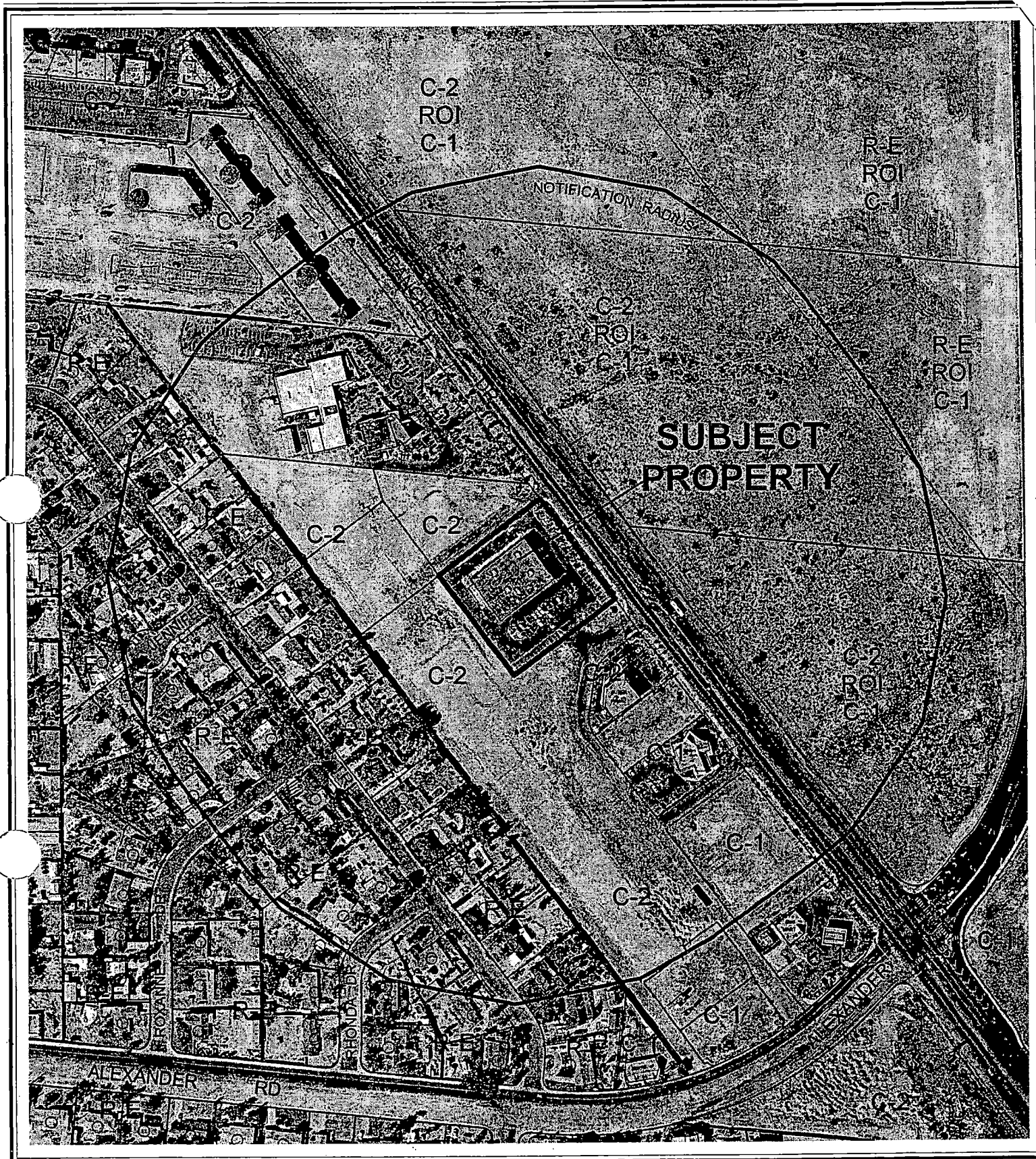


CASE: SDR-5562

RADIUS: 750 FT

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

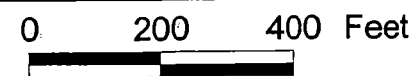




CASE: SDR-5562

RADIUS: 750 FT

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



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-5562 - APPLICANT: PEP BOYS - OWNER: WACHOVIA
DEVELOPMENT CORPORATION**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

