City of Las Vegas

Agenda Item No. 58

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: CITY ATTORNEY

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

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-76 - Updates the membership of the Design Review Committee for the Downtown Entertainment Overlay District. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact:

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

PURPOSE/BACKGROUND:

By ordinance, the Design Review Committee for the Downtown Entertainment Overlay District includes within its membership a representative of the City Centre Development Corporation. Because that corporation no longer functions, it is necessary to update the committee membership. This bill will accomplish that, adding a second representative from the Planning and Development Department to take the place of the seat previously held by City Centre Development Corporation.

RECOMMENDATION:

ADOPTION at 1/5/2005 City Council meeting pursuant to the 12/14/2004 Recommending Committee.

First Reading – 12/1/2004; First Publication – 12/23/2004

BACKUP DOCUMENTATION:

Bill No. 2004-76

MOTION:

WEEKLY - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5740 - UNANIMOUS with MONCRIEF excused

Clerk to proceed with second publication

MINUTES:

There was no discussion.
(10:19 - 10:20)
1-2748

BILL NO. 2004-76

ORDINANCE NO. _____

AN ORDINANCE TO UPDATE THE MEMBERSHIP OF THE DESIGN REVIEW COMMITTEE FOR THE DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT, AND TO PROVIDE FOR OTHER RELATED MATTERS.

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

Summary: Updates the membership of the Design Review Committee for the Downtown Entertainment Overlay District.

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

SECTION 1: Title 19, Chapter 6, Section 120, Subsection (E), Paragraph (2), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

(2) There is hereby created a Design Review Committee for the Downtown Entertainment Overlay District (DEOD-DRC). The DEOD-DRC shall [initially] be composed of:

(a) Two members from the Planning Commission, to be designated by the Planning Commission;

(b) [One member from the City Centre Development Corporation, either from its Board of Directors or from its staff, to be designated by the Board of Directors;

(c) One member] Two members from the Planning and Development Department; [and]

[(d)] (c) One member from the Office of Business Development who is assigned to the City of Las Vegas Redevelopment Agency[.]; and

(d) [If and when there is created an owners' association that is representative of the owners of property located within the District, the membership of the DEOD-DRC shall also include two] Two members from [that owners' association,] an owners' association that is representative of the owners of property located within the District, to be designated by the governing board thereof.

SECTION 2: For purposes of Section 2.100(3) of the City Charter, LVMC 19.06.120 is deemed to be a subchapter rather than a section.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or

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

SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2005.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Valked 11-16-04
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2004, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2005, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 59

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: CITY ATTORNEY

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

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-78 - Clarifies the procedures and standards that apply to the installation of speed humps on residential streets. Proposed by: Richard D. Goecke, Director of Public Works

Fiscal Impact:

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

PURPOSE/BACKGROUND:

The City currently has a number of procedures and provisions that apply to the installation of speed humps on residential streets. This bill will establish an overall approach to the issue, taking into account existing procedures and standards and clarifying the role and discretion of the City Council in the process.

RECOMMENDATION:

ADOPTION at 1/5/2005 City Council meeting pursuant to the 12/14/2004 Recommending Committee.

First Reading – 12/1/2004; First Publication – 12/23/2004

BACKUP DOCUMENTATION:

Bill No. 2004-78

MOTION:

WEEKLY - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5741 - UNANIMOUS with MONCRIEF excused

Clerk to proceed with second publication

MINUTES:

There was no discussion.
(10:20)
1-2774

BILL NO. 2004-78

ORDINANCE NO. _____

AN ORDINANCE TO CLARIFY THE PROCEDURES AND STANDARDS THAT APPLY TO THE INSTALLATION OF SPEED HUMPS ON RESIDENTIAL STREETS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Richard D. Goecke, Director of Public Works

Summary: Clarifies the procedures and standards that apply to the installation of speed humps on residential streets.

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

SECTION 1: Title 11 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 33, consisting of the provisions set forth as Section 2 of this Ordinance.

SECTION 2: (A) The approval and installation of speed humps on residential streets within the City shall be in accordance with:

(1) This Section;

(2) Any criteria for the approval and installation of such devices that have been adopted by the City Council; and

(3) Applicable provisions of the City's Fire Code.

(B) The City Council shall have the discretion to waive any of the criteria described in Paragraph (2) of Subsection (A) for good cause.

(C) For purposes of this Section and the Manual on Uniform Traffic Control Devices adopted pursuant to NAC 408.411, speed humps are deemed to be roadway design features rather than traffic-control devices.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,

paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2005.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 11-16-04
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2004, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2005, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 60

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: CITY ATTORNEY

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

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-79 - Levies Assessment for Special Improvement District No. 1480 - Buffalo Drive (Cheyenne Avenue to Lone Mountain Road). Sponsored by: Step Requirement

Fiscal Impact:

☐	**No Impact**	**Amount:**	$308,608.02
☒	**Budget Funds Available**	**Dept./Division:**	Public Works/SID
☐	**Augmentation Required**	**Funding Source:**	Capital Projects Fund/Special Assessments

PURPOSE/BACKGROUND:

Levies the assessment for the cost of street improvements: pavement, curb and gutter, sidewalk, driveways, streetlights, water laterals, water mains, sewer laterals, and sewer mains. The assessments will be paid over a 10-year period.

RECOMMENDATION:

ADOPTION at 1/5/2005 City Council meeting pursuant to the 12/14/2004 Recommending Committee.

First Reading – 12/1/2004; First Publication – 12/23/2004

BACKUP DOCUMENTATION:

Bill No. 2004-79

MOTION:

WEEKLY - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5742 - UNANIMOUS with MONCRIEF excused

Clerk to proceed with second publication

MINUTES:

There was no discussion.
(10:20 - 10:21)
1-2794

BILL NO. 2004-79

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1480 – BUFFALO DRIVE (CHEYENNE AVENUE TO LONE MOUNTAIN ROAD); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

Summary: Levy Ordinance

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) in the County of Clark and State of Nevada, has heretofore, pursuant to the requisite preliminary proceedings, created Las Vegas, Nevada, Special Improvement District No. 1480 – Buffalo Drive (Cheyenne Avenue to Lone Mountain Road) (hereinafter the "District"), for the purpose of acquiring a Street Project, a Sanitary Sewer Project, and a Water Project as defined in Chapter 271, Nevada Revised Statutes (hereinafter the "Project") and has provided that a portion of the entire cost and expense of the Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the District has been properly created by an ordinance heretofore adopted under the provisions of the Consolidated Local Improvement Law; and

WHEREAS, the City Council has heretofore determined that a portion of the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the improvements of the Project; and

WHEREAS, in accordance with NRS 271.360, the City Council has heretofore determined, and does hereby declare, that the net cost of all improvements in the District (including all necessary incidentals which either have been or will be incurred in connection with the District) is $11,759,710.00, of which, $11,451,101.98 is available from other sources and of which $308,608.02 is to be assessed upon the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the improvements of the Project; and

WHEREAS, the City Council, by resolution heretofore adopted and directed the City Engineer of the City (hereinafter the "City Engineer") to make out a final assessment roll; and

WHEREAS, after a determination of the portion of the costs of such work to be paid by the property specially benefited, the City Council, together with the City Engineer (with the assistance of the Engineering Integration Division) made out a final assessment roll containing, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, and the amount of the assessment thereon. The City Engineer has reported the final assessment roll to the City Council and the City Engineer has filed the final assessment roll with the City Clerk; and

WHEREAS, the City Council thereupon fixed a time and place, to wit: Wednesday, November 17, 2004, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada, when all complaints, protests and objections to the final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District, by any person interested, and by any parties aggrieved by such assessments, would be heard and considered by the City Council; and

WHEREAS, the City Engineer (with the assistance of Engineering Integration Division) has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for improvements in the District should be filed with the City Clerk, and that the City Council would hear and consider any and all complaints, protests or objections on Wednesday, November 17, 2004, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada; and

WHEREAS, the City Council caused the final assessment roll ("Tabulation of Parcels") to be filed in the records of the office of the City Clerk on October 20, 2004. The City Clerk, by publication and by mail, gave the requisite notice of the time and place of such hearing, of the filing of the final assessment roll in her office, of the date of filing the same, and of the right of any such person to object specifically in writing and of the waiver of any objection in the absence of such objection; and

WHEREAS, at the time and place so designated, the City Council met to hear and determine all objections filed or made orally by any interested party; and

WHEREAS, all complaints, protests and objections, both written and oral, were found to be without sufficient merit and overruled, except as provided in the District No. 1480 Assessment Protest Resolution; and

WHEREAS, by the District No. 1480 Assessment Protest Resolution, the City Council modified, corrected and revised the final assessment roll and modified, corrected, revised and confirmed the final assessment roll to be in final form; and

WHEREAS, the assessments do not exceed the benefits to the property assessed nor that portion of the total cost of the Project payable from assessments as heretofore determined; and

WHEREAS, it is incumbent upon the City Council to provide when said assessments shall become due and penalties payable after any delinquency; and

WHEREAS, the City Council has determined, and does hereby determine, that the City shall pay the costs of the Project, in part, with funds derived from the levy of assessments, and the City will pay one-half or more of the costs of the Project with monies derived from other than the levy of special assessment, and that the exception provided by NRS 271.306(2)(a) does exist with respect to the Project; and

WHEREAS, the owners of certain property to be located within the proposed District have requested the City to include as part of the improvements to be constructed within the District, for such property, water and/or sewer improvements and such owners have executed an affidavit of waiver and consent (hereinafter the "Affidavit"), consenting to the construction of such improvements and the assessment of the cost of such improvements on such property.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

Section 1. This Ordinance shall be known as, and may be cited by, the short title "District No. 1480 Levy Ordinance" (hereinafter the "Ordinance").

Section 2. The City Council has heretofore determined, and does hereby declare, that each and every complaint, protest and objection made in connection with the District is without sufficient merit

and the same be, and the same hereby is, overruled, and finally passed on by the City Council, except as provided in the District No. 1480 Assessment Protest Resolution.

Section 3. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning Special Improvement District No. 1480 – Buffalo Drive (Cheyenne Avenue to Lone Mountain Road), including, but not limited to, the creation of the District, the acquisition of the Project, the amount of the construction contract, the levy of assessments for those purposes, the determination that the tracts in the District will receive special benefits and market value increases, and the validation and confirmation of the final assessment roll and the assessments therein, be, and the same hereby is, ratified, approved and confirmed.

Section 4. For the purpose of paying a portion of the costs and expenses of the Project, the amounts and assessments shown in the final assessment roll (as so filed, modified and confirmed) are hereby levied and assessed against the lots, tracts and parcels of land in the District (being all those specially benefited by said improvements) and described in the final assessment roll for the District, as filed in the office of the City Clerk on October 20, 2004, and as modified and confirmed by the District No. 1480 Assessment Protest Resolution duly adopted by the City Council on December 1, 2004.

Section 5. The assessments shall be due and payable at the office of the City Treasurer within 30 days after this Ordinance becomes effective, without interest and without demand, provided that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments, the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in twenty (20) substantially equal semiannual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this Ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of the City Treasurer on April 1 and October 1 in each year, commencing on October 1, 2005. After the effective

date of this Ordinance and before assessment bonds are issued (or if bonds are not issued), the City Council shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold the rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the district. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the bids for such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the City. The exercise of said option to be indicated by the commencement of foreclosure proceedings by the City. The whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether or not said option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment, may at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after February 8, 2005, but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at seven and 57/100 percent (7.57%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the

same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expire; (c) the property owner's application for renewal of the Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Section 6. The amounts assessed shall be a lien upon the owner's lots, tracts and parcels of land from the effective date of this Ordinance (i.e. January 9, 2005) until paid. The lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

Section 7. Should any lot, tract or parcel of land within the District be divided after the effective date of this Ordinance and before the collection of all the assessment installments, or if any property in the District makes a request to do so, the City Council may require the City Treasurer to apportion, combine or reapportion the uncollected amounts upon the several parts of land so divided or combined in accordance with the provisions of NRS 271.425. The report of such an apportionment, combination or reapportionment, when approved, shall be conclusive on all the parties, and all assessments thereafter made upon the tracts shall thereafter be according to the subdivision. The report, when approved, shall be recorded in the office of the County Recorder of Clark County, Nevada, together with a statement that the current payment status of any of the assessments may be obtained from the City Treasurer. Neither the failure to record the report, nor any defect in the report as recorded, shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien.

Section 8. In case any lot, tract or parcel of land so assessed is delinquent in the payment of the assessment or any installment of principal or interest, the City Council shall forthwith cause the owner

of such delinquent property, if known, to be immediately notified in writing of such delinquency, by first-class mail, postage prepaid, addressed to the addressee's last known address. If such delinquency is not paid within 10 days after such notice was given by deposit in the United States mail, then said assessment shall be enforced by the City Treasurer and other officers of the City, as provided in NRS 271.545 to NRS 271.630. Nothing herein shall be construed as preventing the City, at the direction of the governing body, from collecting any assessment by suit in the name of the governing body. The final assessment roll and the certified copy of this Ordinance shall be prima facie evidence of the regularity of the proceedings in making the assessment and of the right to recover judgment therefor. If a foreclosure is not promptly filed and prosecuted, then any bondholder may file and prosecute said foreclosure action in the name of the City. Any bondholder may also proceed against the City to protect and enforce the rights of the bondholders under this Ordinance by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provision contained herein or in an award of execution of any power herein granted for the enforcement of any proper, legal or equitable remedy as such bondholder or bondholders may deem most effective to protect and enforce the rights aforesaid. All such proceedings, at law or in equity, shall be instituted, had and maintained for the equal benefit of all owners of the bonds then outstanding. The failure of the bondholders to foreclose such delinquent assessments or to proceed against the City shall not relieve the City or any of its officers, agents or employees of any liability for its failure to foreclose such delinquent assessments.

Section 9. The City Clerk is hereby directed to deliver to the City Treasurer a copy of the final assessment roll containing a description of the lots, tracts and parcels of land being assessed, with the amount of the assessment levied upon each and the name and address of the owner or owners against whom the assessment was made. The final assessment roll is to be recorded in the office of the County Recorder together with the statement that the current payment status of any assessment may be obtained from the City Treasurer. The City Treasurer is additionally directed to collect the several sums so assessed as a tax upon the several tracts to which they were assessed.

Section 10. In accordance with NRS 271.405(7) the City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City, and such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first

such publication to be at least 15 days prior to the end of the 30-day period stating that said assessments have been levied and are due and payable. The notice shall further state that payment must be made in full prior to the end of the 30 day period to avoid paying interest on the assessment. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication and the last publication. Service by publication shall be verified by the affidavit of the publisher and filed with the City Clerk of the City. In accordance with NRS 271.390(2), the City Clerk or Deputy City Clerk shall also give written notice of the levying of the assessments by mailing a copy of such notice, postage prepaid, at least 20 days prior to the end of said 30-day period, to the owner or owners of all property upon which the assessment was levied at his or her last known address or addresses. Proof of such mailing shall be made by the affidavit of the City Clerk or Deputy City Clerk and such proof shall be filed with the City Clerk. Failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and special assessment bonds issued (if such special assessment bonds are hereafter issued) shall have been paid in full, both principal and interest, or until any claim is barred by an appropriate statute of limitations. The City Council hereby determines that the manner of giving notice herein provided by publication and by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

Section 11. The notice provided for in NRS 271.390(2) and NRS 271.405(7) and in Section 10 of this Ordinance shall be in substantially the following form:

(Form of Notice)

NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR IMPROVEMENTS IN CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1480 – BUFFALO DRIVE (CHEYENNE AVENUE TO LONE MOUNTAIN ROAD)

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons, that District No. 1480 Levy Ordinance (hereinafter the "Levy Ordinance") was duly passed, adopted, signed and approved on January 5, 2005. The Levy Ordinance levied and assessed a portion of the cost and expense of such improvements against the lots, tracts and parcels of land specially benefited by the local improvements in what is commonly designated as "City of Las Vegas, Nevada, Special Improvement District No. 1480 – Buffalo Drive (Cheyenne Avenue to Lone Mountain Road)," (said lots, tracts and parcels of land being more specifically described in the final assessment roll designated in the ordinance).

Assessments are due and payable at the office of the City Treasurer, in Las Vegas, Nevada, on or before February 8, 2005, being 30 days after the effective date of the Levy Ordinance, without interest and without demand, provided that all, or any part of such assessments may, at the election of the owner, be paid in installments, with interest as hereinafter provided. Failure to pay the whole assessment within the 30-day period will be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in installments. In case of such election to pay in installments, the unpaid assessments will be payable in twenty (20) substantially equal semi-annual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from January 9, 2005 (i.e., the effective date of the Levy Ordinance) both principal and interest being payable semi-annually at the office of the City Treasurer, Las Vegas, Nevada, on April 1 and October 1 in each year, commencing on October 1, 2005. After the effective date of the Levy Ordinance and before assessment bonds are issued (or if bonds are not issued), the City Council shall by Resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, the rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three

percent (3%) the "Index of Twenty Bonds", which is most recently published before the bids for such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. Failure to pay any assessment installment, whether principal or interest, when due will cause the whole of the unpaid principal of such assessment to become due and payable immediately at the City's option, and the whole amount of the unpaid principal and accrued interest will, after such delinquency, whether or not the City's option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of payment, with the interest thereon and all penalties accrued, and will thereupon be restored the right, thereafter, to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any semi-annual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after February 8, 2005, but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at seven and 57/100 percent (7.57%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expires; (c) the property owner's application for renewal of a Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a

timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Pursuant to NRS 271.395, within 15 days after the effective date of the Levy Ordinance, any person who has filed a complaint, protest or objection in writing, pursuant to NRS 271.380, shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, of the amount of special benefits and market value increases, and of the amount thereof levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation shall be perpetually barred.

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from January 9, 2005 (i.e., the effective date of the Levy Ordinance), which lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

Dated this January 5, 2005.

_____

BARBARA JO RONEMUS, City Clerk

(End of Form of Notice)

Section 12. The officers of the City be, and they hereby are, authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings, the recording of the final assessment roll, and other items necessary or desirable for the completion of the levying of the assessments of the District and the issuance of the bonds therefor.

Section 13. All ordinances or resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

Section 14. That in accordance with Section 2.110 of the City Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request; thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal, i.e., a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i.e., at least ten (10) days before January 5, 2005, such publication to be in substantially the following form:

(FORM OF PUBLICATION OF NOTICE OF DEPOSIT OF AN ORDINANCE)

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1480 – BUFFALO DRIVE (CHEYENNE AVENUE TO LONE MOUNTAIN ROAD); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 400 Stewart Avenue, Las Vegas, Nevada, and that such ordinance was proposed on the 1st day of December, 2004, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 5th day of January, 2005.

/s/ Barbara Jo Ronemus
City Clerk

(End of Form)

Section 15. That this Ordinance shall be in effect on the day after its publication, as hereinafter provided. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published by title only, together with the names of the City Council voting for or against its passage, and with a statement that typewritten copies of said Ordinance are available for inspection by all interested parties at the office of the City Clerk, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having general circulation in the City, at least once, pursuant to Section 2.110 of the Charter and all laws thereunto enabling, such publication is to be in substantially the following form:

(Form for Publication After Final Adoption of Ordinance)

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1480 – BUFFALO DRIVE (CHEYENNE AVENUE TO LONE MOUNTAIN ROAD); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on December 1, 2004, and was passed at a regular meeting held on January 5, 2005, by the following vote of the City Council of the City of Las Vegas, Nevada:

Those Voting Aye:	Oscar B. Goodman Gary Reese Larry Brown Lawrence Weekly Michael Mack Janet Moncrief Steve Wolfson
Those Voting Nay:	_____ _____
Those Absent:	_____ _____

This Ordinance shall be in full force and effect from and after _____, 20___, i.e., the day after its publication by title only.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

This _____ day of _____, 20___.

/s/ OSCAR B. GOODMAN
Mayor
City of Las Vegas, Nevada

(SEAL)

Attest:
/s/ BARBARA JO RONEMUS
City Clerk

Section 16. That if any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

Introduced December 1, 2004, PASSED, ADOPTED AND APPROVED January 5, 2005.

OSCAR B. GOODMAN, Mayor

Attest:

BARBARA JO RONEMUS, City Clerk

Approved as to Form:

Date Deputy City Attorney

STATE OF NEVADA)
)
COUNTY OF CLARK) SS
)
CITY OF LAS VEGAS)

I, Barbara Jo Ronemus, the duly chosen, qualified City Clerk of the City of Las Vegas (hereinafter the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the City Council on December 1, 2004 and finally adopted and approved on January 5, 2005.

2. The following members of the City Council were present at the December 1, 2004 Council meeting:

Mayor:	Oscar B. Goodman
Councilmembers:	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Janet Moncrief
	Steve Wolfson

3. The foregoing Ordinance was first proposed and read by title to the City Council on December 1, 2004, and referred to a committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said Ordinance on January 5, 2005, which was a regular meeting of said City Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The following members of the City Council were present at the January 5, 2005 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar B. Goodman
	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Janet Moncrief
	Steve Wolfson
Those Voting Nay:	_____
	_____
Those Absent:	_____
	_____

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself, as Clerk of the City, and sealed with the seal of the City, and has been recorded in the journal of the City Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the City Council were given due and proper notice of the meetings held on December 1, 2004, and January 5, 2005. Pursuant to § 241.020, Nevada Revised Statues, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9:00 a.m. at least three (3) working days before the meetings at the principal office of the City Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the City Council, to wit:

(i) City Clerk's Bulletin Board
City Hall Plaza
2nd Floor Skybridge
Las Vegas, Nevada

(ii) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada

(iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada

(iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada

(v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

; and

(b) By mailing a copy of the notice by 9:00 a.m. no later than three (3) working days before the meetings to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council.

6. A copy of such notice so given of the meeting of the City Council on December 1, 2004, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the City Council on January 5, 2005, is attached to this certificate as Exhibit B.

7. Upon request, the governing body provides, at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the members of the governing body for an item on the agenda, except for certain confidential materials and materials pertaining to the closed meetings, as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand on this January 5, 2005.

BARBARA JO RONEMUS, City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of December 1, 2004 Meeting)

EXHIBIT B

(Attach Copy of Notice of January 5, 2005 Meeting)

City of Las Vegas

Agenda Item No. 61

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

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

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-80 - Levies Assessment for Special Improvement District No. 1495 - Buffalo Drive (Cheyenne Avenue to Lone Mountain Road). Sponsored by: Step Requirement

Fiscal Impact:

☐	**No Impact**	**Amount:**	$12,759.92
☒	**Budget Funds Available**	**Dept./Division:**	Public Works/SID
☐	**Augmentation Required**	**Funding Source:**	Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:
Levies the assessment for the cost of street improvements: pavement, curb and gutter, sidewalk, and streetlights. The assessments will be paid over a 10-year period.

RECOMMENDATION:
ADOPTION at 1/5/2005 City Council meeting pursuant to the 12/14/2004 Recommending Committee.

First Reading – 12/1/2004; First Publication – 12/23/2004

BACKUP DOCUMENTATION:
Bill No. 2004-80

MOTION:
WEEKLY - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5743 - UNANIMOUS with MONCRIEF excused

Clerk to proceed with second publication

MINUTES:
There was no discussion.
(10:21 - 10:22)
1-2825

BILL NO. 2004-80

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1495 – BUFFALO DRIVE (CHEYENNE AVENUE TO LONE MOUNTAIN ROAD); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

Summary: Levy Ordinance

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) in the County of Clark and State of Nevada, has heretofore, pursuant to the requisite preliminary proceedings, created Las Vegas, Nevada, Special Improvement District No. 1495 – Buffalo Drive (Cheyenne Avenue to Lone Mountain Road) (hereinafter the "District"), for the purpose of acquiring a Street Project, a Sanitary Sewer Project, and a Water Project as defined in Chapter 271, Nevada Revised Statutes (hereinafter the "Project") and has provided that a portion of the entire cost and expense of the Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the District has been properly created by an ordinance heretofore adopted under the provisions of the Consolidated Local Improvement Law; and

WHEREAS, the City Council has heretofore determined that a portion of the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the improvements of the Project; and

WHEREAS, in accordance with NRS 271.360, the City Council has heretofore determined, and does hereby declare, that the net cost of all improvements in the District (including all necessary incidentals which either have been or will be incurred in connection with the District) is $11,759,710.00, of which, $11,746,950.08 is available from other sources and of which $12,759.92 is to be assessed upon the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the improvements of the Project; and

WHEREAS, the City Council, by resolution heretofore adopted and directed the City Engineer of the City (hereinafter the "City Engineer") to make out a final assessment roll; and

WHEREAS, after a determination of the portion of the costs of such work to be paid by the property specially benefited, the City Council, together with the City Engineer (with the assistance of the Engineering Integration Division) made out a final assessment roll containing, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, and the amount of the assessment thereon. The City Engineer has reported the final assessment roll to the City Council and the City Engineer has filed the final assessment roll with the City Clerk; and

WHEREAS, the City Council thereupon fixed a time and place, to wit: Wednesday, November 17, 2004, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada, when all complaints, protests and objections to the final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District, by any person interested, and by any parties aggrieved by such assessments, would be heard and considered by the City Council; and

WHEREAS, the City Engineer (with the assistance of Engineering Integration Division) has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for improvements in the District should be filed with the City Clerk, and that the City Council would hear and consider any and all complaints, protests or objections on Wednesday, November 17, 2004, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada; and

WHEREAS, the City Council caused the final assessment roll ("Tabulation of Parcels") to be filed in the records of the office of the City Clerk on October 20, 2004. The City Clerk, by publication and by mail, gave the requisite notice of the time and place of such hearing, of the filing of the final assessment roll in her office, of the date of filing the same, and of the right of any such person to object specifically in writing and of the waiver of any objection in the absence of such objection; and

WHEREAS, at the time and place so designated, the City Council met to hear and determine all objections filed or made orally by any interested party; and

WHEREAS, all complaints, protests and objections, both written and oral, were found to be without sufficient merit and overruled, except as provided in the District No. 1495 Assessment Protest Resolution; and

WHEREAS, by the District No. 1495 Assessment Protest Resolution, the City Council modified, corrected and revised the final assessment roll and modified, corrected, revised and confirmed the final assessment roll to be in final form; and

WHEREAS, the assessments do not exceed the benefits to the property assessed nor that portion of the total cost of the Project payable from assessments as heretofore determined; and

WHEREAS, it is incumbent upon the City Council to provide when said assessments shall become due and penalties payable after any delinquency; and

WHEREAS, the City Council has determined, and does hereby determine, that the City shall pay the costs of the Project, in part, with funds derived from the levy of assessments, and the City will pay one-half or more of the costs of the Project with monies derived from other than the levy of special assessment, and that the exception provided by NRS 271.306(2)(a) does exist with respect to the Project; and

WHEREAS, the owners of certain property to be located within the proposed District have requested the City to include as part of the improvements to be constructed within the District, for such property, water and/or sewer improvements and such owners have executed an affidavit of waiver and consent (hereinafter the "Affidavit"), consenting to the construction of such improvements and the assessment of the cost of such improvements on such property.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

Section 1. This Ordinance shall be known as, and may be cited by, the short title "District No. 1495 Levy Ordinance" (hereinafter the "Ordinance").

Section 2. The City Council has heretofore determined, and does hereby declare, that each and every complaint, protest and objection made in connection with the District is without sufficient merit

and the same be, and the same hereby is, overruled, and finally passed on by the City Council, except as provided in the District No. 1495 Assessment Protest Resolution.

Section 3. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning Special Improvement District No. 1495 – Buffalo Drive (Cheyenne Avenue to Lone Mountain Road), including, but not limited to, the creation of the District, the acquisition of the Project, the amount of the construction contract, the levy of assessments for those purposes, the determination that the tracts in the District will receive special benefits and market value increases, and the validation and confirmation of the final assessment roll and the assessments therein, be, and the same hereby is, ratified, approved and confirmed.

Section 4. For the purpose of paying a portion of the costs and expenses of the Project, the amounts and assessments shown in the final assessment roll (as so filed, modified and confirmed) are hereby levied and assessed against the lots, tracts and parcels of land in the District (being all those specially benefited by said improvements) and described in the final assessment roll for the District, as filed in the office of the City Clerk on October 20, 2004, and as modified and confirmed by the District No. 1495 Assessment Protest Resolution duly adopted by the City Council on December 1, 2004.

Section 5. The assessments shall be due and payable at the office of the City Treasurer within 30 days after this Ordinance becomes effective, without interest and without demand, provided that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments, the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in twenty (20) substantially equal semiannual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this Ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of the City Treasurer on April 1 and October 1 in each year, commencing on October 1, 2005. After the effective

date of this Ordinance and before assessment bonds are issued (or if bonds are not issued), the City Council shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold the rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the district. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the bids for such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the City. The exercise of said option to be indicated by the commencement of foreclosure proceedings by the City. The whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether or not said option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment, may at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after February 8, 2005, but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at seven and 57/100 percent (7.57%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the

same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expire; (c) the property owner's application for renewal of the Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Section 6. The amounts assessed shall be a lien upon the owner's lots, tracts and parcels of land from the effective date of this Ordinance (i.e. January 9, 2005) until paid. The lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

Section 7. Should any lot, tract or parcel of land within the District be divided after the effective date of this Ordinance and before the collection of all the assessment installments, or if any property in the District makes a request to do so, the City Council may require the City Treasurer to apportion, combine or reapportion the uncollected amounts upon the several parts of land so divided or combined in accordance with the provisions of NRS 271.425. The report of such an apportionment, combination or reapportionment, when approved, shall be conclusive on all the parties, and all assessments thereafter made upon the tracts shall thereafter be according to the subdivision. The report, when approved, shall be recorded in the office of the County Recorder of Clark County, Nevada, together with a statement that the current payment status of any of the assessments may be obtained from the City Treasurer. Neither the failure to record the report, nor any defect in the report as recorded, shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien.

Section 8. In case any lot, tract or parcel of land so assessed is delinquent in the payment of the assessment or any installment of principal or interest, the City Council shall forthwith cause the owner

of such delinquent property, if known, to be immediately notified in writing of such delinquency, by first-class mail, postage prepaid, addressed to the addressee's last known address. If such delinquency is not paid within 10 days after such notice was given by deposit in the United States mail, then said assessment shall be enforced by the City Treasurer and other officers of the City, as provided in NRS 271.545 to NRS 271.630. Nothing herein shall be construed as preventing the City, at the direction of the governing body, from collecting any assessment by suit in the name of the governing body. The final assessment roll and the certified copy of this Ordinance shall be prima facie evidence of the regularity of the proceedings in making the assessment and of the right to recover judgment therefor. If a foreclosure is not promptly filed and prosecuted, then any bondholder may file and prosecute said foreclosure action in the name of the City. Any bondholder may also proceed against the City to protect and enforce the rights of the bondholders under this Ordinance by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provision contained herein or in an award of execution of any power herein granted for the enforcement of any proper, legal or equitable remedy as such bondholder or bondholders may deem most effective to protect and enforce the rights aforesaid. All such proceedings, at law or in equity, shall be instituted, had and maintained for the equal benefit of all owners of the bonds then outstanding. The failure of the bondholders to foreclose such delinquent assessments or to proceed against the City shall not relieve the City or any of its officers, agents or employees of any liability for its failure to foreclose such delinquent assessments.

Section 9. The City Clerk is hereby directed to deliver to the City Treasurer a copy of the final assessment roll containing a description of the lots, tracts and parcels of land being assessed, with the amount of the assessment levied upon each and the name and address of the owner or owners against whom the assessment was made. The final assessment roll is to be recorded in the office of the County Recorder together with the statement that the current payment status of any assessment may be obtained from the City Treasurer. The City Treasurer is additionally directed to collect the several sums so assessed as a tax upon the several tracts to which they were assessed.

Section 10. In accordance with NRS 271.405(7) the City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City, and such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first

such publication to be at least 15 days prior to the end of the 30-day period stating that said assessments have been levied and are due and payable. The notice shall further state that payment must be made in full prior to the end of the 30 day period to avoid paying interest on the assessment. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication and the last publication. Service by publication shall be verified by the affidavit of the publisher and filed with the City Clerk of the City. In accordance with NRS 271.390(2), the City Clerk or Deputy City Clerk shall also give written notice of the levying of the assessments by mailing a copy of such notice, postage prepaid, at least 20 days prior to the end of said 30-day period, to the owner or owners of all property upon which the assessment was levied at his or her last known address or addresses. Proof of such mailing shall be made by the affidavit of the City Clerk or Deputy City Clerk and such proof shall be filed with the City Clerk. Failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and special assessment bonds issued (if such special assessment bonds are hereafter issued) shall have been paid in full, both principal and interest, or until any claim is barred by an appropriate statute of limitations. The City Council hereby determines that the manner of giving notice herein provided by publication and by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

Section 11. The notice provided for in NRS 271.390(2) and NRS 271.405(7) and in Section 10 of this Ordinance shall be in substantially the following form:

(Form of Notice)

NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR IMPROVEMENTS IN CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1495 – BUFFALO DRIVE (CHEYENNE AVENUE TO LONE MOUNTAIN ROAD)

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons, that District No. 1495 Levy Ordinance (hereinafter the "Levy Ordinance") was duly passed, adopted, signed and approved on January 5, 2005. The Levy Ordinance levied and assessed a portion of the cost and expense of such improvements against the lots, tracts and parcels of land specially benefited by the local improvements in what is commonly designated as "City of Las Vegas, Nevada, Special Improvement District No. 1495 – Buffalo Drive (Cheyenne Avenue to Lone Mountain Road)," (said lots, tracts and parcels of land being more specifically described in the final assessment roll designated in the ordinance).

Assessments are due and payable at the office of the City Treasurer, in Las Vegas, Nevada, on or before February 8, 2005, being 30 days after the effective date of the Levy Ordinance, without interest and without demand, provided that all, or any part of such assessments may, at the election of the owner, be paid in installments, with interest as hereinafter provided. Failure to pay the whole assessment within the 30-day period will be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in installments. In case of such election to pay in installments, the unpaid assessments will be payable in twenty (20) substantially equal semi-annual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from January 9, 2005 (i.e., the effective date of the Levy Ordinance) both principal and interest being payable semi-annually at the office of the City Treasurer, Las Vegas, Nevada, on April 1 and October 1 in each year, commencing on October 1, 2005. After the effective date of the Levy Ordinance and before assessment bonds are issued (or if bonds are not issued), the City Council shall by Resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, the rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three

percent (3%) the "Index of Twenty Bonds", which is most recently published before the bids for such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. Failure to pay any assessment installment, whether principal or interest, when due will cause the whole of the unpaid principal of such assessment to become due and payable immediately at the City's option, and the whole amount of the unpaid principal and accrued interest will, after such delinquency, whether or not the City's option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of payment, with the interest thereon and all penalties accrued, and will thereupon be restored the right, thereafter, to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any semi-annual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after February 8, 2005, but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at seven and 57/100 percent (7.57%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expires; (c) the property owner's application for renewal of a Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a

timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Pursuant to NRS 271.395, within 15 days after the effective date of the Levy Ordinance, any person who has filed a complaint, protest or objection in writing, pursuant to NRS 271.380, shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, of the amount of special benefits and market value increases, and of the amount thereof levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation shall be perpetually barred.

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from January 9, 2005 (i.e., the effective date of the Levy Ordinance), which lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

Dated this January 5, 2005.

BARBARA JO RONEMUS, City Clerk

(End of Form of Notice)

Section 12. The officers of the City be, and they hereby are, authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings, the recording of the final assessment roll, and other items necessary or desirable for the completion of the levying of the assessments of the District and the issuance of the bonds therefor.

Section 13. All ordinances or resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

Section 14. That in accordance with Section 2.110 of the City Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request; thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal, i.e., a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i.e., at least ten (10) days before January 5, 2005, such publication to be in substantially the following form:

(FORM OF PUBLICATION OF NOTICE OF DEPOSIT OF AN ORDINANCE)

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1495 – BUFFALO DRIVE (CHEYENNE AVENUE TO LONE MOUNTAIN ROAD); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 400 Stewart Avenue, Las Vegas, Nevada, and that such ordinance was proposed on the 1st day of December, 2004, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 5th day of January, 2005.

/s/ Barbara Jo Ronemus
City Clerk

(End of Form)

Section 15. That this Ordinance shall be in effect on the day after its publication, as hereinafter provided. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published by title only, together with the names of the City Council voting for or against its passage, and with a statement that typewritten copies of said Ordinance are available for inspection by all interested parties at the office of the City Clerk, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having general circulation in the City, at least once, pursuant to Section 2.110 of the Charter and all laws thereunto enabling, such publication is to be in substantially the following form:

(Form for Publication After Final Adoption of Ordinance)

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1495 – BUFFALO DRIVE (CHEYENNE AVENUE TO LONE MOUNTAIN ROAD); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on December 1, 2004, and was passed at a regular meeting held on January 5, 2005, by the following vote of the City Council of the City of Las Vegas, Nevada:

Those Voting Aye:	Oscar B. Goodman Gary Reese Larry Brown Lawrence Weekly Michael Mack Janet Moncrief Steve Wolfson
Those Voting Nay:	_____ _____
Those Absent:	_____ _____

This Ordinance shall be in full force and effect from and after _____, 20___, i.e., the day after its publication by title only.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

This _____ day of _____, 20___.

/s/ OSCAR B. GOODMAN
Mayor
City of Las Vegas, Nevada

(SEAL)

Attest:
/s/ BARBARA JO RONEMUS
City Clerk

Section 16. That if any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

Introduced December 1, 2004, PASSED, ADOPTED AND APPROVED January 5, 2005.

OSCAR B. GOODMAN, Mayor

Attest:

BARBARA JO RONEMUS, City Clerk

Approved as to Form:

Date Deputy City Attorney

STATE OF NEVADA	)	
	)	
COUNTY OF CLARK	)	SS
	)	
CITY OF LAS VEGAS	)	

I, Barbara Jo Ronemus, the duly chosen, qualified City Clerk of the City of Las Vegas (hereinafter the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the City Council on December 1, 2004 and finally adopted and approved on January 5, 2005.

2. The following members of the City Council were present at the December 1, 2004 Council meeting:

Mayor:	Oscar B. Goodman
Councilmembers:	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Janet Moncrief
	Steve Wolfson

3. The foregoing Ordinance was first proposed and read by title to the City Council on December 1, 2004, and referred to a committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said Ordinance on January 5, 2005, which was a regular meeting of said City Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The following members of the City Council were present at the January 5, 2005 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar B. Goodman
	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Janet Moncrief
	Steve Wolfson
Those Voting Nay:	_____
	_____
Those Absent:	_____
	_____

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself, as Clerk of the City, and sealed with the seal of the City, and has been recorded in the journal of the City Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the City Council were given due and proper notice of the meetings held on December 1, 2004, and January 5, 2005. Pursuant to § 241.020, Nevada Revised Statues, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9:00 a.m. at least three (3) working days before the meetings at the principal office of the City Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the City Council, to wit:

(i) City Clerk's Bulletin Board
City Hall Plaza
2nd Floor Skybridge
Las Vegas, Nevada

(ii) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada

(iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada

(iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada

(v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

; and

(b) By mailing a copy of the notice by 9:00 a.m. no later than three (3) working days before the meetings to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council.

6. A copy of such notice so given of the meeting of the City Council on December 1, 2004, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the City Council on January 5, 2005, is attached to this certificate as Exhibit B.

7. Upon request, the governing body provides, at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the members of the governing body for an item on the agenda, except for certain confidential materials and materials pertaining to the closed meetings, as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand on this January 5, 2005.

BARBARA JO RONEMUS, City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of December 1, 2004 Meeting)

EXHIBIT B

(Attach Copy of Notice of January 5, 2005 Meeting)

City of Las Vegas

Agenda Item No. 62

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: CITY ATTORNEY

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

SUBJECT:

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

Bill No. 2004-77 - Authorizes the granting of a distance-separation waiver for a tavern to be located within a regional mall. Sponsored by: Councilwoman Janet Moncrief

Fiscal Impact:

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

PURPOSE/BACKGROUND:

The City's zoning regulations generally require a distance separation between taverns, but allow the distance separation requirement to be waived in certain limited circumstances. This bill would add another such circumstance, namely, when a proposed tavern will be located within a regional mall.

RECOMMENDATION:

HELD IN ABEYANCE to 1/4/2005 Recommending Committee meeting pursuant to the 12/14/2004 Recommending Committee.

First Reading – 12/1/2004; First Publication – N/A

BACKUP DOCUMENTATION:

Submitted after final agenda - Protest letter from June Ingram and Pamela Stancliffe

MOTION:

REESE - Motion to bring forward and STRIKE Items 23, 49, and 62 - UNANIMOUS with MONCRIEF excused

MINUTES:

There was no discussion.
(9:39 - 9:40)
1-1068

City of Las Vegas Recommending Committee
400 Stewart Avenue
Las Vegas, NV 89101

RECEIVED
CITY CLERK
2004 DEC 30 P 4:49

December 30, 2004

RE: Item #62 Bill No. 2004-77

Dear Recommending Council Members,

We feel that a nice Restaurant in a regional mall, such as Meadows Mall, would be an asset to that Mall. Several years ago, Ricardo's Restaurant was an asset.

A real nice Restaurant with sit-down meals would be great.

A Tavern where people can sit for hours drinking would not be good. People who overindulge on alcohol often drive carelessly and heedlessly in parking lots and on the streets.

Teenagers and other children are dropped off at the Mall by parents. They do not need to be exposed to gaming or reckless drunk drivers. It only takes one careless driver to kill a child..

We feel that neither a Restaurant nor Tavern should be allowed to have any alcohol or gaming on the premises. The Laws for Restriction Zones are very clear. It is too close to neighborhood schools!

Please VOTE NO on Item #62 Bill No. 2004-77.

Thank you very much.

June Ingram and Pamela Stancliffe

June Ingram
259-3094

and

Pamela Stancliffe
258-1517

Charleston Neighborhood Preservation

Submitted after final agenda

Date 12/30/04 Item #62

City of Las Vegas

Agenda Item No. 63

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: CITY ATTORNEY

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

SUBJECT:

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

Bill No. 2004-82 - Expands the boundaries of the Live/Work Overlay District to include the East Fremont District, as identified in the Downtown Centennial Plan. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact:

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

PURPOSE/BACKGROUND:

In March of this year, the City Council adopted an ordinance to establish the Live/Work Overlay District. Subsequently, at its meeting of December 1, 2004, the Council adopted an ordinance to expand the Overlay District westward to include the Las Vegas Medical District and to allow medical office uses within the Overlay District. It has now been proposed to expand the Overlay District eastward to include the East Fremont District, as identified in the Downtown Centennial Plan. This bill will accomplish the change.

RECOMMENDATION:

ADOPTION at 1/19/2005 City Council meeting pursuant to the 1/4/2005 Recommending Committee.

First Reading – 12/15/2004; First Publication – 1/7/2005

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

1/19/2005 Council Agenda
(9:39 - 9:40)
1-1068

City of Las Vegas

Agenda Item No. 64

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: CITY ATTORNEY

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

SUBJECT:

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

Bill No. 2004-83 - Prohibits motorized vehicles on equestrian trails, multi-use trails, and other trails not intended for motorized vehicles. Sponsored by: Councilman Michael Mack

Fiscal Impact:

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

PURPOSE/BACKGROUND:

In accordance with planning documents that have been adopted by the City, equestrian trails, multi-use trails, and other types of trails are not intended for use by motorized vehicles. This bill will implement those plans by prohibiting the operation of motorized vehicles on these trails, except in certain limited circumstances.

RECOMMENDATION:

ADOPTION at 1/19/2005 City Council meeting pursuant to the 1/4/2005 Recommending Committee.

First Reading – 12/15/2004; First Publication – 1/7/2005

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

1/19/2005 Council Agenda
(9:39 - 9:40)
1-1068

City of Las Vegas

Agenda Item No. 65

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: CITY ATTORNEY

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

SUBJECT:

NEW BILL:

Bill No. 2005-1 - Annexation No. ANX-5329 – Property location: On the southeast corner of Jones Boulevard and Madre Mesa Drive; Petitioned by: S. F. Investments, LLC; Acreage: 2.42 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Lawrence Weekly

Fiscal Impact:

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

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the southeast corner of Jones Boulevard and Madre Mesa Drive. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (February 11, 2005) is set by this ordinance.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Bill No. 2005-1 and Location Map
2. Submitted after final agenda - Protest letter opposing annexation and subsequent Planning applications from Arlon and Suzan Sibert

MOTION:

None required.

MINUTES:

First Reading - Referred - COUNCILMEMBERS MONCRIEF and WOLFSON

1/18/2005 Recommending Committee
1/19/2005 Council Agenda
(10:22 - 10:23)
1-2871

BILL NO. 2005-1

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-5329)

Sponsored by: Councilman Lawrence Weekly

Summary: Annexes property described generally as located on the southeast corner of Jones Boulevard and Madre Mesa Drive.

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

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

> That portion of the South Half (S 1/2) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of Section 13, Township 20 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, bounded as follows:
>
> Bounded on the north by the centerline of MADRE MESA DRIVE (25.00 feet wide as measured from the centerline thereof) also being the south line of HILLCREST MANOR UNIT No.4 recorded March 3, 1955 in Book 4 of Plats Page 65 of Clark County, Nevada Records; bounded on the east by the west line and southerly projection of the Parcel Map in File 24, Page 2, recorded February 1, 1979 of Clark County, Nevada Records; bounded on the south by the north line of the Parcel Map in File 7, Page 80, recorded December 3, 1975 of Clark County, Nevada Records; and bounded on the west by the centerline of JONES BOULEVARD (30.00 feet wide as measured from centerline thereof), also being the west line of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of said Section 13.

SECTION 2: The City Council hereby determines that the described territory meets the requirements provided by law for annexation to the City for the following reasons:

A. The area to be annexed was contiguous to the City's boundaries at the time the annexation proceedings were instituted;

B. More than one-eighth (1/8) of the aggregate external boundaries of the area are contiguous to the City;

C. The territory proposed to be annexed is not included within the boundaries of another incorporated city or within the boundaries of any unincorporated town as those boundaries existed as of July 1, 1983;

D. The City is eligible to annex the described territory since the landowners have signed a petition constituting one hundred percent (100%) of the owners of record of individual lots or parcels of land within the annexation area.

SECTION 3: The City will provide police protection through the Las Vegas Metropolitan Police Department, fire protection, street maintenance, and library services immediately upon annexation. Garbage collection by the company franchised by the City will also be provided immediately. The City sanitary sewer system will serve the proposed annexation area. Any connection to or extension of this sewer line to serve the annexation area shall be at the expense of the landowners. Other services, such as participation in the City's recreational programs, special education classes and programs, public works planning, building inspections, and other City services will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided by private utility companies and other services to the area will not be affected by annexation. Street paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation will be installed in the presently developed areas upon the request of the property owners and at their expense by means of special assessment districts. Such improvements will be extended into the undeveloped areas as development takes place and the need therefor arises, and will be

located according to the needs of the area at that time. Such installations will also be made at the expense of the property owners, either by means of special assessment districts or as prerequisites to the approval of subdivision plats, building permits or other land use or development applications.

SECTION 4: The annexation of the described territory shall become effective on the 11th day of February, 2005, and on that date the City will have the funds appropriated in sufficient amount to finance the extension into the described territory of police protection, fire protection, street maintenance, street sweeping, and street lighting maintenance.

SECTION 5: The described territory, together with the inhabitants and property thereof, shall, from and after the 11th day of February, 2005, be subject to all debts, laws, ordinances and regulations in force in the City and shall be entitled to the same privileges and benefits as other parts of the City, and shall be subject to municipal taxes levied by the City.

SECTION 6: The City Engineer is hereby instructed to cause to be prepared an accurate map or plat of the described territory and to record the map or plat, together with a certified copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which recording shall be done prior to the 11th day of February, 2005.

SECTION 7: The described territory, which previously has been zoned R-E (County of Clark classification), is hereby classified as U (R) (City of Las Vegas classification), which is deemed to be the City equivalent of the County classification.

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

subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

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

PASSED, ADOPTED and APPROVED this _____ day of _____, 2005.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 12-15-04
Date

The above and foregoing ordinance was first proposed and read by title to the Council on the _____ day of _____, 2005, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2005, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

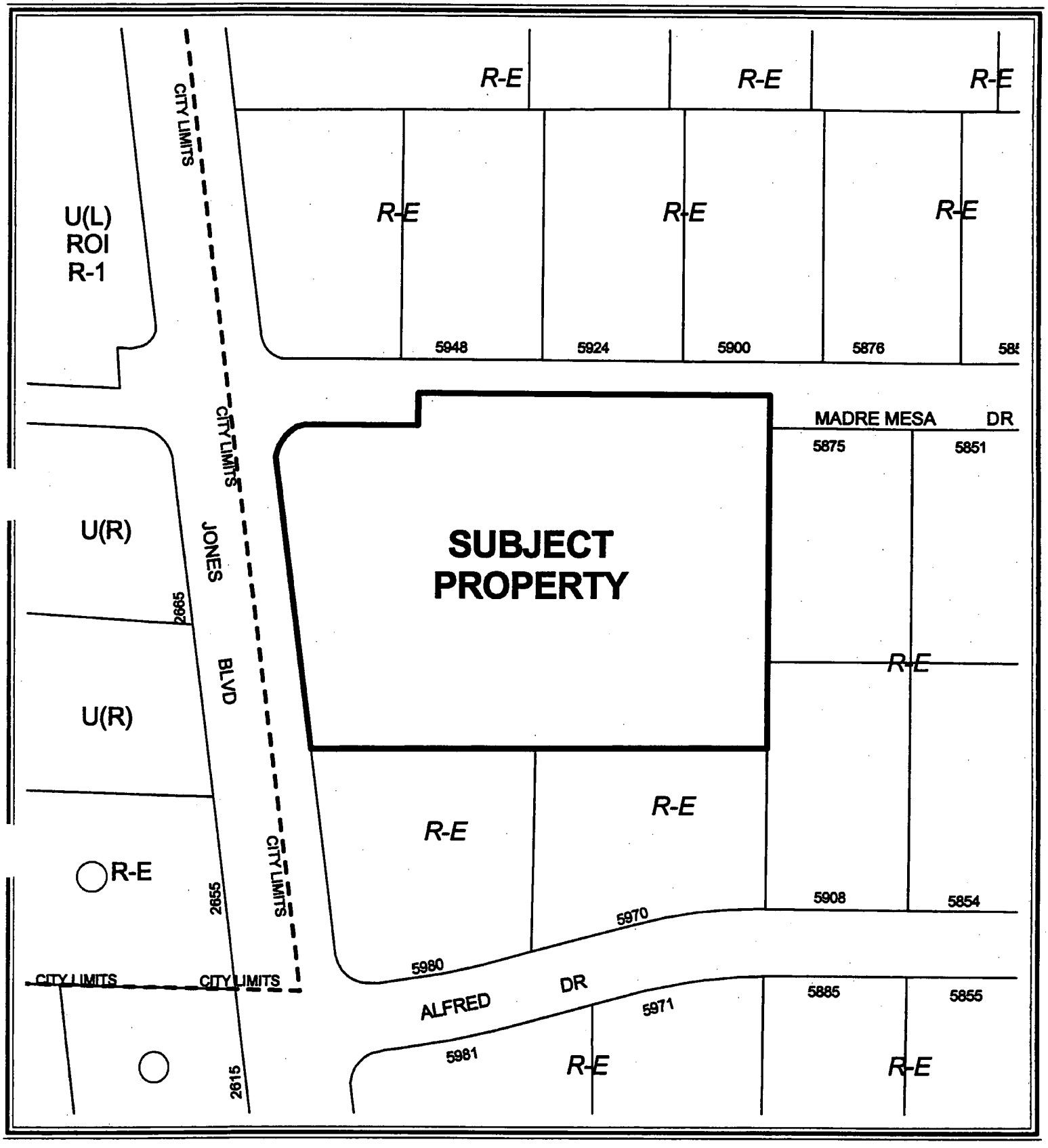
ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk



0 80 160 Feet

CASE: ANX-5329

N

January 2, 2005

5980 W. Alfred Drive
Las Vegas, Nevada 89108

RECEIVED
CITY CLERK
2005 JAN -3 A 11:08

Re: General Plan Amendment GPA-5775

Zone Change ZON-5776

Site Development Review SDR-5778

Variance VAR-5846

Attn: County Commission
City Planning Commissioners
City Council Members

Meetings January 03. 2005
January 05, 2005
February 2, 2005
January 27, 2005
March 2, 2005

We are opposed to the changes requested to annex the property to the City.

We are very much opposed to the Zone change requested.

The Site Development plans presented at the December 20. 2004 neighborhood meeting ...5 days.. before Christmas and out of our neighborhood. It was held at 6 p.m. at the Durgango Hills Community Center/YMCA at 3521 North Durango Lane. This location is over 3 miles from our neighborhood. Not a good time and place for our neighborhood meeting this time of year.

Their request calls for 9 homes on 2.16 acres. They plan to put a street which would reduce the area to 1.77 acres for the homes which will take away from the lot size.

We are in an island of the county. We are surrounded by Rural Estate property (1/2 acre or more ...horse property). We feel this is not suited for our area.

We ask you to deny the requests for these changes they'd like to make to our rural area.

Thank you,

Arlon R. Sibert Suzan C. Sibert

Arlon R. Sibert Suzan C. Sibert

Submitted after final agenda

Date 1/3/05 Item #65

CITY OF LAS VEGAS ZONE CHANGE REQUEST
LAS VEGAS CITY PLANNING MEETING JANUARY 27. 2005

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

WE ARE OPPOSED TO THE REZONING FROM R (RURAL)
TO: L (LOW DENSITY)

NAME	ADDRESS	
Carla A. Silva	5980 W. ALFRED Dr. 89108	645-6666
Suzan C. Silva	5980 W. ALFRED Dr 89108	645-6666
Janet White	5970 Alfred Dr. 89108	655-3979
Richard White	5970 Alfred Dr. 89108	655-3979
Cindi Schum	5908 Alfred 89108	647-9644
Rocky Zamora	5908 Alfred 89108	647-9644
Pat Ogle	5908 Alfred 89108	646-7224
John Hurst	5948 Madre Mesa 89108	648-0635
Sheryl Cartwright	5875 madre mesa 89108	648-0603
FRED CARTWRIGHT	5875 MADRE MESA 89108	"
Sidney J. Draper	5900 Madre Mesa 89108	646-5726
Teri L. Draper	5900 madre mesa 89108	"
R Steele	5851 Madre Mesa 89108	
Sherry Interrante	5831 Madre Mesa Dr. 89108	
John Interrante	5831 Madre Mesa Dr. 89108	
MOHAMMED & ADDOLSA RASHIDI	5817 MADRE MESA DR. 89108	
Michelle Locatelli	5778 Madre Mesa Dr 89108	631-5999

CITY OF LAS VEGAS ZONE CHANGE REQUEST
LAS VEGAS CITY PLANNING MEETING JANUARY 27. 2005

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

WE ARE OPPOSED TO THE REZONING FROM R (RURAL)
TO: L (LOW DENSITY)

NAME	ADDRESS
PAT DiNOLA	5759 MADRE MESA
Maureen DiNola	5759 MADRE MESA
Bertha Dominguez	5754 Madre Mesa
David Dominguez	5754 Madre Mesa
James J McKiernan	5782 alfred Drive
Richard Avila	5711 Alfred Drive
[illegible]	5735 Alfred Dr.
Michelle Fisher	5735 Alfred Dr.
Pilie Bance	5735 Alfred dr
Carol Kayed Weiser	5798 alfred dr.
Sawey Weiser	5798 alfred Dr.
Sara Carson	5759 Alfred Dr.
Eileen Carson	5759 Alfred Dr.
Larry F. McKiernan	5782 ALFRED
Pat Habert	5783 ALFRED DR.
Nanette Lewis	5806 alfred Dr
Kara Lewis	5806 Alfred Drive

CITY OF LAS VEGAS ZONE CHANGE REQUEST
LAS VEGAS CITY PLANNING MEETING JANUARY 27. 2005

CASE NUMBER GPA-5775

ZONE CHANGE ZON-5776

WE ARE OPPOSED TO THE REZONING FROM R (RURAL)
TO: L (LOW DENSITY)

NAME	ADDRESS
Roy Eugene Lee	5807 Alfred Drive Las Vegas 89108
Lolla Lee	5807 Alfred Dr 89108
Ronald Shannon	5830 Alfred Dr. 89108
James Pinton	5854 Alfred Dr. 89108
Lucia Pinto	5854 Alfred Dr 89108
Dennis Idossa	5885 ALFred Dr 89108

City of Las Vegas

Agenda Item No. 66

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: CITY ATTORNEY

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

SUBJECT:

NEW BILL:

Bill No. 2005-2 - Eliminates the term limits applicable to voting members of the Historic Preservation Commission. Sponsored by: Mayor Oscar B. Goodman

Fiscal Impact:

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

PURPOSE/BACKGROUND:

Membership on the Historic Preservation Commission is currently limited to two terms for voting members. This bill would eliminate that limitation.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2005-2

MOTION:

None required.

MINUTES:

First Reading - Referred - COUNCILMEMBERS MONCRIEF and WOLFSON

1/18/2005 Recommending Committee
1/19/2005 Council Agenda
(10:22 - 10:23)
1-2871

BILL NO. 2005-2

ORDINANCE NO. _____

AN ORDINANCE TO ELIMINATE THE TERM LIMITS APPLICABLE TO VOTING MEMBERS OF THE HISTORIC PRESERVATION COMMISSION, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Mayor Oscar B. Goodman

Summary: Eliminates the term limits applicable to voting members of the Historic Preservation Commission.

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

SECTION 1: Title 19, Chapter 6, Section 90, Subsection (D), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

(D) The HPC shall consist of eleven voting members who are appointed by the City Council and two ex-officio members.

(1) Each voting member must have a demonstrated interest in or knowledge of:

(a) The history of the City of Las Vegas;

(b) Design, architecture, real estate and other matters relevant to judging the economic and cultural value of particular historic preservation activities.

(2) The term of each voting member is four years.

(3) Voting members may be reappointed. [, but may not serve more than two complete, consecutive terms, including as one term the unexpired portion of any term to which a member is appointed to fill a vacancy.]

(4) Members serve at the pleasure of, and may be removed by, the City Council, including for failure to attend meetings regularly.

(5) Members shall serve without compensation.

SECTION 2: For purposes of Section 2.100(3) of the City Charter, LVMC 19.06.090 is deemed to be a subchapter rather than a section.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or

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

SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2005.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 12-15-04
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2005, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2005, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 67

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: CITY ATTORNEY

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

SUBJECT:

NEW BILL:

Bill No. 2005-3 - Modifies the disclosure requirements for merchants who sell motorized skateboards or motorized scooters, and requires merchants to make certain disclosures in connection with the sale of mini-motorcycles. Sponsored by: Councilman Michael Mack

Fiscal Impact:

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

PURPOSE/BACKGROUND:

Merchants who sell motorized skateboards or motorized scooters are currently required to make certain disclosures regarding the use of these vehicles. This bill will clarify the requirements, and impose similar requirements on the sale of mini-motorcycles.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2005-3

MOTION:

None required.

MINUTES:

First Reading - Referred - COUNCILMEMBERS MONCRIEF and WOLFSON

1/18/2005 Recommending Committee
1/19/2005 Council Agenda
(10:22 - 10:23)
1-2871

BILL NO. 2005-3

ORDINANCE NO. _____

AN ORDINANCE TO MODIFY THE DISCLOSURE REQUIREMENTS FOR MERCHANTS WHO SELL MOTORIZED SKATEBOARDS OR MOTORIZED SCOOTERS, TO REQUIRE MERCHANTS TO MAKE CERTAIN DISCLOSURES IN CONNECTION WITH THE SALE OF MINI-MOTORCYCLES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Michael Mack

Summary: Modifies the disclosure requirements for merchants who sell motorized skateboards or motorized scooters, and requires merchants to make certain disclosures in connection with the sale of mini-motorcycles.

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

SECTION 1: Title 11, Chapter 70, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.70.010: For purposes of this Chapter:

"Mini-motorcycle" means a motorcycle whose height is thirty inches or less.

"Motorcycle" means a motor vehicle as described in NRS 484.083.

"Motorized scooter" means a scooter that is powered by a motor having a maximum piston displacement of less than twenty-five cubic centimeters, or an electric driven motor, and is capable of a maximum speed of no more than twenty-five miles per hour on a flat surface. The term does not include a scooter that is designed or intended by its manufacturer to be used primarily as an assistive device to increase, maintain, or improve the mobility of an individual with a disability or other physical condition that limits or impairs the individual's ability to walk.

"Motorized skateboard" means a self-propelled device that has a motor, a deck on which a person may ride and at least two tandem wheels in contact with the ground.

SECTION 2: Title 11, Chapter 70, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.70.020: It is unlawful for a merchant to sell a mini-motorcycle, motorized skateboard or motorized scooter without making the [disclosures] applicable disclosure required by Sections 11.70.030 and 11.70.040.

SECTION 3: Title 11, Chapter 70, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.70.030: Any merchant who sells mini-motorcycles, motorized skateboards or motorized scooters within the City shall:

(A) Post, in a prominent place at each location where mini-motorcycles, motorized skateboards or motorized scooters are on display, a [notice] disclosure regarding the need to determine and comply with the requirements of State motor vehicle laws [regarding] pertaining to the operation of mini-motorcycles, motorized skateboards and motorized scooters on public streets and sidewalks; and

(B) Provide a copy of such [notice] disclosure to each purchaser of a mini-motorcycle, motorized skateboard or motorized scooter, either before or in connection with the purchase.

SECTION 4: Title 11, Chapter 70, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.70.040: [The notices] The disclosure required by Section 11.70.030 shall be written in both English and Spanish[.] and shall indicate, at a minimum, that mini-motorcycles, motorized skateboards and motorized scooters (as the case may be):

(A) May not be operated on a sidewalk;

(B) May not be operated on a public street without the appropriate operator's license;

(C) May not be operated on a public street, and therefore may be restricted to off-road use only, unless they have certain minimum safety equipment required by law; and

(D) Are subject to all State motor vehicle laws that govern the operation of either motorcycles or mopeds.

SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,

paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 6: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2005.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

_____ 12-15-04
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2005, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2005, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 68

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: CITY ATTORNEY

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

SUBJECT:

NEW BILL:

Bill No. 2005-4 - Repeals the Municipal Code provision that requires persons who hold certain City offices to submit a resignation before filing for election to another City office. Proposed by: Bradford R. Jerbic, City Attorney

Fiscal Impact:

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

PURPOSE/BACKGROUND:

The Municipal Code currently provides that no elected City official or official serving as an appointee on a City board is eligible to file for election to any other City office without first having submitted a resignation from his or her current position with the City. This bill will repeal that provision in order to be consistent with a recent decision by the Nevada Supreme Court regarding that issue.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2005-4

MOTION:

None required.

MINUTES:

First Reading - Referred - COUNCILMEMBERS MONCRIEF and WOLFSON

1/18/2005 Recommending Committee
1/19/2005 Council Agenda
(10:22 - 10:23)
1-2871

BILL NO. 2005-4

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL LVMC CHAPTER 2.53, WHICH REQUIRES PERSONS HOLDING CERTAIN CITY OFFICES TO SUBMIT A RESIGNATION BEFORE FILING FOR ELECTION TO ANOTHER CITY OFFICE, AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

Proposed by: Bradford R. Jerbic, City Attorney

Summary: Repeals the Municipal Code provision that requires persons who hold certain City offices to submit a resignation before filing for election to another City office.

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

SECTION 1: Title 2, Chapter 53, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

. . .

. . .

. . .

. . .

. . .

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. . .

. . .

SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2005.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 12-15-04
_____
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2005, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2005, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 69

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: CITY ATTORNEY

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

SUBJECT:

NEW BILL:

Bill No. 2005-5 - Levies Assessment for Special Improvement District No. 1478 - Vegas Drive (Rancho Drive to I-15) Sponsored by: Step Requirement

Fiscal Impact:

☐	**No Impact**	**Amount:**	$176,765.66
☒	**Budget Funds Available**	**Dept./Division:**	Public Works/SID
☐	**Augmentation Required**	**Funding Source:**	Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

Levies the assessment for the installation of pavement, curb and gutter, sidewalks, driveway approaches, water laterals, sewer laterals, and streetlights. The assessments will be paid over a 10-year period.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

Bill No. 2005-5

MOTION:

None required.

MINUTES:

First Reading - Referred - COUNCILMEMBERS MONCRIEF and WOLFSON

1/18/2005 Recommending Committee
1/19/2005 Council Agenda
(10:22 - 10:23)
1-2871

THE MORNING SESSION RECESSED AT 10:23 A.M.

BILL NO. 2005-5

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1478 – VEGAS DRIVE (RANCHO DRIVE TO I-15); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

Summary: Levy Ordinance

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) in the County of Clark and State of Nevada, has heretofore, pursuant to the requisite preliminary proceedings, created Las Vegas, Nevada, Special Improvement District No. 1478 – Vegas Drive (Rancho Drive to I-15) (hereinafter the "District"), for the purpose of acquiring a Street Project, a Sanitary Sewer Project, and a Water Project as defined in Chapter 271, Nevada Revised Statutes (hereinafter the "Project") and has provided that a portion of the entire cost and expense of the Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the District has been properly created by an ordinance heretofore adopted under the provisions of the Consolidated Local Improvement Law; and

WHEREAS, the City Council has heretofore determined that a portion of the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the improvements of the Project; and

WHEREAS, in accordance with NRS 271.360, the City Council has heretofore determined, and does hereby declare, that the net cost of all improvements in the District (including all necessary incidentals which either have been or will be incurred in connection with the District) is $13,729,500.00, of which, $13,552,734.34 is available from other sources and of which $176,765.66 is to be assessed upon the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the improvements of the Project; and

WHEREAS, the City Council, by resolution heretofore adopted and directed the City Engineer of the City (hereinafter the "City Engineer") to make out a final assessment roll; and

WHEREAS, after a determination of the portion of the costs of such work to be paid by the property specially benefited, the City Council, together with the City Engineer (with the assistance of the Engineering Integration Division) made out a final assessment roll containing, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, and the amount of the assessment thereon. The City Engineer has reported the final assessment roll to the City Council and the City Engineer has filed the final assessment roll with the City Clerk; and

WHEREAS, the City Council thereupon fixed a time and place, to wit: Wednesday, December 15, 2004, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada, when all complaints, protests and objections to the final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District, by any person interested, and by any parties aggrieved by such assessments, would be heard and considered by the City Council; and

WHEREAS, the City Engineer (with the assistance of Engineering Integration Division) has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for improvements in the District should be filed with the City Clerk, and that the City Council would hear and consider any and all complaints, protests or objections on Wednesday, December 15, 2004, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada; and

WHEREAS, the City Council caused the final assessment roll ("Tabulation of Parcels") to be filed in the records of the office of the City Clerk on November 17, 2004. The City Clerk, by publication and by mail, gave the requisite notice of the time and place of such hearing, of the filing of the final assessment roll in her office, of the date of filing the same, and of the right of any such person to object specifically in writing and of the waiver of any objection in the absence of such objection; and

WHEREAS, at the time and place so designated, the City Council met to hear and determine all objections filed or made orally by any interested party; and

WHEREAS, all complaints, protests and objections, both written and oral, were found to be without sufficient merit and overruled, except as provided in the District No. 1478 Assessment Protest Resolution; and

WHEREAS, by the District No. 1478 Assessment Protest Resolution, the City Council modified, corrected and revised the final assessment roll and modified, corrected, revised and confirmed the final assessment roll to be in final form; and

WHEREAS, the assessments do not exceed the benefits to the property assessed nor that portion of the total cost of the Project payable from assessments as heretofore determined; and

WHEREAS, it is incumbent upon the City Council to provide when said assessments shall become due and penalties payable after any delinquency; and

WHEREAS, the City Council has determined, and does hereby determine, that the City shall pay the costs of the Project, in part, with funds derived from the levy of assessments, and the City will pay one-half or more of the costs of the Project with monies derived from other than the levy of special assessment, and that the exception provided by NRS 271.306(2)(a) does exist with respect to the Project; and

WHEREAS, the owners of certain property to be located within the proposed District have requested the City to include as part of the improvements to be constructed within the District, for such property, water and/or sewer improvements and such owners have executed an affidavit of waiver and consent (hereinafter the "Affidavit"), consenting to the construction of such improvements and the assessment of the cost of such improvements on such property.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

Section 1. This Ordinance shall be known as, and may be cited by, the short title "District No. 1478 Levy Ordinance" (hereinafter the "Ordinance").

Section 2. The City Council has heretofore determined, and does hereby declare, that each and every complaint, protest and objection made in connection with the District is without sufficient merit

and the same be, and the same hereby is, overruled, and finally passed on by the City Council, except as provided in the District No. 1478 Assessment Protest Resolution.

Section 3. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning Special Improvement District No. 1478 – Vegas Drive (Rancho Drive to I-15), including, but not limited to, the creation of the District, the acquisition of the Project, the amount of the construction contract, the levy of assessments for those purposes, the determination that the tracts in the District will receive special benefits and market value increases, and the validation and confirmation of the final assessment roll and the assessments therein, be, and the same hereby is, ratified, approved and confirmed.

Section 4. For the purpose of paying a portion of the costs and expenses of the Project, the amounts and assessments shown in the final assessment roll (as so filed, modified and confirmed) are hereby levied and assessed against the lots, tracts and parcels of land in the District (being all those specially benefited by said improvements) and described in the final assessment roll for the District, as filed in the office of the City Clerk on November 17, 2004, and as modified and confirmed by the District No. 1478 Assessment Protest Resolution duly adopted by the City Council on January 5, 2005.

Section 5. The assessments shall be due and payable at the office of the City Treasurer within 30 days after this Ordinance becomes effective, without interest and without demand, provided that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments, the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in twenty (20) substantially equal semiannual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this Ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of the City Treasurer on April 1 and October 1 in each year, commencing on October 1, 2005. After the effective date of this Ordinance and before assessment bonds are issued (or if bonds are not issued),

the City Council shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold the rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the district. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the bids for such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the City. The exercise of said option to be indicated by the commencement of foreclosure proceedings by the City. The whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether or not said option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment, may at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after March 8, 2005, but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at seven and 43/100 percent (7.43%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment

shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expire; (c) the property owner's application for renewal of the Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Section 6. The amounts assessed shall be a lien upon the owner's lots, tracts and parcels of land from the effective date of this Ordinance (i.e. February 6, 2005) until paid. The lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

Section 7. Should any lot, tract or parcel of land within the District be divided after the effective date of this Ordinance and before the collection of all the assessment installments, or if any property in the District makes a request to do so, the City Council may require the City Treasurer to apportion, combine or reapportion the uncollected amounts upon the several parts of land so divided or combined in accordance with the provisions of NRS 271.425. The report of such an apportionment, combination or reapportionment, when approved, shall be conclusive on all the parties, and all assessments thereafter made upon the tracts shall thereafter be according to the subdivision. The report, when approved, shall be recorded in the office of the County Recorder of Clark County, Nevada, together with a statement that the current payment status of any of the assessments may be obtained from the City Treasurer. Neither the failure to record the report, nor any defect in the report as recorded, shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien.

Section 8. In case any lot, tract or parcel of land so assessed is delinquent in the payment of the assessment or any installment of principal or interest, the City Council shall forthwith cause the owner of such delinquent property, if known, to be immediately notified in writing of such delinquency, by

first-class mail, postage prepaid, addressed to the addressee's last known address. If such delinquency is not paid within 10 days after such notice was given by deposit in the United States mail, then said assessment shall be enforced by the City Treasurer and other officers of the City, as provided in NRS 271.545 to NRS 271.630. Nothing herein shall be construed as preventing the City, at the direction of the governing body, from collecting any assessment by suit in the name of the governing body. The final assessment roll and the certified copy of this Ordinance shall be prima facie evidence of the regularity of the proceedings in making the assessment and of the right to recover judgment therefor. If a foreclosure is not promptly filed and prosecuted, then any bondholder may file and prosecute said foreclosure action in the name of the City. Any bondholder may also proceed against the City to protect and enforce the rights of the bondholders under this Ordinance by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provision contained herein or in an award of execution of any power herein granted for the enforcement of any proper, legal or equitable remedy as such bondholder or bondholders may deem most effective to protect and enforce the rights aforesaid. All such proceedings, at law or in equity, shall be instituted, had and maintained for the equal benefit of all owners of the bonds then outstanding. The failure of the bondholders to foreclose such delinquent assessments or to proceed against the City shall not relieve the City or any of its officers, agents or employees of any liability for its failure to foreclose such delinquent assessments.

Section 9. The City Clerk is hereby directed to deliver to the City Treasurer a copy of the final assessment roll containing a description of the lots, tracts and parcels of land being assessed, with the amount of the assessment levied upon each and the name and address of the owner or owners against whom the assessment was made. The final assessment roll is to be recorded in the office of the County Recorder together with the statement that the current payment status of any assessment may be obtained from the City Treasurer. The City Treasurer is additionally directed to collect the several sums so assessed as a tax upon the several tracts to which they were assessed.

Section 10. In accordance with NRS 271.405(7) the City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City, and such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication to be at least 15 days prior to the end of the 30-day period stating that said assessments

have been levied and are due and payable. The notice shall further state that payment must be made in full prior to the end of the 30 day period to avoid paying interest on the assessment. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication and the last publication. Service by publication shall be verified by the affidavit of the publisher and filed with the City Clerk of the City. In accordance with NRS 271.390(2), the City Clerk or Deputy City Clerk shall also give written notice of the levying of the assessments by mailing a copy of such notice, postage prepaid, at least 20 days prior to the end of said 30-day period, to the owner or owners of all property upon which the assessment was levied at his or her last known address or addresses. Proof of such mailing shall be made by the affidavit of the City Clerk or Deputy City Clerk and such proof shall be filed with the City Clerk. Failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and special assessment bonds issued (if such special assessment bonds are hereafter issued) shall have been paid in full, both principal and interest, or until any claim is barred by an appropriate statute of limitations. The City Council hereby determines that the manner of giving notice herein provided by publication and by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

Section 11. The notice provided for in NRS 271.390(2) and NRS 271.405(7) and in Section 10 of this Ordinance shall be in substantially the following form:

(Form of Notice)

NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR IMPROVEMENTS IN CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1478 – VEGAS DRIVE (RANCHO DRIVE TO I-15)

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons, that District No. 1478 Levy Ordinance (hereinafter the "Levy Ordinance") was duly passed, adopted, signed and approved on February 2, 2005. The Levy Ordinance levied and assessed a portion of the cost and expense of such improvements against the lots, tracts and parcels of land specially benefited by the local improvements in what is commonly designated as "City of Las Vegas, Nevada, Special Improvement District No. 1478 – Vegas Drive (Rancho Drive to I-15)," (said lots, tracts and parcels of land being more specifically described in the final assessment roll designated in the ordinance).

Assessments are due and payable at the office of the City Treasurer, in Las Vegas, Nevada, on or before March 8, 2005, being 30 days after the effective date of the Levy Ordinance, without interest and without demand, provided that all, or any part of such assessments may, at the election of the owner, be paid in installments, with interest as hereinafter provided. Failure to pay the whole assessment within the 30-day period will be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in installments. In case of such election to pay in installments, the unpaid assessments will be payable in twenty (20) substantially equal semi-annual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from February 6, 2005 (i.e., the effective date of the Levy Ordinance) both principal and interest being payable semi-annually at the office of the City Treasurer, Las Vegas, Nevada, on April 1 and October 1 in each year, commencing on October 1, 2005. After the effective date of the Levy Ordinance and before assessment bonds are issued (or if bonds are not issued), the City Council shall by Resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, the rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the bids for

such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. Failure to pay any assessment installment, whether principal or interest, when due will cause the whole of the unpaid principal of such assessment to become due and payable immediately at the City's option, and the whole amount of the unpaid principal and accrued interest will, after such delinquency, whether or not the City's option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of payment, with the interest thereon and all penalties accrued, and will thereupon be restored the right, thereafter, to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any semi-annual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after March 8, 2005, but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at seven and 43/100 percent (7.43%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expires; (c) the property owner's application for renewal of a Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Pursuant to NRS 271.395, within 15 days after the effective date of the Levy Ordinance, any person who has filed a complaint, protest or objection in writing, pursuant to NRS 271.380, shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, of the amount of special benefits and market value increases, and of the amount thereof levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation shall be perpetually barred.

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from February 6, 2005 (i.e., the effective date of the Levy Ordinance), which lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

Dated this February 2, 2005.

_____

BARBARA JO RONEMUS, City Clerk

(End of Form of Notice)

Section 12. The officers of the City be, and they hereby are, authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings, the recording of the final assessment roll, and other items necessary or desirable for the completion of the levying of the assessments of the District and the issuance of the bonds therefor.

Section 13. All ordinances or resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

Section 14. That in accordance with Section 2.110 of the City Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request; thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal, i.e., a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i.e., at least ten (10) days before February 12, 2005, such publication to be in substantially the following form:

(FORM OF PUBLICATION OF NOTICE OF DEPOSIT OF AN ORDINANCE)

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1478 – VEGAS DRIVE (RANCHO DRIVE TO I-15); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 400 Stewart Avenue, Las Vegas, Nevada, and that such ordinance was proposed on the 5th day of January, 2005, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 2nd day of February, 2005.

/s/ Barbara Jo Ronemus
City Clerk

(End of Form)

Section 15. That this Ordinance shall be in effect on the day after its publication, as hereinafter provided. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published by title only, together with the names of the City Council voting for or against its passage, and with a statement that typewritten copies of said Ordinance are available for inspection by all interested parties at the office of the City Clerk, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having general circulation in the City, at least once, pursuant to Section 2.110 of the Charter and all laws thereunto enabling, such publication is to be in substantially the following form:

(Form for Publication After Final Adoption of Ordinance)

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1478 – VEGAS DRIVE (RANCHO DRIVE TO I-15); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on January 5, 2005, and was passed at a regular meeting held on February 2, 2005, by the following vote of the City Council of the City of Las Vegas, Nevada:

Those Voting Aye:	Oscar B. Goodman Gary Reese Larry Brown Lawrence Weekly Michael Mack Janet Moncrief Steve Wolfson
Those Voting Nay:	_____ _____
Those Absent:	_____ _____

This Ordinance shall be in full force and effect from and after _____, 2005, i.e., the day after its publication by title only.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

This _____ day of _____, 2005.

/s/ OSCAR B. GOODMAN
Mayor
City of Las Vegas, Nevada

(SEAL)

Attest:
/s/ BARBARA JO RONEMUS
City Clerk

Section 16. That if any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

Introduced January 5, 2005, PASSED, ADOPTED AND APPROVED February 2, 2005.

OSCAR B. GOODMAN, Mayor

Attest:

BARBARA JO RONEMUS, City Clerk

Approved as to Form:

16 DEC 2004

Date Deputy City Attorney

STATE OF NEVADA)
)
COUNTY OF CLARK) SS
)
CITY OF LAS VEGAS)

I, Barbara Jo Ronemus, the duly chosen, qualified City Clerk of the City of Las Vegas (hereinafter the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the City Council on January 5, 2005 and finally adopted and approved on February 2, 2005.

2. The following members of the City Council were present at the January 5, 2005 Council meeting:

Mayor:	Oscar B. Goodman
Councilmembers:	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Janet Moncrief
	Steve Wolfson

3. The foregoing Ordinance was first proposed and read by title to the City Council on January 5, 2005, and referred to a committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said Ordinance on February 2, 2005, which was a regular meeting of said City Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The following members of the City Council were present at the February 2, 2005 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar B. Goodman
	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Janet Moncrief
	Steve Wolfson
Those Voting Nay:	_____
	_____
Those Absent:	_____
	_____

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself, as Clerk of the City, and sealed with the seal of the City, and has been recorded in the journal of the City Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the City Council were given due and proper notice of the meetings held on January 5, and February 2, 2005. Pursuant to § 241.020, Nevada Revised Statues, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9:00 a.m. at least three (3) working days before the meetings at the principal office of the City Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the City Council, to wit:

(i) City Clerk's Bulletin Board
City Hall Plaza
2nd Floor Skybridge
Las Vegas, Nevada

(ii) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada

(iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada

(iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada

(v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

; and

(b) By mailing a copy of the notice by 9:00 a.m. no later than three (3) working days before the meetings to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council.

6. A copy of such notice so given of the meeting of the City Council on January 5, 2005, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the City Council on February 2, 2005, is attached to this certificate as Exhibit B.

7. Upon request, the governing body provides, at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the members of the governing body for an item on the agenda, except for certain confidential materials and materials pertaining to the closed meetings, as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand on this February 2, 2005.

BARBARA JO RONEMUS, City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of January 5, 2005 Meeting)

EXHIBIT B

(Attach Copy of Notice of February 2, 2005 Meeting)

City of Las Vegas

Agenda Item No. 70

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: CITY CLERK

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

SUBJECT:

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

MOTION:

REESE - Motion to HOLD IN ABEYANCE Item 103 [SUP-5457], Item 104 [VAR-5458] and Item 105 [SDR-5456] to 1/19/2005 - UNANIMOUS

MINUTES:

There was no discussion.
(1:07 - 1:08)
3-1

City of Las Vegas

Agenda Item No. 71

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES

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

SUBJECT:

Public hearing to consider the report of expenses to recover costs for abatement of dangerous buildings located at 4820 Alpine Place (APNs 138-36-811-001 through 138-36-811-034 - All Units). PROPERTY OWNER: MOGEN HOLDINGS CO LLC - Ward 1 (Moncrief)

Fiscal Impact:

☐	**No Impact**	**Amount:**	$40,375.00
☒	**Budget Funds Available**	**Dept./Division:**	Neigh. Services/Response
☐	**Augmentation Required**	**Funding Source:**	General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired K.O. Construction, to board and secure all doors, windows, and openings to the structures, remove all refuse and waste from the property, common areas, and the parking lot and post "No Trespassing, No Dumping and No Vehicles" signs on site.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of $40,375.00 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien placed on individual parcels. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer on each parcel.

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF - APPROVED the action of Neighborhood Services - UNANIMOUS

MINUTES:

NOTE: Video shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

ORLANDO SANCHEZ, Director of Neighborhood Services, presented a video of the subject property and read the purpose/background regarding the condition of the property as a public hazard and an attractive nuisance requiring the described abatement. MR. SANCHEZ recommended the City Council

MINUTES - Continued:

approve the report of expenses in the amount of $40,375.00; $25,500.00 to K.O. Construction, $11,050.00 boarding fee, and a 15 percent administrative fee of $3,825.00. He recommended that the above charges be filed and recorded against the property as a special assessment and lien and that the Notice and Lien of Assessment should be filed and recorded with the County Treasurer's Office.

No one appeared in opposition.

MAYOR GOODMAN declared the public hearing closed.
(1:08 - 1:09)
3-29

City of Las Vegas

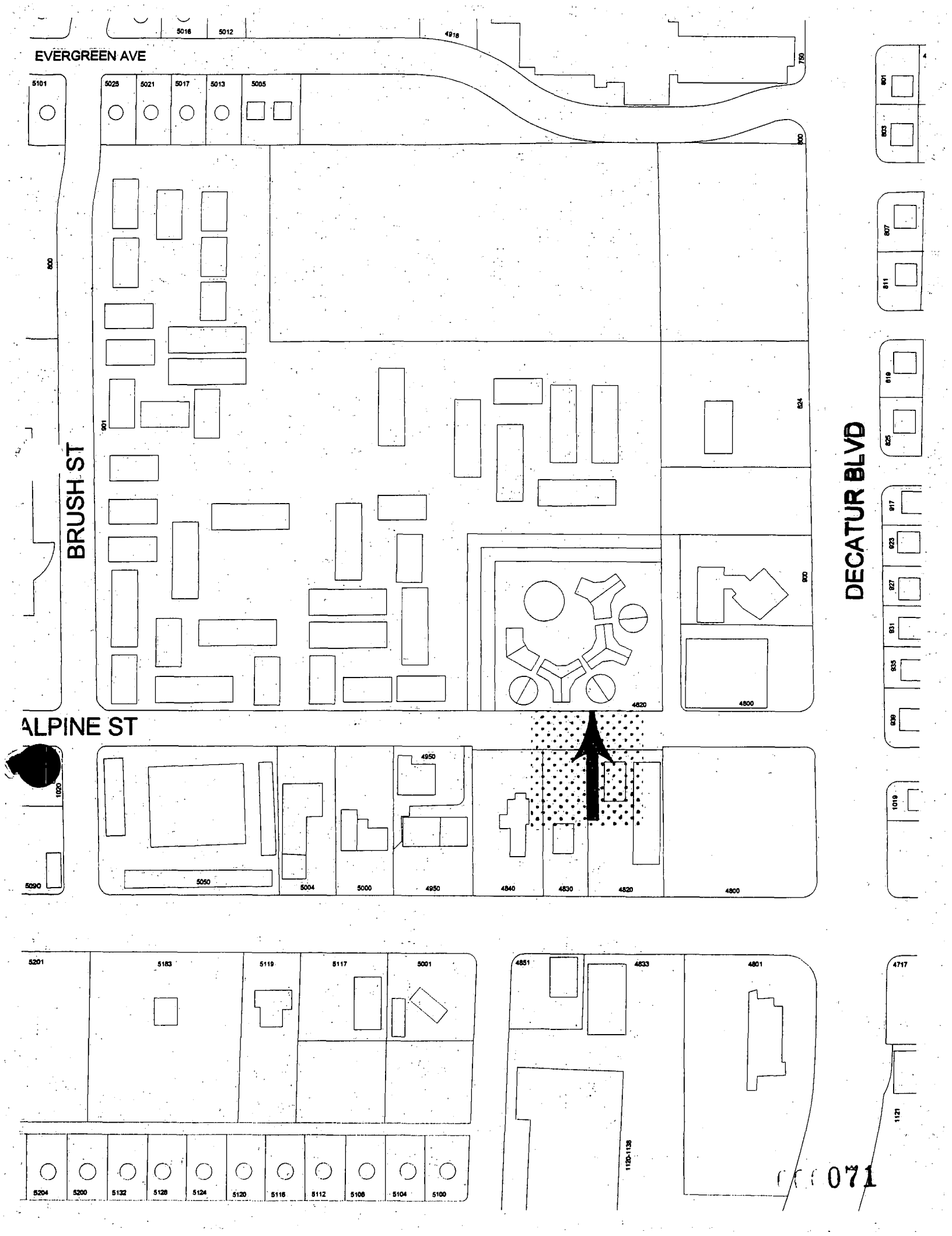
AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 5, 2005
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of dangerous buildings located at 4820 Alpine Place (Parcel #s 138-36-811-001 through 138-36-811-034 - All units). PROPERTY OWNER: MOGEN HOLDINGS CO LLC – Ward 1 (Moncrief)

K.O. Construction completed work on November 14, 2004 at a cost of $25,500.00, a boarding fee of $11,050.00, plus a 15% administrative fee, for a total of $40,375.00.

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

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


EVERGREEN AVE
BRUSH ST
DECATUR BLVD
ALPINE ST
5101
5025
5021
5017
5013
5005
5016
5012
4918
790
800
901
824
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4800
1020
5090
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5004
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1120-1136
4717
1121
807
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071

Memorandum

City of Las Vegas
Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: Orlando Sanchez, Director – Neighborhood Response Division

CC: File

Date: December 3, 2004

Re: Report of Expenses for the abatement of Dangerous Buildings located at 4820 Alpine Place (Parcel #s 138-36-811-001 through 138-36-811-034 – All Units) - Ward 1 (Moncrief)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Dangerous Building," the Department of Neighborhood Services caused the above-referenced property to be corrected by boarding and securing all doors, windows, and openings to the structures, removing all refuse and waste from the property, common areas, and the parking lot and posting "No Trespassing, No Dumping and No Vehicles" signs on site. K.O. Construction completed work on November 14, 2004 at a cost of $25,500.00, which was accepted by the Department of Neighborhood Services.

Breakdown of expenses on 34 parcels (All Units): $750.00 (contractor abatement), $325.00 (boarded building certificate), and 15% (Admin fee) for a total of $1,187.50 to be placed on each parcel for a grand total of $40,375.00.

Contract Amount	$25,500.00
AMOUNT DUE	25,500.00
Boarding Fee	11,050.00
Administrative processing fee	3,825.00
TOTAL AMOUNT DUE	$40,375.00

OWNER OF RECORD: MOGEN HOLDINGS CO LLC

PROPERTY ABATED: 4820 Alpine Place

ASSESSOR'S PARCEL: 138 36 811 001 through 138 36 811 034

LEGAL DESCRIPTION: ALPINE COURT OFFICE CONDO
PLAT BOOK 32 PAGE 52
(All Units)

OS:jl

EXHIBIT A

DISCLOSURE OF PRINCIPALS

K.O. CONSTRUCTION INC

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

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

Continue list until full and complete disclosure is made.

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

[Contracting Entity] K. O. CONSTRUCTION INC

By: [signature]

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

Nancy Nickle
Notary Public

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

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

NOTICE OF PUBLIC HEARINGS
JANUARY 5, 2005

Pursuant to Section 302 of the Uniform Code for the Abatement of Dangerous Buildings adopted as Section 16.08 of the Las Vegas Municipal Code. NOTICE IS HEREBY GIVEN THAT ON **Wednesday, January 5, 2005,** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

> Abatement of the property by boarding and securing all doors, windows, and openings to the structures; removing all refuse and waste from the property, common areas, and the parking lot and by posting "No Trespassing, No Dumping and No Vehicles" signs on property located at **4820 ALPINE PLACE (Parcel #'s 138-36-811-001 thru 138-36-811-034)** legally described as **ALPINE COURT OFFICE CONDO, PLAT BOOK 32, PAGE 52 All Units** Owner of record at time of abatement: **MOGEN HOLDINGS CO LLC – WARD 1 (MONCRIEF)**

> The Director of Neighborhood Services certifies in the report that the sum of $40,375.00 was expended ($25,500.00 to K. O. Construction for cleaning the property; $11,050.00 Boarding Fee and $3,825.00 Administrative Processing Fee).

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

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

BARBARA JO RONEMUS
CITY CLERK

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

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

CASENO 19795 CODEENF **02421-98**

Address: **4820 ALPINE PL**

CLV

FIRE INSPECTOR SHERRY WILCOX @ 303-0754 WEB

Open/accessible building (complex),vagrants seen in buildings per Fire Inspector Sherry Wilcox

Parcel(s)

Parcel:	*Size:*	*Subdivision Name:*
13836811001	0 ACRE	ALPINE COURT OFFICE CONDO

Owner Information:

10-Aug-02	18-Feb-04	ALPINE COURT L L C 7060 HOLLYWOOD BLVD; LOS ANGELES, CA 90028-6009
18-Feb-04	25-Feb-04	MOGEN HOLDINGS CO L L C 345 N MAPLE DR #294; BEVERLY HILLS, CA 90210-3855
25-Feb-04		MOGEN HOLDINGS CO L L C 345 N MAPLE DR #294; BEVERLY HILLS, CA 90210-3878

Inspection Summary

Inspector:	*Status:*		*Scheduled DT:*	*Start Dt:*	*Comp DT:*	*Min:*
840182	Passed	Partial		08/18/2004 10:30	08/18/2004 10:35	5
981876	Failed		8/6/2004	08/06/2004 9:48	08/06/2004 9:57	9
981876	Passed	Partial	8/9/2004	08/09/2004 11:00	08/09/2004 11:15	15
840182	Passed	Partial	8/13/2004	08/13/2004 10:30	08/13/2004 10:35	5
840182	Passed	Partial	8/16/2004	08/16/2004 10:05	08/16/2004 10:10	5
840182	Passed	Partial	8/17/2004	08/17/2004 12:15	08/17/2004 12:20	5
840182	Passed	Partial	8/18/2004	08/17/2004 12:35	08/17/2004 13:10	35
840182	Passed	Partial	8/19/2004	08/19/2004 14:15	08/19/2004 14:25	10
840182	Passed	Partial	8/20/2004	08/20/2004 14:00	08/20/2004 14:10	10
840182	Passed	Partial	8/23/2004	08/20/2004 14:00	08/20/2004 14:10	10
981876	Passed	Partial	8/23/2004	08/23/2004 13:20	08/23/2004 13:30	10
840182	Passed	Partial	8/24/2004	08/12/2004 9:20	08/12/2004 9:30	10
981876	Passed	Partial	8/24/2004	08/24/2004 11:55	08/24/2004 12:10	15
840182	Passed	Partial	8/24/2004	08/18/2004 10:35	08/18/2004 10:40	5
981876	Passed	Partial	8/27/2004	08/27/2004 11:38	08/27/2004 11:44	6
981876	Passed	Partial	8/30/2004	08/30/2004 10:21	08/30/2004 10:24	3
981876	Passed	Partial	9/3/2004	09/03/2004 9:32	09/03/2004 9:39	7
981876	Passed	Partial	9/8/2004	09/08/2004 10:17	09/08/2004 10:27	10
981876	Passed	Partial	9/14/2004	09/14/2004 14:57	09/14/2004 15:05	8
981876	Failed		9/22/2004	09/22/2004 7:42	09/22/2004 7:53	11
981876	Passed	Partial	9/27/2004	09/27/2004 10:24	09/27/2004 10:26	2
870076	Passed	Partial	10/5/2004	10/06/2004 15:00	10/06/2004 15:07	7
870076	Passed	Partial	10/8/2004	10/11/2004 14:08	10/11/2004 14:18	10
870076	Passed	Partial	10/11/2004	10/01/2004 7:06	10/01/2004 7:23	17
981876	Failed		10/18/2004	10/18/2004 11:59	10/18/2004 12:01	2

981876	Passed	Partial	10/19/2004	10/19/2004 14:29	10/19/2004 14:32	3
981876	Failed		10/20/2004	10/20/2004 8:17	10/20/2004 8:19	2
981876	Passed	Partial	10/21/2004	10/22/2004 12:53	10/22/2004 12:55	2
981876	Passed	Partial	10/25/2004	10/25/2004 12:44	10/25/2004 12:48	4
981876	Passed	Partial	10/26/2004	10/26/2004 8:00	10/26/2004 8:39	39
981876	Passed	Partial	10/27/2004	10/27/2004 13:40	10/27/2004 13:49	9
981876	Passed	Partial	11/2/2004	11/02/2004 13:57	11/02/2004 14:01	4
981876	Passed	Partial	11/10/2004	11/12/2004 12:38	11/12/2004 12:40	2
870076	Passed		11/30/2004	11/18/2004 14:00	11/18/2004 14:30	30
					Time in Minutes:	327

Violation Details

Log

Type:	*Date:*	*Employee:*	*Min:*
MISC	11/22/2004 11:50:00 AM	KATHY STEWART	0
ks) Sent Invoice ($25,500) from KO Construction to Finance for payment. Gave file to Jessica Larramendy for Council.			
MISC	11/19/2004 8:25:00 AM	KELLY OLIVERIUS	0
30)PER 24, NO FURTHER INSPECTIONS NECESSARY. SHE HAS VIDEO TAPED THE ABATMENT. WILL FORWARD MY PICTURES TO BE ATTACHED TO THE ORIGINAL FILE.			
VIDPST	11/18/2004 2:00:00 PM	KATHY STEWART	30
24) All openings now secure, boards painted, grounds clean. Dead veg removed, pine needles & cones removed, dead limbs/bushes pulled or cut. All refuse/litter/debris gone. No Trespassing signs posted. Temp fence need 2 pad locks. Kris to bring me keys.			
RESEAR	11/17/2004 2:45:00 PM	KELLY OLIVERIUS	19
30)PER 24, WENT NEXT BLDG PLAN ARCHIVES, THEY WERE UNABLE TO FIND ANY PLANS ON FILE FOR THIS BUILDING.			
RESEAR	11/16/2004 2:30:00 PM	KELLY OLIVERIUS	17
30)PER 24,MET WITH PLANNERS AND BLDG, BOTH WERE UNABLE TO FIND ANY PLANS ON FILE FOR THIS BUILDING.			
INSP	11/12/2004 11:18:00 AM	KELLY OLIVERIUS	82
30)BOARDING APPEARS TO BE DONE. STILL BEING PAINTED. CB 11/18 TO CHECK STATUS.			
INSP	11/2/2004 1:57:00 PM	KELLY OLIVERIUS	4
30)ABATEMENT IS STILL IN PROGRESS. PIX. CB 11/10 TO CHECK STATUS.			
FAX	10/27/2004 9:43:00 PM	KATHY STEWART	0
Received a fax from KO Construction stating that the start day will be Friday, 10/29.			
PHONE	10/27/2004 3:43:00 PM	KATHY STEWART	0
ks) Per Kris w/KO, start date will be Friday, 10/29. (#24 spoke w/Kris today & he had said he would start Thursday, 10/28)			
FAX	10/27/2004 3:10:00 PM	KATHY STEWART	0
Received a fax from C&W Enterprises, Inc. withdrawing their bid. Faxed placed in file.			
INSP	10/27/2004 1:40:00 PM	KELLY OLIVERIUS	9
30)GATE IS WIDE OPEN. PIX. MET ED LAW ON PROPERTY. HE WORKS FOR KO CONSTRUCTION. THE ABATEMENT HAS BEGUN. CB 11/02 TO CHECK PROGRESS.			
PHONE	10/27/2004 10:22:00 AM	KELLY OLIVERIUS	0
30)CALLED 24 TO UPDATE HER ON THE DUMPSTERS.			
PHONE	10/27/2004 10:18:00 AM	KELLY OLIVERIUS	0
30)PER 24, CALLED REPUBLIC SERVICES, 735-5151, TO SEE WHO HAS RENTED THE ORANGE CONSTRUCTION DUMPSTER ONSITE.REPUBLIC SERVICES CONFIRMED IT WA RENTED FOR THE PROPERTY BY C&W ENTERPRISES, BUT THEY CANCELLED THE ORDER YESTERDAY.			
PHONE	10/27/2004 10:15:00 AM	KELLY OLIVERIUS	0
30)PER 24, CALL EVERGREEN RECYCLING AND FIND OUT WHO HA RENTED THE GREEN DUMPSTER. I CALLED AND FOUND OUT THAT QUINN DEVELOPEMENT RENTED THE DUMPSTER FOR 4800 ALPINE.			

MISC	10/26/2004 2:30:00 PM	KELLY OLIVERIUS	6

30)MET WATER INSPECTOR ONSITE. HE HAD GAINED ACCESS TO PROPERTY AND LOCATED LEAK. HE SAID HE WOULD SHUT OFF THE WATER AND RESECURE THE FENCE.

PHONE	10/26/2004 2:25:00 PM	KELLY OLIVERIUS	2

30)RECIEVED A CALL FROM WATER COMPANY INSPECTOR TO MEET HIM ONSITE.

PHONE	10/26/2004 1:53:00 PM	KELLY OLIVERIUS	3

30)RECIEVED A CALL FROM MR OBERMAN. HE SAID HIS PEOPLE WERE MEETING WITH CONTRACTORS. HE HAS NO CONTRACT AT THIS TIME FOR REPAIRS. I TOLD HIM THE BUILDING WAS TO BE ABATED BY THE CITY. I REFFERRED HIM TO 24.

BIDS	10/26/2004 1:37:00 PM	KATHY STEWART	0

Per instructions from #24 via voice message, Faxed Award letter to KO Construction. Contractor to call within 5 days with a start date. Award letter attached in OLE.