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3. The vacuum bays shall be relocated to some other less visible and congested location on the site.
4. All development shall be in conformance with the site plan, landscape plan, and building elevations date stamped 11/02/04, except as amended by conditions herein.
5. The site plan shall be revised and approved by staff of the Planning and Development Department staff prior to the time application is made for a building permit to reflect the conditions herein.
6. The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit, to reflect the proposed number and species of 24-inch box trees and bushes.
7. Landscaping and a permanent underground sprinkler system shall be installed as required and shall be permanently maintained in a satisfactory manner.
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.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

SDR-5562 - Conditions Page Two
December 16, 2004 - Planning Commission Meeting

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City code requirements and design standards of all City departments must be satisfied.
13. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
14. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements along with assignment of maintenance responsibility to a common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met and the City of Las Vegas is required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level shall be defined as removal of debris and surface grading once every calendar year. Should the common interest community, or members thereof, request additional maintenance activities, the associated costs shall be assessed to the common interest community and/or members thereof.

Public Works

15. 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.
16. Site development to comply with all applicable conditions of approval for AR-0016-96, the Rancho Town and Country Shopping Center (commercial subdivision) and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a Carwash (Self Service) on 1.86 acres at 4141 Rancho Drive.

B) Applicant's Justification

A letter of justification for the proposed use has been submitted with the subject application. The applicant is requesting to add a car wash in conjunction with the existing Pep Boy's building on the property. The applicant states that the car wash addition is compatible with the surrounding area and will be an enhancement to the commercial use and would not be detrimental to the neighborhood.

BACKGROUND INFORMATION

A) Actions

- | | |
|----------|---|
| 10/10/96 | The Planning Commission approved a request for an Aesthetic Review for a proposed 18,560 square-foot Pep Boys retail and service center on the subject property. |
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| 10/26/98 | The City Council approved a Special Use Permit (U-0089-98) for a Packaged Liquor Sales in conjunction with a proposed 5,720 square-foot drug store on a larger site that included the subject property. The Planning Commission recommended approval on 08/27/98. |

SDR-5562 - Staff Report Page Two
December 16, 2004 - Planning Commission Meeting

- 04/02/03 The City Council considered an application for Rezoning (ZON-1364) to rezone properties located on both sides of Rancho Drive to various zoning districts, including a C-1 (Limited Commercial) Zone on the subject property. The Planning Commission recommended approval on 02/27/03 and the staff recommended approval on 01/16/03.
- 12/16/04 The Planning Commission is scheduled to consider an application submitted in conjunction with this request for a Special Use Permit for a Carwash (Self Service) on the subject property.

B) Pre-Application Meeting

- 10/02/04 The staff met with the prospective applicant on a proposal to establish a carwash on the subject site. It was noted that a Special Use Permit for a Carwash (Self Service) facility and a Site Development Plan Review would be required. It was also noted that the applicant would have to request Waivers in the orientation of the carwash and vacuum bays that would face Rancho Drive.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 1.86

B) Existing Land Use

Subject Property: Auto oriented use
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

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

SDR-5562 - Staff Report Page Three
December 16, 2004 - Planning Commission Meeting

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-2 (General Commercial)
South: C-2 (General Commercial)
East: C-2 (General Commercial) under a Resolution of Intent to C-1
(Limited Commercial)
West: C-2 (General Commercial)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Centennial Hills Sector map of the General Plan. The site is zoned C-1 (Limited Commercial), which is a zoning district permitted in the SC land use classification. The site plan conforms to the provisions of the C-1 zoning district.

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

There are no special districts or zones that are applicable to the subject property.

PROJECT DESCRIPTION

The subject application is for a proposed Carwash (Self Service) facility that would be located in conjunction with existing uses on the subject property that are related to automobile service uses, including an Auto Repair Garage and an auto parts store. The carwash would be located along the north side of the existing building and oriented such that cars would enter from the west side of the facility and exit toward the east side on Rancho Drive. Vacuum bays are also proposed in conjunction with this use and are proposed along the front of the site facing Rancho Drive.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

SDR-5562 - Staff Report Page Four
December 16, 2004 - Planning Commission Meeting

Standards	Required	Provided	Compliance
Min. Lot Size	NA	81,022 sq. ft.	NA
Min. Lot Width	100 feet	283 feet	Y
Min. Setbacks			
• Front	20 feet	84 feet	Y
• Side	10 feet	10 feet	Y
• Corner	15 feet		NA
• Rear	20 feet	48 feet	Y
Max. Lot Coverage	50 %	23%	Y
Max. Building Height	NA	One story	NA

The existing and proposed uses on the subject property are in compliance with the development standards.