PHONE	10/26/2004 1:18:00 PM	KELLY OLIVERIUS	5

24)RECIEVED A CALL FROM MIKE WITH NEVADA POWER. HE SAID HE WAS LEAVING THE POWER TO THE TRANSFORMERS, BUT DICONTUNUING SERVICE TO THE METERS/PROPERTY.HE WILL ALSO REMOVE THE METERS.

PHONE	10/26/2004 1:05:00 PM	KELLY OLIVERIUS	3

30)RECIEVED A CALL FROM MIKE AT NEVADA POWER. HE WAS ONSITE AND WOULD INSPECT THE PROPERTY. I GAVE HIM 24 NUMBERS DUE TO HIS REQUEST FOR A RED TAG ON THE BUILDING. I TOLD HIM THE PROPERTY WAS UNDER NOTICE AND ORDER.

DIRECT	10/26/2004 1:00:00 PM	KATHY STEWART	0

Per 24, voice message, C&W rescinded Award of Bid. Bid was to low. Send Award letter to next lowest bidder, KO Construction.

PHONE	10/26/2004 8:49:00 AM	KELLY OLIVERIUS	8

30)CALLED LAS VEGAS VALLEY WATER DISTRICT, 870-4194, SPOKE TO JANICE.SHE SAID WHE WOULD SEND AN INSPECTOR OUT TODAY TO SHUT OFF THE WATER.

PHONE	10/26/2004 8:29:00 AM	KELLY OLIVERIUS	20

30)CALLED NEVADA POWER,367-5555, SPOKE TO MIKE #177. HE CONSULTED WITH HIS SUPERVISOR AND WOULD BE SENDING OUT AN INSPECTOR TO ASSESS THE PROPERTY.

INSP	10/26/2004 8:00:00 AM	KELLY OLIVERIUS	39

30)24 WANTS ALL GLASS COVERED/REMOVED.24 CHECKED WITH KO TO SEE IF THEIR BID COVERED ALL GLASS, IT DOES.WILL CALL UTILITIES.

INSP	10/26/2004 8:00:00 AM	KELLY OLIVERIUS	39

30)MET O NSITE WITH 24 AND JACK FROM C&W. PER 24 CALL WATER AND POWER TO HAVE UTILITIES SHUT OFF DUE TO WATER LEAK ONGOING AND AIR CONDITIONERS RUNNING IN OPEN BUILDINGS AND LIVE BARE WIRES.PER JACK HIS BID DID NOT INCLUDE COVERING ALL GLASS WITH PLYWOOD

INSP	10/25/2004 12:44:00 PM	KELLY OLIVERIUS	-394556

30)WATER IS STILL STANDING, FENCE IS NOW WIRED SHUT IN TWO SPOTS. PIX. CB 10/26.

INSP	10/22/2004 12:53:00 PM	KELLY OLIVERIUS	2

30)FENCE IS STILL OPEN. WATER IS STILLLEAKING. PIX. CB 10/25 FOR STATUS CHECK.

PHONE	10/22/2004 8:56:00 AM	KELLY OLIVERIUS	0

30)CALLED MR PAZARGAD, HE SAID HE DOES NOT HAVE A CONTRACT AT THIS TIME FOR THE BUILDING TO BE SECURED. HE ALSO STATED THAT HE WAS UNABLE TO HAVE THE FENCE SECURED TO DENY ACCESS TO THE PROPERTY UNTIL POSSIBLY TODAY.HE HAD NO PAPERWORK TO FAX.

BIDA	10/20/2004 3:23:00 PM	KATHY STEWART	0

ks) Faxed Award letter to C&W Enterprises. Contractor to call within 5 days with a start date. Award letter attached in OLE.

DIRECT	10/20/2004 2:35:00 PM	KATHY STEWART	0

Per Steve Harsin, award bid to the lowest bidder, C&W Enterprises ($19,000)(board/secure/clean)

REFER	10/20/2004 10:21:00 AM	KELLY OLIVERIUS	0

30)REFFERRED CASE TO 24 FOR CONTINUED ABATEMENT

INSP	10/20/2004 8:17:00 AM	KELLY OLIVERIUS	2

30)FENCE IS STILL OPEN, WATER IS STILL LEAKING. PIX. NO CALLS FROM JIM PAZARGAD OR MR OBERMAN. PER 24, REFER FOR ABATEMENT.

FAX	10/19/2004 3:23:00 PM	KELLY OLIVERIUS	0

30)FAXED A COPY OF THE BID ESTIMATES TO JIM PAZARGAD,270-3106

FAX	10/19/2004 3:20:00 PM	KELLY OLIVERIUS	0

30)FAXED A COPY OF THE BIDS TO MR OBERMAN, 310-777-8754.

PHONE	10/19/2004 3:08:00 PM	KELLY OLIVERIUS	0

30)CALLED MR OBERMAN AND TOLD HIM OF THE STATE OF HIS PROPERTY. I TOLD HIM I WOULD FAX OVER A COPY OF THE BIDS FOR ABATEMENT. I TOLD HIM THE PROPERTY NEEDS TO BE SECURED.

PHONE	10/19/2004 3:05:00 PM	KELLY OLIVERIUS	0

30)CALLED AND SPOKE TO JIM PAZAGARD, TOLD HIM THE FENCE WAS STILL OPEN AS OF 14:30 10/19. ALSO THE WATER LEAK IS STILL THERE. TOLD HIM I WOULD FAX OVER COPIES OF THE BIDS FOR ABATEMENT.

INSP	10/19/2004 2:29:00 PM	KELLY OLIVERIUS	3

30)WATER IS STILL STANDING IN THE PARKING LOT, LEAKING FROM THE PROPERTY. FENCE IS STILL OPEN. PIX. CB 10/20.

PHONE	10/19/2004 12:20:00 PM	KELLY OLIVERIUS	2

30)RECIEVED A CALL FROM SCOTT,AMERICAN FENCE,348-6021. HE SAID THAT HIS COMPANY WOULD NOT BE ABLE TO GET TO THE FENCE UNTIL FRIDAY. I TOLD HIM THE PROPERTY NEEDED TO BE SECURED IMMEDIATELY.

PHONE	10/19/2004 11:42:00 AM	KELLY OLIVERIUS	7

30)CONTACTED 24 TO UPDATE HER ON THE CASE. WHE INSTRUCTED ME TO FAX THE BIDS TO JIM AND OBERMAN. I WILL CHECK THE FENCE AT THE END OF THE DAY.

PHONE	10/19/2004 11:30:00 AM	KELLY OLIVERIUS	12

30)RECIEVED A CALL FROM JIM PAZARGAD, HE SAID HE MET WITH A CONTRACTOR ON FRIDAY FOR REHAB OF THE PROPERTY. HE WAS TO MEET AGAINON THURSDAY, BUT WOULD HAVE NO CONTRACT FOR PROOF UNTIL MONDAY, POSSIBLY.I TOLD HIM THE PROPERTY NEEDED TO BE SECURED ASAP.

PHONE	10/19/2004 8:14:00 AM	KELLY OLIVERIUS	1

30)ATTEMPTED TO CONTACT MR OBERMAN, NO ANSWER. LEFT A MESSAGE FOR HIM TO CALL ASAP.

PHONE	10/19/2004 8:11:00 AM	KELLY OLIVERIUS	3

30)ATTEMPTED TO CONTACT JIM PAZAGARD, NO ANSWER. LEFT A MESSAGE FOR HIM TO CALL ASAP.

INSP	10/18/2004 11:59:00 AM	KELLY OLIVERIUS	2

30)THERE IS A FENCE AROUND THE PROPERTY, BUT THE FENCE IS UNATTACHED,OPEN , AND ACCESSIBLE AT THE WEST END OF THE PROPERTY. GLASS HAS NOT BEEN REPLACED, APPEARS TO BE MORE DAMAGE. WILL ATTEMPT TO CONTACT OWNER. NO FAXES RECIEVED. CB 10/20.

INSP	10/18/2004 11:59:00 AM	KELLY OLIVERIUS	2

30)PROPERTY IS FENCED, BUT THE FENCE I OPEN ON THE WEST END. WINDOWS ARE STILL BROKEN. NO ONE ONSITE.WILL CONTACT JIM PAZARDGAD.ASSESS FEES.

MISC	10/13/2004 7:00:00 AM	KELLY OLIVERIUS	0

30)CHANGED CB TO 10/18 DUE TO DAY OFF ON 10/15.

MISC	10/12/2004 2:23:00 PM	KATHY STEWART	0

Received Certified Card back from owner signed. Sent card to #24 for filing.

INSP	10/11/2004 2:08:00 PM	MARIA VIGIL	10

24 CONT'D) PAZAIGADS VOICE MAIL TO FAX COPY OF CONTRACT FOR WINDOW/DOOR INSTALLATION. C/B TO 30 ON 10/15 TO FOLLOW UP.

INSP	10/11/2004 2:08:00 PM	MARIA VIGIL	10

24) TEMP FENCING IN PLACE BUT I DON'T BELIEVE IT WILL TAKE LONG OR MUCH FOR SOMEONE TO GET ON SITE AS THE NORTH AND WEST END OF FENCING IS ONLY PLACED NOT LOCKED. DOOR AND WINDOWS HAVE YET TO BE REPLACED. WATER IS LEAKING IN W/PARKING LOT. L/M ON

PHONE	10/6/2004 6:00:00 PM	KATHY STEWART	2

CONT'D)24) bidder with work to begin 10/22 (11th day after imminent hazard N&O was mailed & posted.

PHONE	10/6/2004 6:00:00 PM	KATHY STEWART	2

24) Have not received fax from Jim. Left message on their business # voice mail that I want fax no later than 8:30 hrs on 10/7. C/B 10/8 to #24. If I don't receive fax 10/7, will fax bid amounts to LV & CA parties, noting we intend to award to lowest

INSP	10/6/2004 3:00:00 PM	KATHY STEWART	7

CONT'D)24) next week. Requested Jim fax copy of contract with National today. Then I want confirmation of doors/windows installer. he agreed to provide.

INSP	10/6/2004 3:00:00 PM	KATHY STEWART	17

24) Insp/Telcon: All debris has been removed from premises. Reefer is gone too. No fence yet. Called Jim Pazargad @ LV Comm R/E, he has contracted with National Fencing to erect temp chain link fence on Friday, 10/8. Doors & windows being installation

REFER	10/4/2004 3:02:00 PM	KELLY OLIVERIUS	0

30)per a request by 24, refer to her for tomorrow,10/5.

BIDR	10/4/2004 6:59:00 AM	KATHY STEWART	0

ks) Received bids from contractors (1) C&W - $19,000; (2) KO - $25,500; (3) ADS - $40,980

BIDR	10/4/2004 6:59:00 AM	KATHY STEWART	0
PHONE	10/1/2004 1:34:00 PM	ERIN HERNANDEZ	0

Construction Co who received a bid request had a question on the bid - Jack from C&W wanted to know if the boarding included the second story windows not accessible from the outside. I told him to do a bid with and with out the windows and send it in

PHONE	10/1/2004 1:34:00 PM	ERIN HERNANDEZ	0

Cont.. also I told him if there was any further direction we would call him 303-2990. Going to email pam hines regarding the phone call Laura and Kathy are both out.

BIDS	10/1/2004 9:40:00 AM	KATHY STEWART	0

Faxed Invitation to Bid to contractors. Bid due back by COB 5:00 p.m. today (10/1/04).

PHONE	10/1/2004 9:30:00 AM	KATHY STEWART	65

24) Per telcon w/Jeffery Oberman in CA, he is manager/officer for Mogen Holdings. Faxed him copy of N&O's. He will contract w/fence company ASAP. Advised him to fax copy of contract w/fence company. *We will fax copy of bids to him also.

RECORD	10/1/2004 7:50:00 AM	JESSICA LARRAMENDY	0

JL) RECORDED N&O AT CLARK COUNTY. BOOK: 20041001 INST: 03891.

RECORD	10/1/2004 7:40:00 AM	JESSICA LARRAMENDY	0

JL) Recorded N&O at Clark County. Book: 20041001 Inst: 03896.

INSP	10/1/2004 7:06:00 AM	KATHY STEWART	17

24) On 9/30 I met w/the LV rep for CA owner: Jim Pazargad, ph#260-1340 & fax #270-3106; bus name LV Commercial RE. The CA owner (per Jim) is David Porbaba, ph# (310) 435-3442, he is with Mogen Holdings Co. LLC. Faxed N&O copy to Jim in CA after telcon.

NOPOST	10/1/2004 7:06:00 AM	KATHY STEWART	17

24) Posted 5 N&O's on-site at each building section.

	9/30/2004 7:20:00 AM	KATHY STEWART	0
LETTER	9/30/2004 7:20:00 AM	KATHY STEWART	0

N&O letter attached in OLE.

NOTICE	9/30/2004 6:50:00 AM	KATHY STEWART	29

Sent Notice & Order to Abate Dangerous Building (Imminent Hazard)letter to owner, Mogen Holdings Company, LLC. POST: 10/1. C/B: 10/11. Sent file to #30.

DIRECT	9/29/2004 1:00:00 PM	KATHY STEWART	5

Per #24, Send a Imminent Hazard N&O letter to owner of property.

INSP	9/27/2004 10:24:00 AM	KATHY STEWART	2

30) No change at property. Will consult with 24.

INSP	9/22/2004 7:42:00 AM	KELLY OLIVERIUS	11

30)WINDOWS STILL NOT INSTALLED.R/W STILL PILED UP, NOW NO DUMPSTER.DOORS NOT INSTALLED. CALLED CHUCK. HE VERIFIED THERE IS NO SECURITY ONSITE. HE SAID HE WOULD CALL WITH THE OWNER CONTACT INFORMATION.ASSESS $75 FEE. CB 9/27

RESEAR	9/16/2004 7:56:00 AM	KELLY OLIVERIUS	0

30)NO PHONE NUMBER FOR MOGEN HOLDINGS IN WHITE PAGES ONLINE OR ON THE SEWER SCREEN. WILL CB CASE ON 9/22 TO CHECK STATUS.

MISC	9/16/2004 7:51:00 AM	KELLY OLIVERIUS	0

30)CHUCK STATED THE HE IS SUPPOSED TO HAVE A CHECK BY MON OR TUES FOR THE GLASS. IT WIL ONLY TAKE A DAY TO INSTALL.

PHONE	9/16/2004 7:50:00 AM	KELLY OLIVERIUS	0

30)CALLED APPOLLO GLASS,THEY SAID THE GLASS HAS BEEN THERE FOR A MONTH, NOT PICKED UP.

PHONE	9/16/2004 7:48:00 AM	KELLY OLIVERIUS	0

30)CALLED AND SPOKE TO CHUCK. HE STATED THAT THE HOLDING COMPANY HAS NOT ISSUED A CHECK TO PAY FOR THE GLASS, WHICH HE STATES IS READY FOR INSTALLATION. HE SAID APPOLLO GLASS,878-2400, IS THE COMPANY WITH THE GLASS.WILL CALL TO VERIFY.

MISC	9/15/2004 8:18:00 AM	KELLY OLIVERIUS	2

30)CONSULTED 16, SHE ADVISED TO CONTINUE OBSERVATION OF PROPERTY. ALSO CONTACT GLASS COMPANY TO INQUIRE AS TO STATUS OF DOORS AND WINDOWS.

INSP	9/14/2004 2:57:00 PM	KELLY OLIVERIUS	8

30)WINDOWS AND DOORS STILL NOT INSTALLED. R/W PILE GETTING SMALLER. CONSULT WITH 16. PIX.

INSP	9/8/2004 10:17:00 AM	KELLY OLIVERIUS	10

30)ALOT OF R/W.DUMPSTER IS FULL.SPOKE TO CHUCK,HE SAID THEY BRING ONE DROPBOX EVERY OTHER DAY.HE STATED THAT ALL OF THE DOORS AND WINDOWS ARE READY TO INSTALL.HE SAID THEY WOULD BE INSTALLED BY FRIDAY.CB 9/14.PIX.

INSP	9/3/2004 9:32:00 AM	KELLY OLIVERIUS	7

30)ONE DUMPSTER ONSITE, FULL.10-15 GUYS WORKING ON PROPERTY.DOORS ARE NOT INSTALLED. WINDOWS ARE STILL BROKEN.CHUCK WAS NOT ONSITE. CB 9/8.

INSP	8/30/2004 10:21:00 AM	KELLY OLIVERIUS	-33661437

30)r/w is being piled up and bagged.doors are not installed.cb 9/3.pix.

PHONE	8/27/2004 3:00:00 PM	KELLY OLIVERIUS	0

30)WEEK.I TOLD HIM I WILL CB ON 8/30 TO CHECK PROGRESS.THEN AGAIN ON 9/3 FOR MAJORITY OF COMPLETION.

PHONE	8/27/2004 2:59:00 PM	KELLY OLIVERIUS	0

30)PHONED CHUCK, HE SAID THEY WERE TAKING THE DAY OFF FROM WORKING TODAY,BUT SECURITY WAS ONSITE IN BLDG H.HE SAID BY MON. THE R/W WOULD BE BAGGED. A DUMPSTER ONSITE TUES.WINDOWS INSTALLED WED.MAJORITY OF WORK TO BE DONE BY END OF NEXT

INSP	8/27/2004 11:38:00 AM	KELLY OLIVERIUS	6

30)WINDOWS ARE STILL BROKEN.DOORS ARE NO REPLACED.NO ONE VISIBLE ONSITE.NO DUMPSTERS FOR R/W.WILL ATTEMPT TO CONTACT CHUCK.

INSP	8/24/2004 11:55:00 AM	KELLY OLIVERIUS	15

30)RECIEVE THE PAPER STATING SECURITY IS ON PREMISE 24/7. THE WINDOWS SHOULD BE READY BY END OF NEXT WEEK ACCORDING TO CHUCK.CB 8/27.

INSP	8/24/2004 11:55:00 AM	KELLY OLIVERIUS	15

30)MET WITH CHUCK ONSITE. HE DID NOT HAVE THE PAPERWORK TO VERIFY 24 HOUR SECURITY. PER 24 THIS SATISFIES THE IMMINENT HAZARD IF IN FACT THERE IS 24 HOUR SECURITY.WILL MEET WITH CHUCK AGAIN ON FRIDAY TO CHECK STATUS(DOORS SHOULD BE IN),AND

INSP	8/23/2004 1:20:00 PM	KELLY OLIVERIUS	10

30)SPOKE TO CHUCK,858-2144,CONTRACTOR,HE STATED THAT THEY HAVE POSTED 24 HOUR SECURITY ONSITE.HE ALSO STATED THAT THE DOORS SHOULD BE INSTALLED ON WED.THE WINDOWS WERE ORDERED, BUT WOULD TAKE A LITTLE LONGER TO ARRIVE.CB 8/24.

PHONE	8/23/2004 8:21:00 AM	KELLY OLIVERIUS	1

30)RETURNED A CALL TO MR ANDERSON,17752530918,NO ANSWER. LEFT A MESSAGE FOR HIM TO CALL ME BACK.

INSP	8/20/2004 2:00:00 PM	KELLY OLIVERIUS	10

28)WORKERS ON SITE.CLEANING PROPERTY.CB 8/23.

INSP	8/20/2004 2:00:00 PM	GEORGE CLEVELAND	10

workers still on site cleaning..cb 8/23

MISC	8/20/2004 1:41:00 PM	KATHY STEWART	0

Received Certified Letter (9555 S. Las Vegas Blvd) back Return to Sender, Attempted Not Known.. Received certified card back (345 N. Maple Drive) signed. Sent to C/E for filing.

INSP	8/19/2004 2:15:00 PM	GEORGE CLEVELAND	10

mr. chuck anderson, rep for owner on site cleaning property, dumpster to be on site on 8/20...cb 8/20

INSP	8/18/2004 10:35:00 AM	GEORGE CLEVELAND	5

NO CHANGE SINCE TEMPORARY FENCE INSTALLED..CB 8/19

NOPOST	8/17/2004 12:35:00 PM	LYNN NIHIPALI	35

28) POSTED ON PROPERTY

INSP	8/17/2004 12:35:00 PM	LYNN NIHIPALI	35

28)PROPERTY FENCED, PIX, CB 8/24

INSP	8/17/2004 12:15:00 PM	GEORGE CLEVELAND	5

TEMPORARY FENCE PUT UP AROUND OROPERTY..POSTED N & O ON PROPERTY..CB 8/18

EMAIL	8/16/2004 1:23:00 PM	ERIN HERNANDEZ	0

received a web complainat regarding address same info - Complainant info - Amelia Coulston 258-0936 please contact

INSP	8/16/2004 10:05:00 AM	GEORGE CLEVELAND	5

NOTHING STARTED YET..FENCING NOT YET INSTALLED..CB 8/17

INSP	8/13/2004 10:25:00 AM	GEORGE CLEVELAND	5

NOTHING STARTED YET..POSTED N & O'S ON PROPERTY OFFICES..ALSO SPOKE TO A PERSON, NO NAME, TNT ROOFING..STATING THAT PROPERTY WILL BE FENCED OVER WEEKEND..CB 8/16

FAX	8/13/2004 9:59:00 AM	KATHY STEWART	0

Faxed copy of N&O to owner, Mogen Holdings Company, LLC, per request from #30.

LETTER	8/13/2004 9:34:00 AM	KATHY STEWART	0

N&O letter attached in OLE.

NOTICE	8/13/2004 9:20:00 AM	KATHY STEWART	13

Sent Notice & Order to Abate Dangerous Building letter to owner, Mogen Holdings Company, LLC. POST: 8/13. C/B: 8/24. Sent file to #30.

INSP	8/12/2004 9:20:00 AM	GEORGE CLEVELAND	10

NOTHING STARTED YET..CB 8/13

EMAIL	8/10/2004 9:12:00 AM	KELLY OLIVERIUS	0

30)EMAILED GEORGE TO VISUALLY CHECK PROPERTY TO SEE IF IT IS SECURED WHILE I AM OFF ON VACATION AND N&O ARE IN THE PROCESS OF BEING SERVED.

NOREQ	8/10/2004 9:08:00 AM	KELLY OLIVERIUS	0

30)REFER TO 24 FOR N&O REQUEST

PHONE	8/10/2004 8:55:00 AM	L. GORDON	0

EMAILED 24 AND 15...METRO OFFICER BRAD CUPP, 373-5342 REPORTED MORE VAGRANT ACTIVITIES AT PROPERTY. SAID VAGRANTS HAVE HAD FIRES GOING INSIDE PROPERTY. VERY CONCERNED.

MISC	8/10/2004 8:55:00 AM	KELLY OLIVERIUS	0

30)FAX NUMBER FOR LAS VEGAS COMMERCIAL REALTY IS 270-3106.ADDRESS IS 9555 S. LV BLVD, LV, NV, 89123.

MISC	8/10/2004 8:11:00 AM	KELLY OLIVERIUS	4

30)PROCESS N&O.

PHONE	8/10/2004 8:08:00 AM	KELLY OLIVERIUS	3

30)SPOKE TO JIM. HE SAID THAT HE HAD CONTRACTORS ONSITE YESTERDAY TO START THE PROCESS OF SECURING AND REHABBING THE PROPERTY. HE SAID THEY WERE GOIONG TO FENCE IT OFF TO SECURE IT WITHIN A WEEK OR SO.I INFORMED HIM AN N&O WAS BEING PROCESSED.

PHONE	8/10/2004 8:06:00 AM	KELLY OLIVERIUS	2

30)SPOKE TO MARK AT THE NUMBER GIVEN TO ME BY LINDA JOHNSON,296-2212 (LAS VEGS COMMERCIAL REALTY 260-1340),HE SAID THAT JIM PAZARGAD,296-2200, WAS HANDLING THE PROPERTY.

INSP	8/9/2004 11:00:00 AM	KELLY OLIVERIUS	15

30)INSPECTED ENTIRE PROPERTY TO LOG INFRACTIONS AT EACH PARCEL NUMBER.PROCESS N&O FOR EACH ADDRESS IN VIOLATION.

RESEAR	8/9/2004 7:55:00 AM	KELLY OLIVERIUS	0

30)ACCESSED COUNTY WEBSITE FOR MAPS AND ASSESSOR INFO.ATTEMPTED TO LOCATE A PH9ONE NUMBER,WAS UNSUCCESSFUL.EMAILED LINDA JOHNSON TO LOOK IN WATER SCREEN FOR A NUMBER.

INSP	8/6/2004 9:48:00 AM	KELLY OLIVERIUS	9

30)OBSERVED A COUCH AND TREE LIMBS IN PARKING AREA.LANDSCAPE IS DEAD OR DYING.NUMEROUS BROKEN WINDOWS ON PROPERTY.MANY OPEN DOORS TO SUITES.SIGNS OF VAGRANT INHABITING PROPERTY.WILL PROCESS N&O.CB 8/24.

CONTCT	8/5/2004 10:31:00 AM	KATHY STEWART	0

Fire Inspector Sherry Wilcox @ 303-0754.

Time in minutes: **-34055227**

APN 138-36-811-001
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-001**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 101 BLDG A**

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The Las Vegas City Council, at a duly noticed public hearing held on **January 5, 2005**, ordered the above charges in the amount of **$1,187.50**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

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

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

STATE OF NEVADA)
)
COUNTY OF CLARK)

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

BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 6th day of January, 2005

NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-002
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-002**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO**
	PLAT BOOK 32 PAGE 52
	UNIT 201 BLDG A

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)
COUNTY OF CLARK)

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

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

APN 138-36-811-003
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-003**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 101 BLDG B**

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)
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COUNTY OF CLARK
BEVERLY K. BRIDGES
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July 10, 2006
No. 93-4081-1

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

APN 138-36-811-004
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-004**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 102 BLDG B**

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NOTARY PUBLIC, in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE-1
400 STEWART AVENUE
LAS VEGAS, NV 89101

APN 138-36-811-005
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-005**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 201 BLDG B**

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NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-006
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-006**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 202 BLDG B**

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No. 93-4091-1

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

APN 138-36-811-007
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-007**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 101 BLDG C**

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STATE OF NEVADA)
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NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-008
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-008**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 102 BLDG C**

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

STATE OF NEVADA)
)
COUNTY OF CLARK)

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

BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 6th day of January, 2005

NOTARY PUBLIC, in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005
No. 93-1081-1

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

APN 138-36-811-009
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-009**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 201 BLDG C**

On **November 14, 2004**, as provided in the Municipal Code, 16.08, Section 302, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **$1,187.50** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on **January 5, 2005**, ordered the above charges in the amount of **$1,187.50**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

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

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400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

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BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 6th day of January, 2005

NOTARY PUBLIC, in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2006
No. 93-4081-1

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

APN 138-36-811-010
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-010**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 202 BLDG C**

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400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

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BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 6th day of January, 2005

NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-011
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: MOGEN HOLDINGS CO LLC
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-011**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 101 BLDG D**

On **November 14, 2004**, as provided in the Municipal Code, 16.08, Section 302, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

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400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

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BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 6th day of January, 2005

NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-012
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-012**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 102 BLDG D**

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

STATE OF NEVADA)
)
COUNTY OF CLARK)

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BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 6th day of January, 2005.

NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-013
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: MOGEN HOLDINGS CO LLC
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-013**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 201 BLDG D**

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400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

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NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-014
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-014**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 202 BLDG D**

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

STATE OF NEVADA)
)
COUNTY OF CLARK)

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Subscribed and sworn to before me this 6th day of January, 2005

NOTARY PUBLIC, in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005
No. 93-4031-1

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

APN 138-36-811-015
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-015**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 101 BLDG E**

On **November 14, 2004**, as provided in the Municipal Code, 16.08, Section 302, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

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

STATE OF NEVADA)
)
COUNTY OF CLARK)

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BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 6th day of January, 2005

NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-016
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: MOGEN HOLDINGS CO LLC
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-016**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 102 BLDG E**

On **November 14, 2004**, as provided in the Municipal Code, 16.08, Section 302, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

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400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

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NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-017
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-017**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 201 BLDG E**

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STATE OF NEVADA)
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NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-018
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: MOGEN HOLDINGS CO LLC
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-018**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 202 BLDG E**

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STATE OF NEVADA)
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NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-019
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-019**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 101 BLDG F**

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400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

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NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-020
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-020**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 102 BLDG F**

On **November 14, 2004**, as provided in the Municipal Code, 16.08, Section 302, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **$1,187.50** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on **January 5, 2005**, ordered the above charges in the amount of **$1,187.50**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

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

STATE OF NEVADA)
)
COUNTY OF CLARK)

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

BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 6th day of January, 2005

NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-021
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-021**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 103 BLDG F**

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400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

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BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 6th day of January, 2005.

NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-022
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-022**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 201 BLDG F**

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400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

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NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-023
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-023**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 202 BLDG F**

On **November 14, 2004**, as provided in the Municipal Code, 16.08, Section 302, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

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

STATE OF NEVADA)
)
COUNTY OF CLARK)

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BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 6th day of January, 2005.

NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-024
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-024**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 203 BLDG F**

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

STATE OF NEVADA)
)
COUNTY OF CLARK)

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BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 6th day of January, 2005

NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-025
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-025**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 101 BLDG G**

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

STATE OF NEVADA)
)
COUNTY OF CLARK)

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Subscribed and sworn to before me this 6th day of January, 2005

NOTARY PUBLIC, in and for said County and State

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

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CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101

APN 138-36-811-026
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-026**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 102 BLDG G**

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

STATE OF NEVADA)
)
COUNTY OF CLARK)

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NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-027
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-027**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 103 BLDG G**

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Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

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NOTARY PUBLIC, in and for said County and State

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

WHEN RECORDED, RETURN TO:
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400 STEWART AVENUE
LAS VEGAS, NV 89101

APN 138-36-811-028
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-028**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 201 BLDG G**

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Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

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NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-029
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-029**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 202 BLDG G**

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BARBARA JO RONEMUS, City Clerk
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STATE OF NEVADA)
)
COUNTY OF CLARK)

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NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-030
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-030**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 203 BLDG G**

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

STATE OF NEVADA)
)
COUNTY OF CLARK)

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BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 6th day of January, 2005.

NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-031
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-031**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 101 BLDG H**

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The Las Vegas City Council, at a duly noticed public hearing held on **January 5, 2005**, ordered the above charges in the amount of **$1,187.50**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

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

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

STATE OF NEVADA)
)
COUNTY OF CLARK)

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

BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 6th day of January, 2005

NOTARY PUBLIC, in and for said County and State

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

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

APN 138-36-811-032
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-032**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 102 BLDG H**

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COUNTY OF CLARK
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CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101

APN 138-36-811-033
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-033**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 201 BLDG H**

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400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

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Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005
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WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101

APN 138-36-811-034
Ref # - 19795

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **MOGEN HOLDINGS CO LLC**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 138-36-811-034**
Commonly known as:	**4820 ALPINE PLACE**
Legal Description:	**ALPINE COURT OFFICE CONDO** **PLAT BOOK 32 PAGE 52** **UNIT 202 BLDG H**

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400 STEWART AVENUE
LAS VEGAS, NV 89101

City of Las Vegas

Agenda Item No. 72

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

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

SUBJECT:
Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 2916 Armin Avenue. PROPERTY OWNER: YVES VITAL - Ward 3 (Reese)

Fiscal Impact:

☐	**No Impact**	**Amount:**	$1,667.50
☒	**Budget Funds Available**	**Dept./Division:**	Neigh. Services/Response
☐	**Augmentation Required**	**Funding Source:**	General Fund

PURPOSE/BACKGROUND:
The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired Weaver Inc. to remove all piled, dead vegetation and general litter from the property, trimming, cutting, and removing all weeds and turf grass exceeding eight (8) inches in height from all yards and posting "No Trespassing and No Dumping" signs on the property.

RECOMMENDATION:
That the City Council: 1. Approve the report of expenses in the amount of $1,667.50 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

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

MOTION:
REESE- APPROVED the action of Neighborhood Services - UNANIMOUS

MINUTES:
NOTE: Video shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

ORLANDO SANCHEZ, Director of Neighborhood Services, presented a video of the subject property and read the purpose/background regarding the condition of the property as a public hazard and an attractive nuisance requiring the described abatement. MR. SANCHEZ recommended the City Council approve the report of expenses in the amount of $1,667.50; $1,450.00 to Weaver Inc. and a 15 percent administrative fee of $217.50. He recommended that the above charges be filed and recorded against the

MINUTES - Continued:

property as a special assessment and lien and that the Notice and Lien of Assessment should be filed and recorded with the County Treasurer's Office.

No one appeared in opposition.

MAYOR GOODMAN declared the public hearing closed.
(1:09 - 1:11)
3-89

City of Las Vegas

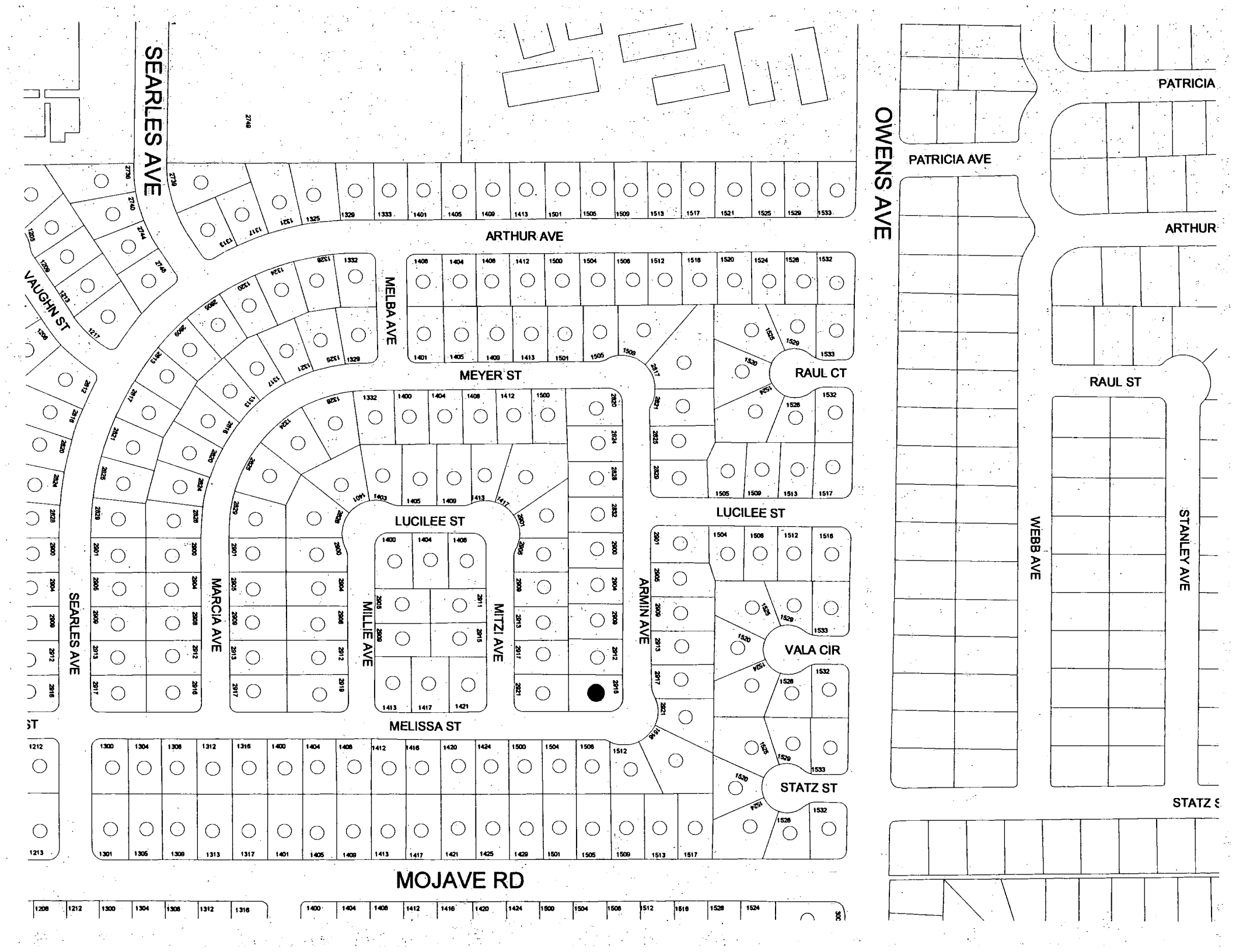
AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 5, 2005
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 2916 Armin Avenue.
PROPERTY OWNER: YVES VITAL – Ward 3 (Reese)

Weaver Inc. completed work on November 1, 2004 at a cost of $1,450.00, plus a 15% administrative fee, for a total of $1,667.50.

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

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


SEARLES AVE
ARTHUR AVE
VAUGHN ST
MELBA AVE
MEYER ST
RAUL CT
LUCILEE ST
MARCIA AVE
MILLIE AVE
MITZI AVE
ARMIN AVE
VALA CIR
MELISSA ST
STATZ ST
MOJAVE RD
OWENS AVE
PATRICIA AVE
PATRICIA
ARTHUR
RAUL ST
WEBB AVE
STANLEY AVE
STATZ S

Memorandum

City of Las Vegas
Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: Orlando Sanchez, Director – Neighborhood Response Division

CC: File

Date: December 3, 2004

Re: Report of Expenses for the abatement of Nuisance/Litter located at 2916 Armin Avenue - Ward 3 (Reese)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing all piled, dead vegetation and general litter from the property, trimming, cutting, and removing all weeds and turf grass exceeding eight (8) inches in height from all yards and posting "No Trespassing and No Dumping" signs on site. Weaver Inc. completed work on November 1, 2004 at a cost of $1,450.00, which was accepted by the Department of Neighborhood Services.

Contract Amount	$ 1,450.00
AMOUNT DUE	1,450.00
Administrative processing fee	217.50
TOTAL AMOUNT DUE	$1,667.50

OWNER OF RECORD: YVES VITAL

PROPERTY ABATED: 2916 Armin Avenue

ASSESSOR'S PARCEL: 139 25 112 012

LEGAL DESCRIPTION: COLLEGE PARK #30
PLAT BOOK 10 PAGE 67
LOT 28 BLOCK 8

OS:jl

WEAVER CONSTRUCTION

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

EXHIBIT A

DISCLOSURE OF PRINCIPALS

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

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

Continue list until full and complete disclosure is made

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

Weaver Construction

BY: Phyllis Weaver
Phyllis Weaver, Office Mgr.

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

Stephanie D. Dunn
Notary Public

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

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

NOTICE OF PUBLIC HEARING
JANUARY 5, 2005

Pursuant to Title 9, Chapter 12 of the Las Vegas Municipal Code NOTICE IS HEREBY GIVEN THAT ON **Wednesday, January 5, 2005** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

> Abatement of the property by removing all piled, dead vegetation and general litter from the property; trimming, cutting and removing all weeds turf grass exceeding eight (8) inches in height from all yards and posting "No Trespassing and No Dumping" signs on property located at **2916 ARMIN AVENUE** legally described as **COLLEGE PARK #30, PLAT BOOK 10 PAGE 67 LOT 28 BLOCK 8** Owner of record at time of abatement: **YVES VITAL – WARD 3 (REESE)**
>
> The Director of Neighborhood Services certifies in the report that the sum of $1,667.50 was expended ($1,450.00 to Weaver, Inc. for cleaning the property; and $217.50 Administrative Processing Fee).

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

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

BARBARA JO RONEMUS
CITY CLERK

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

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

CASENO 18593 CODEENF **02327-14**

Address: 2916 ARMIN AVE

WARD3TOUR

VACANT HOUSE IS SECURE. H/VEG AND PILED DEAD VEG - ALL YARDS

Parcel(s)

Parcel:	*Size:*	*Subdivision Name:*
13925112012	0.15 ACRE	COLLEGE PARK #30

Owner Information:

10-Aug-02	09-Jun-04	EKIGWE GODWIN & STELLA I
		2916 ARMIN AVE; LAS VEGAS, NV 89101-1602
09-Jun-04		VITAL YVES
		2916 ARMIN AVE; LAS VEGAS, NV 89101-1602

Inspection Summary

Inspector:	*Status:*		*Scheduled DT:*	*Start Dt:*	*Comp DT:*	*Min:*
960392	Failed		7/22/2004	07/20/2004 14:00	07/20/2004 14:05	5
960392	Failed		7/30/2004	07/30/2004 10:40	07/30/2004 10:45	5
960392	Failed		8/12/2004	08/16/2004 8:30	08/16/2004 8:35	5
970581	Passed	Partial	9/2/2004	08/21/2004 8:25	08/21/2004 8:30	5
960392	Passed	Partial	9/2/2004	09/02/2004 11:45	09/02/2004 11:50	5
870076	Passed		9/9/2004	10/28/2004 7:30	10/28/2004 7:41	11
					Time in Minutes:	36

Violation Details

Violation	*Violation DT*	*Resolve DT*	*Location:*
A-WEEDS	7/20/2004	10/28/2004	ALL YARDS
REMOVE ALL HIGH/DRY VEGETATION ALL YARDS			
\-REFUSE/WST	7/20/2004	10/28/2004	ALL YARDS
REMOVE ALL REFUSE AND WASTE FROM ALL YARDS (PILED DEAD VEGETATION)			

Log

Type:	*Date:*	*Employee:*	*Min:*
MISC	11/22/2004 7:19:00 AM	KATHY STEWART	0
ks) Sent Invoice from Weaver, Inc. ($1,450) to Finance for payment. Gave file to Jessica Larramendy for Council.			
MISC	11/3/2004 10:27:00 AM	KATHY STEWART	0
Received Invoice from Weaver, Inc ($1,450) for completion of abatement.			
PHONE	11/2/2004 9:12:00 AM	JESSICA LARRAMENDY	0
JL) T/C w/Yves (813-8433) regarding invoice for reinspection fee. I explained the fees and informed him that the property is going thru the abatement process. He states he only rec'd the inspection invoice but no N&O ltrs - all mailed to the same place.			
VIDPST	10/28/2004 7:30:00 AM	KATHY STEWART	11
#24) All fronds, litter, vegetation, overgrowth & the doggie house removed. Looks great. Officer #17 will put a padlock on the side gate today. Tape to OS.			
PHONE	10/4/2004 3:40:00 PM	KATHY STEWART	3
ks) Per Phyllis w/Weaver, Inc. will call latter part of this week with a start date. She is trying to find a "whole" in her schedule for this abatement. E-mailed Pam Hines this information.			
EMAIL	10/4/2004 10:10:00 AM	KATHY STEWART	0
ks) E-mailed Pam Hines have not been notified by Weaver, Inc. of a "start date" to abate (clean) property.			

MISC	9/28/2004 1:20:00 PM	KATHY STEWART	0
ks) Received Regular letter back Return to Sender. Filed in folder.			
BIDA	9/24/2004 9:11:00 AM	KATHY STEWART	0
Faxed Award letter to Weaver, Inc. Weaver, Inc. to fax/call within five days with a start date. Award letter attached in OLE			
MISC	9/24/2004 7:01:00 AM	KATHY STEWART	0
Received Certified letter back Unclaimed. Sent letter to #17 for filing.			
DIRECT	9/22/2004 11:27:00 AM	KATHY STEWART	0
Per Steve Harsin, Award to lowest bidder, Weaver, Inc.			
EMAIL	9/22/2004 9:06:00 AM	KATHY STEWART	0
ks) E-mailed Stephen Harsin results of bid.			
BIDR	9/22/2004 7:00:00 AM	KATHY STEWART	5
ks)Received bids from contractors (1) Weaver, Inc - $1,450; (2) C&W Enterprises - $1,600; (3) KO Construction - $1,949.			
RECORD	9/20/2004 7:21:00 AM	JESSICA LARRAMENDY	0
JL) Recorded N&O at Clark County. Book: 20040920 Inst: 03967			
BIDS	9/16/2004 7:15:00 AM	KATHY STEWART	0
Faxed Invitation to Bid to contractors. Bids due back by COB Tuesday, 9/21. Invitation to Bid attached in OLE.			
VIDREQ	9/13/2004 7:20:00 AM	KATHY STEWART	0
Request for Before Abatement Video sent to #24.			
MISC	9/13/2004 7:19:00 AM	KATHY STEWART	0
ks) Log entry of 9/2 alreay entered. Refer to #24 for Before Abatement Video.			
INSP	9/2/2004 11:45:00 AM	LYNN NIHIPALI	5
17)NO CHANGE AND NO CONTACT INFO AVAILABLE. N&O STILL POSTED. CONTINUE WITH ABATEMENT, REFER TO 24			
NOPOST	8/21/2004 8:25:00 AM	LYNN NIHIPALI	5
26)POSTED N&O ON DOOR, CB 9/2			
INSP	8/21/2004 8:25:00 AM	LYNN NIHIPALI	5
26)NO CHANGE			
LETTER	8/20/2004 7:42:00 AM	KATHY STEWART	0
N&O letter attached in OLE.			
NOTICE	8/20/2004 7:30:00 AM	KATHY STEWART	12
Sent Nuisance/Litter Abatement Notice & Order to Comply letter to owner, Yves Vital. POST: 8/23. C/B: 9/2. Sent file to #17.			
NOREQ	8/16/2004 12:32:00 PM	STEPHANIE DEMOLEAS	3
17) N&O TO 24, NO FURTHER OWNER INFO AVAIL YET			
INSP	8/16/2004 8:30:00 AM	KATHY STEWART	5
17) No change. Assess fee. Switch to N&O.			
MISC	8/5/2004 6:39:00 AM	STEPHANIE DEMOLEAS	1
17) POSTPONED DUE TO IST			
INSP	7/30/2004 10:40:00 AM	MARIA VIGIL	5
17) PIX. NO CHANGE, ASSESS FEE. POSTED C/N REMOVED. POSTED F/N. C/B 8/5			
LETTER	7/30/2004 6:55:00 AM	STEPHANIE DEMOLEAS	0
17) CN CAME BACK RET MAIL "ATT UNK"			
LETTER	7/21/2004 4:25:00 PM	STEPHANIE DEMOLEAS	2
17) MAILED CN TO NEW OWNER OF RECORD: YVES VITAL AT THIS SERVICE ADDR (PER SEWER COO ON 6/24)			
INSP	7/20/2004 2:00:00 PM	LYNN NIHIPALI	5
17)1(T/D PILED DEAD VEG ALL YARDS, 2)H/VEG-ALL YARDS, CN POSTED CB 7/30			

Time in minutes: **67**

APN 139-25-112-012
Ref # - 18593

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **YVES VITAL**

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

Assessor's Parcel No.:	**139-25-112-012**
Commonly known as:	**2916 ARMIN AVENUE**
Legal Description:	**COLLEGE PARK #30**
	PLAT BOOK 10 PAGE 67
	LOT 28 BLOCK 8

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)
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NOTARY PUBLIC, in and for said County and State

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

City of Las Vegas

Agenda Item No. 73

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES

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

SUBJECT:

Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 617 W. Adams Avenue. PROPERTY OWNER: JOYCE STEWART - Ward 5 (Weekly)

Fiscal Impact:

☐	**No Impact**	**Amount:**	$1,696.25
☒	**Budget Funds Available**	**Dept./Division:**	Neigh. Services/Response
☐	**Augmentation Required**	**Funding Source:**	General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired Weaver Inc. to remove from this vacant property (all areas), all trash, debris, tires, and the fallen tree, dilapidated fence, and by trimming, cutting, and removing all weeds and turf grass exceeding eight (8) inches in height and posting "No Trespassing and No Dumping" signs on site.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of $1,696.25 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED the amended amount of $1,000 - UNANIMOUS

MINUTES:

NOTE: Video shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

ORLANDO SANCHEZ, Director of Neighborhood Services, presented a video of the subject property and read the purpose/background regarding the condition of the property as a public hazard and an attractive nuisance requiring the described abatement. MR. SANCHEZ recommended the City Council approve the report of expenses in the amended amount of $1,000. MR. SANCHEZ explained the original amount of $1,696.25 was to cover expenses of Weaver, Inc. for $1,475.00 and a 15 percent

MINUTES - Continued:

administrative fee of $221.20. The property owner had made a payment of $696.25, which left a balance of $1,000. He recommended that the above charges be filed and recorded against the property as a special assessment and lien and that the Notice and Lien of Assessment should be filed and recorded with the County Treasurer's Office.

MAYOR GOODMAN verified with MR. SANCHEZ that the payment of $696.25 was made to the City of Las Vegas Treasurer's Office on December 17, 2004.

COUNCILMAN WOLFSON asked why the the time and date was not reflected in the videos shown. MR. SANCHEZ replied that the videos were taken prior to the implementation of that new policy, but the time and date will be shown in future videos.

No one appeared in opposition.

MAYOR GOODMAN declared the public hearing closed.
(1:11 - 1:13)
3-134

City of Las Vegas

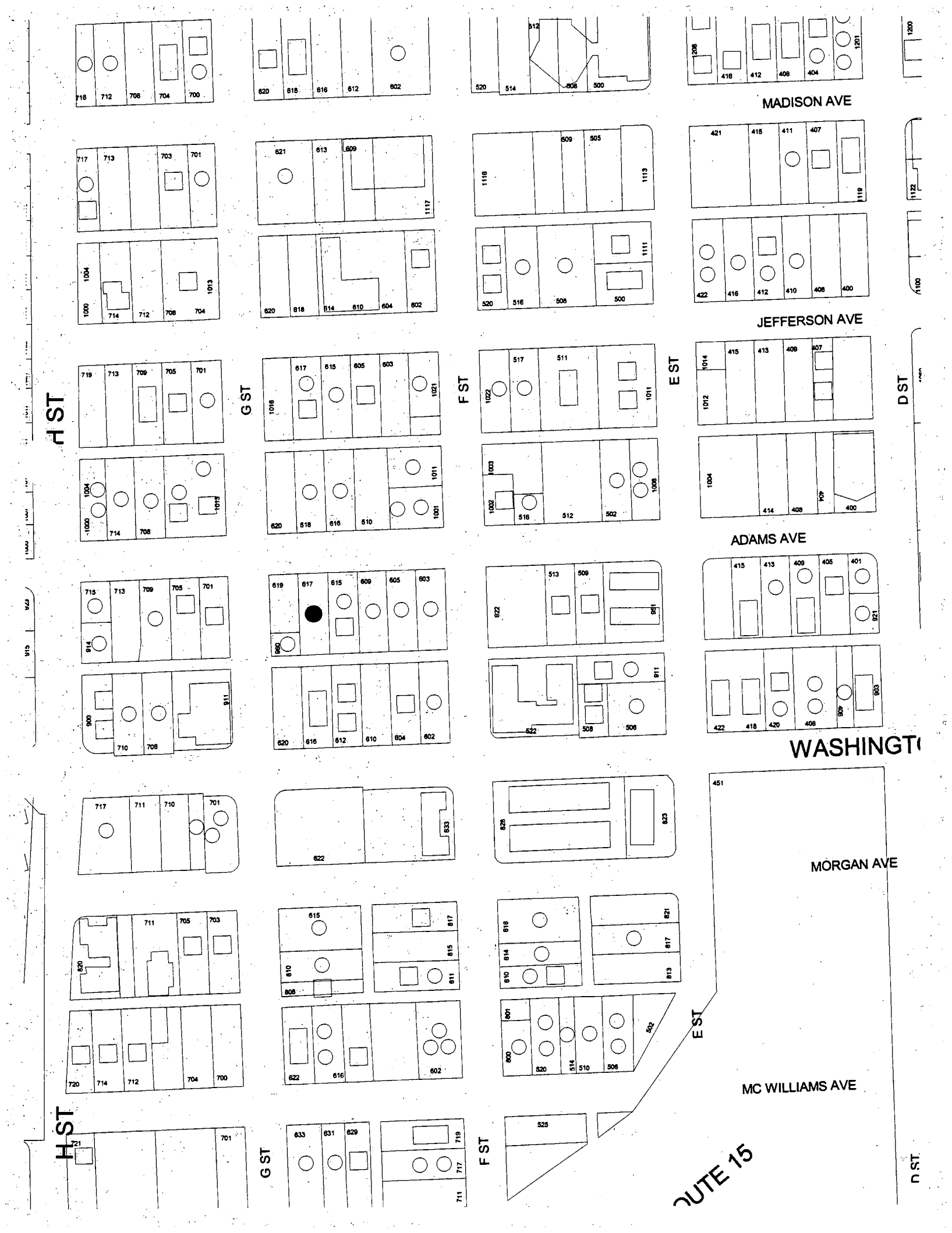
AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 5, 2005
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 617 W. Adams Avenue.
PROPERTY OWNER: JOYCE STEWART – Ward 5 (Weekly)

Weaver Inc. completed work on November 11, 2004 at a cost of $1,475.00, plus a 15% administrative fee, for a total of $1,696.25.

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

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


MADISON AVE
JEFFERSON AVE
ADAMS AVE
WASHINGT
MORGAN AVE
MC WILLIAMS AVE
H ST
G ST
F ST
E ST
D ST
ROUTE 15

Memorandum

City of Las Vegas
Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: Orlando Sanchez, Director – Neighborhood Response Division

CC: File

Date: December 3, 2004

Re: Report of Expenses for the abatement of Nuisance/Litter located at 617 W. Adams Avenue - Ward 5 (Weekly)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing from this vacant property (all areas), all trash, debris, tires, and the fallen tree, dilapidated fence, and by trimming, cutting, and removing all weeds and turf grass exceeding eight (8) inches in height and posting "No Trespassing and No Dumping" signs on site. Weaver Inc. completed work on November 11, 2004 at a cost of $1,475.00, which was accepted by the Department of Neighborhood Services.

Contract Amount	$ 1,475.00
AMOUNT DUE	1,475.00
Administrative processing fee	221.25
TOTAL AMOUNT DUE	$1,696.25

OWNER OF RECORD: JOYCE STEWART

PROPERTY ABATED: 617 W. Adams Avenue

ASSESSOR'S PARCEL: 139 27 210 115

LEGAL DESCRIPTION: H F M & M ADD
PLAT BOOK 1 PAGE 47
LOT 11 BLOCK 17

OS:jl

WEAVER CONSTRUCTION

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

EXHIBIT A

DISCLOSURE OF PRINCIPALS

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

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

Continue list until full and complete disclosure is made

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

Weaver Construction

BY: Phyllis Weaver
Phyllis Weaver, Office Mgr.

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

Stephanie D Dunn
Notary Public

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

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

NOTICE OF PUBLIC HEARING
JANUARY 5, 2005

Pursuant to Title 9, Chapter 12 of the Las Vegas Municipal Code NOTICE IS HEREBY GIVEN THAT ON **Wednesday, January 5, 2005** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

> Abatement of the property by removing all trash (all areas), debris, tires, and the fallen tree; dilapidated fence and by trimming, cutting and removing all weeds and turf grass exceeding eight (8) inches in height and posting "No Trespassing and No Dumping" signs on property located at **617 WEST ADAMS AVENUE** legally described as **H F M & M ADD, PLAT BOOK 1 PAGE 47 LOT 11 BLOCK 17** Owner of record at time of abatement: **JOYCE STEWART – WARD 5 (WEEKLY)**
>
> The Director of Neighborhood Services certifies in the report that the sum of $1,696.25 was expended ($1,475.00 to Weaver, Inc. for cleaning the property; and $221.25 Administrative Processing Fee).

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

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

BARBARA JO RONEMUS
CITY CLERK

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

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

CASENO 12517 CODEENF **02325-42**

Address: **617 W ADAMS AVE**

CLV
IST OLDWLVLOT

TRASH/DEBIS, HIGH WEEDS, DAMAGED FENCE

Parcel(s)

Parcel:	*Size:*	*Subdivision Name:*
13927210115	0.16 ACRE	H F M & M ADD

Owner Information:

10-Aug-02	28-Aug-02	TRUSTEE CLARK COUNTY TREASURER % STEWART JOYCE 3806 S VAN NESS; LOS ANGELES, CA 90062-1040
28-Aug-02	30-Apr-03	STEWART JOYCE 3806 S VAN NESS; LOS ANGELES, CA 90062-1040
30-Apr-03	07-May-03	STEWART JOYCE 2012 DOROTHY ST; WEST COVINA, CA 91792
07-May-03		STEWART JOYCE 2012 DOROTHY ST; WEST COVINA, CA 91792-2013

Inspection Summary

Inspector:	*Status:*		*Scheduled DT:*	*Start Dt:*	*Comp DT:*	*Min:*
840182	Failed			04/06/2004 8:15	04/06/2004 9:25	70
940274	Passed	Partial	5/17/2004	05/18/2004 8:47	05/18/2004 8:49	2
940274	Passed	Partial	6/29/2004	06/29/2004 9:27	06/29/2004 9:28	1
940274	Passed	Partial	8/4/2004	08/04/2004 9:48	08/04/2004 9:51	3
940274	Failed		8/11/2004	09/02/2004 7:46	09/02/2004 7:48	2
940274	Failed		9/28/2004	09/28/2004 10:22	09/28/2004 10:24	2
940274	Passed	Partial	10/18/2004	10/06/2004 11:00	10/06/2004 11:05	5
940274	Passed	Partial	10/18/2004	10/18/2004 13:05	10/18/2004 13:07	2
940274	Passed	Partial	10/20/2004	10/18/2004 13:05	10/18/2004 13:07	2
870076	Passed	Partial	11/19/2004	11/09/2004 12:30	11/09/2004 12:41	11
870076	Passed		11/19/2004	11/15/2004 7:31	11/15/2004 7:40	9
					Time in Minutes:	**109**

Violation Details

Violation	*Violation DT*	*Resolve DT*	*Location:*
A-WEEDS	4/12/2004	11/15/2004	ENTIRE LOT
REMOVE DEAD TREE			
A-REFUSE/WST	4/12/2004	11/15/2004	ENTIRE LOT
A-PAINTING	4/12/2004	11/15/2004	FENCE
FIX OR REMOVE FENCE			

Log

Type:	*Date:*	*Employee:*	*Min:*
MISC	11/22/2004 7:20:00 AM	KATHY STEWART	0

ks) Sent Invoice from Weaver, Inc. ($1,475) to Finance for payment. Gave file to Jessica Larramendy for Council.

MISC	11/15/2004 10:31:00 AM	KATHY STEWART	0
Received Invoice from Weaver, Inc. ($1,475)			
VIDPST	11/15/2004 7:31:00 AM	KATHY STEWART	9
24) Post Video Insp. Lot scaped, all refuse & litter, tree, debris removed; fence repaired & 2 "No Trespassing" signs posted.			
VIDPRE	11/9/2004 12:30:00 PM	KATHY STEWART	11
24) Vacant lot is covered with litter, fallen tree,refuse, etc. Minor vegetation. Fence needs repair in some spots. Tape to OS, date info to KS for entry.			
PHONE	11/9/2004 9:50:00 AM	KATHY STEWART	0
Per Phyllis w/Weaver, start date will be 11/10. Phyllis said she would call Pam Hines & inform her of the start date & fax confirmation of start date to me.			
BIDA	11/3/2004 2:37:00 PM	KATHY STEWART	0
ks) Faxed Award letter to Weaver, Inc. Contractor has five days to call with a start date. Award letter attached in OLE.			
DIRECT	11/3/2004 7:44:00 AM	KATHY STEWART	0
Per Steve Harsin, award bid to the lowest bidder, Weaver, Inc. ($1,475)			
BIDR	11/3/2004 7:00:00 AM	KATHY STEWART	0
Received bids from contractors (1) Weaver, Inc.-$1,475; (2) ADS-$2,317; (3) C&W-$2,400; (4) KO-$2,595. Sent e-mail to Steve Harsin & Pam Hines with the bid results.			
BIDS	10/27/2004 7:56:00 AM	KATHY STEWART	0
Faxed Invitation to Bid to contractors. Bids due by COB 11/2. Invitation to Bid attached in OLE.			
DIRECT	10/20/2004	KATHY STEWART	0
24) Proceed with bids.			
INSP	10/18/2004 1:05:00 PM	KATHY STEWART	2
19) No change. No contact from owner. Proceed with abatement.			
INSP	10/18/2004 1:05:00 PM	LYNN NIHIPALI	2
19)NO CHANGE, NO CONTACT FROM OWNER, PROCEED WITH ABATEMENT			
MISC	10/18/2004 11:13:00 AM	KATHY STEWART	0
Received Certified Card back from owner signed. Sent card to #19 for filing.			
MISC	10/14/2004 7:31:00 AM	KATHY STEWART	0
ks) Sent Recorded N&O letter to #19 for filing.			
RECORD	10/13/2004 3:15:00 PM	JESSICA LARRAMENDY	0
JL) Recorded Notice & Order at Clark County. Book: 20041013 Inst: 03000.			
NOPOST	10/6/2004 11:00:00 AM	LYNN NIHIPALI	5
19)POSTED N&O			
INSP	10/6/2004 11:00:00 AM	LYNN NIHIPALI	5
19)NO CHANGE, CB 10/18			
LETTER	10/5/2004 8:25:00 AM	KATHY STEWART	0
N&O letter attached in OLE.			
NOTICE	10/5/2004 7:55:00 AM	KATHY STEWART	20
Sent Nuisance/Litter Abatement Notice & Order to Comply letter to owner, Joyce Stewart. POST: 10/6. C/B: 10/18. Sent file to #19.			
NOREQ	9/28/2004 10:24:00 AM	KATHY STEWART	0
19) Referred N&O Request to #24.			
INSP	9/28/2004 10:22:00 AM	KATHY STEWART	2
19) No change. Fee assessed. Sending N&O to start abatement process. Pictures taken.			
INSP	9/2/2004 7:46:00 AM	VICKI OZUNA	2
19) NO CHANGE, FEES ASSESSED. PICTURES TAKEN. PUT ON IST LIST FOR ABATEMENT BY CREWS. CB 9/28			
INSP	8/4/2004 9:48:00 AM	KATHY STEWART	3
19/28) No change. Looks worse. Final Notice to owner. C/B 8/11.			
INSP	6/29/2004 9:27:00 AM	MARIA VIGIL	1
19/28) No change. C/B 8/4			

MISC	6/17/2004	MARIA VIGIL	0
19) C/N MAILED TO PROPERTY OWNER. C/B 6/29			
INSP	5/18/2004 8:47:00 AM	LYNN NIHIPALI	2
19/28)NO CHANGE ON VACANT LOT. BIG TREE HAS BLOWN DOWN. PIX TAKEN CASE IS ON HOLD UNTIL 6/7			
INSP	4/6/2004 9:15:00 AM	MARIA VIGIL	10
#19) EVALUATED PROPERTY, SEE VIOLATIONS			
		Time in minutes:	**74**

APN 139-27-210-115
Ref # - 12517

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **JOYCE STEWART**

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

Assessor's Parcel No.:	**139-27-210-115**
Commonly known as:	**617 WEST ADAMS AVENUE**
Legal Description:	**H F M & M ADD** **PLAT BOOK 1 PAGE 47** **LOT 11 BLOCK 17**

On **November 11, 2004**, as provided in the Municipal Code, Title 9, Chapter 12, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **$1,000.00** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on **January 5, 2005**, ordered the above charges in the amount of **$1,000.00**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

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

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

STATE OF NEVADA)
)
COUNTY OF CLARK)

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

BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 6th day of January, 2005

NOTARY PUBLIC, in and for said County and State

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

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

City of Las Vegas

Agenda Item No. 74

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:

EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW

EOT-5631 - APPLICANT: TANEY ENGINEERING - OWNER: LEWIS CENTER PARKING, LIMITED LIABILITY COMPANY - Request for an Extension of Time on an approved Site Development Plan Review (SDR-1298) FOR A PROPOSED EIGHT LEVEL PARKING GARAGE WITH GROUND LEVEL RETAIL (17,959 Square Feet) on 0.56 acres adjacent to the northeast corner of Lewis Avenue and Casino Center Boulevard (APN 139-34-201-020), C-2 (General Commercial), Ward 1 (Moncrief). Staff recommends APPROVAL

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

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED Item 74 [EOT-5631], Item 75 [EOT-5743] and Item 76 [EOT-5744] subject to conditions - UNANIMOUS

MINUTES:

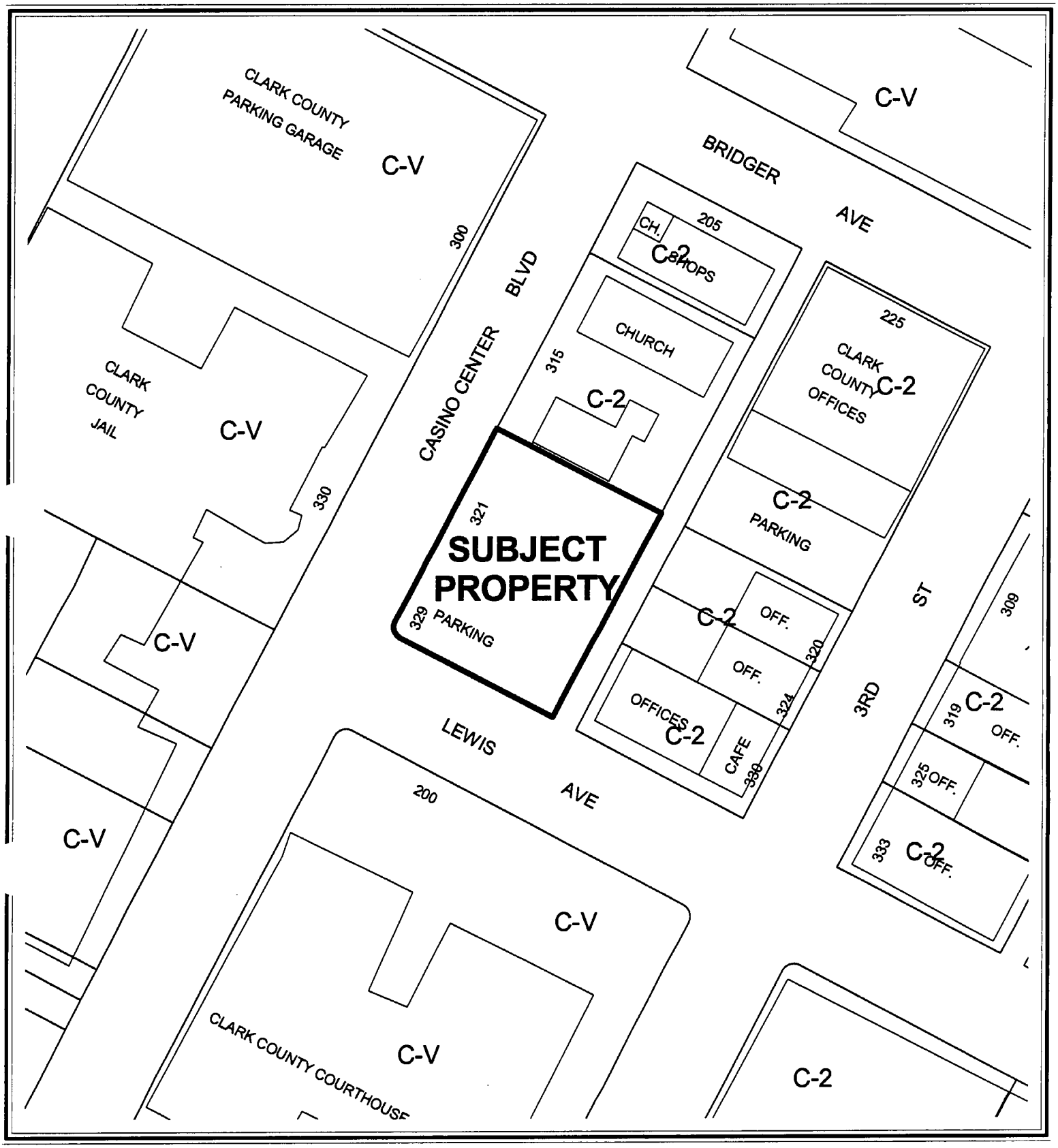
There was no discussion.
(1:13 - 1:14)
3-205

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on February 19, 2007 unless the Site Development Plan Review is exercised or another Extension of Time is approved by the City Council.

2. Conformance to all applicable conditions of approval for Site Development Plan Review SDR-1298.

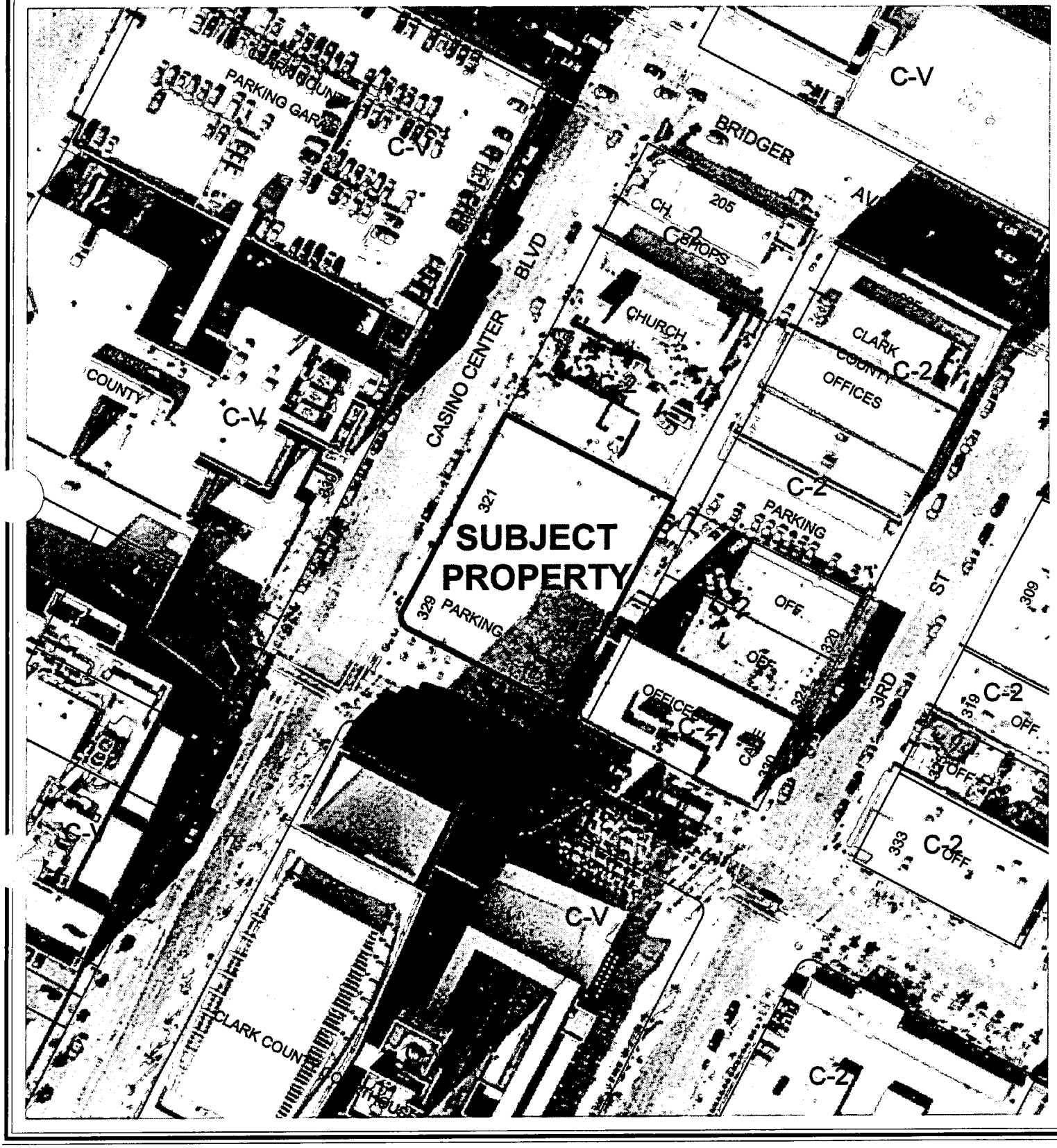


0 80 160 Feet

CASE: EOT-5631

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

N



CASE: EOT-5631

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 5, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-5631 - APPLICANT: TANEY ENGINEERING – OWNER: LEWIS CENTER PARKING, LIMITED LIABILITY COMPANY

** CONDITIONS **

Staff recommends APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on February 19, 2007 unless the Site Development Plan Review is exercised or another Extension of Time is approved by the City Council.

2. Conformance to all applicable conditions of approval for Site Development Plan Review SDR-1298.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for an Extension of Time on an approved Site Development Plan Review (SDR-1298) for a proposed eight level parking garage with ground level retail (17,959 square feet) on 0.56 acres adjacent to the northeast corner of Lewis Avenue and Casino Center Boulevard.

B) Applicant's Justification

The applicant's justification letter indicates additional time is needed because this project requires detailed coordination efforts with various public and private entities to ensure safe and sound construction.

BACKGROUND INFORMATION

A) Previous Actions

01/24/63 The City Commissioners approved the zoning request (Z-0159-62) from C-1 (Limited Commercial) to C-2 (General Commercial). The Planning Commission recommended approval on 01/22/63.

02/19/03 The City Council approved a Site Development Plan Review (SDR-1298) to allow an eight level parking garage with ground level retail (17,959 square feet) on this site. The Planning Commission and staff recommended approval on January 23, 2003.

B) Pre-Application Meeting

A Pre-Application meeting is not required for an Extension of Time request.

C) Neighborhood Meetings

A Neighborhood meeting is not required for an Extension of Time request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.56

B) Existing Land Use

Subject Property:	Undeveloped
North:	Church
South:	Clark County Courthouse
East:	Offices
West:	Clark County Justice Center

C) Planned Land Use

Subject Property:	C (Commercial)
North:	C (Commercial)
South:	PF (Public Facility)
East:	C (Commercial)
West:	PF (Public Facility)

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial)
South:	C-V (Civic)
East:	C-2 (General Commercial)
West:	C-V (Civic)

E) General Plan Compliance

The site is Redevelopment Area on the Southeast Sector Map of the General Plan. This location is shown as C (Commercial) on the Map. The site is also located in the Downtown Centennial Plan area. The existing C-2 (General Commercial) Zoning designation is in conformance with the General Plan

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

The subject property is within the Office Core District of the Las Vegas Downtown Centennial Plan, the Redevelopment Plan Area and the Lewis Corridor District. The proposed Parking Structure with retail on the first floor is in compliance with the Office Core District plan and the all other plans affecting this area.

PROJECT DESCRIPTION

The project consists of an eight-level parking structure with 17,900 square feet of retail space on the ground floor, providing 423 parking spaces.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Pursuant to Las Vegas Zoning Code Section 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Width	100 Feet	122 Feet	Yes
Min. Setbacks			
• Front	Zero Lot Line	Zero Lot Line	Yes
• Side	10 Feet	0 Feet	No
• Corner	15 Feet	18 Feet	Yes
• Rear	20 Feet	0 Feet	No

The project does not conform to the rear setback standards. The applicant requested a waiver of this requirement with the original Site Development Plan Review.

A2) Parking and Traffic Standards

Pursuant to Las Vegas Zoning Code Section 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Parking Structure (143,370 Square Feet) Retail (17,900 Square Feet)	17,900 Square feet	1 parking space per 250 Square Feet	69	3	413	10

The approved project exceeds the requirements of Title 19.10.

A4) Landscape and Open Space Standards

The approved landscape plan matches that of the existing Lewis Street Corridor with shade trees and 36 inch box trees double-spaced 15 on-center. Casino Center Boulevard is a north/south street with palm trees 25 feet or greater in height spaced 30 feet on-center, with a second row of shade trees provided on the interior, as required by the Las Vegas Downtown Centennial Plan under the Downtown Las Vegas Streetscape Design Standards.

B) General Analysis and Discussion

- Zoning

The property was rezoned in 1963 from C-1 (Limited Commercial) to C-2 (General Commercial). Since that time a motel has occupied the property. The proposed future land use for the area has changed and the applicant is proposing the parking structure in line with the objectives of the Redevelopment Plan for this area.

- Site Plan

The site plan encompasses two parcels to be developed for an eight level parking structure. Access to the site is via one driveway accessing Casino Center Boulevard. The first floor is designated as a 17,900 square foot retail space.

- Waivers

The applicant received approval of a waiver from the setbacks that are required when structures reach a certain height. In this case, the eight level structure is required to be stepped back a minimum of five feet at the fourth story level. Instead, the applicant proposes a metal display canopy, which will extend into the setback approximately five feet at the second floor level and continue upward to the sixth floor level.

- Landscape Plan

The applicant proposes to put in the required landscaping to match the Lewis Avenue Corridor and to match those required of the Casino Center Boulevard.

- Elevation

The elevations depict a mix of split-face block, textured painted panels, smooth painted panels with metal store front doors and frames. A metal display canopy is planned to front both Lewis Avenue and Casino Center Boulevard and the applicant has proposed to hang large colorful banners.

- Floor Plan

The floor plan shows that the first floor is intended for retail uses with the rest of the structure to be used for parking.

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 parking structure is compatible with the surrounding commercial and office complex in the area. The parking structure will be a beneficial to the Downtown 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 approved retail and parking structure is consistent with Title 19 and applicable plans, policies and standards with the incorporation of the listed conditions

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

   The approved parking structure and retail use will be accessed solely from Casino Center Boulevard which is identified on the Master Plan of Streets and Highways as a Secondary (80-foot) Arterial. This road has adequate capacity to serve the proposed development. The project will not have any negative traffic impact businesses.

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

   The approved building and the landscape plan are consistent with the planned corridor along Lewis Avenue and that of Casino Center Boulevard.

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 appropriate for the commercial and predominantly office character of the area. Greater detail of the proposed canopy was required as a condition of approval.

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

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

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT 5631 APN: 139-34-201-020

Name of Property Owner: Lewis Center Parking, LLC

Name of Applicant: TANEY ENGINEERING

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: Ron Bures

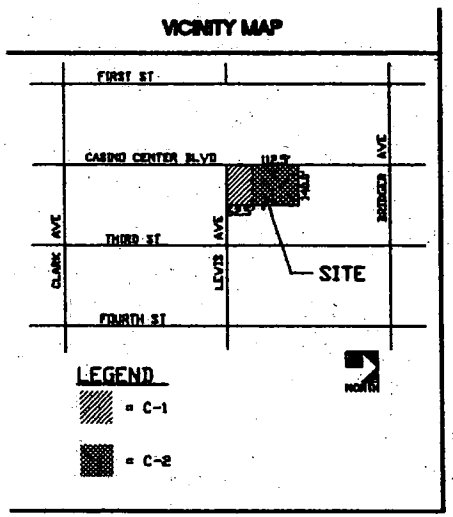
Print Name: RON BURES

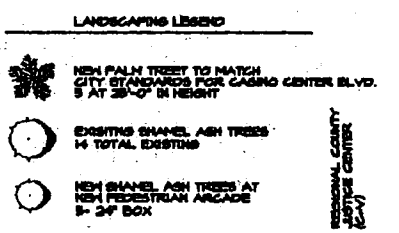
Subscribed and sworn before me

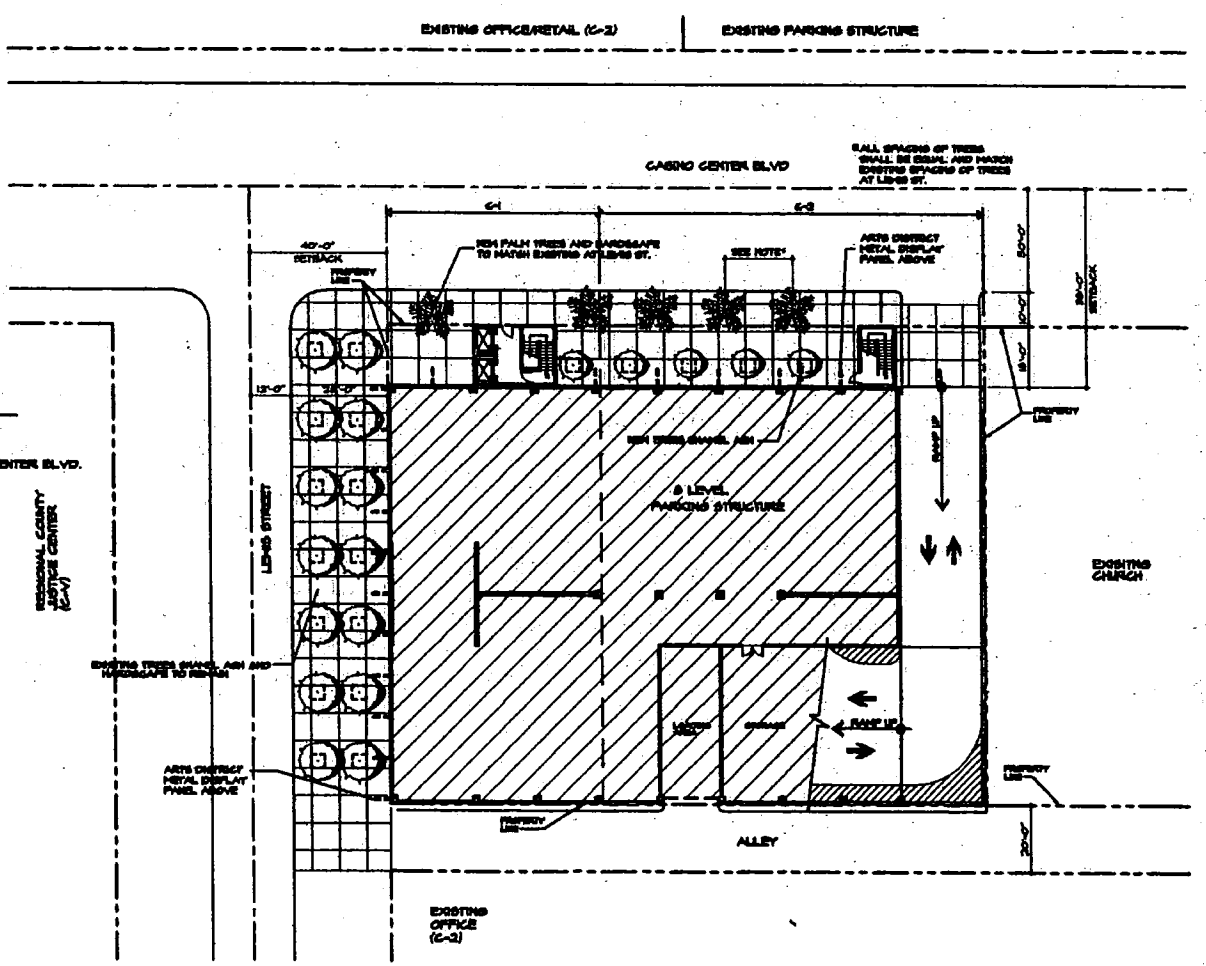
This 10th day of November, 2004

Notary Public in and for said County and State

CHERYL A. MOORE
Notary Public State of Nevada
No.97-4544-1
My appt. exp.Nov. 17, 2005







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

EOT-5631

1-05-05 CC

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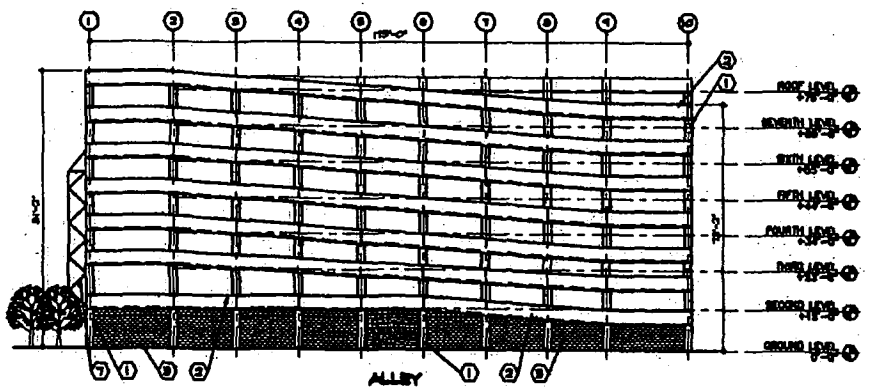
DAYSIDE, INC.

MEADOWHILL SMITH STRUCTURAL ENGINEERS

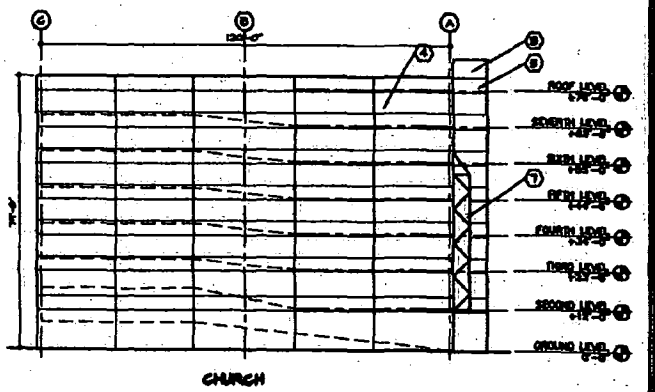
LEWIS STREET PARKING STRUCTURE
FOR
LEWIS CENTER PARKING, L.L.C.
LAS VEGAS, NEVADA

LANDSCAPE PLAN

L-1



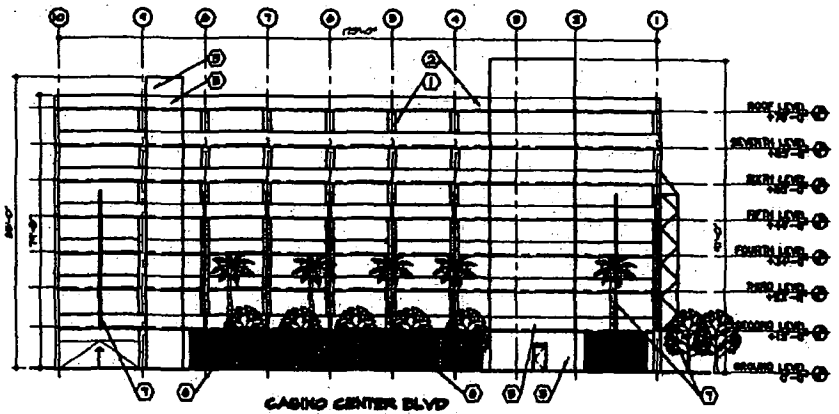
EAST ELEVATION



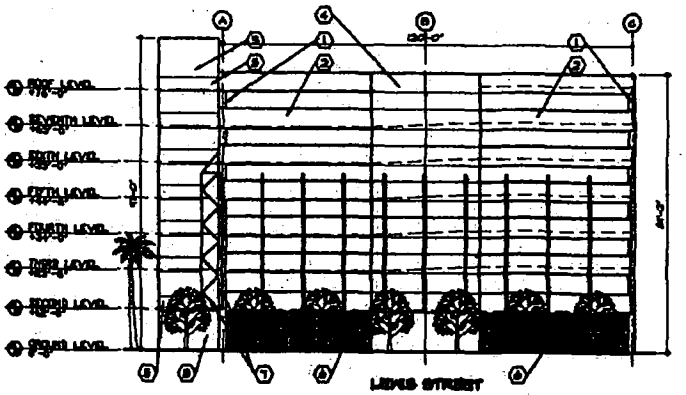
NORTH ELEVATION

KEYNOTES

1. CONCRETE COLUMN - TEXTURED, PAINTED FINISH: 6544 - FLAGSTONE
2. CONCRETE SPANDREL - TEXTURED, PAINTED FINISH: 6544 - FLAGSTONE
3. CMU - SPLIT FACE
4. CONCRETE WALL - TEXTURED, PAINTED FINISH: 6362 - ARIZONA WHITE
5. CMU - SMOOTH FACED, PAINTED FINISH: 6533 - CILANTRO
6. GLASS AND METAL STOREFRONT SYSTEM, PAINTED FINISH: 6514 - CYPRESS POINT
7. ARTS DISTRICT METAL DISPLAY PANEL



WEST ELEVATION



SOUTH ELEVATION

DAYSIDE, INC.

MEYERHALL SMITH STRUCTURAL ENGINEERS

LEWIS STREET PARKING STRUCTURE
FOR
LEWIS CENTER PARKING, L.L.C.
LAS VEGAS, NEVADA

ELEVATIONS

A-41

EOT-5631

1-05-05 CC

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BUILDING DATA

JURISDICTION: CITY OF LAS VEGAS

BUILDING CODE: 1997 UNIFORM BUILDING CODE

ZONING: C-1 / C-2

GROSS SITE AREA: 24,500 SQ.FT.

OCCUPANCY: S-1 / S-2 (GROUND LEVEL)

OCCUPANT LOAD: 200 / S.F.

TYPE OF CONSTRUCTION: TYPE II - 1 HR.

AUTOMATIC FIRE SPRINKLER SYSTEM: YES

ALLOWABLE AREA: 66,000 S.F./TIER X 10 = 900,000 S.F.

BUILDING SETBACK: SEE PLANS

BUILDING HEIGHT: 79'-0" (SOUTH SIDE)

NUMBER OF STORIES: 8

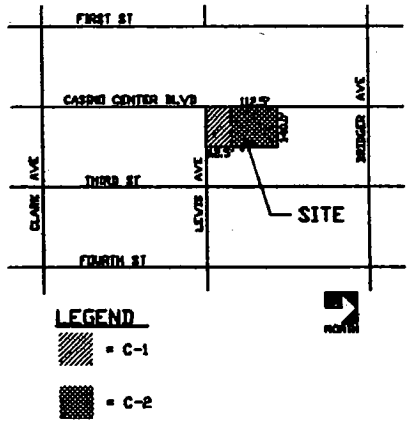
FLOOR AREA RATIO: 84,906 SQ.FT./21,350 SQ.FT. = 1.15

DENSITY: 36,478 SQ.FT. / 21,350 SQ.FT. = 1.43

BUILDING AREA:

LEVEL	SQ.FT.	
GROUND	21,350 SQ.FT.	17,900 SQ.FT. (FUTURE RETAIL SPACE)
SECOND	21,350 SQ.FT.	
THIRD	21,350 SQ.FT.	
FOURTH	21,350 SQ.FT.	
FIFTH	21,350 SQ.FT.	
SIXTH	21,350 SQ.FT.	
SEVENTH	21,350 SQ.FT.	
ROOF	11,656 SQ.FT.	
TOTAL	160,206 SQ.FT.	

VICINITY MAP



PROJECT DESCRIPTION

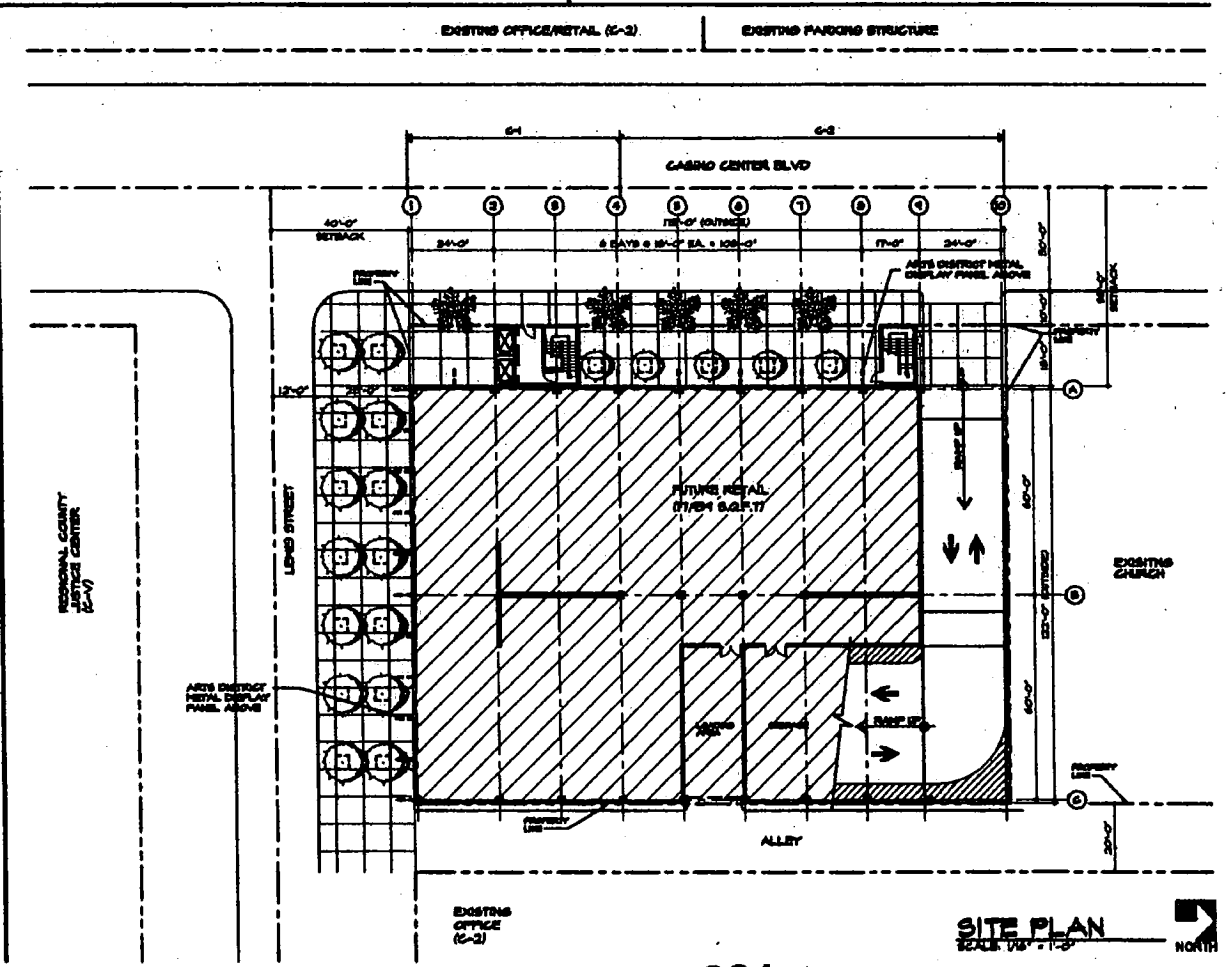
THE PROPOSED LEWIS STREET PARKING STRUCTURE IS LOCATED AT THE NORTHWEST CORNER OF CASINO CENTER BOULEVARD AND LEWIS STREET, WITHIN THE DOWNTOWN OVERLAY DISTRICT. THIS FACILITY SHALL PROVIDE VISITOR AND DAILY PARKING FOR THE NEW REGIONAL CLARK COUNTY JUSTICE CENTER AND ADJACENT OFFICE BUILDINGS. AT PRESENT THE NEED FOR PARKING IN THIS AREA IS IN HIGH DEMAND. THIS STRUCTURE WILL HAVE APPROXIMATELY 17,900 SQ.FT. OF RETAIL AT THE GROUND LEVEL WITH ACCESS TO PARKING FROM LEWIS STREET. THERE WILL BE SEVEN LEVELS OF PARKING IN APPROXIMATELY 139,000 SQ.FT. FOR 423 SPACES. ADA ACCESSIBLE SPACES ARE TO BE LOCATED ADJACENT TO THE ELEVATOR. THE HEIGHT OF THIS STRUCTURE WILL BE ABOUT SEVENTY-SIX FEET AND WILL MEET ALL REQUIREMENTS FOR A HIGH RISE BUILDING. STREET FRONTAGE ON LEWIS STREET HAS BEEN IMPROVED WITH TREES AND HARDSCAPE. IT IS THE INTENT TO CARRY THIS THEME ALONG CASINO CENTER BOULEVARD.
THE EXTERIOR WILL CONSIST OF CONCRETE AND MASONRY. ALL MASONRY WILL BE A COMBINATION OF SPLIT-FACE AND SMOOTH FINISH WITH INTEGRAL COLOR EXPOSED CONCRETE, COLUMNS AND HORIZONTAL SPANDRELS ARE TO HAVE A LIGHT SAND TEXTURED PAINT. ELEVATOR AND STAIRS SHALL BE ENCLOSED WITH ACCESS TO THE PARKING STRUCTURE ONLY.

PARKING CALCULATIONS

LEVEL	FULL-SIZE SPACES	COMPACT SPACES	HANDICAP SPACES	TOTAL SPACES
GROUND	N/A	N/A	N/A	N/A
SECOND	63 SPACES	4 SPACES	2 SPACES	69 SPACES
THIRD	58 SPACES	4 SPACES	2 SPACES	64 SPACES
FOURTH	58 SPACES	4 SPACES	2 SPACES	64 SPACES
FIFTH	58 SPACES	4 SPACES	2 SPACES	64 SPACES
SIXTH	58 SPACES	4 SPACES	2 SPACES	64 SPACES
SEVENTH	60 SPACES	4 SPACES	--	64 SPACES
ROOF	38 SPACES	0 SPACES	--	38 SPACES
TOTAL	387 SPACES	26 SPACES	10 SPACES	423 SPACES

HANDICAP REQUIRED: 9 SPACES (1 VAN ACCESSIBLE)

HANDICAP PROVIDED: 10 SPACES (1 VAN ACCESSIBLE @ 2ND LEVEL)



SITE PLAN

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

KJ KAEMPFER JONES ARCHITECTS

DAYSIDE, INC.

MENDENHALL SMITH STRUCTURAL ENGINEERS

LEWIS STREET PARKING STRUCTURE
FOR
LEWIS CENTER PARKING, L.L.C.
LAS VEGAS, NEVADA

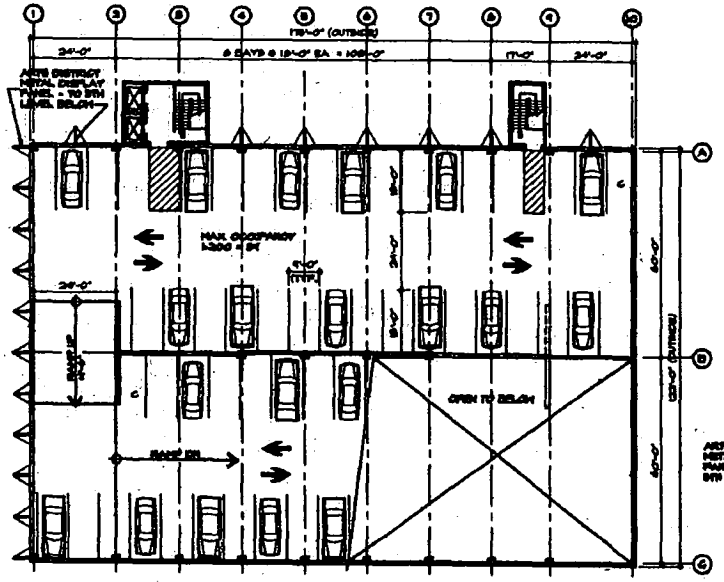
SITE PLAN

A-2.1

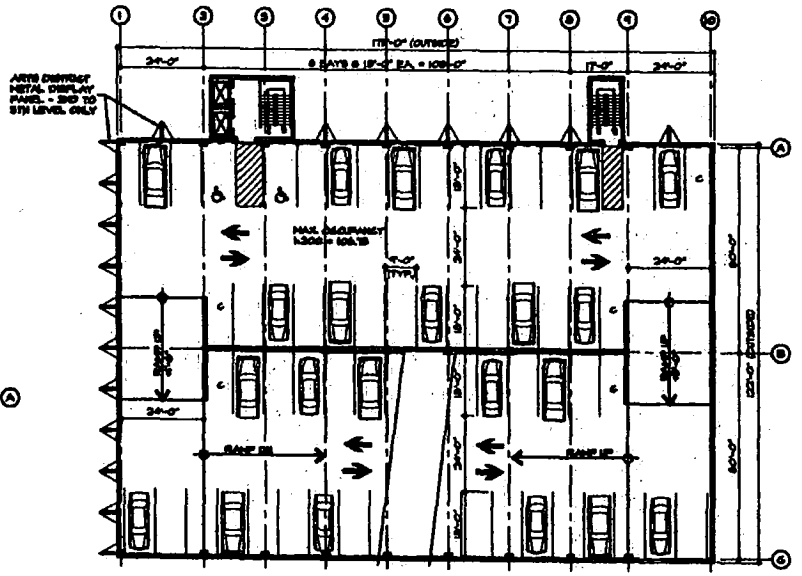
EOT-5631

1-05-05 CC

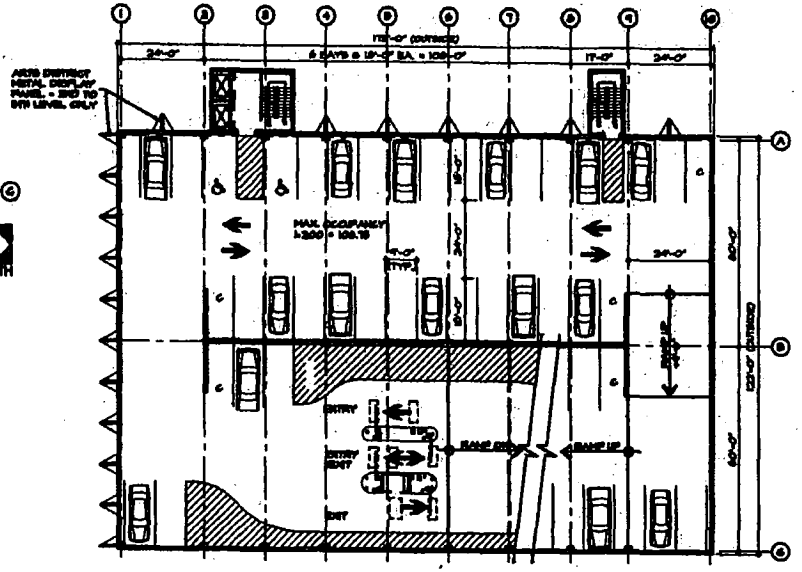
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ROOF LEVEL PLAN



THIRD - SEVENTH LEVEL PLAN



SECOND LEVEL PLAN

EOT-5631

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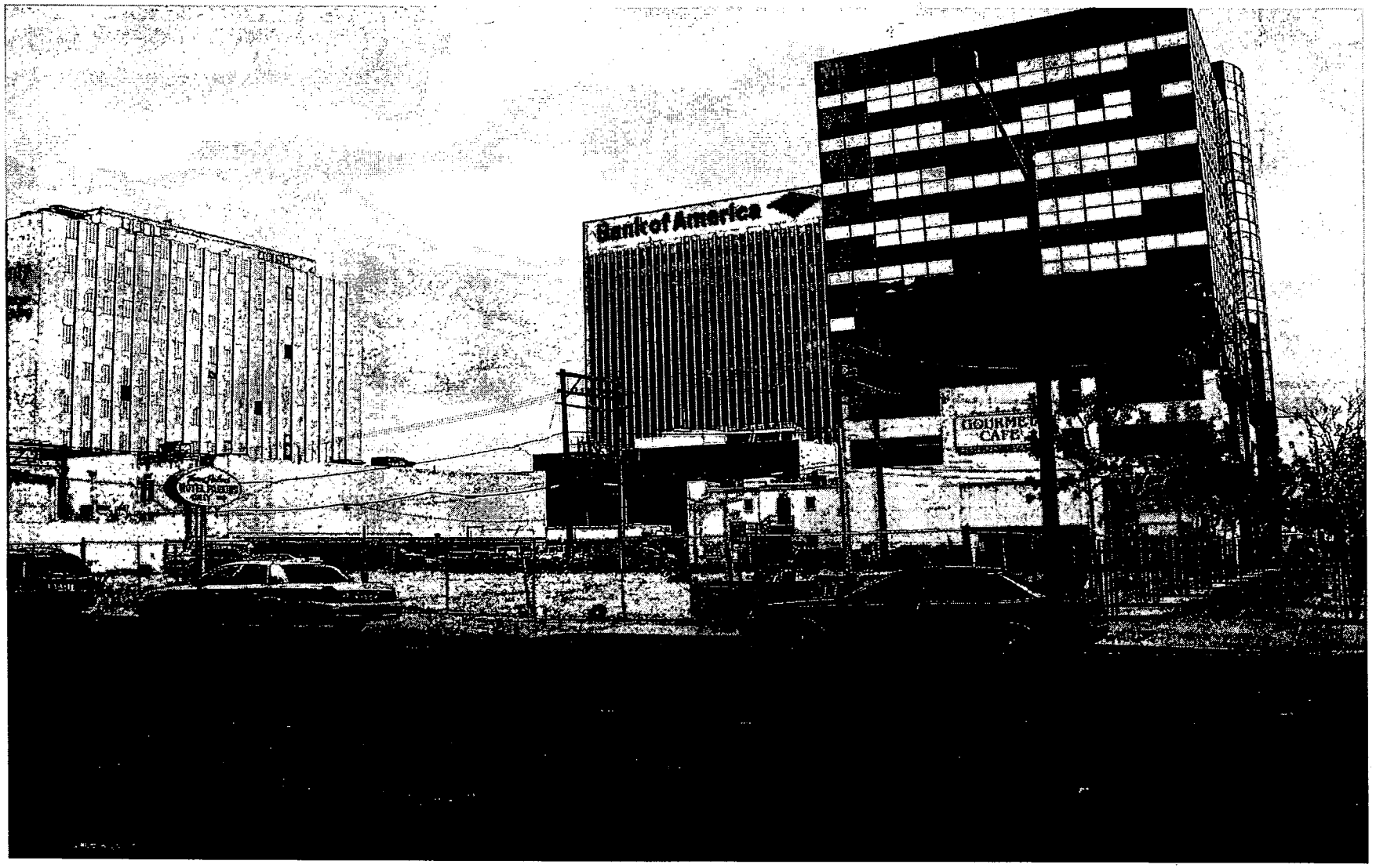
DAYSIDE, INC.

MENDENHALL SMITH STRUCTURAL ENGINEERS

LEWIS STREET PARKING STRUCTURE
FOR
LEWIS CENTER PARKING, L.L.C.
LAS VEGAS, NEVADA

FLOOR PLANS

A-0.1



EOT-5631 - APPLICANT: TANEY ENGINEERING – OWNER: LEWIS CENTER PARKING, LIMITED LIABILITY COMPANY
Adjacent to the northeast corner of Lewis Avenue and Casino Center Boulevard
JANUARY 5, 2005 CITY COUNCIL MEETING

Picture taken 12/27/04

City of Las Vegas

Agenda Item No. 75

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:

EXTENSION OF TIME – SPECIAL USE PERMIT

EOT-5743 - APPLICANT: EN ENGINEERING, INC. - OWNER: WAL-MART STORES, INC. - Request for an Extension of Time for an approved Special Use Permit (U-0071-02) which ALLOWED PACKAGED LIQUOR SALES FOR OFF-PREMISES CONSUMPTION IN CONJUNCTION WITH A PROPOSED NEIGHBORHOOD MARKET located adjacent to the northeast corner of Craig Road and Jones Boulevard (APN 138-01-219-002), C-1 (Limited Commercial) Zone, Ward 6 (Mack). Staff recommends APPROVAL

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

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED Item 74 [EOT-5631], Item 75 [EOT-5743] and Item 76 [EOT-5744] subject to conditions - UNANIMOUS

MINUTES:

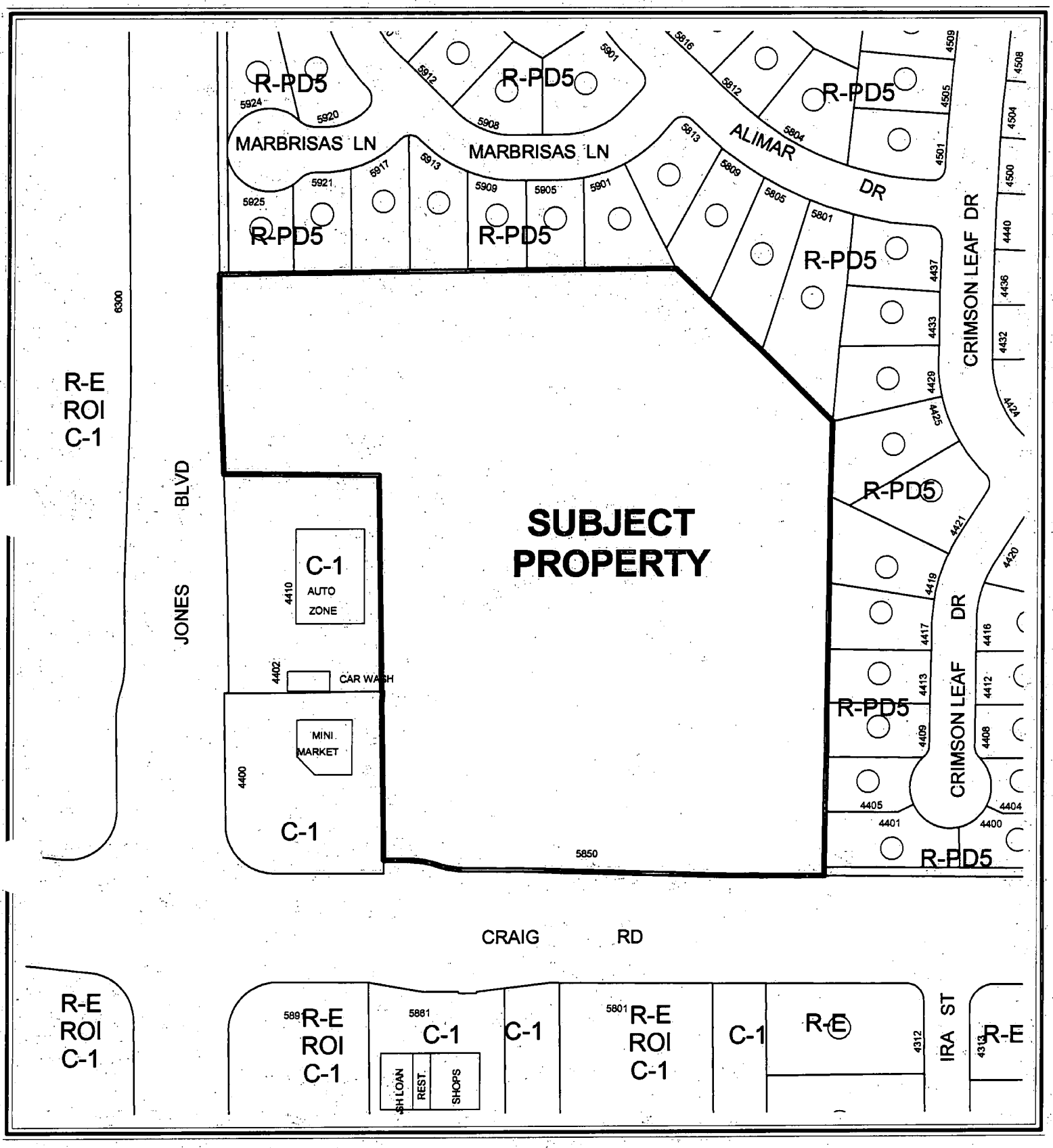
There was no discussion.
(1:13 - 1:14)
3-215

CONDITIONS:

Planning and Development

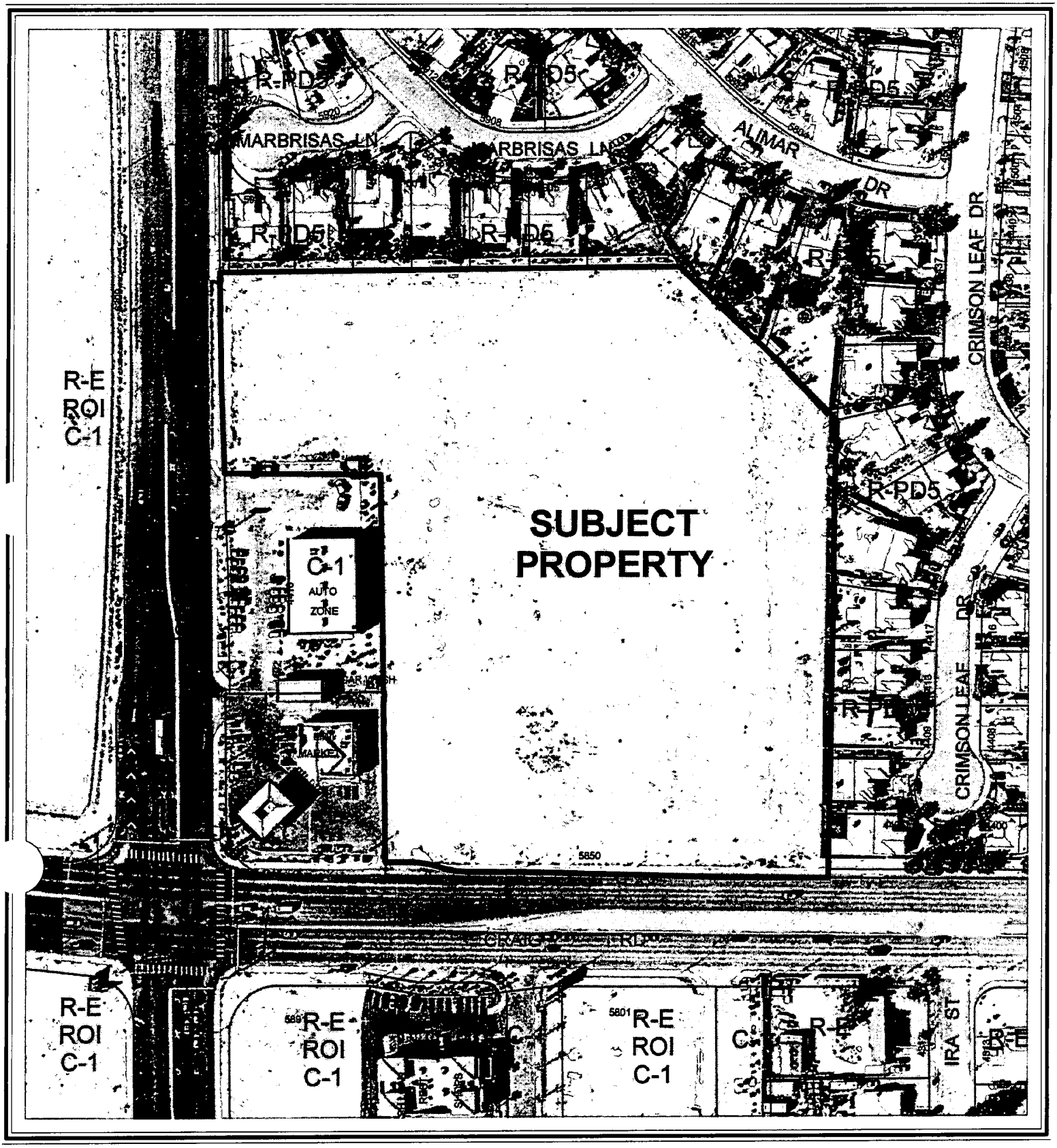
1. This Extension of Time will expire on October 16, 2006 unless the Special Use Permit is exercised or another Extension of Time is approved by the City Council.

2. Conformance to all applicable conditions of approval for Special Use Permit U-0071-02.



CASE: EOT-5743

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



0 100 200 Feet

CASE: EOT-5743

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 5, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-5743 - APPLICANT: EN ENGINEERING, INC. – OWNER: WAL-MART STORES, INC.

** CONDITIONS **

Staff recommends APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on October 16, 2006 unless the Special Use Permit is exercised or another Extension of Time is approved by the City Council.

2. Conformance to all applicable conditions of approval for Special Use Permit U-0071-02.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for an Extension of Time for an approved Special Use Permit (U-0071-02) which allowed packaged liquor sales for off-premises consumption in conjunction with a proposed neighborhood market located adjacent to the northeast corner of Craig Road and Jones Boulevard.

B) Applicant's Justification

The applicant's justification letter indicates the project is nearing completion with an anticipated opening date of January 19, 2005.

BACKGROUND INFORMATION

A) Previous Actions

12/07/88 The City Council approved a Rezoning (Z-108-88) to C-1 (Limited Commercial) on this site as part of a larger request. The Planning Commission and staff recommended approval on November 21, 1988.

10/16/02 The City Council approved a Site Development Plan Review [Z-0108-88(15)] to allow a proposed 39,910 square foot Wal-Mart Neighborhood Market and a Special Use Permit (U-0071-02) to allow packaged liquor sales for off-premises consumption in conjunction with a proposed neighborhood market on this site. The Planning Commission and staff recommended approval on September 12, 2002.

B) Pre-Application Meeting

A Pre-Application meeting is not required for an Extension of Time request.

C) Neighborhood Meetings

A Neighborhood meeting is not required for an Extension of Time request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 8.17

B) Existing Land Use

Subject Property:	Neighborhood Market (Under Construction)
North:	Single Family Residences
South:	Commercial Shopping Center
East:	Single Family Residences
West:	Undeveloped

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R-PD5 (Residential Planned Development – 5 Units Per Acre)
South:	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) and C-1 (Limited Commercial)
East:	R-PD5 (Residential Planned Development – 5 Units Per Acre)
West:	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Centennial Hills Sector Map of the General Plan. The existing C-1 (Limited Commercial) is in conformance with the General Plan designation.

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

This site is not affected by any special plan areas or districts.

ANALYSIS

A) Zoning Code Compliance

Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Liquor Establishment (Off-premises)	400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City park	No protected uses within 400 feet

B) General Analysis and Discussion

- Zoning

The sale of packaged liquor for off-premises consumption is a permitted use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Section 19A.04.050 of the City of Las Vegas Zoning Code establishes the criteria for the approval of alcohol-related uses. The Code requires an establishment that sells packaged liquor for off-premises consumption to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City park as measured from property line to property line. In this case, no protected use is known to be within the minimum distance requirement. The proposed sale of packaged liquor for off-premise consumption remains harmonious and compatible with the development in the area. Therefore, approval of this request is recommended.

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 sale of packaged liquor will be an accessory use to the proposed grocery store and will not adversely affect the surrounding uses.

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

   The sale of packaged liquor will be located within an approved commercial building and will not change the physical characteristics of the site.

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

The use will be served by Craig Road and Jones Boulevard, both planned 100-foot primary arterial roadways.

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

Because the business will be subject to regular inspection by City and County staff for licenses and permits; the sale of packaged liquor will not compromise the public health, safety and welfare.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-5743 APN: 138-01-219-002

Name of Property Owner: Wal-Mart Stores, Inc.

Name of Applicant: EN Engineering

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

_____ Yes ___X___ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature] PF

Print Name: John Clarke

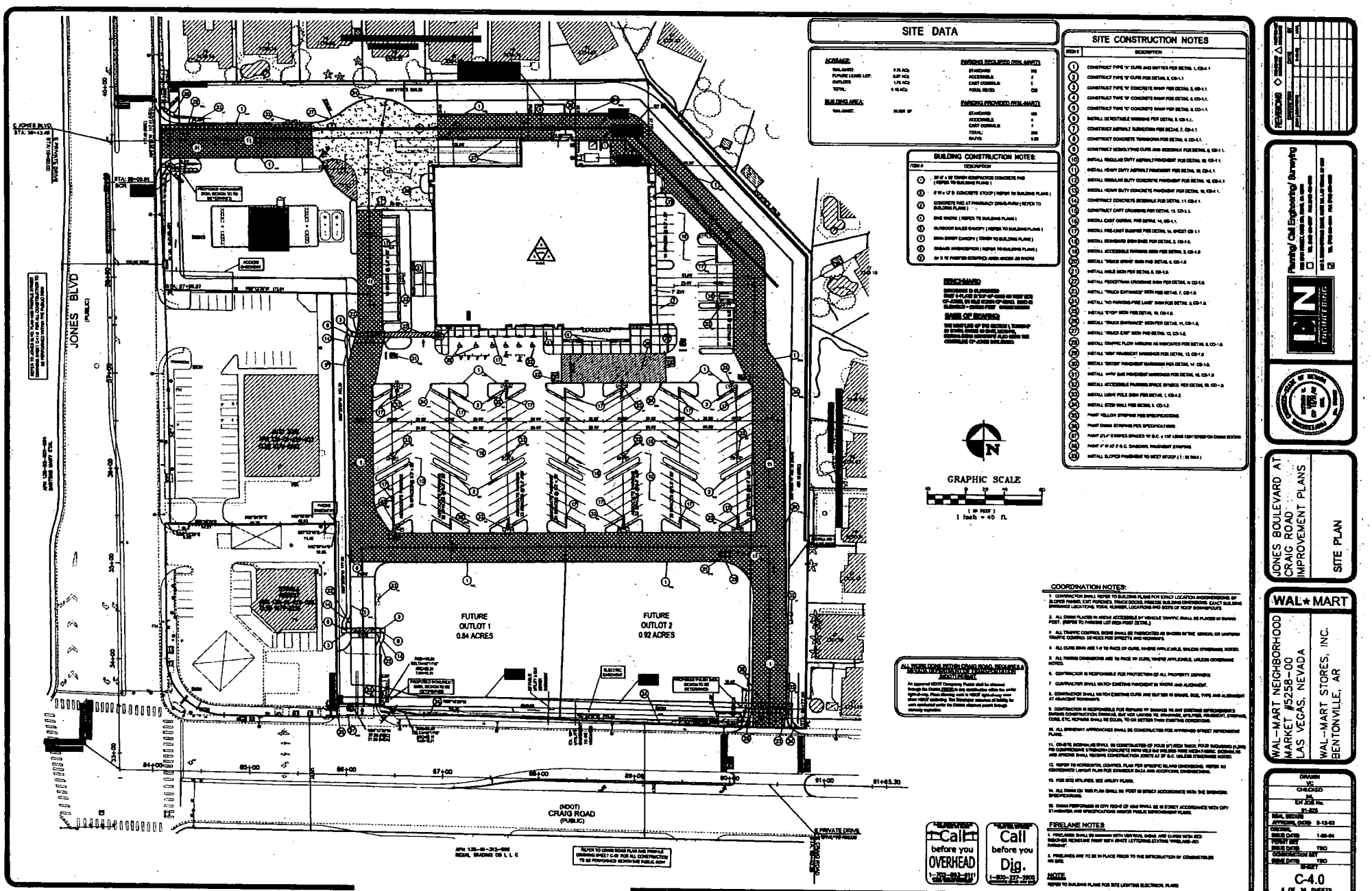
Subscribed and sworn before me

This 2nd day of December, 2004

Kristie D. Hamilton

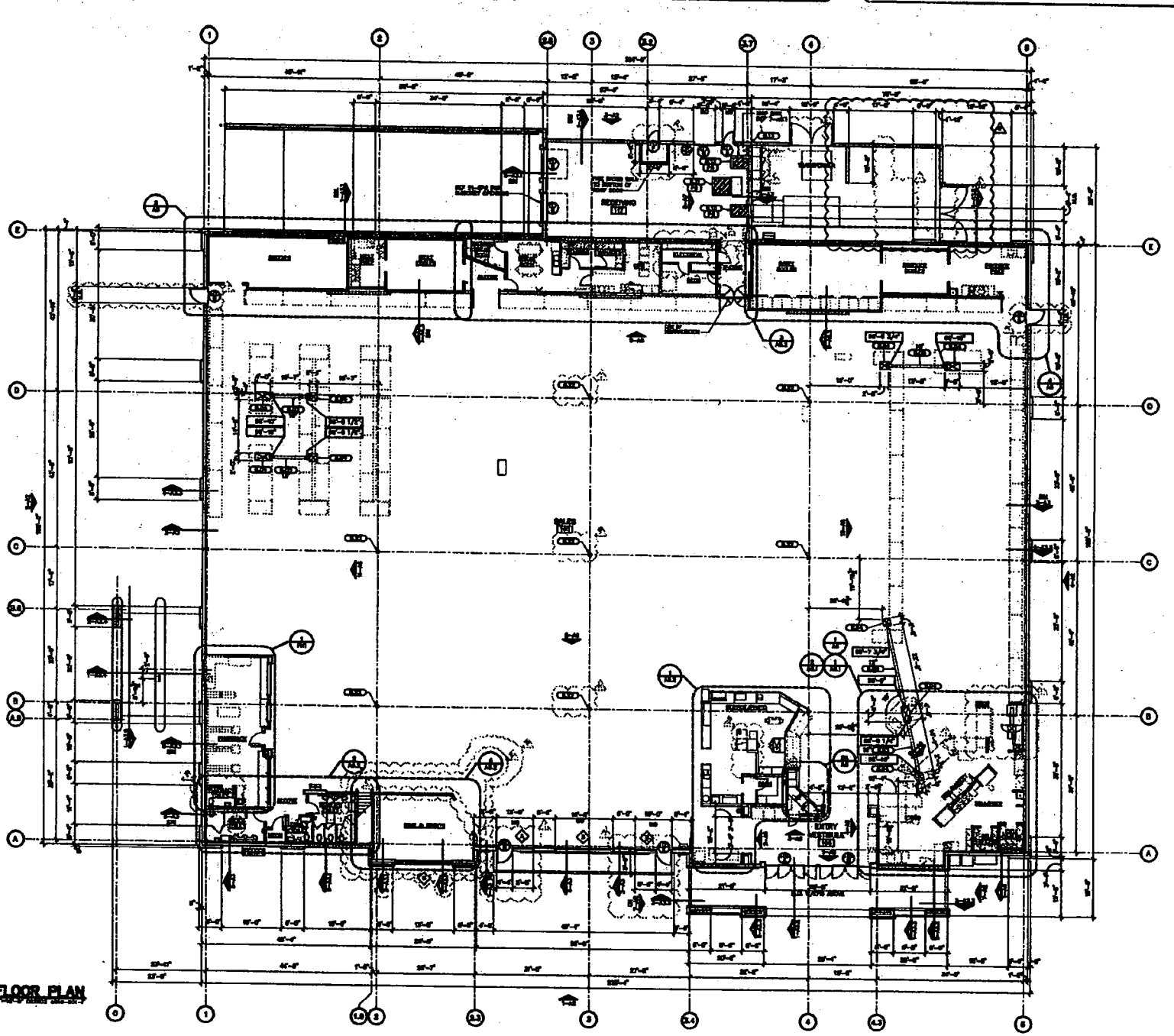
Notary Public in and for said County and State

KRISTIE D. HAMILTON
"NOTARY PUBLIC"
State of Arkansas, Washington County
My Commission Expires 10/1/2014



EOT-5743

1-05-05 CC



SHEET NOTES

KEYNOTES

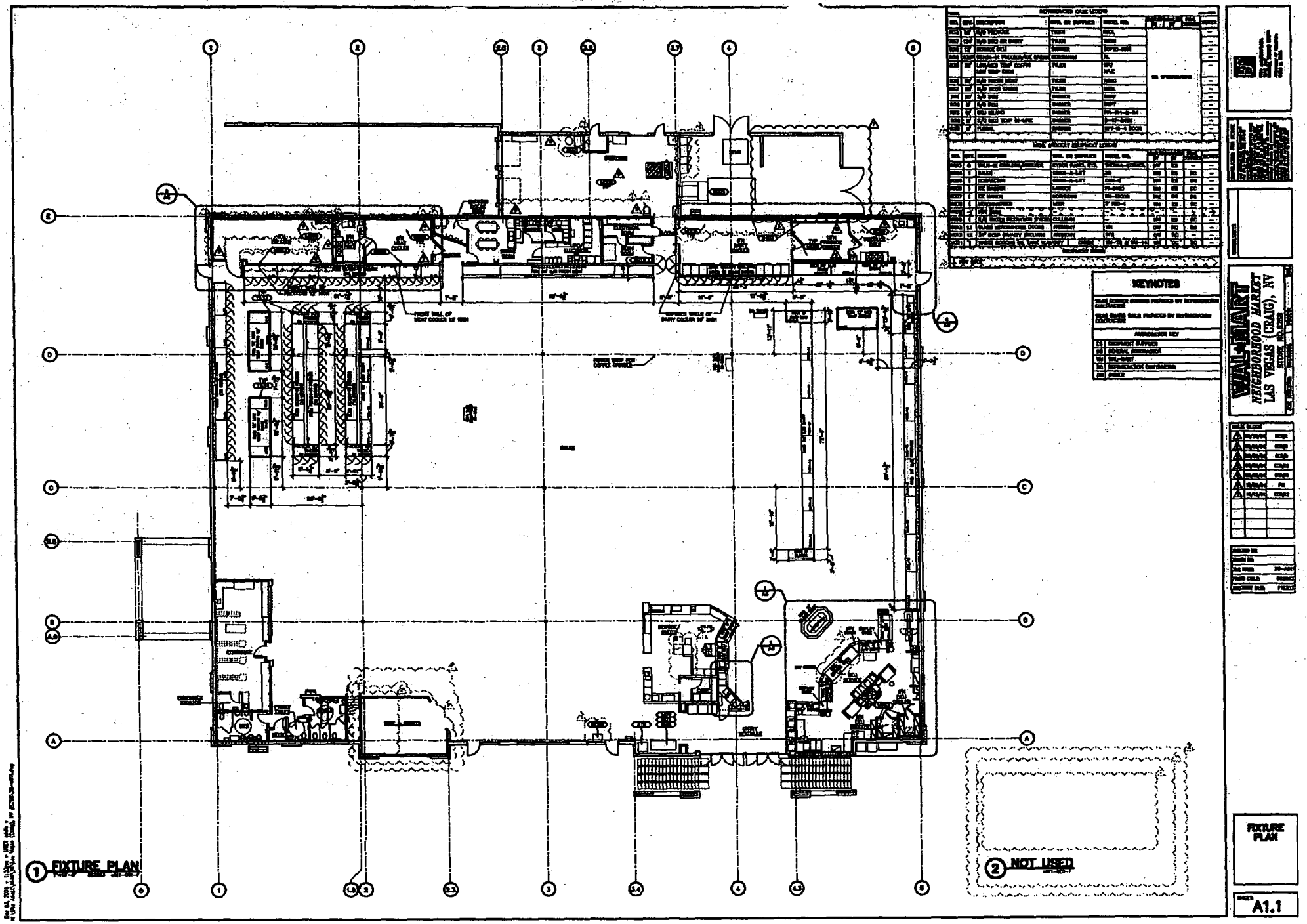
WAL★MART
NEIGHBORHOOD MARKET
LAS VEGAS (CRAIG), NV
STORE No. 2539

FLOOR PLAN

A1

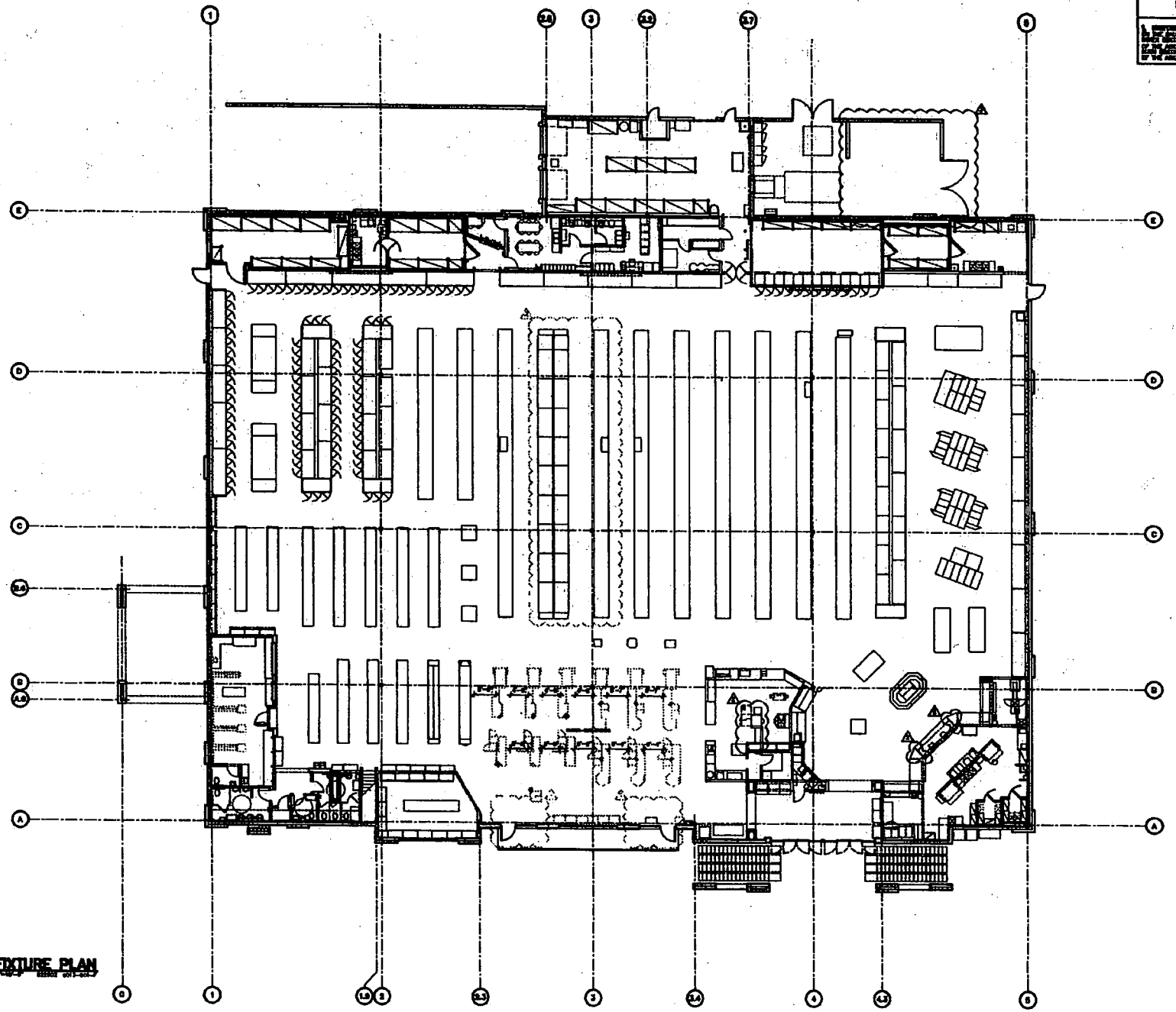
EOT-5743

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EOT-5743

1-05-05 CC



1 FIXTURE PLAN

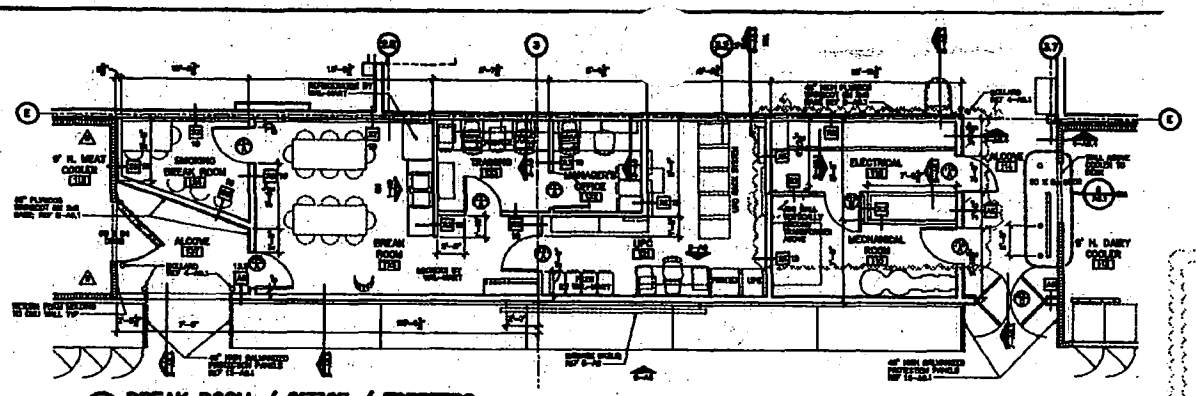
SHEET NOTES

WALMART
NEIGHBORHOOD MARKET
LAS VEGAS (CRAIG), NV

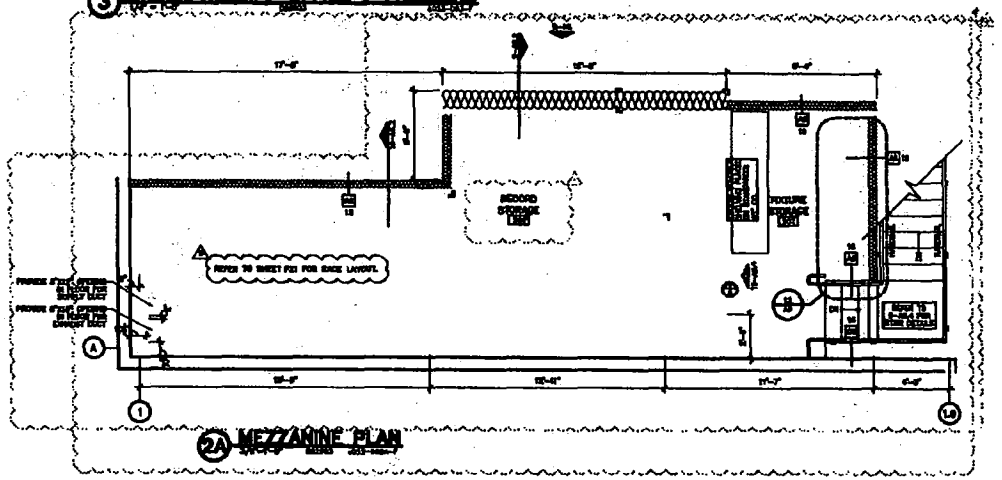
FIXTURE PLAN

A1.3

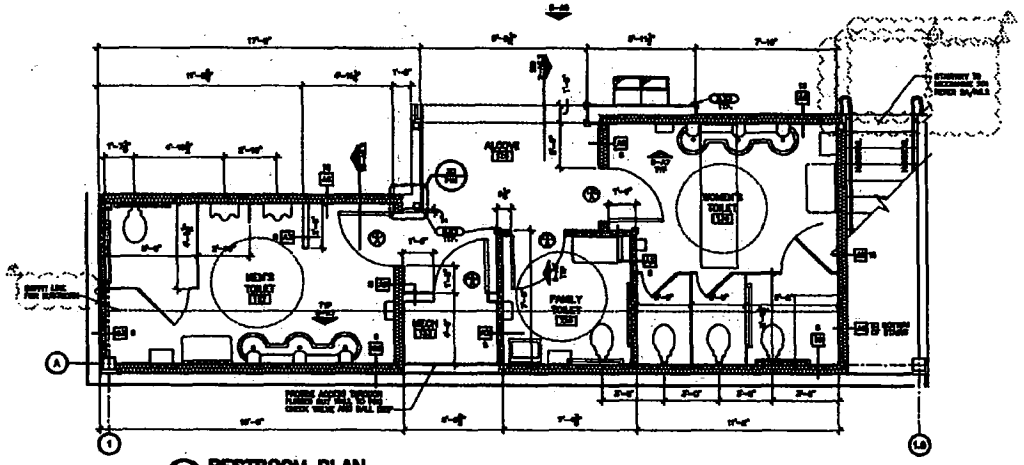
EOT-5743
1-05-05 CC



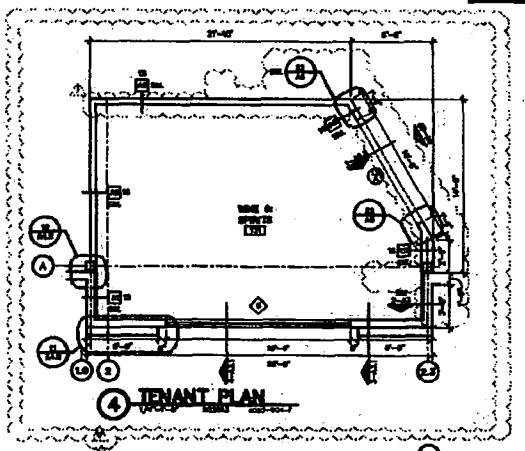
3 BREAK ROOM / OFFICE / FREEZERS



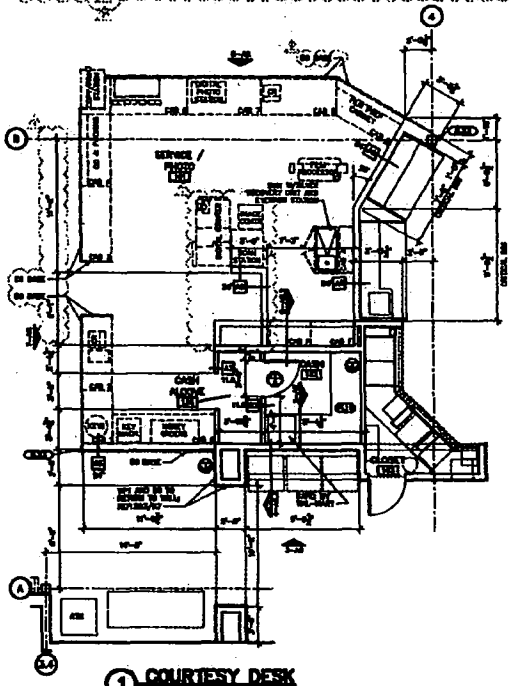
2A MEZZANINE PLAN



2 RESTROOM PLAN



4 TENANT PLAN



1 COURTESY DESK

SHEET NOTES

KEYNOTES

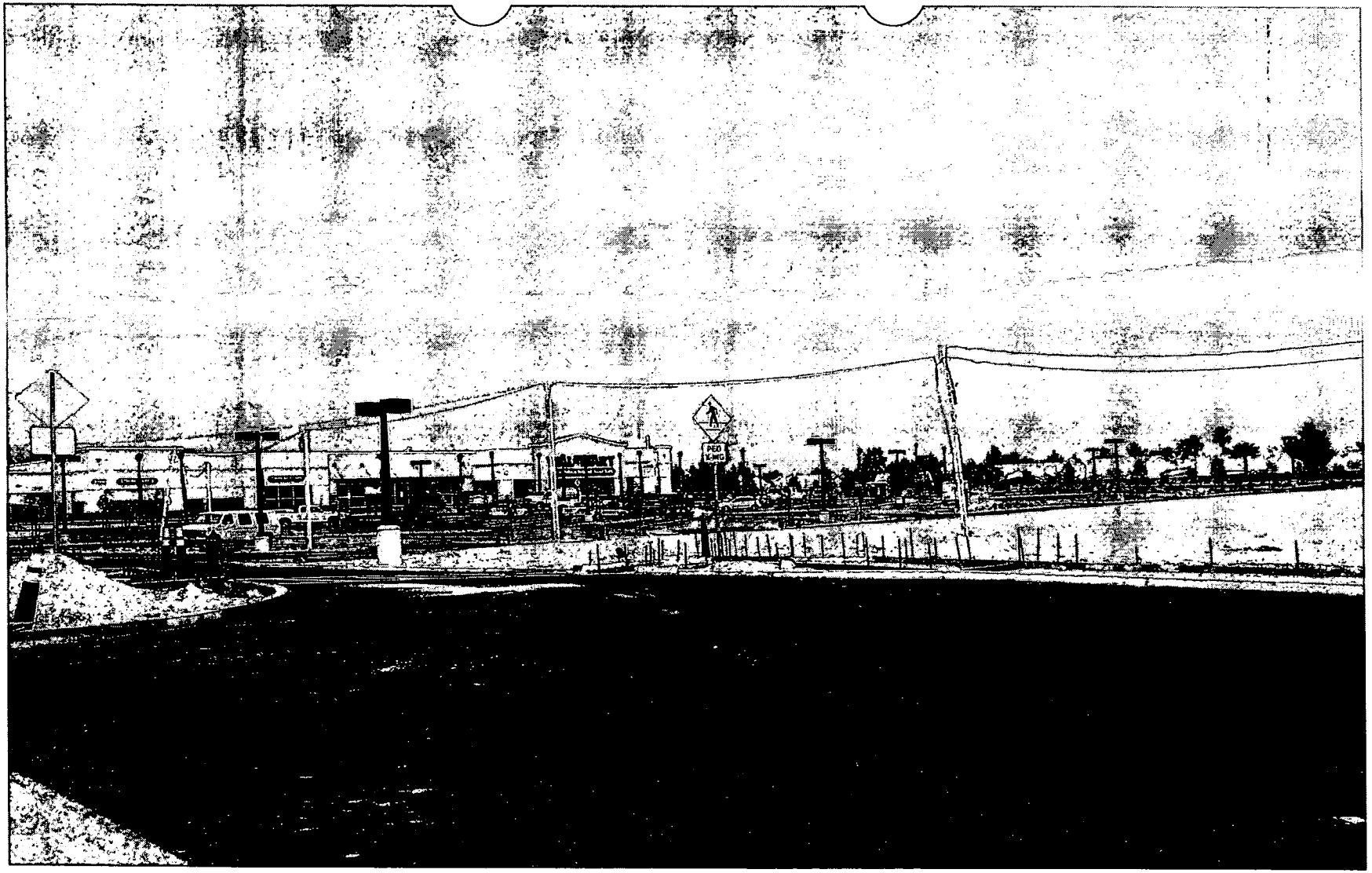
WAL★MART
NEIGHBORHOOD MARKET
LAS VEGAS (CRAIG), NV

ENLARGED PHOTO, TOILET AND OFFICE PLANS

A5.2

EOT-5743

1-05-05 CC

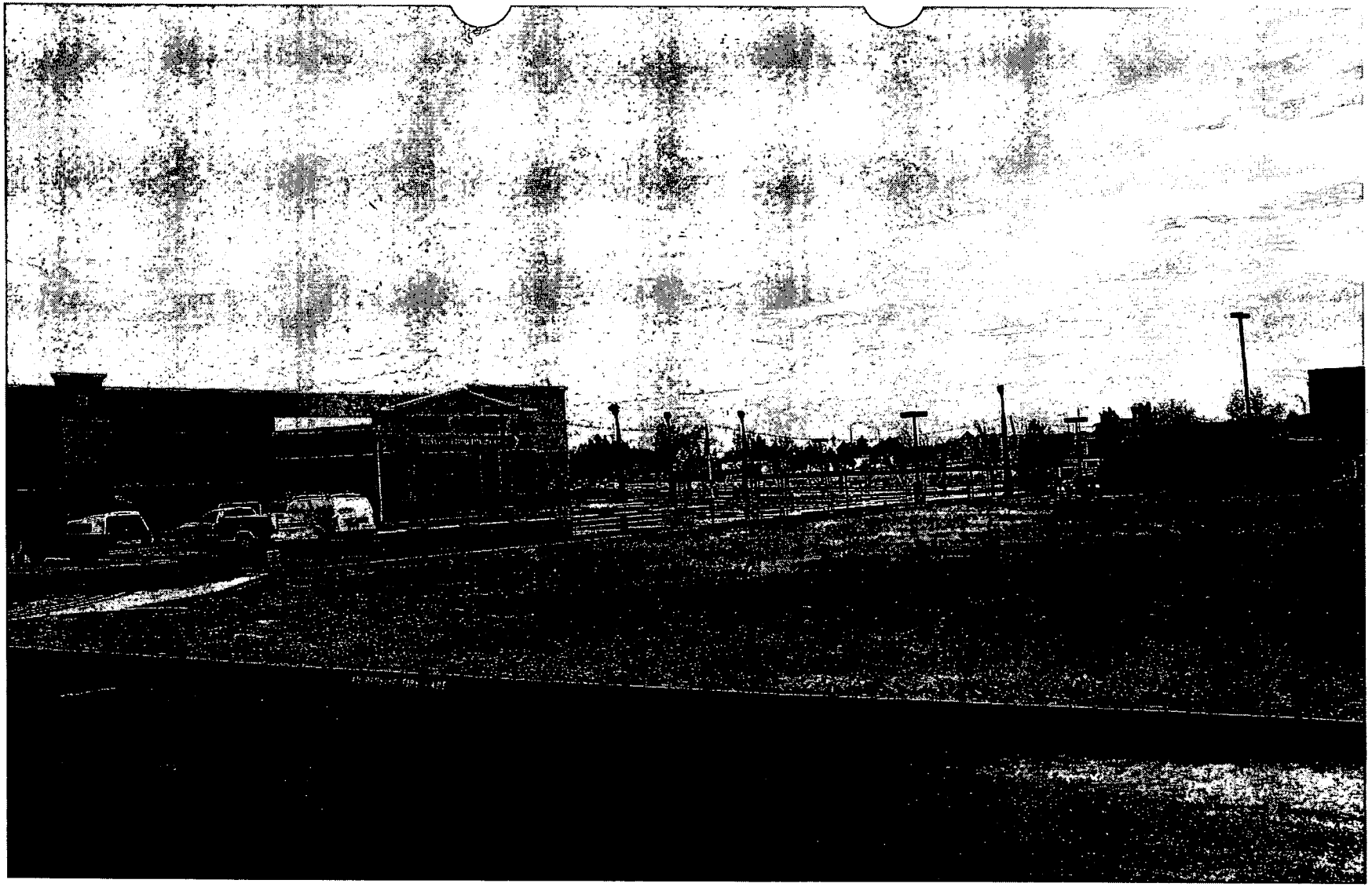


EOT-5743 - APPLICANT: EN ENGINEERING, INC. – OWNER: WAL-MART STORES, INC.

Adjacent to the northeast corner of Craig Road and Jones Boulevard

JANUARY 5, 2005 CITY COUNCIL MEETING

Picture taken 12/27/04



EOT-5743 - APPLICANT: EN ENGINEERING, INC. – OWNER: WAL-MART STORES, INC.
Adjacent to the northeast corner of Craig Road and Jones Boulevard
JANUARY 5, 2005 CITY COUNCIL MEETING

Picture taken 12/27/04

City of Las Vegas

Agenda Item No. 76

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:

EXTENSION OF TIME – SPECIAL USE PERMIT

EOT-5744 - APPLICANT: EN ENGINEERING, INC. - OWNER: WAL-MART STORES, INC. - Request for an Extension of Time for an approved Special Use Permit (U-0128-02) which ALLOWED PACKAGED LIQUOR SALES FOR OFF-PREMISES CONSUMPTION IN CONJUNCTION WITH A PROPOSED WAL-MART NEIGHBORHOOD MARKET adjacent to the southwest corner of Lake Mead Boulevard and Jones Boulevard (APN 138-23-719-004), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). Staff recommends APPROVAL

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

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED Item 74 [EOT-5631], Item 75 [EOT-5743] and Item 76 [EOT-5744] subject to conditions - UNANIMOUS

MINUTES:

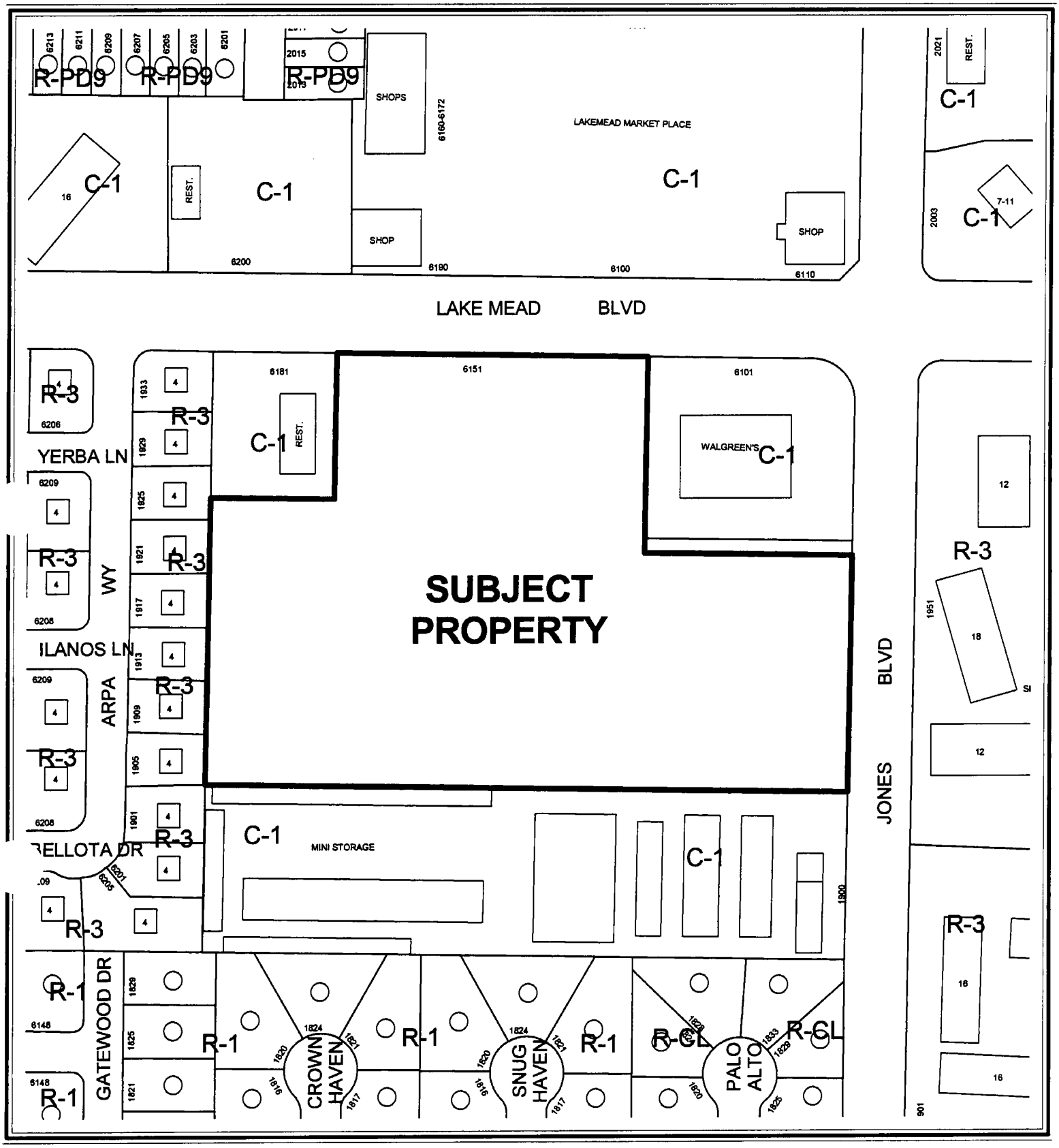
There was no discussion.
(1:13 - 1:14)
3-215

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on November 20, 2006 unless the Special Use Permit is exercised or another Extension of Time is approved by the City Council.

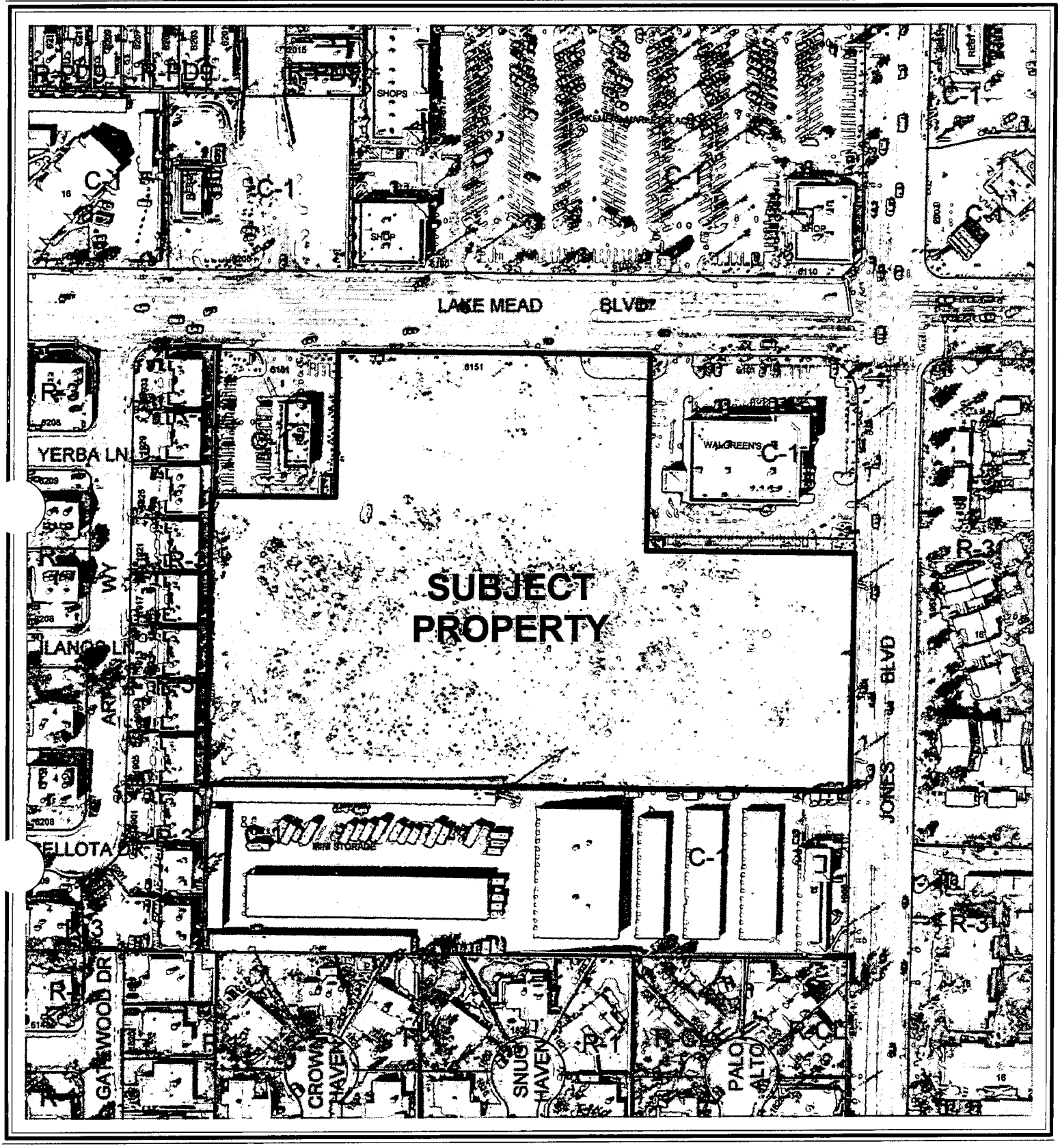
2. Conformance to all applicable conditions of approval for Special Use Permit U-0128-02.



CASE: EOT-5744

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

N



0 100 200 Feet

CASE: **EOT-5744**

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 5, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-5744 - APPLICANT: EN ENGINEERING, INC. – OWNER: WAL-MART STORES, INC.

** CONDITIONS **

Staff recommends APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on November 20, 2006 unless the Special Use Permit is exercised or another Extension of Time is approved by the City Council.

2. Conformance to all applicable conditions of approval for Special Use Permit U-0128-02.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for an Extension of Time for an approved Special Use Permit (U-0128-02) which allowed packaged liquor sales for off-premises consumption in conjunction with a proposed neighborhood market located adjacent to the southwest corner of Lake Mead Boulevard and Jones Boulevard.

B) Applicant's Justification

The applicant's justification letter indicates the project is nearing completion with an anticipated opening date of January 19, 2005.

BACKGROUND INFORMATION

A) Previous Actions

02/20/85 The City Council approved a Rezoning (Z-0096-84) to C-1 (Limited Commercial) on this site as part of a larger request. The Planning Commission and staff recommended approval on January 22, 1985.

11/20/02 The City Council approved a Site Development Plan Review [Z-0096-88(18)] to allow a proposed 39,910 square foot Wal-Mart Neighborhood Market and a Special Use Permit (U-0128-02) to allow packaged liquor sales for off-premises consumption in conjunction with a proposed neighborhood market on this site. The Planning Commission and staff recommended approval on October 24, 2002.

B) Pre-Application Meeting

A Pre-Application meeting is not required for an Extension of Time request.

C) Neighborhood Meetings

A Neighborhood meeting is not required for an Extension of Time request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 8.03

B) Existing Land Use

Subject Property:	Neighborhood Market (Under Construction)
North:	Commercial Retail Center
South:	Mini Storage
East:	Apartments and Drug Store
West:	Apartments and Restaurant

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	C-1 (Limited Commercial)
East:	R-3 (Medium Density Residential) and C-1 (Limited Commercial)
West:	R-3 (Medium Density Residential) and C-1 (Limited Commercial)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The existing C-1 (Limited Commercial) is in conformance with the General Plan designation.

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

This site is not affected by any special plan areas or districts.

ANALYSIS

A) Zoning Code Compliance

Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Liquor Establishment (Off-premises)	400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City park	No protected uses within 400 feet

B) General Analysis and Discussion

- Zoning

The sale of packaged liquor for off-premises consumption is a permitted use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Section 19A.04.050 of the City of Las Vegas Zoning Code establishes the criteria for the approval of alcohol-related uses. The Code requires an establishment that sells packaged liquor for off-premises consumption to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City park as measured from property line to property line. In this case, no protected use is known to be within the minimum distance requirement. The proposed sale of packaged liquor for off-premise consumption remains harmonious and compatible with the development in the area. Therefore, approval of this request is recommended.

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 sale of packaged liquor will be an accessory use to the proposed grocery store and will not adversely affect the surrounding uses.

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

   The sale of packaged liquor will be located within an approved commercial building and will not change the physical characteristics of the site.

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

The use will be served by Lake Mead Boulevard and Jones Boulevard, both planned 100-foot primary arterial roadways.

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

Because the business will be subject to regular inspection by City and County staff for licenses and permits; the sale of packaged liquor will not compromise the public health, safety and welfare.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-5744 APN: 138-23-719-004

Name of Property Owner: Wal-Mart Stores, Inc.

Name of Applicant: EN Engineering

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

____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature] KF

Print Name: John Clarke

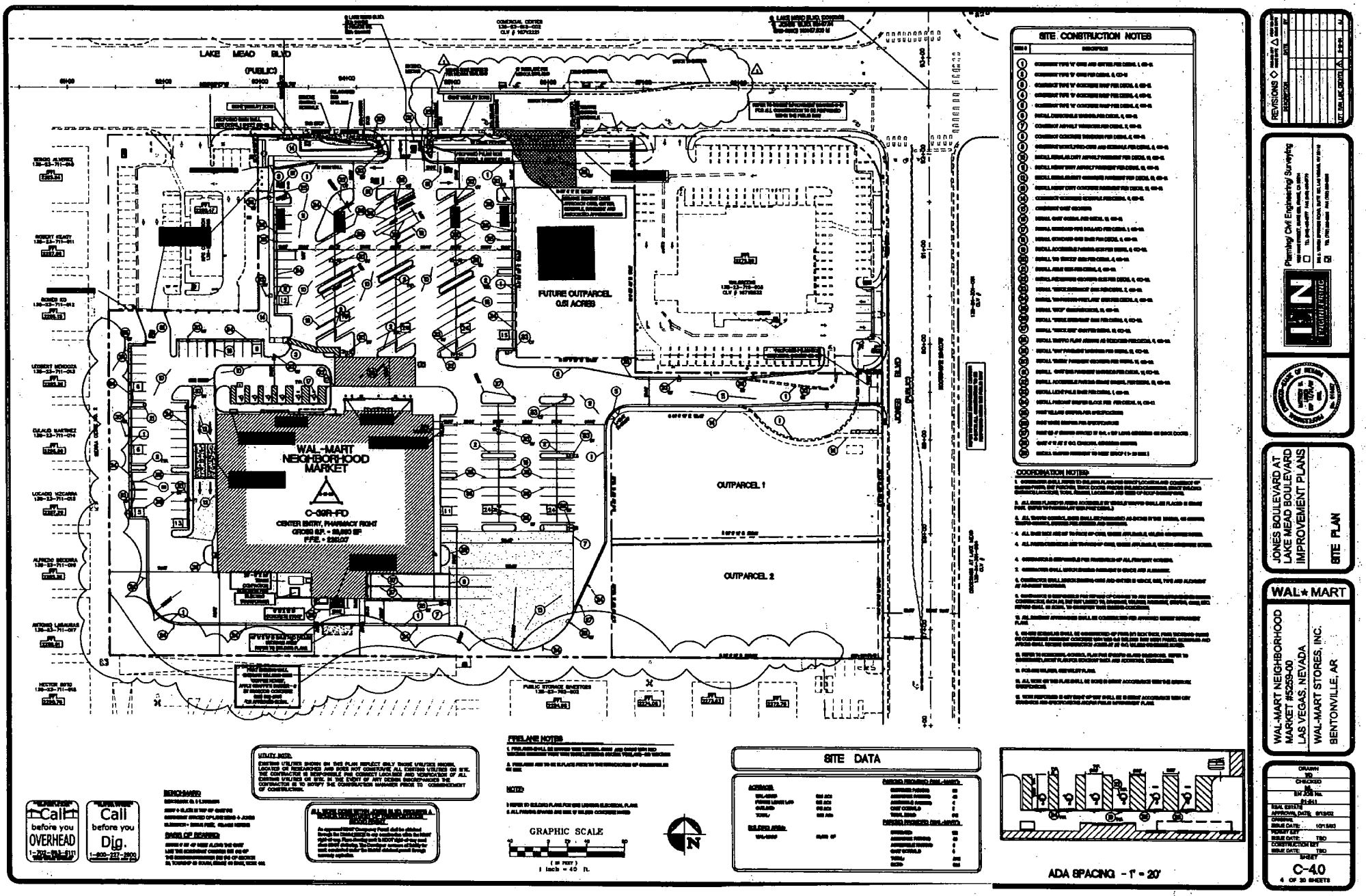
Subscribed and sworn before me

This 2nd day of December, 2004

Kristie D. Hamilton

Notary Public in and for said County and State

KRISTIE D. HAMILTON
"NOTARY PUBLIC"
State of Arkansas, Washington County
My Commission Expires 10/1/2014



REVISIONS

Planning/ Civil Engineering/ Surveying

JONES BOULEVARD AT LAKE MEAD BOULEVARD IMPROVEMENT PLANS

SITE PLAN

WAL★MART

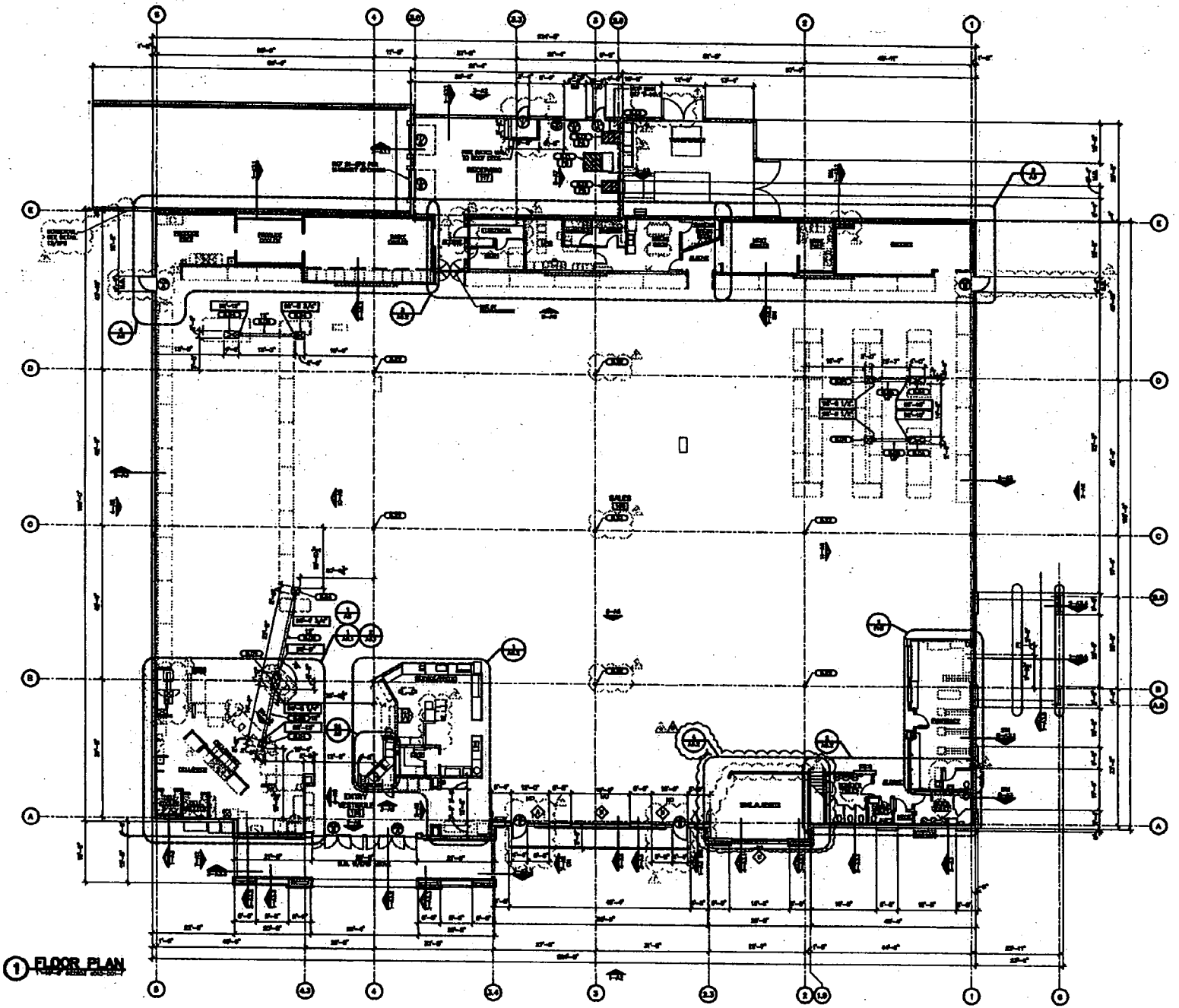
WAL-MART NEIGHBORHOOD MARKET #5259-00
LAS VEGAS, NEVADA

WAL-MART STORES, INC.
BENTONVILLE, AR

DRAWN
TO
CHECKED
SM
BM JOB NO.
01-011
REAL ESTATE
APPROVAL DATE: 8/13/02
ORIGINAL
ISSUE DATE: 10/13/03
PERMIT SET
ISSUE DATE: TBD
CONSTRUCTION SET
ISSUE DATE: TBD
SHEET
C-4.0
4 OF 20 SHEETS

EOT-5744

1-05-05 CC



1 FLOOR PLAN

SHEET NOTES

KEYNOTES

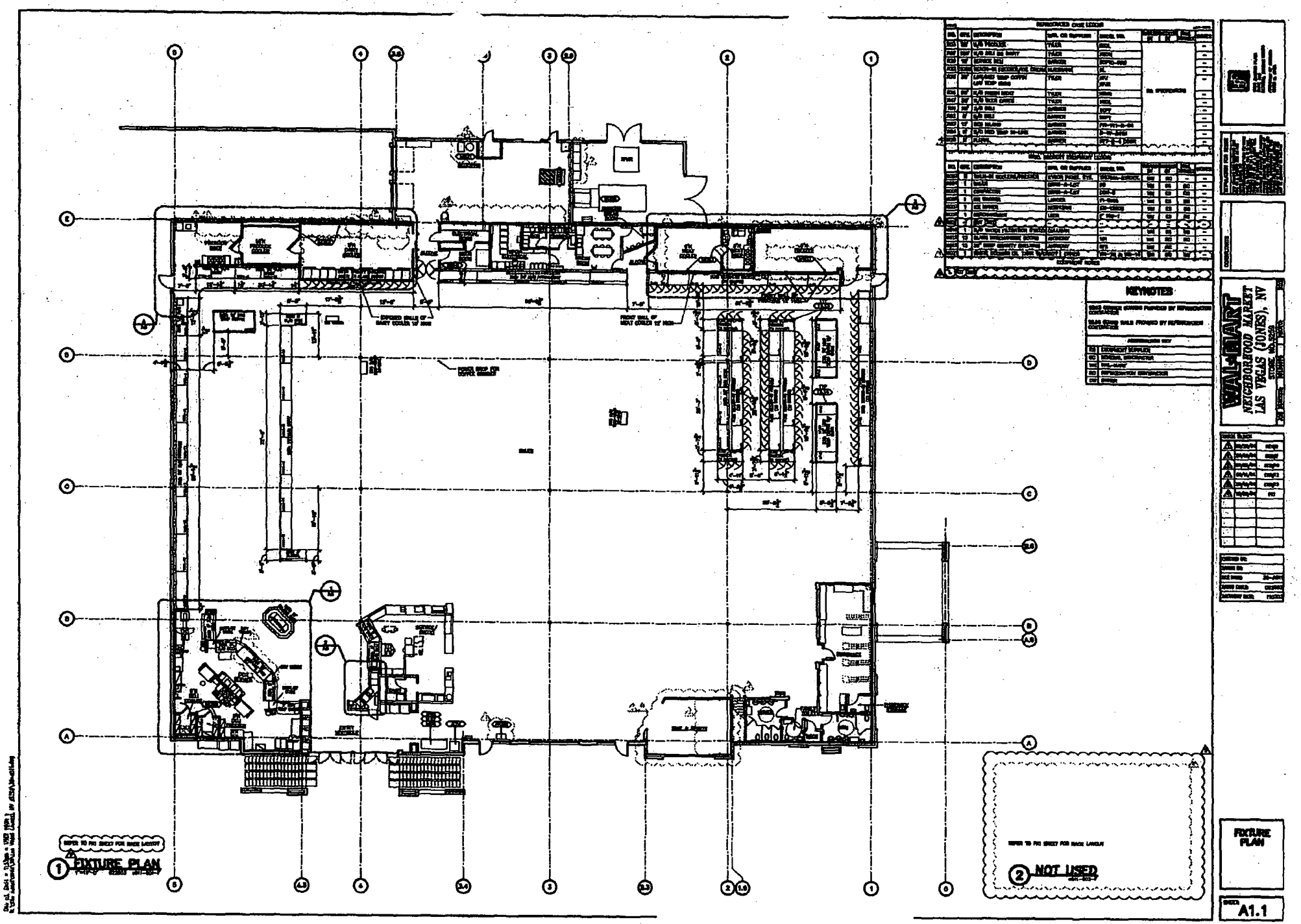
WALMART
NEIGHBORHOOD MARKET
LAS VEGAS (JONES), NV
STORE NO. 0000

FLOOR PLAN

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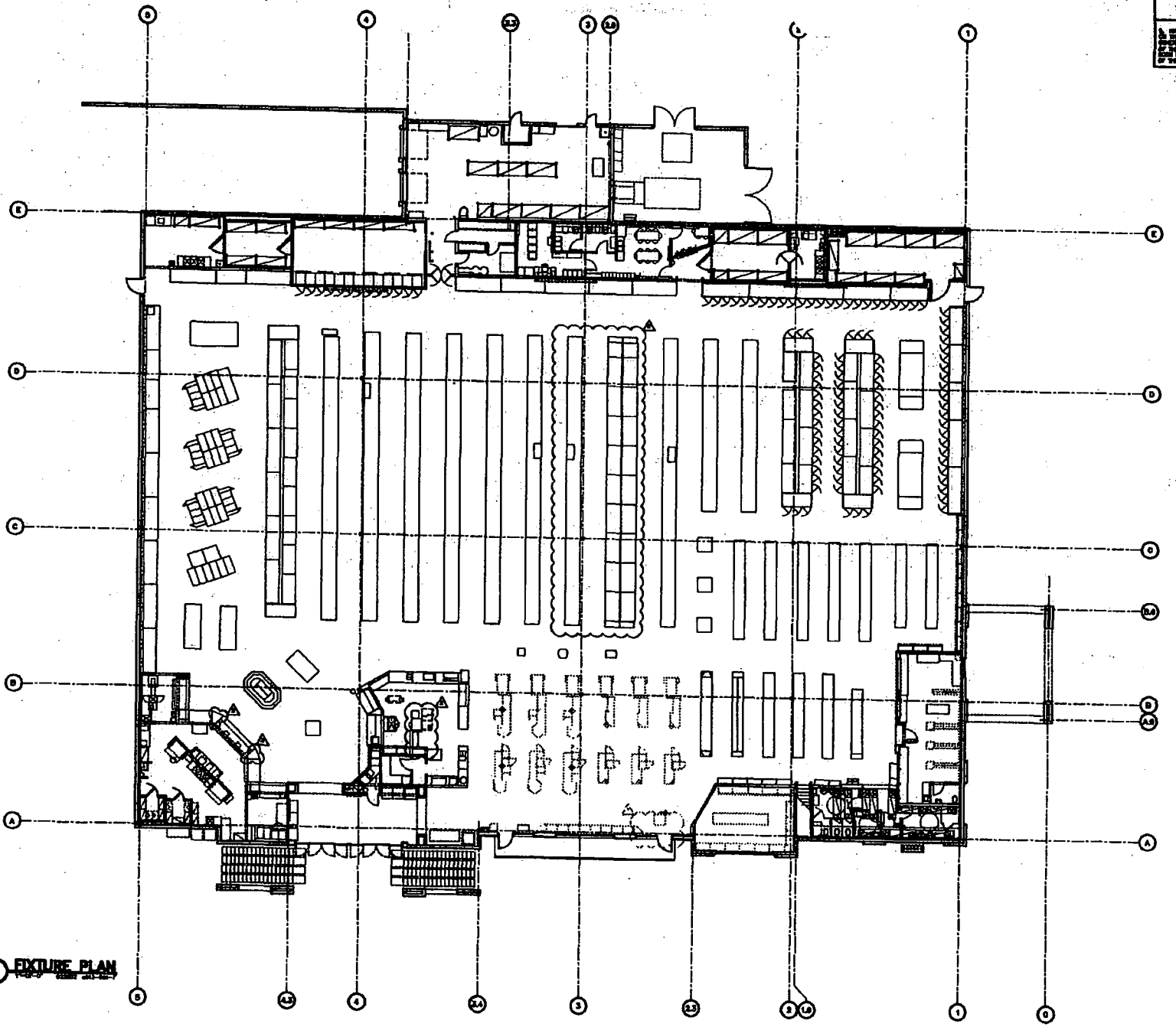
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1 FIXTURE PLAN

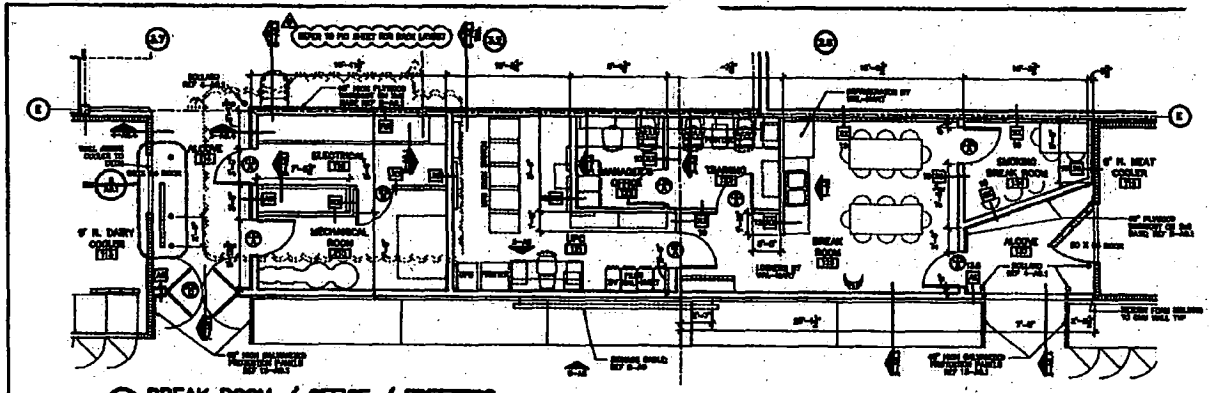
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WAL-MART
NEIGHBORHOOD MARKET
LAS VEGAS (JONES), NV

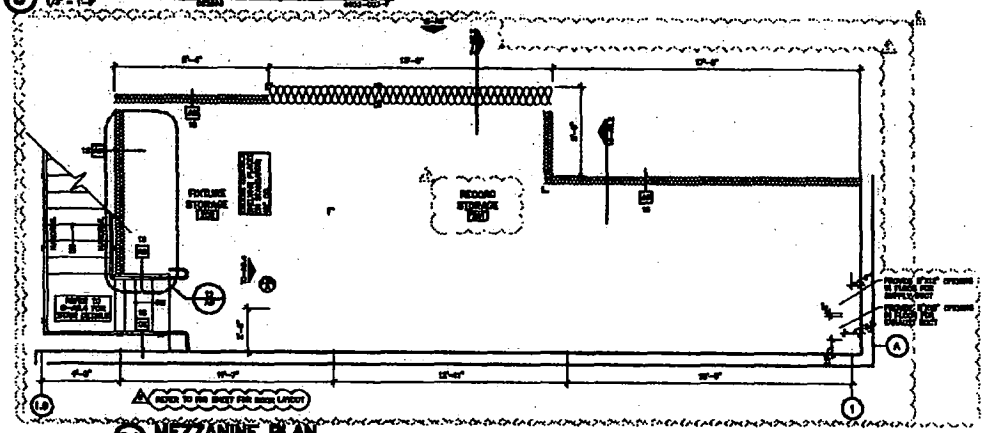
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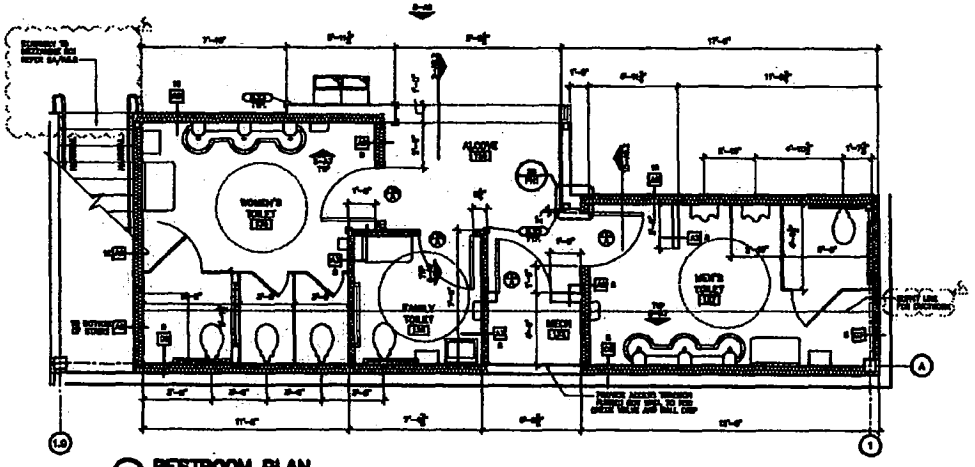
EOT-5744
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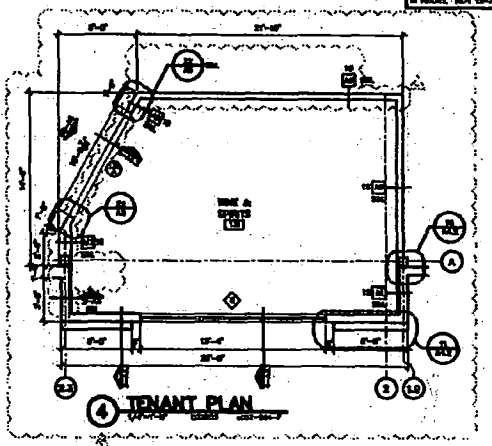
3 BREAK ROOM / OFFICE / FREEZERS



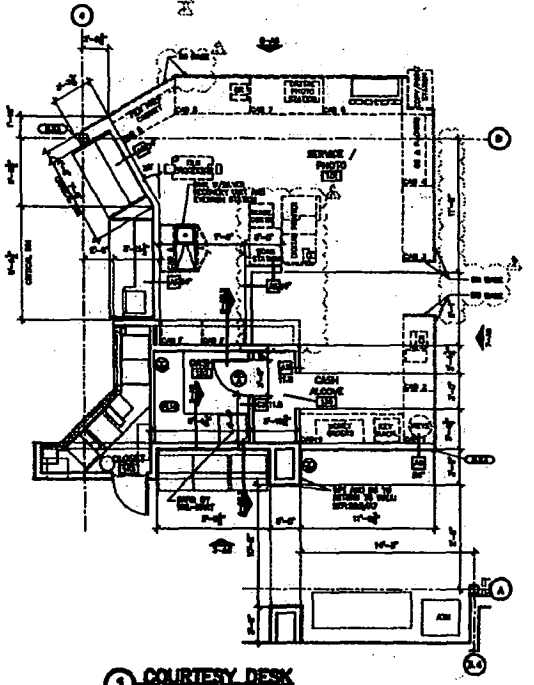
2A MEZZANINE PLAN



2 RESTROOM PLAN



4 TENANT PLAN



1 COURTESY DESK

SHEET NOTES

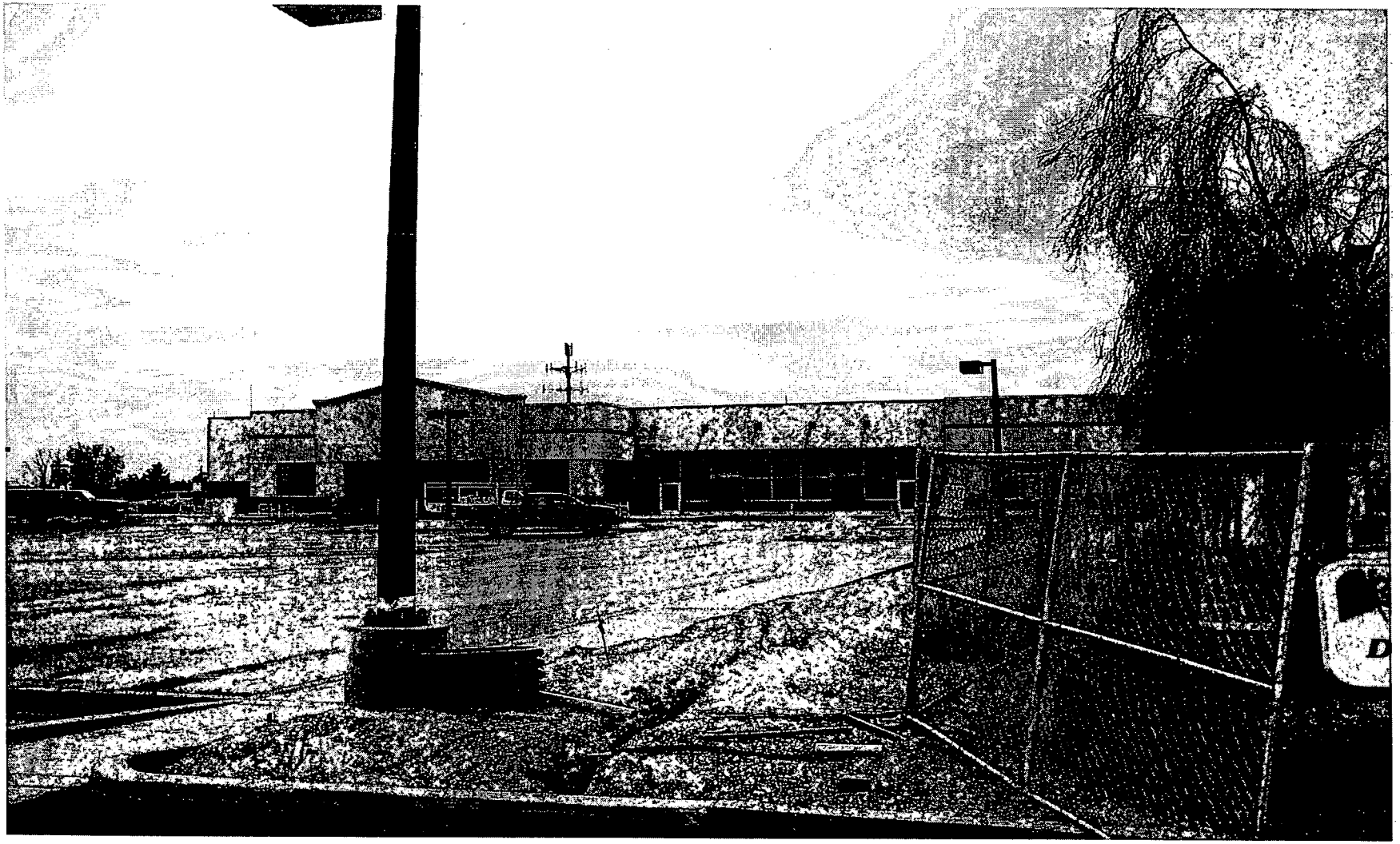
KEYNOTES

WAL-MART
NEIGHBORHOOD MARKET
LAS VEGAS (JONES), NV
STORE #4229

ENLARGED PHOTO, TOILET AND OFFICE PLANS

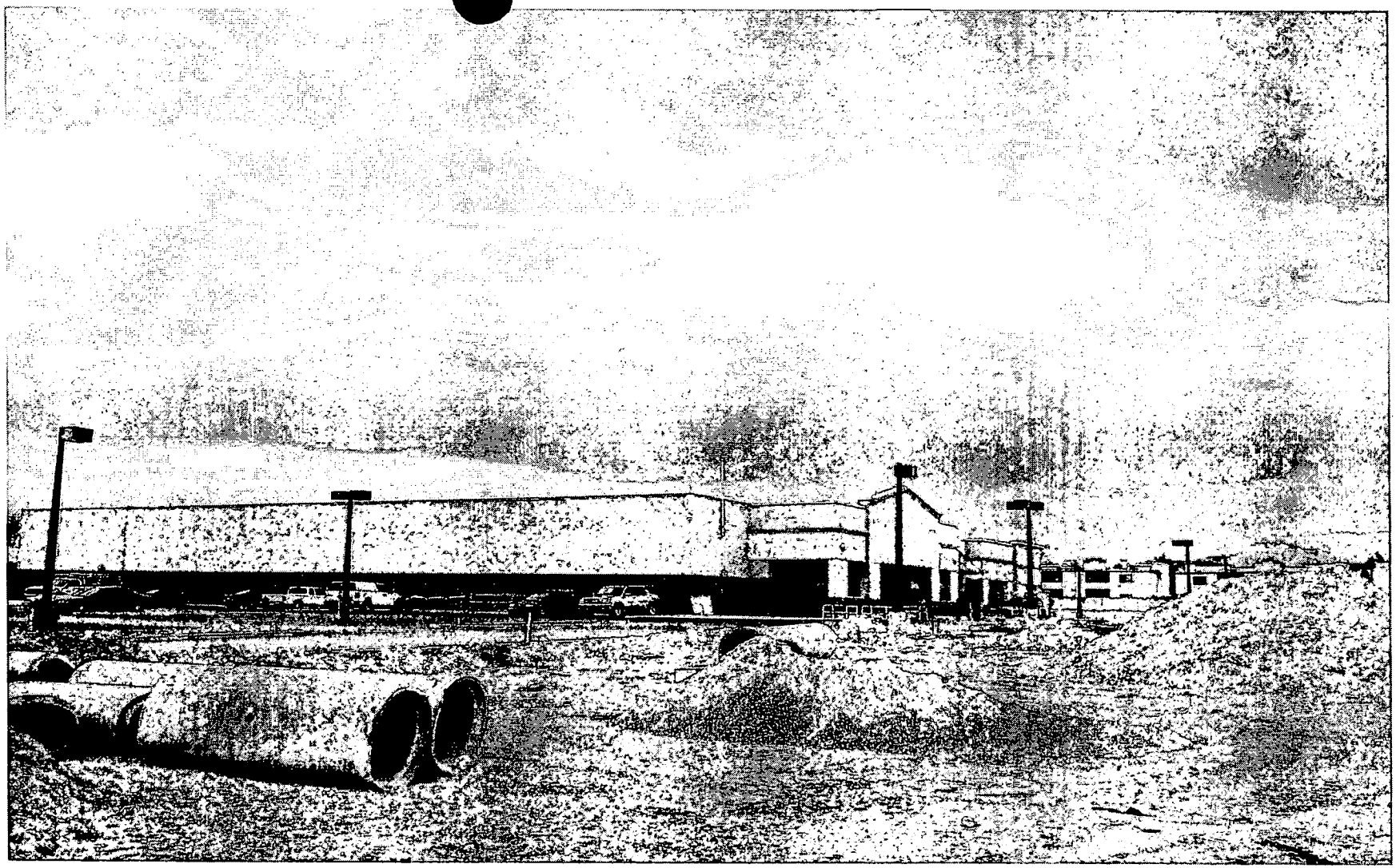
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EOT-5744
1-05-05 CC



EOT-5744 - APPLICANT: EN ENGINEERING, INC. – OWNER: WAL-MART STORES, INC.
Adjacent to the southwest corner of Lake Mead Boulevard and Jones Boulevard
JANUARY 5, 2005 CITY COUNCIL MEETING

Picture taken 12/27/04



EOT-5744 - APPLICANT: EN ENGINEERING, INC. – OWNER: WAL-MART STORES, INC.

Adjacent to the southwest corner of Lake Mead Boulevard and Jones Boulevard

JANUARY 5, 2005 CITY COUNCIL MEETING

Picture taken 12/27/04

City of Las Vegas

Agenda Item No. 77

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

DIRECTOR'S BUSINESS

DIR-5543 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to Adopt the Northwest Open Space Plan as an Element of the Master Plan 2020 for property generally located north of Cheyenne Avenue, west of Decatur Boulevard, and east of Puli Drive, Ward 4 (Brown) and Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL. [Heading should state "Request to accept (not adopt) the Northwest Open Space Plan for property generally located ... (proposed plan is not an Element of the Master Plan 2020)]

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	3
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map - Not Applicable
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Submitted at City Council - PowerPoint Presentation
5. Submitted at City Council - The Northwest Open Space Plan

MOTION:

MACK - APPROVED - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ROBERT GENZER, Director of Planning and Development Department, introduced the consulting team of CHUCK FLINK, founder and owner of Greenways, Inc. of North Carolina, BOB SEARNS, Principal of the firm and JACK ZUNINO, JW Zunino and Associates, who have done a tremendous job on behalf of the City of Las Vegas. MR. GENZER recognized members of his staff who were instrumental in this project, TOM PERRIGO, Comprehensive Manager, and SEAN ROBERTSON, team leader for this particular project. A Citizens Advisory Committee was formed and was comprised of northwest area residents, who contributed a tremendous amount of time to this project. In addition, people from various entities participated in this process.

MR. FLINK submitted for the record the Northwest Open Space Plan. He indicated they began working on the plan in March of 2004. Their mission was to look at the growth and the development patterns of the northwest region and to balance the conservation of land and the quality of life concerns of the citizens against the rapid growth and development of the area. MR. FLINK outlined the plan through a PowerPoint presentation, and suggested that the City Council review the plan and make any updates and revisions as necessary.

MINUTES - Continued:

ED DODREL, 7795 North Torrey Pines Drive, President of the Southern Nevada Regional Trail Partnership, stated the plan is well thought out, and praised the consulting firm for a superb job. They asked for public input and incorporated it into the plan. MR. DODREL suggested that once this plan is approved, a timetable should be implemented because this is an excellent plan.

CAROL LeDUC, 7575 Rome Boulevard, praised the plan and thanked the City Council for appropriating the funds to have it completed. She has lived in the northwest for 12 years and has seen the quality of life deteriorate. In order to preserve the quality of life of children and grandchildren of Las Vegas, the change must be made now. Over the years high-density developments have been built over sand dunes and archeological sites. The plan, if adhered to, would generate a change in the philosophy of future development. She stated that the Greenways Team was responsive to input from the citizens. She looked forward to having this plan implemented so that the citizens can have a better place to call home. She commended the entire team, as well as COUNCILMAN MACK'S office.

ALEX GREEN, 5024 North Cimarron Road, expressed his appreciation to the City Council and staff for the initiative they have taken regarding this plan. He has seen many changes in the northwest and looks forward to this plan. He congratulated everyone involved with the plan. It will improve the quality of life, as well as improving the value of the land for developers and residents.

TRUDY PLATZER, 4795 Wynn Road, founder, CEO and President of the Las Vegas Railroad Society, a 501-C3 non-profit organization. MS. PLATZER stated that their goal is to create a hundred-acre railroad park and museum. She expressed her appreciation for the Council's on-going support. She indicated that their website, lasvegasrailroadsociety.org., will be updated and that they will be working diligently to raise the money for the park to come to fruition.

COUNCILMAN BROWN acknowledged MS. PLATZER and her efforts to the Railroad Society. He praised the organization for their patience, persistence and vision. He was pleased with what the organization plans to do for the community, especially the children. The railroad park will be a community asset for generations to come.

COUNCILMAN MACK thanked the City Council for allowing this process to go forward and for the funding of this project. He credited COUNCILMAN BROWN for his vision to protect the open space in the northwest. He also thanked MR. GENZER and his staff in selecting the Greenways Team, who have done an unbelievable job in creating a great plan. COUNCILMAN MACK committed to continue working on this plan beyond his term in office to see it come to fruition and hoped that he could be a member of the Citizens Advisory Committee. He indicated that the County is making an effort to protect open space, but he believes the City of Las Vegas has done a great job in protecting the open spaces. The Centennial Hills area is becoming the Scottsdale of the Las Vegas Valley by combining rural areas and ranch estates with urban areas that fit nicely.

COUNCILMAN BROWN stated that when the Town Center concept was being created, the biggest challenge was the preservation of rural areas. There is an opportunity now to turn this into a positive because this plan will last for future generations. He acknowledged that this report has put a higher priority at the Floyd Lamb Park. The additional Bureau of Land Management (BLM) land and the equestrian park. He mentioned that one of the existing trails in conjunction with the County has been

MINUTES - Continued:

impacted adversely. Therefore, the County needs to be brought into this plan. COUNCILMAN BROWN thanked the Greenways Team and recognized MR. PERRIGO and MR. ROBERTSON for their professionalism, cooperation and sincerity that they have shown in balancing this rural and urban area. Finally, with the upcoming release of 19,000 acres the challenge in the northwest remains how to balance the demand of affordable housing and higher density development and at the same time still protect the character of the northwest.

COUNCILMAN MACK asked all the citizens who participated in this process to stand up and be recognized.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(1:14 - 1:49)
3-215

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 5, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: DIR-5543 - CITY OF LAS VEGAS

** CONDITIONS **

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

** STAFF REPORT **

APPLICATION REQUEST

Discussion and possible action to accept the Northwest Open Space Plan and begin the process of implementation.

BACKGROUND INFORMATION

05/07/03 The City Council approved a request to begin contract negotiations for the development of the Northwest Open Space Plan.

10/01/03 The City Council approved a request to negotiate with an alternative consultant, resulting in the selection of Greenways, Incorporated.

12/02/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #49/sr).

Please note that the plan document is currently being revised to reflect comments received at the Planning Commission meeting. Upon completion the revised document will be distributed separately from the other back-up items.

ANALYSIS

The northwest part of the city has been experiencing tremendous growth, usually at densities higher than what had traditionally occurred in that area. With this growth has come a rapid reduction in open space and increasing competition for the space that remains. This competition is from a varied list of users with contradicting needs. To ensure that open space needs are met and valuable landscapes are protected within this development climate, the city has enlisted the help of Greenways, Incorporated to develop the Northwest Open Space Plan. The planning area is defined as being north of Cheyenne Avenue, east of Puli Drive, west of Decatur Boulevard, and north to the extent of the Bureau of Land Management Disposal Boundary.

The development of this plan began in earnest in February of 2004. The planning process included extensive community outreach through a Citizen's Advisory Committee, public open houses, and a Community Attitude survey distributed randomly to residents of the area. There were also several meetings with various affected user groups, with significant input from the equestrian community.

Another important element in the process was the Technical Work Group, comprised of representatives of the many government agencies, local, state, and federal, involved in the use of land within the planning area. There are many county islands, large and small, as well as interfaces with federal land throughout and around the area.