A2) Parking and Traffic Standards

The existing uses on the property were established in 1998, following the approval of an Aesthetic Review (AR-0016-96) for a proposed 18,560 square foot Pep Boys retail and service center on 10/10/96 by the Planning Commission. The use was approved with 77 required parking spaces, including four handicapped parking spaces.

By current Title 19 parking standards for the present uses on the property, it is estimated that approximately 130 parking spaces are required. Consequently, the present uses are classified as a "Parking-Impaired Development." Additional uses are permitted on the property, provided that the new uses do not require more parking spaces than the existing uses and that additional parking spaces over what was required for the existing uses are provided for the new uses. Accordingly, the proposed Carwash (Self Service) facility will be required to have two additional parking spaces for a total of 79 required spaces. With the proposed Carwash (Self Service) facility, a total of 80 parking spaces are provided, not including four vacuum bays. Therefore, the property is in compliance with the parking requirements.

A4) Landscape Standards

The original development of the site was required to have a 17-foot landscaped planting strip along Rancho Drive. Within the planting strip, 24-inch box trees were to be planted 30 feet on center. Since there are no perimeter walls, no perimeter landscaping is required, and there is no change in the existing parking area configuration. With compliance with the original Conditions of Approval for the present development, the site will be in compliance with the landscape standards.

B) General Analysis and Discussion

- Zoning

The site is currently zoned C-1 (Limited Commercial). The proposed Car Wash (Self Service) is a use allowed by Special Use Permit in the C-1 zoning district.

- Site Plan

As illustrated on the site plan, the proposed Carwash (Self Service) facility would be located along the north side of the existing building and oriented such that cars would enter from the west side of the facility and exit toward the east side or Rancho Drive. With this orientation, cars entering the facility would have adequate stacking space from around the backside of the building. The car wash would be located 84 feet back from Rancho Drive to allow for adequate maneuvering when exiting the facility. The carwash opening faces Rancho Drive, which is not permitted by the Zoning Code. The applicant has requested a Waiver of this requirement in conjunction with a request for a Special Use Permit (SUP-5564) for the Carwash (Self Service) facility.

Vacuum bays are proposed in conjunction with the carwash that would be located at the front of the property facing Rancho Drive. The Zoning Code also does not permit vacuum bays to face public right-of-way. As with the carwash, the applicant has requested a Waiver in this requirement. Because of high traffic movement from cars entering and exiting the site at this location in conjunction with traffic exiting the car wash, the vacuum bays should be relocated to some other less visible and congested location on the site. This concern is addressed as a Condition of Approval in this staff report.

- Waivers

No Waivers are requested in conjunction with this application. However, as discussed above, Waivers have been submitted in conjunction with an accompanying application for a Special Use Permit for the Carwash (Self Service) facility to allow the use to front public right-of-way.

- Landscape Plan

With compliance with the original plan approved for the site, no additional landscaping is required. However, in a space of approximately 280 feet across the front of the property, 23 trees are shown. The species of the trees are not identified. It is recommended that the landscape plan as presented be approved as a Condition of Approval for this development. The trees species and number should be indicated on the landscape plan.

- Elevation

The proposed Car Wash (Self Service) facility is to consist of materials and colors that match the present building on the subject site. Like the present building, the proposed block building is to have a band of "Exotic Colonial Red" fascia located at the roofline and "Sterling Silver" sidewalls with a white horizontal band around the building.

- Floor Plan

The floor plan of the drive-through self serve car wash is typical of other similar carwashes.

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 proposed use is a vehicular oriented use that is to be located on property presently devoted to that purpose. Abutting property is presently undeveloped and zoned C-2 (General Commercial), which permits a higher intensity of commercial uses than the zoning on the subject site. Consequently, there should be no compatibility issues with future land uses that choose to locate adjacent to an existing vehicular oriented use.

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

The proposed development meets the requirement of the Title 19. With compliance with the original plan approved for the site, no additional landscaping is required.