Action Items

Upon acceptance of this plan, the following short-term, mid-term, and long-term actions will be pursued by staff:

Short Term (0-2 years)

- Revise subdivision ordinance and/or Title 19 to promote more open space conservation
- Amend the Recreation and Transportation Trails Elements to reflect recommended alignment changes.
- Complete design program and begin construction of the Northwest Cultural Park
- Work with the Clark County Flood Control District to define protection strategies for arroyos and washes
- Apply for SNPLMA funding for recommended highest priority acquisitions, facilities and trails
- Define appropriate management roles for open space resources
- Investigate the establishment of a land trust

Mid Term (3 to 5 years)

- Continue construction of Northwest Cultural Park
- Acquire secondarily ranked open space
- Construct number two and three ranked trails, roadway crossings, and trailheads
- Define operation and management agreements for facilities that are part of this phase

Long Term (6 years and beyond)

- Update this plan, reconsider recommendations and priorities as appropriate
- Continue construction of the Northwest Cultural Park facilities
- Acquire outstanding open space facilities
- Construct number 4 and 5 ranked trail facilities, roadway and trailheads

The intent of these action items is to implement the key recommendations of the plan. These recommendations are listed below.

- Preserve 30% of the northwest area as open space. This can be achieved through a combination of existing open space; protecting arroyos through the development of conservation subdivisions; reserving adequate BLM land through the disposal process; and acquiring private land in areas where other options don't exist.

- Conceptual "Hub and Spoke" Framework. Access and connectivity are essential components of a successful open space plan. The consultants propose a system of open space resources (parks, trail heads, natural areas) linked by a trail network. Use of these types of facilities is directly linked to their accessibility and usefulness in serving as a transportation option.

- Include a variety of open space components. A wide variety of user groups must be served by this plan. Open space components include passive recreation/ natural systems (arroyos, native desert, view sheds); active recreation (programmed events such as soccer, softball, baseball, etc); historic and cultural landscapes (archaeological sites, Floyd Lamb State Park, historic stage coach road); and continuous open space (i.e. trails).

- Northwest Cultural Park. It is recommended that the federal and state owned land surrounding and east of Floyd Lamb State Park be preserved and improved as a destination landscape. There is ample land available to accommodate a variety of uses such as an equestrian park, model railroad park, archaeological park, or another type of facility deemed useful and appropriate. Combining these types of facilities creates a synergy that will be beneficial to each allow each to prosper.

Another critical element addresses the issue of stewardship. While there are several means of developing facilities, sources to fund operations and maintenance are limited. This plan offers for consideration a multi-layered system that includes in-kind services (e.g. adopt a trail programs), the creation of an open space special district, and the use of a portion of the revenues from federal land sales. Because many facilities serve dual purposes, such as transportation and flood control, task sharing and cost sharing could be spread among other agencies.

Creation and implementation of this plan is imperative if quality of life is to be preserved for residents of the northwest. The city needs to accommodate growth, this plan will help do that while ensuring that open space needs are met for all of the user groups and stake holders.

RECOMMENDATION

Accept the Northwest Open Space Plan.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 3

PROTESTS 0

Open Space Plan

Las Vegas, Nevada

DRAFT Final Action Plan

December 2004

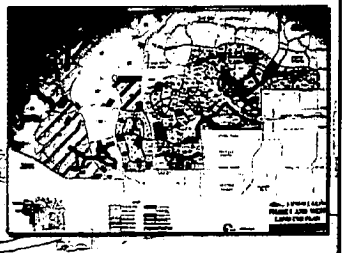
- ***Improve the quality of life and community character of the Northwest Region of Las Vegas with a well planned and interconnected open space system. Protect and enhance outdoor resources including arroyos, parks, trails, cultural landscapes, viewsheds and conservation areas that are affordable to create and maintain.***

- Analyze current open space supply
- Define open space needs
- Identify landscapes that should be part of open space network
- Define a framework for protecting and managing resources
- Determine a plan for implementation

- Existing parks & trails
- Agricultural land
- Powerline corridors
- Major roadway corridors
- Arroyos, washes and floodplains
- Cultural landscapes
- Viewsheds



- Summerlin is planned and developed in a manner that protects natural landscapes and provides quality open space for residents.



- Define "Level of Service" - LOS
- Why? Provide adequate supply of open space, park and recreation resources to serve the public health, safety and welfare needs of Northwest residents.
- Proximity and accessibility are key elements of satisfying needs of residents.
- Barriers to access and use must be considered.

Submitted at City Council

Date 5/05 Item #11

Determining a Level of Service for NW Region

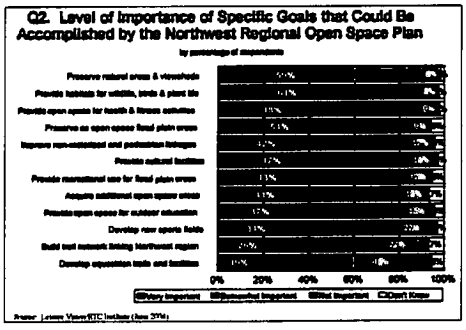
- NRPA Standards
- Adopted Policies
- Demographic Trends
- Leisure Activity Trends
- Prior Planning Efforts
- Statistical Surveys
- Opinion Surveys
- Public Input
- Market Reckoning
- Benefits of Open Space
- Community Comparison

Community Attitude Survey

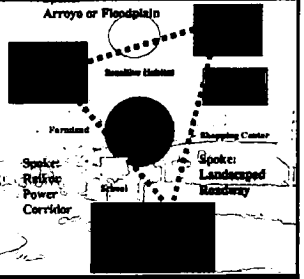
Northwest Region of Las Vegas Citizen Survey

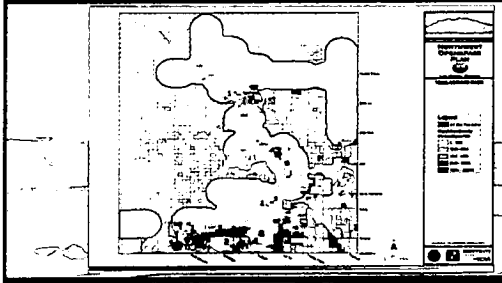
- Questions on full range of usage, goals, needs, priorities, and funding questions
- Administered by mail/phone
- Goal to complete 500 surveys
- Actually completed 688 surveys
- 95% level of confidence with margin of error or +/-3.7%

Finding #3: A Strong Majority of Respondents Feel Most "Goals" are Important



- Effective open space programs are based on a "Hubs and Spokes" model.
- Connections are key - create opportunities for community residents to outdoor resources





Northwest Open Space Plan, Las Vegas, NV

- Types of Open Space
  - Passive Natural Open Space
  - Contiguous Open Space
  - Active Recreation Open Space
  - Cultural and Historic Open Space

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Northwest Open Space Plan, Las Vegas, NV

- Target - 30% of land in NW should be undeveloped open space
- Currently almost 5,200 acres are protected
- Targeting an additional 4,400 acres for protection



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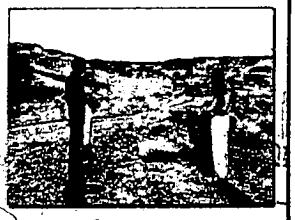
Northwest Open Space Plan, Las Vegas, NV

Northwest Las Vegas Open Space		
Category of Land	Acres	Percent of Total Open Space
CLV Open Space (Exist)	1,200	3.75%
Clark County Open Space (Exist)	1,540	4.81%
Nevada Open Space (Exist)	460	1.44%
BLM (Exist)	2,000	6.25%
Protected Arroyos	1,200	3.75%
Open Space from CSD	1,500	4.69%
Targeted Acquisitions	1,700	5.31%
Total Projected Open Space	9,600	30.00%
Total Land Area of Northwest	32,000	

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Northwest Open Space Plan, Las Vegas, NV

- Target - protect 1,200 acres of natural wash areas and arroyos from future development.
- Cooperative program among local, state and federal agencies.
- Set land aside and don't allow it to be developed.



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Northwest Open Space Plan, Las Vegas, NV



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Northwest Open Space Plan, Las Vegas, NV

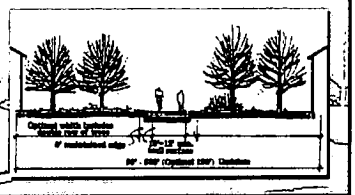
- Target - Protect 1,500 acres of land through the land development process.
- Promote higher density development with the provision of more open space set aside for residents.
- Revised development code.



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Northwest Open Space Plan, Las Vegas, NV

- Provide a prescription that land developers would follow to create quality, off-road open space corridors.



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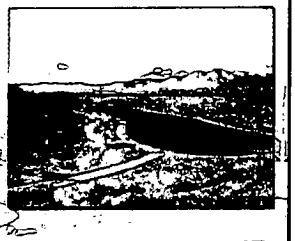
Northwest Open Space Plan, Las Vegas, NV



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Northwest Open Space Plan, Las Vegas, NV

- Target - City of Las Vegas and partners should acquire 1,700 acres of open space for future parks, trails, natural and cultural landscapes.
- Work with land trusts and others to accomplish goal.



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Northwest Open Space Plan, Las Vegas, NV



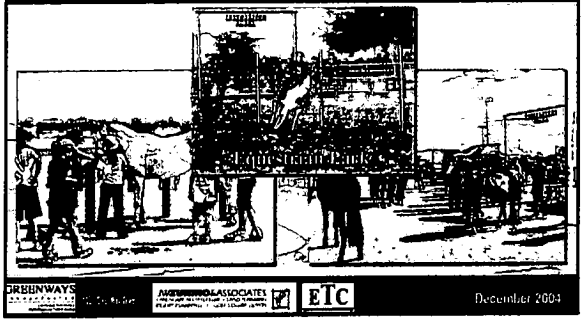
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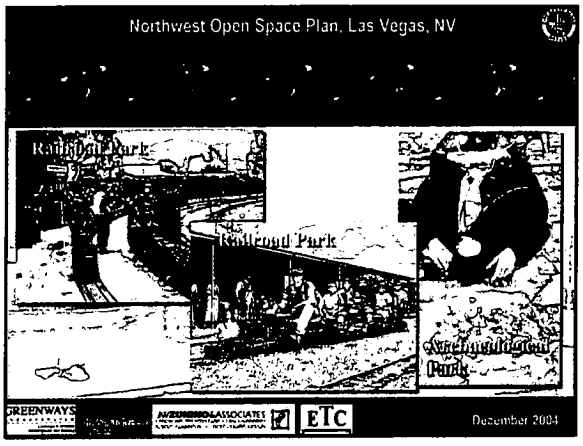
- Protect 2,100 acres in Northwest region as major destination landscape.
- Set aside open space for special need facilities, including equestrian park, archaeological park, model railroad park.
- Restore Floyd Lamb State Park.

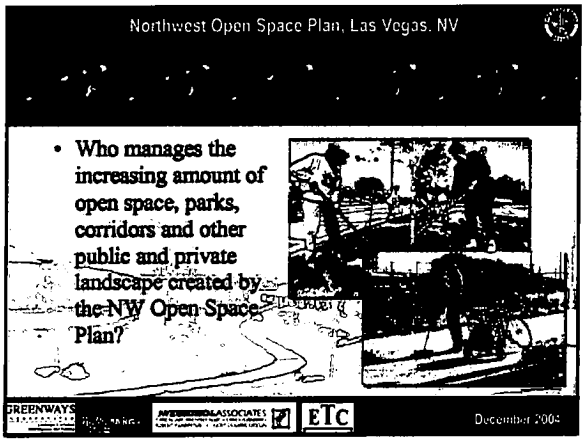
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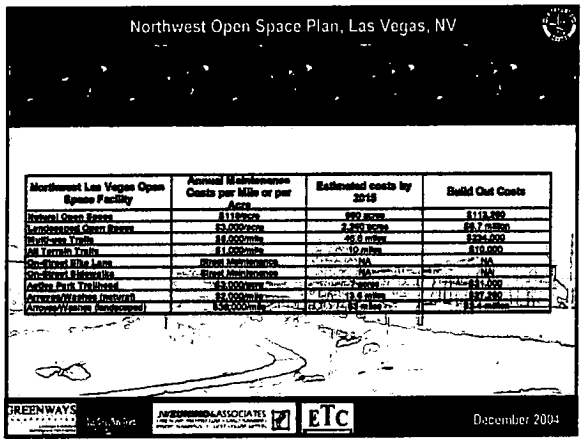
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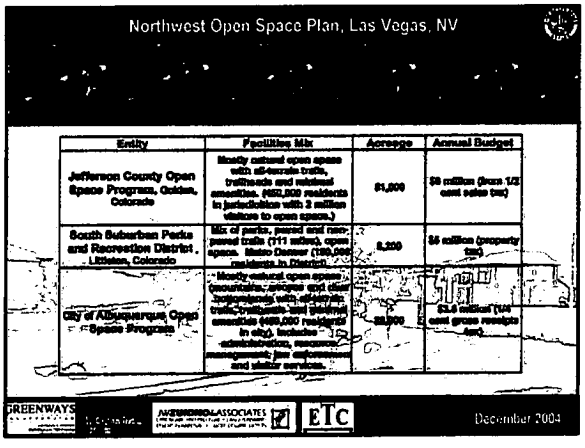
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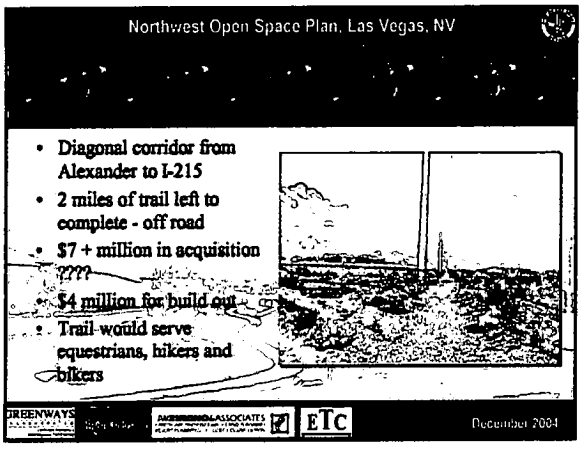


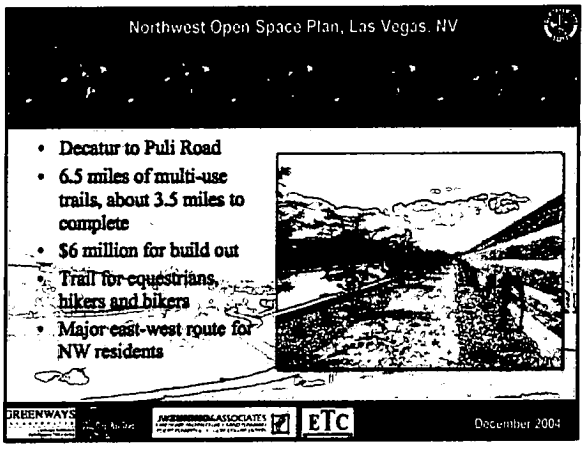


Northwest Las Vegas Open Space Facility	Annual Maintenance Costs per Mile or per Acre	Estimated costs by 2015	Build Out Costs
Irvine Open Space	$115/acre	900 acres	$113,300
Jurisdictional Open Space	$3,000/acre	2,267 acres	$6.7 million
Multi-use Trails	$8,000/mile	40.6 miles	$324,000
All Terrain Trails	$1,000/mile	10 miles	$10,000
On-Street Bike Lane	Street Maintenance	NA	NA
On-Street Bikeroute	Street Maintenance	NA	NA
Ardex Park Trailhead	$3,000/each	2 each	$11,000
Arroyo/Wadies (natural)	$2,000/mile	19.6 miles	$97,200
Arroyo/Wadies (landscaped)	$30,000/mile	6.3 / 7.1 miles	$314 million



Entity	Facilities Mix	Acreage	Annual Budget
Jefferson County Open Space Program, Golden, Colorado	Mostly natural open space with all-terrain trails, trailheads and related amenities. (450,000 residents in jurisdiction with 2 million visitors to open space.)	81,000	$8 million (from 1/2 cent sales tax)
South Suburban Parks and Recreation District, Littleton, Colorado	Mix of parks, paved and non-paved trails (111 miles), open space. Metro Denver (130,000 residents in District)	8,200	$6 million (property tax)
City of Albuquerque Open Space Program	Mostly natural open space (mountains, arroyos and river bottomlands) with all-terrain trails, trailheads and parking amenities (480,000 residents in city). Includes administration, easement management, law enforcement and visitor services.	28,000	$3.6 million (1/4 cent gross receipts tax)





Northwest Open Space Plan, Las Vegas, NV

- BLM Disposal boundary to North Las Vegas
- 4 miles of unpaved trails
- $4 million build out
- Trails for hiking, biking and equestrians



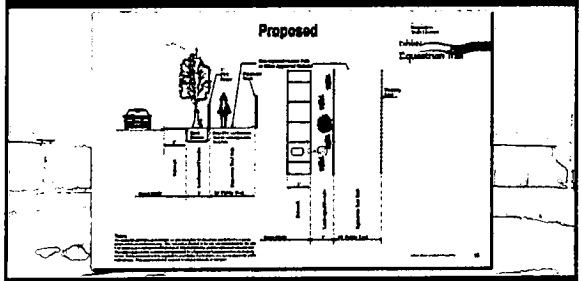
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Northwest Open Space Plan, Las Vegas, NV

Northwest Las Vegas Open Space Trails	Trail Length (miles)	Estimated Costs	Horse	Bikers	Hikers
Indian Springs Corridor	7	$ 4,000,000.00	X	X	X
Grand Teton Corridor	8.8	$ 6,000,000.00	X	X	X
Lone Mountain Corridor	6.2	$ 7,000,000.00	X	X	X
El Capitan Corridor	3.8	$ 5,000,000.00	X	X	X
Torrey Pines Corridor	7.3	$ 4,000,000.00	X	X	X
Smoky Corridor	3.3	$ 5,000,000.00	X	X	X
Big View/Rainbow Corridor	3.3	$ 5,000,000.00		X	X
Elkhorn Corridor	3.7	$ 5,000,000.00	X	X	X
Horse Corridor	3	$ 5,000,000.00	X	X	X
Durango-Tule Springs	3.8	$ 4,000,000.00	X	X	X
El Capitan/US 95 Highway	1.2	$ 5,000,000.00	X	X	X
Fort Apache/Tee Pee	3.8	$ 5,000,000.00		X	X
Las Vegas Wash	4	$ 4,000,000.00	X	X	X
Kyle Canyon Wash	3	$ 5,000,000.00		X	X

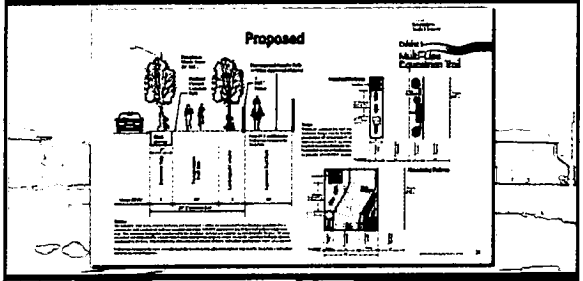
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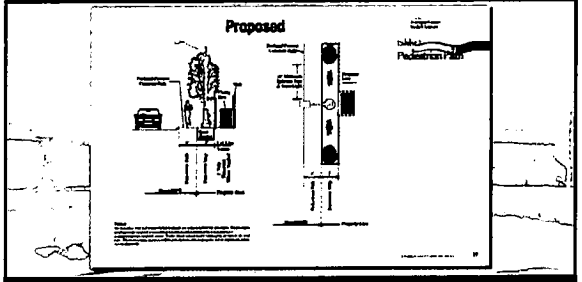
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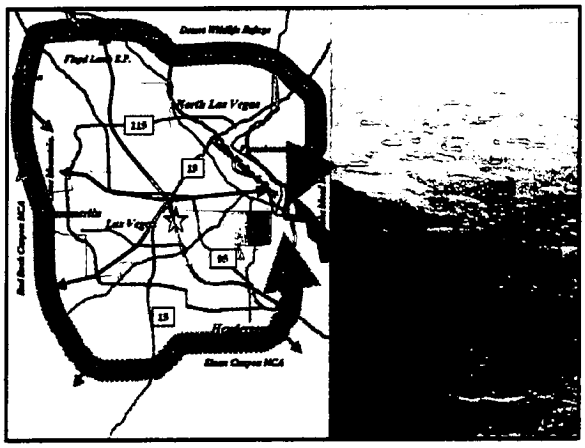


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Northwest Open Space Plan, Las Vegas, NV



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Northwest Open Space Plan, Las Vegas, NV

- Targeted acquisition of key open space parcels and corridors.
- Open space facility guidelines and facility development program
- Policy changes to address open space conservation practices
- Stewardship, operations and management

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Northwest Open Space Plan, Las Vegas, NV

- Revised development code to promote open space conservation during land development process.
- Prepare design program for Northwest Cultural Park and implement phase 1.
- Establish Vias Verdes Las Vegas
- Define program to protect arroyos
- Purchase highly ranked or threatened open space parcels
- Build # 1 ranked open space facilities
- Establish Las Vegas Valley Land Trust
- Define management program for open space system

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Northwest Open Space Plan, Las Vegas, NV

- Implement Vias Verdes Las Vegas
- Build second phase of Northwest Cultural Park
- Purchase open space and protect resource areas
- Build # 2 and 3 ranked facilities
- Establish management agreements for newly protected open space resources

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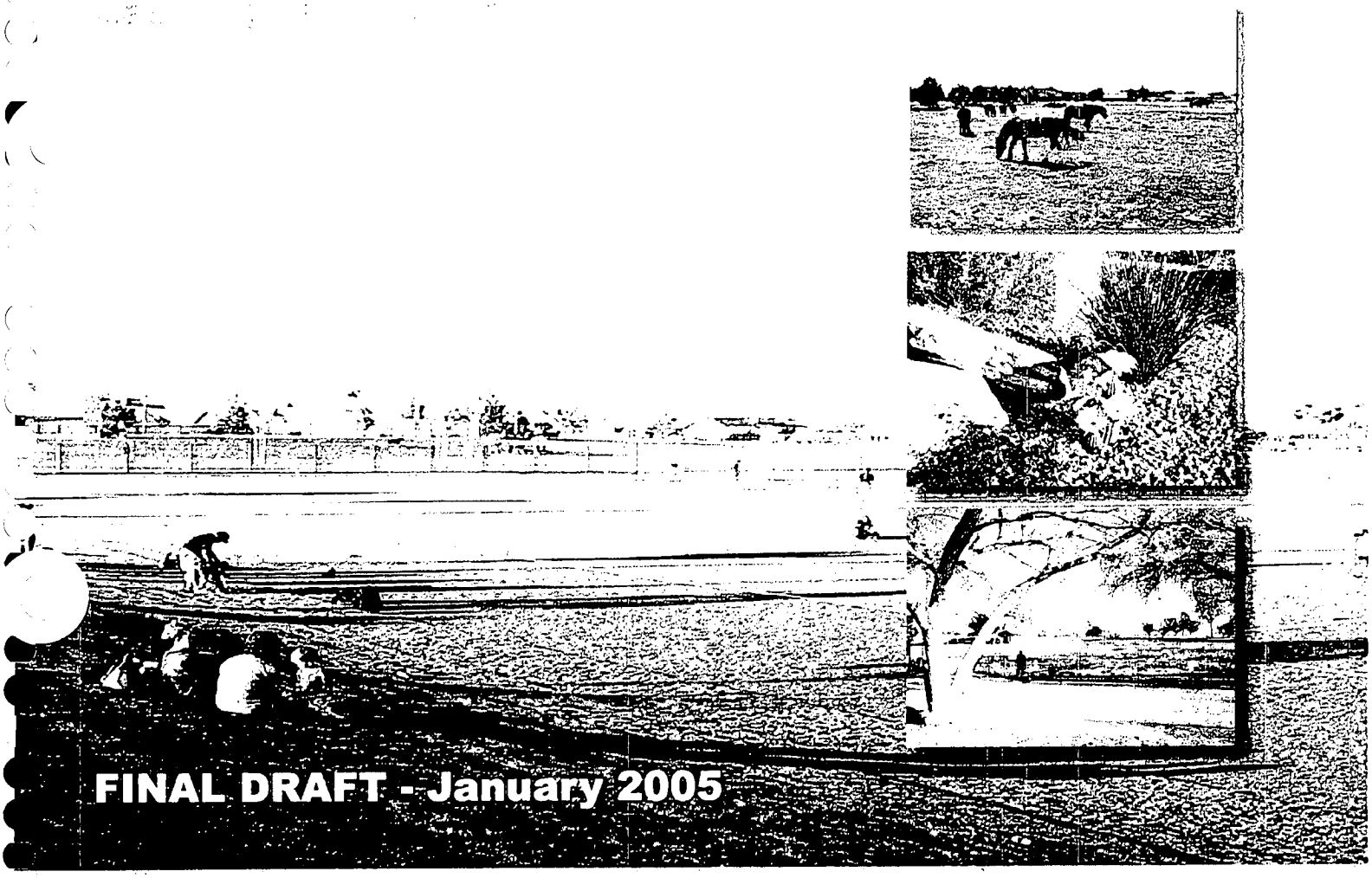
Northwest Open Space Plan, Las Vegas, NV

- Update this Plan
- Continue Northwest Cultural Park development
- Continue to acquire open space and protect resource areas
- Build # 4 and 5 ranked projects
- Update management agreements

GREENWAYS ETC December 2004



Northwest



FINAL DRAFT - January 2005

Prepared for:
City of Las Vegas
Planning and Development Department

Prepared by:
Greenways Incorporated

In Association with:
The Greenway Team
JW Zunino Associates
ETC Institute
The Trust for Public Land

Submitted at City Council

Date 1/5/05 Item #77

FINAL DRAFT

Northwest Open Space Plan

Las Vegas, Nevada

Prepared for:

City of Las Vegas
Planning and Development
Comprehensive Planning Division

Prepared by:

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ETC Institute
The Trust for Public Land

January 2005

Northwest
Open Space Plan

Las Vegas, Nevada

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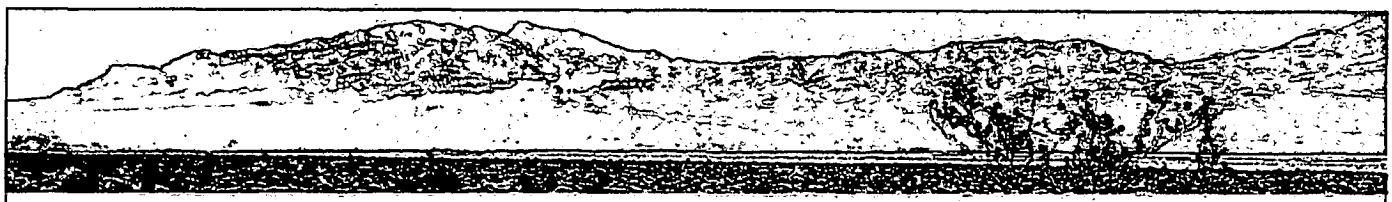


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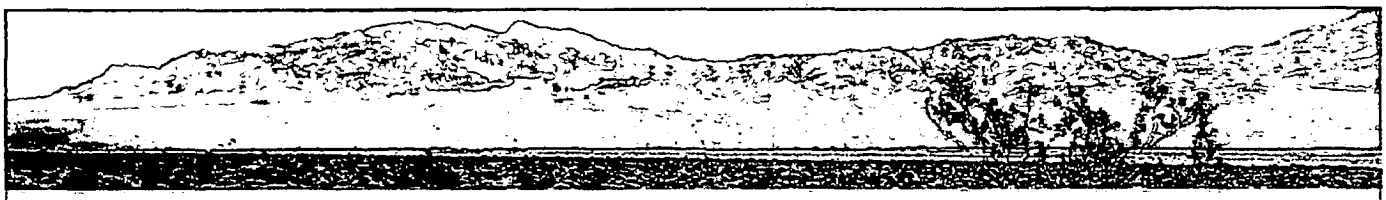
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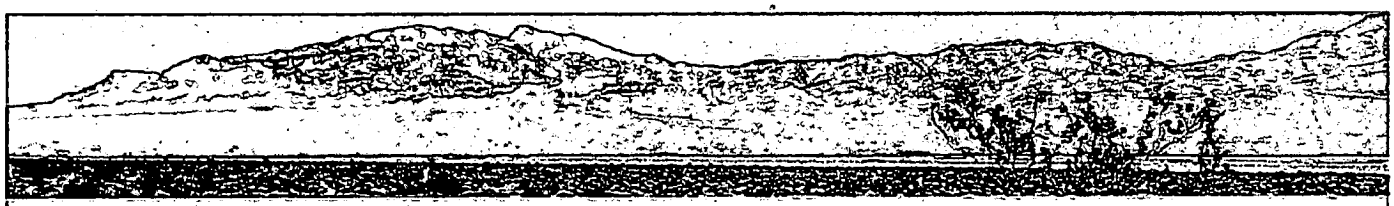
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Acknowledgements

The Northwest Regional Open Space Plan has been carefully crafted through the hard work and dedication of a broad resource team, including residents of Las Vegas, representatives from federal, state and local government agencies and staff, City of Las Vegas staff and a team of consultants with expertise in open space planning. The City of Las Vegas would like to thank all who participated in the planning process, and in particular the work and dedication of the following groups.

Citizens Advisory Committee

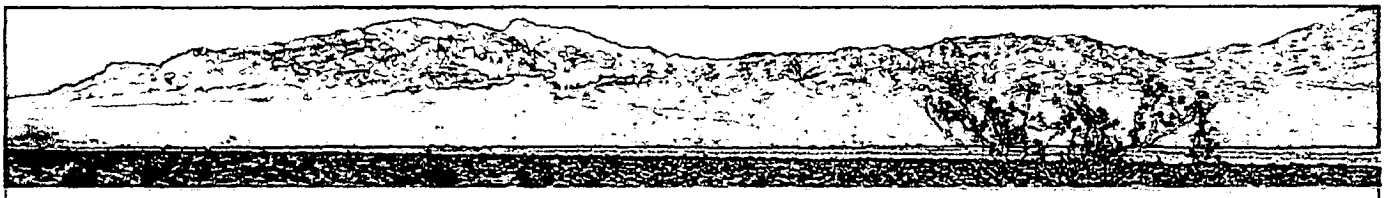
Mike Akers, Programmable Open Space
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Steve Hamilton, Lower Kyle Canyon Town Board
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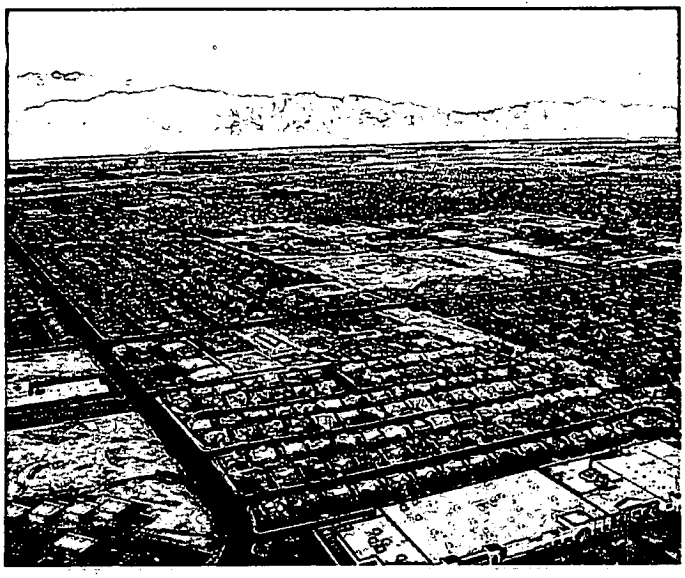


Executive Summary

E.1 Overview

After more than two decades of record population growth, the City of Las Vegas has determined the need to establish an open space master plan for the Northwest region to balance growth and development with conservation of native lands and rural character that is historic to this part of the City. The primary goal of the Open Space Plan is to "*Improve the quality of life and community character of northwest Las Vegas with a well planned system of interconnected open spaces, greenways, trails, parks and protected landscapes. Achieve optimal, cost effective, sustainable implementation and management of open space resources.*"

The approximately 50-square miles that makes up Northwest Las Vegas is bounded by Cheyenne Avenue to the south, Red Rock Canyon National Conservation Area to the west, Moccasin Drive to the north and the City of North Las Vegas to the east (Decatur Blvd).



The purpose of this Open Space Plan is to protect non-programmed and programmed open space which in the future can be devoted to 1) the preservation of natural resources; 2) outdoor recreation; 3) preservation of historic and cultural property; 4) protection of scenic landscapes; and 5) protection of public health, safety and welfare. To accomplish this purpose, the City of Las Vegas needs to adopt aggressive policies and programs that balance growth with natural resource conservation. The city is in need of a stewardship program that protects valued open space before it is permanently lost to development.

E.2 Planning Process

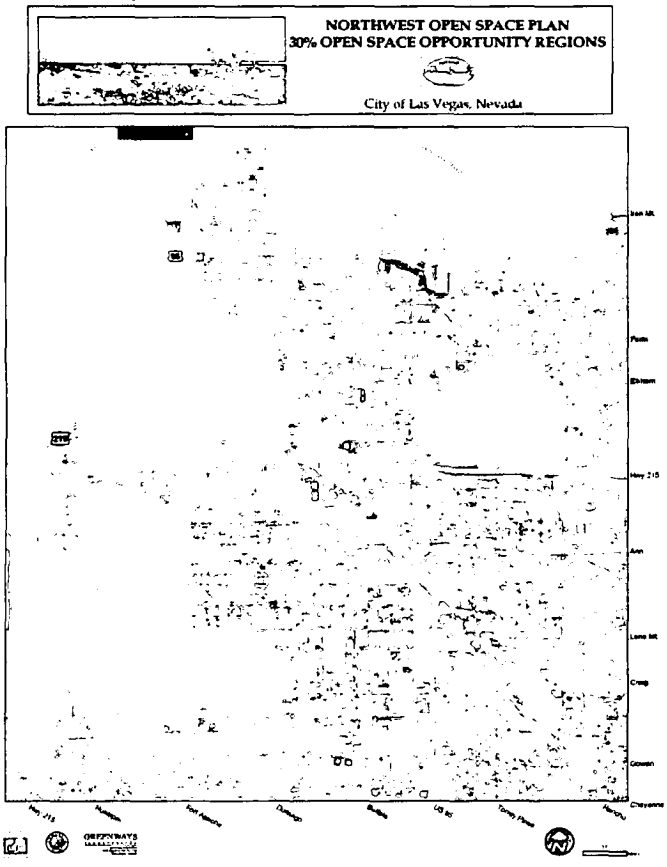
The City of Las Vegas and the project consultant team of Greenways Incorporated, The Greenway Team, JW Zunino and Associates, ETC Institute and The Trust for Public Land, have developed this plan in cooperation with a citizens' Open Space Advisory Committee. Additionally, a Techncial Working Group consisting of federal, state and local govemment agencies that represent land management, community development, utilities, law enforcement, stormwater management, and resource planning in the Greater Las Vegas area actively participated throughout the planning process.

E.3 Key Recommendations

The consultants for this Plan recommend that the City of Las Vegas establish a planning goal of protecting 30% of the land in the Northwest Region as future open space. This 30% goal is recommended as a minimum target based on the ecological, social, economic, and political realities of Las Vegas and is designed to ensure a quality of life in the 21st century that is progressive, sustainable, healthy and economically viable.

The open space system defined in the Plan is based on a "hub and spoke" concept that links residential neighborhoods, employment centers, open space, parks and trails that is conveniently accessible to residents of the NW region. There are four major components of open space identified in the plan 1) protection of natural systems, 2) active recreational landscapes, 3) historic and cultural landscapes, 4) contiguous open space corridors (such as greenways and trails).

This open space system for the NW region is physically located close to where people live, work, shop and go to school. In addition to this network, the plan recommends the protection and stewardship of the federal and state lands that surround the Las Vegas Valley under a system named in the plan as the Las Vegas Vias Verdes.



The plan recommends the establishment of a new "Northwest Cultural Park," that could include: 1) improvements to Floyd Lamb State Park, 2) a new equestrian park; 3) a new model railroad society park, 4) an a new archaeological park.



The trail system element of the plan recommends a network of off-road and roadside multiuse trails serving cyclists, pedestrians and equestrians. This network is logically planned to be directly accessible by residents, connect to major open space destinations and serve a non-motorized transportation function.

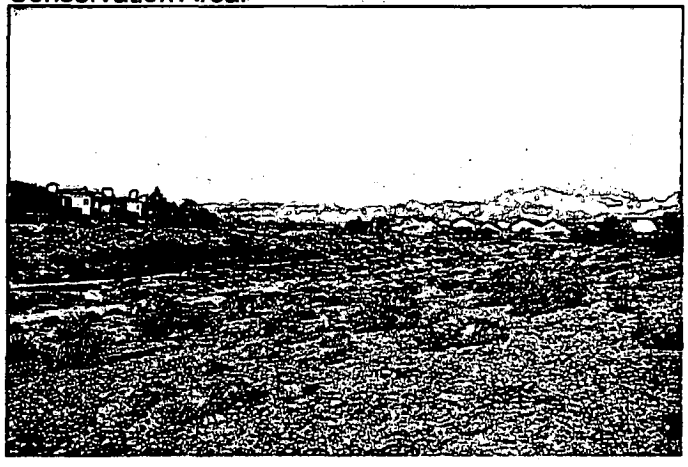
One of the primary goals of the plan is to better protect the native landscapes and natural infrastructure including wildlife habitat, arroyos and



washes, viewsheds and desert ecosystems. These objectives would be achieved through techniques that include promoting higher density conservation-based development, partnering with other agencies such as the Clark County Flood Control District to protect arroyos, acquiring targeted open space parcels through a partnership with private sector conservation organizations such as The Trust for Public Land, and defining opportunities for contiguous open space to be assembled in the Northwest region through the land development process.

The plan addresses both routine and long term remedial maintenance and management considerations, including specific procedures and projected costs for operations and management. The plan also includes recommendations for funding and operating the Northwest open space program.

Finally, this plan recommends establishing a Vias Verdes on the lands surrounding the Las Vegas Valley. The Vias Verdes would be a large-scale conservation strategy for the publicly and privately owned lands that surround the valley and form the mountainous visual backdrop. The lands within the proposed Vias Verdes would include Lake Mead National Recreation Area, Sheep Mountains, Sloan Canyon National Recreation Area, Desert National Wildlife Refuge, Red Rocks Canyon National Conservation Area.



E.4 Next Steps

The next steps for the Open Space Plan will be to implement the recommendations provided in this Plan. There are a number of different recommendations that are called for, including policies, programs, facilities and operations. These are organized under the following short term, mid term and long term strategies.

Short Term: Zero to 2 year (FY 05-06)

- Revise subdivision ordinance to promote more open space conservation

- Complete design program for Northwest Cultural Park.

- Work with the Clark County Flood Control District to define protection strategies for arroyos and washes in the Northwest region.

- Apply for SNPLMA funding to pay for the open space acquisitions and facilities recommended in this Plan.

- Work with partners to acquire the most highly ranked and threatened open space properties.

- Build number one ranked trails, roadway crossings and trailheads.

- Begin construction of Northwest Cultural Park.

- Establish the Las Vegas Valley Land Trust.

- Define appropriate management roles for open space resources.

Mid Term: 3 to 5 year (FY 07-09)

- Continue construction of Northwest Cultural Park facilities.

- Work with partners to acquire the secondarily ranked open space.



• Build the number two and three ranked trails, roadway crossings and trailheads defined by this Plan.

• Define operation and management agreements for lands and facilities that are part of this phase of implementation.

Long Term: 6 and beyond (FY 10)

• Update this Open Space Plan, reconsider the recommendations and priorities of this Plan.

• Continue construction of Northwest Cultural Park facilities.

• Work with partners to acquire outstanding open space properties.

• Build the number four and five ranked trail facilities, roadway and trailheads defined by this Plan.





Chapter 1: Introduction

1.1 Project Background

Las Vegas has arrived at an important juncture. After more than two decades of record population growth, Las Vegas is now taking its place as one of North America's great metropolises. The city and its neighboring communities have enjoyed prosperity, economic growth and a diversification of cultural amenities. At the same time there has been increasing pressure on community infrastructure including schools, parks, highways, water, floodways, and other important public assets. This includes open spaces, scenic vistas, natural areas and wildlife habitat. It has also threatened traditional access to trail recreation on lands that were once wild but now developed.

While there have been challenges, there are also opportunities resulting from a number of factors including: transfer of certain U.S. Bureau of Land Management (BLM) properties; existing state park land and increasing sophistication on the part of developers and planners when it comes to open space and resource stewardship.

This has been especially true in the Northwest region of the City. Undertanding all of this, the City commissioned the preparation of this open space plan to preserve the unique quality of life, natural features and outdoor recreation of the Northwest region.

This Plan is the primary product of a 10-month planning effort that built upon previous community and regional plans aimed at growth management and resource protection. The open space planning process included substantial input from the public, agency staff and elected officials. A series of working group meetings, public open house events, a community attitude survey, and focus group meetings, shaped and guided the preparation of this Plan.

1.1.1 The Study Area

The Northwest region of Las Vegas consists of approximately 50-square miles that is bounded by Cheyenne Avenue to the south, *Red Rock Canyon National Conservation Area* to the west, Moccasin Drive to the north and the City of North Las Vegas to the east (Decatur Blvd). The proposed Clark County Shooting Range and Quail Springs Wilderness Study Area that lie south and west of the *Desert National Wildlife Refuge* were also considered during this planning process, but are not officially part of the project study area. (Figure M1: Project Study Area Map)

1.1.2 Primary Partners

The City of Las Vegas and the project consultant team, led by Greenways Incorporated, developed this plan in cooperation with a citizens' Open Space Advisory Committee. Other agencies addressing land management, community development, utilities, law enforcement, stormwater management, and resource planning in the Greater Las Vegas area were involved at various stages throughout the planning process.

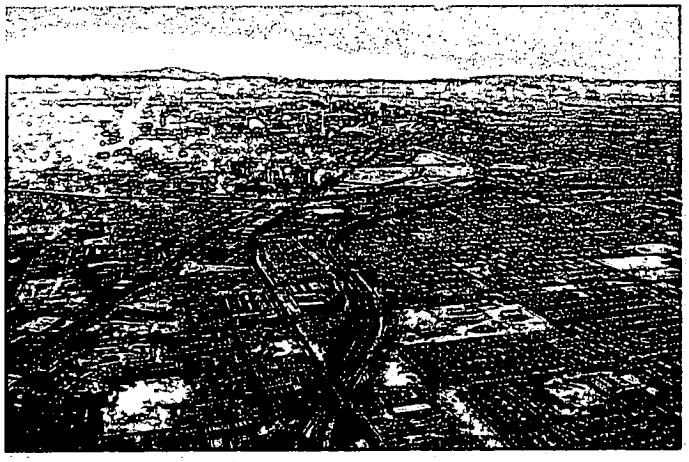
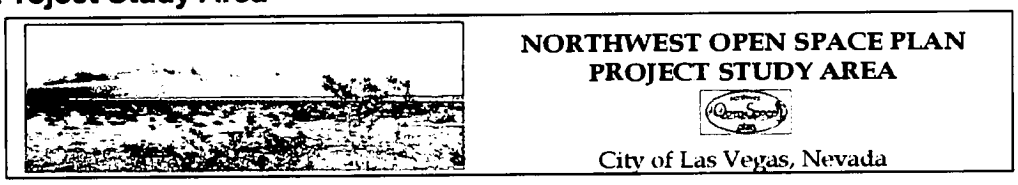
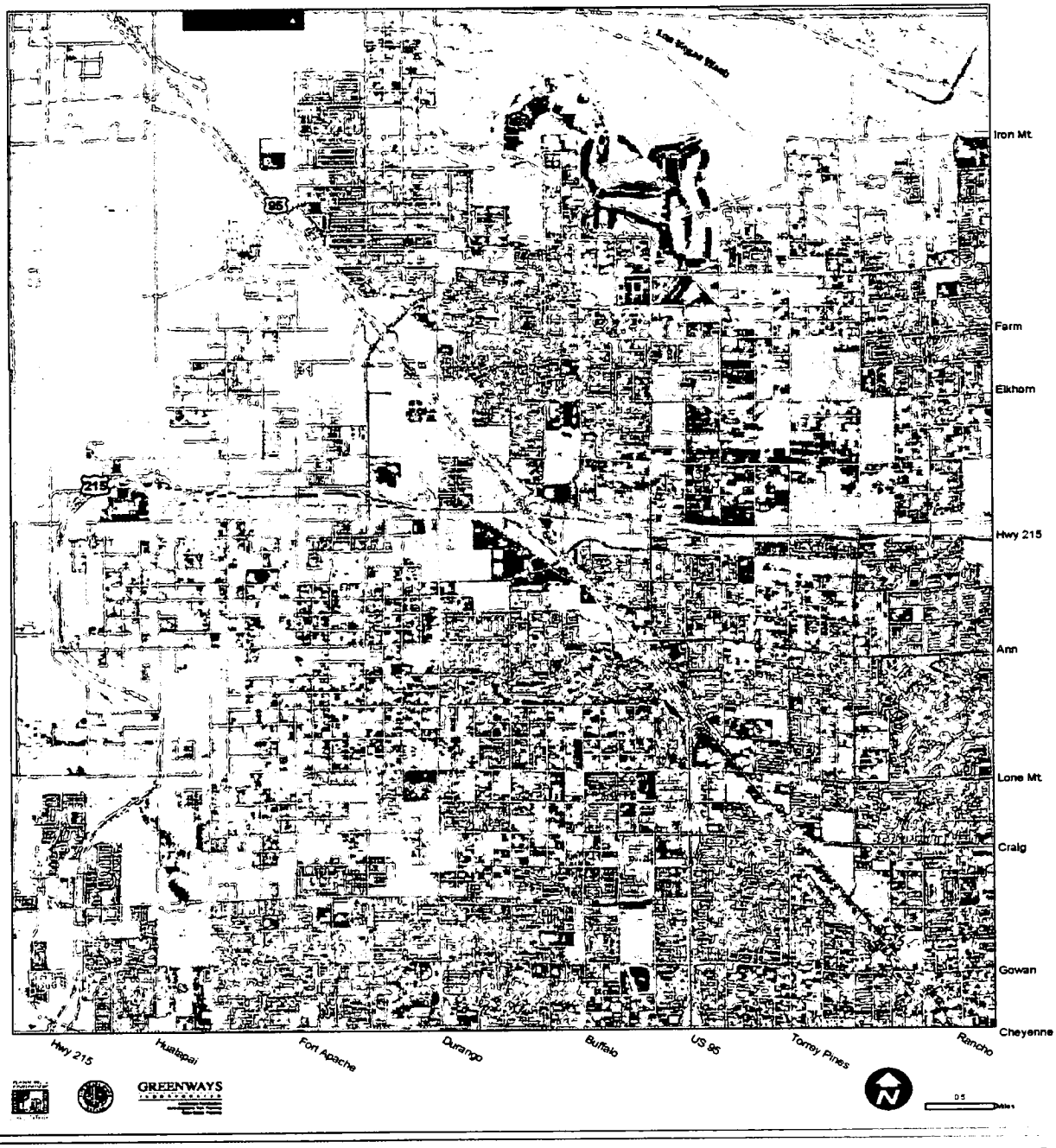
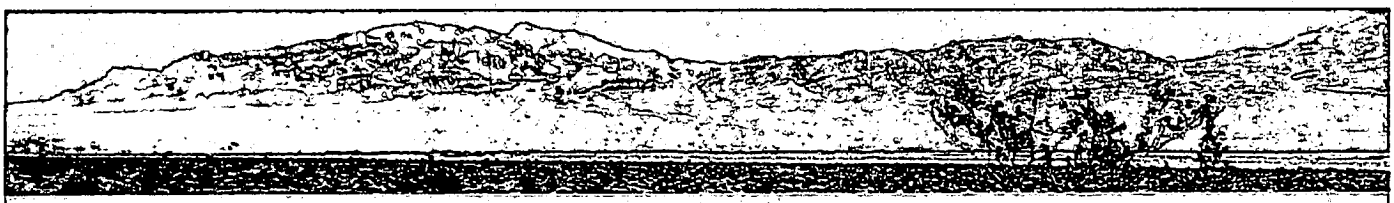


Figure M1: Project Study Area







1.2 Mission, Purpose and Goals

Early on in the process, a substantial effort went into tailoring the planning process so that it's final products would provide clear steps towards a commonly held vision of open space protection and management that was commonly held. The conclusions of this Plan and the recommendations it contains are products of this effort. The following mission statement defines the project:

Project Mission Statement

- *"Improve the quality of life and community character of northwest Las Vegas with a well planned system of interconnected open spaces, greenways, trails parks and protected landscapes.*

- *Accomplish this through an inclusive, open, cooperative process that considers common and divergent interests including residents, businesses, public agencies, citizen organizations, tribal groups and others.*

- *Arrive at a consensus for a vision that balances both conservation and development objectives. Achieve optimal, cost effective, sustainable implementation and management of open space resources."*

Through group discussions a set of goal statements were established. These statements included interest in balancing growth and conservation, maintaining the high quality of facility design for active recreation areas, extending trail networks, combining water quality protection objectives with open space protection efforts, maintaining the open feel and distinct character of the community as it develops, expanding park and recreation services without altering well known areas such as Floyd Lamb State Park, minimizing the costs of managing recreation and open space resources, and improving connectivity for cyclists, pedestrians and equestrians as they use the local trails.

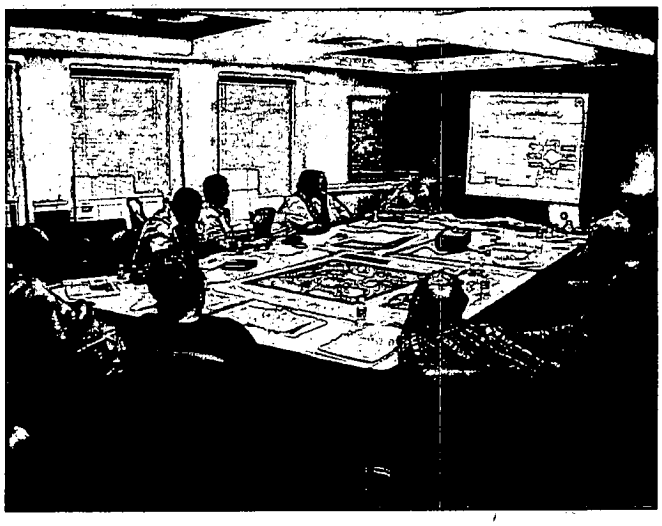
From these many comments and suggestions, the consultant team crafted four goal statements that reflect the essential interests that define open space in Northwest Las Vegas:

Goal 1: Protect and enhance outdoor resources and infrastructure including parks, trails, vistas, cultural sites, and natural areas, including floodplains, acquifer recharge areas and wildlife habitat.

Goal 2: Balance protection efforts and development activities in a way that is equitable, effective, and clearly understandable.

Goal 3: Maximize the number and variety of outdoor opportunities while respecting the existing conditions, the realities of water scarcity, and the need to minimize long-term management costs.

Goal 4: Improve the quality of life and community character of Las Vegas with a well-planned and interconnected network of natural and designed open spaces.





1.4 Methodology and Process

The consultant team utilized a planning methodology that included four major elements:

- An assessment of current and future community needs and desires;
- An inventory of physical resources;
- An effective community review and comment process;
- Creation of a clear, concise, visionary and workable plan that the community can implement in a timely manner.

The involvement of stakeholders was at the heart of this process including: residents, representatives of user groups; local, state and federal agencies; and others who would share their ideas, aspirations, concerns and suggestions. This process has been supplemented by a scientific opinion survey of study area residents (Please see a presentation of the survey methodology and the survey findings in Chapter 3).

To effectively and equitably accomplish stakeholder participation two advisory committees were assembled and a public participation process was carried out. This process was enthusiastically embraced and much valuable commentary was received.

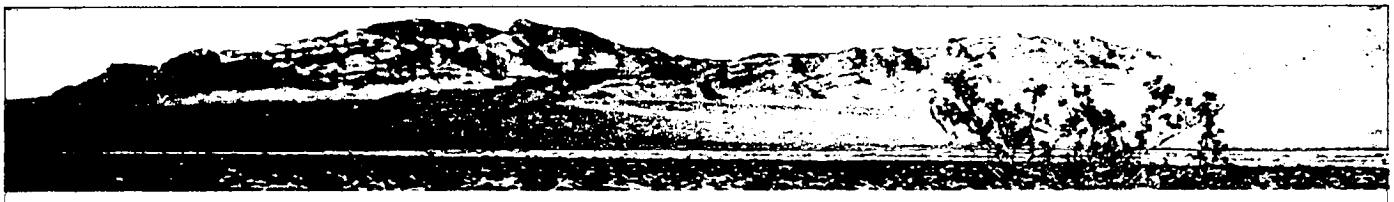
The ***Open Space Citizens Advisory Committee*** consisted of representatives of users groups, residents, businesses, elected officials, homebuilders, and others familiar with the emergence and needs of the area. The ***Technical Working Group*** included key agency decision-makers including transportation, parks and recreation, stormwater management, water and utilities and other functions at the local, state and federal level. The Public Process consisted of a series of public presentations and open houses where participants shared both verbal comments and written suggestions. At each public open house, response forms and maps were provided and participants were invited to write down their thoughts.

Review sessions with both advisory committees and the general public were held at key junctures in the process including: the initiation of the planning effort, at the completion of the analysis of existing conditions, when draft planning elements and concepts were prepared and upon completion of the final draft plan. Generally, review sessions were held on a bi-monthly basis and comments were documented.

In addition to the public participation process, the City staff and consultants posted a Web site (www.lasvegasopenspace.com) and published a newsletter updating progress and findings of the plan. News releases were also made to local and city-wide media outlets including newspapers and television stations announcing open houses, and other information about the plan.

An inventory of existing resources was accomplished using existing mapping and geographic information system mapping (GIS) and by automobile and foot tours of the study area. In addition previous planning related to the area such as the Parks and Trails elements of the Las Vegas Master Plan, as well as numerous other studies and policy documents were assembled and reviewed.

Finally, the staff and consultants drew on their professional knowledge of planning techniques and concepts as well as successful planning in other communities with challenges similar to Las Vegas to draft plan concepts. The team also called on specialists and recognized organizations such as the Trust For Public Land to assist, advise and share their ideas.



Ultimately, the final plan evolved out of an iterative approach with ideas passed back and fourth between the professional planning team (city staff and consultants) and the stakeholders with review and, where appropriate, revision at key steps in the process. Every effort was made to assure the planning process was open, inclusive and responsive. Indeed, it is the philosophy of the professional planning team that an open, inclusive and responsive process is a vital component of a successful plan.

1.5 Open Space Criteria

The following criteria were used throughout the planning process in the identification and recommendation of lands for open space, trail corridors and potential future park sites. These include:

Open Space

- Preserves attractive sites with attractive views.
- Preserves or enhances the mountain and desert wild land backdrops.



- Preserves highly visible sites that represent the pre-development desert, mountain or agricultural character of the Las Vegas Valley.
- Preserves sites with distinguishing topographic, high elevation points, historic, ecological or cultural features.
- Sites that offer relief and separation between concentrations of development.
- Protects floodplains, floodways, erosive areas and other areas unsuitable for development.



- Adequate size and shape to support natural vegetation, wildlife movement and habitat, or outdoor recreation where appropriate.
- Helps create an interconnected system linking wildlife habitat areas, parks, trails and open space (see Vias Verdes in Chapter 4).
- Buffers sensitive places such as wildlife habitat, wetlands, and drainageways.
- Supports current open space planning by the City, BLM, State of Nevada adjacent developers and others, etc.



- Readily accessible for compatible public recreation.
- Future potential use as parkland or cultural destinations such as a railroad park or equestrian area.

Trails

- Attractive corridors with attractive views.
- Readily accessible for neighborhoods, residents and places of employment.
- Corridors with distinguishing topographic, historic, ecological or cultural features.
- Opportunities for multiple uses (i.e. bicycle, walking, jogging, equestrian) while designed to avoid conflicts amongst uses.
- Ability to link neighborhoods, civic areas, schools, shopping and other important destinations.
- Ability to link parks, trails and open space with interconnected networks.



- Grade-separated corridors creating minimal conflict with automobile traffic such as streets or driveway cuts.
- Available rights-of-way such as the Las Vegas Wash, major road corridors, and other open spaces and parks.
- Opportunities for multi-objective benefits such as drainageway and utility maintenance roads serving as trails.
- Opportunities to cross barriers such as using existing or proposed highway underpasses or crossings.
- Avoids adverse impacts on sensitive wildlife areas, businesses and other activities and private property.
- Avoids steep grades, crossing hazardous barriers such as existing or proposed highways or arterials, noisy or unpleasant settings.
- Avoids close proximity to sensitive natural and wildlife resources.
- Links to or interconnects with existing trail systems.

Parks

- Availability of affordable land.
- Attractive sites with attractive views.
- Sites with distinguishing topographic, historic, ecological or cultural features not adversely impacting wildlife areas
- Good existing (or future) road, sidewalk and trail access.

- Level, well-drained sites suitable for park development.
- Parcel size and shape suitable for park uses and recreational facility development.
- Neighborhood/Pocket Park sites located on an approximate one-mile spacing grid.
- Sites not prone to erosion or frequent flooding (above the 10-year storm event).
- Soils suitable for park development.
- Potential for park site to enhance and complement future residential or commercial development.
- Compatibility of park use with existing or future adjacent land uses.
- Ability to share sites with schools.
- Ability to link parks, trails, open spaces and neighborhoods with interconnected networks.

1.6 Document Description

This Plan document includes the following major components:

- An *Executive Summary* over-viewing the findings and recommendations of the plan;
- An *Introduction* that presents the mission, goals, planning process and guiding principles of the plan;
- An assessment of *Existing Conditions* that overviews growth trends, resources, current park, trail and open space amenities, and planning opportunities and constraints;
- An analysis of the *Need for Open Space* amenities that considers the level of service needed to meet current and future populations and the results of scientific survey work that indicates community desires and the "market" for open space benefits;
- A *Recommended Open Space System* that puts forward a framework and policy guidelines for open space systems, parks, trails, cultural facilities and related amenities;
- *Implementation* recommendations that outline specific steps for achieving the plan's key elements over the next decade;
- Guidelines and cost projections for resource *Stewardship, Operations and Management* of the open space park and trail system as it is created;
- Graphic maps, cross-sections and photos that visually depict the plan's recommendations and components;
- *Appendices* that summarize the public meeting process, design guidelines and define the GIS data used to create open space maps.





Chapter 2: Summary of Existing Conditions

2.1 Chapter Introduction

Like many cities in America, the City of Las Vegas and the Northwest region in particular is a community that is working hard to balance competing interests, minimize the impacts that come from growth, and provide the necessary services and facilities for maximizing the quality of life of its residents.

This document lays out a strategy for successfully managing these issues as they relate to the community's parks, trails, and open spaces. Before a useful set of recommendations can be offered, however, it is essential to examine the existing conditions in the community and to build the recommendations and subsequent implementation strategy on the realities of present day Northwest Las Vegas.

The next several pages briefly examine a number of critical categories of information about Northwest Las Vegas. In the end, they present an overall picture of the natural and built environment, the growth and use characteristics that will shape the future of the landscape and the current plans for managing change in Northwest Las Vegas.

2.2 Natural Resources and Open Space

Before there were buildings and streetlights and lawns in this area, the land was predominantly desert with its associated ecological systems. The desert was punctuated in places with washes, intermittent streams, springs and oases. In addition there were spectacular vistas of the surrounding uplands and mountain ranges. The species and features of the desert remain in some places and protection of them is essential. What might have been, in the past, brushed aside quickly by some as wasteland is, in fact, bountiful land that supports species adapated to the extreme conditions of the Nevada desert. The native flora help define the character of Northwest Las Vegas and the wide open spaces provide; in simplest terms space - space for living, space for solace, space for recreation, relaxation, study, and contemplation.

For millennia, these arroyos have been the lifeblood of subsistence in the desert. Several major arroyos still exist in Northwest Las Vegas and serve a critical role in mitigating the hazards from stormwater runnoff. Many of these natural waterways, however, have been graded over or channelized for development



purposes. In some cases, new, permanent concrete-lined channels have been added to the landscape to divert stormwater away from developed areas.

Each of the features described here: the desert flora and fauna, the arroyos, and the simple openness of the ecosystem are factors for consideration in the design of the built environment and therefore an element in the design of the open space network for Northwest Las Vegas.

The maps on the following pages depict the present layout of these elements on the landscape.

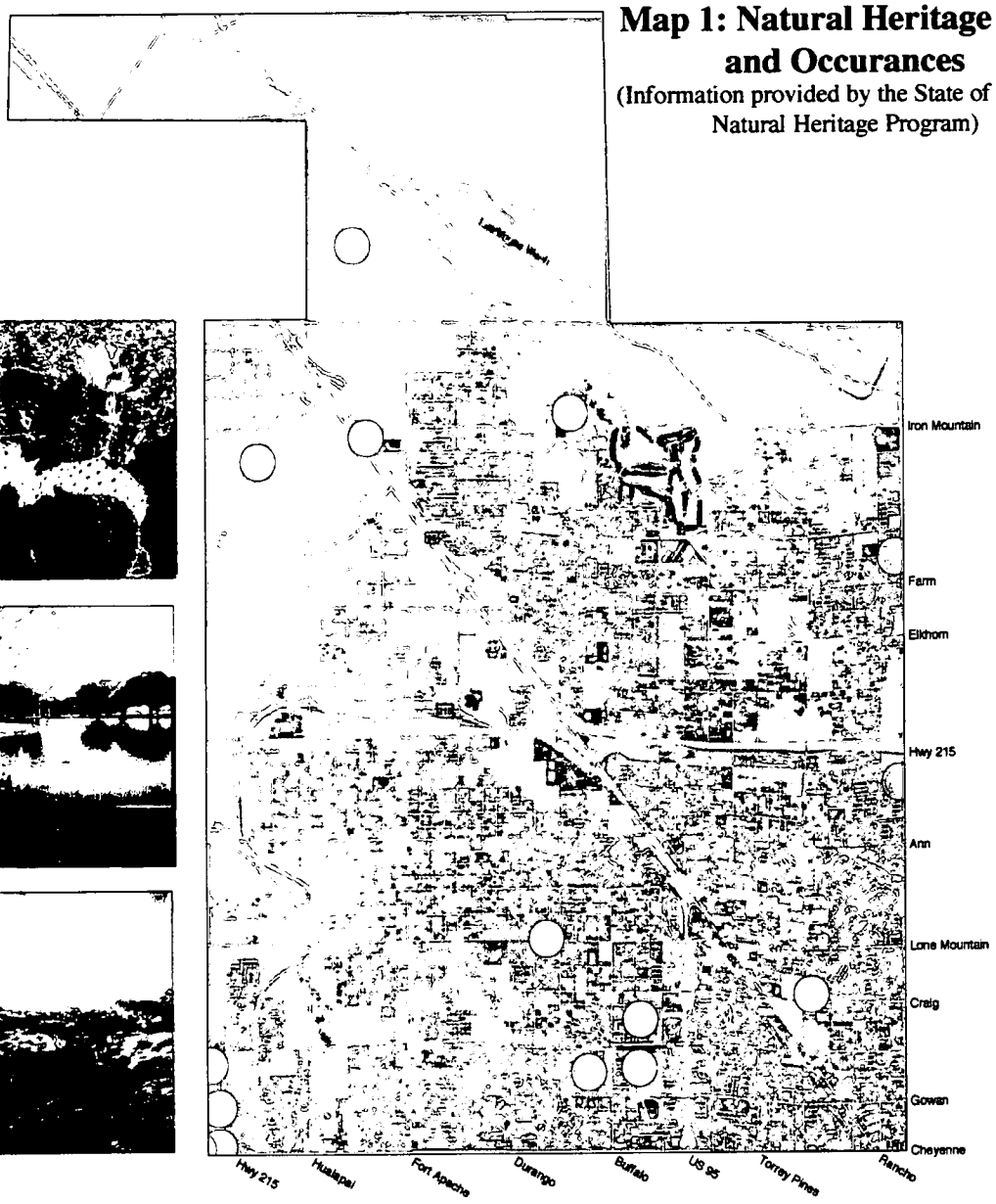






Map 1: Natural Heritage Sites and Occurances

(Information provided by the State of Nevada Natural Heritage Program)

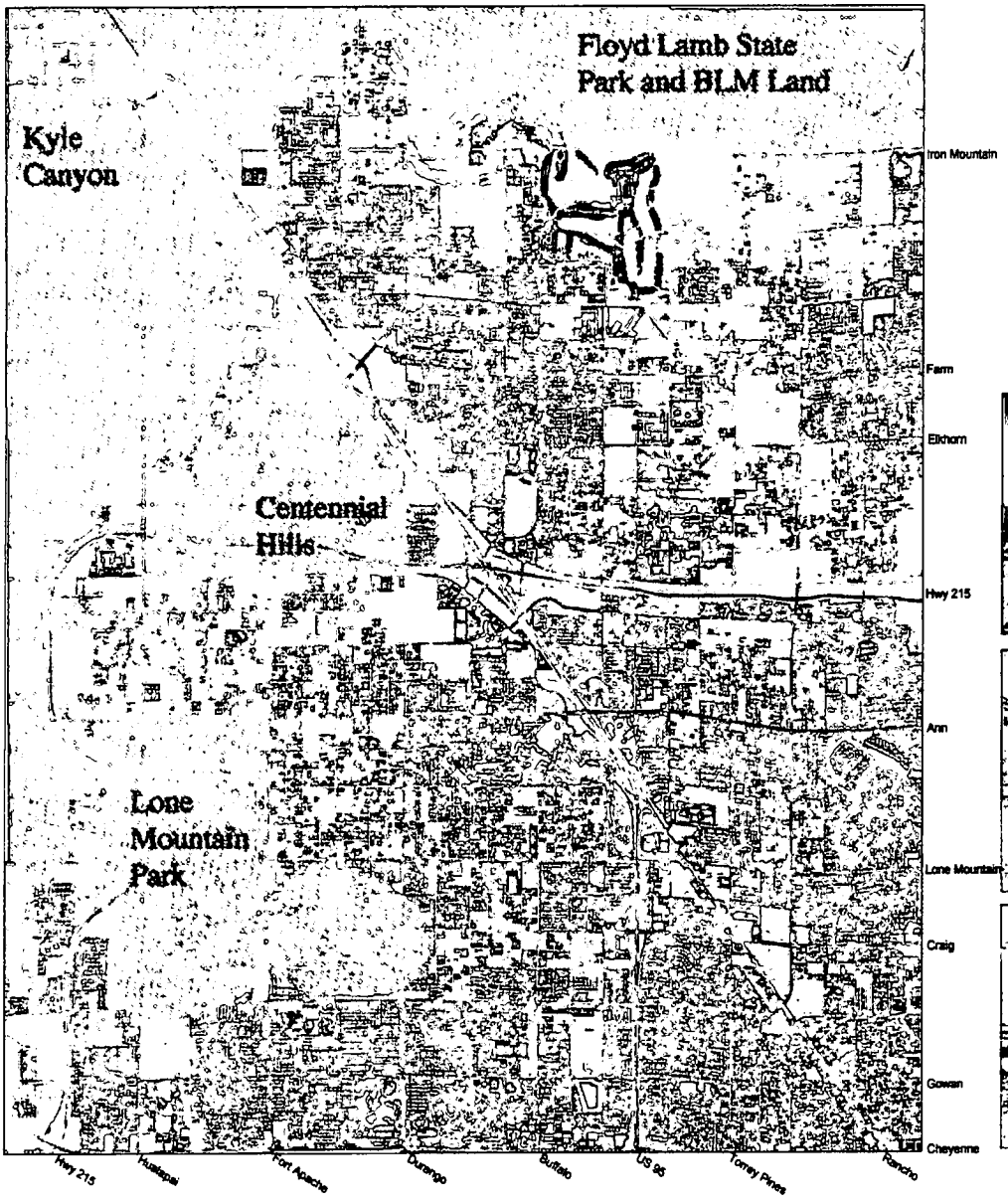


Map 1 - Natural Heritage Sites/Occurrences - is data from the State of Nevada's Natural Heritage Program. This group maintains databases that detail the location of significant plant, species, animal species, and geologic features. The points on this map represent historic and fairly recent sitings of plant species such as *White Bear Poppy* and *Las Vegas Buckwheat* as well as animal species such as the *Desert Tortoise* and the *Red-Tailed Blazing Star Bee*. In general, though, there are not any significant habitat areas for threatened and endangered species remaining in the primary project area. The chief factors in selecting



natural resources for potential protection, therefore, are water quality and open space potential.

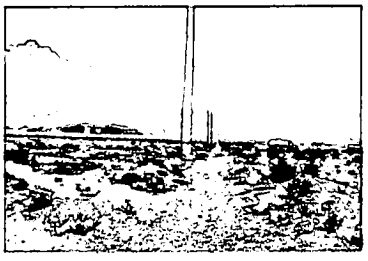
Map 2 - Open Space Areas - this is a composite map that shows where significant areas of currently undeveloped land exist which continue to display some of the characteristics of the desert ecosystem and ranch/agricultural lands that thrived here before the houses and roads were constructed. If they are set aside, in part or whole, these areas could still continue to function as close-to-home reminders of the wide open spaces and scenes that once characterized this portion of the Las Vegas Valley. While some of these lands are in public ownership, much of these lands



Map 2: Open Space in Northwest Las Vegas



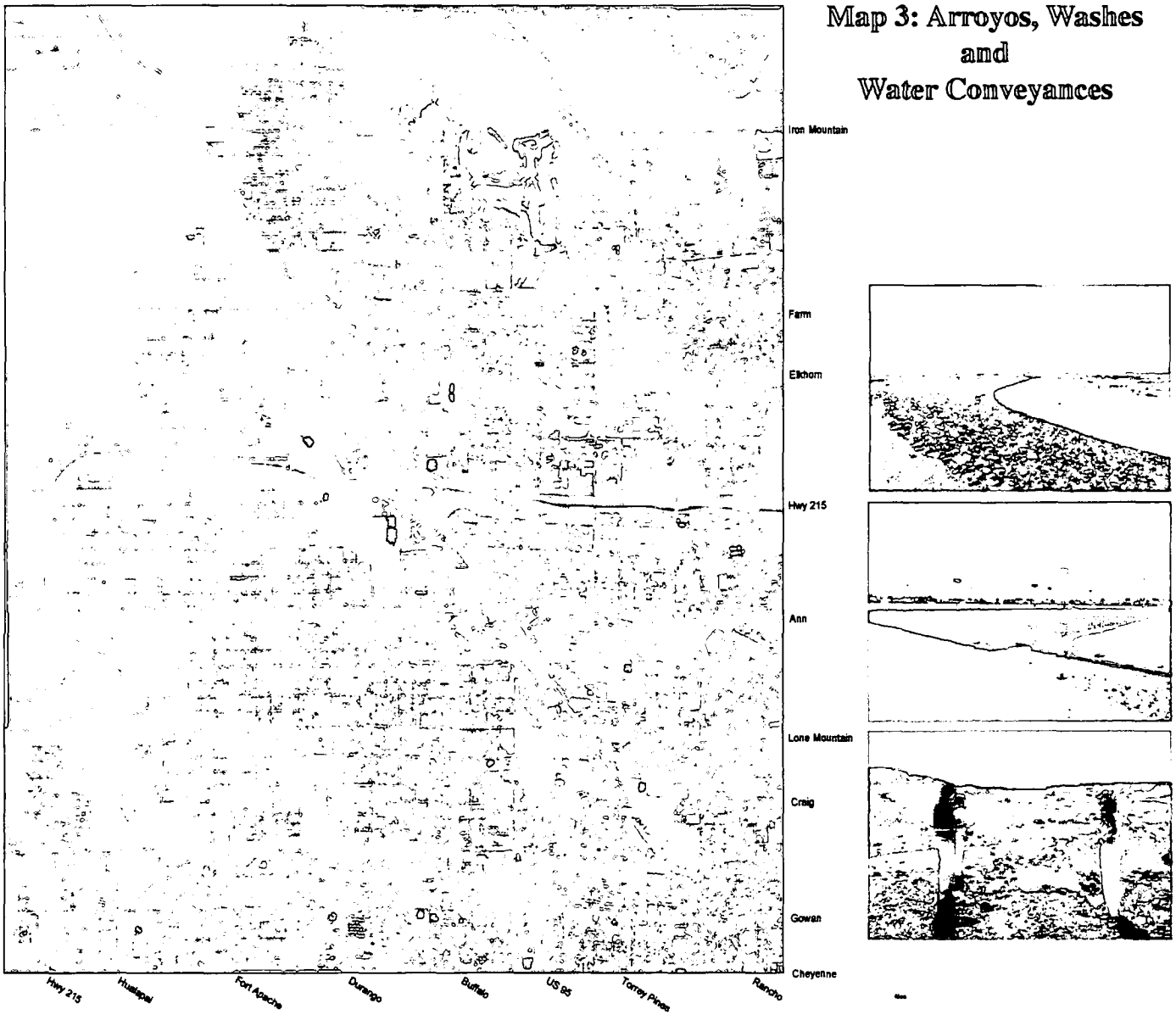


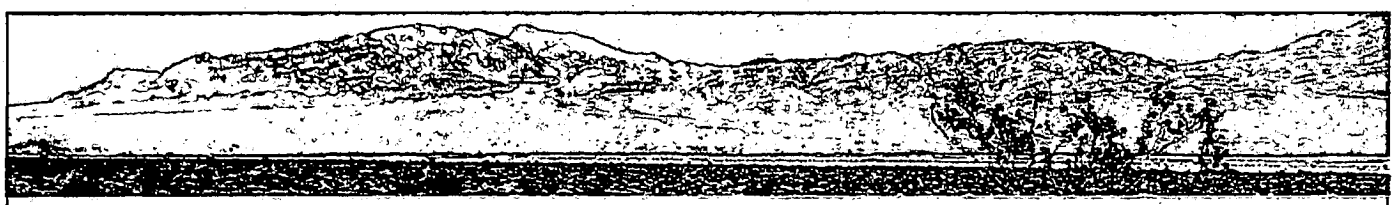


are currently in private ownership and will require the cooperation of landowners in pursuit of an optimal mix of open space and developed land.

Map 3 - Arroyos, Washes and Water Conveyances
Depicts the system of natural and man made corridors that serve to move water across the landscape to detention areas where it can be stored for future use. Many of the minor arroyos do not appear on this map because a GIS data layer that depicts the system more completely is not currently available. Please contact the Clark County Flood Control District for an up-to-date map of the drainageways for Northwest Las Vegas.

Map 3: Arroyos, Washes and Water Conveyances





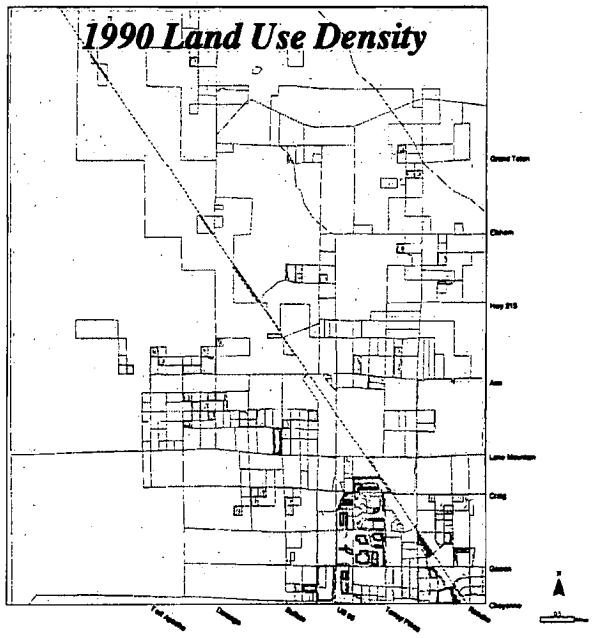
2.3 Rate of Growth and Development

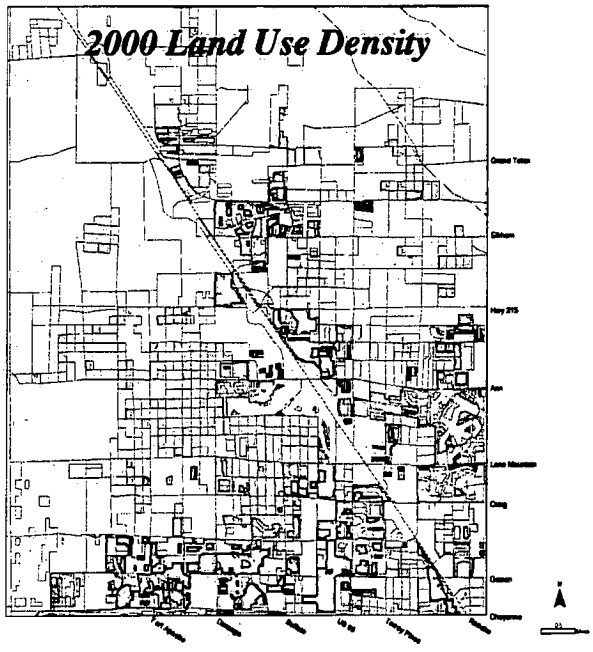
The greater Las Vegas area is one of the fastest growing metropolitan areas in the nation. The settled land area of the metro area has increased from 38 square miles in 1970 to 235 just three decades later—nearly a ten-fold increase. In the last decade, the city's population grew by more than 50% and it is estimated that two thousand people settle in the Northwest area every month. At 21% annually, it is the fastest growing sector of the city. Fully, one quarter of those arriving have household incomes of less than $25,000 (*according to the Center for Business and Economic Research, University of Las Vegas*). Year 2000 *Decennial Census* projections anticipate a population of 320,000 in the Northwest Region.

This type of growth makes Las Vegas the type of community that many other cities would like to become in terms of economic development and constantly increasing property tax base. It is also the type of community that many cities fear becoming for intense building pressure and the demands on infrastructure and services that result from rapid growth.

In relationship to open space, the heavy development pressure is more of a liability than a luxury. As more and more people squeeze into a finite amount of space, they permanently change the character of the community from a wide-open, rugged, far-from-the city escape to a dense, urban/suburban community of homes and jobs and traffic. The challenge is, as always, finding the appropriate balance of character preservation and accommodation of growth.

The rate at which Northwest Las Vegas adds new residents is expected to continue, and with those new residents will come continued demand for new parks, new trails, and new recreational opportunities. Developing this infrastructure now, before development occurs is a necessary step towards insuring that the balance is preserved.





By comparing the two images (1990 and 2000 Population Density),it is clear that the Northwest region is experiencing explosive growth that is consuming undeveloped land at an accelerated rate. A continuation of this rapid rate of growth is expected.



2.4 Park, Trail, and Open Space Network

A visitor to Northwest Las Vegas is struck by the newness of the built recreational environment - new volleyball courts, new skateboard parks, new children's play areas, new baseball and soccer fields. This is indicative of the fast growing population and the City's efforts to keep up over the last several years.

Visitors to the Northwest will notice the development of new walkways and bike lanes emerging along roadways and through some new neighborhoods. The presence of this emerging trail infrastructure defines a city that is trying to put in place these important amenities and make them a requirement of new development. By way of example, Summerlin, located just south of the project study area has been one of the most successful communities of the Las Vegas Valley. Summerlin, a master planned community, has led the way, with an integrated landscape of parks, trails and open spaces.



Visitors will also note some areas of undeveloped land in patches throughout the region and along the region's northern and western boundaries. These are significant open spaces that help define the past and present character of the landscape.

A detailed assessment of prior planning documents that serve to define future intentions for Northwest Las Vegas recommend connectivity between these different open space lands. However, on the ground, the current level of connectivity falls well short of citizen expectations. Trails are present, but rarely connect with the next trail. Parks and facilities are new, but in some cases cannot be accessed safely by foot or bike from nearby neighborhoods.

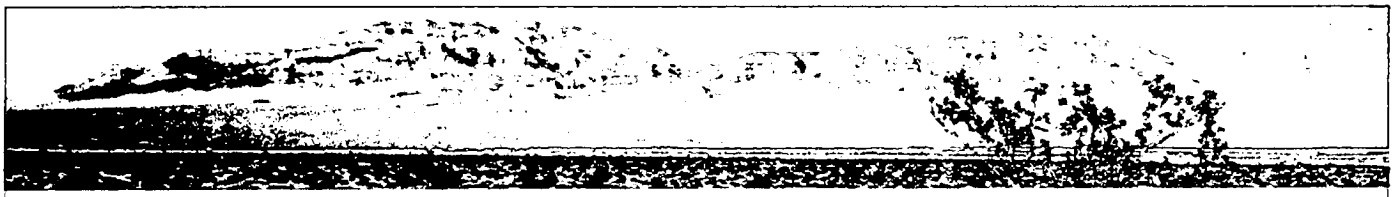
There is a strong need during the next several years to promote better connectivity, to conserve open space and vistas, to locate and develop facilities, and to expand the breadth of services and experiences that residents can expect from their parks, trails and open space network.

2.4.1 Publicly Owned Open Space

There is city, county and federal land in Northwest Las Vegas dedicated to parks, trails and set-aside open space. The table below shows the acreage of public open space. The data from this table was extracted from maps of the Northwest region produced by the City of Las Vegas. It includes facilities that are existing, as well as those that are proposed for new park sites.

CATEGORY	OWNER	ACREAGE SUBTOTALS	ACREAGE TOTALS
Proposed	City of Las Vegas	99	99
Future	Clark County	394	
Future	City of Las Vegas	540	
Future	Clark County	1140	2074
Existing	State of Nevada	60	
Existing	City of Las Vegas	348	
Existing	State of Nevada	396	804

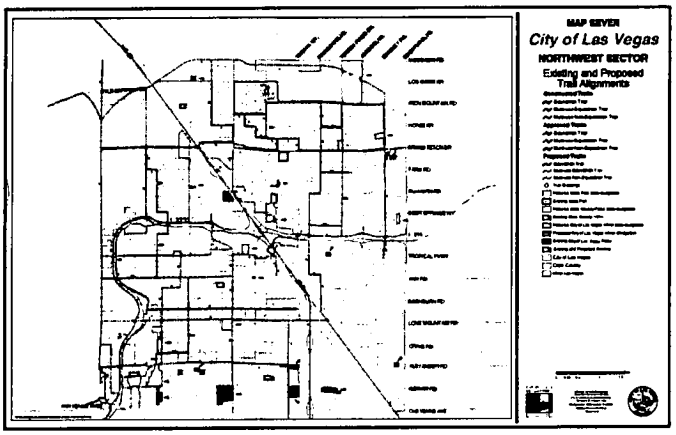
Data source: City of Las Vegas, combined GIS layers



In total, there are currently about 3,000 acres represented. 800 acres already exist, but less than half of that is owned by the City of Las Vegas. There are also a significant number of miles of trail either existing or proposed for the area, and a number of natural area protection sites are scattered among the region.

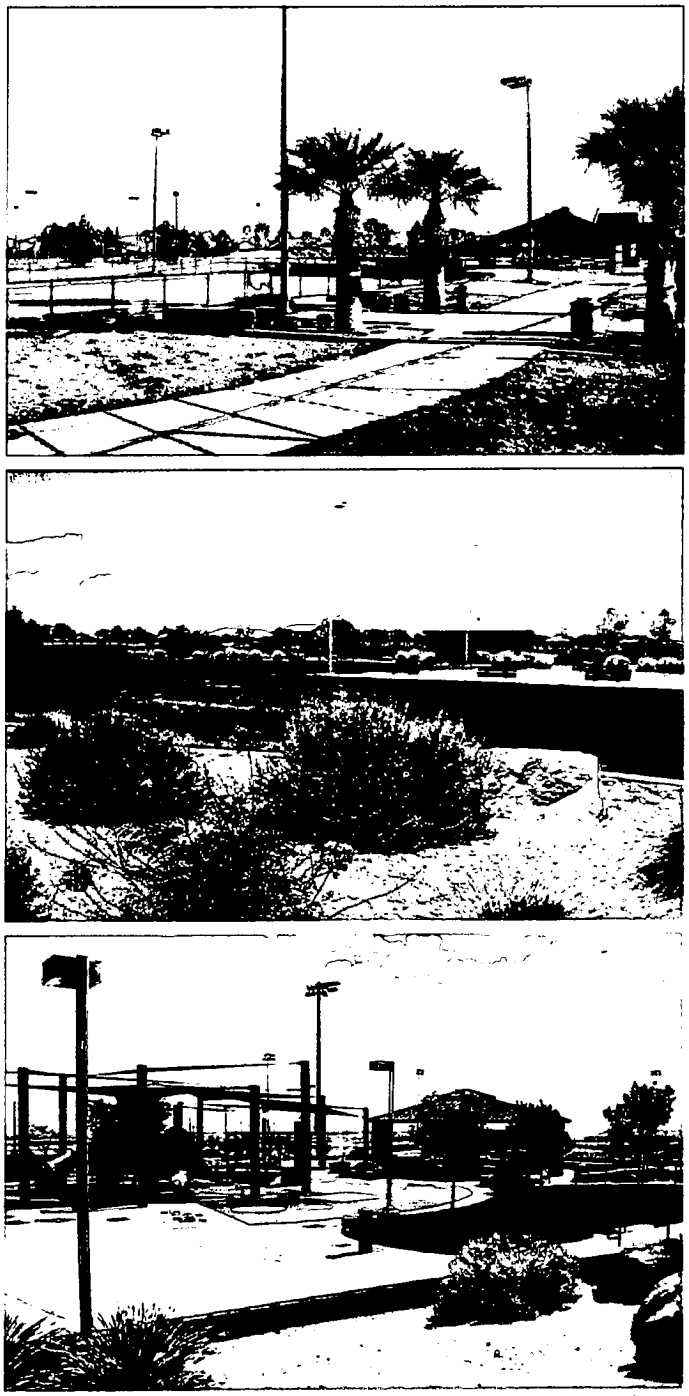
2.4.2 Spatial Arrangement

The Northwest open space network is not very well defined at this point in time. The City of Las Vegas, Clark County, the State of Nevada and Bureau of Land Management offer a scattered collection of parks, trails and other public lands throughout the Northwest region. It is not an interconnected system, and it does not address issues critical to successful growth management. It can best be described as being the result of the development process. In other words, the spatial arrangement of open space is the remnant landscapes, or left over parcels of land. This is depicted in the map below.

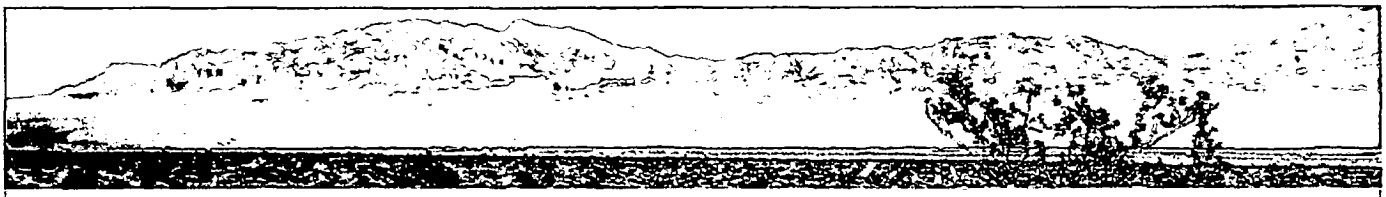


2.4.3 Facility Descriptions

A number of images can be found on this and the following page that exemplifies different elements of open space in Northwest Las Vegas. The photos depict existing parks, trails, open space areas, powerline corridors and ranch/agricultural lands.

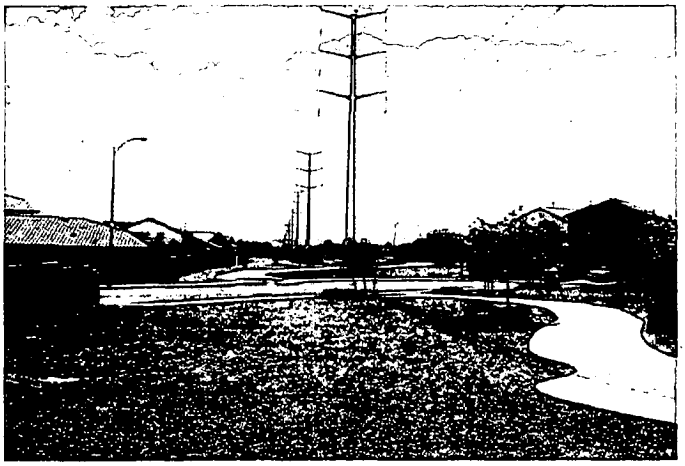


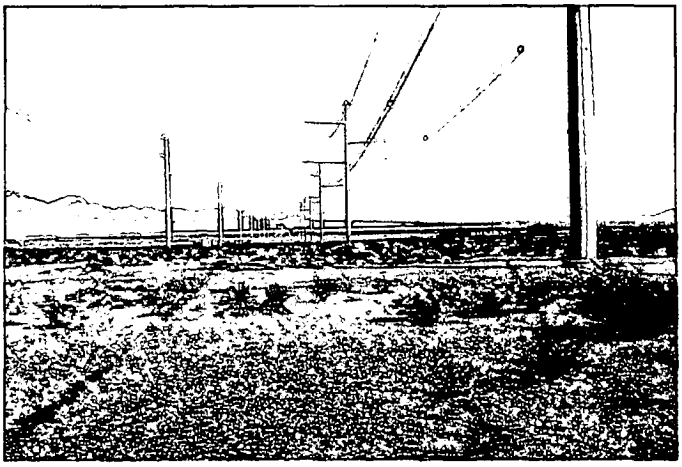
The images above depict typical park facilities of the Northwest region of Las Vegas.

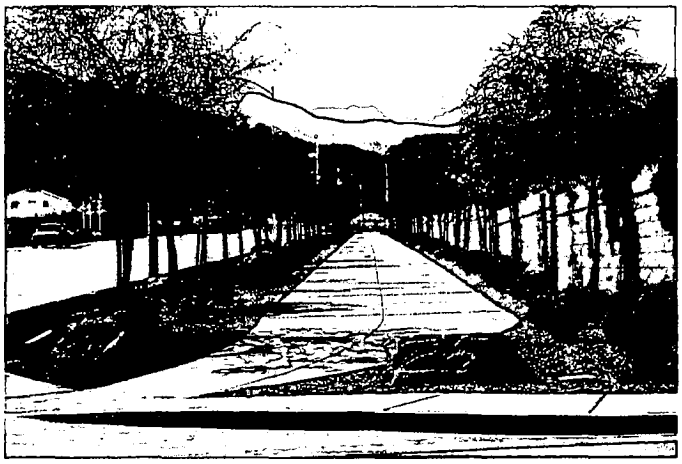


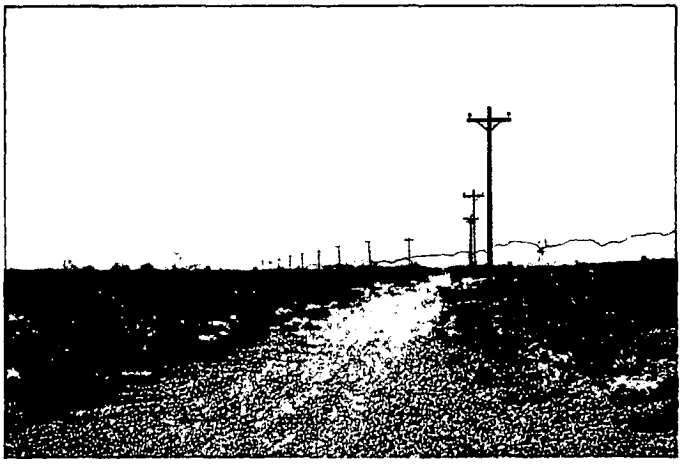












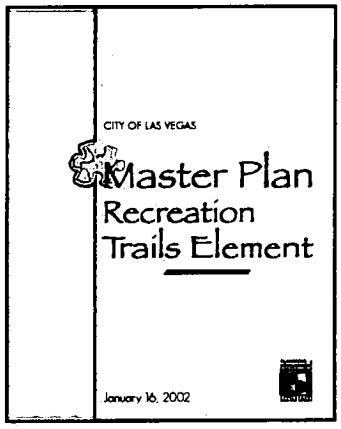
Photos depict current trails throughout the Northwest region of Las Vegas.

Photos depict other types of open space, including ranch lands in the Northwest region.



2.5 Current Plans

Over the past decade there have been a number of plans that recommend open space and recreational improvements applicable to the Northwest Area. Foremost and most applicable are the *City of Las Vegas Master Plan Parks Element* and the *Transportation and Recreation Trails Element*. Both studies conclude a need for substantial additional facilities in the Northwest Area. Some of the documents are pictured here with brief descriptions of their findings and recommendations.



1) Recreation Trails Element: City of Las Vegas Master Plan, January 2002

A stand-alone document and part of the Las Vegas 2020 Master Plan, this element, "establishes standards, guidelines, objectives, policies, and priorities for the location, development and maintenance of recreational trails in Las Vegas". The document divides the trail types into two groups: Recreational Trails and Multi-use Recreational Trails. Maps have been included that depict both proposed and existing trails of both types. For the most part, the recreational trails are equestrian trails and are designed to connect to horse farms in the area and outside the city boundaries.

The document includes many recommendations. Some of the most significant ones are:

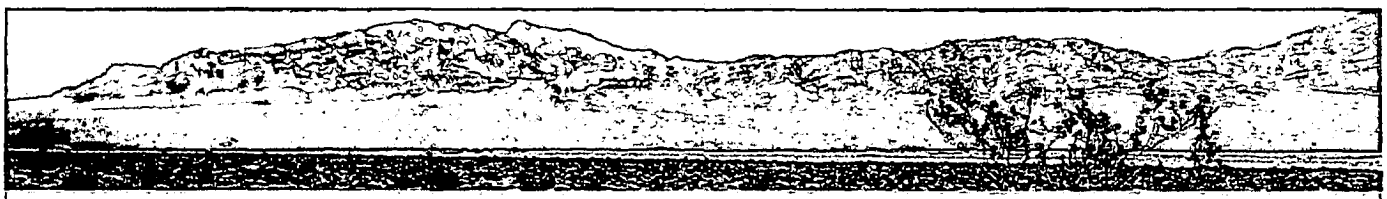
- Trails should be provided by developers in conjunction with the development of property.
- Existing and future parks should be integrated with the trails system and should provide appropriate trailhead amenities.
- Edges of hard-lined flood control facilities and natural drainage courses should be used for trails and should include appropriate landscaping. The Clark County Regional Flood Control district must approve trails near arroyos and drainage channels.

The document restates the findings from the 1992 Las Vegas General Plan (section 3G) that the rural nature of the NW area makes horse stables and equestrian activities popular. Also that the large lots and zoning allow these sorts of activities and therefore the community's equestrian trails system should be developed in this area.

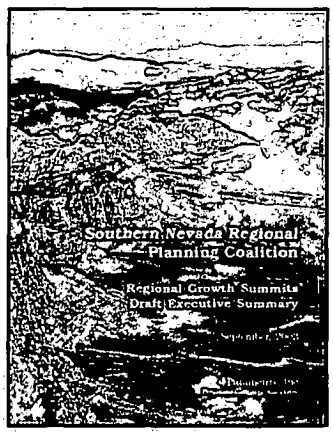
2) Southern Nevada Regional Policy Plan, February 2001

This is a Regional Action Plan and Vision statement for managing growth cooperatively throughout the Las Vegas Valley. The report was required under the 1999 Assembly Bill 493, passed by the Nevada Legislature, and builds on previous work completed by the Southern Nevada Strategic Planning Authority. It serves as a status report of the region, including comparisons between the Las Vegas Valley and other major metropolitan areas in the Southwest.

The Regional Policy Plan promotes general concepts such as efficient use of land in the Valley, allowing the conversion of land from rural uses to other uses, and preservation of natural resources. It calls for a regional, trails and open space plan and the implementation of flood control systems that also provide trails and recreational facilities.



3) Southern Nevada Regional Planning Coalition: Regional Growth Summits, Draft Executive Summary, September 2003



In 2003, two years after the Regional Policy Plan was produced, the community held a regional summit/workshop to address the question of, "How do we get to our goal?" The Draft Executive Summary briefly describes the summit process and some of its outcomes. Key findings in the document are: 1) There continues to be a need for and interest in regional collaboration 2) There continues to be a need for and interest in the creation of a Regional Plan for Parks, Recreation, and Open Space.

4) Transportation Trails Element, City of Las Vegas Master Plan, January 2002

This element of the Las Vegas 2020 Master Plan focuses on multi-use transportation trails and on-street bicycle trails. It includes maps and descriptions of opportunities for expansion of the system over the next two decades, and establishes a goal of locating a multi-use transportation trail within one mile of every location in our study area. A primary function of this trail system is to mitigate the impact of additional vehicular traffic.

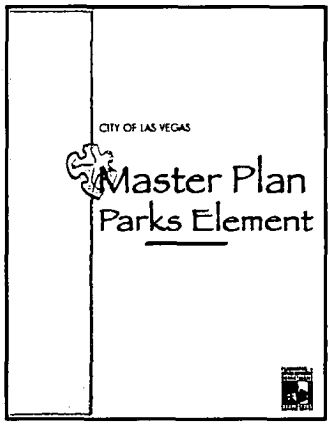
Two recommendations found in the transportation Trails element are: 1) Form a regional trails agency to work with city and private entities on trail maintenance, and 2) Most of the trails in new development should be constructed by the developer. The document also noted several pertinent policies from the Las Vegas 2020 Master Plan:

- All downtown parks and open spaces be linked with non-vehicular corridors or routes.
- The city encourages the development of parks that link with trails and ped-bike traffic plans.
- City coordinates the planning, development, and construction of a Valley-wide trail system.
- Areas along the edges of hard-lined flood control facilities and along natural drainage courses be utilized as public trails and walkways.

5) Parks Element, City of Las Vegas Master Plan, March 2000

According to the document's Executive Summary, "The purpose of the Master Plan Parks Element is to provide a strategy for an adequate amount of parks and recreational facilities in convenient and accessible locations to best serve the needs of the community." As the writers of the document work towards this goal, they evaluated existing parks based on spatial distribution, quality, size, and type of recreational facilities available. The document catalogs all existing parks (year 2000) and offers some discussion about different classifications of parks, e.g. school parks, golf courses, regional parks, and neighborhood parks.

Two particularly relevant findings are:

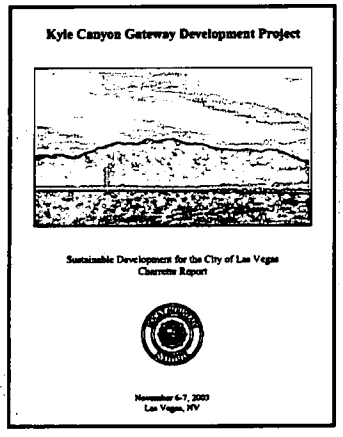


- There is a current need (year 2000) for additional tennis courts, volleyball facilities, driving ranges, jogging tracks, and swimming pools.
- The fringe area (BLM lands) around the City boundaries is better suited then city parks for passive natural areas.



6) Kyle Canyon Gateway Development Project, Sustainable Development for the City of Las Vegas, Charrette Report, November 2003

In February 2005, the BLM is scheduled to auction off the Kyle Canyon Gateway site – approximately 1,600 acres of currently undeveloped land. In November 2003, the Rocky Mountain Institute managed a charrette that was designed to allow citizens and interested parties the opportunity to give input regarding the character of the potential development at this site. This report summarizes the Charrette process and findings.



The vision for this 1,600 acre development includes: 1) minimizing water use to 50-100 gallons/person/day, 2) net-zero electricity use on an annual basis, 3) multimodal transportation infrastructure that minimizes congestion, and 4) landscape principles that leave the natural corridor along arroyos undeveloped, protects the views of the mountains, and achieves a variety of types of open space which is linked by trails.

7) Floyd Lamb State Park Development Plan, 1987

This plan includes historical background information on the park and the region, addresses potential influences on the park, identifies the natural and cultural resources within the park, and defines a general strategy for the continued development and management of the facility.

The document notes on page 1-2 that, "uncertain future water availability forms the primary environmental factor in development and management of this park." The report continues to say that the Las Vegas Valley Aquifer is overdrawn. Scattered throughout the plan are pieces of information or reference to studies that have evaluated local recreational needs and interests. Page 2-5 notes the significant unmet need for biking and hiking trails in the area. It is also mentioned that statewide studies find significant interest by Nevadans in protecting their historic heritage.

8) Regional Transportation Plans

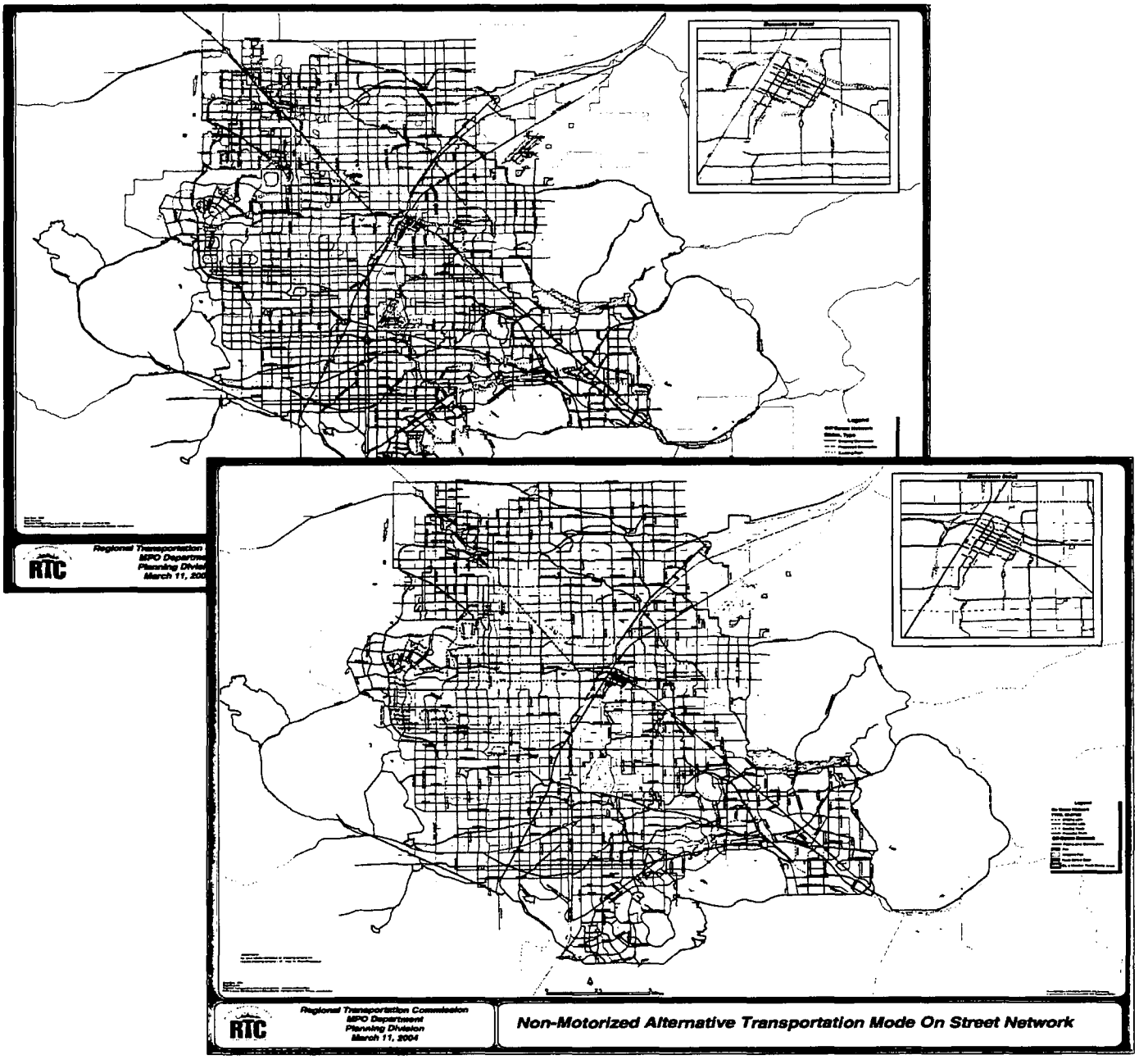
In every community across the country, regional level transportation plans affect the timing and nature of transportation system improvements. These plans are updated regularly and include traditional transportation planning for vehicular traffic as well as separate elements that address transit options, and bicycle/pedestrian options. In the Las Vegas area, studies such as the Las Vegas Valley Transit System Development Plan (2001) and the Alternative Mode Master Transportation Plan (2001) have served as material for the creation of the primary transportation planning document for the region, the Regional Transportation Plan (RTP) for FY 2004-2025.

The Bicycle and Pedestrian Element (BPE) of this document is of particular importance to the open space planning effort in Northwest Las Vegas. It provides guidance for the long-term development of bicycle and pedestrian facilities in Clark County and has integrated the goals of the Nevada Bicycle Advisory Board and the TEA-21 goals. These sets of goals call for maximizing safety; enhancing connectivity to schools, recreation facilities, and employment areas; and protecting the environment, promoting energy conservation, and improving quality of life.

Specifically, the BPE promotes the implementation of a network of signed bike routes, bicycle lanes, and shared use paths. Issues such as opportunity, connectivity, trip length, proximity to public facilities,



safety, and cost were all factored into the evaluation of locations for bicycle facilities. Other information in the BPE includes: design details that define each of these types of facilities, information on overall bicycle facility financing, and expectations regarding implementation and maintenance.





9) Clark County/City of Las Vegas Interlocal Agreement (2002)

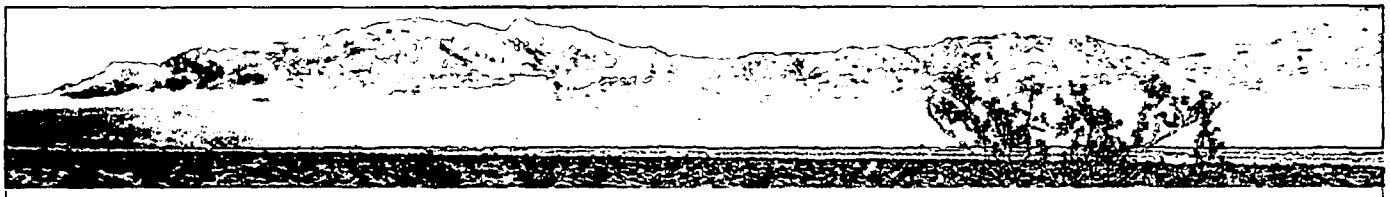
The Interlocal Agreement between the City of Las Vegas and Clark County significantly affects the nature of planning and implementation of open space and trails in Northwest Las Vegas. The agreement establishes joint policies on corporate boundaries, annexations, land use planning, transportation planning, parks and trails planning, and urban services. Born out of requests from citizens of Northwest Las Vegas, the plan creates a framework for future growth in their communities. One important component of the Agreement is a provision for some large rural areas in the County to be exempt from annexation by the City while a Joint Land Use Planning Area for the rest of Northwest Las Vegas designates areas where annexation and more dense development may be appropriate. The exemptions allow for the protection of the rural lifestyles chosen by some of the Northwest Las Vegas residents. The Agreement also calls for specific, coordinated roadway designs that provide ample shoulder space for future non-motorized uses. Perhaps most important to this planning process though, the Interlocal Agreement prompted the creation of new plans for Parks and for Recreational Trails and for the creation of a joint Recreational Trails Map.

2.6 Land Ownership/Use Patterns

The pattern of land use in the Northwest region can be generally divided into four categories: predominantly residential, agricultural and ranch lands, commercial, public lands.

In general, the predominantly residential areas can be found along the southern and central portions of the project area and development is rapidly expanding north along the boundary with the City of North Las Vegas. West of highway 95 and into the Northwest quadrant of the project area, there are pockets of residential growth, with largely undeveloped areas separating them. These areas along with some of the completely undeveloped sections of Northwest Las Vegas are considered the BLM expansion areas.

The agricultural and ranch area is an island of land that sits in the north eastern quadrant of the project area and is surrounded by the residential communities. The commercial uses are spread out across the Northwest region in close proximity to residential areas. One commercial area that deserves special mention is Town Center. In essence this is a new "downtown" for the Northwest region.

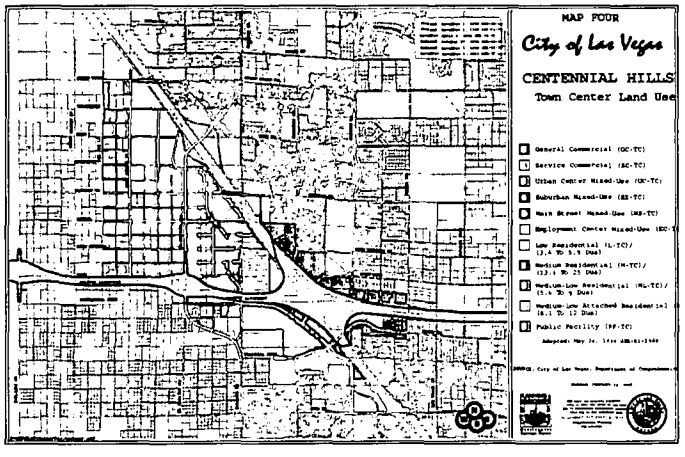




Horse and Ranch Areas

This region of Northwest Las Vegas was quite rural and remote in the recent past. These days it is nearly surrounded by booming development of schools and houses. At the heart of this part of the city, one can scarcely be convinced that he is in the City of Las Vegas. Paved throughways give way to dirt roads, block wall barriers become wire and rail fences, and manicured lawns are replaced by calf barns and feeding troughs.





Targeted Commercial Area

As the residential growth continues further and further from Downtown Las Vegas, commute times and traffic concerns also grow. To alleviate some of this pressure, the City has envisioned a new, northern downtown area that would provide the commercial opportunities that residents of the Northwest can now only find in more southern parts of the City. Eventually, a thriving downtown is envisioned for this part of the project area.



Chapter 3: Needs Assessment

3.1 Chapter Introduction

Residents of Northwest Las Vegas are often inspired by, awed by, and emotionally connected to the vast open areas that have historically defined the Las Vegas Valley. While most want modern lifestyles complete with convenient access to shopping, work, and the local park, surveys show they also want to protect the feel and character of their desert home.

The consultants' research found that residents want to be active in the outdoors and want facilities that support their varied activities. On the whole they respect the climatic and natural resource constraints of living in a hot, arid climate – though they tend to push for a little extra green and a few more shade trees than would be found here naturally.

In essence, Northwest Las Vegas residents want safe, inspiring, convenient, thoughtfully designed trails and open space areas. They are generally satisfied with much of the work that the City of Las Vegas has recently accomplished to develop and maintain parks, but they have some very clearly unmet needs. To determine the gap between what is present on the ground and what the community would like to see, the consultant engaged in a number of exercises designed to solicit input regarding the community's wishes, expectations, and appropriate levels of service.

Each of these exercises is described in this chapter along with a summary section at the end of the chapter that considers all of the inputs collectively. This needs assessment serves as the foundation for the Plan, which offer a set of physical and policy recommendations as well as an implementation strategy and timeline.

3.2 Level of Service Assessments

Over the past several decades, the *National Recreation and Park Association* (NRPA) has recommended standards for the provision of park and recreation facilities in communities. Using these and other standards, park planning professionals often use the term "level of service" or "LOS" to calibrate how well the needs of a community are being met by existing and planned facilities.

For purposes of this Plan, LOS could be described as a measurement of supply verses demand for open space, greenway, trail and other "passive" recreational facilities that serve residents of the Northwest area ("Passive" generally refers to non-competitive and non-team sports activities such as walking, bicycling, picnicking, horseback riding, wildlife viewing and enjoying open space). LOS information for active parks is also considered as derived from the *2002 Parks Element of the Las Vegas Master Plan.*

Clearly the distance to, and availability of, facilities is an important factor in determining whether a community adequately serves its population with recreational facilities. Factors such as actual physical distance, hours of operation, crowding and level of accessibility to users of all ages, income groups and abilities must be considered. Another important factor is whether there are barriers such as busy highways, drainageways and other land uses or constraints that prevent or limit access.

While optimal distances and population ratios for active parks have been fairly well defined by national standards, access to trails, greenways and open spaces have been less specific, though this is changing. Recent surveys by the *American Association of Home Builders* and *National Association of Realtors,* for example, (see www.nahb.com/news/smartsurvey2002.htm) suggest a high demand for readily-accessible trail and open space facilities. Walking, jogging and bike trails



ranked 2nd from the top of the "important to very important" list of amenities and a 1994 Survey by *American Lives, Inc.* showed that 77% of consumers ranked natural open space as a "must" deliver. *American Trails, Inc.*, a national trails and greenway advocacy organization recommends accessible trails within 15 minutes of every American home. The implication from these and other findings is that there is a strong desire for trails and open space within convenient walking distance.

The typical LOS analysis tabulates a classification list of types of parks, open space and recreation facilities by distance in miles from users and the size of the population served within the service radius. For example, the *2002 Las Vegas Master Plan Parks Element* (Parks Element) indicates a desired ratio of 5-10 acres of neighborhood parkland within a service radius of ¼ to ½ mile of residents served.

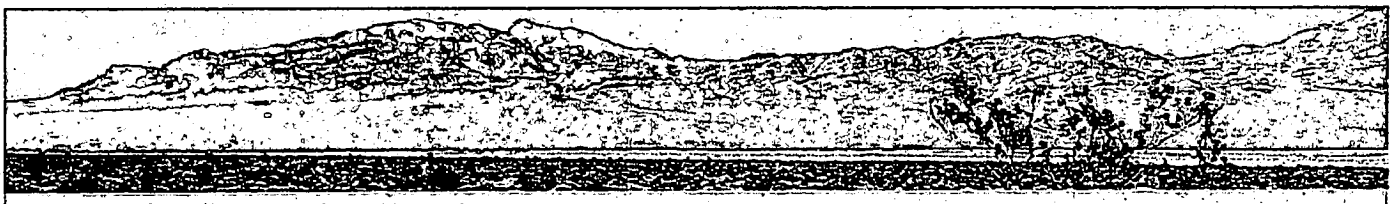
The Parks Element also establishes a goal of 2.5 acres of park space per 1,000 residents. This goal was originally established by the Southern Nevada Strategic Planning Authority (SNSPA). However, an overall ratio of 6.25 to 10.25 acres of all types of active-use parkland per 1000 population has been used by the NRPA. The lower Las Vegas standard of acceptability reflects in part the community's proximity to a number of large national and state level resources as well as a large number of publicly accessible (if not pricey) golf courses. These nearby resources relieve some of the burden for recreational lands that might otherwise be borne by the City and County. This allows the local governments to establish a lower ratio for their provided amenities.

The Parks Element suggests that to reach their 2.5 acre per 1,000 people goal, a minimum of 84 additional neighborhood parks should be constructed in Las Vegas between 2000 and 2020. A portion of these would be developed in Northwest Las Vegas.

Using NRPA guidelines for LOS can be helpful in measuring how well community needs are met and in defending planned future investment in facilities. However, it should be pointed out these guidelines have their limitations. First, the standards address only a limited range of classifications of park, recreational and open space amenities. Second, the standards do not differentiate by community, demographics, climate, region of the country, market and other factors. For example, there may be myriad types of recreational activities popular in the Northwest Las Vegas area such as equestrian activities that may not enjoy the same popularity in Detroit, Cleveland or Chicago. Third, the LOS standards do not offer measurable quantities of several kinds of facilities such as natural resource areas, greenways and trails. In addition, the 1995 NRPA *Park, Recreation, Open Space and Greenway Guidelines publication,* the latest standards guideline in use, does not list specific LOS ratios for open space.

For this and other reasons, the NRPA has more recently taken the stance that fixed numerical standards may be too limited to be applied across the board as a sole determinant of LOS. Rather, NRPA recommends that the unique demographic, market preferences, trends and environment factors of each community be considered as well. Therefore, NRPA guidelines and similar LOS standards should be taken as only one benchmark for comparison and a number of other factors should be considered. Some of these include:

- Demographic and Leisure Activity Trends
- Opinion Surveys
- Comments at Public Forums by User Groups and Stakeholders
- Input from Planning Professionals and Public Officials
- Market Reckoning
- Studies on the Benefits of Open Space, Natural Parks and Trails



- Comparisons to Other Communities Regionally and Nationwide

Some communities around the nation have recommended numerical standards that might be useful as a starting point for determining additional LOS figures for Northwest Las Vegas. For example the *New Jersey Green Acres Program* suggests "balanced land use" guidelines in its 1999 recommendations. It suggests that individual municipalities set aside 3% of their developed and/or developable areas for recreation. The guidelines also advocate that counties set aside 7%.

The *National Park Service* standards (dating back to 1966) recommend .5-mile of bike trail and .5 miles of foot trails per 1000 population though it should be noted that urban trail use has increased substantially since 1966.

Studies in San Diego—a community with population, demographic and other similarities to the Northwest Las Vegas might be of some use. The San Diego study suggests a minimum baseline of .84 miles of trail per 1000 residents within 15 minutes travel time. At the Northwest region's projected build out population of 320,000, this suggests a need for a minimum of 268 miles of trail.

The Trails Component of the LVMP 2020 reports that an average rate of trail development in larger cities in the SW United States falls between 3.75 and 5.68 miles of transportation trail per 100,000 residents.

CITY / ENTITY	NET ACRES / 1000 POPULATION *
Albuquerque, New Mexico	4.2
Clark County, Nevada	1.1
Henderson, Nevada	1.7
Las Vegas, Nevada	1.1
North Las Vegas, Nevada	2.3
Scottsdale, Arizona	2.5
SNSPA	2.5
Tucson, Arizona	4.3
Yuma, Arizona	5.4

Comparison of Park Acreage: Parks Element, Las Vegas Master Plan

Comparison of LOS to other communities locally and nationally is a useful benchmark for evaluating level of service. As the table depicts, the City of Las Vegas is substantially deficient in park space acreage (does not include open space areas).

3.3 Community Attitude Surveys

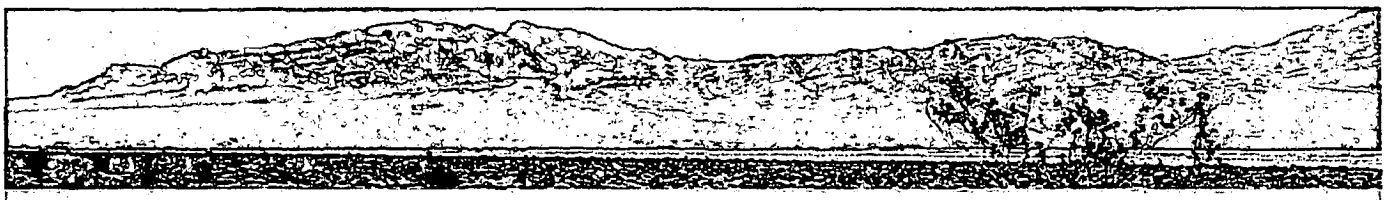
Two community attitude surveys have been completed in the area over the last few years. In 1999, the *Quality of Life in Las Vegas* telephone survey was conducted by the City of Las Vegas Planning and Development Department. That survey concluded that parks and recreational areas and protection of the environment ranked as "very important" (the highest ranking) to the people of Las Vegas, but that people were only moderately satisfied with the current park and recreation facilities and marginally dissatisfied with protection of the environment.

Significantly, the survey showed that 30% of respondents would increase funding of park and recreation facilities and 67% would maintain the current level. More than half of those surveyed would pay increased taxes to protect the environment.

During May and June of 2004, as part of this open space plan the *Community Attitude and Interest Survey* was conducted by the ETC Institute, Olathe, KS, to help establish priorities for the planning of parks, trails, open space areas and outdoor recreation facilities within Northwest Las Vegas. The survey was designed to obtain statistically valid results from households throughout the Northwest region. The survey was administered through a combination of mail and telephone contact.

The results of 688 household respondents, with a 95% level of confidence and a precision of at least +/- 3.7%, include:

- 83% of respondent households have visited City of Las Vegas parks during the past year. 91% of respondents rated the physical condition of all the

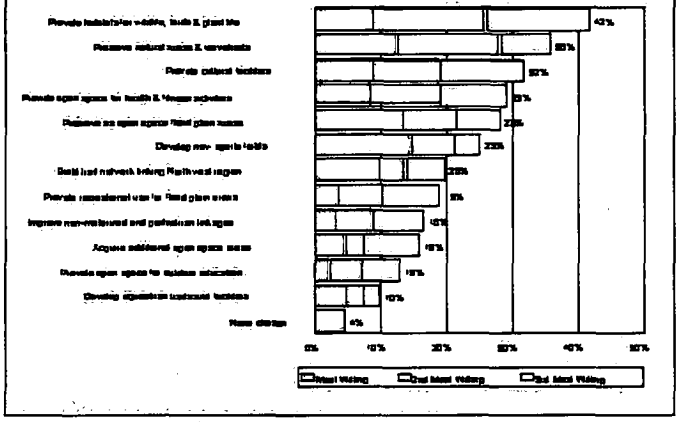


City of Las Vegas parks they have visited as either excellent (35%) or good (56%).

- From a list of 12 specific goals that could be accomplished by the Northwest Regional Open Space Plan, respondents rated very important (the highest rating) "provide habitats for wildlife, birds and plant life" (61%); "preserve natural areas and viewsheds" (59%); and "preserve as open space flood plain areas" (54%).

- Respondents were also asked to select the three goals they think are most important. "Provide habitats for wildlife, birds and plant life" (42%) is the goal that the highest percentage of respondents selected as one of the three most important. There are two other goals that over 30% of respondents selected as one of the three most important, including: "preserve natural areas and viewsheds" (36%); and "provide cultural facilities" (32%). It should also be noted that "develop new sports fields" had the highest percentage of respondents select it as their first choice as the most important goal.

Q3. Most Important Specific Goals that Could Be Accomplished by the Northwest Regional Open Space Plan

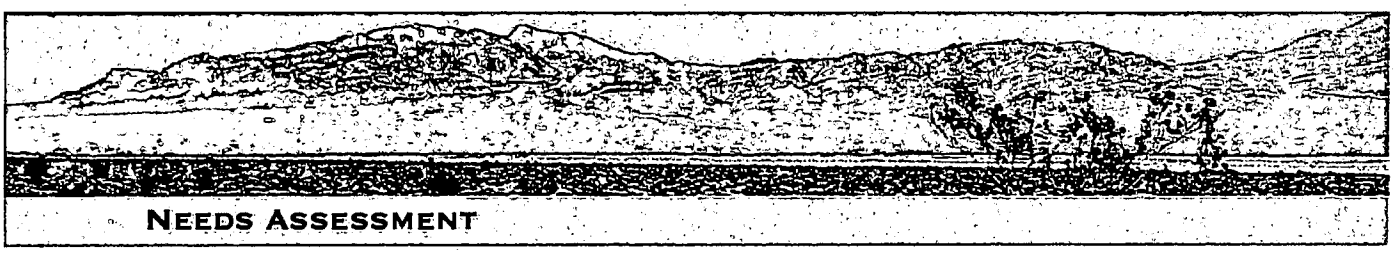


- The parks and facilities that the highest percentage of respondent households indicated they have a need for include: walking and biking trails (76%); natural areas/wildlife habitats (68%); small neighborhood parks (67%); cultural facilities (66%); picnic shelters/areas (65%); large community parks (61%); Zoos (55%); and outdoor swimming pools/water parks (52%).

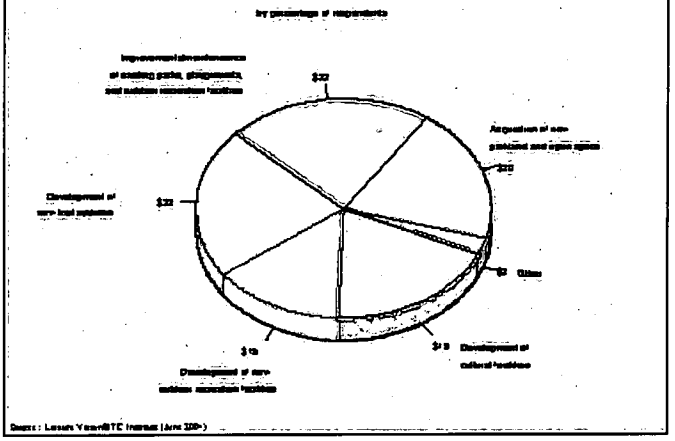
- The parks and facilities that had the highest percentage of respondent households indicate that the facility 100% meets their needs includes: large community parks (32%); playground (31%); skateboarding park (30%); small neighborhood parks (29%); and senior activities (26%). It should also be noted that all 25 of the listed facilities had less than one-third of respondent households indicate that their needs are being 100% met by the facility.

- Walking and biking trails (43%) had the highest percentage of respondents select it as one of the four most important facilities. There are three other facilities that over 25% of respondents selected as one of the four most important, including: small neighborhood parks (33%); natural areas/wildlife habitats (29%); and cultural facilities (28%). It should also be noted that small neighborhood parks had the highest percentage of respondents select it as their first choice.

- Eighty-five percent (85%) of respondents indicated being either very supportive (64%) or somewhat supportive (21%) of the City protecting various areas as natural landscapes by using them for projects such as walking, biking, and equestrian trails.



Q7. Allocation of $100 Among Various Parks, Trails, and Outdoor Facilities in the Northwest Region of Las Vegas



- Respondents were asked how they would allocate $100 among five categories of funding for parks, trails, and outdoor facilities in the Northwest Region of Las Vegas. The above chart and text below summarize these findings:

  Respondents indicated they would allocate $22 out of every $100 to the development of new trail systems, and an additional $22 to the improvements/maintenance of existing parks, playgrounds, and outdoor recreation facilities. The remaining $56 was allocated as follows: acquisition of new parkland and open space ($20); development of cultural facilities ($19); and development of new outdoor recreation facilities ($15). The remaining $2 were allocated to "other".

- Eighty-six percent (86%) of respondents felt it is either very important (42%) or somewhat important (44%) for Las Vegas to fund outdoor parks, trails, and recreation facilities compared to other priorities for the Northwest Region.

3.4 Public Comment Forms

Separate from the community attitude surveys mentioned in the previous section, the consultant team regularly asked for citizen input at public meetings. In May of 2004, City of Las Vegas planning staff and members of the consultant team held two community open house meetings. At those meetings the process for this planning project was introduced along with discussion about the expected outcomes of the project and the concerns and interests of the participants. At the end of the meetings, participants were given the opportunity to complete a brief comment form that requested information about the participants' intended use of open space and trail facilities, about the degree to which the current facilities met their needs and what suggestions they had for future facility design and development.

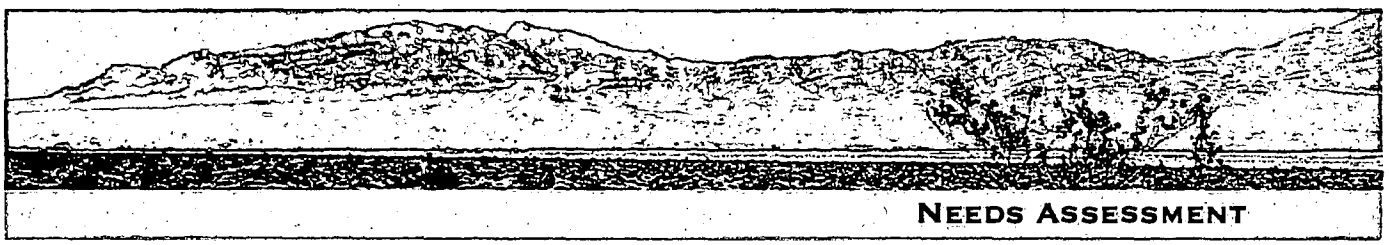
Large, multi-use community parks and walking trails were the two categories of use that most of the respondents claimed they were most likely to use in the next year. When asked what facilities they would like more of, there was regular interest in more trail opportunities, and more equestrian facilities - specifically, a large, centralized equestrian facility where rodeos and other group equestrian events could be held.

There were also a number of recommendations that requested improved connectivity between individual trail segments as well as to destination points such as residential, commercial, and recreational locations. A continued, general expansion of both the park and trail system was broadly requested when the forms were examined collectively.

Appendix A contains a more detailed report on the results from the comment forms and from the most recent survey.

3.5 Conclusion

Comparison of survey data from the 1999 survey (the City of Las Vegas) and the 2004 survey (Northwest Las Vegas only) it appears that Northwest residents are generally more satisfied with the quality of the parks they now have than are the residents of the city as a whole, however both groups suggest a clear interest in dedicating greater effort to the development



of more park, recreation, and open space resources, with particular interest in natural area protection, water quality protection, trails, and the protection of scenic viewsheds.

At the same time there is a significant portion of the community who wish, above all else, to have more sports fields. It seems then that in the Northwest, the protection of natural areas, scenic areas, trails, and water quality is of significant importance among all groups, but among a large subset of the Northwest Las Vegas community, the need for additional playing fields is of primary importance.

The most recent survey showed that additional walking, biking and equestrian trails is a very commonly perceived need. It also shows that while those citizens who have what they believe as good access to small and large parks are particularly pleased with these resources, those that do not have what they believe as good access feel it is quite important to have those facilities provided.

The desired character of these new facilities is generally discernible through examination of the survey responses in conjunction with the individual comment forms that were returned at public meetings. This examination suggests that greater trail connectivity is needed as well as, simply, many more trail options. Among lower and moderate-income residents of the Northwest area, access to public facilities is a significant interest. Trails that support equestrian use and that provide links between important destination points are often requested. In the end, it seems that most of the community would be pleased with an approach that blended natural area protection, flood hazard mitigation, and provision of additional trails for biking, walking, and equestrian use.

It also appears that the citizens of Northwest Las Vegas are comfortable with having a healthy percentage of their tax dollars spent on parks, open space and natural area protection. They support a fairly equal division of those funds among land acquisition, park development, trail development, and maintenance. As a full group, they would spend the least amount on provision of new recreation facilities, but again the subset that has a greater need for new facilities (particularly playing fields and equestrian facilities) feels strongly that this should be a priority.

It is useful to note that the *Nevada State Comprehensive Outdoor Recreational Plan SCORP* lists "public access to public lands for diverse recreation", "funding of parks and recreation", and "recreational trails and pathways" as the three top priorities identified in its surveys and research.

The collected group of findings presented in this chapter, when combined with some of the information presented in Chapter 2 - Existing Conditions, suggests that the Northwest area is currently underserved - and may be significantly underserved in the near future - by park, trail, open space and recreational facilities unless these amenities are significantly expanded and improved. There is a desire for readily accessible trail and open space network within walking distance of residences and places of employment. The network should be useful, safe and suitable to a wide range of users including: pedestrians; bicyclists; and equestrians. There is a strong demand and desire for park, recreation and open spaces and a significant segment of the population are willing to invest additional tax dollars to realize these benefits.



Chapter 4: Open Space System Recommendations

4.1 Chapter Overview

Far and away native landscapes, undeveloped land, habitat for plants and animals, and scenic vistas were defined to be the most highly desired types of open space by respondents to the *Community Attitude Suvery* conducted for this Open Space Plan.

This rapidly diminishing resource, especially throughout the Northwest region, has become increasingly important to Las Vegans because it connects people to the natural places that surround them, beautifies their community, provides places of solace and insprtation and improves their quality of life, even for those who don't visit or interact with these landscapes. In numerous studies nationally, open space has been shown to increase property values, lower community infrastructure costs, and improve health and wellness. In addition, open space provides vital urban infrastructure, absorbing stormwater runoff during heavy rainstorms, collecting and storing drinking water in underground acquifers, reducing fire hazards, promoting a healthy urban plant and animal ecology.

Throughout Northwest Las Vegas, there are two distinctly different types of open space that add value and function to the landscape. The first is non-programmed, unprotected, natural open space, which consists of arroyos, washes, and other desert landscapes. These lands protect the fragile ecology, native plants and animals that inhabit the desert. The second type is programmed, protected open space, which consists of parks, trails and lands that are owned and managed by the City, Clark County, State of Nevada, the United States government, and private sector landowners, including non-profit land trusts. Approximately 3,000 acres of protected open space currently exists within Northwest Las Vegas. An estimated 1,200 acres are currently owned by the City of Las Vegas.

The purpose of this Open Space Plan is to protect both types of open space, which in the future can be devoted to 1) the preservation of natural resources; 2) outdoor recreation; 3) preservation of historic and cultural property; 4) protection of scenic landscapes; and 5) protection of public health, safety and welfare.

4.2 A Target for Open Space Protection

The Northwest region is growing at such an accelerated rate, significant change to the landscape occurs every 30 days. The City of Las Vegas needs to adopt agressive policies and programs that balance growth with natural resource conservation. The city is in need of a **stewardship** program that protects valued open space before it is permanently lost to development. Other communities throughout the United States have used an open space goal or target to publicly declare the community's intent to balance growth and development with land conservation. The consultants for this Plan recommend that the City of Las Vegas establish a planning goal of protecting 30% of the land in the Northwest Region as future open space. This 30% goal is recommended as a minimum target based on the ecological, social, economic, and political realities of Las Vegas and is designed to ensure a quality of life in the 21st century that is progressive, sustainable, healthy and economically viable. The 30% goal would be applied to the Northwest region as a whole and not parcel-by-parcel.

Reaching this goal will not be easy. It will cost money, it will involve more stringent land use planning, and it will create a greater stewardship responsibility for the City and its residents. Thirty percent permanently protected open space will require Las Vegas to balance its rate of land development with an increased rate of conservation and protection. However, the City is not expected to achieve the goal



all by itself. This Plan defines a strategy for how this goal can be accomplished through partnerships with other public sector and private sector partners.

The 30% open space goal is not a product of a scientific formula, but rather, is based on understanding two land planning concepts – ecological carrying capacity and an appropriate balance between developed and undeveloped land. The first concept relates to the city's need to sustain plant and animal habitats, ensure good air quality, and protect native desert ecosystems. These pursuits were one of the top rated open space goals derived from the *Community Attitude Survey* completed as part of this Open Space Plan. The second measure is human related and deals with economic and political realities, values associated with aesthetics, sense of place, and maintaining sufficient recreational opportunities.

The practice of combining these two measures to determine an appropriate conservation target is the state-of-the-practice land use planning philosophy, emerging across the country. The City need look no further than its own community to see where a 30% open space goal has been successfully implemented. Within the award winning community of Summerlin, approximately 30 percent of the 25,000 acre planned community has been designated as open space. The Summerlin Open Space network includes passive and active parks, trails, recreational facilities, golf courses, the Summerlin Trail System, landscaped areas and natural preserved areas. Of this, almost 20 percent of the open space is designated as parks, trails and golf courses, and approximately 15 percent of the community is dedicated to the preservation of natural areas such as washes, arroyos and desert canyons. Furthermore, the Urban Land Institute study of 1997, the Southern Nevada Regional Policy Plan of 2001, the Kyle Canyon Gateway Development plan of 2003 and the City of Las Vegas Parks and Recreation Master Plan of 2002 all recommend that the city take a much more agressive approach to resource conservation and natural areas protection.

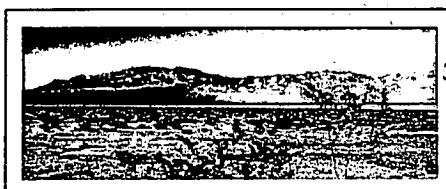
The consultant recommends that the City work with its public sector partners to acheive this goal. First, we recognize that the City and its public sector partners have already protected a significant amount of open space in the Northwest region. Further protection measures directed toward new land development and at the protection of arroyos and washes would net additional acreage and could be pursued by the City and its partners. Finally, a program of targeted acquisition would fulfill the established 30% goal for open space protection.

The summary chart on this page and map (Figure M3) on the following page illustrates how the 30% goal could be achieved by the City of Las Vegas and its partners.

Northwest Las Vegas Open Space		
Category of Land	**Acres**	**Percent of Total Open Space**
City of Las Vegas Open Space (Exist)	1,200	3.75%
Clark County Open Space (Exist)	1,540	4.81%
State Nevada Open Space (Exist)	460	1.44%
BLM (Exist)	2,000	6.25%
Protected Arroyos*	1,200	3.75%
Open Space from CSD*	1,500	4.69%
Targeted Acquisitions*	1,700	5.31%
(* future open space)		
Total Projected Open Space	**9,600**	**30.00%**
Total Land Area of Northwest	**32,000**	

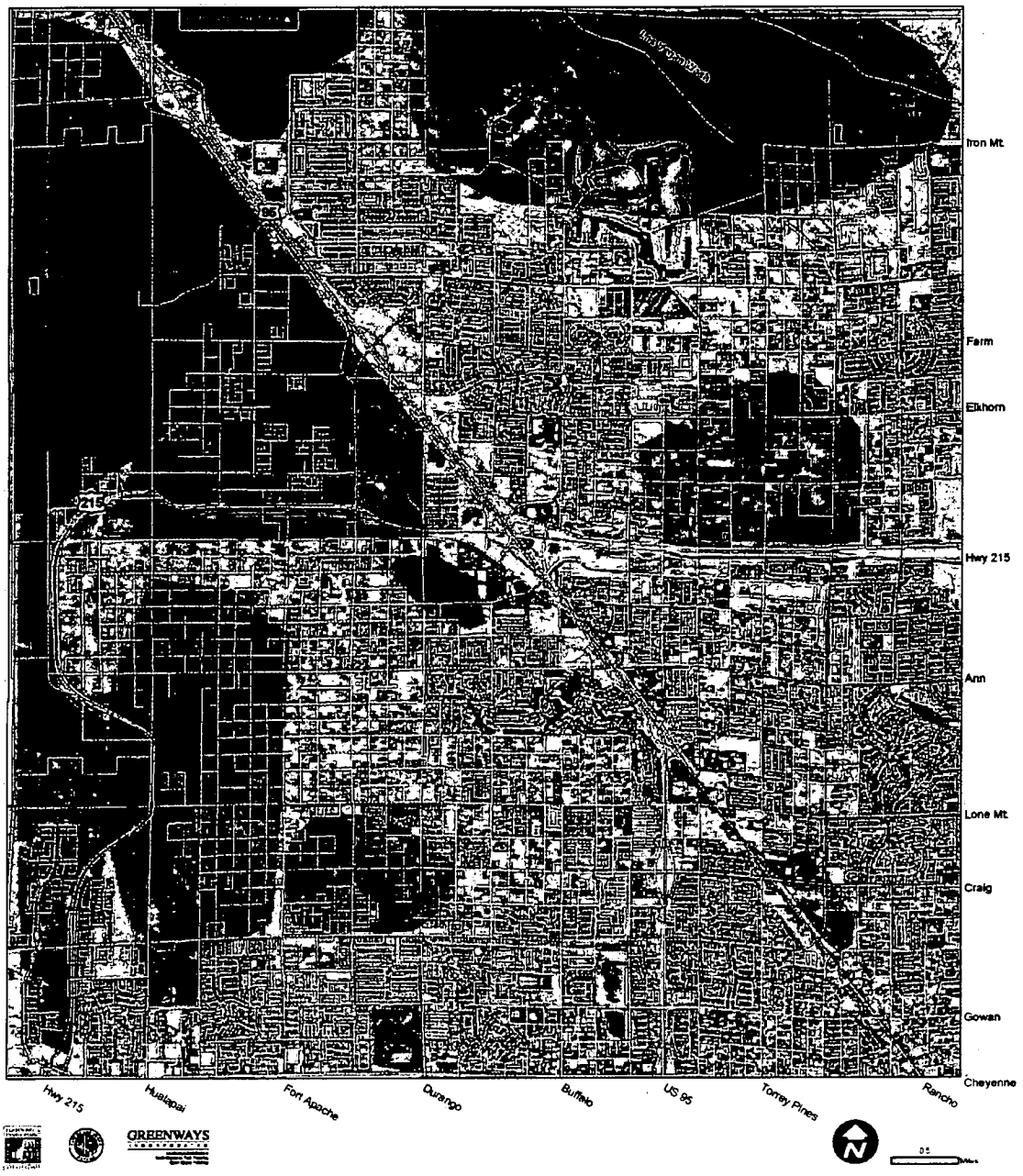


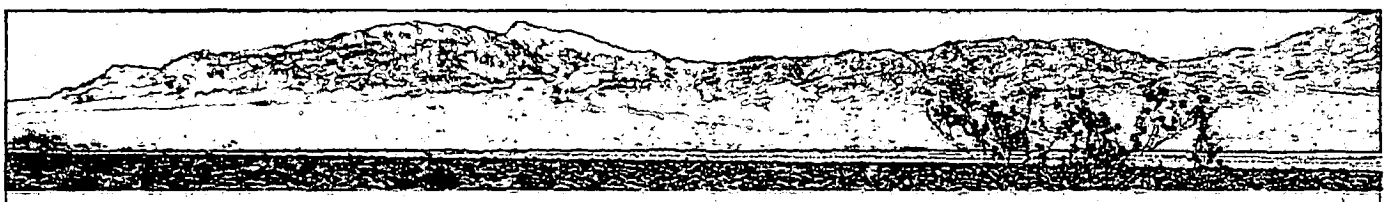
Figure M3: Illustration of 30% Goal for Open Space Protection



NORTHWEST OPEN SPACE PLAN
30% OPEN SPACE OPPORTUNITY REGIONS

City of Las Vegas, Nevada





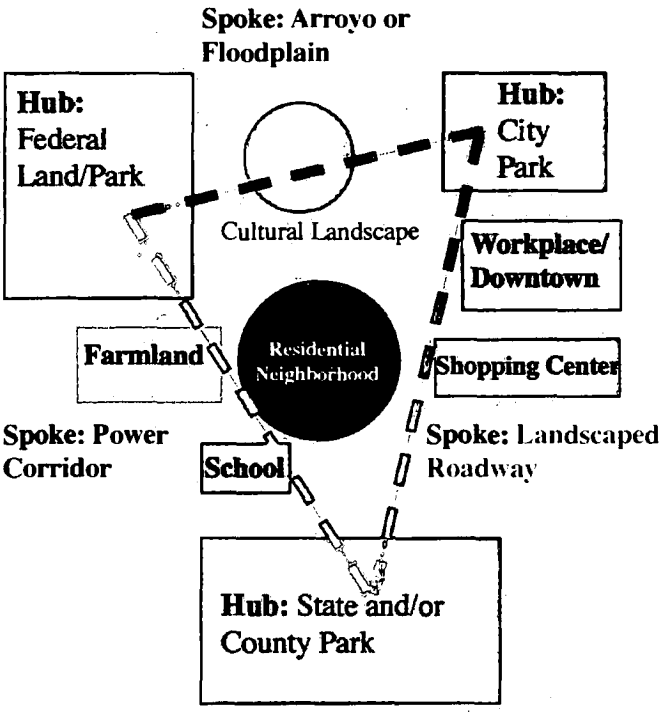
4.3 Conceptual Open Space Framework

Connections to the land are one of the most tangible products of this Open Space Plan. The physical framework of the Northwest Open Space Plan is based on a popular national concept known as "Hubs and Spokes." Under this concept, residential, commercial and business landscapes are linked to parks, preserves and open spaces via greenway corridors. For residents of the city, this will mean improved access to the outdoors for recreation, non-automobile transportation, and participation in activities that can improve health, fitness and quality of life.

As an element of the City's transportation system, multi-purpose trails are aligned along roadways within ample rights-of-way that accommodate bicycle, pedestrian and equestrian trails. Trails should also be built along the edges of arroyos and washes, and within existing power line and historic railroad rights-of-way. In addition to the city's multi-purpose trail corridors, private trails within neighborhoods provide connections to the city's system, offering a web of interconnected landscapes that allow residents to travel throughout the Northwest region of the city.

4.2.1 Hubs and Spokes

The hubs and spokes concept determines that within any given landscape there are areas of land that serve as either traffic generators and/or destinations for human activity. Additionally, there are landscapes that communities should appreciate for their ecological value and work to protect these landscapes from encroachment and development. These origin and destination hub landscapes are linked by a variety of "spokes" or linear landscapes that include arroyos, landscaped roadways and utility corridors. The hubs and spokes model provides for maximum connectivity between origin landscapes and destinations (illustrated in the graphic above right)



Northwest Las Vegas residents clarified through personal surveys that connections was one of the most important issues for the Open Space plan.

4.2 Open Space Components

The framework for the Open Space system can further be defined by different landscape components that respond to areas of interest and need defined by Northwest residents. As defined through the personal surveys and public workshops, there are four primary areas of need and interest, including:

- protection of natural systems that provide a resource for passive recreation,
- active recreation landscapes,
- historic and cultural landscapes, and
- contiguous open space that links landscapes together.



4.3.1 Passive Recreation/Natural Systems

Northwest residents are most interested in protecting and conserving the native desert landscapes, wide open spaces and natural ecosystems that once dominated the region, and served as a primary attraction for many current residents. This is probably the most difficult element of open space to maintain in light of the exponential growth in the region. These passive landscapes consist of the native desert ecology for plants and wildlife, arroyos and uninterrupted vistas of the Northwest region.



4.3.2 Active Recreation

Traditional parks that contain baseball, softball, soccer, and lacrosse fields, water play areas, picnic tables, restrooms and meeting halls, are very much in demand throughout the Northwest region of the city.



4.3.3 Historic and Cultural Landscapes

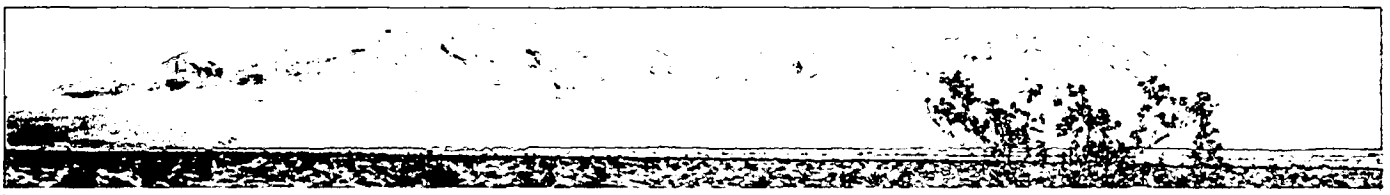
An emerging need and desire of Northwest residents is to afford greater protection of historic and cultural landscapes that define and express the unique culture and heritage of the Las Vegas Valley. These include ranch lands, Floyd Lamb State Park, archaeological and palentological sites, Tule Springs, the historic stagecoach road, and the historic railroad corridors.



4.3.4 Continguous Open Space (Trails)

Being connected to the popular destination landscapes of the Northwest region will require a series of contiguous open space corridors. Northwest residents want an abundant supply of these corridors, and they want some of these to be off and away from roadways.

The Plan considers two types of contiguous open spaces: human activity corridors (trails) and wildlife/visual corridors. Trails provide recreation, transportaton, health and wellness, and connectivity. Wildlife and visual corridors link together large open space lands (federal, state, county and city) and form an open space and visual backdrop for the greater Las Vegas area. Major elements of this system include the Las Vegas Wash corridor that links the Desert National Wildlife Refuge to Lake Mead and a potential to link the Wildlife Refuge to the Red Rocks Canyon National Conservation area via the Kyle Canyon landscape. The consultant has defined this as the ***Vias Verdes of Las Vegas***. The Vias Verdes



will in the future be a contiguous, open and publicly accessible landscape, with sensitive areas such as wildlife habitat, archaeological and palentological lands, surrounding the Valley and offering residents and tourists with access to one of the most spectacular desert landscapes in the world.

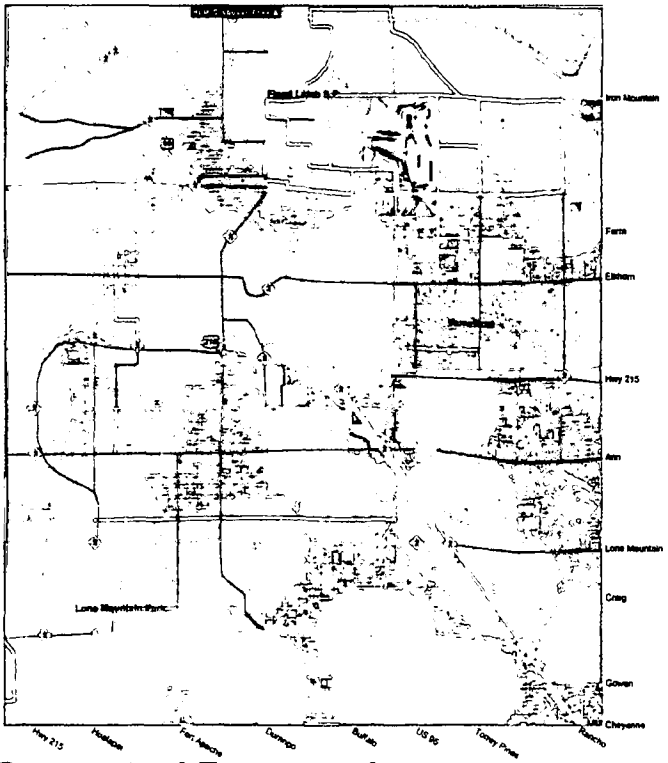
The Northwest Parkway offers Las Vegas residents with an opportunity to create a corridor that supports a variety of human activity and movement. Principally developed as a transportation corridor, the Parkway should be designed and developed to incorporate multi-use trails for hiking, biking and equestrian activity. The Parkway should link residents to other important destinations of the Northwest region.





4.4 Conceptual Framework Map

The consultant team used the four primary component landscapes of open space, and input from community residents, to produce a conceptual framework map that depicts how the hubs and spokes concept would be implemented in Northwest Las Vegas. This map illustrates existing community parks (dark green) future community parks (light green), a network of trails (yellow and red) and an area of ranch lands and local farms (blue) that comprise an important cultural landscape. Also emerging from the conceptual framework plan is the Northwest Cultural Park, a 2100-acre assemblage comprised of Tule Springs, Floyd Lamb State Park and property currently owned by the State of Nevada and BLM. The conceptual framework map represents a first step in illustrating how the hubs and spokes concept is applied to the Northwest Region.



Conceptual Framework
Northwest Open Space Plan

4.5 Northwest Cultural Park

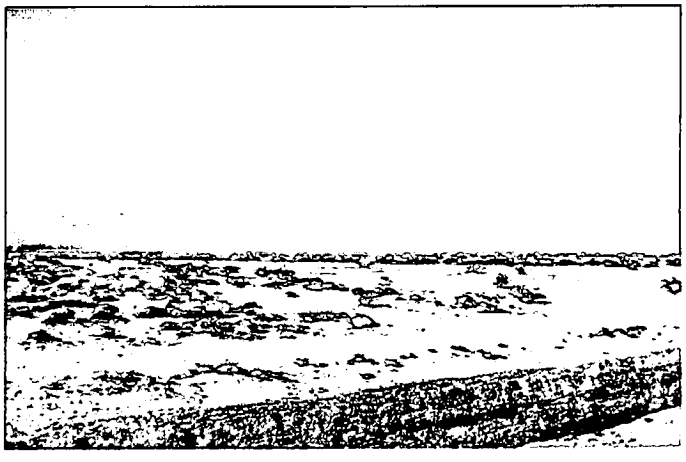
The northwest region of Las Vegas contains a collection of important federal and state owned land that offers the City with a unique opportunity for future conservation, park and recreation oriented development. Our research shows that currently, the Las Vegas valley has a deficient supply of cultural landscapes and venues that serve the interests and needs of residents and visitors alike. While it is fully understood and appreciated that the community's primary economic engine is the gaming industry, the city is afforded with an opportunity to invest in non-gaming landscapes and venues that could broadened its economic base and appeal to other leisure interests.

Specifically, the federal and state owned assemblage of land surrounding and east of the Floyd Lamb State Park could, if effectively conserved and programmed, be transformed into a destination landscape that could serve certain non-gaming interests that have been identified through the Northwest Open Space Plan process. Some of these interests are currently identified as:

a) Equestrian Park (see Appendix B)
b) Model Railroad Park
c) Archaeological Park

By virtue of establishing the Northwest Cultural Park, the city would also be able to create an effective program for accomplishing other open space goals for the Northwest Region, including the development of important stormwater detention basins, protection of archaeological sites within the Tule Springs and Early Man corridor, protection and future enhancements for the Las Vegas Springs Wash corridor, future alignment and development of the Northwest Parkway and associated interchanges, routing and location of Nevada Power transmission lines, buffering and protection of the Desert National Wildlife Refuge landscapes, future development of the Clark County Shooting Range, open space buffers for neighborhoods and agricultural properties south of the assemblage, and linkage for a network of emerging multi-use and equestrian trails in northwest Las Vegas, Clark County and North Las Vegas.

The approximate 2100-acre assemblage offers ample space and opportunity to accommodate these separate interests, and if effectively planned and designed could create an interconnected and interdependent destination landscape that we will now refer to as the "Northwest Cultural Park." Additionally, if this cultural park is established as a fee-entry park, revenue generation could support operations and management requirements for all venues and potentially result in spin off revenue necessary to support the revitalization and operation of Floyd Lamb Park. The resulting revenue from these successful enterprises could provide the city with operational funds necessary to negotiate the transfer of the park property from the State of Nevada and cover other costs. The consultant recommends that the city conduct a thorough economic analysis of this fee-entry facility.



Other American communities have recognized the importance of identifying and developing a variety of large-scale destination parks in close proximity to urban centers to provide metropolitan residents and visitors with access to cultural and native landscapes.



Nashville, TN is currently developing an 850-acre site on the Cumberland River as an environmental park to celebrate rural settlement patterns and native landscapes. Charlotte, NC has benefited from the private development of the Anne Springs Close Greenway, a 2,000-acre environmental park, located 20-minutes from downtown, where equestrian, hiking, canoeing, fishing and environmental studies are the primary activities. Denver, CO has invested a significant amount of resources in the transformation of the Rocky Mountain Arsenal into an environmental park that promotes a better understanding of native landscapes and habitat. Chattanooga, TN is currently launching a program to transform 2,800 acres of former federally owned land into a cultural and environmental park. These are but a few examples of an emerging trend by American communities to establish large-acreage parks and cultural landscapes to protect important resource areas and develop venues that support both passive and active recreation.

This Plan defines a regional framework and implementation strategies for protecting important viewsheds, landscapes and corridors. The specific design for the proposed Northwest Cultural Park is not a component of the current scope of work for the Open Space Plan. This Plan provide conceptual definition for the proposed Park and suggests space allocation for individual venues. However, more detailed design development and programming will be required to advance this idea from concept to reality.

Finally, there are a number of sponsors associated with each of the venues identified for this proposed Park. These venues already have specific design requirements and planning teams who are prepared to execute project development once land is secured. The city has access to planning and design monies that have been allocated for a proposed 320-acre equestrian park, which is one of the parcels included in the assemblage. It may be possible to use portions or all of these funds to support a more detailed examination of how this Cultural Park could be developed, operated and managed.

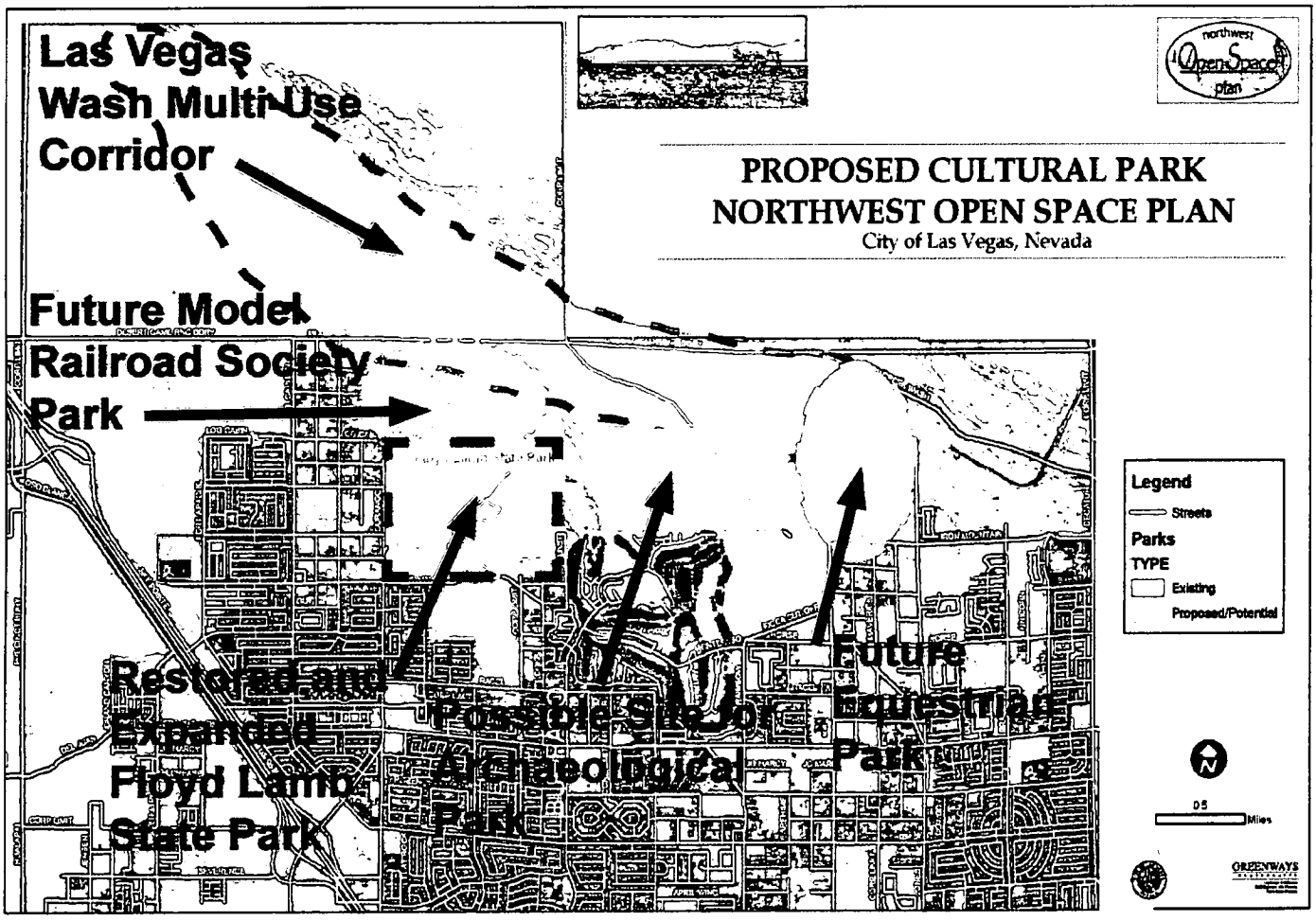
The planning, design and development of the proposed Northwest Cultural Park is an opportunity for the City of Las Vegas, State of Nevada and Bureau of Land Management to effectively partner together and resolve the future land use for 2100 acres of prime real estate. This Cultural Park could become the centerpiece of a park, recreation and open space network that will serve to improve the quality of life for Valley residents for many years to come.

4.5.1 Floyd Lamb State Park

An "oasis" in the high desert landscape, Floyd Lamb is an asset unique in the Valley. Currently, thousands enjoy the lakes, surrounding historic character, however, this area could be significantly improved through restoration and renovation to become a major destination. Under this proposal Floyd Lamb would be transferred from the State of Nevada to the City and proposed extensive renovations to the grounds and lakes would be carried out to enhance the interaction between people, water and the landscape it supports – a green jewel in the desert. While Floyd Lamb has been a state park, serving the needs of Nevada residents, under this proposal it becomes part of a new city and regional park for residents of Las Vegas Valley.

Improvements could include, walking paths, shaded picnic and rest areas, overnight camping facilities, historic interpretation sites, potentially model farm/ ranch for education, interactive plant and animal habitats, and other complementary activities.

This renovation effort would include infrastructure upgrades to include entry road, parking, management facilities, water and sewer lines and other utilities, expansion of existing ponds, trails and green areas.



The goal of the overall plan would be to make Floyd Lamb accessible to surrounding neighborhoods and metro Las Vegas through a system of interconnected trails that support hiking, bicycling and equestrian activities.

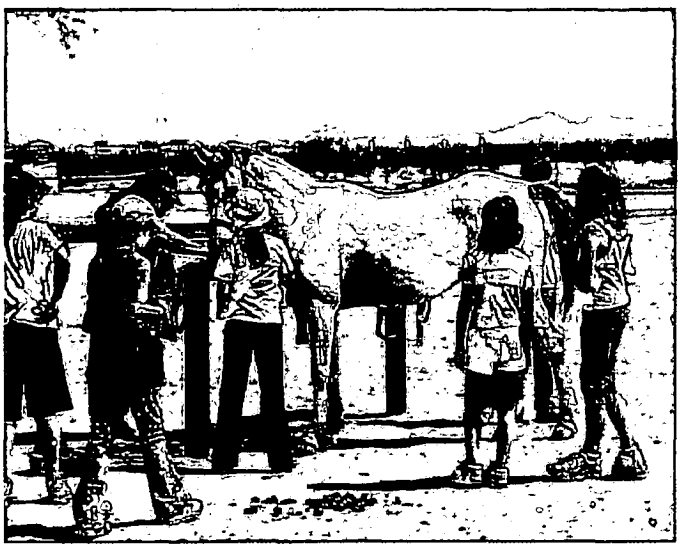
Figure M6: Concept Plan for the Proposed Northwest Cultural Park

The above concept plan depicts the possible locations for various elements of the proposed Northwest Cultural Park. This map is provided for information purposes only and is not intended to represent the final mix of activity centers, land use or location of activities. A separate planning and design process for the Northwest Cultural Park will be conducted by the City of Las Vegas in partnership with federal, state and other local partners, and citizens of the City to determine the future design and implementation for this Park.



4.5.2 Northwest Equestrian Park

In addition to Floyd Lamb State Park renovations, a long-awaited and often promised equestrian park would emerge within the Northwest Cultural Park. The City of Las Vegas should team with the Horse Council of Nevada to conduct a thorough economic feasibility study for the proposed equestrian park to accurately determine revenues and expenditures that would be associated with the full function of this park. The City should seek out a private sector partner that could assist the community in developing the park. A specific proposal for the Equestrian Park has been submitted by the Horse Council of Nevada and is incorporated in this document as Appendix B of the Northwest Open Space Plan.

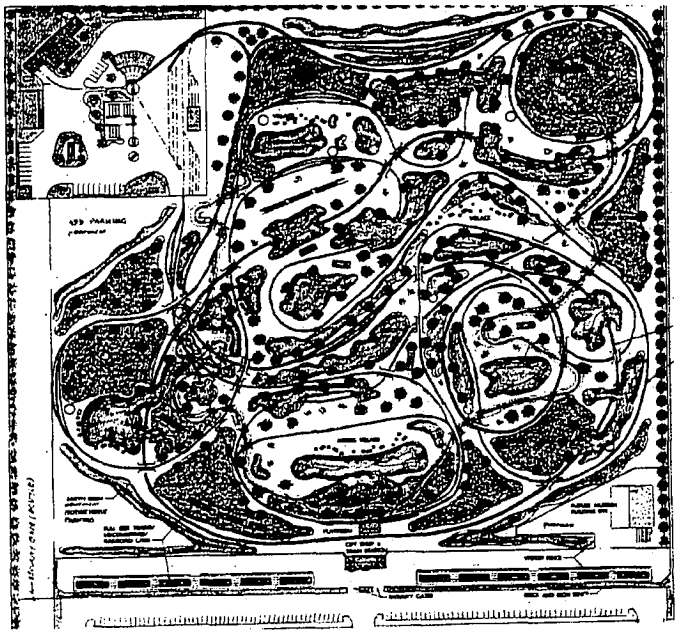


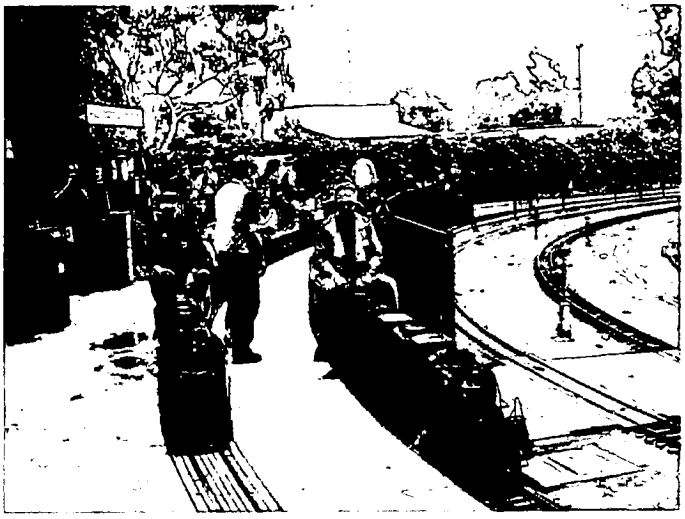
4.5.3 Railroad Society Park

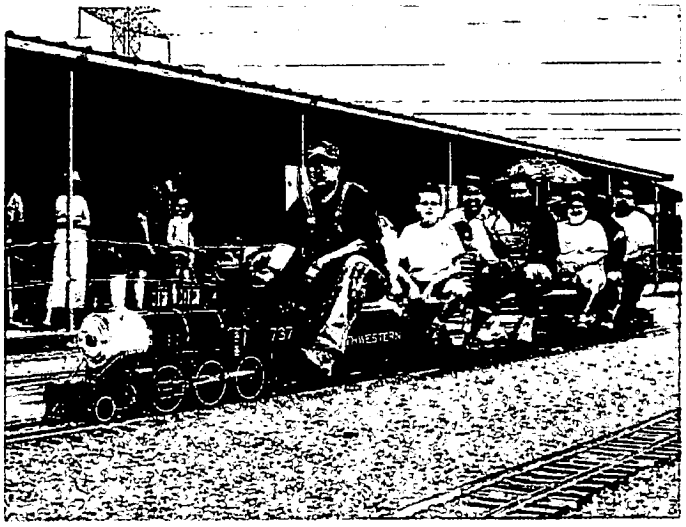
The Las Vegas Railroad Society has also long dreamed of being able to construct a railroad park that would serve as an attraction for resident and visitors to the City. The proposed Northwest Cultural Park affords the City and the Railroad Society with an opportunity to consumate a partnership to build the park. The Society estimates that it needs 100 acres of land to fulfill its mission for a high quality railroad park that will generate revenues to support its operation, and contribute to the financial well-being of the Cultural Park.

The Railroad Society Park has support from many different interest groups and anticipates that it will be able to raise the majority of the capital necessary to build and operate the park.

If properly planned, designed and operated, the railroad society park could be compatible with and an enhancement to other venues of the Northwest Cultural Park. The City of Las Vegas should partner with the Railroad Society to complete a financial feasibility study to determine the costs and revenues associated with the future development of the park







4.5.4 Archaeological Park

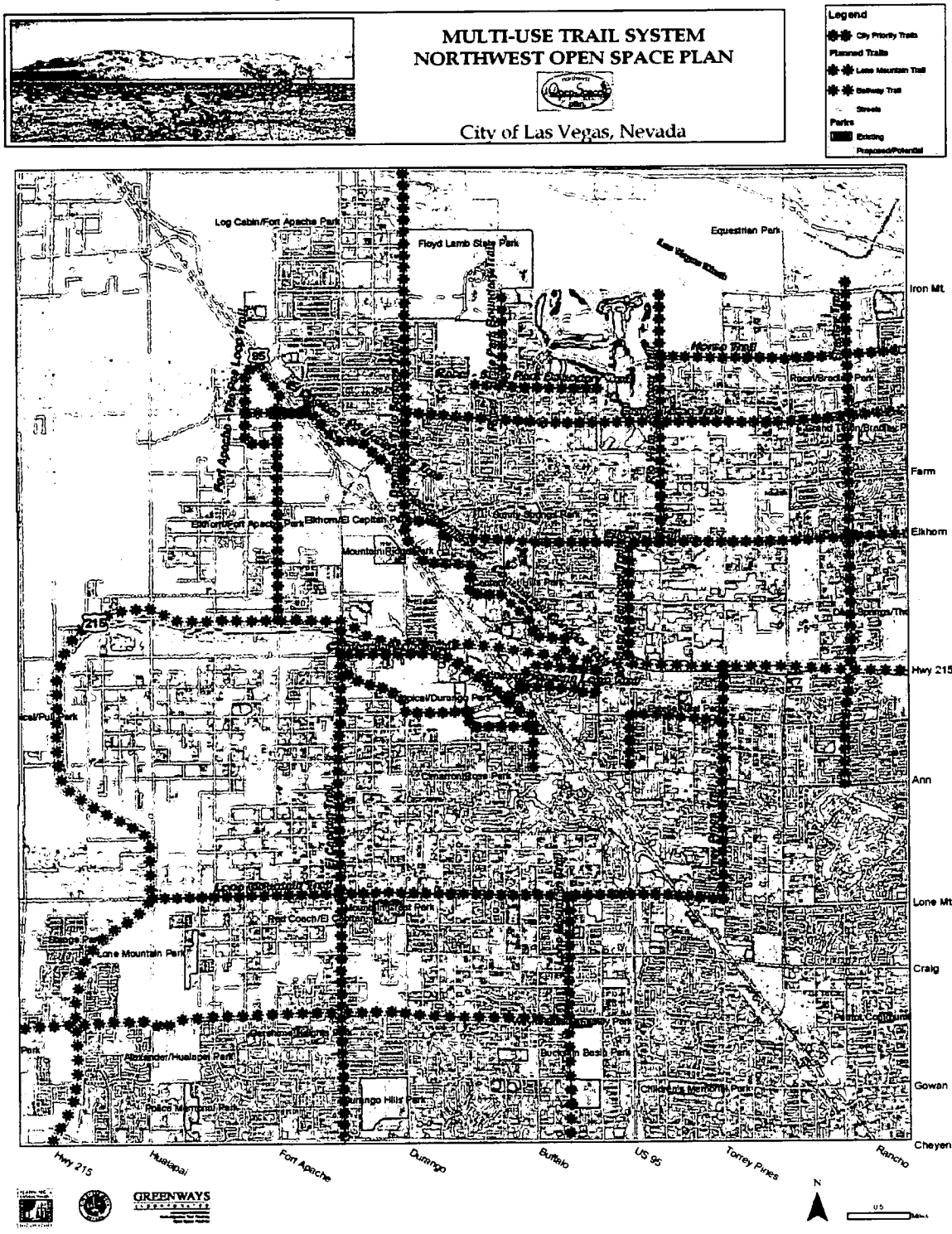
The northwest region of Las Vegas is rich in archaeological and palentological resources. The City would benefit tremendously from an investment in an archaeological park. This park could be developed in partnership with state and federal agencies, and also in partnership with the City of North Las Vegas. Such a park would enable residents and visitors to explore the natural and cultural history of the Las Vegas valley within a nationally significant landscape. It would also enable the city to protect and conserve these landscapes for future generations of valley residents.

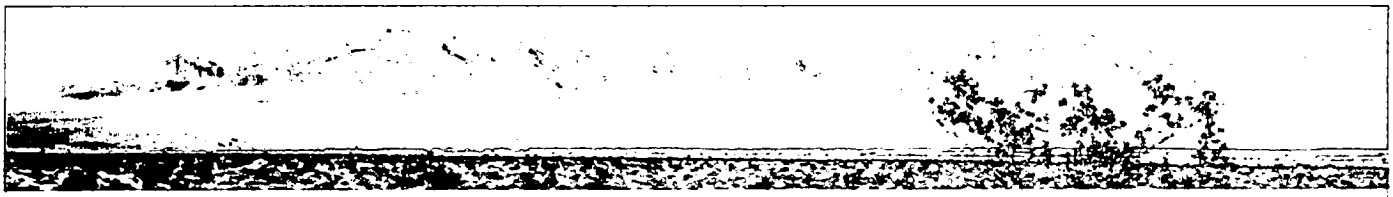
It is envisioned that this park could be established as part of the Tule Springs and Floyd Lamb State Park complex. The park might include an exhibit center, interactive laboratory for volunteers to be trained in the science of archaeology and paleontology. The park should also include a docent program, interactive exhibits, guided tours and dig sites for youth and adults.

The City should conduct a financial feasibility study to determine the possible costs and revenues associated with the future development of this proposed park.



Figure M4: Northwest Trails System





4.6 Northwest Trails System

Trails in Northwest Las Vegas would be expanded from the current condition and used to link residents to popular destinations. The future trails system would also serve as an alternative transportation route for local and city-wide commuting traffic, and as a way for tourists to be linked from downtown to the Northwest region. Please refer to Map M-4 for a schematic of the Trails System and see Chapter 6: Implementation for a detailed discussion of each trail corridor.

The trails system is comprised of several elements, including off-road multi-use trails, roadside multi-use trails, equestrian trails, bicycle routes and sidewalks.

4.6.1 Off-Road Multi-Use

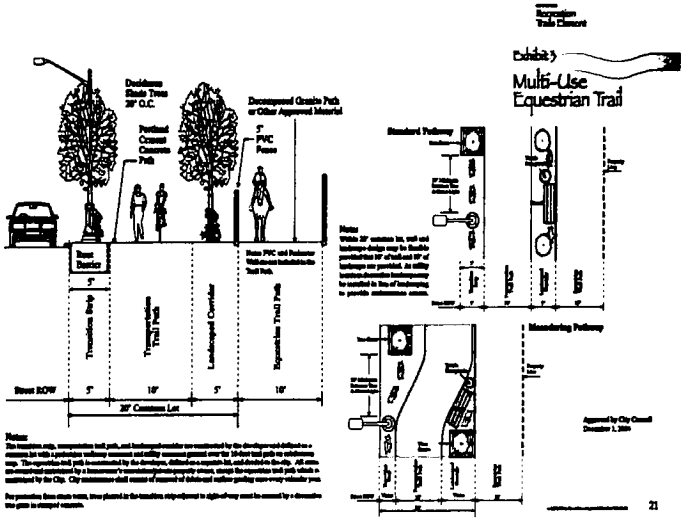
Currently, off-road multi-use trails comprise a very small percentage of the total trail mileage in the Northwest region. This is the single most requested trail type based on public input received during the planning process. Despite this strong level of need and interest, it is unlikely that the percentage of off-road multi-use trails will substantially increase, mainly because there are very few naturally occurring or human-made corridors that can host such trails in the Northwest region.



4.6.2 Roadside Multi-Use

Roadside multi-use trails comprise the greatest percentage and mileage of trail types in the Northwest region. The City of Las Vegas has done an excellent job of placing these trails within the ample rights-of-way throughout the Northwest region. These trails offer the public with the best opportunity for connectivity and link residents and tourists alike to the most popular activity centers and destinations in the Northwest region.



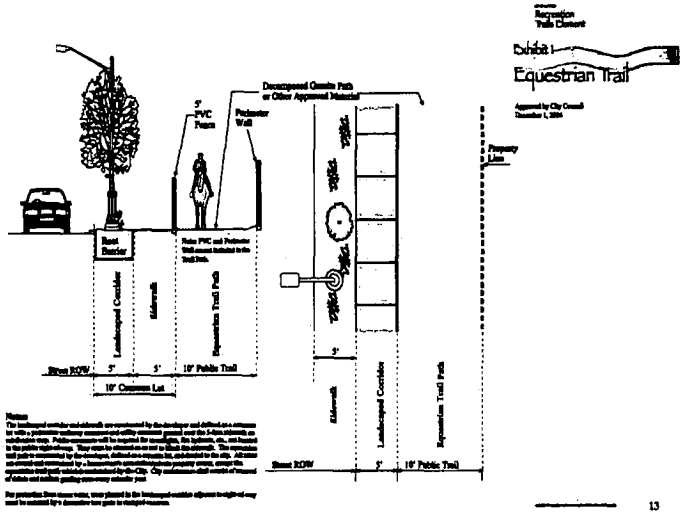




4.6.3 Equestrian Trails

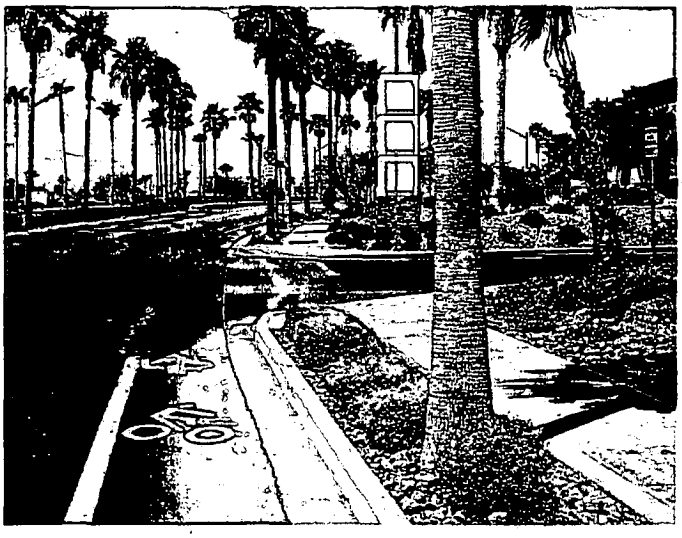
The most vocal group in support of trails are equestrians, who happen to be represented in significant numbers throughout the Northwest region. It is not uncommon to drive around the northern parts of the Northwest Las Vegas and see homes with horse stalls in the backyard. Equestrian trails will be expanded throughout the Northwest region to accommodate the demand and need for these facilities.





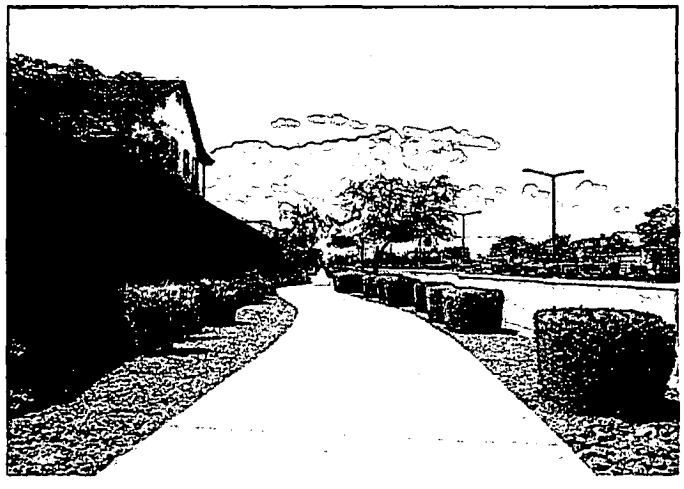
4.6.4 Bicycle Routes

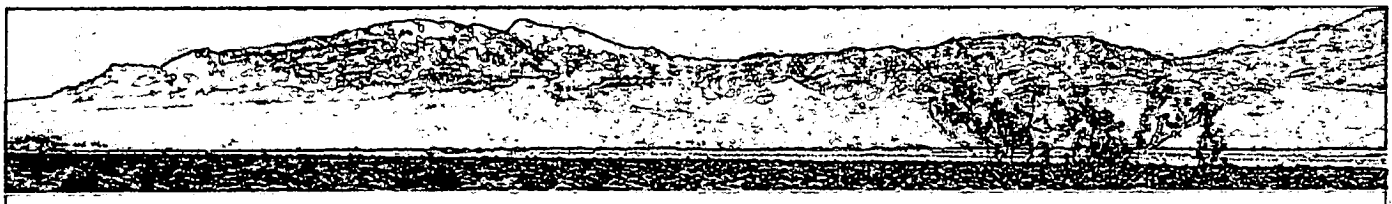
In addition to multi-use trails, on-road bicycle routes will also be expanded to accommodate commuting traffic throughout the Northwest region, and to link tourists from the downtown area to the region.



4.6.5 Sidewalk Trails

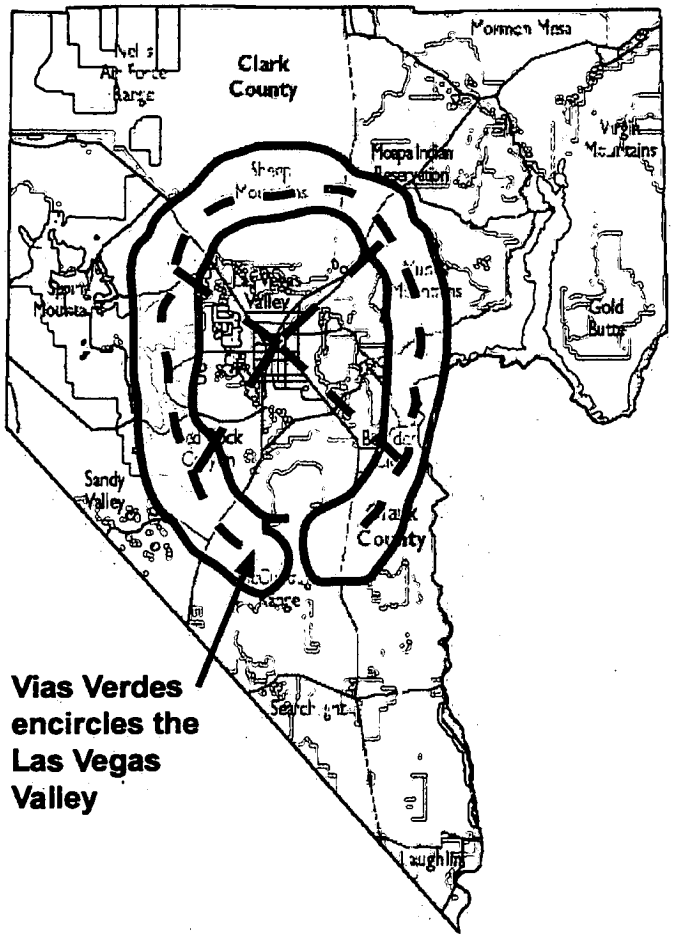
Sidewalks are currently found throughout the Northwest region, some serve as elements of the multi-use trails previously described, others are simply pathways for pedestrians. Linking sidewalks to the trails network is a very important element of the Northwest region.





4.7 Vias Verdes Las Vegas

In addition to the multi-use networks of trails and open space in the Northwest region, the City of Las Vegas and its partners have a unique opportunity to establish an open space corridor consisting of publicly owned lands that surround the Valley. *Vias Verdes Las Vegas* would consist of federally owned, state owned and locally owned lands extending from Lake Mead to the Sheep Mountains to the Red Rocks Canyon National Conservation Area and form one of the most significant natiural resource corridors in the United States. This horseshoe shaped network of open land protects the visual backdrop of the valley, conserves habitat for plant and animal communities native to the desert southwest, can be used to mitigate urban flooding, and also opens for public access and use, thousands of acres of land for environmental study and recreational use. The consultant recommends that the city work in partnership with the Southern Nevada Regional Planning Coalition to take steps necessary to establish the Vias Verdes as an important open space element of the Southern Nevada region.



Vias Verdes encircles the Las Vegas Valley

The National Park Service's Rivers, Trails and Conservation Assistance Program is collaboratively leading a Las Vegas Valley-wide effort where local, regional and federal jurisdicitions are identifying and planning trail connectivity. The City of Las Vegas is actively participating in this effort and hopes to lead the way in linking residents and visitors to the nationally significant recreational areas that surround the Valley.



4.8 Open Space Policies

Several open space policies are defined within this Plan that should be considered, incorporated and adopted as practice by the City of Las Vegas. These policies address areas of land use planning and governance where the City can improve in order to better conserve natural resources and encourage more compatible growth and development.

4.8.1 Encourage Higher Density Development

For the Northwest region it is apparent that the City and Clark County will need to consider encouraging higher density development in order to maximize natural resource protection goals. Land costs in the Northwest region are approaching or exceeding $250,000 an acre for raw land, making open space conservation a difficult voluntary option for landowners and developers. The City and County should consider minimum densities of 8 units to the acre and revising land development codes to increase the amount of open space required in future land development scenarios.

The Zoning Code and Subdivision Ordinances for the City of Las Vegas do not contain a clearly stated development option that specifically minimizes the impact of development on sensitive natural features by clustering development on the more suitable portions of the site. In the absence of this option, it is possible that some of the existing codes can be used to achieve a similar result. In the existing codes, there are development options that are designed to maintain rural character through low density and large lot development patterns. There are also high-density residential options for more suburban and urban landscapes and options for large-scale and small-scale planned development communities. The wording of these development options suggests that their primary function is not the protection of natural areas or scenic viewsheds, but rather the efficient provision of residential amenities, economic development, or comprehensively planned communities.

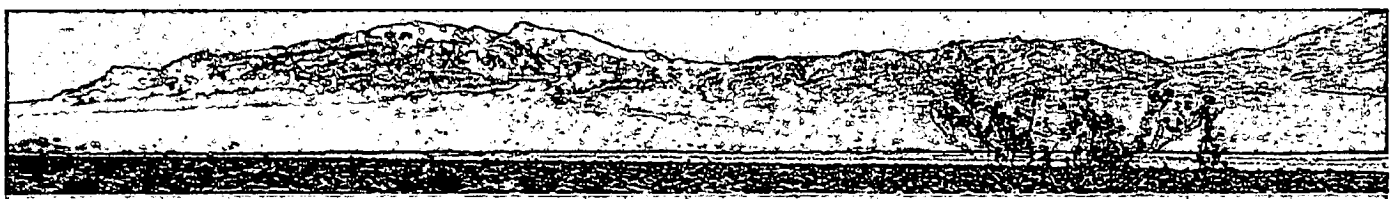
Three existing options provide the greatest potential at present. A summary of their strengths and weaknesses is below:

P-C Planned Community District

The P-C District option is only available to developments on at least 3,000 contiguous acres of land. This type of development is rare, so the rules and regulations associated with this development option will also be rarely applied. In addition, achieving a true conservation perspective under this development provision depends on the good will of the developer. It is not specifically mandated in the language. This is due, in large part, to the fact that the essential goal of this option is not conservation, but the development of a comprehensively planned community. In the end, there are too many ways to achieve 20% open space that do not really meet true conservation goals - which regularly depend on the set aside of wider, larger areas instead of narrow swaths of landscaping. The positive side of this option is that it does promote comprehensively planned communities. Environmental systems tend to be protected through this type of scenario better than in more "piecemeal" approaches. Conservation is an option for a developer under this development provision

R-PD Residential Planned Development District

This is a development option for tracts of at least 5 acres. The stated purpose of this option is to be flexible in permitting imaginative and innovative residential design. This allows for creative conservation, but does not require it. It is another option whereby conservation depends on the interest of the developer. One particular strength of this option is that, according to the open space formula provided in 19.06.040.G, as the developer increases his density he must also increase the amount of required open space. However, later in this section, it is made clear that the open space can be made up entirely of landscaping along streets and some



developed community recreational facilities. These types of land use offer no guarantee of ecological protection.

PD Planned Development District

"Encourage the conservation of open space" and "preserve natural features" are two of the intentions listed for this type of development option. A developer may well choose to use this option for this reason, but there is really nothing in the language that requires a minimum target level of conservation.



Recommendations

The City of Las Vegas should consider some of the following recommendations:

- A new chapter could be created under Article 19 that covers "Flexible Options for Natural Area and Scenic Viewshed Protection". This chapter would detail the density exchange and clustering options available to a developer in exchange for setting aside different percentages of open space above the existing 20% already required. All open space set asides above the 20% should be used for off-road trail facilities; passive, un-modified, non-motorized recreation areas; natural area preserves, or wildlife habitat sanctuaries. No credit should be given for additional ROW areas, paved/constructed recreation centers, or parks designed for active recreation.

- Alternatively, a completely new option could be created for a Conservation Subdivision Planned Development. Model language for this type of amendment is available. These model ordinances can be quite lengthy and it may be prudent to simply lift text from portions of them to add to the existing Las Vegas codes and ordinances.

- Another (or additional) option is the creation of a "Natural Area Protection" clause for specific residential and planned development zones/ districts. This clause would establish minimum conservation requirements for these individual districts, effectively turning them into conservation-oriented development options. Some language change would be needed earlier in the document, where these districts are introduced, which specifies the natural area and viewshed protection orientations of these development options.

- Flexibility can be built into the "required minimums" articulated in the code for each of the different districts. Narrower (perhaps private) streets and smaller setbacks might be considered an exchange for setting aside additional percentages of the site as open space (as described above, not as described in 19.06.030.G – Open Space and Landscape Area Requirements for the Planned Community District).

- Section 19.060.050.D should specifically require that developers include a map of natural features, viewsheds, habitat areas, and noteworthy vegetation in their rezoning application. Similarly, sub-section F should clearly state that approval of the Master Development Plan may be dependent on the degree to which natural features have been preserved.



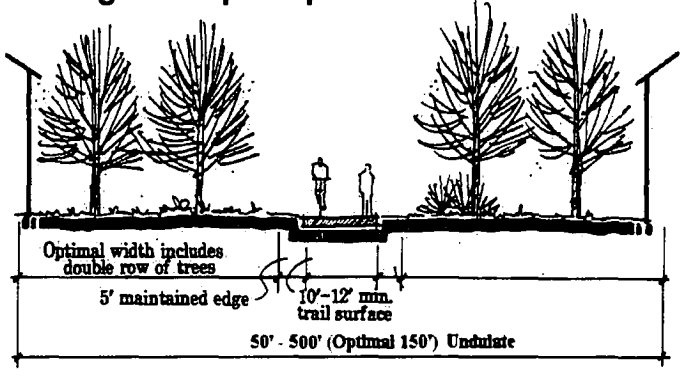
- Other slight modification might be made in sections 18.30.030-050 (Mitigation Fees) to reduce the fees for developers who choose a conservation subdivision design. This would be consistent with the Land-in-Lieu practice articulated in 18.030.090.

- Some language modification may be necessary in the Open Space rules defined in the Urban Design Guidelines and Standards section on Site Planning.

4.8.2 Open Space Dedication

The City should also revise the minimum dedication requirements of land development code to require 10% dedication of **contiguous** open space throughout the Northwest region. The city should require a minimum open space width of 100 feet and desired width of 300 feet. The width of the corridor should undulate to reflect natural contours. The open space should be accessible to residents of the neighborhood and connect to other contiguous open space lands that abut the development. The developer should strive to protect natural arroyos from development as conveyance for stormwater flow. The open space should be designed to be a quality landscape that enhance the neighborhood and surrounding landscapes.

Contiguous Open Space Dedication

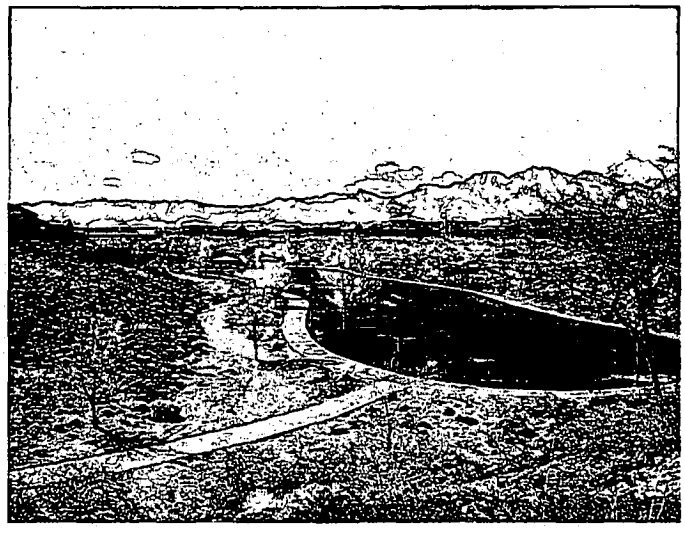


4.8.3 Conservation Subdivision Design

One land development practice that the city should consider is Conservation Subdivision Design (CSD). Using CSD, the yield of a particular property slated for development would be similar to that of a conventional subdivision design (see diagrams). However, instead of parceling out all of the land into private lots, conservation subdivision design arranges houses and buildings on a site so that natural landscape features remain open, undeveloped and in common or public ownership. Using CSD principles, it may be possible to conserve as much as 1500 acres of open space during the land development process.

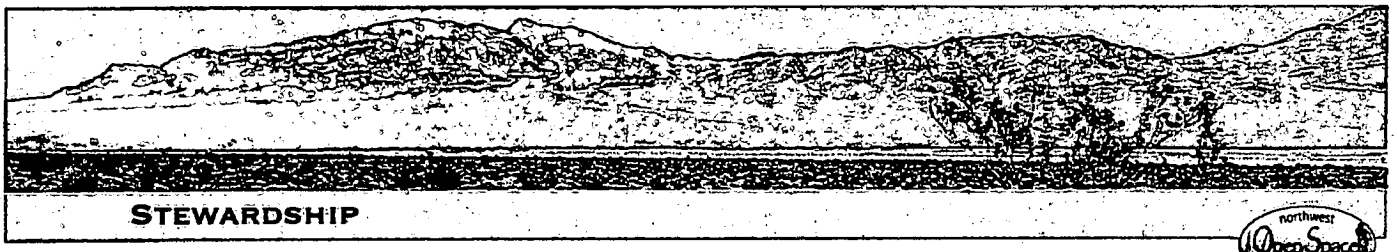
4.8.4 Drainage Buffers

Protecting natural arroyos and floodprone landscapes is an important element of this Open Space Plan. This can be achieved by establishing buffers along arroyos throughout the Northwest region. National studies have shown that buffers can reduce flooding, support plant and animal habitat, promote ecological functions necessary to naturally clean pollutants from water. This strategy can be implemented immediately by the city for all arroyos and washes in the Northwest region of the City. This plan recommends that City of Las Vegas establish a buffer program for all



arroyos within the Northwest region. These buffers should also be wide enough to accommodate the development of multi-purpose trails for recreation and transportation purposes. The City of Las Vegas should work in close partnership with the Clark County Flood Control District to implement this buffer ordinance. The tendency in Clark County and the City is to use concrete lined culverts, ditches and conveyance structures to channel rain water. This plan recommends the use of natural design and engineering practices to protect some of these native arroyos, drainage areas and floodplains in the Northwest Region (photo below).





Chapter 5: Stewardship, Operations & Management

5.1 The Concept of Stewardship

A well-managed open space, trail and park system is critical to the long-term success of this Plan. This includes both stewardship and operations and maintenance. By "stewardship" we mean the oversight of resources. This includes such activities as monitoring the condition of open spaces and recreational resources, monitoring the impact of growth on open spaces and long-term application of policies—such as land-use and development measures—in accordance with the objectives of this plan. Stewardship might range from cleaning up litter to assuring that a project does not visually scar a mountain backdrop.



The stewardship process must consider both private sector—such as land sub-division and development—and public sector activities—such as the construction of roads and utilities. In pursuit of this, coordination among agencies at the local, regional, state and federal level is vital to assure that these activities are supportive of the plan and complementary to each other. Long-term stewardship also calls for the enduring commitment of agency staff, elected officials and concerned citizens all working together. This suggests the need for a shared community vision and value system centered on the protection of open space and outdoor recreation resources. This plan and similar plans can help coordinate and guide that action.

Equally important is committed community and agency staff leadership. To that end, the creation of or perhaps continuation of the existing Open Space Advisory Committee and Technical Work Group entities would be very helpful. These groups should be identified, assembled and agree to timely meetings, communications and information sharing. Activities might include: review of critical public and private sector projects that might impact open space as they come on line; identifying and pursing recommended open space projects; pursuing grants; cooperative agreements; monitoring of operations and maintenance and other advocacy functions now and over the years to come.

Stewardship of sensitive resource areas such as desert open space, washes and uplands should include:

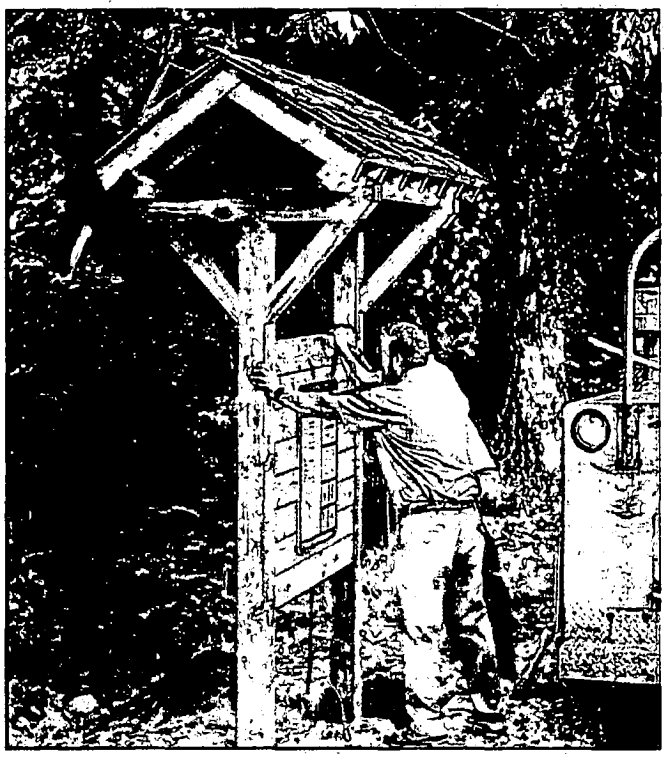
- Vegetation, weed and pest management plans (include. eradication, prescribed burns and Integrated Pest Management (IPM)).
- Ecosystem management that focuses on maintaining and improving functionality and species diversity.
- Featured species management that addresses threatened and endangered , keystone, indicator and other identified plant and animal species.



- Special lands management that addresses areas such as deserts, riparian areas, and other resources of special natural, cultural or urban infrastructure value.

5.2 Operations and Maintenance

Operations and maintenance refers to the specific day-to-day tasks and programs to assure resources and facilities are kept in good usable condition. This begins with sound design, durable components and a comprehensive management plan. The plan should be embraced by the responsible entities at the beginning of the implementation process. Programs and protocols should be instituted—including training of field and supervisory personnel—that will endure. In addition, community groups, residents, business owners, developers and other stakeholders should be engaged in the long term stewardship of the resources preserved and enhanced by this plan as discussed above.



5.2.1 Facilities Maintained

The operations and maintenance (O & M) program should address the following elements:

- Natural Open Spaces
- Landscaped Open Spaces and Corridors
- Arroyos and Drainageways
- Greenways and Greenbelts
- Buffer Spaces
- Wildlife Habitat and Movement Routes (including nuisances and pests)
- Off-Street Multi-Use Trails
- Road-Side Multi-Use Trails
- All-Terrain/ Primitive Trails
- Trail-Related Corridors (landscaped and open space areas)
- On-Street Bicycle Routes (bike lanes, bike routes, and streets used for biking)
- Trailheads
- Sidewalks and Streetscapes
- Wayfinding Signage, Fixtures and Furnishings (on-street and off-street)
- Regulatory and Safety Signage
- Tunnels, Underpasses, and Street Crossings
- Passive Parks and Cultural Destination Parks and Landscapes.
- Access Parking and Maintenance Roads
- Active Parks Systems (under current agency maintenance programs)

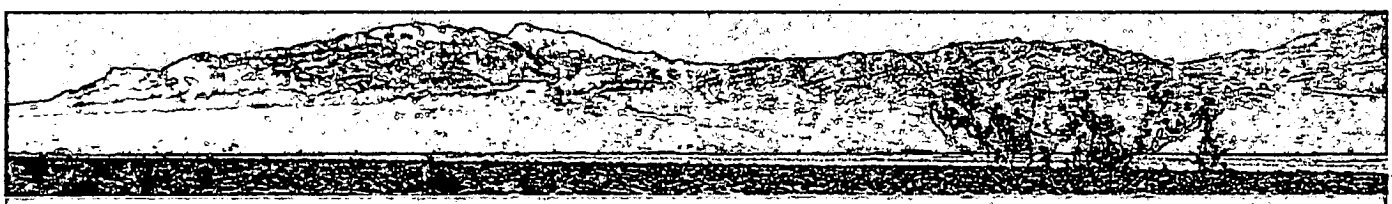
5.2.2 Functional Areas of Operations and Maintenance

An effective O & M plan should include the following areas:

- Maintenance—Routine and Remedial
- User Safety and Risk Management
- Programming and Events
- Resource Stewardship and Enhancement
- Oversight and Coordination

5.2.3 Routine and Remedial Tasks Defined

Routine Maintenance refers to the day-to-day regimen of litter pick-up, trash and debris removal, weed and dust control, trail sweeping, sign



replacement, tree and shrub trimming and other regularly scheduled activities. Routine maintenance also includes minor repairs and replacements such as fixing cracks and potholes or repairing a broken hand railing. Routine activities also include crime prevention, law and regulation enforcement, search and rescue and user education.