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

The site currently has, and will continue to have access to Rancho Drive, designated as a Freeway-Expressway on the Master Plan of Streets and Highways. The site also has indirect access to an internal commercial drive that connects to Alexander Road, a Primary

Arterial (100-foot wide) street. The access to Rancho Drive is limited to right-in, right-out turning movements, but with the access to Alexander Road, the streets are adequate to serve the needs of the proposed use and will not be negatively impacted by the proposed use.

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

Building materials for the proposed new building match the colors of the existing building and, therefore, are appropriate for the area. Landscape materials are required to consist of those landscape materials required for the original site plan. However, in a space of approximately 280 feet across the front of the property, 23 trees are shown. The species of the trees are not identified.

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;"**

As addressed above, the building elevations are appropriate for the area. With the landscaping to be provided along the front of the site, the development will have a visually acceptable appearance.

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

The proposed Car Wash (Self Service) use will be subject to inspections for building and licensing, which will ensure that the public health, safety and general welfare will be safeguarded.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12.

NOTICES MAILED 49 [Mailed with SUP-5564]

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Property Owner: Wachovia Dev. Corp.

Name of Applicant: Pep Boys

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

Yes X No

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

City Official: _____ N/A

Partner(s): _____

APN: _____ The Pep Boys Manny, Moe & Jack of California
as agent for Machovia Development Corp.

Signature of Property Owner/Authorized Agent: _____

Print Name: Brian D. Zuckerman

Subscribed and sworn before me

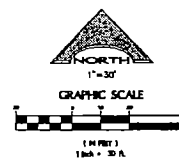
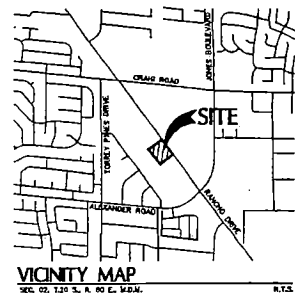
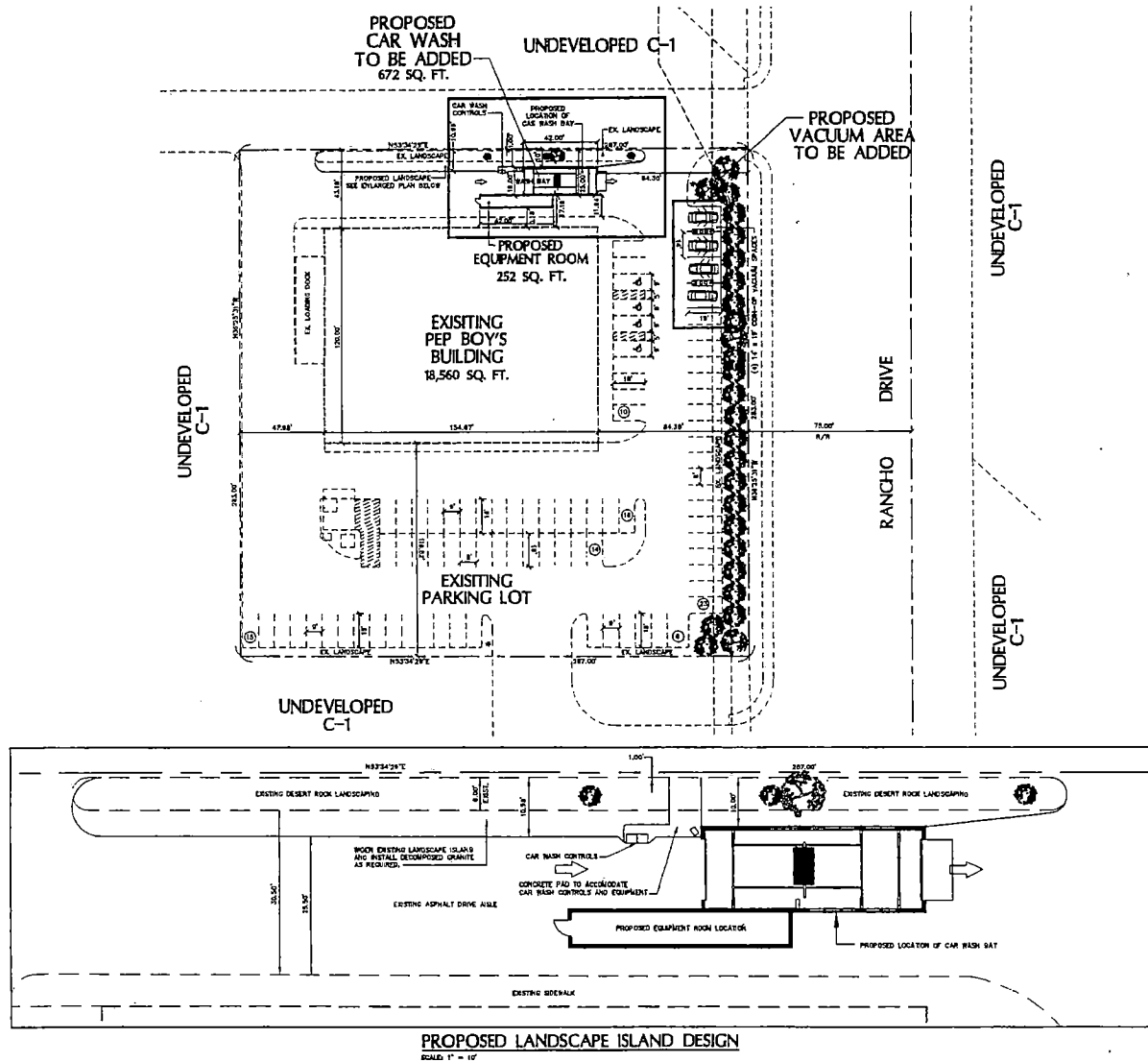
This 26th day of October, 20⁰⁴