Remedial Maintenance refers to correcting significant defects as well as repairing, replacing or restoring major components that have been destroyed, damaged, or significantly deteriorated during the life of the project. Some items ("minor repairs") may occur on a five to ten year cycle such as repainting, seal coating asphalt pavement or replacing signage. Major reconstruction items will occur over a longer period or after an event such as a flood. Examples of major reconstruction remedial maintenance include stabilization of a severely eroded hillside, repaving a trail surface or a street used for biking or replacing a footbridge. Remedial maintenance should be part of a long-term capital improvement plan.

5.2.4 Guiding Principles for Effective Operations and Maintenance

The Northwest Las Vegas open space, trails and park system should be viewed and maintained as a public resource. Indeed it will become infrastructure similar to the street system or utility networks serving the community for generations to come. The following guiding principles will help assure the preservation of a first class system:

- Good maintenance begins with sound planning and design.
- Foremost, protect life, property and the environment.
- Promote and maintain a quality outdoor recreation experience.
- Develop a management plan that is reviewed and updated annually with tasks, operational policies, standards, and routine and remedial maintenance goals.
- Maintain quality control and conduct regular inspection.
- Include field crews, police and fire/rescue personnel in both the design review and on-going management process.
- Maintain an effective, responsive public feedback system and promote public participation.
- Be a good neighbor to adjacent properties.
- Operate a cost-effective program with sustainable funding sources.

5.3 Operations/Maintenance Tasks

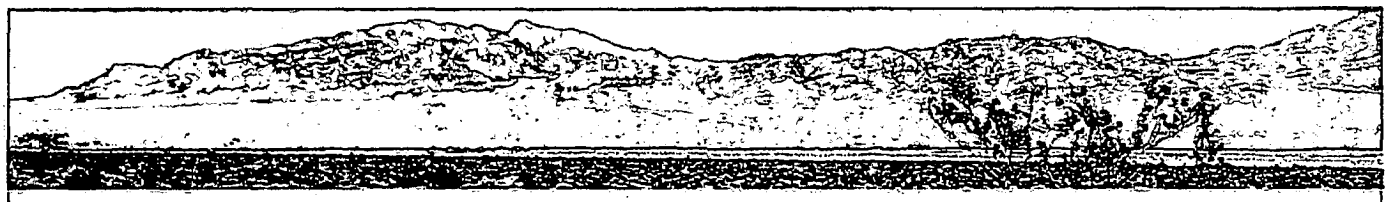
Following is a summary of specific O & M tasks:

5.3.1 Opens Spaces, Trail-Related Corridors and Resource Conservation Areas

- Inspection and Citizen Response
- Vegetation Management
- Irrigation Systems (where applicable)
- Stream/Wash Channel/Erosion Maintenance
- Litter and Trash Removal
- Graffiti and Vandalism Control
- Pest and Feral Animal Management
- Dust Reduction
- Fire Management
- Maintain Signage, Fences and Structures
- Patrol, Security, Enforcement, Safety Hazard Reduction
- Accident and Incident Data Tracking

5.3.2 Off-Street and Roadside Multi-Use Trails

- Inspection and Citizen Response
- Trail Surface Maintenance



- Sweeping
- Vegetation Management
- Irrigation Systems (where applicable)
- Litter and Trash Removal
- Graffiti and Vandalism Control
- Dust Reduction
- Repair Trail Structures/Erosion
- Rest Areas, Shelters and Water (Including Equestrian) Stations
- Toilet Facility Service
- Remedy "Social Trails" (such as shortcuts)
- Address Detours/Disruptions
- Maintain Connecting On-Street and Sidewalk Routes
- Patrol, Security, Enforcement, Safety Hazard Reduction



- Accident and Incident Data Tracking
- Special Event Policies and Permitting

5.3.3 All-Terrain Trails (such as foot paths, single-track "mountain" bike, equestrian and nature trails)

- Inspection and Citizen Response
- Surface Repair
- Vegetation and Pest Management
- Litter and Trash Removal
- Graffiti and Vandalism Control
- Irrigation Systems (where applicable)
- Dust Reduction
- Repair Structures
- Remedy Social Trails
- Rest Areas, Shelters and Water (Including Equestrian) Stations
- Patrol, Security, Enforcement, Safety Hazard Reduction
- Special Event Policies and Permitting
- Accident and Incident Data Tracking

5.3.4 On-Street (bike routes and bike lanes)

- Inspection and Citizen Response
- Street Surface Upkeep and Repair
- Street Sweeping
- Repaving and Pavement Overlays
- Signage, Striping and Lighting
- Vegetation Management
- Graffiti and Vandalism Control
- Education and Enforcement
- Detours/Disruptions
- Accident and Incident Data Tracking

5.3.5 Trailheads

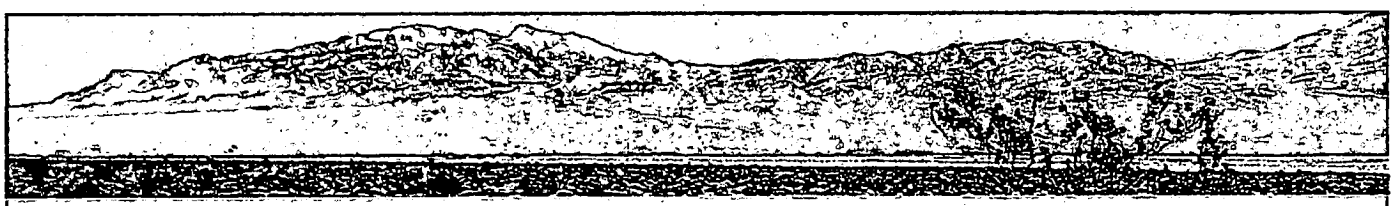
- Inspection and Citizen Response
- Mowing/Vegetation/Pest Management
- Litter and Trash Removal
- Graffiti and Vandalism Control
- Fixture Repair
- Parking Lot Repair
- Incident Data Tracking

5.3.6 Sidewalk and Streetscape

- Inspection and Citizen Response
- Repair
- Sweep
- Vegetation Management
- Fixture Maintenance
- Accident and Incident Data Tracking

5.3.7 User Safety and Risk Management

- The City of Las Vegas should implement a safety program that includes: systematic



risk management assessment, inter-agency design review for all proposed improvements and accident and crime reporting. In addition to department managers, planners, designers and engineers, police and fire/rescue and field maintenance personnel should be consulted in the design and review process. In pursuit of this concept, the Las Vegas Metropolitan Police Department has been effectively pursuing the D.I.C.E. (Ditch Improvement Collaborative Effort) program that involves coordinated management and enforcement of safety and security along the drainage corridors and surrounding areas. The program includes special training and techniques as well as integrated data management.

Metro Police also recommend implementation and on-going practice of CPTED (Crime Prevention Through Environmental Design) in pursuit of security and crime prevention, wise design and review of design by professionals, agency managers, field staff and safety and security personnel. Metro Police stress the importance of this as an up-front action to assure that parks, trails and open space do not deteriorate due to crime or from fear of criminal activity. Expanded implementation and support of these techniques in cooperation with Metro Police and other agencies is vital to the long-term success and enjoyment of parks, trails and open space.

- The City of Las Vegas should implement an emergency response protocol working with law enforcement, EMS agencies, and fire department that includes mapping of trail and open space access points, design of trails and access roads (to accommodate up to 6.5 tons), an "address system" such a mile markers to identify locations and where, appropriate 911 emergency phones in remote areas.

- Implement a data base management system with police for tracking specific location and circumstances of all accidents and crime and create a safety follow-up task force to address any problems that develop.

- Routinely inspect for safety hazards, defective structures, missing safety signs, etc.

- Post and enforce safe user behavior and bicycle speed limits (in congested and risk areas).

5.3.8 Conflict Reduction (Sources Pauline Gambill, Roger Moore—American Trails Library documents)

- Plan design and manage to reduce conflicts among users, with adjacent properties including: reckless and unsafe behavior; incompatible uses and values; trespass; disturbances and adverse environmental impacts.

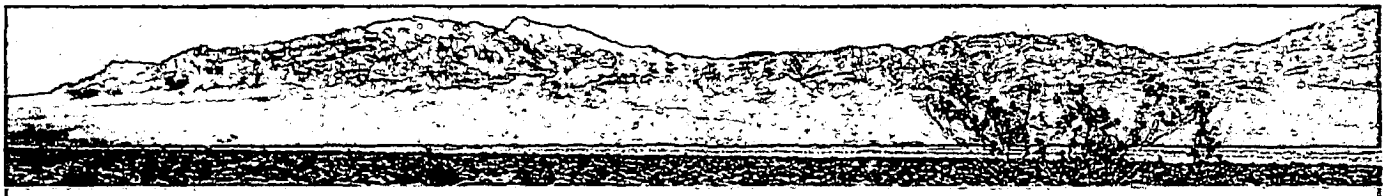
- Recognize the different goals of different users, such as equestrians and bicycles and separate where feasible.

- Provide user education through signage, patrol, volunteers, brochures, and media.

- Provide adequate trail mileage and open space acreage to accommodate user populations.

- Solicit input from user groups.

- Monitor, document and log problem areas and address problems through design and management.



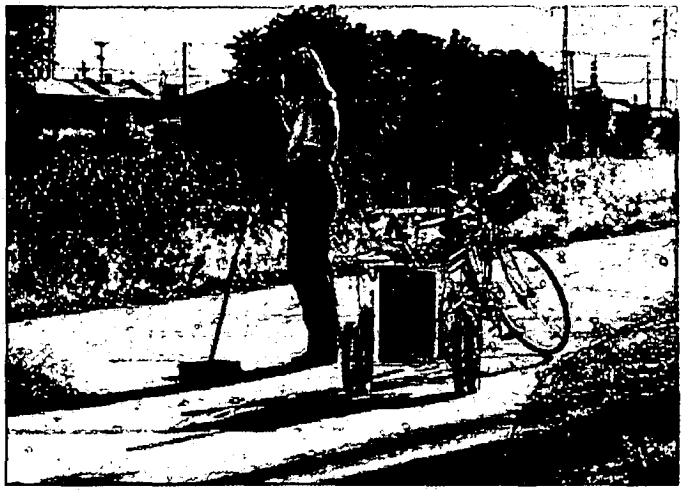
- Promote trail etiquette.
- Educate bicyclists and hikers on how to pass horses using subdued voice cues rather than bells, horns or sudden loud noise that might startle a horse.



- Avoid excessive regulatory signage.
- Employ temporary closure of facilities when conditions dictate or for resource recovery.

Ways to reduce conflicts with trail and open space neighbors include (Source: Flink, Searns and Olka—Trails for the 21st Century)

- Provide contact information for reporting problems.
- Maintain facilities regularly.



- Distribute or publish (on the Internet) maintenance schedule.
- Respond to illegal or disturbing activity quickly.
- Meet periodically with neighbors and provide other feedback means.
- Respond promptly and effectively to complaints, concerns and suggestions.

5.4 Cost of the O&M Program

Annual operations and maintenance costs vary depending upon the improvements to be maintained, level of use, location and standard of maintenance. Operations and maintenance budgets should take into account routine and remedial maintenance over the life cycle of the improvements and on-going administrative costs for the operations and maintenance program. Table 5.1 provides an overview of approximate costs for basic open space and trail operations and maintenance services. The estimates include field labor, materials, equipment and administrative costs. Table 5.2 provides a sample of comparable programs in other metropolitan areas that may be helpful in gauging the costs associated with a large-scale open space and trails system.

While actual costs will vary depending upon a number of factors such as availability of water in the future and labor rates, the estimates below can provide a general idea of potential operations and maintenance obligations. Following are typical annual costs for key components:

5.4.1 Routine O&M Costs

- Natural Open Spaces and Buffer Areas—Maintenance of natural open space costs between $ 75 and $ 200 per acre per year to maintain depending on level of use and disturbance. (The Jefferson County Open Space Program in Metro Denver offers a



comparable situation, managing 51,000 acres of passive open space with 2 million visitors per year at a cost of $118 per acre annually.)

- Arroyos and washes - natural arroyos with minimal landscaping, including debris pick up, weed control, and minor repairs may cost about $2,500 per mile annually. It is assumed that the Regional Flood Control District and Homeowner Associations would participate in this effort.

- Landscaped Open Space (Includes landscaped arroyos, which are 100 foot wide corridors that cost $37,000 per mile to maintain) These are assumed to be semi-developed park space addressing such items as: weed control; litter and graffiti management, erosion control, irrigation, plant grooming and law enforcement. Based on surveys by UNLV Landscape Architecture Program, an annual cost per acre is $3,000, not including water costs.

- Multi-Use (Off-street) Trails—Crew sizes tend to range from 0.5 to 5 full time employees (FTE's) per 10 miles of off-street trail. Annual routine maintenance costs may range from less than $3,000 to over $7,000 per mile. A recent white paper by Clark County estimates costs of $5,000 per mile.

- All-Terrain Trails—Annual maintenance costs range from nominal to $2,000 per mile/year depending on usage and level of development. East Bay Regional Park District has estimated $1,000 per mile/ year. Volunteers may absorb all or part of this function.

- On-Street Bike Corridors—It is assumed that the current street maintenance crew can handle an on street system at the current level. Some provision should be made however for fifteen regular inspections per year, to include minor repairs of signs, vegetation grooming and other items that an inspector could remedy in the field. Additional attention should be paid to any potholes or other pavement damage. Some additional sweeping may be required where wider shoulders area provided along roads.

- Landscaped, Park and Feature Areas (Includes formal trailheads)—Turf grass park and feature areas such as plazas are estimated at $10,500 per acre (Source: UNLV).

- Sidewalks—These are assumed to be maintained by public works, property owners and homeowner associations.

Remedial O &M Costs (These figures are included in the annual routine maintenance costs.)

Off-street paved trails—A 10-to-12-year life is assumed for asphalt and **crusher fine** trails after which an overlay may be required. A complete resurfacing after 20-25 years is anticipated. Concrete is assumed to last twice as long. Bridges, tunnels, retaining walls and other heavy infrastructure are assumed to have a 100-year life or longer.

Off-street non-paved (all-terrain) trails—For purposes of this study, remedial work on non-paved trails will be assumed to be negligible, since volunteers may accomplish much of this work. There may be some administrative costs associated with this.

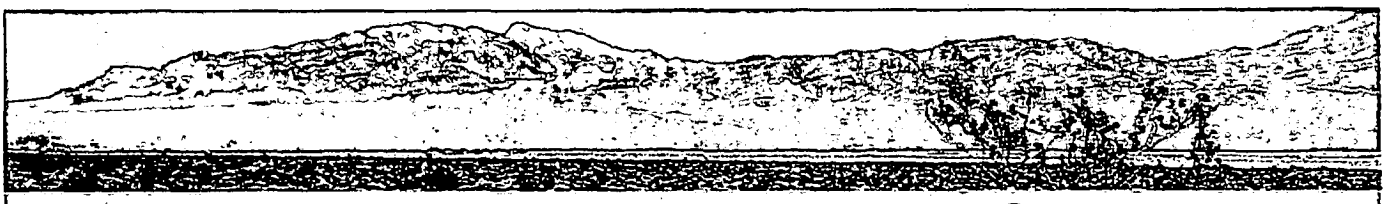


Table 5.1 Projected Annual Maintenance Costs

Northwest Las Vegas Open Space Facility	Annual Maintenance Costs per Mile or per	Estimated costs by 2015	Build Out Costs
Natural Open Space	$118/acre	960 acres	$113,260
Landscaped Open Space	$3,000/acre	2,240 acres	$6.7 million
Multi-use Trails	$5,000/mile	46.8 miles	$234,000
All Terrain Trails	$1,000/mile	10 miles	$10,000
On-Street Bike Lane	Street Maintenance	NA	NA
On-Street Sidewalks	Street Maintenance	NA	NA
Active Park Trailhead	$3,000/acre	7 acres	$21,000
Arroyos/Washes (natural)	$2,000/mile	13.6 miles	$27,260
Arroyos/Washes (landscaped)	$36,000/mile	63 miles	$2.4 million

Table 5.2 Comparable Maintenance Costs for Other Communities

Entity	Facilities Mix	Acreage	Annual Budget
Jefferson County Open Space Program, Golden, Colorado	Mostly natural open space with all-terrain trails, trailheads and minimal amenities. (450,000 residents in jurisdicition with 2 million visitors to open space.)	51,000	$6 million (from 1/2 cent sales tax)
South Suburban Parks and Recreation District, Littleton, Colorado	Mix of parks, paved and non-paved trails (111 miles), open space. Metro Denver (160,000 residents in District)	3,200	$5 million (property tax)
City of Albuquerque Open Space Program	Mostly natural open space (mountains, arroyos and river bottomlands with all-terrain trails, trailheads and minimal amenities (450,000 residents in city). Includes administration, resource management, law enforcement and visitor services.	28,000	$3.5 million (1/4 cent gross receipts tax)

Data Source for Table 5.1: Greenways Incorporated, JW Zunino and Associates, Urban Edges, Inc., Denver Urban Drainage and Flood Control District, South Suburban Park and Recreation District - Denver, Boulder Parks and Recreation, and East Bay Regional Park District - San Francisco, UNLV Landscape Architecture Program, Clark County, NV. All values adjusted for inflation.

Data Source for Table 5.2: Jefferson County, Colorado, South Suburban District, Colorado and City of Albuqeurque, New Mexico.



Roadside trails—Remedial work for roadside "trails" includes asphalt repaving (5' on either side of the street for a two-way bike route, total 10' width) along with curb and gutter, sewer-grate and manhole repair. Pothole and crack repair are considered routine. Since this work is done as part of the current street maintenance regime the cost is assumed to be nil.

5.5 Administration and Jurisdictional Responsibilities

5.5.1 Overview of Inter-Agency Cooperation

Maintenance responsibility will be with the Public Works Department and Field Operations, depending on the type of landscape to be maintained. A number of other jurisdictions and entities such as the Las Vegas Metropolitan Police Department, Clark County Parks and Community Services, homeowner associations and business groups will also have roles on their respective segments. The Las Vegas Public Works Department and Field Operations will be key agencies in the maintenance of facilities along roads, utility corridors, arroyos and washes in cooperation with the Clark County Regional Flood Control District. The Leisure Services Department, or where appropriate, homeowners associations, should maintain the off-street trail and greenway system. It will be helpful to create a citizen's group that could ultimately play an important role in coordinating and advocacy (See stewardship discussion above).

Resource Conservation Areas and Open Spaces—These spaces would be maintained by Public Works, Field Operations or Leisure Services crews, or by homeowner associations where appropriate, for dedicated areas added into the system by new development.

Roadside Trails—This system should be maintained by Public Works or Field Operations and patrolled by the Las Vegas Metropolitan Police Department. A key to continued success will be the establishment and acceptance of roadside trail operations and maintenance guidelines and proper training of both supervisory and field personnel in the fine points of roadside trail facility upkeep. There should also be interagency coordination and user feedback protocols that assure timely response to citizen complaints and suggestions.

Trailheads and Feature Areas—These areas are to be maintained by the Public Works Department, Field Operations or the respective homeowners associations if appropriate.

Sidewalk Maintenance—Sidewalk maintenance is to be performed by the adjacent property owners and tenants as prescribed by city ordinances. This may include individual owners, business and resident associations and special districts as applicable. Special furnishings and amenities such as benches and signage will be the responsibility of the appropriate jurisdictional entity such as the Public Works Department or Field Operations.

5.6 Funding the O&M Program

Identifying funding sources, creating funding sources and sustaining reliable funding over the long term is critical to the overall success of operations and maintenance and, ultimately, the success and growth of the trail program. Several types of funding sources can be identified and it is like that a combination of these might offer the best solutions. Following are likely potential sources:

Budget Allocations to Current Agency Programs—These are funds coming directly from existing agency and department programs as part of annual budget contributions. Typically this is the base revenue source for operations and management.

Multi-Objective Partnerships—Most trails serve multiple public and private benefits including access for floodway and ditch upkeep, utility access, street maintenance and enhancement of adjacent private properties. This may pose a number of opportunities



for task sharing and cost sharing among the various beneficiaries, particularly with respect to storm drainage management along river, creek and canal corridors.

Outside Funding—The Clark County Flood Control District can be a key player in both routine and remedial maintenance along drainage corridors. Work with the City of Las Vegas Public Works to explore potential for regional funding of trail maintenance. Explore funding from the Regional Transportation Commission, Nevada Power, and the Nevada Department of Transportation.

In-Kind Services—Such as volunteers, youth and student labor, and seniors. May also include donations of material and equipment. Consider also adopt-a-trail programs working with service clubs, scouts, school groups, businesses and others. Adopt-a-trail programs should include credit signage and written agreements with adopting group.

Department of Corrections Program—This may be a source for a labor pool.

Creation of an open space special district—some communities have created overlay special districts to address park, trail and open space facilities. Such districts are quasi-jurisdictional entities with ability to raise revenues and develop and maintain facilities. (Example: South Suburban Parks and Recreation District in Littleton, CO)

Creation of and open space management endowment—from the proceeds of land disposal sales and other contributed sources. At 4% annual interest, an endowment of $ 100 Million would yield $4 million per year for operations and maintenance.

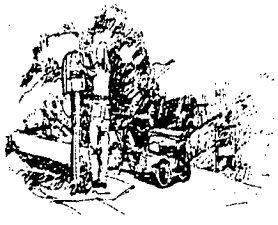
5.7 Implementing the O&M Program

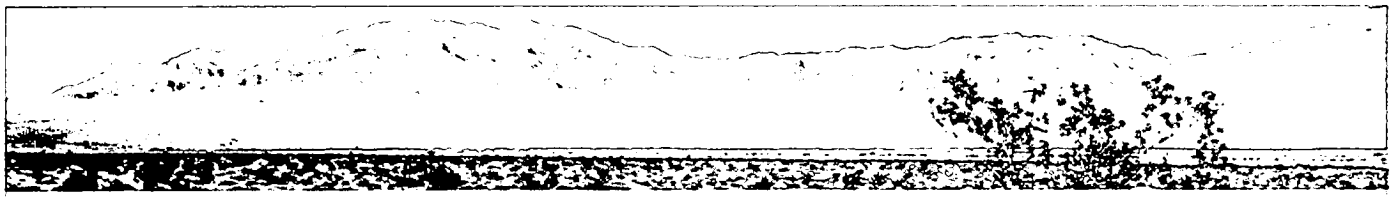
The following actions should be pursued in conjunction with implementation of the plan:

- Establish a staff O & M coordinating committee with representatives from each of the participating agencies and stakeholders.
- Refine an annual O & M budget and pursue the various funding sources.
- Identify an entity to provide on-going oversight, coordination and leadership for the total system.
- Based on this plan, pursue development of an easy to use management manual and training program and incorporate it into existing and new O & M programs and procedures within the participating agencies. This could include an open space and trail management "certification" for staff, contractors and others working on the trail corridors.
- Establish a public education, citizen participation program and a feedback phone number and Web address. Agree to and institute an agency response and quality control process.

5.8 References

For a listing of operations, maintenance and management publications and resources visit the American Trails (www.americantrails.org/resources/ManageMaintain/index.html) and Rails to Trails Conservancy (http://www.trailsandgreenways.org/). For a discussion of user conflicts see also www.imba.com/resources/bike_management/conflictsfull.html





Chapter 6: Implementation

The concept of this Open Space Plan is simple. Identify the most valued lands within the Northwest region of the City that can be protected and conserved, and link these lands together with multi-purpose trail corridors. Within these corridors, build pathways that people can travel by foot, bicycle, rollerblade or on horseback. And make the corridors wide enough so that they will help to protect arroyos, conserve habitat for wildlife, preserve historic landscapes, and beautify area roadways.

Implementing the recommendations contained within this Open Space Plan will require leadership on the part of the City of Las Vegas, a dedication to stewardship, conservation of critically important resources, bold initiatives in the area of funding, land acquisition and facility development, and a committment to the plan of action that is defined in this chapter.

The City of Las Vegas will not be able to accomplish the recommendations of this Plan alone. It will need to build upon the partnerships already begun with Clark County, the State of Nevada and the Bureau of Land Management, and join with private sector land conservation organizations, landowners and businesses to accomplish the strategies of this Plan.

6.1 Roster of Projects

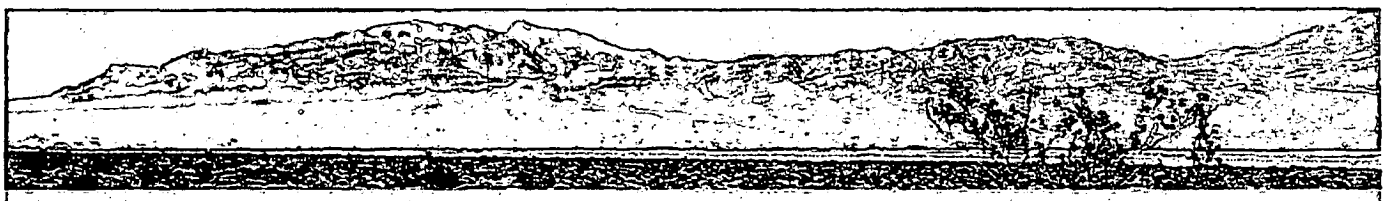
Based on input received during meetings with the citizens of Northwest Las Vegas, discussions with the two advisory committees and input of city staff, the consultant has compiled a Roster of Projects that defines activities that should be undertaken to protect open space and improve access to outdoor landscapes. This roster is described in greater detail on the following pages.

6.1.1 Land Conservation

The conservation of key parcels of land is central to the goals and objectives of this open space plan. Land is a rapidly diminishing resource in Northwest Las Vegas. It has become an expensive commodity and if it is going to be conserved as open space for parks, trails, cultural and natural landscapes, the city will need to enter the competitive real estate arena and protect a proportionate share of undeveloped land for Northwest residents. This protection, or conservation of land, can be accomplished through different methods, including the purchase of land, exactions through the land development process, gifts of land to the city and land management agreements.

Land conservation will not happen unless the City of Las Vegas takes an aggressive approach. Land costs are too high to encourage "voluntary" participation in open space protection. With land prices now approaching $300,000 an acre throughout the Las Vegas Valley, land conservation becomes a critical element of urban infrastructure, and is equally important to a quality lifestyle as roads, water, sewer, electricity, schools, and high speed internet service. The City and its partners cannot be passive in their efforts to conserve open space resources; they must act quickly, decisively and effectively.

There are a host of tools that the City can use to acquire land other than fee simple purchase. Long term management agreements, conservation easements, life estate gifts (bequest), and bargain sales are just a few of the tools that can be used to conserve open space in a competitive real estate market. The Southern Nevada Public Land Management Act of 1997 was prepared to provide for the orderly disposal of specific federally held land in Clark County. The profits from the sale of land in the disposal boundary goes into several funds. Part of the funds in the Treasury account are made available for the purchase of environmentally sensitive lands and the development of parks, trails, and natural areas in Clark County.



Creative strategies can be employed and should be utilized where time and opportunity are present. One of the biggest obstacles of a land conservation strategy in Northwest Las Vegas is the current rate of change. Property is bought and sold quickly and the city will need to partner with specialists in land conservation, such as the Trust for Public Land, to implement the recommendations of this Plan in a timely manner.

Transfer of Reversionary Interest

In Nevada, a transfer of reversionary interest applies to lands that have been patented through Recreation & Public Purposes or through special legislation where the conveyance of land was for a specific purpose. When the patentee wants to use the land for something other than for which it was conveyed, rather than have the land revert back to the government, they have the option of purchasing the reversionary interest. An appraisal of the reversionary interest is completed, giving the patentee the opportunity to purchase the land. By doing so, the patentee acquires the land and can use it for whatever he wants. If the land was conveyed through R&PP, a very discounted price was paid. In the case of special legislation, the land is sometimes conveyed at no cost. The appraised FMV would provide BLM with full compensation at today's price for the value of the land.

For example, the City acquires land for a fire station through R&PP. Shortly after patent issuance, the fire department is approached by someone offering to buy the land from them to build a gas station. Because the land was designated for a specific purpose, it can only be used for another public purpose. The gas station offers a different piece of land to the fire department at no cost if the fire department will sell them the parcel obtained from BLM. In order to sell the former BLM land, the fire department will pay to have BLM obtain an appraisal, which will be for the FMV of the land. BLM offers to sell the land at that price. Going through escrow, the developer pays for the land for which the reversionary interest is patented to the fire department. The fire department flips the land to the developer, who deeds his other parcel of land to the fire department.

Without defining specific properties, the key areas of open space conservation are along the western and northern boundaries of the Northwest region where undeveloped land still exists. Significant opportunity for open space conservation exists within land that is under the jurisdiction of Clark County. The City needs to work closely with the County to acquire key parcels of open space to meet future park and trail needs. The City also needs to work closely with the State of Nevada and BLM to define a detailed development program for the Northwest Cultural Park.

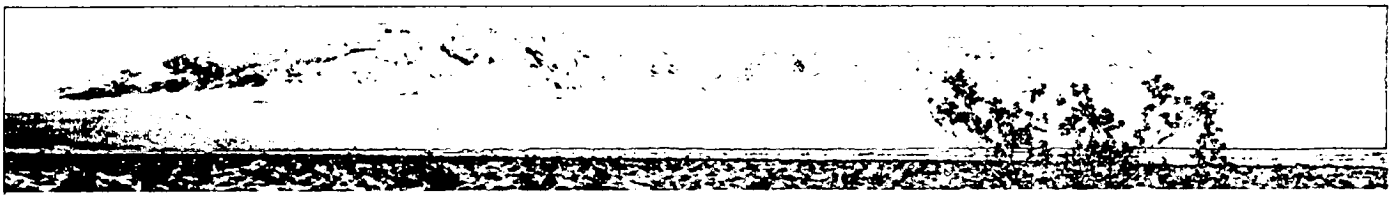
The City should also work with other public and private sector partners, including the Nevada Field Office of the Trust for Public Land, to establish a not-for-profit Las Vegas Valley Land Trust. A future non-profit land conservancy based in the Valley could become an important partner for the City, Clark County, State and Federal agencies and other Southern Nevada communities.

Conserve Arroyos and Washes

This plan advocates the conservation of an estimated 4,000 acres of land in the Northwest region. There are three major areas of land conservation defined in this plan. One is to protect arroyos and washes in the Northwest region. The plan estimates that as much as 1,200 acres of arroyos and washes should be protected. This protection can be accomplished through the land development process and in partnership with the Clark County Flood Control District.

Conservation During Land Development

A second major pursuit would be to implement land conservation through the land development process. One way to accomplish this is to encourage the land



development community to increase the amount of land that is conserved and to use the open space plan as a framework for meeting the open space needs of Northwest residents. This plan targets as much as 1,500 acres to be conserved during the future land development process. This would be accomplished primarily by looking at providing increased density in exchange for conservation of open space.

Acquire Targeted Open Space

The final pursuit is a targeted acquisition strategy by the City and its public and private sector partners. This plan estimates that approximately 1,700 acres of land would be targeted for acquisition and public ownership, for use as future parks, trails, natural areas and cultural landscapes. Again, we don't envision that the city would accomplish this alone, and in fact it will need assistance from a variety of partners to accomplish this bold undertaking. Some of this land may need to be acquired as full fee-simple value. Other land may be acquired through below market values that would come through relationships with local and national land trusts.

6.1.2 Facility Development – Trails

The second major element of the Roster of Projects is the development of the regional trails network in Northwest Las Vegas (Figure M4. Trails System Map). This trail system was developed by soliciting input from Northwest residents. The City of Las Vegas should undertake a more detailed "gap" analysis to define sections of trails that are incomplete within the selected corridors. The City will also need to amend the Interlocal Agreement with Clark County and the Transportation Trail and Recreation Trails elements of the City Comprehensive Plan to reflect changes to the trail corridors in the Northwest that result from this plan and the subsequent gap analysis work. The following text defines major trail corridors that are proposed for future development.

Indian Springs Corridor

Location:

A diagonal corridor that extends along an existing electrial easement from the intersection of Alexander and Durango north and west to Interstate 215. A total distance of 2 miles.

Description:

The proposed Indian Springs Trail will be an off-road unpaved trail that extends approximately 2 miles. The right-of-way may not currently provide for trail use, so the City of Las Vegas will need to purchase an easement or the land in fee simple to provide for the trail, or have it dedicated as part of the land development process. Also, some portions of the trail will need to run parallel to existing roads in areas where the diaganol corridor has been lost to development. Finally, several roads will need to be crossed to facilitate development.

Cost of Trail Development:

It is estimated, for budget purposes, that the project will cost $4 million for full build out. This will include trail development, at-grade intersection crossings, shade structures, native landscaping, drinking fountains, area lighting, signage and traffic signs.

Cost of Land Acquisition:

Assuming that the city has to acquire all of the right-of-way for the project, it is anticipated that 24 acres of

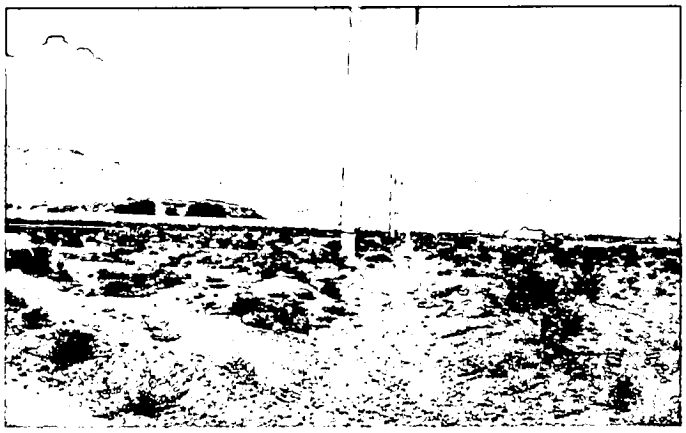
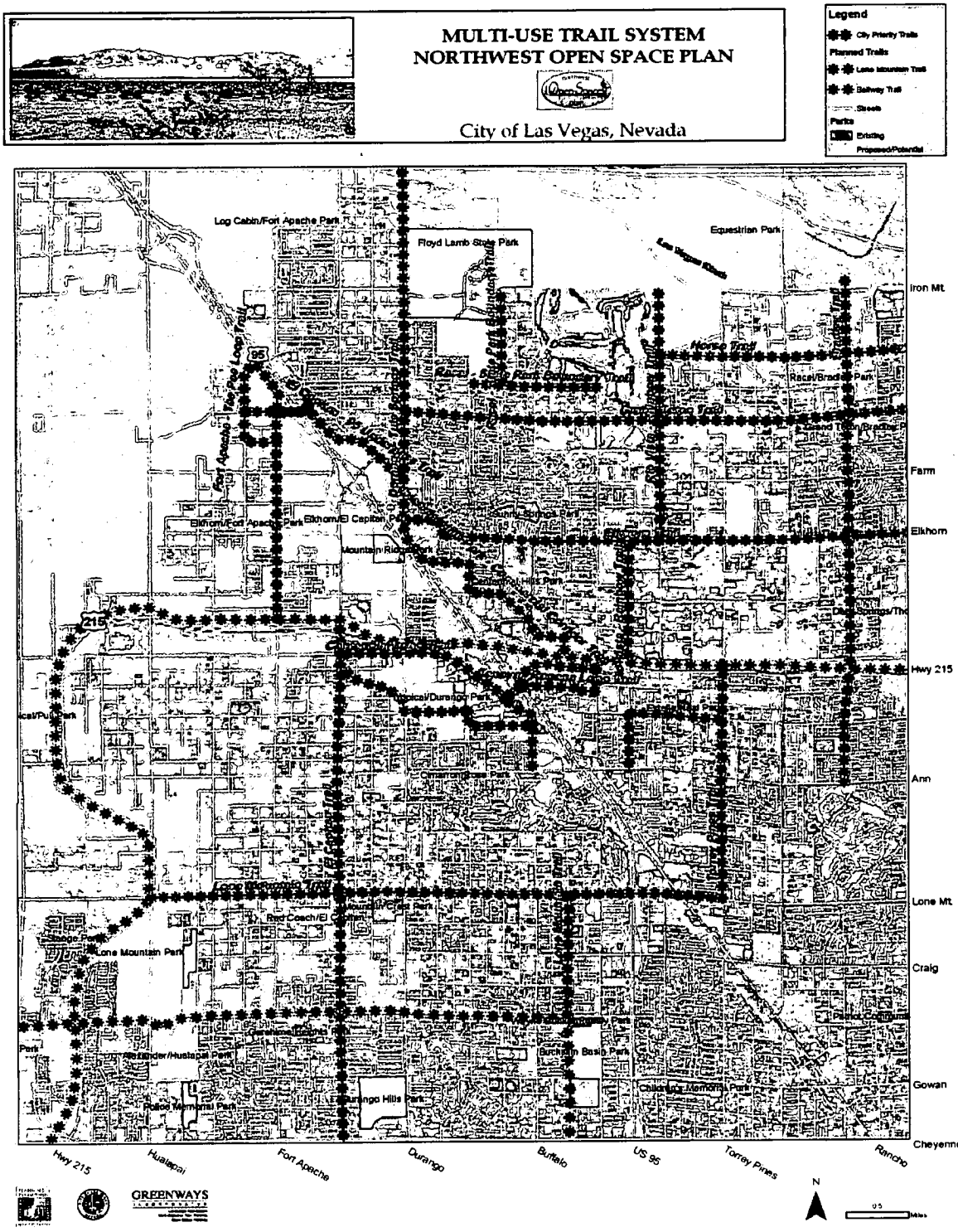
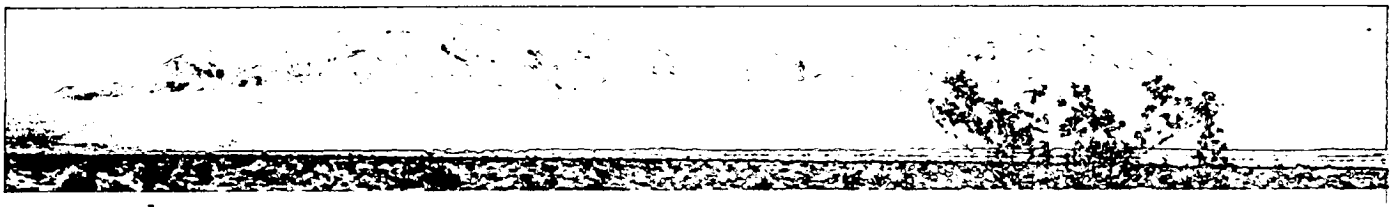


Figure M4: Northwest Trails System





land will need to be acquired to facilitate trail development. At a cost of $300,000 per acre, the total estimated cost for acquisition is $7.2 million.

Timeframe:
This project can be accomplished immediately. Right-of-way acquisition can begin right away, trail design can also begin after property is assembled. Project can be completed within 2 years from inception.

Grand Teton Corridor

Location:
Grand Teton Drive from the North Las Vegas boundary to US 95, across US 95 to Puli Road. A total distance of 6.5 miles.

Description:
Grand Teton is a partially constructed roadway that provides a 120 foot right-of-way, large enough to accommodate a multi-use trail on one or both sides. This is a high priority corridor for future trail development among trail enthusiasts in the City. Approximately one half of the trail system has been installed



to date. The purpose of this project will be to fill in the missing gaps and complete the project from end to end, estimated to total 3.5 miles.

This trail would link to the North Las Vegas system of trails to the east, into the Red Rock Canyon Conservation Area to the west, and north to Floyd Lamb State Park.

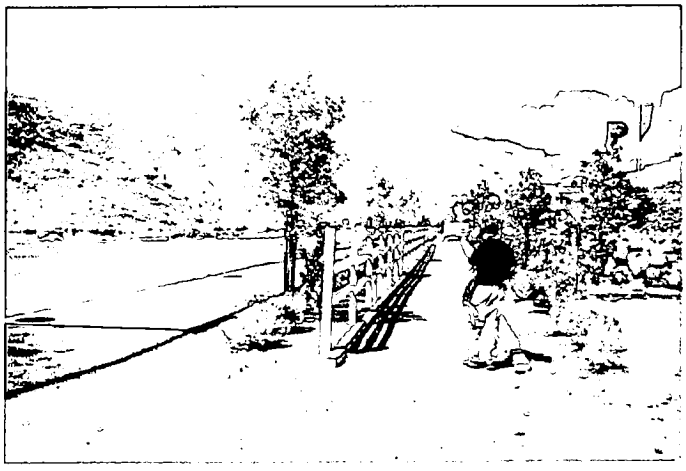
Cost of Trail Development:
It is estimated, for budget purposes, that the project will cost $6 million for full build out. This will include paved and unpaved trail development, at-grade intersection crossings, shade structures, native landscaping, area lighting, signage and traffic signs. There are no right-of-way costs associated with this project

Timeframe:
Portions of this project can be constructed immediately as the right-of-way exists and roadway exists to build the project. Portions west of US 95 up to Puli Road may have to wait on the future development of roadways.

Lone Mountain Corridor Trail

Location:
Beginning at the intersection of Rancho and Lone Mountain Road, this trail runs adjacent to the north side of Lone Mountain Road. The trail passes Lone Mountain Park, following the curve in Alexander to Interstate 215. The trail crosses I-215 on an existing overpass and then heads west to the Red Rock Canyon Conservation Area. Total distance is approximately 5.2 miles.

Description:
This off-road trail would be developed in the Lone Mountain corridor right of way and provides east-west



travel for trail users. It also connects users to major public parks, including Mountain Crest, Lone Mountain and the Red Rock Canyon Conservation area. This is a popular route of travel for a wide variety of users, and the new trail system will make it possible for more residents to utilize the corridor.

Cost of Trail Development:
It is estimated, for budget purposes, that the project will cost $7 million for full build out. This will include paved and unpaved trail development, at-grade intersection crossings, shade structures, native landscaping, area lighting, signage and traffic signs. There are no right-of-way costs associated with this project.

Timeframe:
Construction can begin on this project immediately as the right-of-way is already publicly owned. This project can be completed within 2 years from date of inception.

El Capitan Corridor Trail
Location:
From the intersection of Cheyenne, this trail heads north along El Capitan to its intersection with Centennia. Total distance is 3.9 miles.

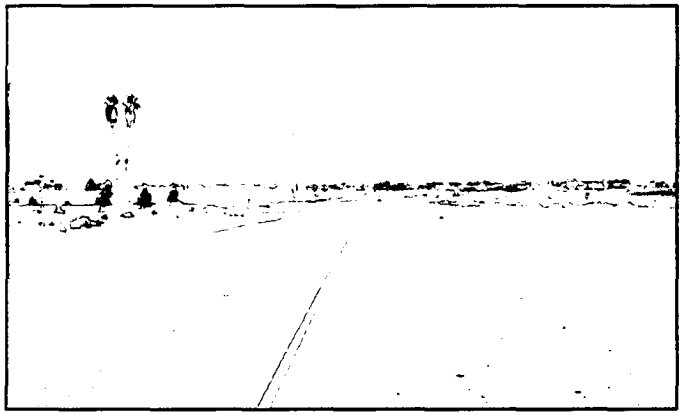
Description:
This is primarily an off-road multi-use trail that will serve rural residents of the northwest area of the City and Clark County. It links to Durango Hills, the Centennial Hills area, Mountain Crest Park, and El Capitan Park.

Cost of Trail Development:
It is estimated, for budget purposes, that the project will cost $5 million for full build out. This will include paved and unpaved trail development, at-grade intersection crossings, shade structures, native landscaping, area lighting, signage and traffic signs. There are no right-of-way costs associated with this project

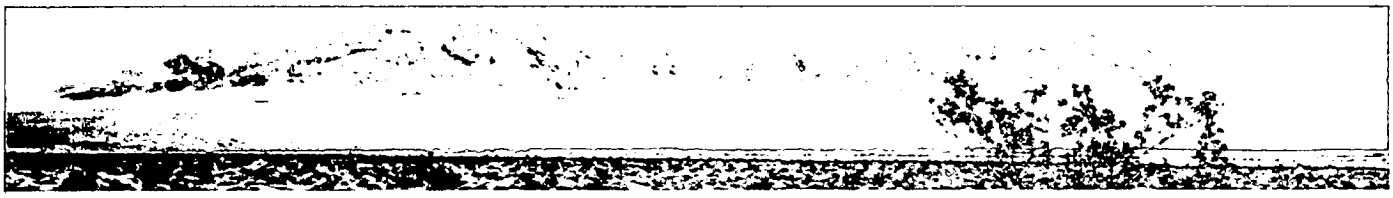
Timeframe:
Much of this project can be placed under design and construction immediately. The right-of-way is available for future trail development.

Torrey Pines Corridor Trail
Location:
From the intersection of Lone Mountain Road Torrey Pines, this trail heads north along Torrey Pines to its intersection with the I-215 corridor. Total distance is 2.3 miles.

Description:
This is primarily an on-road multi-use trail that will serve residents and commercial areas of the city. The northern section of the corridor is undergoing rapid development at this time.







Cost of Trail Development:
It is estimated, for budget purposes, that the project will cost $4 million for full build out. This will include paved and unpaved trail development, at-grade intersection crossings, shade structures, native landscaping, area lighting, signage and traffic signs. There are no right-of-way costs associated with this project.

Timeframe:
Much of this project can be placed under design and construction immediately. The right-of-way is available for future trail development.

Bradley Corridor Trail

Location:
From the intersection of the 215 Beltway and Bradley, this trail heads north to the BLM and Las Vegas Wash, providing access to the proposed Northwest Cultural Park. Total distance is 3.2 miles.

Description:
This is primarily an on-road multi-use trail that will serve equestrians, hikers and bikers of the northwest area of the City and City of North Las Vegas. Project links to Deer Springs Park, proposed Grand Teton and Bradley Park, proposed Racel/Bradley Park and proposed Northwest Cultural Park.

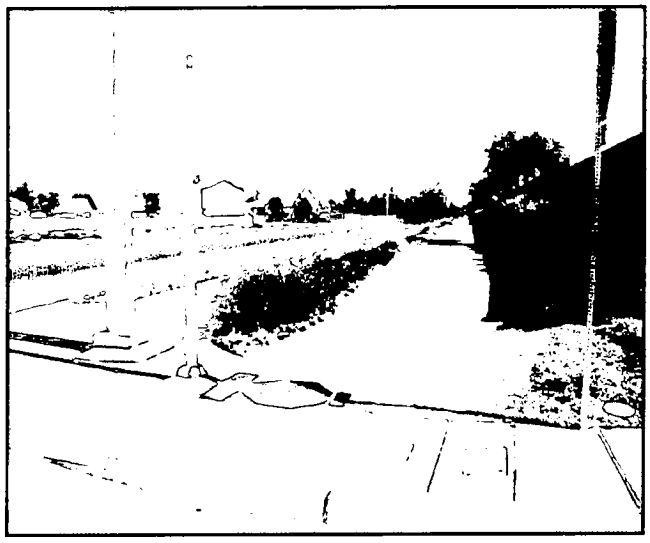
Cost of Trail Development:
It is estimated, for budget purposes, that the project will cost $5 million for full build out. This will include paved and unpaved trail development, at-grade intersection crossings, shade structures, native landscaping, area lighting, signage and traffic signs. There are no right-of-way costs associated with this project

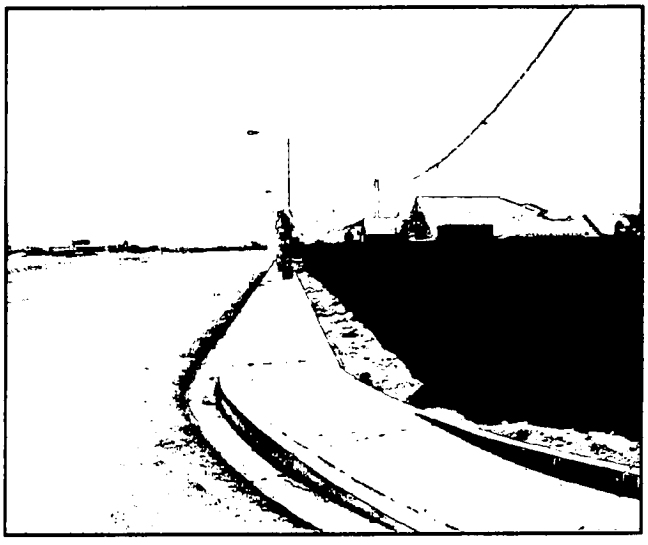
Timeframe:
Much of this project can be placed under design and construction immediately. The right-of-way is available for future trail development.

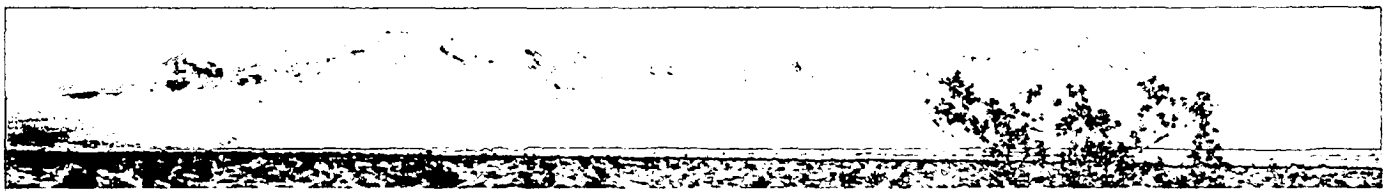
Rio Vista/Rainbow Corridor Trail

Location:
From the intersection of the 215 Beltway and Rio Vista, this trail heads north to Floyd Lamb State Park following Rio Vista and Rainbow, using Elkhorn as a connector. Total distance is 3.3 miles.

Description:
This is primarily an on-road multi-use trail that will serve primarily hikers and bikers of the northwest area of the City. Project links to Centennial Hills and rural residential neighborhoods in Northwest Las Vegas, terminating at Floyd Lamb State Park.







Cost of Trail Development:
It is estimated, for budget purposes, that the project will cost $5 million for full build out. This will include paved and unpaved trail development, at-grade intersection crossings, shade structures, native landscaping, area lighting, signage and traffic signs. There are no right-of-way costs associated with this project

Timeframe:
Much of this project can be placed under design and construction immediately. The right-of-way is available for future trail development.

Elkhorn Corridor Trail
Location:
From the intersection of Decatur and Elkhorn, this trail heads west to US Highway 95 corridor. Total distance is 3.7 miles.

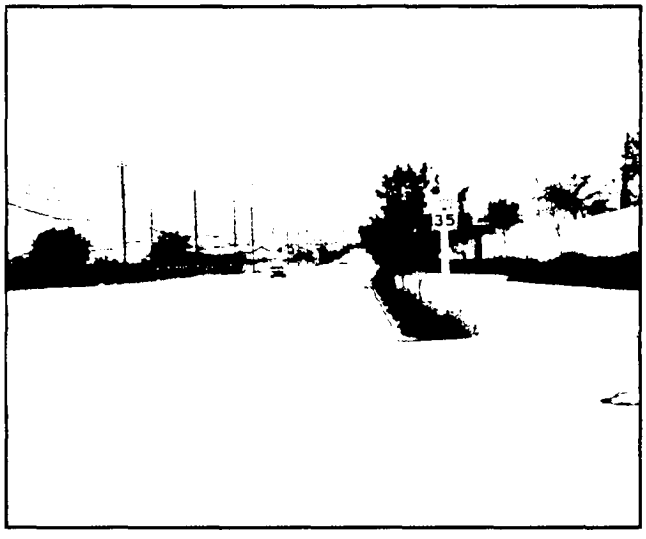
Description:
This is primarily an on-road multi-use trail that will serve equestrians, hikers and bikers of the northwest area of the City. Project links to Centennial Hills Park and rural residential neighborhoods in Northwest Las Vegas.

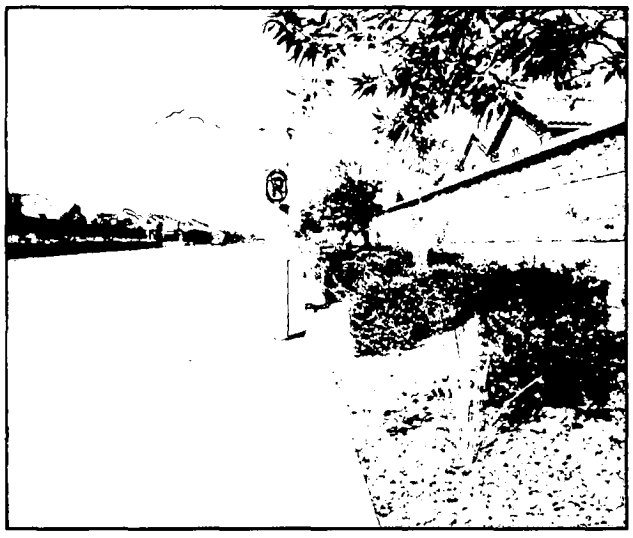
Cost of Trail Development:
It is estimated, for budget purposes, that the project will cost $6 million for full build out. This will include paved and unpaved trail development, at-grade intersection crossings, shade structures, native landscaping, area lighting, signage and traffic signs. There are no right-of-way costs associated with this project

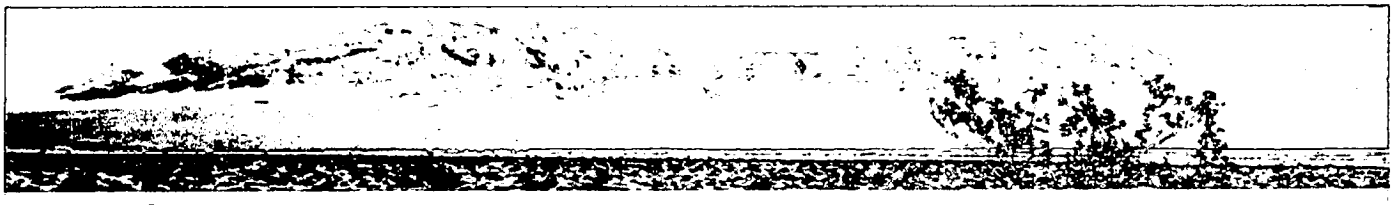
Timeframe:
Much of this project can be placed under design and construction immediately. The right-of-way is available for future trail development.

Horse Corridor Trail
Location:
From the intersection of Decatur and Horse, this trail heads west to Rainbow at Floyd Lamb State Park. Total distance is 2 miles.

Description:
This is primarily an on-road multi-use trail that will serve primarily hikers and bikers of the northwest area of the City. Project links residential areas to Floyd Lamb State Park.







Cost of Trail Development:
It is estimated, for budget purposes, that the project will cost $3 million for full build out. This will include paved and unpaved trail development, at-grade intersection crossings, shade structures, native landscaping, area lighting, signage and traffic signs. There are no right-of-way costs associated with this project

Timeframe:
Much of this project can be placed under design and construction immediately. The right-of-way is available for future trail development.

Durango-Tule Springs Corridor Trail
Location:
From the intersection of the US 95 Highway and Tule Springs, this trail heads north to Floyd Lamb State Park following Tule Springs and Durango. Total distance is 2.9 miles.

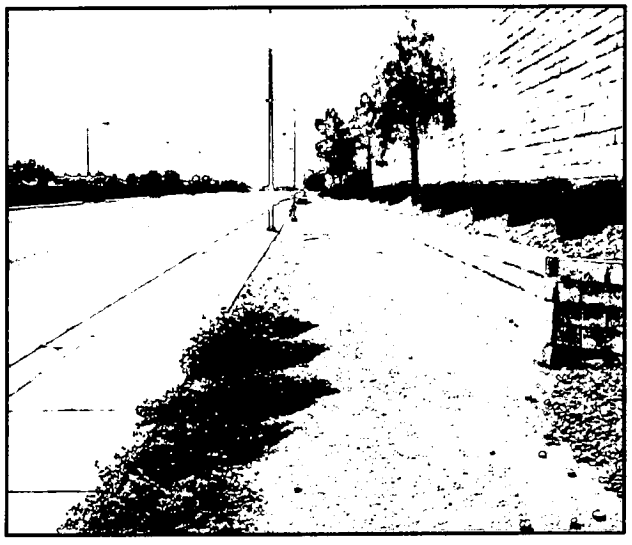
Description:
This is primarily an on-road multi-use trail that will serve equestrians, hikers and bikers of the northwest area of the City. Project links residential areas to Floyd Lamb State Park.

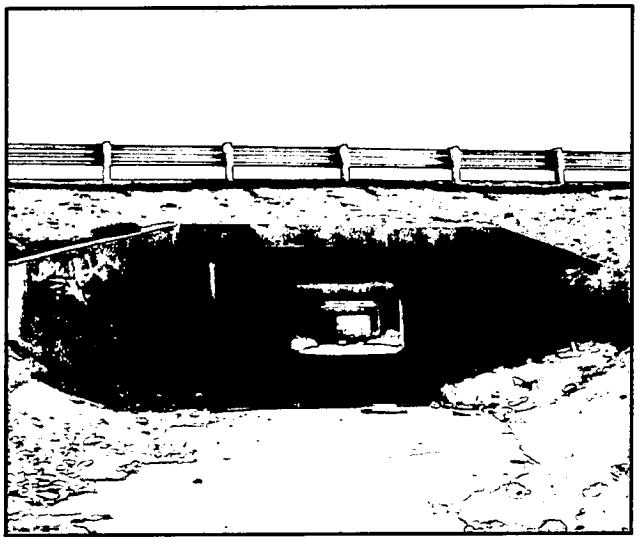
Cost of Trail Development:
It is estimated, for budget purposes, that the project will cost $4 million for full build out. This will include paved and unpaved trail development, at-grade intersection crossings, shade structures, native landscaping, area lighting, signage and traffic signs. There are no right-of-way costs associated with this project

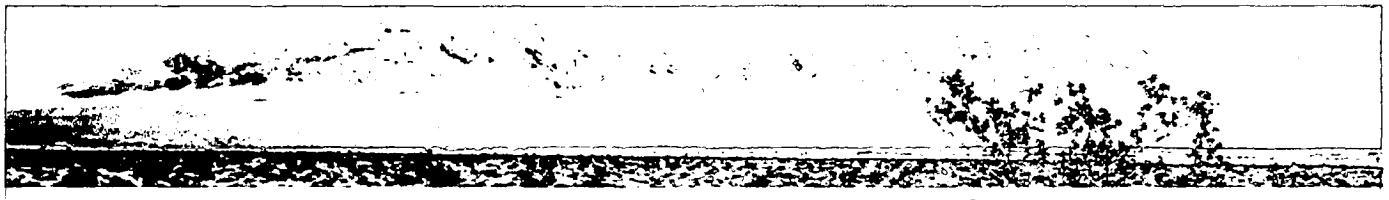
Timeframe:
Much of this project can be placed under design and construction immediately. The right-of-way is available for future trail development.

El Capitan/95 Underpass Corridor Trail
Location:
From the intersection of the Tule Springs and El Capitan, this trail heads west to US Highway 95 and the underpass. Total distance is 1.2 miles.

Description:
This is primarily an on-road multi-use trail that will serve equestrians, hikers and bikers of the northwest area of the City. Project links to an existing underpass beneath US Highway 95 and surrounding residential communities.







Cost of Trail Development:
It is estimated, for budget purposes, that the project will cost $2 million for full build out. This will include paved and unpaved trail development, at-grade intersection crossings, shade structures, native landscaping, area lighting, signage and traffic signs. There are no right-of-way costs associated with this project

Timeframe:
Much of this project can be placed under design and construction immediately. The right-of-way is available for future trail development.

Fort Apache/Tee Pee Corridor Trail
Location:
From the intersection of the 215 Beltway and Fort Apache, this trail heads north to US Highway 95 along Fort Apache and links to the Tee Pee Road loop. Total distance is 3.6 miles.

Description:
This is an on-road multi-use trail that will serve primarily hikers and bikers of the northwest area of the City. Project links to Centennial Hills and residential neighborhoods in Northwest Las Vegas.

Cost of Trail Development:
It is estimated, for budget purposes, that the project will cost $5 million for full build out. This will include paved and unpaved trail development, at-grade intersection crossings, shade structures, native landscaping, area lighting, signage and traffic signs. There are no right-of-way costs associated with this project

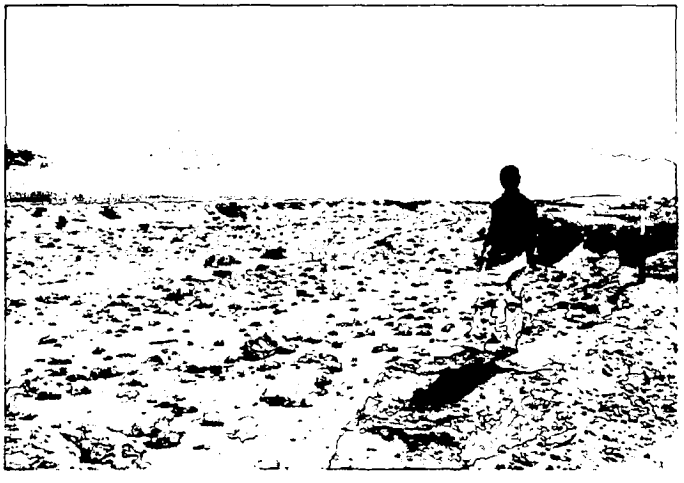
Timeframe:
Much of this project can be placed under design and construction immediately. The right-of-way is available for future trail development.

Las Vegas Wash
Location:
This off-road corridor extends from Floyd Lamb State Park north and west along the Las Vegas Wash to the northern boundary of the BLM Disposal. The Sheep Mountains are north and east of the Wash.

Description:
This is 4 mile off-road loop trail corridor promises to be one of the premiere trails in Northwest Las Vegas. It can be developed as a loop trail on both sides of the wash for hiking, equestrian use and off-road biking. Separate treads for each user group may be preferred to limit conflict among multiple users.

Cost of Trail Development:
It is estimated, for budget purposes, that the project will cost $4 million for full build out. This will include unpaved trail development, shade structures, native







Northwest Las Vegas Open Space Trails	Trail Length (miles)	Estimated Costs	Horse	Bikers	Hikers
Indian Springs Corridor	2	$4,000,000.00	X	X	X
Grand Teton Corridor	6.5	$6,000,000.00	X	X	X
Lone Mountain Corridor	5.2	$7,000,000.00	X	X	X
El Capitan Corridor	3.9	$5,000,000.00	X	X	X
Torrey Pines Corridor	2.3	$4,000,000.00	X	X	X
Bradley Corridor	3.2	$5,000,000.00	X	X	X
Rio Vista/Rainbow Corridor	3.3	$5,000,000.00		X	X
Elkhorn Corridor	3.7	$5,000,000.00	X	X	X
Horse Corridor	2	$3,000,000.00	X	X	X
Durango-Tule Springs	2.9	$4,000,000.00	X	X	X
El Capitan/US 95 Highway	1.2	$2,000,000.00	X	X	X
Fort Apache/Tee Pee	3.6	$5,000,000.00		X	X
Las Vegas Wash	4	$4,000,000.00	X	X	X
Kyle Canyon Wash	3	$5,000,000.00		X	X

landscaping, signage and traffic signs. There are no right-of-way costs associated with this project as this is currently under BLM ownership and would be part of a proposed 1000 foot conservation corridor.

Timeframe:
This is a future project and will depend on the BLM Disposal proceedings, establishment of the 1000 foot conservation corridor and clearance for trail construction.

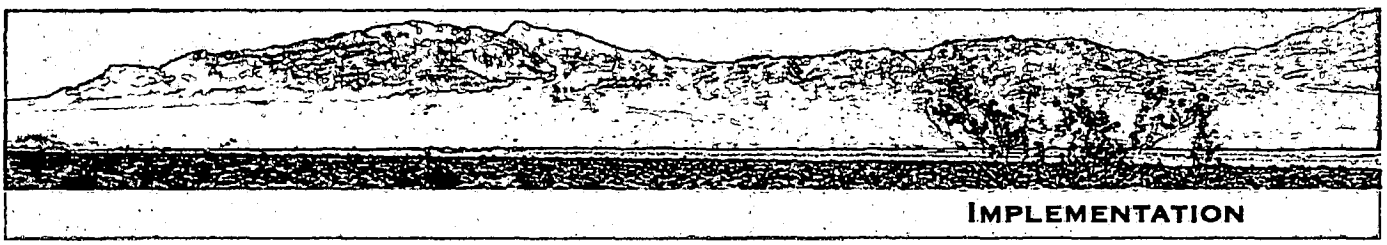
Kyle Canyon Wash Trail

Location:
Northwest corner of the project study area, bounded to the east by the Highway 95 corridor and to the west by Puli Road.

Description:
This is one of the most significant arroyos remaining in the Northwest region and the City should do everything possible to protect and conserve this landscape for open space, park, flood protection purposes. Trails can be developed throughout this landscape and would link to surrounding residential and commercial development. Trails should be mutliuse and can be paved to support cycling, Estimated length of the trails system is 3 miles.

Cost of Trail Development:
It is estimated, for budget purposes, that the project will cost $5 million for full build out. This will include paved and unpaved trail development, shade structures, native landscaping, area lighting, and signage. There are no right-of-way costs associated with this project as this is currently under BLM ownership and is subject to the disposal auction proceedings in the fall 2004.

Timeframe:
This is a future project and will depend on the BLM Disposal proceedings, establishment of the conservation easements and clearance for trail construction.

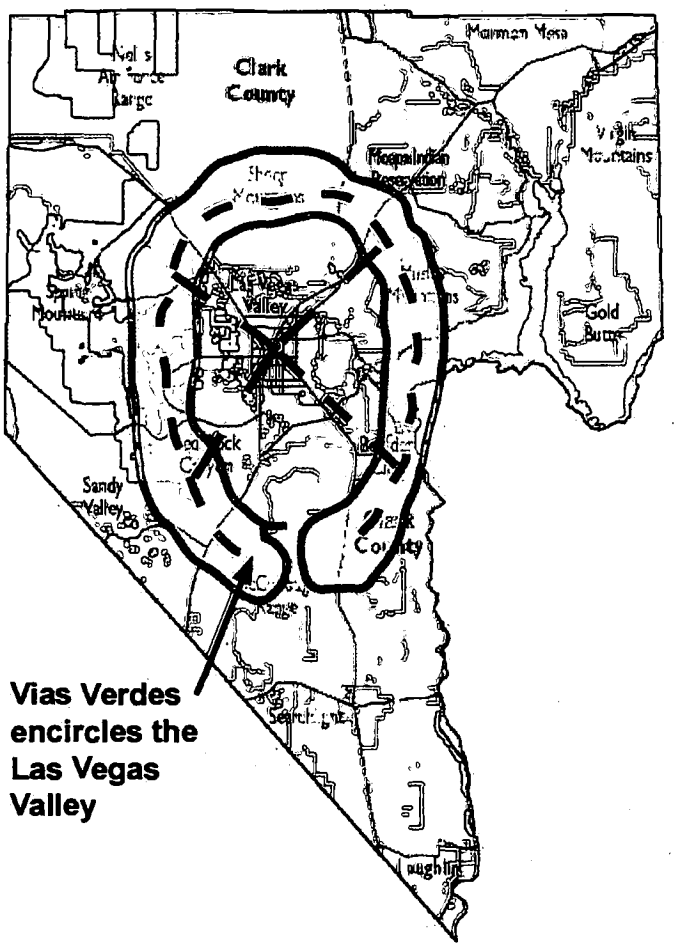


6.1.3 Las Vegas Vias Verdes

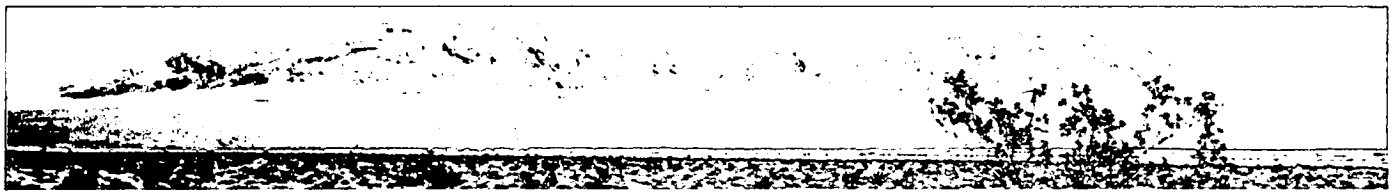
Vias Verdes Las Vegas, a greenbelt that would surround the Las Vegas Valley, has been proposed in this Plan. In order to implement this proposal, the consultant recommends that a stakeholder group be formed that is comprised of agencies and private sector interests to advocate for and coordinate the activities necessary to establish the project boundaries.

The Vias Verdes can likely be established through the Southern Nevada Public Lands Management Act, in conjunction with federal and state agencies. A set of guiding principles needs to be established that would define long term protection strategies, access guidelines and management requirements for the Vias Verdes.

The most important focus for the stakeholder group would be to define gaps in the Vias Verdes that exist between current public lands surrounding the Valley. These are the areas of the greenway that would become the focus of the project in terms of future protection strategies. Once these gaps have been identified, an action plan needs to be developed that defines a program of conservation, protection and implementation.



Vias Verdes encircles the Las Vegas Valley



6.1.4 Facility Development – Roadway/ Highway Crossings

Throughout Northwest Las Vegas, there are several roadways and highways that need specialized crossings in order to provide linkage for transportation and recreation access. A list of these is provided as follows.

US 95 at Farm Road

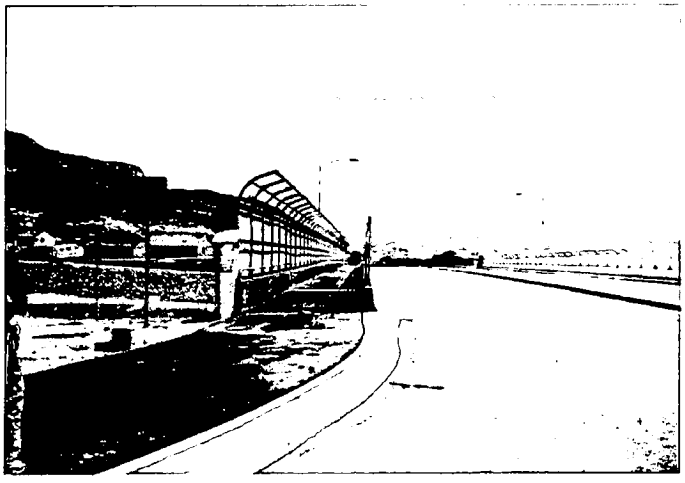
Description:
This important overpass will provide connections from the existing rural landscapes on either side of US 95, and serves an important north-south link across this heavily traveled highway (see example photo below). This crossing is part of the recommended strategies of the adopted Inter-local Joint Use Trails Plan.

Cost of Overpass:
Estimated cost for overpass is $2 to $4 million.

Timeframe:
Design and construction can begin immediately on this project.

US 95 at Grand Teton Road

Description:
Part of the Grand Teton Drive Trail, this crossing is needed to provide east-west travel for pedestrians, equestrians, cyclists and other trail users. It will need to be developed as an independent crossing. This crossing is part of the recommended strategies of the adopted Inter-local Joint Use Trails Plan.



Cost of Overpass:
Estimated cost for overpass is $2 to $4 million.

Timeframe:
Design and construction can begin immediately on this project.

US 95 at Lone Mountain

Description:
This important overpass will provide connections from the existing rural landscapes on either side of US 95, and serves an important north-south link across this heavily traveled highway. This crossing is part of the recommended strategies of the adopted Inter-local Joint Use Trails Plan.

Cost of Overpass:
Estimated cost for overpass is $2 to $4 million.

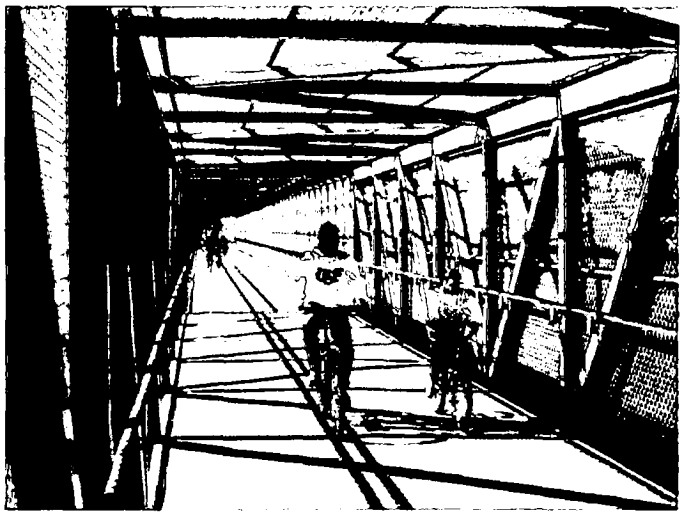
Timeframe:
Design and construction can begin immediately on this project.

US 95 at Elkhorn

Description:
The consultant understands that this crossing is currently under design and will be incorporated as part of a new transportation bridge of the Elkhorn roadway.

I-215 at Torrey Pines

Description:
This overpass will provide connections from the existing rural landscapes on either side of the 215 beltway, and serves an important north-south link across this heavily traveled highway.



Cost of Overpass:
Estimated cost for overpass is $2 to $4 million.

Timeframe:
Design and construction can begin immediately on this project.

I-215 at Grand Canyon
Description:
This crossing is needed to provide north-south travel for pedestrians, equestrians, cyclists and other trail users. It can be developed in conjunction with the road crossing or as an independent crossing (see example photo above). This crossing is part of the recommended strategies of the adopted Inter-local Joint Use Trails Plan.

Cost of Overpass:
Estimated cost for overpass is $1.5 to $2 million.

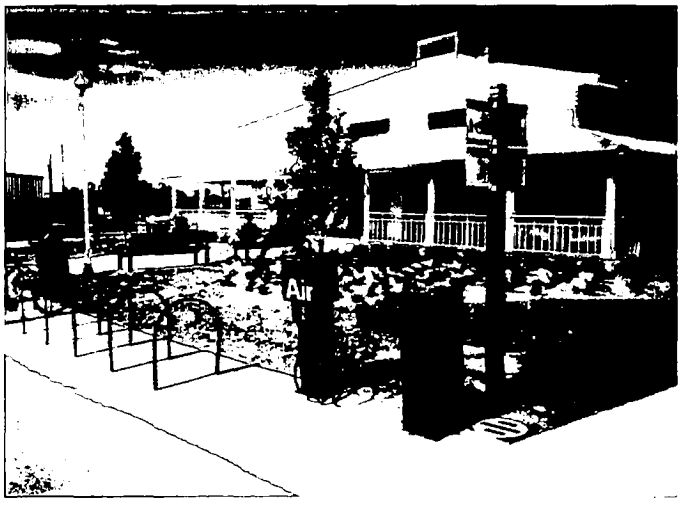
Timeframe:
Design and construction can begin immediately on this project.

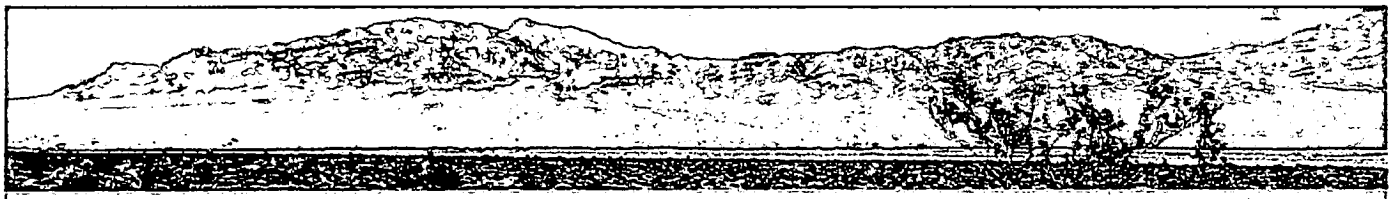
6.1.5 Facility Development – Trailheads

Trailheads are an integral part of the regional trail system proposed for the Northwest region of the city. The following trailhead locations have been defined by city staff and are included as future development projects of this open space plan.

Mountain Crest
Buckskin Basin
Durango Hills
Lone Mountain Park
Teton Trails Park
Centennial Hills Park
Tropical Park

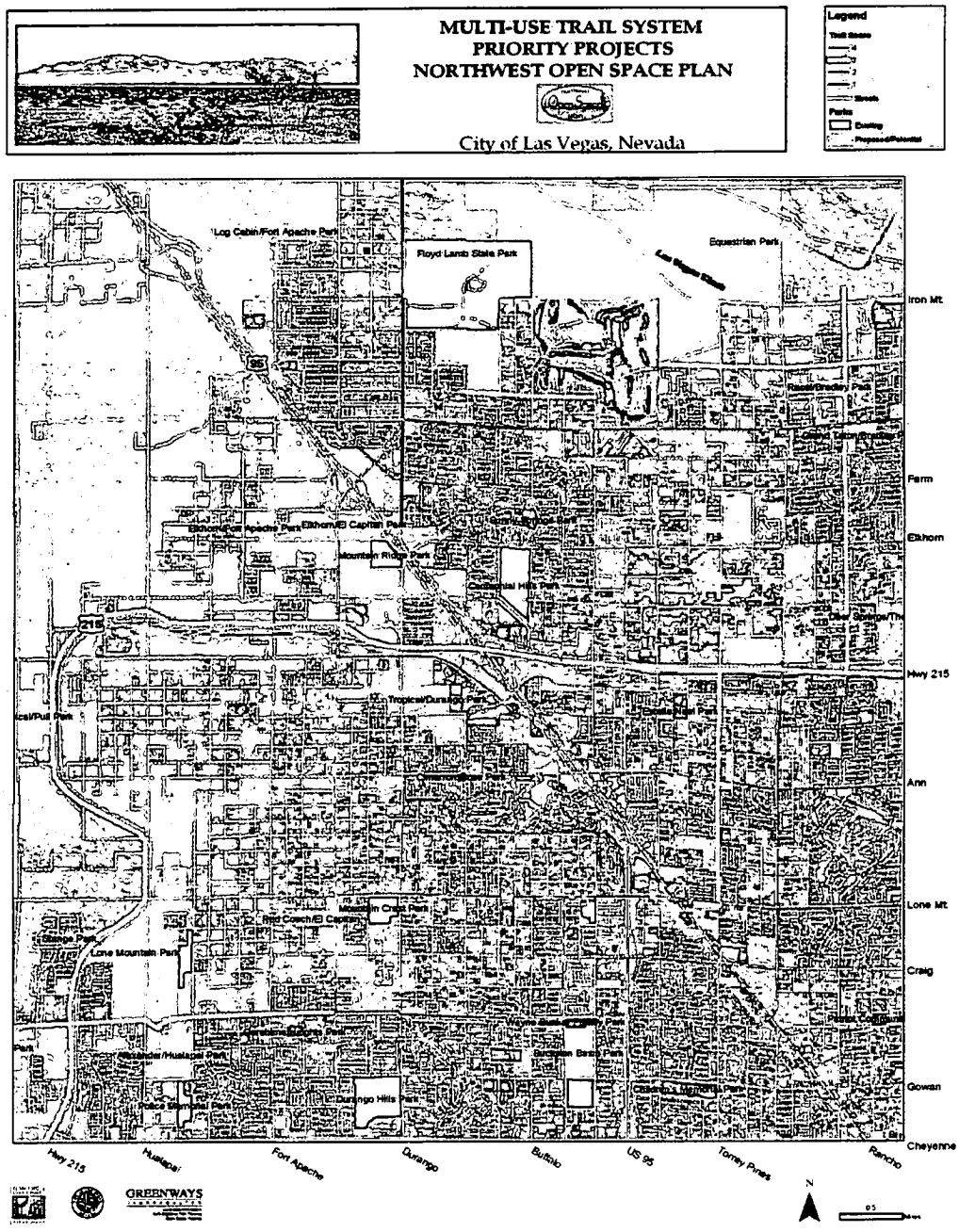
Typically, most trailheads will provide ample parking, restrooms, water fountains, shade structures, air pumps for bicycle tires, signage to guide trail users, kisoks for posting information and vending machines. The average costs for a trailhead will range from $100,000 to $500,000.

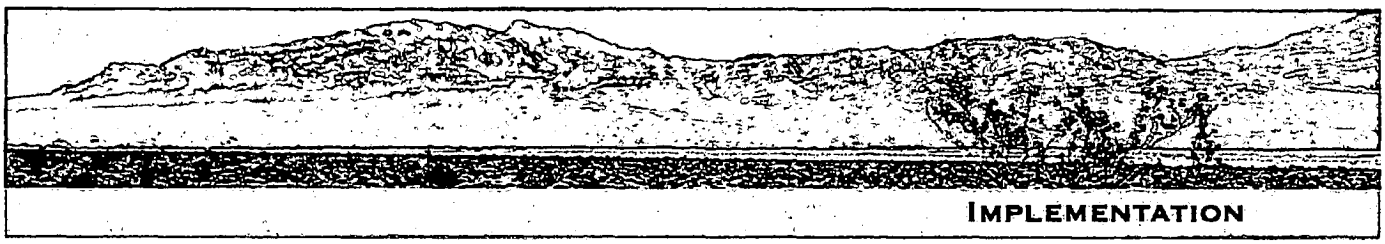




6.2 Prioritization of Trails

The consultant team worked with local residents, the Ctiizens Advisory Committee and the Technical Work Group to define a set of priority trails for the Northwest region. These priorities are depicted in the map on this page.





6.3 Funding the Open Space System

In order for the City of Las Vegas to implement the recommendations of this Open Space Plan it will be necessary for the city to use a combination of local, state, federal, and private funding. Fortunately, the benefits of open space are many, allowing open space programs to access money for a variety of purposes including stormwater management, recreation, and alternate transportation (pedestrian and bicycle facilities). By acknowledging that competition is stiff for state and federal funds, the primary responsibility for funding any type of open space preservation and protection plan will rest with the City. State and federal funds, while substantial, should be viewed as supplements to locally funded programs.

It is important that the City of Las Vegas fully evaluate its available options and develop a funding strategy that can meet community needs, maximize local resources, and leverage outside funding.

This Plan does not estimate the funding necessary to fully execute the Open Space Plan, nor does it attempt to predict the amount of funding that might be generated by the various financing mechanisms. A list of the most likely funding sources is provided as a guide to where the City can access funds to support the recommendations of this Plan.

Southern Nevada Public Lands Management Act

One of the principal funding sources for this Open Space program will be SNPLMA. Established in 1998, SNPLMA allows the Bureau of Land Management (BLM) to sell land and use revenue derived from the sale for specific programs throughout Southern Nevada, including the acquisition of open space and development of park and trail facilities.

The recommended strategies for open space acquisition, park and trail facility development that are defined in this Plan are specifically funded pursuits of SNPLMA funding. The BLM will accept Round 6 applications for funding until November 2004 for funding in the following cycle. The City of Las Vegas will submit applications for Round 6 funding, and subsequent funding cycles of SNPLMA to pay for elements of this Open Space Plan.

Nevada Department of Transportation - TEA 21

While generally a transportation-based program, the Transportation Equity Act for the 21st Century (TEA-21) funds programs to protect the environment. Through increased funding to the Surface Transportation Program (STP) and the National Highway System (NHS), TEA-21 allows for more environmental projects. States may spend up to 20 percent of their STP dollars (used for transportation facility reconstruction, rehabilitation, resurfacing, or restoration projects) for environmental restoration and pollution abatement projects. Additionally, each state sets aside 10 percent of STP funds for transportation enhancement projects, which can include acquisition of conservation and scenic easements, wetland mitigation, and pollution abatement, as well as scenic beautification, pedestrian and bicycle trails, archaeological planning, and historic preservation.

Nevada Recreational Trails Fund Grants

The Nevada Recreational Trails Fund Grants originate from TEA-21 federal funding and is administered by the Nevada State Parks. Grant applications are submitted on an annual basis to State Parks, and funding is distributed to selected recipients. Eligibility for grants extends to any local government, non-profit organization, tribal government or service group. Projects that are funded must be free of charge and open for public use. Grant funds can be used for trail development, maintenance, acquisition of easements and fee-simple property and operation of educational programs. The maximum grant award is $100,000. The program operates as an 80/20 match, requiring the sponsoring entity to supply 20 percent in cash or qualified in-kind labor. The program operates as a reimbursement of completed and qualified projects.



State of Nevada Funding

Ballot Question # 1

State of Nevada received voter authorization to issue general obligation bonds in an amount of not more than $200 million to protect, preserve, and obtain the benefits property and natural resources throughout the state. Of the total bond issue, funding allocations will be made as follows:

1. $27 million to Nevada's Division of State Parks for property acquisition or capital improvements and renovations;

2. $27.5 million to Nevada's Division of Wildlife for property acquisition, facility development and renovation, or wildlife habitat improvements;

3. $25 million to the Las Vegas Springs Preserve in Clark County for planning and developing the preserve, providing wildlife habitat, and constructing support facilities;

4. $10 million to Clark County for development of a regional wetlands park at the Las Vegas Wash;

5. $35 million to Nevada's Department of Cultural Affairs to establish a museum at the Las Vegas Springs Preserve;

6. $10 million to Washoe County for enhancement and restoration of the Truckee River corridor;

7. $65.5 million to Nevada's Division of State Lands to provide grants for state agencies, local governments, or qualifying private nonprofit organizations for various programs including recreational trails, urban parks, habitat conservation, open spaces, and general natural resource protection projects.

Land and Water Conservation Fund

The Land and Water Conservation Fund is the largest source of federal money for park, wildlife, and open space land acquisition. The program's funding comes primarily from offshore oil and gas drilling receipts, with an authorized expenditure of $900 million each year. However, Congress generally appropriates only a fraction of this amount. Between 1995 and 1998, no funds were provided for the state-and-local grant portion of the program, which provides up to 50 percent of the cost of a project, with the balance of the funds paid by states or municipalities.

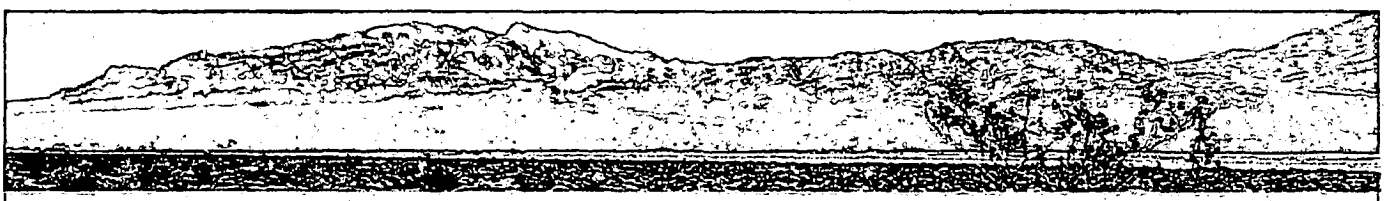
LWCF funds are apportioned by formula to all 50 states, the District of Columbia and territories. Cities, counties, state agencies, and school districts are eligible for LWCF fund monies. These funds can be used for outdoor recreation projects, including acquisition, renovation, and development. Projects require a 50 percent match.

City of Las Vegas Funding

The City of Las Vegas already has funding in place to support the acquisiton, development and operation of parks, recreation, trails and open space. The recommendations of this Plan will require the city to assess its funding capacity for these programs and take steps to increase funding levels as necessary. Typically, the City allocates funds for its general revenue stream. The City can also issue bonds, with voter approval, to cover elements of this open space program. There are two types of bonds that the City can issue: revenue bonds and general obligations bonds.

Revenue Bonds

Revenue bonds are bonds that are secured by a pledge of the revenues of the City of Las Vegas. The City pledges to generate sufficient revenue annually to cover the program's operating costs, plus meet the annual debt service requirements (principal and interest payment) times a factor, termed the coverage factor, which is designed to provide additional protection to the bondholders. The coverage factor generally ranges from 110 to 150 percent of the utility's annual or maximum annual



debt service requirement in the current or any future year. Revenue bonds are not constrained by the debt ceilings of general obligation bonds, but they are more expensive than general obligation bonds.

General Obligation Bonds

The City of Las Vegas can also issue general obligation (G.O.) bonds that are secured by the full faith and credit of the City. In this case, the City pledges to generate sufficient revenues to make the debt service payments on the bonds. A general obligation pledge is stronger than a revenue pledge, and thus may carry a lower interest rate than a revenue bond. Frequently, when local governments issue G.O. bonds for public improvements, the City will make the debt service payments on the G.O. bonds with revenues generated through the public entity's rates and charges. However, if those rate revenues are insufficient to make the debt payment, the local government is obligated to raise taxes or use other sources of revenue to make the payments. G.O. bonds distribute the costs of open space acquisition and makes funds available for immediate purchases. Voter approval is required.

6.4 Next Steps

The next steps for the Open Space Plan will be to implement the recommendations provided in this Plan. There are a number of different recommendations that are called for, including polcies, programs, facilities and operations. These are organized under the following short term, mid term and long term strategies.

Short Term: Zero to 2 year (FY 05-06)

The consultant recommends that the City of Las Vegas implement the following recommendations in the 2005 and 2006.

Policies, Plans and Programs

- Revise subdivision ordinance to promote more open space conservation through higher density development in Northwest Las Vegas.
- Complete and adopt a detailed design program for the Northwest Cultural Park and its component parts: the equestrian park, railroad society park and archaeological park.
- Establish a coordinating committee for the Vias Verdes Las Vegas.
- Work with the Clark County Flood Control District to define protection strategies for arroyos and washes in the Northwest region.
- Apply for SNPLMA funding to pay for the open space acquisitions and facilities recommended in this Plan.

Facilities

- Work with public and private sector partners to acquire the most highly ranked and threatened open space properties.
- Build the number one ranked trail facilities defined within this Plan.
- Build the number one ranked roadway crossings defined by this Plan.
- Build the number one ranked trailheads defined by this Plan.
- Begin construction of facilities for the Northwest Cultural Park: equestrian park, railroad society park and archaeological park.

Operations

- Establish the Las Vegas Valley Land Trust in cooperation with other local governments and the Trust for Public Land.
- Define appropriate management roles for public and private sector organizations that will care for open space resources.



Mid Term: Three to five year (FY 07-09)
The consultant recommends that the City of Las Vegas implement the following recommendations in the 2007, 2008 and 2009.

Policies, Plans and Programs
• Work with project partners to implement Vias Verdes Las Vegas recommendations outlined in this Plan.

• Apply for SNPLMA funding to pay for the open space acquisitions and facilities recommended in this Plan.

Facilities
• Continue construction of Northwest Cultural Park facilities.

• Work with public and private sector partners to acquire the secondarily ranked open space properties.

• Build the number two and three ranked trail facilities defined within this Plan.

• Build the number two and three ranked roadway crossings defined by this Plan.

• Build the number two and three ranked trailheads defined by this Plan.

Operations
• Define operation and management agreements for lands and facilities that are part of this phase of implementation.

Long Term: Six and beyond (FY 10)
The consultant recommends that the City of Las Vegas implement the following recommendations from 2010 and beyond.

Policies, Plans and Programs
• Update this Open Space Plan, reconsider the recommendations and priorities of this Plan.

• Apply for SNPLMA funding to pay for the open space acquisitions and facilities recommended in this Plan.

Facilities
• Continue construction of Northwest Cultural Park facilities.

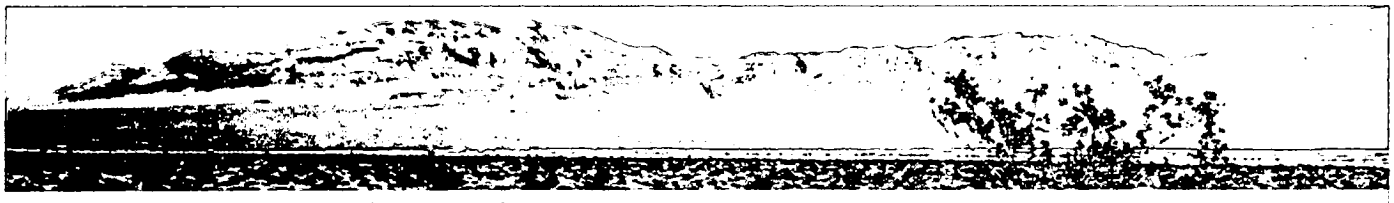
• Work with public and private sector partners to acquire outstanding open space properties.

• Build the number four and five ranked trail facilities defined within this Plan.

• Build the number four and five ranked roadway crossings defined by this Plan.

• Build the number four and five ranked trailheads defined by this Plan.

Operations
• Update any management agreements that were established in the short and mid term phases to reflect changes in the open space program.



Appendix A: Summary of Public Input

A.1 Overview

Open, comprehensive and fair citizen, agency and stakeholder input was critical to the success of this Plan. To achieve this the consultant created numerous opportunities for broad involvement in the preparation of this Open Space plan. Major steps included:

- Project Web Site—The City of Las Vegas has maintained a project web site throughout the planning process that provides up-to-date information about the project, dates for community meetings and the outcomes of these meetings.
- Project Newsletter—The City published a project newsletter that chronicles the important milestones of the project.
- Media Exposure—The City's Public Information Office worked with local media to broadcast meetings and provide up-to-date coverage of planning events.
- Working Committees—The City established two working committees that have worked closely with the City staff and consultant team to prepare this Plan.
- Open House Public Meetings—The City has sponsored three rounds of public open house meetings to solicit direct and specific input into the Plan. At each of these meetings, public comment forms were made available to attendees
- Scientific Community Survey—The City engaged ETC Institute of Olathe, KS, a highly regarded public survey firm, to conduct a mail-in survey of Northwest residents to more accurately define needs for this project.

The results of this public input is summarized within this section of the Plan report. The recommendations contained within this Plan strives to be an accurate reflection and representation of the desires of Northwest residents.

A.2 Working Committees

Two advisory committees were established at the outset of the Open Space planning process to advise the consultant and City of Las Vegas staff with respect to key issues and concerns for the Northwest region. An *Open Space Citizens Advisory Committee* was established by Councilman Michael Mack and Councilman Larry Brown. These citizens of Northwest Las Vegas met six (6) times with the consultant and staff at key stages in the planning process. Many of these same citizens attended open house meetings with the general public. Their guidance and input was extremely valuable in providing the proper context and specific recommendations contained within this plan.



A second advisory committee was established, the *Technical Working Group*, comprised of staff from local, state and federal agencies throughout the Las Vegas Valley. The role of this committee was to receive presentations from the consultant and staff and offer guidance and direction on the Plan recommendations as they relate to other local, state and federal lands, policies and implementation strategies. This group also offered the consultant and staff valuable input during each of the six (6) meetings that were conducted.

A.3 Open House Meetings

The consultant conducted three sets of public open house meetings. The first set of meetings occurred in May and the second set were held in July. A third and final set of meetings will be held in October, 2004.

At the May open house meetings, the consultant provided an introductory presentation that defined the scope of the project, goals and objectives of the work program and timeframe for completing work. The consultant produced maps of the study area and display boards that provided definition of project goals and objectives. During the meeting, the consultant invited the public to identify key issues of concern, as well as opportunities and constraints for open space implementation. The consultant also furnished a public opinion survey to solicit specific input on a series of questions relevant to the project.



At the July open house meetings, five separate stations were set up to provide a progressive set of information about the Open Space Plan that took participants from analysis through to proposed alternatives for open space implementation. A second public comment form was also furnished at this meeting.



A.4 Media Coverage

Throughout the planning process, local television, newspaper and radio stations broadcast stories and wrote articles about the Northwest Open Space Planning process and products. Interviews were conducted with the consultant team and key project staff to define the important elements of the Open Space Plan and provide the public with notification of opportunities for input.

A.5 Citizen Surveys

Three separate surveys were conducted by the consultant team during the planning process. First, a public opinion survey was administered by the consultant at the first public open house meetings in May. Residents were also invited to download a copy of the survey from the project web site. Second, a statistically valid *Community Attitude Survey* was administered by the ETC Institute of Olathe, KS. This mail-in survey was direct mailed to 3,000 households in the Northwest region of Las Vegas. 688 completed surveys were returned to ETC Institute for tabulation. A full report of the results of this survey was provided to the City of Las Vegas and has been summarized in Chapter 3 of this Plan. Finally, participants at the July Open House Workshops were provided a third



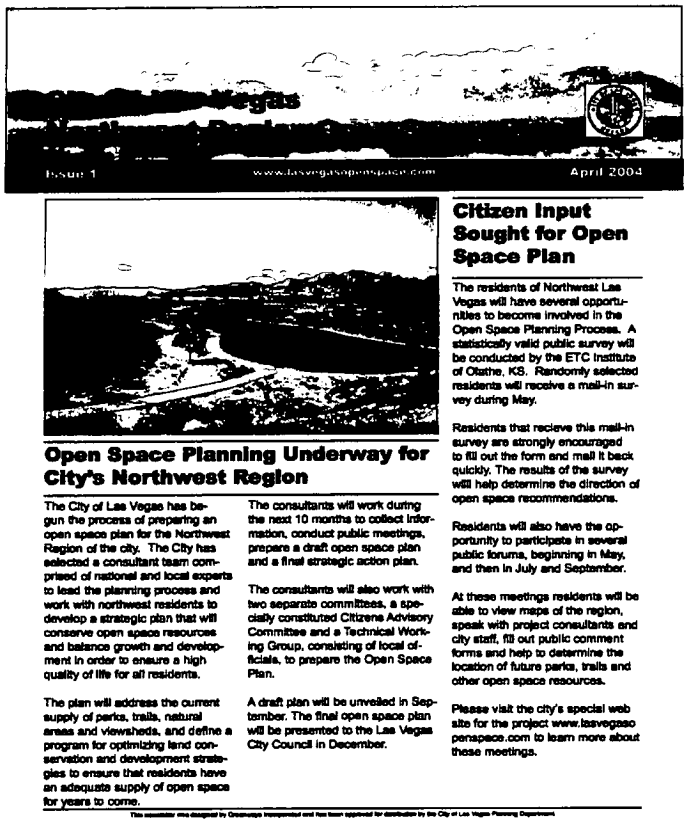
opportunity to provide input into the planning process through an opinion survey administered by the consultant.

A.6 Project Newsletter

The consultant produced three (3) project newsletters at key times during the planning process to inform the public about the Open Space Plan, define meetings times and dates and summarize key recommendations for the plan. These newsletters were distributed to individuals who registered by e-mail with the City, and were provided at open house meetings conducted by the consultant. All newsletters were uploaded to the project web site.

A.6 Project Web Site

The consultant and City of Las Vegas teamed to produce a project web site for the Open Space Plan (www.lasvegasopenspace.com). Through this web site, which has been functional since April 2004, residents of the City have been able to get updates about the planning process, download meeting agendas and meeting minutes, determine the location, date and times for all public meetings, send specific comments to the consultant and staff and download copies of the draft plan report and maps. The web site has been an invaluable communication tool for this process and citizens throughout the Las Vegas Valley have used the site to keep abreast of the open space planning process.



Issue 1 www.lasvegasopenspace.com April 2004

Open Space Planning Underway for City's Northwest Region

The City of Las Vegas has begun the process of preparing an open space plan for the Northwest Region of the city. The City has selected a consultant team comprised of national and local experts to lead the planning process and work with northwest residents to develop a strategic plan that will conserve open space resources and balance growth and development in order to ensure a high quality of life for all residents.

The plan will address the current supply of parks, trails, natural areas and viewsheds, and define a program for optimizing land conservation and development strategies to ensure that residents have an adequate supply of open space for years to come.

The consultants will work during the next 10 months to collect information, conduct public meetings, prepare a draft open space plan and a final strategic action plan.

The consultants will also work with two separate committees, a specially constituted Citizens Advisory Committee and a Technical Working Group, consisting of local officials, to prepare the Open Space Plan.

A draft plan will be unveiled in September. The final open space plan will be presented to the Las Vegas City Council in December.

Citizen Input Sought for Open Space Plan

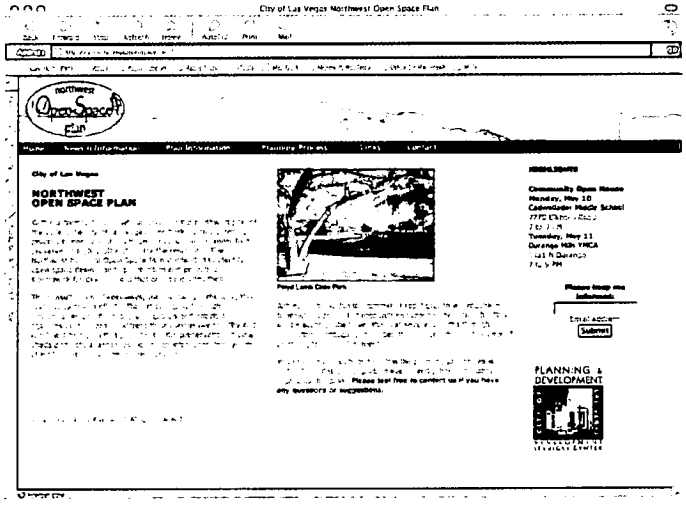
The residents of Northwest Las Vegas will have several opportunities to become involved in the Open Space Planning Process. A statistically valid public survey will be conducted by the ETC Institute of Olathe, KS. Randomly selected residents will receive a mail-in survey during May.

Residents that recieve this mail-in survey are strongly encouraged to fill out the form and mail it back quickly. The results of the survey will help determine the direction of open space recommendations.

Residents will also have the opportunity to participate in several public forums, beginning in May, and then in July and September.

At these meetings residents will be able to view maps of the region, speak with project consultants and city staff, fill out public comment forms and help to determine the location of future parks, trails and other open space resources.

Please visit the city's special web site for the project www.lasvegasopenspace.com to learn more about these meetings.





Appendix B: Equestrian Park

The Horse Council of Nevada has submitted the following proposal for the future development of an equestrian park. Under this proposal, the future Park would be developed over time in three phases: Phase 1- local use facility; Phase 2 - local show facility; Phase 3 - national show/event facility. This proposal is described in further detail as follows:



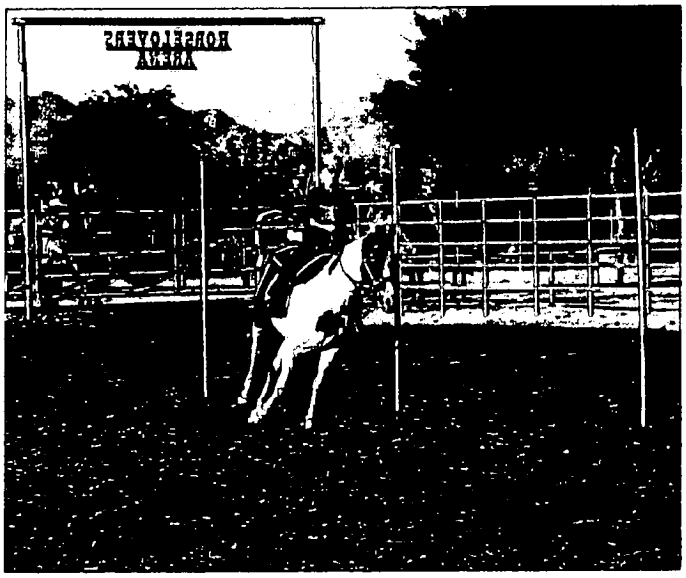
Phase 1: Local Use Facility

The following facilities would be developed in the first phase:

- Perimeter fencing should enclose entire three-phase facility
- Trailhead for unloading & pull through parking area for 20 trucks/trailers. Site would be unpaved.
- Restroom facilities: 2-one at each end of park
- Trail system that would be based on the perimeter of the park, meandering, where possible, through the park, with exits to other trails
- One Round pen, 1 100x200 arena, 1 60 x 100 arena. All with proper footing. Arenas could utilize a common fenceline.
- Hitching posts (2) each with six loops for securing horses
- Holding pens (6) 10x10, 4' gate, shaded
- Water spicket
- Connection to nearby trail systems
- Shaded picnic tables (4) on concrete slabs

Phase 2 Local Show Facility

- Trailer & spectator lighted parking, 2 acre unpaved site, complete with RV hookups for 20 spaces
- Two Arenas
  A) Rodeo Arena, 200x300, w chutes, roping chutes, & cattle pens. Judges & announcers stands, lights, sound system, appropriate footing & covered spectator bleachers.
  B) Covered Arena, 200x300.
- Two Practice arenas 100x200
- One round pen 60'
- 300 stall barn,12x12 stalls, w wash rack, outlets & lights
- Show office (2), one for each arena, 20x20
- Vendor Alley, half acre area
- Men's & women's restrooms each w 6 stalls & 2 showers





- Maintenance facility to house necessary machinery
- Maintenance equipment: tractor, front-end loader, asst. drags, Kiser water system for tractor.
- Qualified facility manager with knowledge in equestrian facilities & proper use of machinery.
- Rental storage space for local equestrian clubs. 10 10x10 units & 5 20x20 units all lockable.

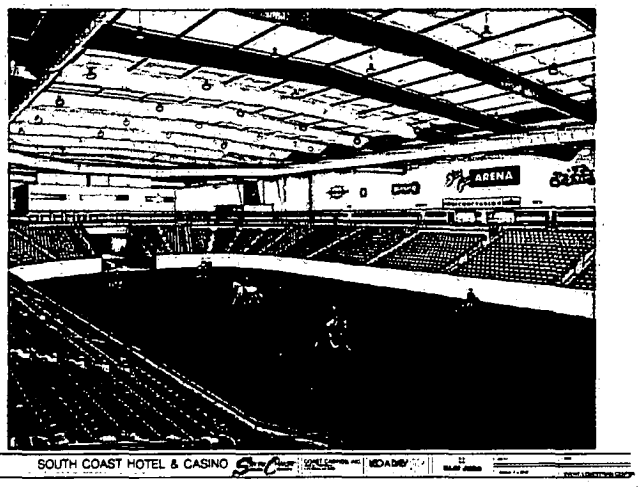
Phase 3 National Show Facility

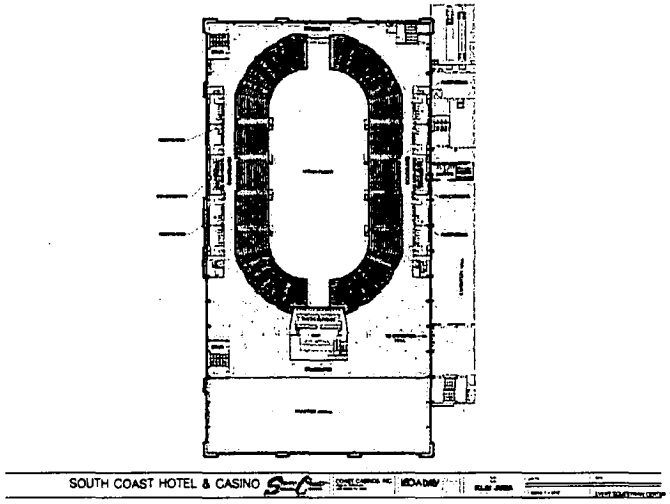
- Indoor climate controlled arena with seating for 10,000, & sky boxes to fit (see illustration below of a similar facility proposed in Scottsdale, AZ)
- Second arena 200x 300 with covered seating for 5,000
- Judges & announcers booths, sound system, lighting & appropriate footing for both.
- Three Warm up arenas 2 100x 200, 1 200x300
- 500 stall barn, 12x12 stalls, w proper ventilation
- Five acres of unpaved pull through trailer parking
- RV & spectator parking, necessary acreage to be determined
- Picnic area with covered tables
- Outdoor vendor pavilion
- Fenced tot lot- specific equipment conducive to nature of facility

The equestrian park would mirror efforts completed in Arizona and California and offer Las Vegas an opportunity to host regional and national equestrian shows and events. The facility might charge local residents an annual pass to generate revenues that would help to support its operation.

Statistics furnished by the Las Vegas Convention and Visitors Bureau (LVCVA) indicate the ability to support future development of a world-class equestrian park. In 2003, 35.5 million people visited Las Vegas and contributed $32.8 billion to the local economy. Most revealing about these statistics is the fact that Las Vegas is no longer viewed as just a gaming destination. The city has in fact evolved into a entertainment destination. LVCVA has sought to broaden both the appeal and diversity of offerings to visitors. With a strong equestrian base and heritage, Las Vegas is uniquely positioned to take advantage of equestrian shows and events within a world-class equine park.

South Coast Casino, Las Vegas, NV, is in the process of opening a new equestrian facility at its Orleans Casino. The drawing below illustrates the new riding arena at South Coast. The rendering below left is an artists concept of how the arena willl look when the facility is completed.







Appendix C: Open Space and Trail Design Options

C.1 Introduction

The intent of this chapter is to establish the design guidelines, principles and options by which trails and associated open space amenities within the Northwest Open Space Plan can be designed and developed. These are standards to be followed for all design segments of the system.

The design options featured here have been tailored to meet the specific facility development needs of the City of Las Vegas. They provide a variety of trail and trail facility ideas and serve as minimum standards for facility development. These guidelines are not a substitute for a more thorough examination and detailed landscape architectural and engineering evaluation of each project segment.

The guidelines adhere to national design standards for off-road trails and greenway facilities, as defined by the American Association of State Highway Transportation Officials (AASHTO), the Americans with Disabilities Act, Designing Sidewalks and Trails for Access: Part 2 and the Manual on Uniform Traffic Control Devices. Should the national standards be revised in the future and result in discrepancies with this chapter, the national standards should prevail for all design decisions.

For more in-depth information and design development standards, the publications listed below should be consulted:

Greenways: A Guide to Planning, Design and Development
Charles A. Flink and Robert Searns
Published by Island Press, 1993
www.greenways.com

Trails for the Twenty-First Century
Charles A. Flink, Robert Searns & Kristine Olka
Published by Island Press, 2001
www.greenways.com

Guide to the Development of Bicycle Facilities
Updated in 2000 by the American Association of State Highway Transportation Officials (AASHTO).
Available from FHWA or AASHTO
www.aashto.org/bookstore/abs.html

Manual on Uniform Traffic Control Devices (MUTCD)
Published by the U. S. Department of Transportation, Washington,DC, 2001

Universal Access to Outdoor Recreation: A Design Guide
Published by PLAE, Inc., Berkeley, CA, 1993

Designing Sidewalks and Trails for Access: Part Two - Best Practices Design Guide
Published by U.S. Department of Transportation, Washington, DC, 2001

Other useful web sites for information include:

- Rails-to-Trails Conservancy - www.railtrails.org
- National Park Service - www.nps.org
- U.S. Department of Transportation - www.walkinginfo.org and www.bicyclinginfo.org
- Trails and Greenways Clearinghouse - www.trailsandgreenways.org
- National Bicycle and Pedestrian Clearinghouse - www.bikefed.org/clear.htm
- Greenways Incorporated - www.greenways.com
- www.americantrails.org



C.2 Trail Theme

Planning for a trail calls for close evaluation of the trail locations and the ultimate users of the trail. The overall theme is based on site conditions, natural features, goals and functions for the trail. Ideas and concepts should incorporate elements that will help the trail users identify, understand and appreciate the trail. The purpose and significance of the trial should be given careful consideration in developing a theme. These details will come together to form the foundations for design, trail programs and interpretive opportunities. In establishing a theme for the trail system, the following were considered:

- Physical fitness activities
- Water resources,
- Cultural and historical resources,
- Natural history,
- Plant and animal life,
- Access to other trails and destinations,
- Conservation issues,
- Seating,
- Shade,
- Multiple use i.e. power line corridors, etc.
- Views.
- Wayfinding.
- Non-motorized transportation.

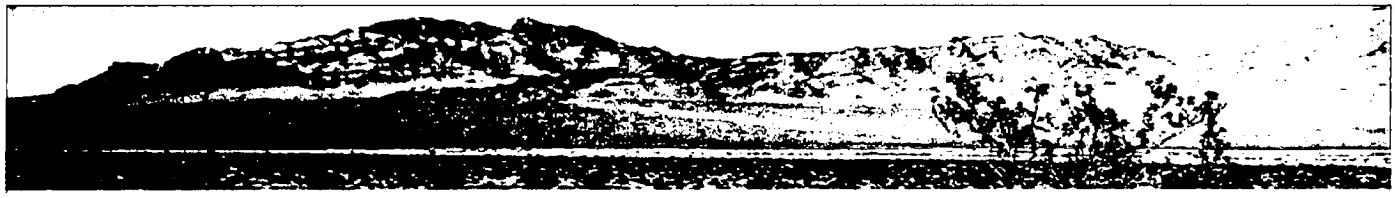
The Northwest Open Space Plan Trail system shall have an Old Spanish Trail theme. The Old Spanish Trail often called, "the longest, crookedest, most arduous pack mule route in America," was established in 1829. It was the link between Santa Fe and Los Angeles running 1,120 miles. Las Vegas was an important stopover offering water and refuge. Today, remnants of the trail can still be found in parts of the Las Vegas Valley. The Old Spanish Trail theme will give the trail an individual identity tied to the past and looking to it's future. This theme will highlight the history and importance of the trail and its connection to ancient and more modern cultures. Historical and cultural concepts drawn from the Old Spanish Trail will be incorporated into the trail. In conjunction with these elements, the standard features of the trail such as trail and interpretive signage will reflect the image of the Old Spanish Trail. Landscaping will be used to enhance the atmosphere of the trail with an appropriate desert, water conscious plant palette.

C.3 Arroyo Buffers

An arroyo is a nearly vertically walled, flat floored stream channel that forms in fine, cohesive, easily eroded material. Arroyos cut into the valley floor, are often wide, and can be hundreds of miles long. Arroyos exist throughout the western United States, but are most common in arid and semi-arid climates in the Southwest.

Natural arroyos are rich in plant life due to the soil moisture that remains after runoff events. Dense growths of acacia, baccharis, native mesquite, and creosote line arroyo channels. Native grasses often are quite healthy along these channels also. The abundant vegetation attracts a concentration of native wildlife in search of food and shelter. Herbivores like the jackrabbit, cottontail, chipmunks, flocks of sparrows, and other birds flock to natural arroyos. Predators like the coyote, hawk, roadrunner, and a variety of snakes and lizards also frequent natural arroyos. Mountain lions use arroyo channels as migratory routes. With such a diversity of plants and wildlife, buffers are necessary to maintain this habitat. It is recommended that a minimum 30' buffer be required from the outer perimeter of each side of the arroyo to maintain the vegetative and animal life habitats. As an alternative, arroyo buffers can be varied according to ecological features of the watershed. Each buffer width should be site specific, depending on the following characteristics:

- Slope
- Soil
- Hydrology
- Vegetation
- Water Quality
- Impervious Surface



C.4 Corridor Landscaping

Some basic guides for planting in corridors are as follows:

- Efforts should be made to eliminate non-native, invasive species such as tamarisk (*Tamarix aphylla)* from corridors.
- Where vegetation is removed or harmed due to construction in the corridor, revegetation measures should be employed.
- Fallen trees should not be removed unless they obstruct trails or present danger. Otherwise they should be left to decay naturally.
- Flowering trees and shrubs can be used to draw attention to important intersections and entrances.
- Shade trees are needed near seating areas and picnic tables.
- Evergreen trees and shrubs can help separate public areas from private residences.

C.5 Multi-Use Trail in Urban Areas

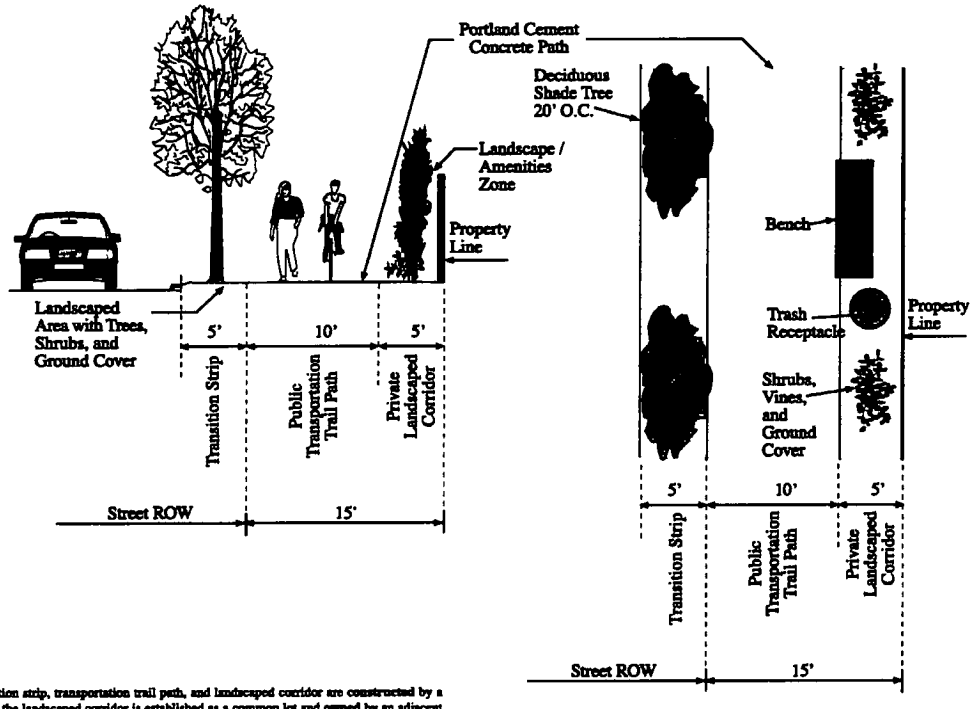
In urban areas trail development can be restricted due to right-of way constraints. Trails in urban areas are designed to accommodate walkers, bicyclists, rollerbladers, joggers, etc. and be ADA accessible. They encourage outdoor recreation and social interaction.

Elements of Multi-Use Trails in Urban Areas:

- 10' minimum width.
- Provide connections between parks, open spaces, schools, transportation and community nodes, etc.
- Provide visual distinction.
- Minimize trail grades.
- Where fencing is needed, open types should be used.
- Provide benches, trash receptacles at regular intervals

Transportation
Trails Element

Exhibit I
Multi-Use Transportation Trail



Notes:
The transition strip, transportation trail path, and landscaped corridor are constructed by a developer; the landscaped corridor is established as a common lot and owned by an adjacent property owner or homeowners association; the transportation trail path is deeded to the City; the transition strip, transportation trail path, and landscaped corridor are maintained by an adjacent maintenance or homeowners association.

Adopted January 16, 2002



- Provide enhanced landscaping and shade.
- Where possible, setback the trail path from any roadways.
- Provide lighting where existing lighting is not sufficient.

C.6 Arroyo Trail

Arroyo trails should meander along the edge of the arroyo within the arroyo buffer. The trail path is designed to accommodate walkers, joggers, rollerbladers, bicyclists and be ADA accessible.

Elements of Arroyo Trails:

- 10" minimum width.
- Provide connections between parks, open spaces, schools, transportation and community nodes, etc.
- Provide visual distinction.
- Minimize trail grades.
- Where fencing is needed, open types should be used.
- Provide benches, trash receptacles at regular intervals.
- Provide enhanced landscaping and shade
- Provide shade structures and picnic areas.
- Provide revegetation in disturbed areas.
- Provide interpretative signage where appropriate.
- Where possible, setback the trail path from any roadways.
- Provide lighting where existing lighting is not sufficient.

C.7 Equestrian Trail

Equestrian and multi-use trails have very different design characteristics. An equestrian trail is designated solely for horse users. Combining equestrians and other users can be very dangerous for all involved.

Equestrian trails have some distinct characteristics that better support horse use. This includes a non-paved surface use (generally a crusher fine tread), adequate head clearance, and water facilities where feasible and accommodation of horse trailers at access points. In some instances where there is not adequate space for separate trail treads, all-terrain bicycles (mountain bikes) and pedestrians might be sharing the trail and appropriate signage and user courtesy information must be posted or prohibition posted and enforced."

Elements of Equestrian Trails:

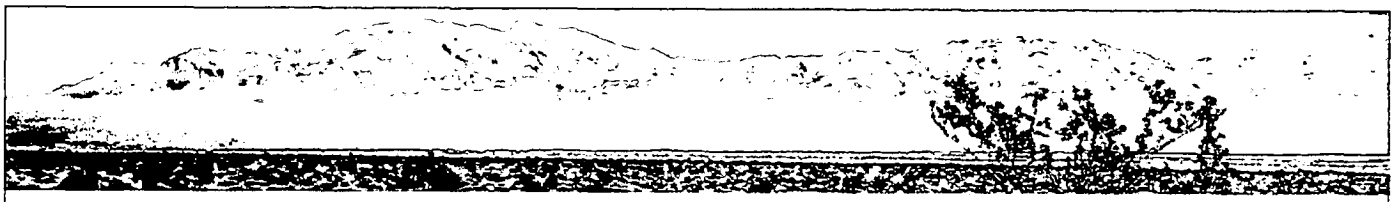
- Provide enough width for a horse to turn around
- Separate equestrian use from other uses with a fence.
- Provide visual distinction.
- Provide soft surface material that will not injure the horses' hooves
- Provide benches, trash receptacles at regular intervals.
- Provide enhanced landscaping and shade.
- Provide setback of trail path from any roadways.
- Provide lighting where existing lighting is not sufficient.

C.8 Trail within Powerline Easements

Whenever possible, agreements should be made to incorporate trails within powerline easements. These types of partnerships enhance connectivity and add to trail opportunities. The trail can accommodate walkers, joggers, rollerbladers, bicyclists, horses, and should be ADA accessible.

Power corridors generally are an opportunity for trail placement. They provide more than adequate open space, generally 40' wide for a smaller 138 KV single pole to 170' wide for double 230 KV poles. These areas are usually free of obstructions (excluding the poles), are reasonably flat and traverse through areas for long distances.

There are some restrictions placed on activity that is permitted in this corridor. Generally, structures, fences and trees can not occur within the "drip line" plus 5' of

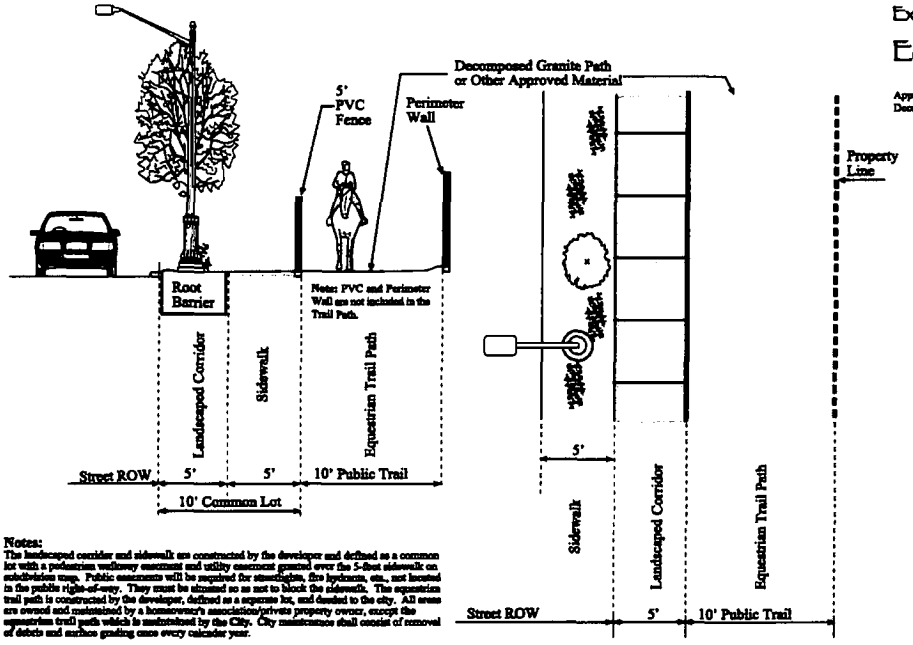


APPENDIX C: DESIGN OPTIONS

Recreation
Trails Element

Exhibit 1
Equestrian Trail

Approved by City Council
December 1, 2004



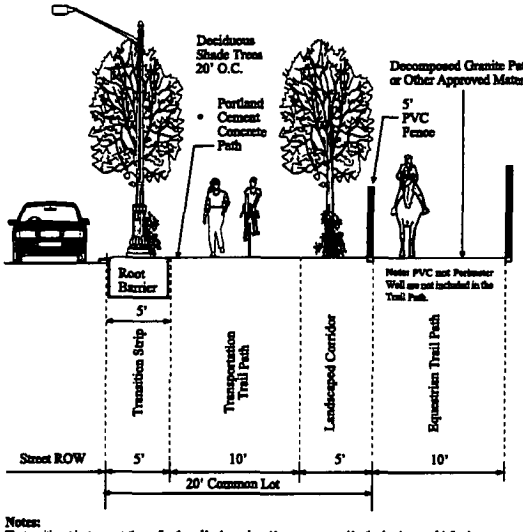
Notes:
The landscaped corridor and sidewalk are constructed by the developer and defined as a common lot with a pedestrian walkway easement and utility easement granted over the 5-foot sidewalk on subdivision maps. Public easements will be required for streetlights, fire hydrants, etc., not located in the public right-of-way. They must be situated so as not to block the sidewalk. The equestrian trail path is constructed by the developer, defined as a separate lot, and deeded to the city. All areas are owned and maintained by a homeowner's association/private property owner, except the equestrian trail path which is maintained by the City. City maintenance shall consist of removal of debris and surface grading once every calendar year.

For protection from storm water, trees planted in the landscaped corridor adjacent to right-of-way must be secured by a decorative tree grate in stamped concrete.

13

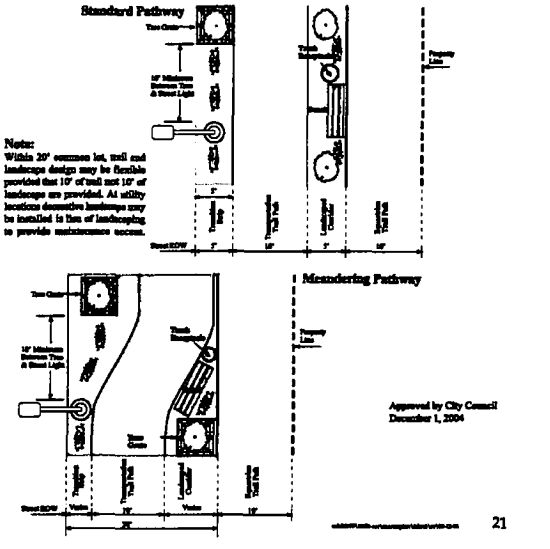
Recreation
Trails Element

Exhibit 3
Multi-Use
Equestrian Trail



Notes:
The transition strip, transportation trail path, and landscaped corridor are constructed by the developer and defined as a common lot with a pedestrian walkway easement and utility easement granted over the 10-foot trail path on subdivision maps. The equestrian trail path is constructed by the developer, defined as a separate lot, and deeded to the city. All areas are owned and maintained by a homeowner's association/private property owner, except the equestrian trail path which is maintained by the City. City maintenance shall consist of removal of debris and surface grading once every calendar year.

For protection from storm water, trees planted in the transition strip adjacent to right-of-way must be secured by a decorative tree grate in stamped concrete.



21



the arms of the power poles and a clear zone of 40' in diameter is required around each individual pole.

The Nevada Power Company also requires a maintenance road be provided. This access road would run between the double poles so both poles can be accessed from it. This affords a very practical opportunity for an equestrian trail owing to the fact that there preferred roadway material is the natural soil. If the native material isn't adequate due to large rubble, collapsible soils or caliche out cropping then a compacted gravel or Type II is preferred. Any of these materials would make for a very practical & functional equestrian trail.

Trail heads and restrooms, although they can not occur in the drip line plus 5' zone, they can easily occur just outside this no build zone and be connected into the overall trail. These rest areas could be an attraction, and create a shaded area for relaxation and parking.

Elements of Powerline Easement Trails:
- 10" minimum width.
- Provide connections between parks, open spaces, schools, transportation and community nodes, etc.
- Provide benches, trash receptacles at regular intervals.
- No permanent structures are allowed within the easement.
- Provide enhanced landscaping (within height restrictions) and shade.
- Where possible, setback the trail path from any roadways.

C.9 Major and Minor Trailheads

Trail heads should be installed throughout the greenway system to give the public access. These serve as points of formal public entry into the greenway system that may provide certain related public facilities such as parking, restrooms, drinking fountains, trail signage, etc. A mix of major and minor trail heads is suggested. On the next several pages, three levels of trailheads have been displayed to show how different degrees of facility development can be matched with the type and amount of use that is expected at a particular site.

LEVEL I: MINIMALLY DEVELOPED

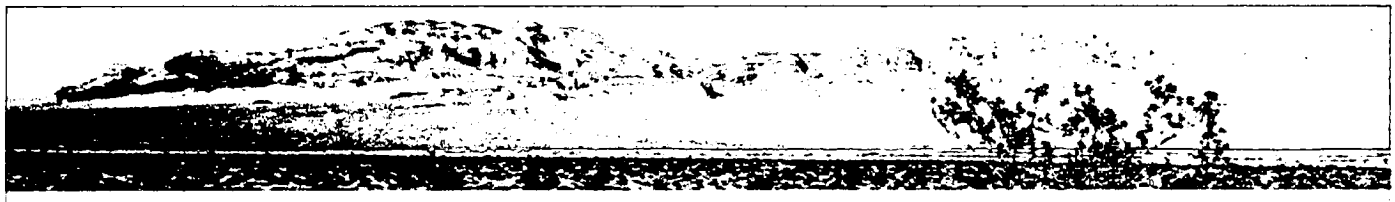
This type of trailhead provides a minimum level of facility development and should be located at minor trail connections. If the site conditions are appropriate, 4-10 parking spaces may be included. The exact number of spaces should be based on the expected use. The facilities that are provided at a level I trailhead are:

1. Accessible Parking (where warranted)
2. Trail signage
3. Waste receptacle
4. Minimal landscaping

All trailhead design criteria must comply with the following:

- The American Association of State Highway and Transportation Officials (AASHTO);
- Americans with Disabilities Act (ADA)
- Local Building Codes;
- Trailhead Ingress/ Egress geometric designs compliant with the Federal Highway





Administration and AASHTO; and
- PENNDOT standards based on Annual Average Daily Traffic

At any developed trail head, the parking lots should be placed at least 50' from the rivers edge to minimize runoff and thermal pollution. All parking areas should be gravel or, if permanently surfaced, should be made of permeable materials. Finally, the potential for flooding and the impacts of such an event should be considered when determining the location of any trailhead near the river.

LEVEL II - MODERATELY DEVELOPED

The level II trailhead provides fewer accommodations than the level III facility (following page), but is still designed to accommodate fairly heavy use. Level II trailheads should be located at major trail connections or intersections. The facilities that are provided at these trailhead are:

1. Permanent or portable restrooms.
2. Accessible Parking. (Conflict with other trail users should be minimized.)
3. Seating
4. Trail and Informational signage (i.e. wall mounted kiosk)
5. Bicycle racks
6. Shade (i.e. structures/ plant material)
7. Waste receptacles
8. Landscaping
9. ADA accessibility

LEVEL III: HIGHLY DEVELOPED

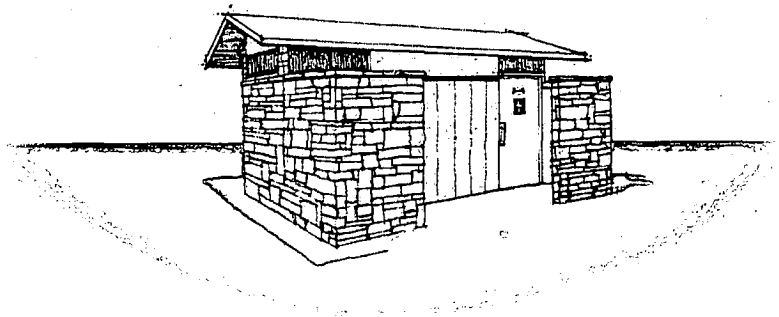
A level III trailhead is designed for placement at the beginning and end of the most highly used segments. Many portions of the greenway system will not receive the level of use that warrants this degree of facility development. In general, Level III trailheads should be used on routes that connect major destination points. Level III trailheads are also desirable on routes that are likely to accommodate public events such as races or charity walks. The facilities that are provided at a level III trailhead are:

1. Restrooms.
2. Accessible Parking. (Special considerations should be given to how horses are accommodated on multi-use trails and where users may park trailers. Conflict with other trail users should be minimized.)
3. Drinking fountains and (watering device for horses on equestrian routes)
4. Telephone(s) for emergency and coordination of events
5. Seating (benches)
6. Lighting
7. Trail and Informational signage (i.e. wall mounted on freestanding kiosk)
8. Bicycle racks
9. Shade (i.e. structures/ plant material)
10. Waste receptacles
11. Landscaping
12. Overflow parking allowances
13. ADA accessibility

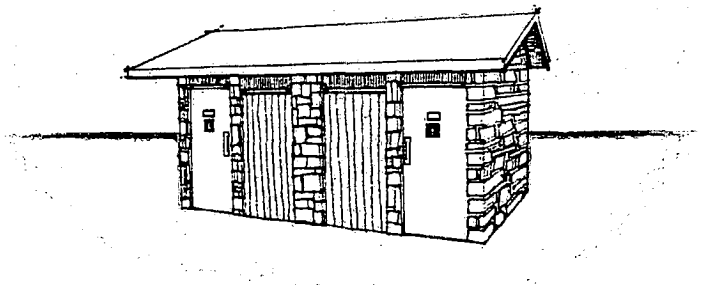


C.10 Restrooms

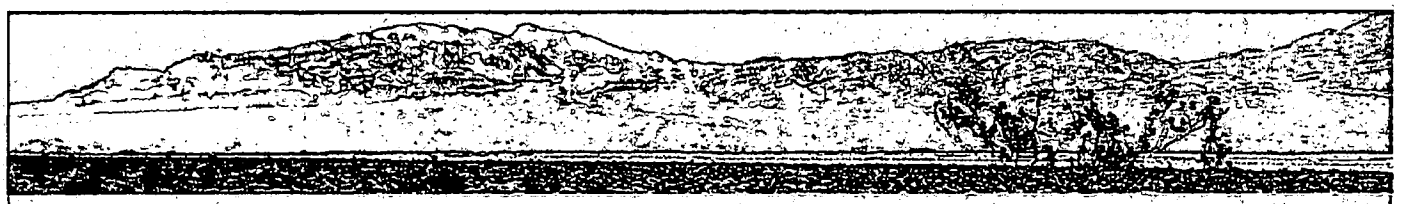
Public amenities such as phones and restrooms should be located and concentrated at the confluence of vehicular and pedestrian traffic. ADA accessible restrooms should be placed at major trail access points in order to accommodate trail users. Where possible, other uses should be incorporated into the structure, such as storage for maintenance equipment. These structures should be located adjacent to thoroughfares for security, maintenance and access to utility hookups. They should also make use of natural light and ventilation as much as possible.



Typical Restroom

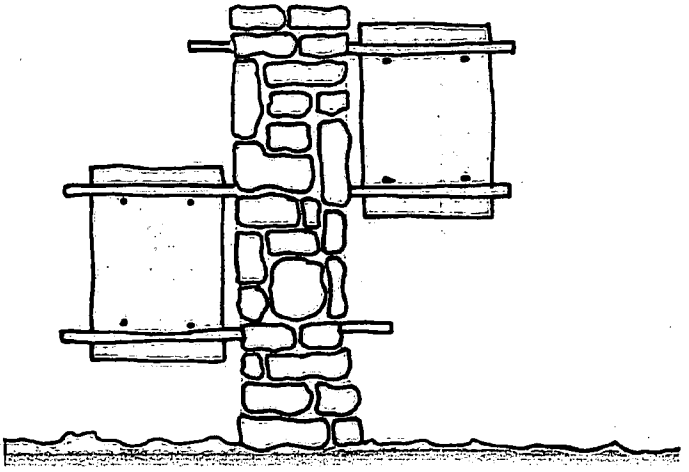


Waterless Restroom Option



C.11 Directional Signage

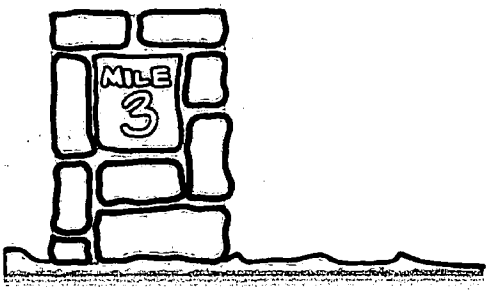
Trail rules should be posted at entry points to the system. The purpose of directional signage is to guide the trail user, give directions and let them know they are still on the trail.

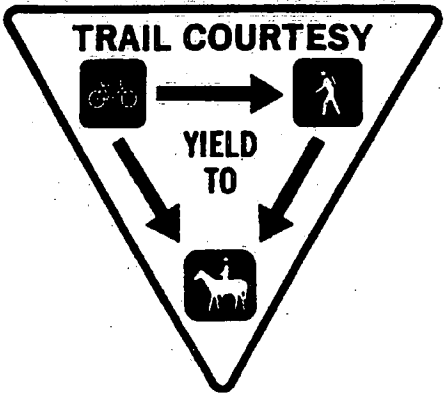


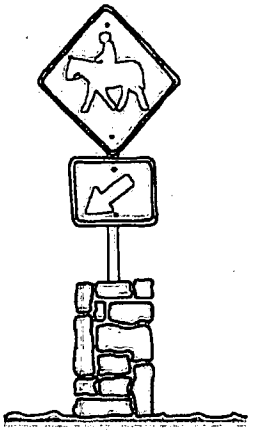
Where signs are located along the greenways is important so that their visibility is maximized. Maintaining a certain distance from the actual tread is important for safety reasons.

These signs should be informational and include some of the following:

- Trail direction markings, specifically at mid-street and intersection crossings,
- Warnings of dangers, especially for multi-use trails,
- Distance markings, time and mileage,
- Safety messages related to multi-uses, crossings, etc.,
- Indicate allowable uses on the trail,
- Use logos to identify the trail,
- Describe accepted right of way hierarchy in which for example, cyclists yield to runners and both yield to walkers and hikers,
- Warn trail users that they are about to leave the trail and enter a traffic area,
- Provide additional information as necessary.

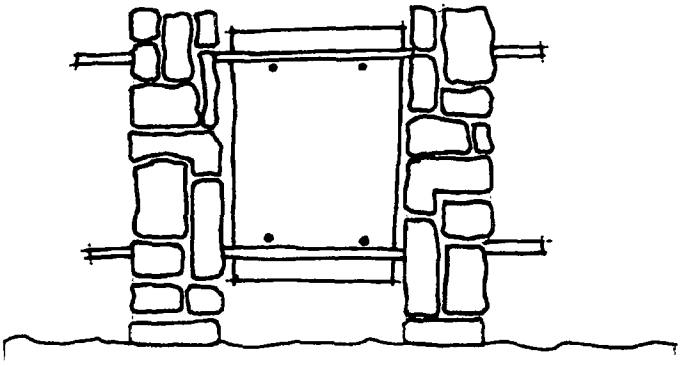


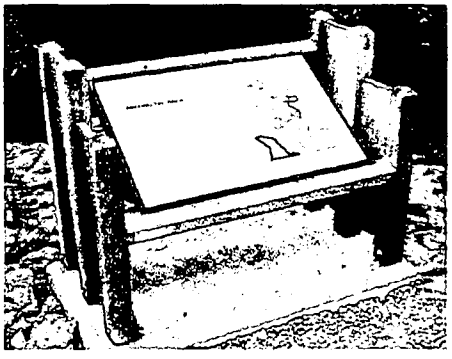




C.12 Interpretive Signage

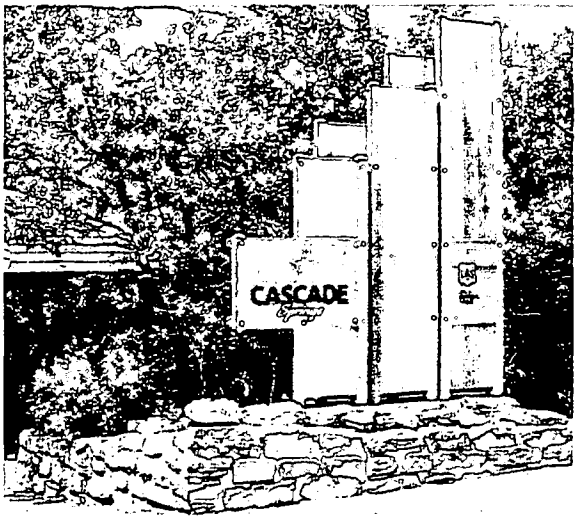
Trails can benefit from signs that explain the natural, cultural, and historic value of a site. This sort of interpretive signage helps users understand the many values of the trail system and can be valuable tools in using the trail system as an educational tool.

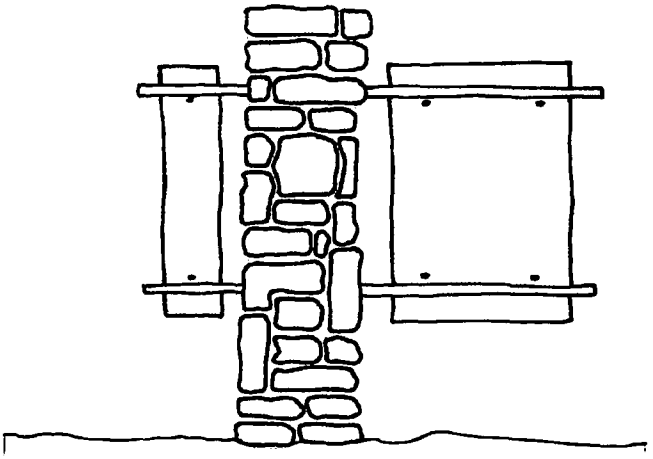




C.13 Entry Signage

Proper trail identification at trail terminal point and major intersections is important in the development of a comprehensive trail network. Greenway entry signage may also include mileage to provide users with a reference as to how far he or she has traveled, and the remaining distance to specific destinations.

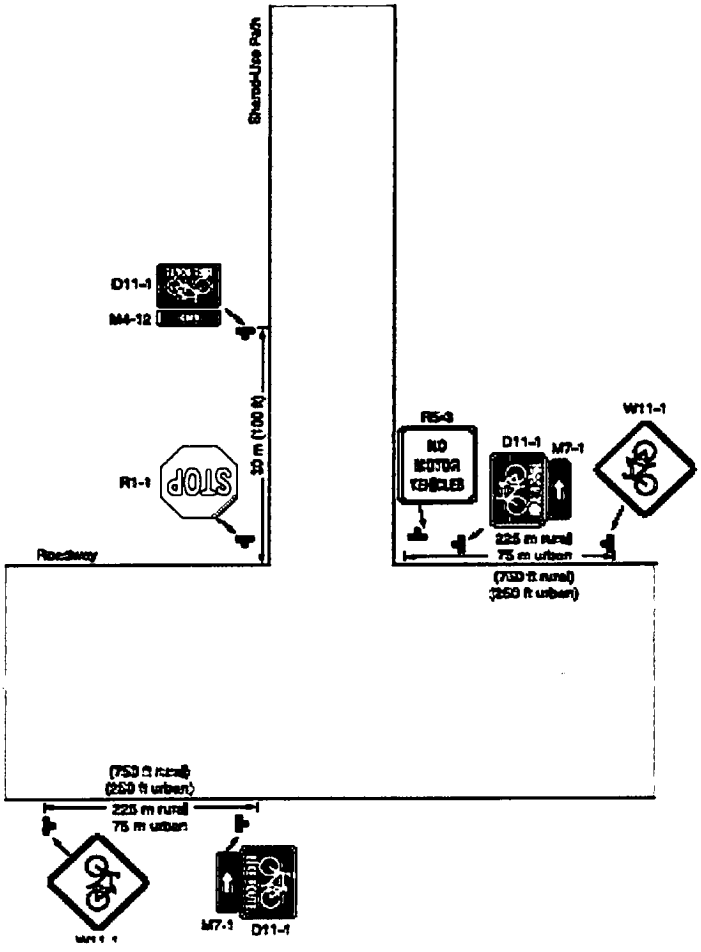




C.14 DOT Bike Signage

The US Department of Transportation's Manual on Uniform Traffic control Devices (MUTCD) specifies standard signage for all transportation configurations. Chapter 9 of that document is dedicated to Trafic controls for Bicycle Facilitities. The entire document is availbale online at http://mutcd.fhwa.dot.gov/

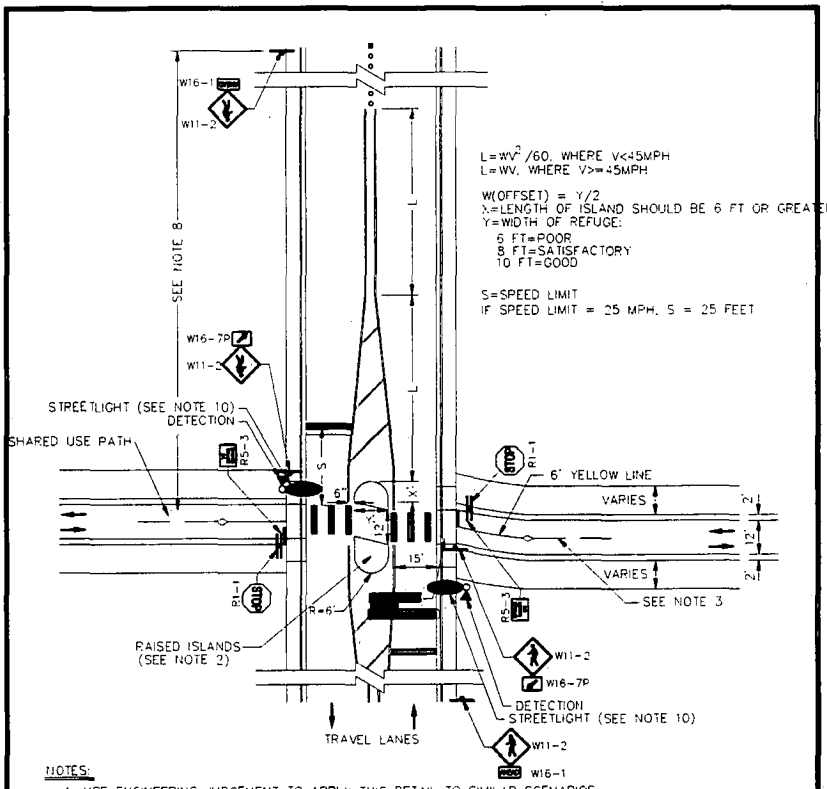
It is recommended that this manual be consulted regularly regarding the propoer placement of bicycle (and pedestrian) related traffic signage. Below is one example form the document about proper placement of bicycle related signs.





C.15 Trail Crossings

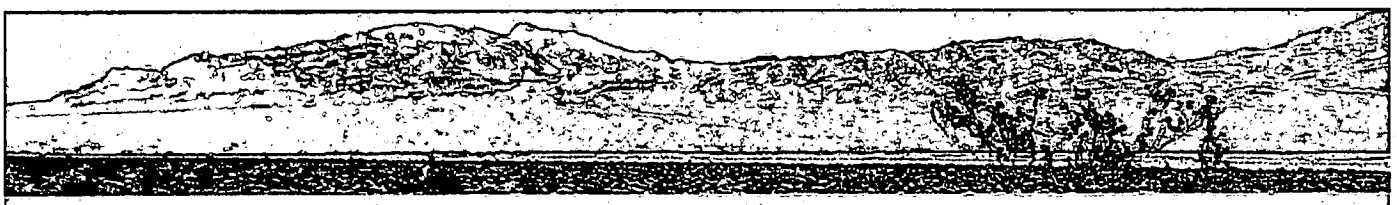
The images below present detailed specifications for the layout of intersections between trail corridors and roadways. Signage rules for these sorts of intersections is available in the MUTCD as well.

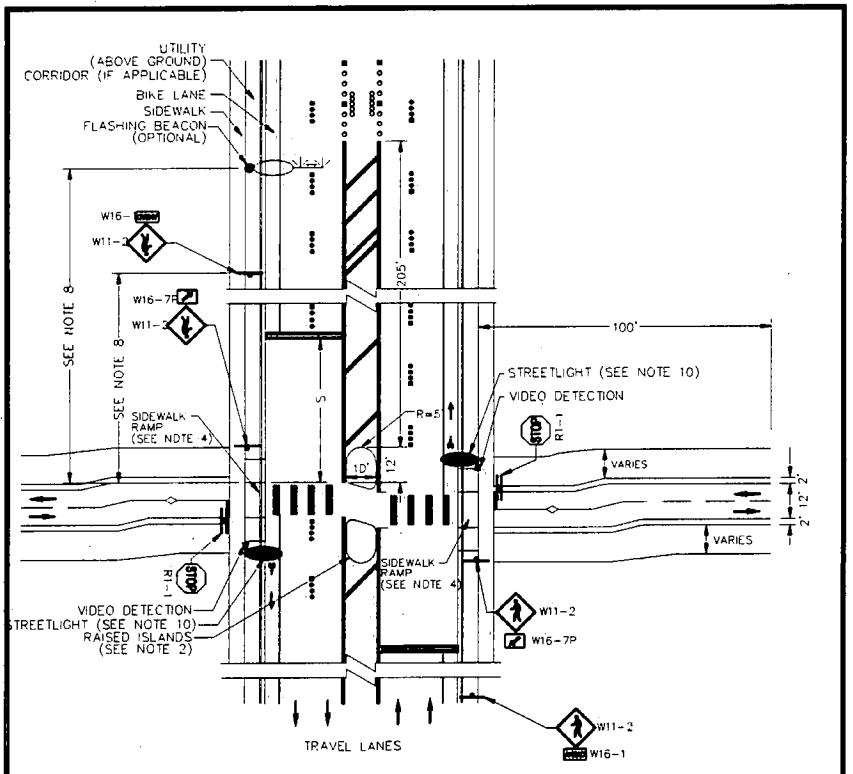


NOTES:

1. USE ENGINEERING JUDGEMENT TO APPLY THIS DETAIL TO SIMILAR SCENARIOS.
2. SEE DRAWING NO. 218, 248 FOR MEDIAN ISLAND. A 15 DEGREE SKEW ANGLING IN DIRECTION OF ONCOMING TRAFFIC IS DESIRABLE.
3. SEE DRAWING NO. 255.4 FOR BOLLARDS AND CENTERLINE DELINEATION.
4. SEE DRAWING NO. 235, CASE III, FOR SIDEWALK RAMPS (USE PATH WIDTH FEET INSTEAD 5 FEET).
5. SEE DRAWING NO. 254 AND 254A FOR CROSSWALKS.
6. SEE DRAWING NO. 255.3 FOR SIGN SIZES FOR SHARED USE PATHS.
7. SEE DRAWING NO. 345 (2 OF 3) FOR DELINEATION IN TRANSITION SECTIONS.
8. SEE TABLE 2C-4 IN MUTCD 2000 FOR ADVANCE PLACEMENT OF WARNING SIGNS.
9. SEE PAGE 654 TO 680 IN AASHTO HIGHWAYS AND STREETS 2001 FOR SIGHT VISABILITY ZONES (SIGHT TRIANGLE).
10. SEE STREET LIGHTING SECTION.
11. CONTACT AGENCY'S TRAFFIC ENGINEER TO VERIFY IF AGENCY PREFERS TO USE A W11-1 (BICYCLE) SIGN IN PLACE OF THE W11-2 SIGN.

SPECIFICATION REFERENCE		UNIFORM STANDARD DRAWINGS CLARK COUNTY AREA
628	PAINTING TRAFFIC STRIPING	
633	PAVEMENT MARKERS	SHARED USE PATH CROSSING TWO LANE ROADWAY
		DATE 7-10-03 DWG. NO. 256.2 PAGE NO. 59.9





NOTES:

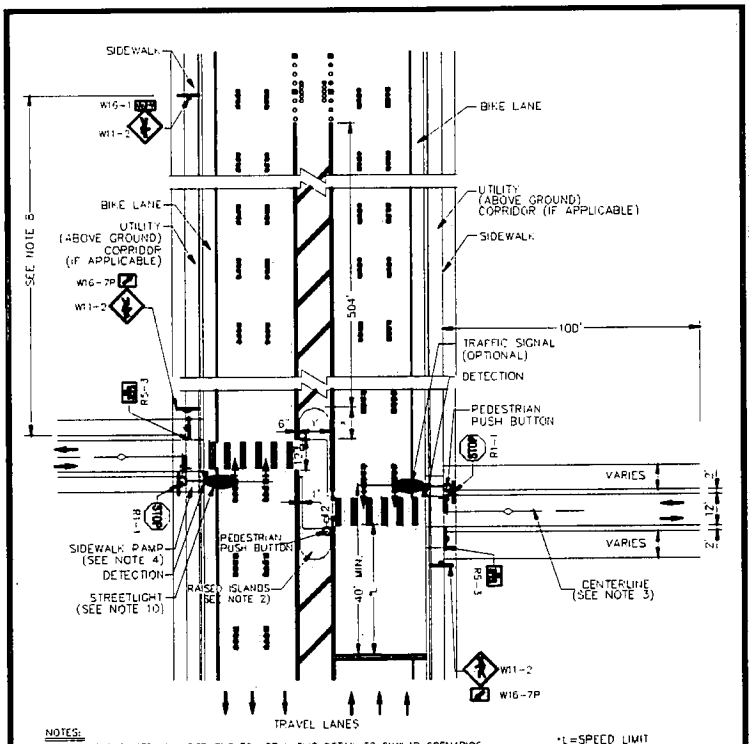
1. USE ENGINEERING JUDGEMENT TO APPLY THIS DETAIL TO SIMILAR SCENARIOS.
2. SEE DRAWING NO. 218, 248, AND 256.2 FOR MEDIAN ISLAND.
3. SEE DRAWING NO. 255.4 FOR BOLLARDS AND CENTERLINE STRIPING.
4. SEE DRAWING NO. 235, CASE III, FOR SIDEWALK RAMPS (USE 12 FEET INSTEAD 5 FEET).
5. SEE DRAWING NO. 254 AND 254A FOR CROSSWALKS.
6. SEE DRAWING NO. 255.3 FOR SIGN SIZES FOR SHARED USE PATHS.
7. SEE DRAWING NO. 345 (2 OF 3) FOR DELINEATION IN TRANSITION SECTIONS.
8. SEE TABLE 2C-4 IN MUTCD 2000 FOR ADVANCE PLACEMENT OF WARNING SIGNS.
9. SEE PAGE 654 TO 680 IN AASHTO HIGHWAYS AND STREETS 2001 FOR SIGHT VISABILITY ZONES (SIGHT TRIANGLES).
10. SEE STREET LIGHTING SECTION.
11. CONTACT AGENCY'S TRAFFIC ENGINEER TO VERIFY IF AGENCY PREFERS TO USE A W11-1 (BICYCLE) SIGN IN PLACE OF THE W11-1 SIGN.

SPECIFICATION REFERENCE	
628	PAINTING TRAFFIC STRIPING
633	PAVEMENT MARKERS

UNIFORM STANDARD DRAWINGS
CLARK COUNTY AREA

SHARED USE PATH CROSSING
4 LANE ROADWAY

DATE 7-10-03 | DWG. NO. 256.3 | PAGE NO. 59.15



NOTES:

1. USE ENGINEERING JUDGEMENT TO APPLY THIS DETAIL TO SIMILAR SCENARIOS.
2. SEE DRAWING NO. 218, 248, AND 256.2 FOR MEDIAN ISLAND.
3. SEE DRAWING NO. 255.4 FOR BOLLARDS AND CENTERLINE STRIPING.
4. SEE DRAWING NO. 235, CASE III, FOR SIDEWALK RAMPS (USE 12 FEET INSTEAD 5 FEET).
5. SEE DRAWING NO. 254 AND 254A FOR CROSSWALKS.
6. SEE DRAWING NO. 255.3 FOR SIGN SIZES FOR SHARED USE PATHS.
7. SEE DRAWING NO. 345 (2 OF 3) FOR DELINEATION IN TRANSITION SECTIONS.
8. SEE TABLE 2C-4 IN MUTCD 2000 FOR ADVANCE PLACEMENT OF WARNING SIGNS.
9. SEE PAGE 654 TO 686 IN AASHTO HIGHWAYS AND STREETS 2001 FOR SIGHT VISABILITY ZONES (SIGHT TRIANGLES)
10. SEE STREET LIGHTING SECTION.
11. CONTACT AGENCY'S TRAFFIC ENGINEER TO VERIFY IF AGENCY PREFERS TO USE A W11-1 (BICYCLE) SIGN IN PLACE OF THE W11-1 SIGN.

*L=SPEED LIMIT

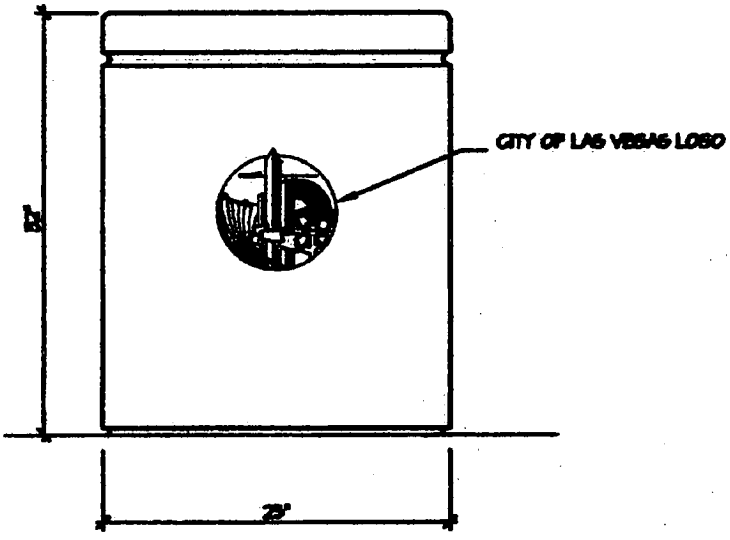
SPECIFICATION REFERENCE		UNIFORM STANDARD DRAWINGS CLARK COUNTY AREA		
628	PAINTING TRAFFIC STRIPING	SHARED USE PATH CROSSING 6 LANE ROADWAY		
633	PAVEMENT MARKERS			
		DATE 7-10-03	DWG. NO. 256.4	PAGE NO. 59.25

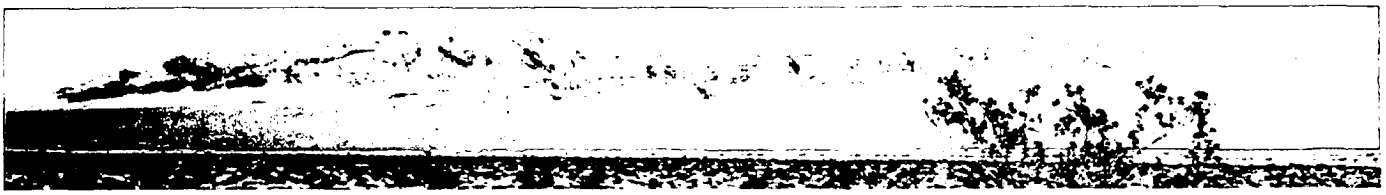


C.16 Trash Receptacles

Trash receptacles should be located at each entranceway and at each bench seating area. They should be set back 3' from the edge of the trail.

Model: #QS-PS2532W-A21 or #TF1025, WZA-WO2A waste containers w/ steel lid, cable, assembly, levelers, and liners.
Steel Top Color: Brown
Concrete Color: L.M. Scofield 'Summer Beige" # 5234
Concrete Texture: Weatherstone
Sealer: Standard gloss sealer, City of Las Vegas (one side)

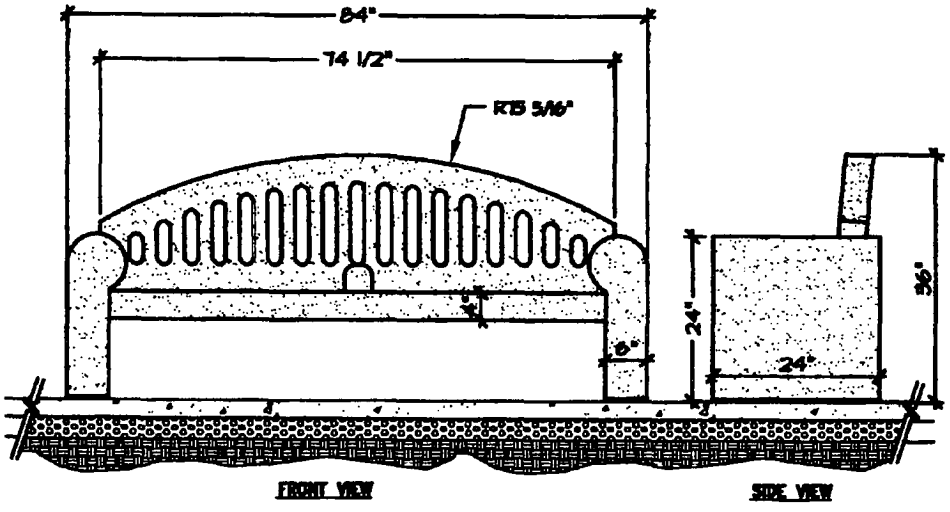


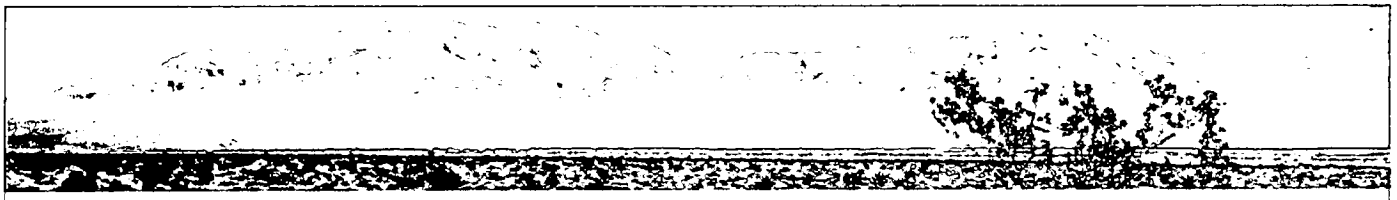


C.17 Benches

Benches along trails allow users to rest, congregate or contemplate. They should be located at the primary and secondary entrances to the trail and at regular intervals, and should be set back 3' from the trail edge.

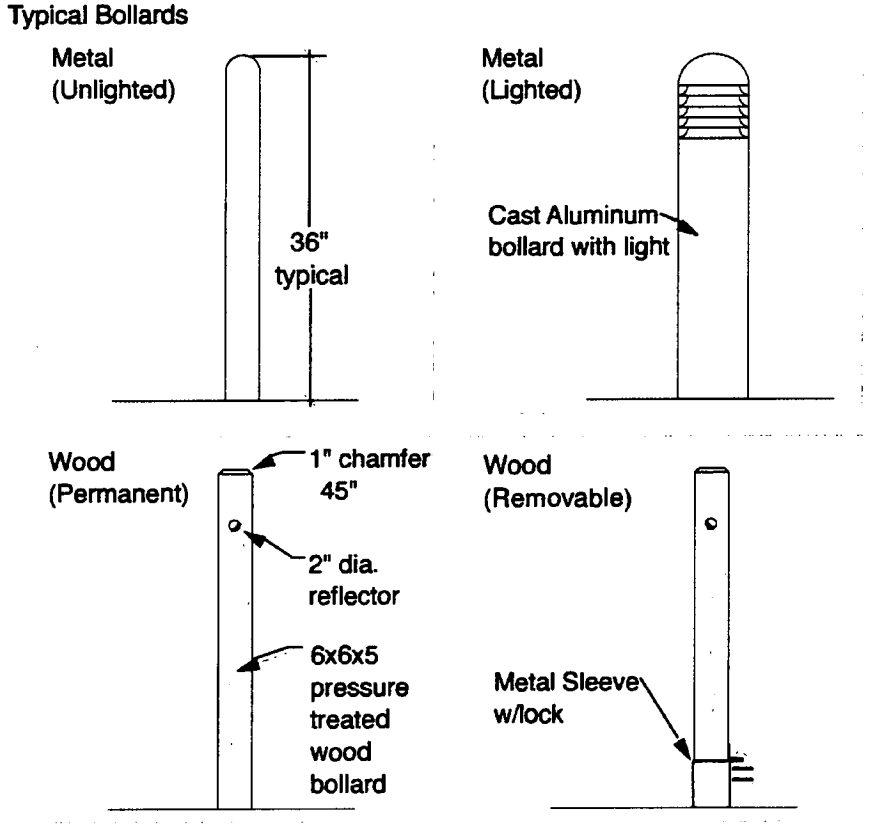
Model: #QI-VIC-84B
Size: 84"L x 24"W x 36"H
Concrete Color: L.M. Scofield 'Summer Beige' #5234
Concrete Texture: TI Smooth
Finish Sealer: Standard Gloss Sealer



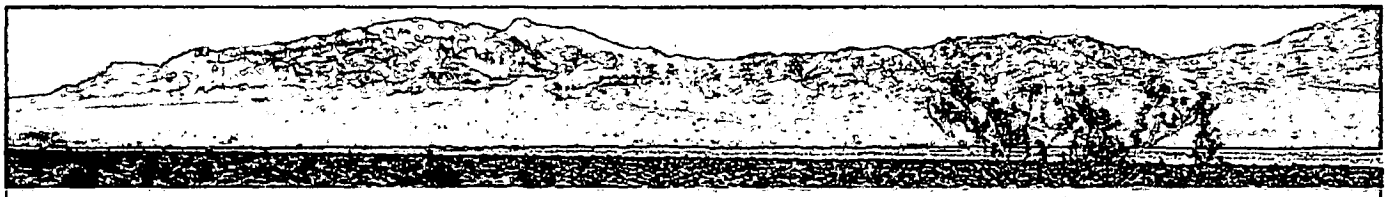


C.18 Bollards

Bollards are intended to provide separation between vehicles and trail users. They are available in a variety of shapes, sizes, and colors and come with a variety of features. Lighted bollards are intended to provide visitors with minimum levels of safety and security along trails which are open after dark. Bollards should be chosen according to the specific needs of the site and should be similar in style to the surrounding elements. Typical construction materials for bollards include painted steel or aluminum, with halogen or metal halide lights in weather tight casings. Removable bollards can be installed to provide trail access for emergency and maintenance vehicles.

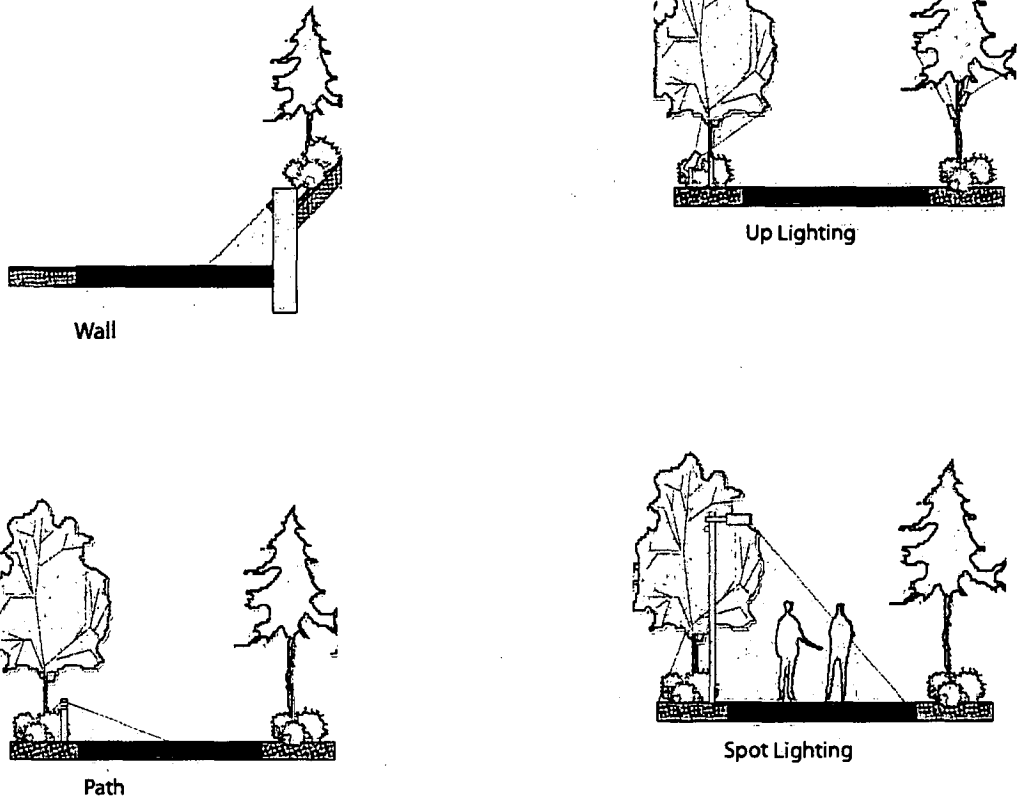


Typical Bollard Details



C.19 Trail Lighting

Particularly during winter months when trips to and from work are made in the dark, adequate lighting can make the difference in a person's choice to bicycle or walk. Lighting for multi-use trails should be considered on a case-by-case basis in areas where 24-hour activity is expected, with full consideration of the maintenance commitment lighting requires. Poorly maintained lights can lead to a number of serious safety issues. If lights are installed, they MUST be well maintained.



Various Lighting Types



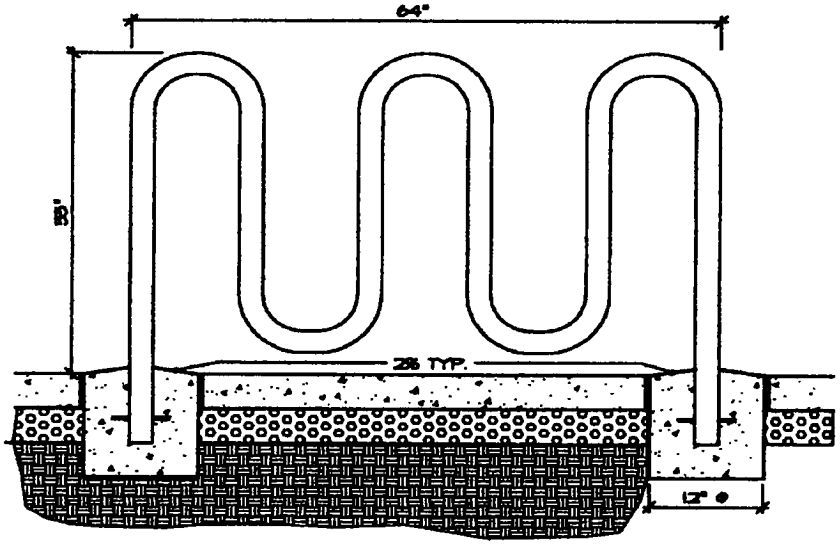
C.20 Bike Rack

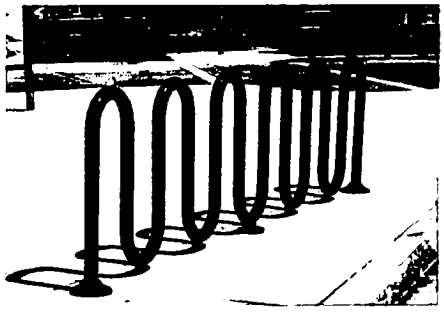
It is important to choose a bicycle rack design that is simple for cyclists to operate. Bicycle racks should be designed to allow use of a variety of lock types. It may be difficult initially to determine the number of bicycle parking spaces needed. Therefore, bike racks should be situated on-site so that more can be added if bicycle usage increases.

The design shown below has proven popular and effective in numerous communities. It is inexpensive to fabricate locally, easy to install, vandal resistant and works well with popular high-security locks. In addition, it can be installed as a single unit, on a sidewalk, or in quantity, at major recreation nodes.

Location Criteria:

- Racks should be located within 50' of building entrances (where bicyclists would naturally transition into pedestrian mode.
- Racks should be installed in a public area within easy viewing distance from a main pedestrian walkway, usually on a wide sidewalk with five or more feet of clear space remaining (a minimum of 24" clear space from parallel wall and 30" from a perpendicular wall).
- Racks are place to avoid conflicts with pedestrians. They are usually installed near the curb and at a reasonable distance from building entrances and crosswalks.
- Racks can be installed at bus stops and at loading zones (only if they do not interfere with boarding or loading patterns and there are no alternatives).

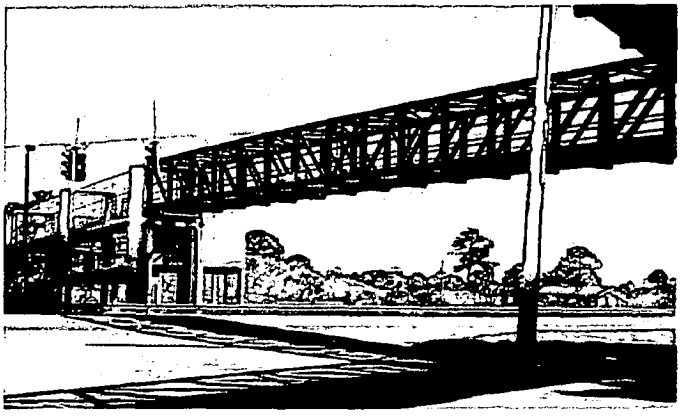




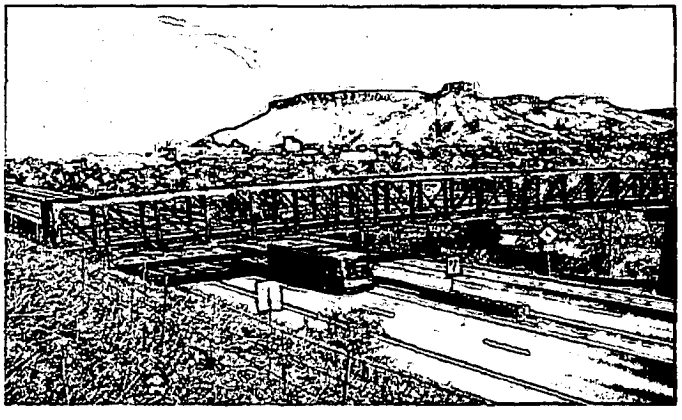


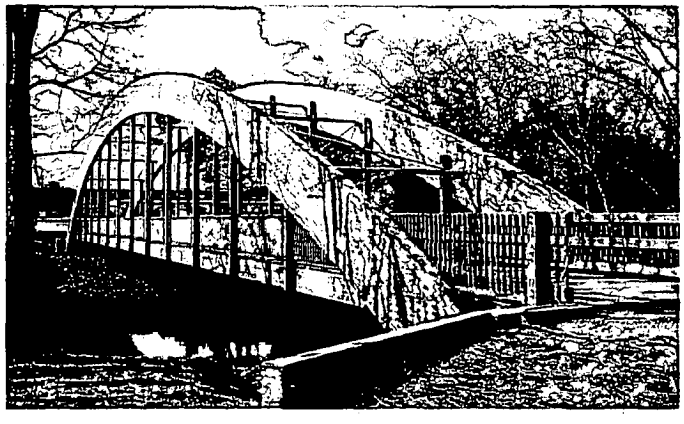
C.21 Bridges

Bridges are an important element of almost any trail project. The bridges for the Northwest Las Vegas Trail system shall be multi-use and capable of providing emergency and maintenance access. These bridges should be designed to handle up to 10,000 pound loads safely and be at least 14' wide to allow for vehicle passage.









Note: Prefabricated span bridges are ordered directly from the manufacturer. Approximate cost is $100/foot.



C.22 Underpass

Trail underpasses and overpasses can be used to avoid undesirable at-grade intersections of trails and freeways or high volume arterial highways. However, they should be used sparingly in suburban, fringe or rural areas. Underpasses typically utilize existing overhead roadway bridges adjacent to a stream or culverts under the roadway that are large enough to accommodate trail users. There are several key issues that must be addressed in the design of the roadway underpass:

1. The vertical clearance of the underpass must be at least 10 feet
2. The width of the underpass must be at least 12 feet
3. Proper drainage must be established to avoid pooling of stormwater inside the underpass
4. It is recommended that underpasses be lighted for safety



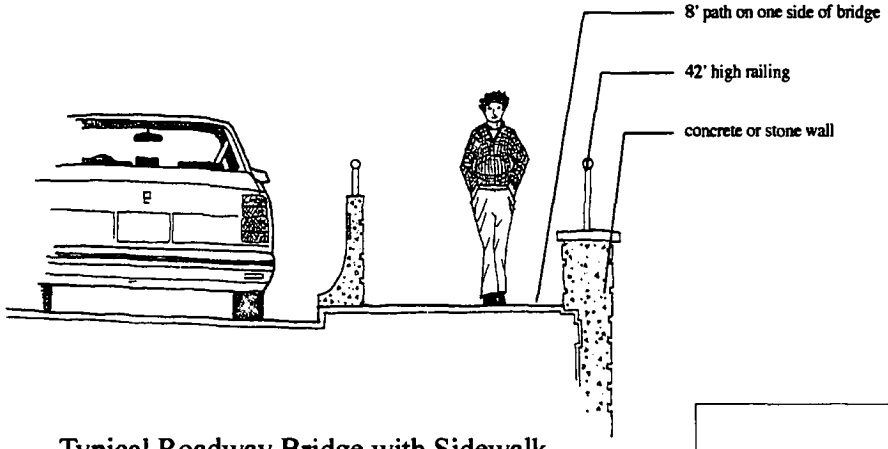




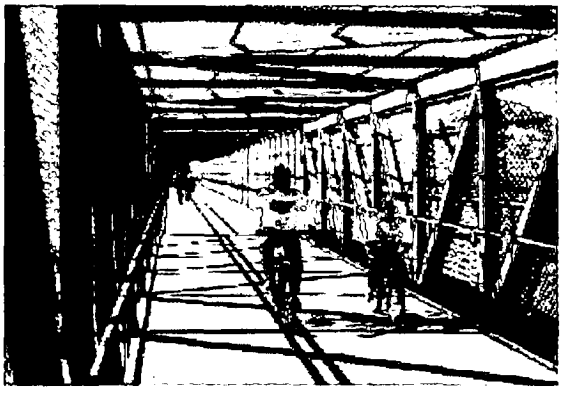
C.23 Overpass

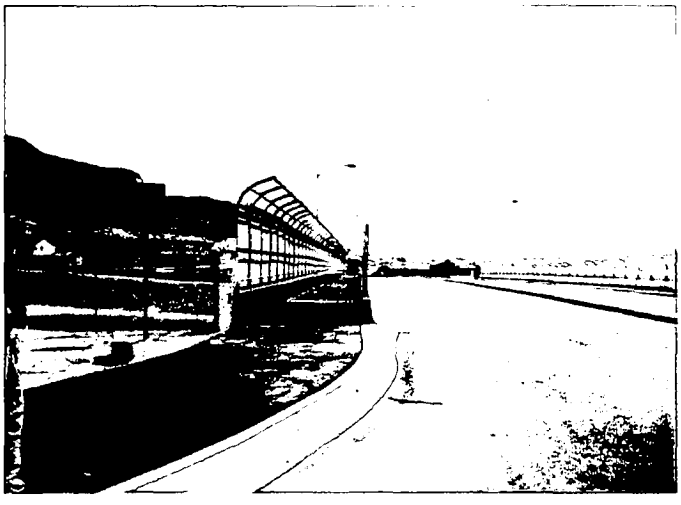
Trail overpasses can be used in high traffic volume areas where underpasses are not possible. Overpass options include sidewalks on bridges, freestanding pedestrian/bike bridges or lanes attached to an existing bridge. The American Association of State Highway Transportation Officials (AASHTO) requires that bridges be a minimum of 36" wide, but prefers that they are at least as wide as the trail. Railing is required to be 42" high. A fenced cover, as shown below, provides a safer environment over highways and busy streets. The NCDOT should be referenced for height requirements, which vary depending on the type of road. Ramp specification should meet ADA requirements.

It is important to remember that pedestrians and cyclists will opt not to use an overpass or an underpass if it takes more than twice the time as crossing the street at-grade. For this reason, at-grade fencing might be a better alternative in some instances.



Typical Roadway Bridge with Sidewalk

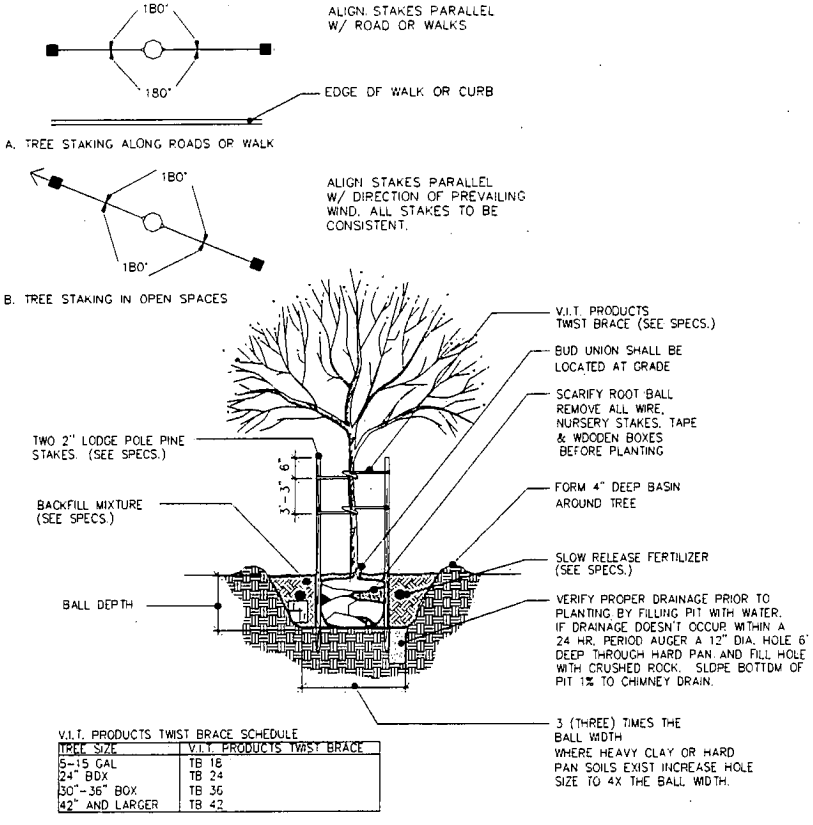




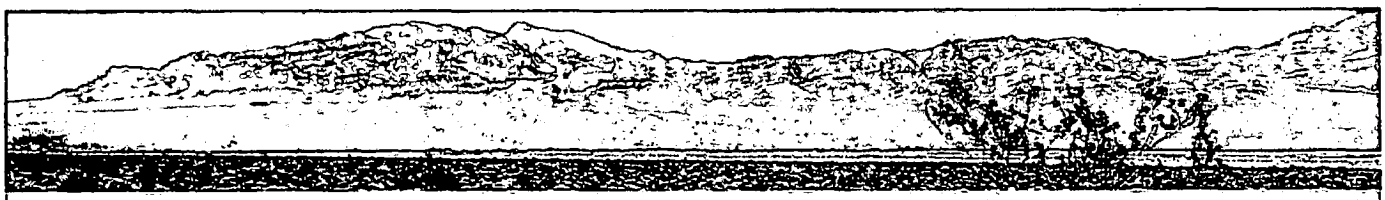


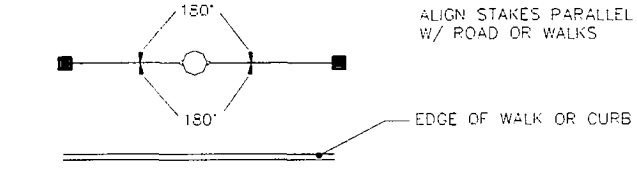
C.24 Tree Plantings

Trees are important to trails for both aesthetic and environmental reasons. Not only do they contribute to the appearance of a trail, their shade cools the environment for trail users and provides habitat for birds and wildlife. When choosing trees and shrubs for trail corridors, it is recommended that indigenous and well-adapted species be used. This will reduce the need for chemical and water applications as a part of long term maintenance. The following graphics represent common installation practices used for several different types of plant material.

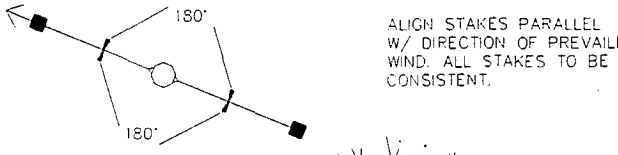


TREE PLANTING AND STAKING

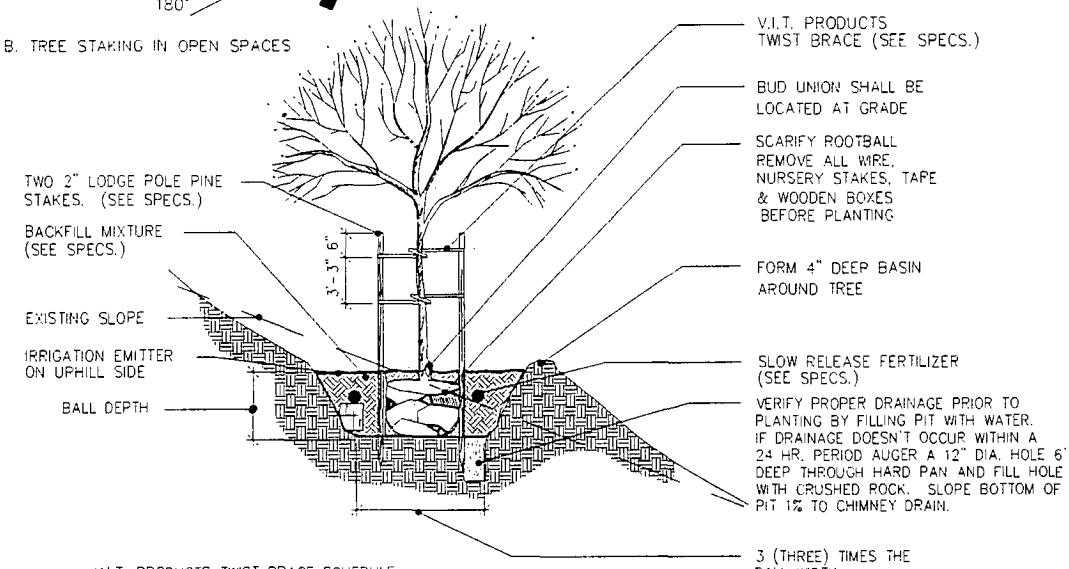




A. TREE STAKING ALONG ROADS OR WALK



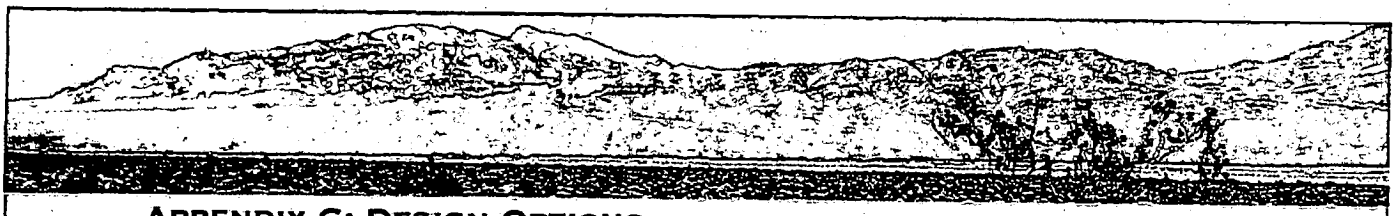
B. TREE STAKING IN OPEN SPACES

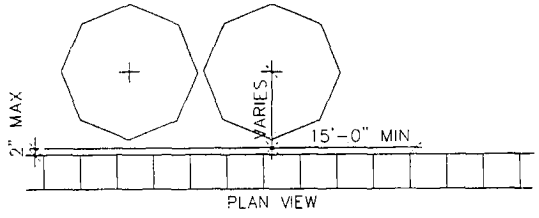


V.I.T. PRODUCTS TWIST BRACE SCHEDULE

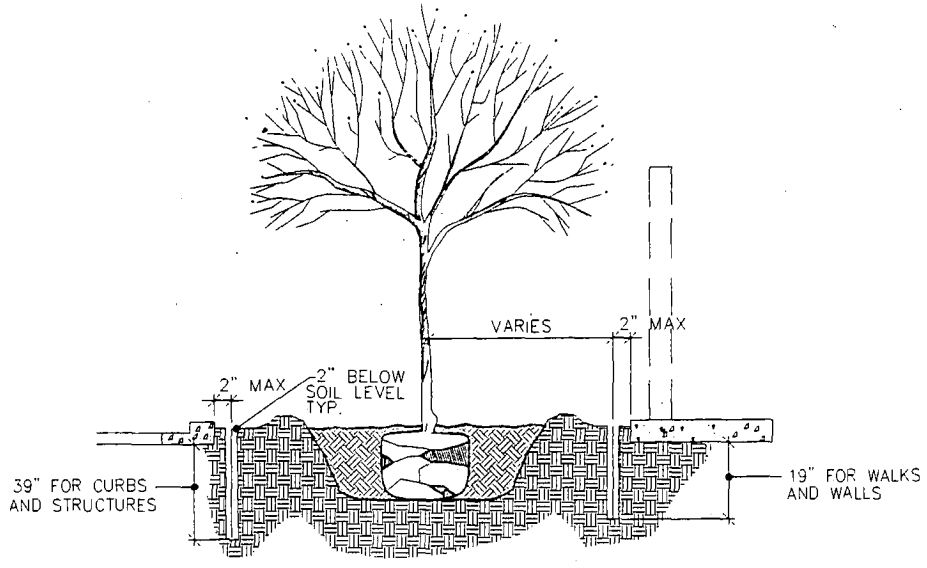
TREE SIZE	V.I.T. PRODUCTS TWIST BRACE
5-15 GAL	TB 18
24" BOX	TB 24
30"-36" BOX	TB 36
42" AND LARGER	TB 42

SLOPE TREE PLANTING





BIO BARRIER TO BE ADJACENT TO ALL
SIDEWALKS, CURBS, WALLS, ETC.
INSTALL AS PER MANUFACTURERS SPECIFICATIONS.
SUPPLIER 1-800-382-8467

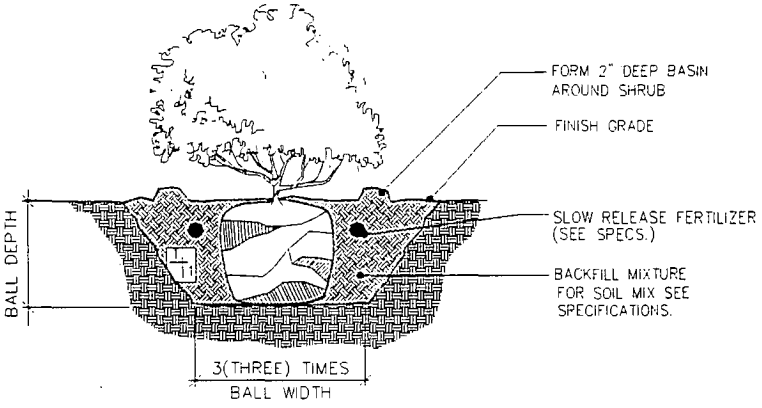


ROOT BARRIER

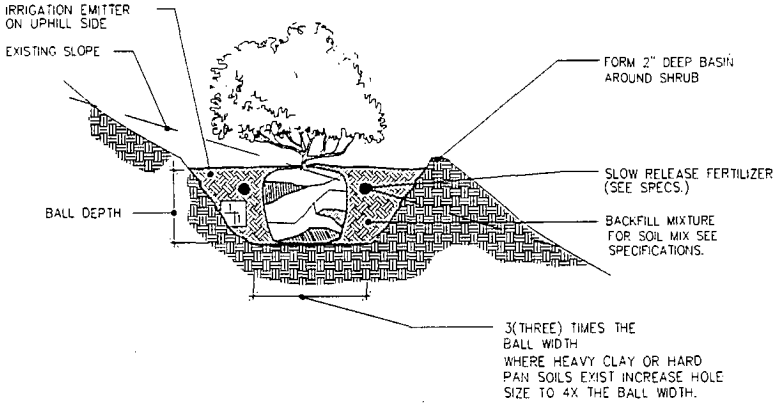


C.25 Shrub Plantings

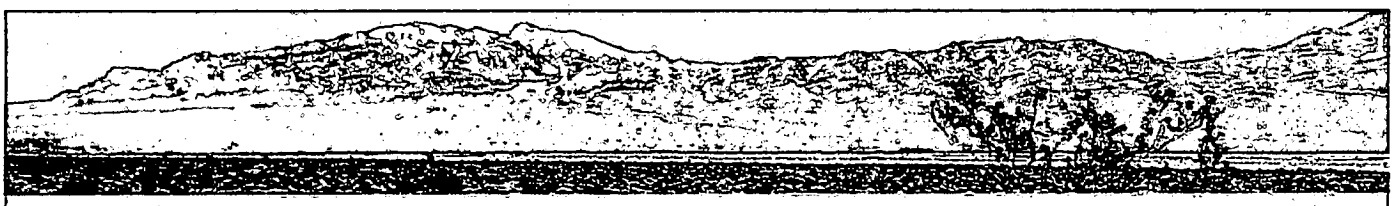
The amount of planting needed will vary depending on the project. While some projects will require little or no planting, others may require it for vegetative screening, habitat restoration, erosion control or aesthetics. The graphics below illustrate planting techniques for shrub planting at grade and shrub planting on slopes.



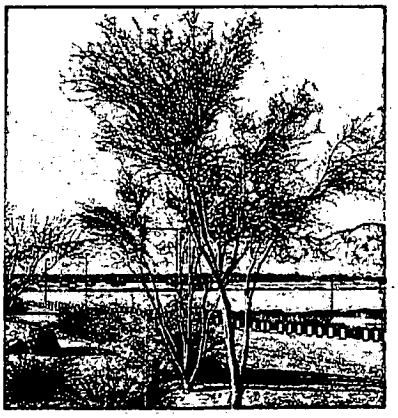
SHRUB PLANTING



SLOPE SHRUB PLANTING



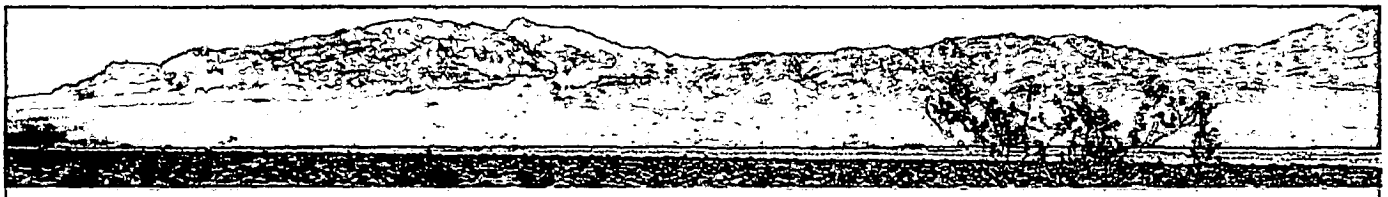
C.26 Suggested Plant List



Trees	
Acacia greggii	Cat Claw Acacia
Chilopsis linearis	Desert Willow
Chilopsis linearis 'Lucretia Hamilton'	Desert Willow
Fraxinus velutina 'Rio Grande'	Fan-Tex Ash
Prosopis chilensis	Chilean Mesquite
Prosopis pubescens	Screwbean Mesquite
Prosopis glandulosa 'Torryana'	Western Honey Mesquite
Quercus virginiana 'Heritage'	Heritage Live Oak
Ulmus parviflora 'Drake'	Drake Elm
Vitex agnus-castus	Chaste Tree



Shrubs	
Ambrosia dumosa	White Bursage
Artemisia schmidtiana	Angel's Hair
Atriplex canescens	Four-wing Saltbush
Atriplex hymenelytra	Desert Holly
Atriplex lentiformis	Quail Bush
Baccharis sarothroides	Male Baccharis
Cassia nemophila	Desert Cassia
Cassia spp. 'Outback'	Outback Cassia
Cercocarpus betuloides	Mountain Mahogany
Chrysactinia mexicana	Damianita
Cupressus glabra	Arizona Cypress
Dalea frutescens 'Sierra Negra'	Sierra Negra Dalea
Eleagnus ebbingei	Ebbing's Silverberry
Encelia farinose	Brittlebush
Ephedra nevadensis	Mormon Tea
Eremophilla spp. 'Valentine'	Valentine Bush
Ericameria laricifolia	Turpentine Bush
Euonymus fortunei 'Colorata'	Purple Winter Creeper
Euonymus japonica	Evergreen Euonymus
Fallugia paradoxa	Apache Plume
Genesta hispanica	Spanish Broom
Hymenoclea salsola	Cheesebush
Ilex cornuta 'Burfordii'	Burford Holly
Ilex vomitoria 'Nana'	Dwarf Yaupon
Larrea tridentata	Creosote Bush
Leucophyllum candidum 'Thunder Cloud'	Thunder Coud Ranger
L. frutescens 'Green Cloud'	Green Cloud Ranger



L. laevegatum	Chihuahuan Sage
L. langmaniae 'Rio Bravo'	Rio Bravo Ranger
L. pruinosum 'Sierra Bouquet'	Sierra Bouquet Ranger
L. zygophyllum 'Cimarron'	Blue Ranger
Mahonia aquifolium	Oregon Grape
Nandina domestica	Heavenly Bamboo
Pittosporum tobira	Mock Orange
Pittosporum tobira 'Variegata'	Variegated Mock Orange
Raphiolepis indica 'Ballerina'	Dwarf Indian Hawthorn
Raphiolepis indica 'Jack Evans'	Jack Evans Hawthorn
Rhamnus californica 'Eva Case'	Coffeebush
Rosmarinus officinalis 'Tuscan Blue'	Upright Rosemary
Salvia chamaedryoides	Mexican Blue Sage
Salvia greggii 'Sierra Linda'	Autumn Sage
Salvia greggii 'Cherry Red'	Cherry Red Sage
Vauquelinia californica	Arizona Rosewood
Viburnum tinus	Viburnum
Xylosma congestum 'Compacta'	Compact Xylosma

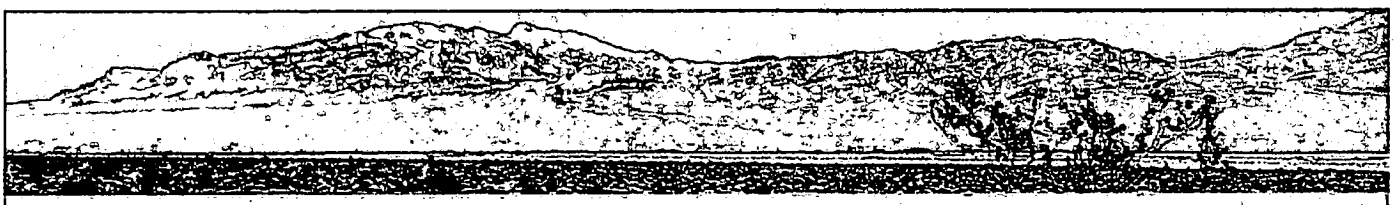
Ground Covers

Baccharis hybrid 'Starn Thompson'	Starn Thompson Broom
Convolvulus cneorum	Bush Morning Glory
Dalea capitata 'Sierra Gold'	Sierra Gold Dalea
Lantana spp. 'New Gold'	New Gold Lantana
Nandina domestica 'El Dorado'	Dwarf Heavenly Bamboo
Psilostrophe cooperi	Paper Flower
Pyracantha coccinea 'Santa Cruz'	Santa Cruz Firethorn
Rosmarinus o. 'Huntington Carpet'	Carpet Rosemary
Teucrium charneadrys	Germander
Pittosorum tobira 'Wheeler's Dwarf'	Dwarf Mock Orage
Trachelospermum jasminoides	Star Jasmine



Accents

Agave parryi	Parry's Agave
Asclepias subulata	Desert Milkweed
Caesalpinia gilliesii	Desert Bird of Paradise
Caesalpinia mexicana	Mexican Bird of Paradise
Dasylirion wheeleri	Desert Spoon
Dasylirion longissimum	Green Toothless Desert Spoon
Ferocactus acanthodes	Compass Barrel Cactus
Hesperaloe parviflora	Red Yucca
Hesperaloe parviflora 'Yellow'	Yellow Yucca



Muhlenbergia capillaries 'Regal Mist'	Regal Mist Grass
Opuntia basilaris	Beavertail Cactus
Penstemon eatonii	Firecracker Penstmon
Penstemon parryi	Parry's Penstemon
Tecoma spp. 'Orange Jubilee'	O.J. Trumpet Flower
Yucca brevifolia	Joshua Tree

Perennial Forbs

Achillea tomentosa	Wooly Yarrow
Berlaniera lyrata	Chocolate Flower
Baileya multiradiata	Desert Marigold
Bulbine frutescens	Bulbine
Coreopsis lanceolata	Coreopsis
Dyssodia pentachaeta	Dyssodia
Hymenoxys acaulis	Angelita Daisy
Sphaeralcea ambigua	Globe Mallow



Appendix D: GIS Resource Database

D.1 Overview

At the beginning of the planning for the Northwest Las Vegas Open Space Plan, it was determined that ArcView GIS was the preferred platform for data management and graphic mapping. The first step in building an accurate data set for the Northwest region was to collect all available geographic information system data from a variety of local, State of Nevada, federal and private resources. This information was provided to Greenways Incorporated, prime consultant, who then cataloged the information and utilized certain dataset combinations to produce a variety of maps for the project.