Walter B. Porter
Notary Public in and for said County and State

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Helene B. Porter, Notary Public
City Of Philadelphia, Philadelphia County
My Commission Expires Nov. 24, 2007
Member, Pennsylvania Association Of Notaries

CAR WASH ADDITION FOR PEP BOY'S, INC.



LEGEND

---	STREET CENTERLINE
---	EXISTING IMPROVEMENTS
---	PROPERTY BOUNDARY LINE
---	PARKING STALLS

PARKING DATA

REQUIRED	77 SPACES
PROVIDED (EXISTING)	8 SPACES
PROVIDED (NEW)	4 SPACES
TOTAL SPACES	12 SPACES
VACANT SPACES	4 SPACES
(NOT INCLUDED IN PARKING TABULATION TOTAL)	

OWNER
BACHMANN DEVELOPMENT CORPORATION
3111 W. ALLEGANY AVE.
PHILADELPHIA, PA 19132

DEVELOPER
PEP BOY'S, INC.

LEGAL DESCRIPTION

TRACT 1 OF A RECORD OF SURVEY RECORDED FEBRUARY 10, 1997 IN FILE 07 AT PAGE 44 OF "TOWN OF CLARK COUNTY BEING A PORTION OF LOT 1 OF TOWNSHIP 20 N. & COUNTY SHIPING CENTER", RECORDED IN PLAT BOOK 78, PAGE 5, CLARK COUNTY, NEVADA.

A TRACT OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 3, TOWNSHIP 20 NORTH, RANGE 00 EAST, NE 1/4, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

CONTAINING 1.87 ACRES MORE OR LESS.

TABULATION

APR	138-02-814-003
CURRENT ZONING	C-1
PROPOSED ZONING	C-1
ACREAGE	1.87 ACRES

NOTES:

1. ALL EXISTING LANDSCAPING TO REMAIN.

RECEIVED

NOV 02 2004

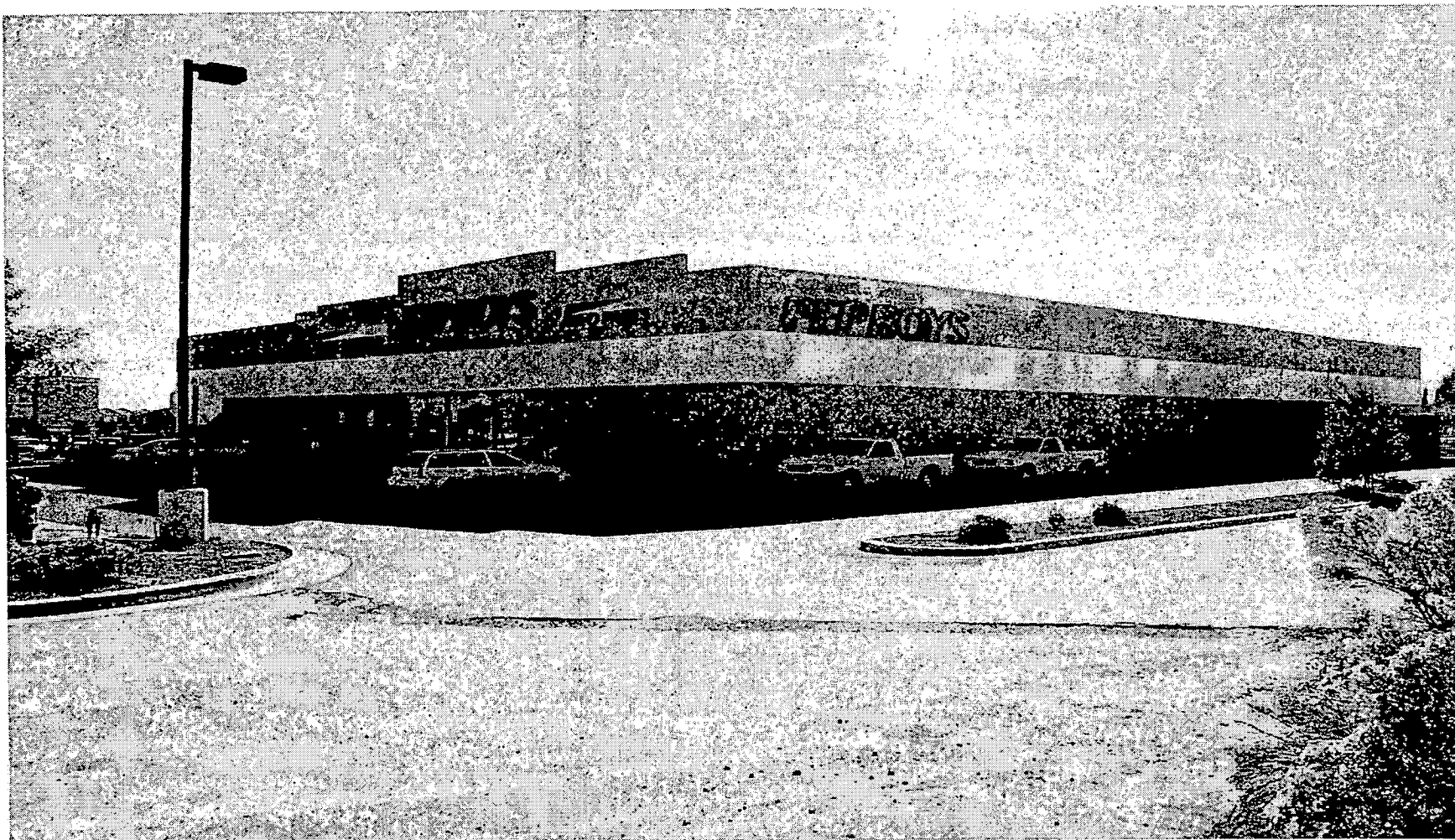
DESIGNED BY	NOV	DATE	10-07-04
DRAWN BY	NOV	DATE	10-07-04
CHECKED BY	NOV	DATE	10-07-04
APPROVED BY	NOV	DATE	10-07-04

L. R. NELSON CONSULTING ENGINEERS, INC.
5755 West Ransall Road, Suite 200
Las Vegas, Nevada 89119
(702) 788-7978
(702) 451-2288 FAX

CONCEPTUAL LANDSCAPE PLAN
CAR WASH ADDITION
FOR
PEP BOY'S, INC.
CITY OF LAS VEGAS, NEVADA

SHEET NUMBER
1
OF 1 SHEETS

SDR-5562
12/16/04 PC



SDR-5562 - APPLICANT: PEP BOYS - OWNER: WACHOVIA DEVELOPMENT CORPORATION
4141 RANCHO DRIVE
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04



SDR-5562 - APPLICANT: PEP BOYS - OWNER: WACHOVIA DEVELOPMENT CORPORATION
4141 RANCHO DRIVE
DECEMBER 16, 2004 PLANNING COMMISSION

12/2/04