D.2 Catalog of Available GIS Files

The following data was used in the development of project maps for the Northwest Open Space Plan.

- Flood/Drainage Information
  - Floodplains and Desert Wash Corridors
  - Streams, Lakes, and Ponds
  - Capital Improvement Projects for City of Las Vegas
- General Environmental Information
  - Wetlands
  - Soils Inventory
  - Aquifer Recharge Areas
  - Sanitary Sewer Corridors
  - Special Environmental Features such as Hazardous Sites
  - Superfund sites
- Transportation Facilities
  - Transit routes
  - Bicycle Trails and Routes
  - Walking Trails
  - Equestrian Trails
  - Railroads
- Critical Community Facilities
  - Police and Fire Stations
  - Public Parks and Golf Courses
  - Community Centers
  - Libraries
  - Schools
  - Historic Resources
- Composite maps illustrating publicly and privately held green space resources
  - Local, regional, state and federal park and public lands
  - Recreation facilities
  - Private parks, golf courses and preserves
- Natural resources inventoried for Clark County in the Multiple Species Habitat Conservation Plan and the Desert Conservation Plan for the desert tortoise.



Appendix E: Glossary of Terms Used in this Plan

E.1 Overview

The Northwest Open Space Plan addresses five categories of open space and recreational amenities. The emphasis of this plan is on trails, open space and related amenities including wayfinding systems. However, active parks and street landscaping are also addressed to the extent they support the overall planning mission. The following definitions are derived from existing City plans and standards, national standards, input at public meetings and consultant recommendations. These include:

1. Open Space
2. Trails And Non-Motorized Transportation
3. Active Parks
4. Fixtures and Furnishings
5. Wayfinding Systems

Open space is an area that provides visual, wildlife, or resource conservation benefits. It is generally not intended for active recreational use. Such areas may be present or conserved in their natural state or may be improved with landscaping. Open spaces may also include trails, trailheads/access points, overlooks, rest areas and interpretive facilities. In addition to larger open space areas, the perimeter landscaping along a development and the median strips in boulevards are examples.

Passive Recreation refers to non-programmed leisure activities, such as walking, bird watching, horseback riding on trails, bicycling, etc. Usually associated with individual-oriented rather than team-oriented sports and leisure activities.

Trails provide linear outdoor recreation and non-motorized transportation opportunities. Some trails may also serve motorized off-road recreational vehicles. Streets (where appropriate) and the sidewalk system also provide bicycle and pedestrian circulation benefits. On-street and sidewalk segments may integrate with the overall trail network. When a trail runs through an open space or landscaped corridor, such as an arroyo, it is referred it is referred to as a "greenway".

A ***Park*** is a parcel of lands designated for recreational use. A park and recreational area as used in this plan are synonymous. There are two types of recreational areas: active and passive. An active recreational area is an area set aside for vigorous or energetic use such as child play and active sports. A passive recreational area is an area designed for leisure activities such as picnicking.

E.2 Other Terms Defined

Open Space

- ***Core Open Space and Conservation Areas***: Places with unique scenic quality, sensitive lands including wildlife habitat, breeding areas and routes of movement and migration, or other visual or cultural significance protected through cooperative public/ private efforts. They may be publicly (in fee or through conservation easements) or privately owned and protected through cooperative agreements or as part of subdivision land dedication. Development, while limited, may be integrated where compatible with the character of the resources. These areas are not generally accessible by the public and trails are limited or non-existent. There may be opportunities for guided visits and tours in some instances where appropriate and approved by the landowner. In some instances trails and greenways may cross a conservation area or there may be private trails open to homeowners and local residents only. A non-profit land conservancy or trust offering certain tax benefits to the landowners or developers might hold the land or easement.



- ***Greenways (Via Verdes)***: Linear parks and open space corridors that serve recreational and conservation purposes. Greenways often link larger core open spaces or other destinations ideally forming regional interconnected networks for both recreation and routes of wildlife movement. Greenways and Greenbelts may be natural or may be landscaped. They may follow natural features such as arroyos or ridgelines or be created in conjunction with the land development process. Recreational uses include multi-use trails, trailheads, and possibly other attractions such as parks, playgrounds and interpretive facilities. Though some greenways are set aside for conservation purposes and may not be accessible by the general public. Conservation and infrastructure objectives of greenways include preserving wildlife habitat and routes of wildlife circulation, protection of water, air, and scenic qualities, protection of historic and cultural values and public safety from floods. Many greenways serve both conservation and recreational purposes. Greenway land may be on both public and private property.

- ***Greenbelts***: Share the features of greenways but are larger, wider inter-connected open space areas that define the perimeter and boundaries of a city or urban area.

- ***Buffers***: Natural and undeveloped lands that separate and reduce the impacts of development. They also define the boundaries of urbanized areas, reducing urban sprawl and on-going strip development, and contribute to the quality of the local landscape. They occur along the margin of greenways, trail routes, arroyos, canals, open space reserves, agricultural lands and other open spaces. Buffers help protect natural resources, water quality, and wildlife habitat as well as reducing flood damage. They also help avoid land use conflicts and protect privacy and security of properties adjacent to open spaces. Buffers may also serve to separate various land uses such as residential areas and roadways. Buffer lands may be publicly or privately owned property.

- ***View Corridors***: Line of sight and backdrops with high aesthetic appeal and variety. They may protect or enhance the visual integrity of a scenic backdrop. These areas are generally visible, apparent, and appreciated by residents as well as visitors. Examples include Red Rock, Lone Mountain, Mt. Charleston, the Sheep Mountains, and the city skyline. These lands may be publicly or privately owned.

- ***Perimeter Landscaping and Medians***: Landscaped strips along roadways that soften the edges of development. Primarily they serve a beautification functions and, generally, they are not accessible for recreation with the exception of roadside trails and sidewalks that may follow the same corridor.

Trails And Non-Motorized Transportation

- ***Regional Multi-Use***: A designated route for non-motorized use. Forms an interconnected off-street recreational and transportation right-of-way system serving a variety of non-motorized uses including biking, hiking, jogging, horseback riding, and other non-motorized uses. Multi-use trails may be paved or unpaved. Paved regional trails accommodate street (narrow tire) bicycles, as well as all-terrain bikes and in-line skates. Multi-use trails link to regional trail systems and other communities, ultimately forming a metro-cwide and even a statewide or national network. They may have a crusher-fine (granular stone), asphalt, concrete or other suitable surface depending on anticipated use



(i.e. paved for skates).

- ***Equestrian***: A recreational trail designed and intended strictly for equestrians.

- ***Off Highway Vehicles (OHV)***: Trails for use by off-highway recreational vehicles. This might be a single track or two-track corridor that accommodates, off-road motorcycles, sport utility off road vehicles, and three-wheel and four wheel trail vehicles. Ideally, these trails provide links to more remote recreation areas that cater to off-highway vehicles. Dust control treatments should be used to meet air quality requirements.

- ***All-Terrain Trails***: Natural, soft surface trails designed primarily to accommodate hikers and all-track/mountain bikers (where appropriate) although equestrians and hikers may use these trails as well. This type includes mountain bike trails, interpretive and open space access trails. All-terrain trails may serve as interim trails along some corridors that may later be enhanced as the area develops or funds are raised to upgrade to a multi-use trail.

- ***Roadside Multi-Use Trails***: Facilitate bicycle and pedestrian transportation along highways, principle and minor arterial streets and collector streets where traffic speeds and volumes make it unsafe or unpleasant for on-street bicycle or pedestrian traffic. Wherever feasible, they are separated from auto traffic by a landscaped median or a delineator.

- ***On-street Routes***: Local streets, collector streets, and arterials suitable for bicycle use. They are used for bicycle transportation and may link regional and local trails and trail segments. On-street routes may have defined bike lanes or "bike route" designation. Note that design requirements for on-street bicycle usage will vary depending on traffic speed and volumes, grades, parking and other factors. Planners and engineers should consult Guide for the Development of Bicycle Facilities and A Policy on Geometric Design of Highways and Streets, both published by the American Association of State Highway and Transportation Officials (AASHTO). See also City of Las Vegas standards.

- ***Local service and Link Trails***: Meet local circulation needs, linking neighborhoods, schools, shopping, parks and other community destinations. They should also connect to and feed into multi-use trail systems. They may be paved or unpaved depending on local preference. Loop trails are trails within a park or open space area that may or may not be connected to a larger citywide system. (These trails are not shown on the plan map and should be planned on a site-by-site basis.)

- ***Sidewalks***: Paved and located along the edge of streets. They are for pedestrian use only. Ideally, they are separated from the street by a landscaped median. (Individual sidewalks are not designed in this plan though a city-wide system is recommended.) Please see City standards.

Active Parks

- ***Regional Park***: A large park that meets the broad needs of the community. It has over 50 acres or more of land area, and serves residents within approximately eight miles. Regional parks may offer both active and passive uses including team sports, informal sports, bicycling, hiking, picnicking (including large group picnic facilities), swimming and water recreation, offer feature attractions such as museums.

- ***Sports Complex***: A large multi-field facility



that primarily serves team sports competitions such as soccer, baseball and football. A sports complex may serve city-wide, region-wide and even nationwide events. A sports complex might cover 40-80 acres or more.

- ***Community Park***: A park that serves a broader purpose than neighborhood parks, It has from 25 to 50 acres or more of land area, and serves residents within three miles. Community parks typically have several active play fields for team sports, walking, biking and jogging paths, picnic facilities (including group picnic facilities, playgrounds and parking containing within the site.

- ***Neighborhood Park***: A park that serves as the recreational and social focus of a neighborhood, It has from five to ten acres of land, and serves those residents within one-half mile. It might include a team sports field for both practice and possibly games, turf areas for informal sports use and recreation, walking and jogging paths, informal picnic areas and landscaping.

- ***School Park***: A school playground and sports field that may be open for public use during times that the school is closed.

- ***Mini Park/Urban Plaza***: A park smaller than a neighborhood park. It has no more than one acre of land, and serves residents within one-quarter mile. This type of park might include benches, a small plaza, landscaping, shade structure, and informal recreation facilities such as a basketball, tennis and/or volleyball court.

- ***Special Uses***: Examples of special use park activities include: skate boarding, water recreation, model plane flying, equestrian activities, shooting range, interpretive centers and museums and rock climbing. For purposes of this plan golfing and Frisbee golf are also considered special uses. Acreage requirements and service radii vary by activity.

Components, Fixtures and Furnishings
(Includes elements that provide trail access, connectivity, comfort and amenity to trail users.)

- ***Trailheads***: Two types of trailheads are recommended: multi-modal trailheads and neighborhood trailheads.

  Multi-modal Trailheads include parking (typically 20 cars); gateway/trail informational signage; drinking water and toilet facilities. Trailheads may include landscaping and parking areas may be paved in more urban areas. Multi-modal trailheads are strategically located at gateways to popular trail corridors to allow drive up access. They include access for people in wheelchairs and equestrian trailers. Multi-modal trailheads are ideally combined with parks or other activity centers (shared use such as a park and ride). Avoid placement where conflicts with adjacent properties might occur such as close to residences.

  Neighborhood Trailheads do not include parking but provide linkage to neighborhood street and sidewalk systems. They include a gateway sign and access informational signage.

- ***Shade and Storm Shelters***: Structures that provide solace from intense sun and storm events. Generally includes a solid roof or ramada-type trellis roof with benches and lighting arrestor (verify functionality with an engineer)

- ***Bridges, Tunnels and Underpasses***: Bridges and tunnels are appropriate to cross barriers



such as streams, canals, railroads and busy roadways. Bridges and tunnels should provide a minimum 10'-wide trail surface. Tunnels should have 10'-12' of headroom. Bridges should carry a minimum 12,000-pound live load. Clear-span bridges are preferred to bridges with center piers where feasible.

Tunnels should be provided where trails cross roads with high traffic volumes and/or speeds unless traffic controlled at grade crossings are provided. Tunnels should have attractive entryways, have clear visibility with no hiding spaces and adequately lit either by daylight or electric lighting. Paint tunnel interiors with light colored durable paint.

Underpasses allow trails to pass under viaducts along rivers and streams. They should be well anchored to avoid washout, provide at least 8'6" of headroom (10'-12' for horses), be located to avoid frequent and long inundation and provide a safe alternative at-grade crossing during high water.

- ***Street and Railroad Crossings***: Where appropriate and safe, trails will cross streets and railroads at grade. All at-grade crossings must be designed according to AASHTO standards and a traffic engineers should be consulted. Trails should not cross at mid-block. Rather crossings should be at intersections with stop signs, signalization or marked crosswalks.

  Railroad crossings should be properly signalized, gated and protected per railroad, Manual of Uniform Traffic Control Devices (MUTCD) and Nevada Public Utilities standards. Trails should approach and cross tracks at a 90-degree angle with proper crossing surface such with a rubberized system preferred for durability. See also AASHTO Guide for the Development of Bicycle Facilities.

- ***Toilets, Drinking Water And Trash Facilities***: Toilet facilities and drinking water should be provided along the trail at high use areas and at multi-modal trailheads as well as every two to four miles along more remote trails.

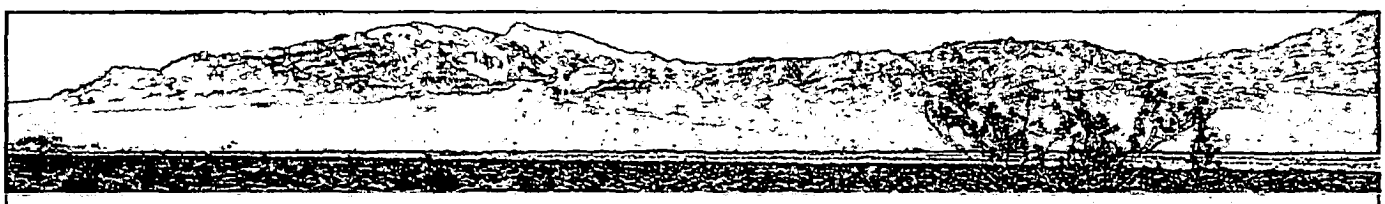
  Durable pit-type or chemical toilets provided by a service are recommended to reduce maintenance. Toilets should be visually buffered from other land uses including residences, picnic areas, and other incompatible uses. Commercial chemical toilets can be screen and secured frame. All facilities should be accessible to people of all abilities including those in wheelchairs.

  Trash containers should be consistent with Parks Department design standards and themes. For more remote trails a "pack-in/ pack-out" policy is recommended. In more heavily used areas trash containers may be located at rest areas, trailheads, parks, and restroom areas.

- ***Horse Watering Stations***: Drinking facilities for horses. Should allow refilling for each horse or group of horses to avoid cross contamination.

- ***Rest Areas***: Rest areas may include benches (benches with backs preferred) bike racks, shade and drinking water. Facilities should be offset from the trail sufficiently to avoid conflicts with through bike and pedestrian traffic.

- ***Trailside Landscaping***: Trailside landscaping should be low maintenance, drought tolerant and natural appearing. Shade tree groupings



are encouraged, especially around rest areas and trailheads. Landscaping should fit the high desert character of the area.
The edge of the trail should be groomed and under-story vegetation and thickets proximate to the trail should be trimmed to avoid hiding places to promote security. In larger open spaces native vegetation may be mowed and shaped to in attractive sweeps. Attractive shrubs may be used to add color and variety. Landscape buffers may be used to screen incompatible adjacent land uses or promote privacy of nearby residents. The landscape plan should consider potential wildfire, weed management and pest control. Street Landscaping should be similarly drought tolerant and low maintenance.

Wayfinding Systems

- ***Wayfinding Systems***: The signage and way-finding system is an attractive, distinct, uniform system of signs, displays and possibly artistic elements that guides and informs both local and out of the area users with respect to open spaces, greenways, trails, park facilities and other amenities. The system is comprehensive and citywide. The system includes: entry monuments, gateway information signs with maps, directional signs, traffic and safety signage, mile markers, interpretive signs, displays, artistic/sculptural elements and artifacts.

Right-of-Way Requirements

Right-of-way needs will vary depending on the type of greenway or trail, land ownership, and site constraints. In some cases right-of-way will be donated or dedicated as part of the subdivision process or as part of a cooperative agreement of mutual benefit such as along an irrigation canal or utility corridor. In the case of greenways and canal corridors, right-of-way should be wide enough to accomplish resource and scenic preservation objectives as discussed above.

While widths for landscaping, resource conservation, and protection of privacy for adjacent properties will vary, minimum width requirements for trails are as follows:

- ***Multi-Use Trails***: minimum 15'; preferred 22'
- ***For roadside trails***: minimum 5' setback from curb unless a railing is provided and minimum 36" setback from land uses such as parking lots or buildings. Avoid conflict with overhang from parked vehicles. Please note that these are minimum trail criteria and do not include requirements for landscape–please see City standards.
- ***Primitive Trails and All-Terrain Trails***: minimum 8'-wide, optimal 14'-wide

City of Las Vegas

Agenda Item No. 78

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW

SDR-5493 - PUBLIC HEARING - APPLICANT: COLERAINE CAPITAL GROUP, INC - OWNER: BOULDERS APARTMENTS, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 388 UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 21.30 acres at 3450 North Hualapai Way (APN 138-07-301-002,-008,-009, and 138-07-401-002), PD (Planned Development) Zone, Ward 4 (Brown). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Letter from Stanley Consultants, Inc.

MOTION:

BROWN - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

SUSAN JOHNSTON, Stanley Consultants, 5820 South Eastern Avenue, appeared on behalf of the applicant and indicated she submitted a letter addressing how the current tenants will be notified of the process of the conversion and the sale price of the units.

COUNCILMAN BROWN thanked MS. JOHNSTON for the information and requested that staff require this type of information be provided as part of the application process when these types of applications come before the City Council. He also wants to ensure that someone that may need a rental product is not excluded from living in a certain area. It is important that the market-driven conversions are balanced with an overall land use plan to ensure that everyone has an opportunity to choose whatever residential component fits their economic need.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(1:49 - 1:52)
3-1425

CONDITIONS:

CONDITIONS - Continued:

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations of Site Development Plan Review [Z-0033-97(8)], except as amended by conditions herein.

3. Prior to the submittal of a Final Map, 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.

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

Public Works

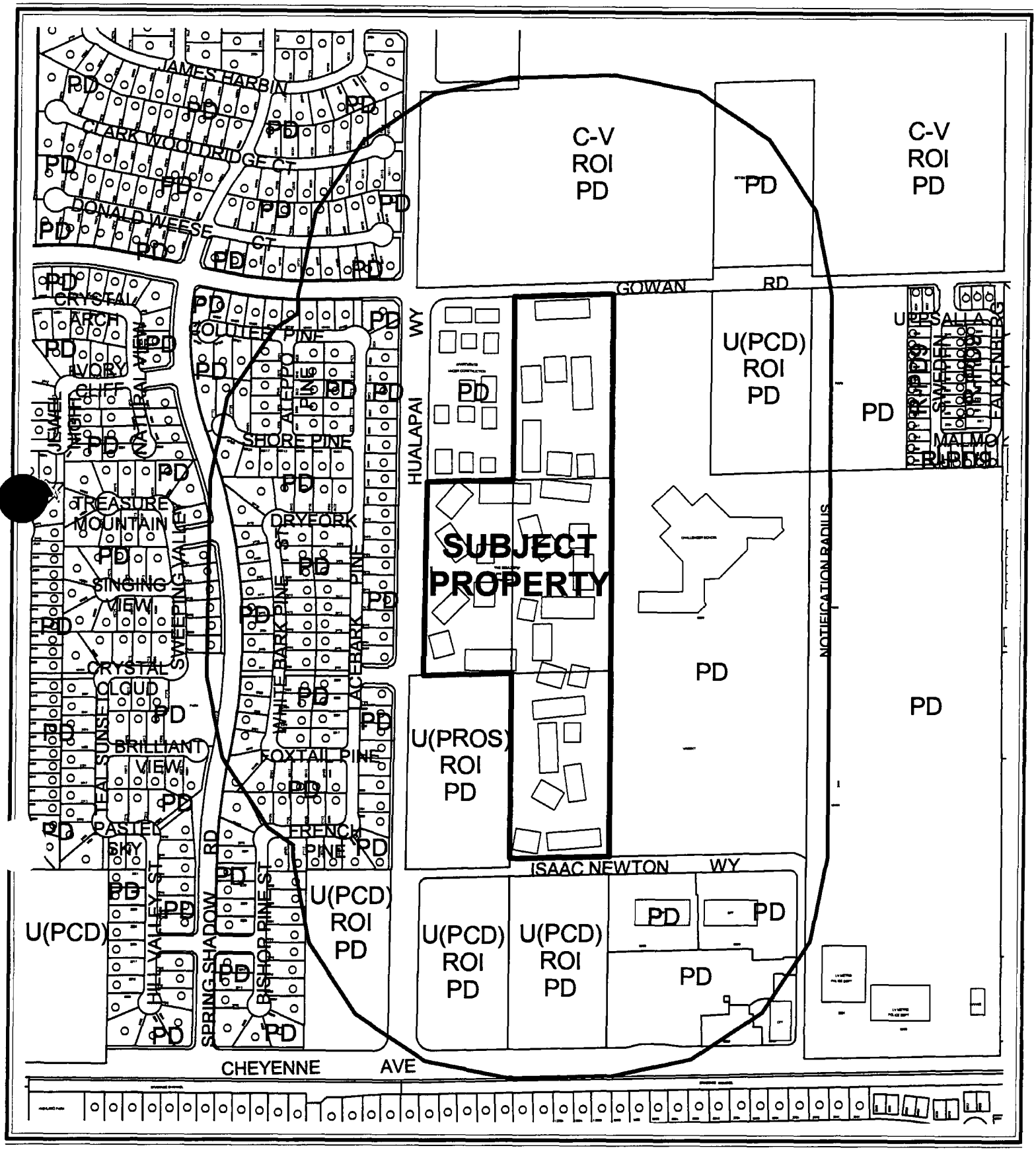
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

6. All active gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

7. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

8. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid prior to the recordation of a Final Map for this site.

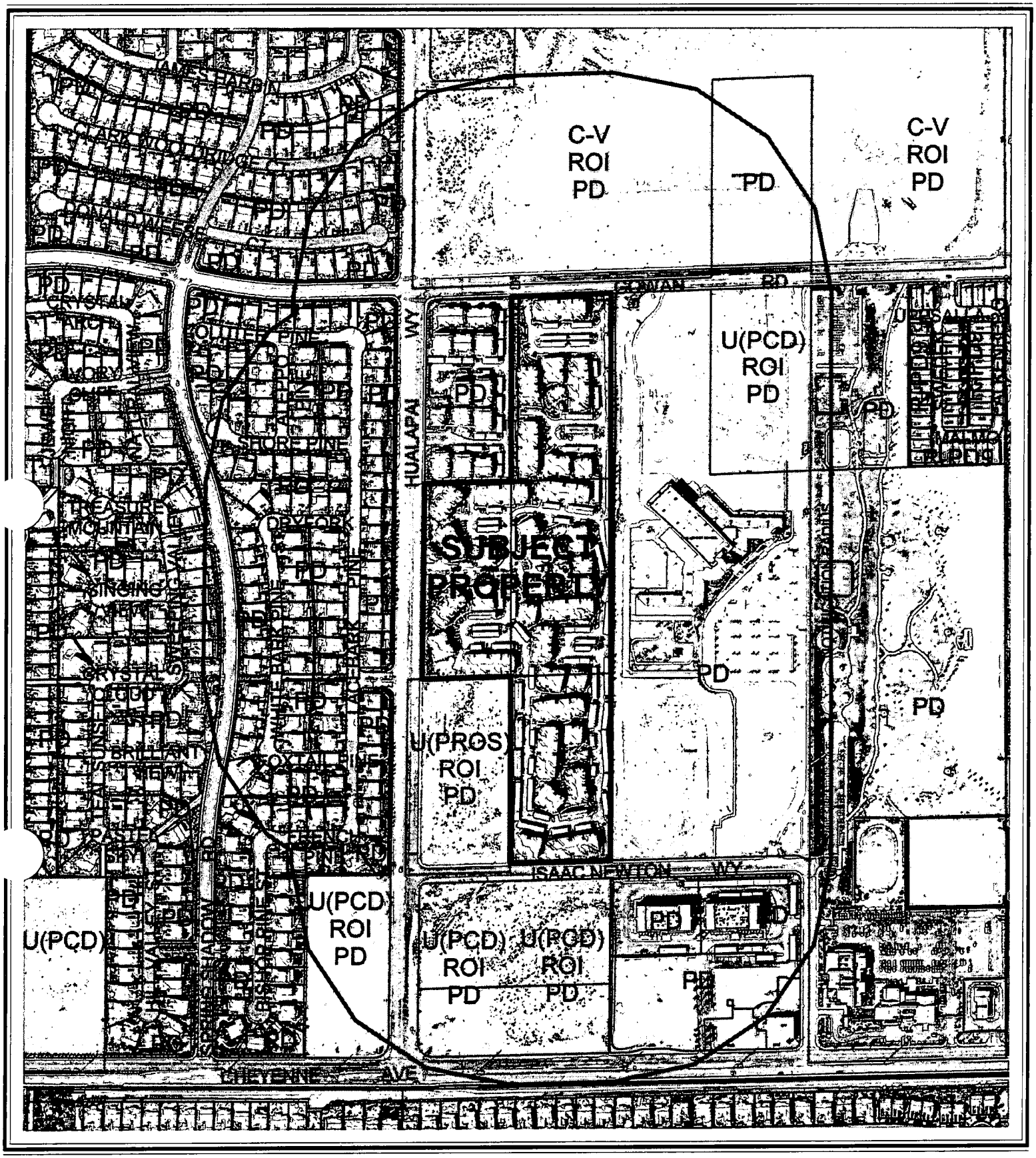
9. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever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



CASE: **SDR-5493**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)



CASE: **SDR-5493**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 5, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5493 - APPLICANT: COLERAINE CAPITAL GROUP, INC. - OWNER: BOULDERS APARTMENTS, LLC

** CONDITIONS **

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

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

2. All development shall be in conformance with the site plan and building elevations of Site Development Plan Review [Z-0033-97(8)], except as amended by conditions herein.

3. Prior to the submittal of a Final Map, 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.

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

Public Works

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

6. All active gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

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9. 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, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This Request is for a Site Development Plan Review for an existing 388-unit apartment complex conversion to a condominium development on 21.30 acres at 3450 North Hualapai Way.

B) Applicant's Justification

The applicant justifies the request by stating that condominium development will provide a housing alternative for first time homebuyers and empty nesters.

BACKGROUND INFORMATION

A) Previous Actions

03/06/96	The property was annexed into the City of Las Vegas (A-0025-95). The Planning Commission and staff recommended approval.
06/23/97	The City Council approved the Rezoning (Z-0033-97) to PD (Planned Development) for the Lone Mountain Master Plan Area. The subject parcel was designated for Medium Density (maximum of 18 units per acre) Land Uses by that Plan. The Planning Commission and staff recommended approval.
01/14/99	The Planning Commission approved the request for a Site Development Plan Review [Z-0033-97(8)] for a proposed 384-unit apartment community complex.
12/02/04	The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #21/bts).

B) Pre-Application Meeting

10/08/04	The elements of a Site Development Plan Review were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 21.30 acres

B) Existing Land Use

Subject Property:	Apartments
North:	Undeveloped
South:	Undeveloped
East:	School/Park/Open Space
West:	Single-Family Residential

C) Planned Land Use

Subject Property:	PCD (Planned Community Development)
North:	PCD (Planned Community Development)
South:	PCD (Planned Community Development) PROS (Parks/Recreation/Open Space)
East:	PCD (Planned Community Development)
West:	PCD (Planned Community Development)

D) Existing Zoning

Subject Property:	PD (Planned Development)
North:	C-V (Civic)
South:	U (PCD) U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] U (PROS) U (Undeveloped) Zone [PROS (Parks/Recreation/Open Space)]
East:	PD (Planned Development)
West:	PD (Planned Development)

E) General Plan Compliance

The site is designated as PCD (Planned Community Development) on the Centennial Hills Sector map of the General Plan. This designation has a density range of 2 to 8 units per acre, and allows for a mix of residential uses that maintain an overall average density ranging from two to eight units per acre. In addition, commercial, public facilities, and office projects may be used as buffers within the PCD. The proposed site plan does not conflict with General Plan policies for this site.

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

The subject site is located with the Lone Mountain Master Development Plan. The site is designated as MFM (Multi-Family Medium Density Residential). The Multi-Family Medium Density provides for the development of 12.1 to 18 dwelling units per gross acre. Product types shall include a variety of units such as plexes, townhouses, and low-density multi-family, detached one and two story residential buildings. The proposed site plan conforms to the special land use designation applied through the Lone Mountain Master Development Plan.

PROJECT DESCRIPTION

The proposed conversion consists of a 388-unit apartment project covering the 21.30-acre site. There are 32 apartment building comprised of one, two, and three bedroom units located throughout the project. The building designs are both one and two-story products with two-car and three-car garages. The site is accessed via Hualapai Way, which is designated as a Primary (100-ft) Arterial on the Master Plan of Streets and Highways, and will not negatively impact roadways or neighborhood traffic.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The development standards for the existing apartment complex are as set forth by Site Development Plan Review [Z-0033-97(8)].

A2) Parking and Traffic Standards

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

Uses	Units	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Multi-family and Condominium Developments	388 Units	**	664	13	727	13

** The existing development is composed of one, two, and three bedroom units. The parking standards for such development is as follows:

Multi-family and Condominium Developments	Required
Studio and one bedroom	One and one-quarter spaces per unit, plus one guest space for every six units.
Two bedrooms	One and three-quarter spaces per unit, plus one guest space for every six units.
Three bedrooms and above	Two spaces per unit, plus one guest space for every six units.

The project exceeds the standards of the code with respect to parking.

A3) Landscape and Open Space Standards

The existing site is to be in conformance with Site Development Plan Review [Z-0033-97(8)] and the landscape standards of Title 19.12.

B) General Analysis and Discussion

- Zoning

The proposed conversion of apartments to condominiums is in conformance with PD (Planned Development) zoning district. Such development is also permitted and in conformance with the Lone Mountain Special Land Use Designation of MFM (Multi-Family Medium Residential).

- Site Plan

The site plan matches that of the originally approved Site Development Plan Review [Z-0033-97(8)]. The site plan depicts an orderly arrangement of buildings and vehicle driveway and parking areas. The site plan depicts community facilities, including a recreation building and outdoor pool, at the entrance to the site off Hualapai Road.

- Waivers

There have been no waivers requested for this application.

- Landscape Plan

Landscaping is provided around all of the buildings and in planters around the perimeter of the existing complex. The existing site is to be in conformance with Site Development Plan Review [Z-0033-97(8)] and the landscape standards of Title 19.12.

- Elevation

Elevations depict stucco exteriors with varying facades, which include patios, balconies, and arched windows, with tile roofs.

- Floor Plan

The provided floor plans indicate four building types, which are composed of one, two, and three bedroom units.

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 improvements to the existing condominium complex are compatible with adjacent 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 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.

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

   Site access for this existing development will not be negatively impacted by the proposed conversion.

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

   The existing elevations and landscape materials are appropriate for the proposed conversion of apartments to condominiums.

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 depict design characters that are not unsightly and are harmonious and compatible with development in the area.

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

   The proposed development will be subject to ongoing inspections, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 182 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5493 APN: 138-07-301-002, 008, 009, -401-002

Name of Property Owner: Boulders Apartments LLC

Name of Applicant: Coleraine Capital Group, 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: David T. Moon

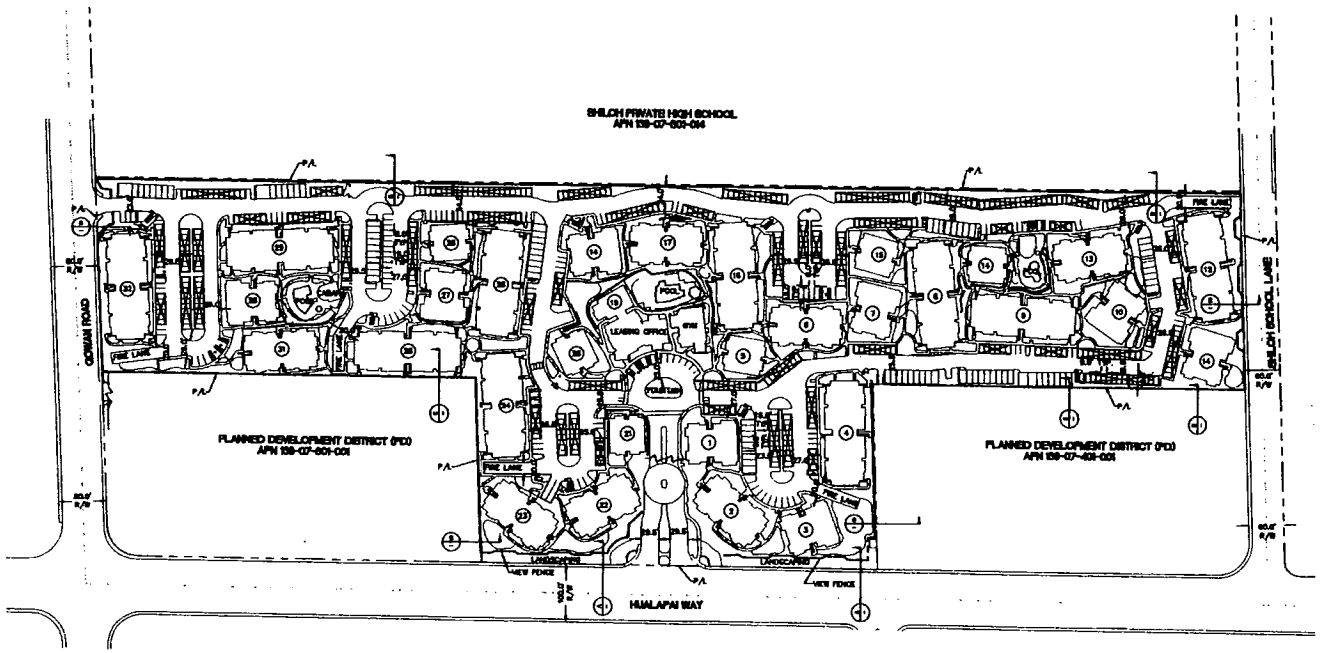
Subscribed and sworn before me

This 18th day of October, 2004

Susan Johnston

Notary Public in and for said County and State

SUSAN JOHNSTON
Notary Public, State of Nevada
Appointment No. 9614271
My Appt. Expires May 10, 2005



GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

NOTE:
THIS TENTATIVE MAP DEPICTS EXISTING STRUCTURES AND FACILITIES. THE PURPOSE OF THE MAP IS TO CONVERT THE APARTMENTS TO CONDOMINIUMS THROUGH MAPPING ONLY. NO STRUCTURAL OR FACILITY IMPROVEMENTS ARE PROPOSED. ALL EXISTING STRUCTURES TO REMAIN.

OWNER INFORMATION

BOULDERS APARTMENTS LLC
% B SUDJARIT
301 S. RANCHO DR #A1
LAS VEGAS, NV. 89106

PROPERTY MANAGEMENT

COLEARNE CAPITAL GROUP, INC.
3017 DOUGLAS BLVD., SUITE 300
ROSEVILLE, CA 95661
(530) 269-3000 PHONE
(858) 269-3100 FAX

SITE INFORMATION

APN:	138-07-301-002 138-07-301-008 138-07-301-009 138-07-401-002
AREA:	31.30 ACRE
USE:	MULTI FAMILY RESIDENTIAL
ZONING:	PLANNED DEVELOPMENT DISTRICT (PD)
BUILDING HEIGHT:	32'-0"
NUMBER OF UNITS:	388
NUMBER OF BUILDINGS:	31 + RENTAL OFFICE
MAXIMUM DENSITY :	18 UNITS/ACRE
EXISTING DENSITY :	18 UNITS/ACRE

PARKING INFORMATION

PARKING PROVIDED (9'X18'):	714 SPACES
COVERED PARKING PROVIDED:	607 SPACES
ADA PARKING PROVIDED:	13 SPACES
TOTAL:	727 SPACES

LEGAL DESCRIPTION

PARCEL ONE (1): ASSESSOR'S PARCEL NO: 138-07-301-002

GOVERNMENT LOT TWENTY-THREE (23) LYING WITHIN THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

EXCEPTING THEREFROM THE NORTH 40.00 FEET AS CONVEYED TO THE CITY OF LAS VEGAS IN THAT CERTAIN GRANT DEED RECORDED JANUARY 4, 2000 IN BOOK 20000104 AS INSTRUMENT NO. 00255, OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

PARCEL TWO (2): ASSESSOR'S PARCEL NO: 138-07-301-008

GOVERNMENT LOT TWENTY-SIX (26) LYING WITHIN THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

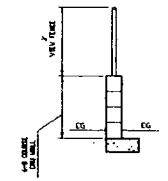
PARCEL THREE (3): ASSESSOR'S PARCEL NO: 138-07-301-009

GOVERNMENT LOT TWENTY-FIVE (25) LYING WITHIN THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

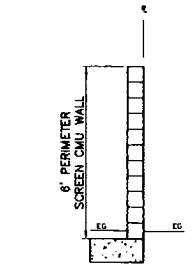
EXCEPTING THEREFROM THE WEST 50.00 FEET AS CONVEYED TO THE CLARK COUNTY IN THE CERTAIN GRANT DEED RECORDED JANUARY, 8 1996 IN BOOK 960108 AS INSTRUMENT NO. 00972, OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

PARCEL FOUR (4): ASSESSOR'S PARCEL NO: 138-07-401-002

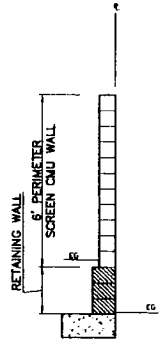
GOVERNMENT LOT THIRTY-ONE (31) LYING WITHIN THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA. EXCEPTING THEREFROM THE SOUTH 30.00 FEET AS CONVEYED TO THE CITY OF LAS VEGAS IN THAT CERTAIN GRANT DEED RECORDED JANUARY 4, 2000 IN BOOK 20000104 AS INSTRUMENT NO. 00255, OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA.



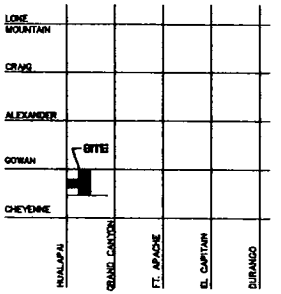
A TYPICAL VIEW FENCE SECTION
SCALE: N.T.S.



B TYPICAL PERIMETER WALL SECTION
SCALE: N.T.S.



C TYPICAL PERIMETER WALL SECTION
SCALE: N.T.S.



VICINITY MAP
NTS

LEGEND

- TRASH ENCLOSURE
- MAINTENANCE STORAGE BUILDING
- FIRE HYDRANT
- WROUGHT IRON FENCE
- CHAIN LINK FENCE
- PROPERTY LINE
- BLOCK WALL
- COVERED PARKING
- BUILDING NUMBER FOR REFERENCE ONLY
- NO PARKING AREA
- SURVEY MONUMENT

SDR-5493

12-02-04 PC

OCTOBER 19, 2004

GREGORY M. STRUBE
Exp. 6/30/05
CIVIL
NEVADA

SCALE (H) 1"=60'
SCALE (V) NONE
DRAWN BY CJD
CHECKED BY GMS
DATE - 10-19-2004

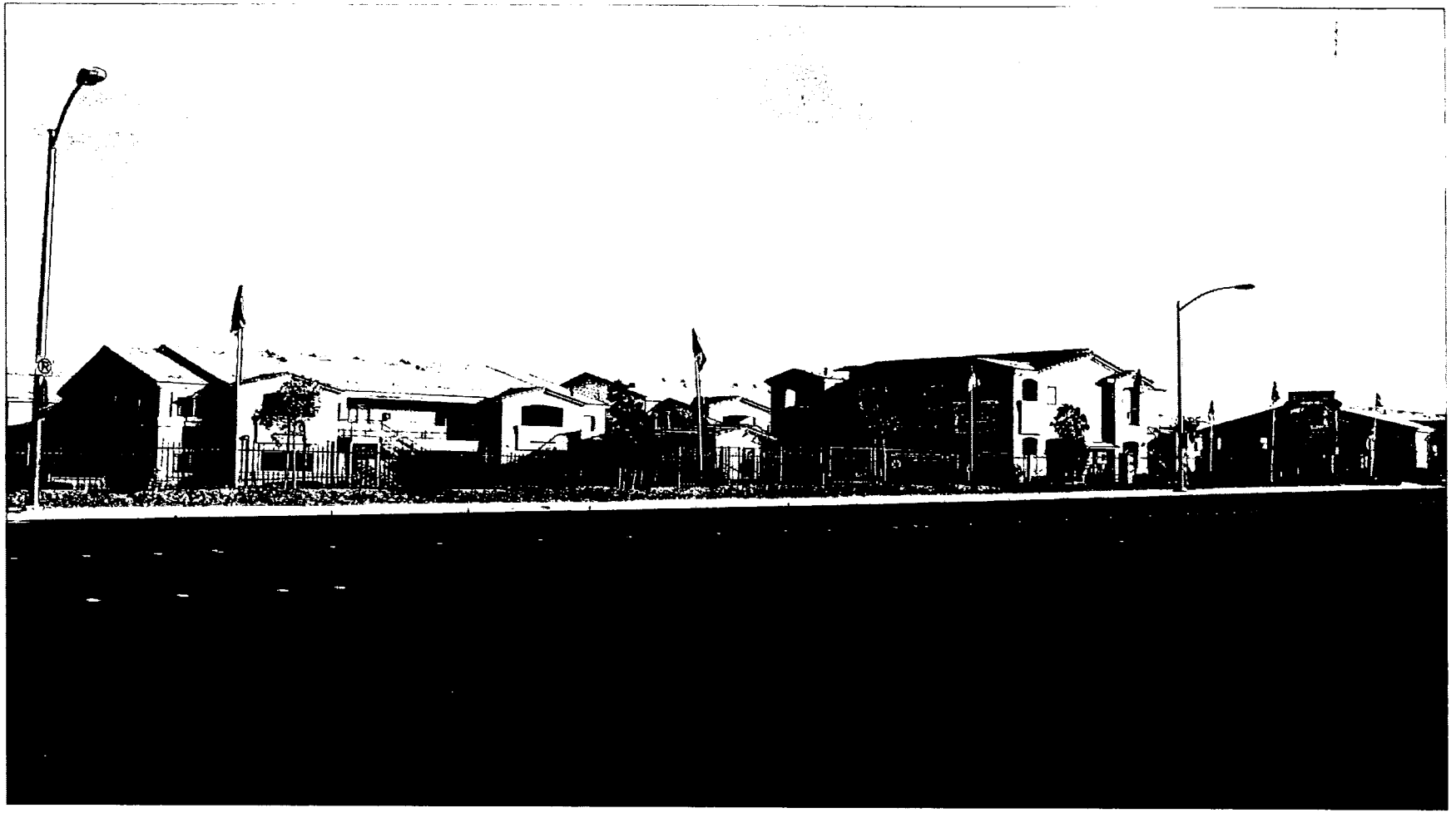
Stanley Consultants INC.
3201 S. Durango Avenue, Suite 200
Las Vegas, Nevada 89117
(702) 364-9113
www.stanleyconsultants.com

BOULDERS APARTMENTS
(CONVERSION TO CONDOMINIUMS)
TENTATIVE MAP

CLARK COUNTY NEVADA

SCI PROJECT#
17434.01.00

1 OF 1 SHEETS



SDR-5493 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: COLERAINE CAPITAL GROUP, INC - OWNER: BOULDERS APARTMENTS, LLC
3450 NORTH HUALAPAI WAY
DECEMBER 2 2004 PLANNING COMMISSION

11/05/04

Stanley Consultants INC.
A Stanley Group Company
Engineering, Environmental and Construction Services - Worldwide

December 15, 2004

Mr. Gary Leobold, AICP
Planning Manager
City of Las Vegas
731 S Fourth Street
Las Vegas, NV 89101

RE: The Boulders at Lone Mountain - SDR-5493

Dear Gary:

On behalf of our client, Coleraine Capital Group, we are submitting this additional information prior to the City Council meeting of January 5, 2005.

At a previous SDR hearing the Council had concerns about the conversion of apartments to condominiums. We would like to address some of those questions prior to the meeting. Coleraine Capital and its members have overseen over 10,000 condominium conversions. Along with their experience of doing these conversions they also operate under UCOIA (Uniform Common Interest Ownership Act (1994)). This act has been adopted by a variety of agencies around the country.

Among the standards listed in the Act which are used by Coleraine Capital are the requirements of a minimum 120-day notice to tenants of the proposed conversion and a minimum 60-day notice for first right of refusal. For those who do not choose to purchase a unit, funds are available to long-term tenants and those with special needs which includes and age provision.

The Boulders at Lone Mountain Condominiums are expected to have a sales price from the $130,000's to the $220,000's. The existing garages will also be available for sale. A Home Owner's Association will be created, in accordance with the State of Nevada Department of Real Estate requirements. All owners will be a member of this association which will be run under the requirements provided by the State.

Sincerely,

Stanley Consultants, Inc.

Susan Johnston

Susan Johnston, AICP
Principal Planner

cc: David J. Moon, Coleraine Capital
Dean Kajioka, Kajioka & Assoc.

This document was sent electronically

5820 S. Eastern Avenue • Suite 200 • Las Vegas, NV 89119-3057 • phone 702.369.9396 • fax 702.369.9793
internet: www.stanleyconsultants.com

City of Las Vegas

Agenda Item No. 79

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW

SDR-5452 - PUBLIC HEARING - APPLICANT: PRO REALTY PARTNERS, LLC - OWNER: E & F HORIZONS ASSOCIATES, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 408 UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 20.20 acres at 8600 West Charleston Boulevard (APN 138-32-801-001), R-3 (Medium Density Residential) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

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

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

WOLFSON - APPROVED subject to conditions and an added condition as read for the record as follows:

- The developer shall disclose in writing to all prospective purchasers prior to the time the prospective purchaser signs a sales agreement or opens escrow, whichever occurs first, that they are purchasing a condominium in a development which does not meet City of Las Vegas parking standards effective as of January 5, 2005.

- UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DOUG DRAKE, 400 South 4th Street, appeared together with SCOTT RUEDY, Planning Consultant on behalf of the applicant. MR. DRAKE commented on COUNCILMAN WOLFSON'S concerns relating to the ability for some of the residents to be able to afford to buy the units. It is the applicant's intention that the existing residents will be able to buy the units. They are priced accordingly and in many cases, they hope that those residents can get in at or below some of the expense they are currently incurring. To address the issue of the ability to come up with financing to purchase the units, the applicant agrees to apply for the HUD approved Fannie Mae type financing to make it easier for some of the residents. MR. DRAKE indicated that the landscaping along the north side of the property would not be removed. Since the current apartment unit is approximately 15 years old, it does not meet the current parking requirements. Therefore, the applicant is amenable to a condition disclosing to purchasers that the project does not meet current parking codes.

MINUTES - Continued:

COUNCILMAN WOLFSON thanked the applicant for their willingness to work with the neighbors and his office and for trying to maintain the affordability of the condominiums. These conversions are market-driven, but there will always be a market for renters. He verified with MR. DRAKE that they would agree to language that the developer shall disclose in writing to all prospective purchasers prior to the time the prospective purchaser signs a sales agreement or opens escrow, whichever occurs first, that they are purchasing a condominium in a development which does not meet City of Las Vegas parking standards as of January 5, 2005. COUNCILMAN WOLFSON explained that staff's recommendation for denial was due to the parking shortage, but it would be unfair to deny this conversion solely on that issue. MARGO WHEELER, Deputy Director, Planning and Development Department, clarified for COUNCILMAN WOLFSON that the landscaping issue does not require an additional condition as long as there were no changes to the plan. The applicant confirmed to that effect.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(1:52 - 1:58)
3-1540

CONDITIONS:

Planning and Development

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

2. 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.

3. All development shall be in conformance with the site plan and building elevations of Site Development Plan Review [Z-0010-82], except as amended by conditions herein.

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

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

6. A Homeowners' Association shall be established to maintain all perimeter walls, private streets, including all common areas created by this action.

7. All trash enclosures shall be full enclosed and roofed using the same design theme and materials similar to those used in the main structures.

Public Works

8. Provide a Traffic Signal Chord Easement on the northeast corner of Merialdo Lane and Charleston Boulevard prior to recordation of a Final Map or by instrument of the Final Map for this site.

CONDITIONS - Continued:

9. The Final Map for this site shall provide the recorded document numbers of the right of way along Durango Drive for a right turn lane and the right of way with the recorded document numbers along Charleston Boulevard for a bus turnout.

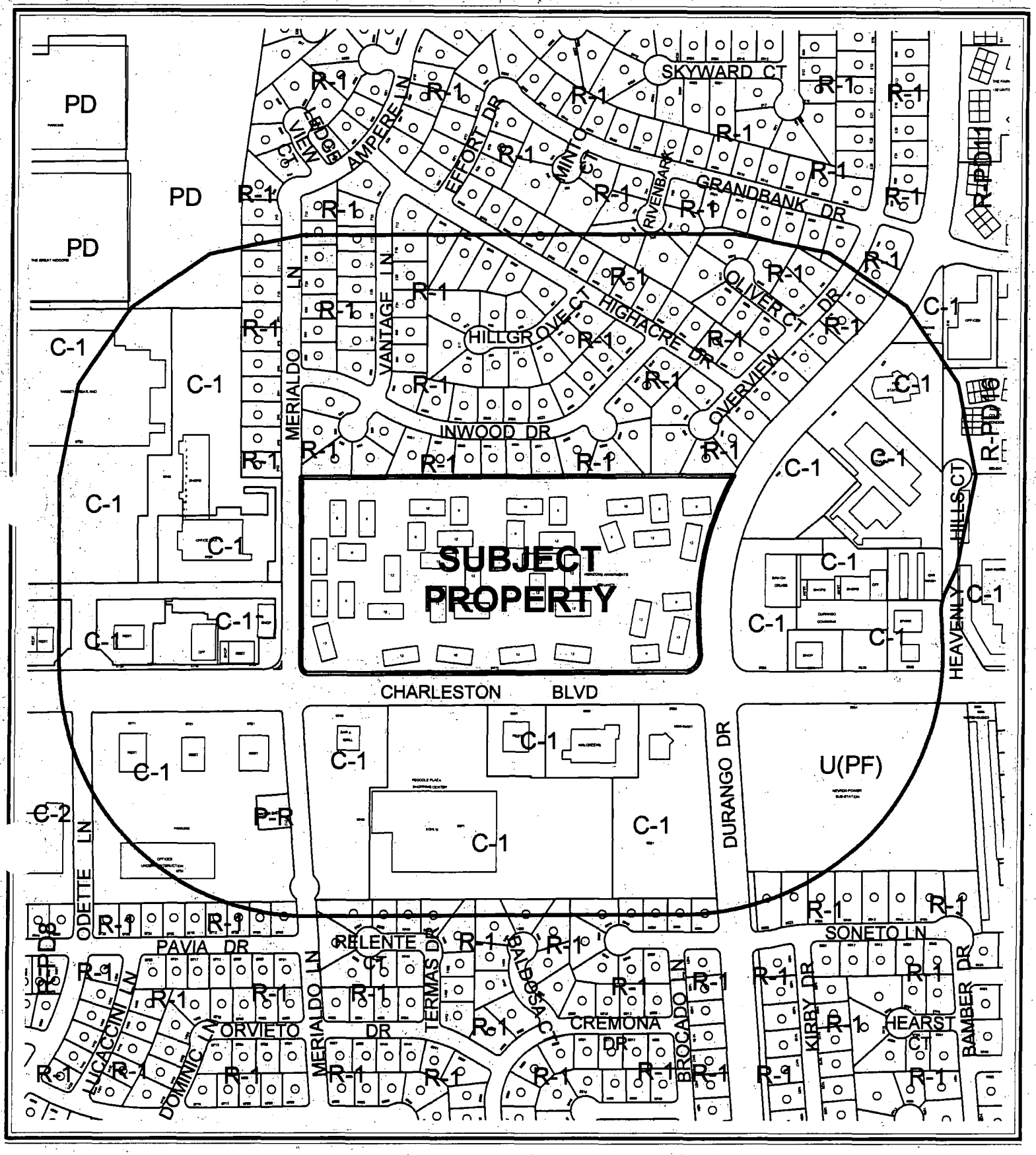
10. Remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.

11. All gated driveways shall be designed, located and constructed as required by the City Traffic Engineer.

12. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

13. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid prior to the recordation of a Final Map for this site.

14. 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, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.



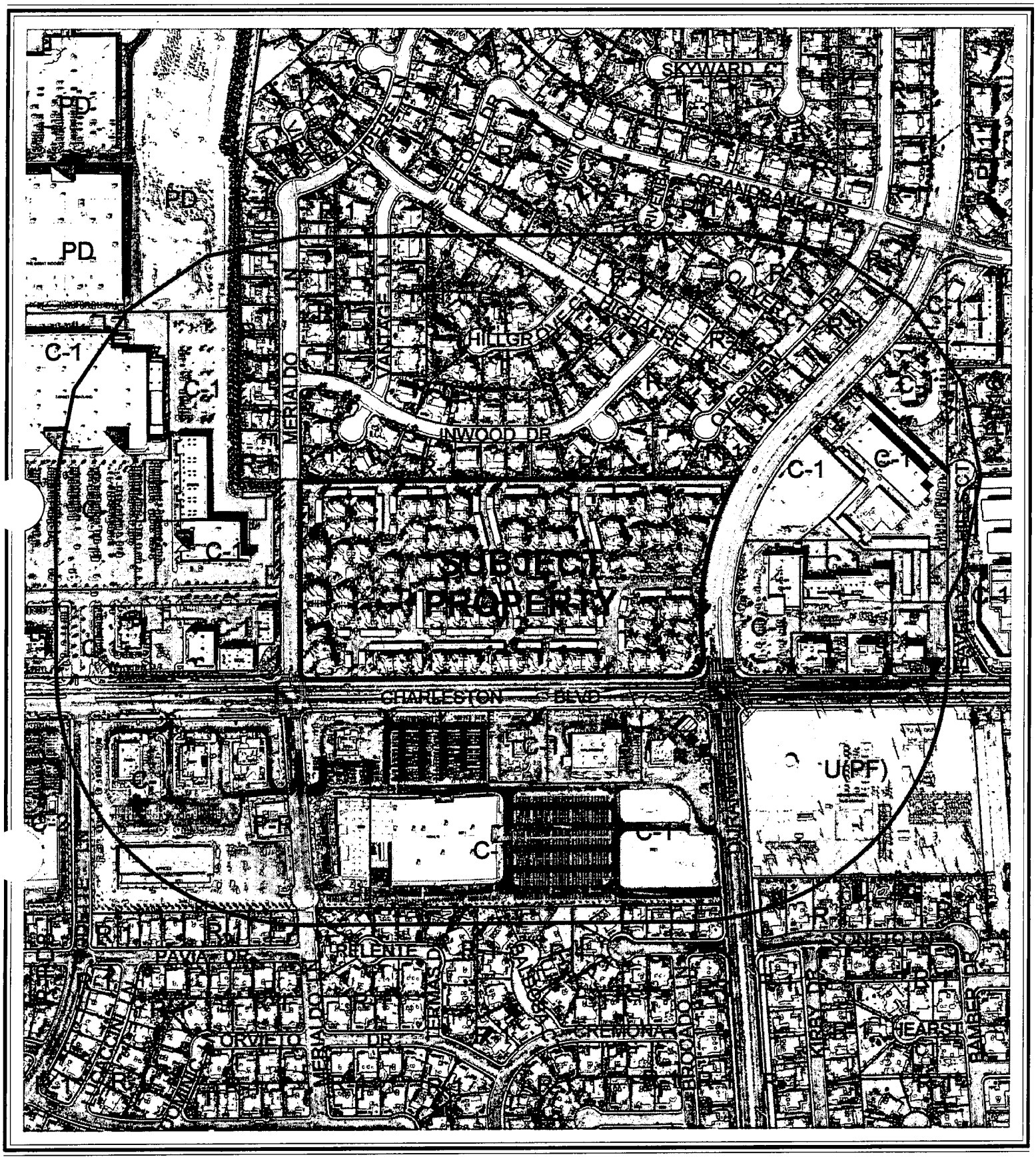
0 300 600 Feet

CASE: **SDR-5452**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

N



CASE: **SDR-5452**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 5, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5452 - APPLICANT: PRO REALTY PARTNERS, LLC - OWNER: E & F HORIZONS ASSOCIATES, LLC

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

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

2. 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.

3. All development shall be in conformance with the site plan and building elevations of Site Development Plan Review [Z-0010-82], except as amended by conditions herein.

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

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

6. A Homeowners' Association shall be established to maintain all perimeter walls, private streets, including all common areas created by this action.

7. All trash enclosures shall be full enclosed and roofed using the same design theme and materials similar to those used in the main structures.

Public Works

8. Provide a Traffic Signal Chord Easement on the northeast corner of Merialdo Lane and Charleston Boulevard prior to recordation of a Final Map or by instrument of the Final Map for this site.

9. The Final Map for this site shall provide the recorded document numbers of the right-of-way along Durango Drive for a right turn lane and the right-of-way with the recorded document numbers along Charleston Boulevard for a bus turnout.

10. Remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.

11. All gated driveways shall be designed, located and constructed as required by the City Traffic Engineer.

12. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

13. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid prior to the recordation of a Final Map for this site.

14. 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, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for the conversion of an existing 408-unit apartment project to a condominium development on 20.20 acres at 8600 West Charleston Boulevard.

B) Applicant's Justification

The applicant states that the there are no proposed changes to the existing complex. Also, the conversion of the apartments to condominiums is compatible with the surrounding uses.

BACKGROUND INFORMATION

A) Previous Actions

04/07/82 The Board of Commissioners approved a request for a Rezone (Z-0010-82) for reclassification of property generally located on the north side of Charleston Boulevard, west of Durango Drive, from N-U (Non-Urban) and R-3 (Limited Multiple Residence) to C-2 (General Commercial) and R-3 (Limited Multiple Residence). The Planning Commission and staff recommended approval.

03/01/89 The City Council approved a request for a Site Development Review (Z-0010-82) for a 408-unit Apartment project on 15.77 acres. The Planning Commission and staff recommended approval.

04/27/89 The Board of Zoning Adjustment approved a Variance (V-0039-89) to allow a proposed eight foot high block wall where six feet is the maximum height permitted in the rear and side yard areas, and four feet with the top two feet fifty percent open is the maximum height permitted in the front yard area. The Board of Zoning Adjustment and staff recommended approval.

09/05/90 The City Council approved a Variance (V-0062-90) to allow a proposed 64 square foot illuminated apartment identification sign, where 32 square feet is the maximum size permitted and illumination is not permitted. The Board of Adjustment recommended denial. The Board of Zoning Adjustment recommended denial, while staff recommended approval.

05/13/04 The Planning Commission approved a Site Development Plan Review (SDR-4235) for the addition of access gates, a perimeter wall, and replacement of existing turf with drought resistant landscaping. A six-foot wall will be added to the along the south, east and west property lines, and access gates will be provided for security proposes along Durango Drive and Charleston Boulevard. Various turf areas within the development will be replaced with drought tolerant landscaping. The Planning Commission and staff recommended approval.

12/02/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #47/bts).

B) Pre-Application Meeting

10/07/04 The elements of a Site Development Plan Review were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	20.20 acres

B) Existing Land Use

Subject Property:	Apartment Complex
North:	Single Family Residential
South:	Commercial / Retail
East:	Commercial / Retail
West:	Commercial / Retail

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is located within the Southwest Sector of the General Plan with an M (Medium Density Residential) land use designation. The existing R-3 (Medium Density Residential) zoning district is compliance with the General Plan. There are not General Plan policies relevant to this request.

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

A twenty (20) foot Multi-use Transportation Trail is located on the north side of Charleston Boulevard.

PROJECT DESCRIPTION

This request is for a Site Development Plan Review for the conversion of a 408-unit apartment project to a condominium development. The Planning Commission approved the Site Development Plan Review (SDR-4235) on May 13, 2004. This approved the addition of access gates, a perimeter wall, and the replacement of existing turf with drought resistant landscaping. Additionally, a six-foot wall was added to the along the south, east and west property lines, and access gates for security proposes along Durango Drive, Charleston Boulevard, and Merialdo Lane.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required R-3	Provided	Compliance
Min. Lot Size	6,500 Square Feet	17.56 Acres (net)	Y
Min. Lot Width	N/A	585 Feet	N/A
Min. Setbacks			
• Front	20 Feet	27.6 Feet	Y
• Side	5 Feet	42.7 Feet	Y
• Corner	5 Feet	17.7 Feet	Y
• Rear	20 Feet	19.9 Feet	N
• Min. Distance Between Buildings	10 Feet	10 Feet	Y
Max. Lot Coverage	N/A	51.5%	N/A
Max. Building Height	2 Stories / 35 Feet	33 Feet	Y

The development complies with most of the R-3 development standards; however, the site fails to comply with the minimum rear setback. Therefore, the site is nonconforming in accordance with Title 19.08.

The development standards for the existing apartment complex are as set forth by Site Development Plan Review (Z-0010-82).

A2) Parking and Traffic Standards

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

Uses	Units	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Multi-family and Condominium Developments	408	**	746	15	558	2

The original Site Development Plan Review (Z-0010-82) complied with minimum on-site parking space requirements for a multi-family development. Since the project was built, on-site parking requirements have increased. Currently, the code requires 746 spaces with 15 required to be handicap accessible, whereas the project was initially approved with 507 spaces. The new site plan depicts 558 parking spaces with the addition of parallel and other spaces located throughout the site. Alternatively, the applicant has also submitted a revised site plan, which indicates 33 additional parking spaces if needed. The revision from 507 spaces to 558 parking spaces appears to be in conflict with minimum Code requirements.

The addition of the parallel parking along the northern property line has eliminated portions of the perimeter landscape planters and reduced the required 24-foot drive aisle width to 20 feet. The City of Las Vegas Fire Department requires that: All fire apparatus access roads in commercial developments and apartment complexes shall have a minimum unobstructed width of not less than 24 feet (flow line to the flow line), provided no parking is allowed on either side; 32 feet (flow line to the flow line), if parallel parking is allowed on one side only; and 40 feet (flow line to the flow line), if parallel parking is allowed on both sides. These widths may be reduced by four feet if all buildings are sprinklered. If approved, a condition has been added requiring the applicant to obtain Traffic Engineering and Fire Department approval regarding on-site circulation.

* The site plan indicates only two (2) handicapped parking spaces.

** The existing development is composed of one, two, and three bedroom units. The parking standards for such development is as follows:

Multi-family and Condominium Developments	Required
Studio and one bedroom	One and one-quarter spaces per unit, plus one guest space for every six units.
Two bedrooms	One and three-quarter spaces per unit, plus one guest space for every six units.
Three bedrooms and above	Two spaces per unit, plus one guest space for every six units.

A3) Landscape and Open Space Standards

The existing site is to be in conformance with Site Development Plan Review [Z-0010-82] and the landscape standards of Title 19.12.

B) General Analysis and Discussion

- Zoning

The purpose of the R-3 (Medium Density Residential) District is to provide for the development of a variety of multi-family units such as duplexes, townhouses and medium density apartments. The R-3 (Medium Density Residential) District is consistent with the policies of the Medium Density Residential category of the General Plan.

- Site Plan

This is a request for the conversion of a 408-unit apartment project to a condominium development. There are no proposed changes to the buildings or structures within the condo development.

- Waivers

There are no waivers requested with this application.

- Landscape Plan

The Planning Commission approved a Site Development Plan Review (SDR-4235) on May 13, 2004. This approval was for revisions to the landscape plan, which indicated areas of turf within the development being removed and replaced with drought resistant landscaping.

The project was built with a five-foot landscape buffer on the northern property line. Title 19.12 requires the landscape buffer area to be six (6) feet. The addition of the parallel parking eliminated sections of the required landscaping along the northern property line. The applicant has since revised the landscape plan and has added fourteen (14) trees in the existing landscape planter.

- Elevation

There are no elevation changes proposed.

- Floor Plan

There are no floor plan changes proposed.

FINDINGS

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

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

   The proposed development is incompatible with adjacent developments, because the development does not meet current parking and perimeter landscape standards of the Code.

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 inconsistent with Title 19 regarding the perimeter landscaping and buffer standards.

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

   Site access for this existing development will not be negatively impacted by the proposed conversion.

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

   The Planning Commission approved a Site Development Plan Review (SDR-4235) on May 13, 2004. This approved a revised landscape plan to replace the existing turf with drought resistant landscaping. The site does not meet Title 19 standards for perimeter landscaping. The applicant has submitted a revised landscape plan, which added fourteen (14) trees within the existing planter on the northern property line.

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 buildings were recently painted, but no changes to the building elevations, design characteristics and other architectural and aesthetic features have been proposed to the subject site.

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

   The proposed development will be subject to ongoing inspections, and therefore the development will not compromise the public health, safety or general welfare.

PLANNING COMMISSION ACTION

The Planning Commission believes that the project can be converted to condominium use without a negative impact to the neighborhood even though it is substantially underparked.

NOTICES MAILED 193 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5452 APN: 138-32-801-001

Name of Property Owner: F & F Horizons Associates, LLC

Name of Applicant: PRO REALTY PARTNERS, LLC

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

____ Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

F & F Horizons Associates, LLC, a Delaware limited liability
By its manager: D & G Horizons, LLC

Signature of Property Owner/Authorized Agent: By: David T. Flanagan

Print Name: David T. Flanagan

Subscribed and sworn before me

This 27th day of September, 2004

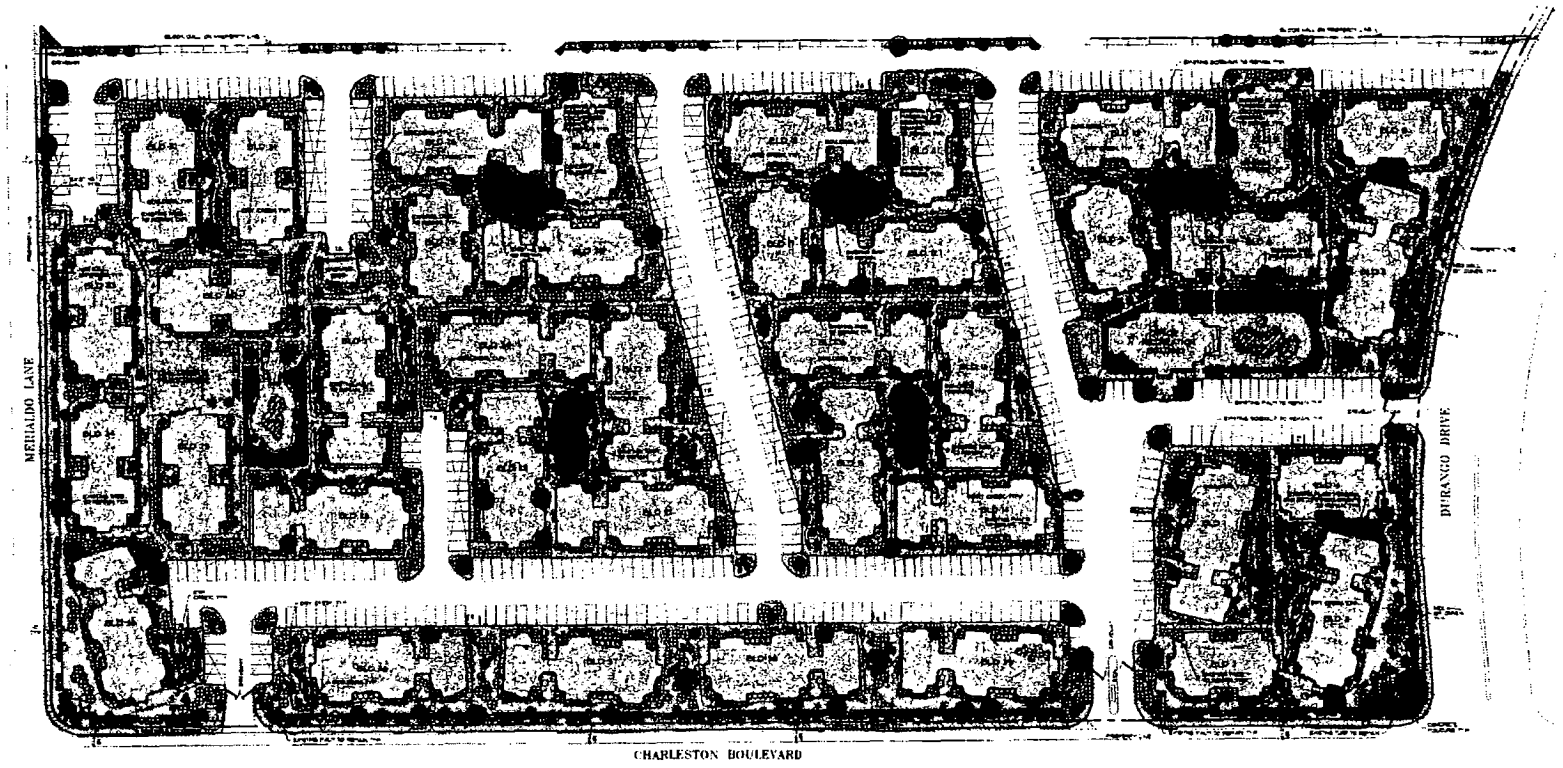
Patti

Notary Public in and for said County and State

PATTI HARRISON
Comm. # 1338602
NOTARY PUBLIC - CALIFORNIA
Marin County
My Comm. Expires Jan. 10, 2006

Revised 2/12/02

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



PLANT SCHEDULE

SYMBOL	QTY	SIZE	BOTANICAL NAME	COMMON NAME	REMARKS
TREES					
	6	36"-Box	Cercidium floridum	Blue Palo Verde	H. 16' x S. 8' x 10'
SHRUBS / GROUND COVERS					
	909	1-Gal.	Agave x Hesdcliffe 'Desert Gardens'	Desert Gardens Agave	6" x 6"
	47	5-Gal.	Caesalpinia gilliesii	Yellow Bird of Paradise	10" x 10"
	701	5-Gal.	Calliandra californica	Baja Fairy	12" x 12"
	338	5-Gal.	Carex shamicidas	Berkeley Sedge	10" x 10"
	396	1-Gal.	Carex tumulicola 'Silver Sedge'	Silver Sedge	Cell Pot
	50	5-10 Gallon	Fouquieria splendens	Ocotillo	15' x 15'
	456	5-Gal.	Hesperaloe parviflora	Red Yucca	12" x 12"
	551	1-Gal.	Lantana 'New Gold'	New Gold Lantana	24" x 6"
	347	5-Gal.	Leucophyllum frutescens 'Green Cloud'	Green Cloud Ranger	14" x 14"
	485	1-Gal.	Muhlenbergia emersleyi 'El Toro'	Bull Grass	24" x 30"
	404	1-Gal.	Pennisetum x 'Rubrum'	Ruby Fountain Grass	24" x 30"
	151	1-Gal.	Tecoma stans 'Orange Jubilee'	Orange Jubilee	6" x 6"
	456	5-Gal.	Yucca x 'Conspicua'	Spanish Dagger	14" x 12"
	256	15-Gal.	Yucca rostrata	Beaked Yucca	STD. 15' x 18"

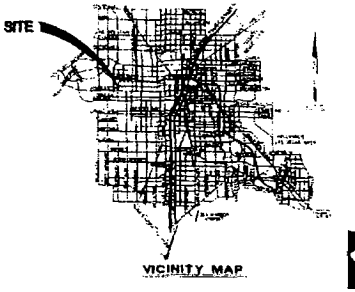
NOTE: BOX SIZES ARE FOR CONVENIENCE ONLY. UNLESS HEIGHT, WIDTH AND CALIPER REQUIREMENTS FOR PARTICULAR PLANT MATERIAL IS BE REQUIRED.

MISCELLANEOUS

- EXISTING TREES TO REMAIN - PUT ON SEPARATE IRRIGATION ZONE
- EXISTING PALMS TO REMAIN - PUT ON SEPARATE IRRIGATION ZONE
- EXISTING SHRUBS TO REMAIN - INCLUDE WITH NEW SHRUB IRRIGATION
- EXISTING TREES TO BE REMOVED
- EXISTING PLANT MATERIAL TO REMAIN
- EXISTING TURF TO REMAIN
- EXISTING DECOMPOSED GRANITE AND COBBLE TO REMAIN
- 6'-0" SM EXISTING RIVER ROCK TO BE REMOVED AND REPLACED WITH 3"-6" COBBLE COLOR TO MATCH DECOMPOSED GRANITE
- 6,000 SF 1" DECOMPOSED GRANITE IN ALL PLANTING AREAS 2" DEPTH OTHER COLOR TO MATCH EXISTING ON SITE SAT SCREENED
- 2,000 SF 3"-6" COBBLE IN ALL DRY CREEK AREAS COLOR TO MATCH DECOMPOSED GRANITE
- 124 BOULDERS 36"D x 18"H (100% AVG SIZE) (ACTUAL SIZES VARY). SEE ALSO NOTE SOURCE COLOR TO MATCH DECOMPOSED GRANITE

SHADE/MARKED PLANT MATERIAL SOURCE
MOUNTAIN STATES NURSERY
3600 W. GLENDALE AVE.
GLENDALE, AZ 85301
(602) 247-8365

NOTE:
PROVIDE 3"-6" COBBLE IN AREAS 6"H+ SLOPES STEEPER THAN 3:1



VICINITY MAP

NORTH

REVISIONS

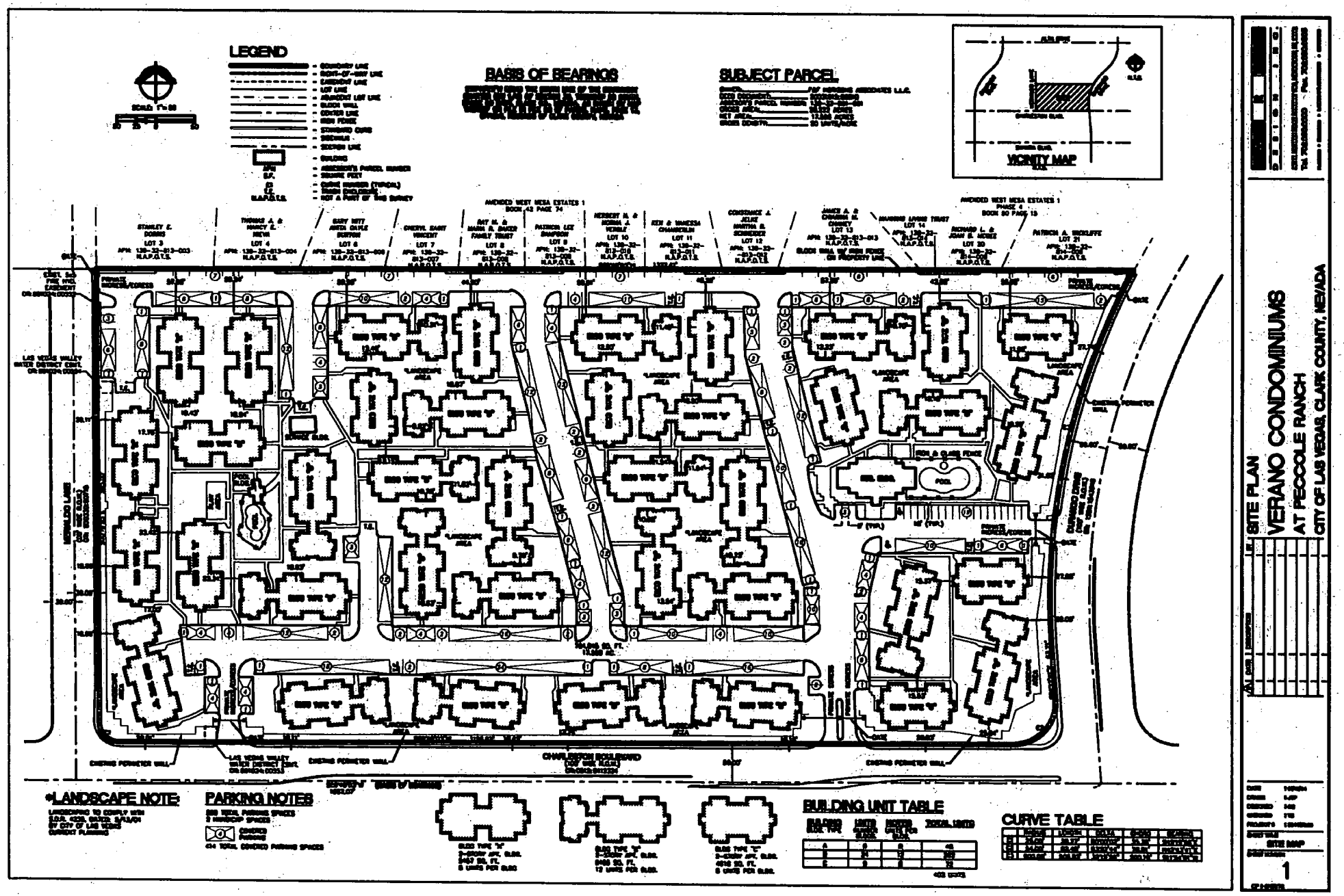
The WLB Group WLB

HORIZONS AT PECCOLE RANCH

OVERALL LANDSCAPE PLANTING PLAN

Drawn	Checked
CD	BP
Date	MAR 30, 2004
Scale	1"=60'-0"
Job No.	4030738A001
File No.	8073LS-OVERALL
Sheet	LS-ALL

SDR-5452
12-02-04 PC



SITE PLAN

VERANO CONDOMINIUMS

AT PECCOLE RANCH

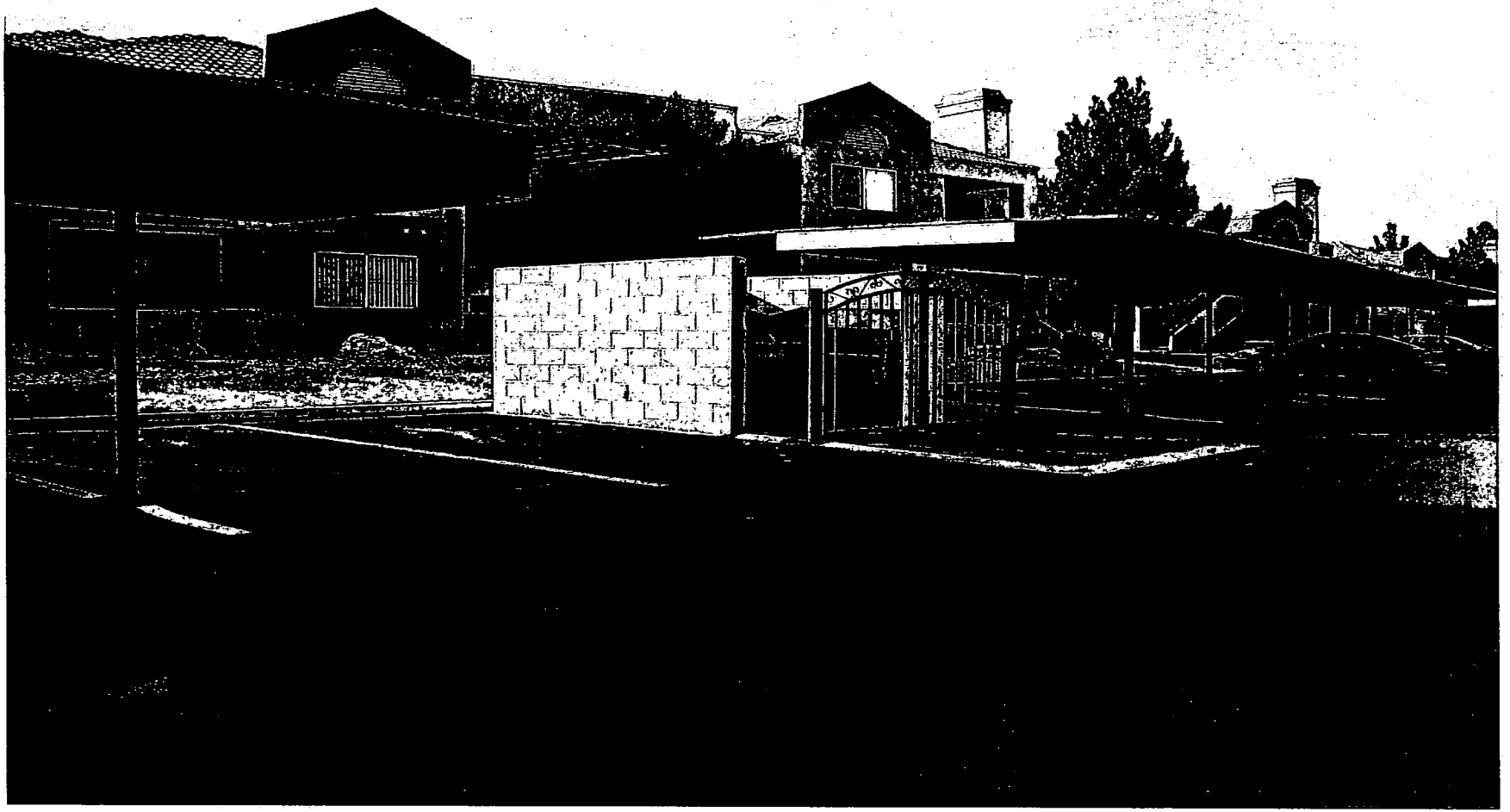
CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

SITE MAP

1

SDR-5452

12-02-04 PC



SDR-5452 - APPLICANT: PRO REALTY PARTNERS, LLC - OWNER: E & F HORIZONS ASSOCIATES, LLC
8600 WEST CHARLESTON BOULEVARD
DECEMBER 2 2004 PLANNING COMMISSION

11/05/04



SDR-5452 - APPLICANT: PRO REALTY PARTNERS, LLC - OWNER: E & F HORIZONS ASSOCIATES, LLC
8600 WEST CHARLESTON BOULEVARD
DECEMBER 2 2004 PLANNING COMMISSION

11/05/04



SDR-5452 - APPLICANT: PRO REALTY PARTNERS, LLC - OWNER: E & F HORIZONS ASSOCIATES, LLC
8600 WEST CHARLESTON BOULEVARD
DECEMBER 2 2004 PLANNING COMMISSION

11/05/04



SDR-5452 - APPLICANT: PRO REALTY PARTNERS, LLC - OWNER: E & F HORIZONS ASSOCIATES, LLC
8600 WEST CHARLESTON BOULEVARD
DECEMBER 2 2004 PLANNING COMMISSION

11/05/04



SDR-5452 - APPLICANT: PRO REALTY PARTNERS, LLC - OWNER: E & F HORIZONS ASSOCIATES, LLC
8600 WEST CHARLESTON BOULEVARD
DECEMBER 2 2004 PLANNING COMMISSION

11/05/04

City of Las Vegas

Agenda Item No. 80

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ CONSENT ☒ DISCUSSION

SUBJECT:

WAIVER OF TITLE 18

WVR-5487 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: THE KUSHROW ROOHANI FAMILY TRUST - Request for a Waiver of Title 18.12.510 AND SECTION D.2.A.6 OF THE TOWN CENTER DEVELOPMENT STANDARDS TO ALLOW AN EIGHT-FOOT RETAINING WALL WHERE SIX FEET IS THE MAXIMUM ALLOWED on 15 acres along the south side of Elkhorn Road, between Campbell Road and Durango Drive (APN 125-20-101-007, 015, and 016), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

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

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with WOLFSON not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JOHN FIELD, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and stated that certain drainage issues along Elkhorn Road have necessitated this application. This is in connection with an already approved 200-unit subdivision south of Elkhorn Road and Durango Drive. The request is for a waiver of the development standards to increase the wall height. This request would only affect one lot of the 200-unit subdivision. He accepted all of staff's conditions.

COUNCILMAN MACK felt this project would work well in this area.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(1:58 - 1:59)
3-1750

CONDITIONS:

Planning and Development

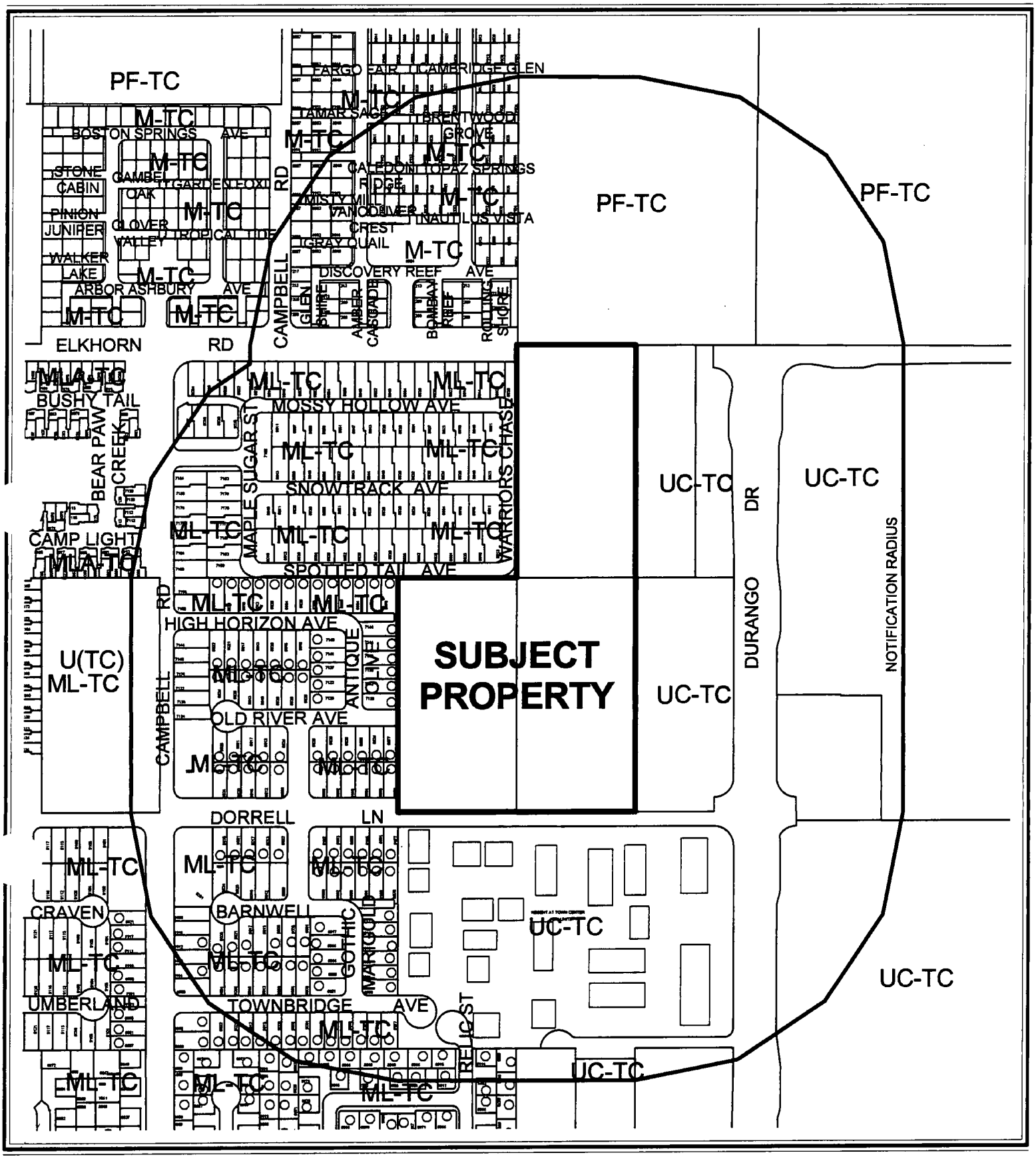
1. The wall shall consist of an eight-foot high retaining wall, with a maximum six-foot screen

CONDITIONS - Continued:

consisting of wrought iron with pilasters.

2. The retaining wall shall be a minimum of 50% decorative block (split-face or a like material) and 100% colored to complement the screening wall above.

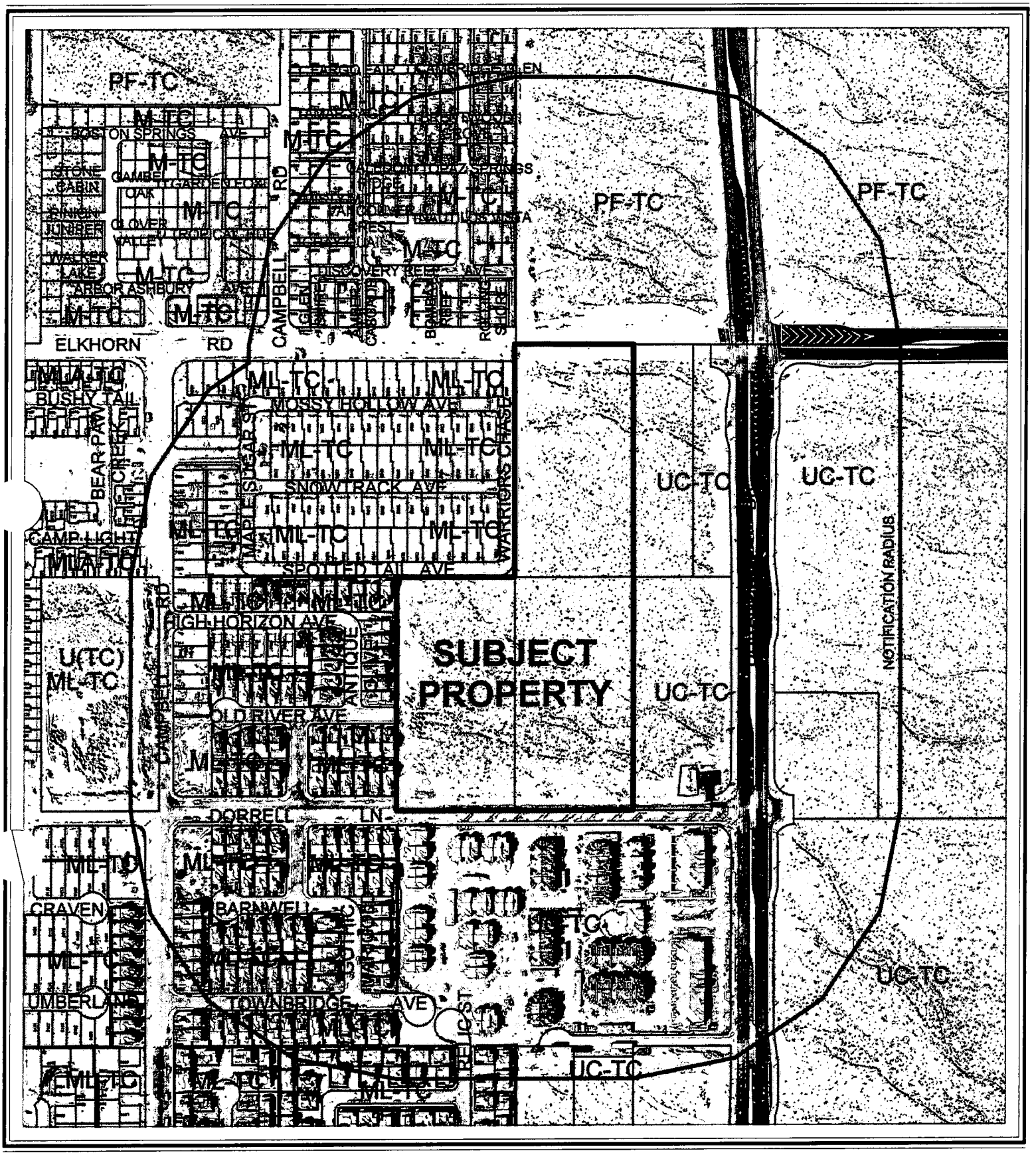
3. Conformance to all other site related actions.



CASE: **WVR-5487**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [M-TC (MEDIUM DENSITY RESIDENTIAL-TOWN CENTER) SPECIAL LAND USE DESIGNATION]



0 300 600 Feet

CASE: **WVR-5487**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [M-TC (MEDIUM DENSITY RESIDENTIAL-TOWN CENTER) SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 5, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-5487 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: THE KUSHROW ROOHANI FAMILY TRUST

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. The wall shall consist of an eight-foot high retaining wall, with a maximum six-foot screen consisting of wrought iron with pilasters.

2. The retaining wall shall be a minimum of 50% decorative block (split-face or a like material) and 100% colored to complement the screening wall above.

3. Conformance to all other site related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Waiver of Title 18.12.510 and Section D.2.A.6 of the Town Center Development Standards Manual to permit an eight-foot high retaining wall where six feet is the maximum height allowed and to allow a retaining wall in excess of six feet without stepping on a 15-acre site located on the south side of Elkhorn Road and north of Dorrell Lane, approximately 330 feet west of Durango Drive.

B) Applicant's Justification

The applicant states the approved Whitney Heights subdivision is a 200-lot single-family development. This waiver will affect only one lot (Lot 70) located at the northeast corner of the subdivision. All of the other walls will meet Code and Town Center standards. Drainage issues along Elkhorn Road have prompted this request.

BACKGROUND INFORMATION

A) Previous Actions

06/16/94 The City Council approved a General Plan Amendment to M-TC (GPA-4079), a Rezoning to T-C (ZON-4084) and a Site Development Plan Review for a 209-lot subdivision on the subject site (SDR-4088). The Planning Commission and staff recommended approval.

08/12/04 The Planning Commission approved the Tentative Map for a 205-lot single family residential subdivision for the subject site (TMP-4757). Staff recommended approval.

11/02/04 Staff approved the Final Map Technical Review (FMP-5354) for the Whitney Heights subdivision. This map has not yet recorded.

12/02/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #43/dc).

B) Pre-Application Meeting

09/01/04 The applicant was made aware of the correct way to proceed in terms of the application. Alternative designs were also discussed.

C) Neighborhood Meetings

A neighborhood meeting was not required.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 15.0 Acres

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Multi-family, Commercial
East:	Undeveloped
West:	Single Family Dwellings

C) Planned Land Use

Subject Property:	ML-TC (Medium Low Density Residential- Town Center)
North:	PF-TC (Public Facility- Town Center)
South:	UC-TC (Urban Center- Town Center)
East:	UC-TC (Urban Center- Town Center)
West:	ML-TC (Medium Low Density Residential- Town Center)

D) Existing Zoning

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

E) General Plan Compliance

This site lies within the Town Center area of the Centennial Hills Sector Map of the General Plan. The property will be subject to all Town Center Design standards.

PROJECT DESCRIPTION

The overall project is a 200-lot single-family residential subdivision. The concerns and issues pertaining to drainage along Elkhorn Road were not identified at the time of approval of the Tentative Map. This waiver applies to the northeast corner of the project. The applicant has made substantial changes in order to bring the other perimeter walls into conformance with the Town Center Standards and Title 18 of the Municipal Code. However, the wall along Lot 70 is proposed to consist of an eight-foot high retaining wall and a six-foot high screen wall, for a total of 14 feet.

A solid 14-foot high wall is not harmonious and compatible with the anticipated development pattern of the surrounding area. While the concerns regarding proper drainage along Elkhorn Road are real, a better approach would be to step the wall in accordance with Title 18 and Town Center standards or construct the screen wall of wrought iron and pilasters so it is not as intrusive to the surrounding area.

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 construction of a 14-foot high retaining and screen wall along the north property line of this project will not be compatible with the surrounding development pattern of 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 request is contrary to the adopted standards of the Town Center Master Plan area and Title 18 of the City of Las Vegas Subdivision Ordinance.

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

   This is not applicable to this request.

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

   This is not applicable to this request.

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 elevation of the wall will not contribute to an orderly growth pattern or and aesthetically pleasing environment. There are alternatives available to construct a wall that is harmonious and compatible with the surrounding area.

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

   The overall welfare of the future residents of this area of the City will not be advanced by the construction of this wall.

PLANNING COMMISSION ACTION

The Planning Commission added Condition #2 with the applicant's acquiescence.

NOTICES MAILED 56 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-5487 APN: 125-20-101-007;015;016

Name of Property Owner: RICHMOND AMERICAN HOMES

Name of Applicant: RICHMOND AMERICAN HOMES

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

_____Yes __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: Paula E. Chavez

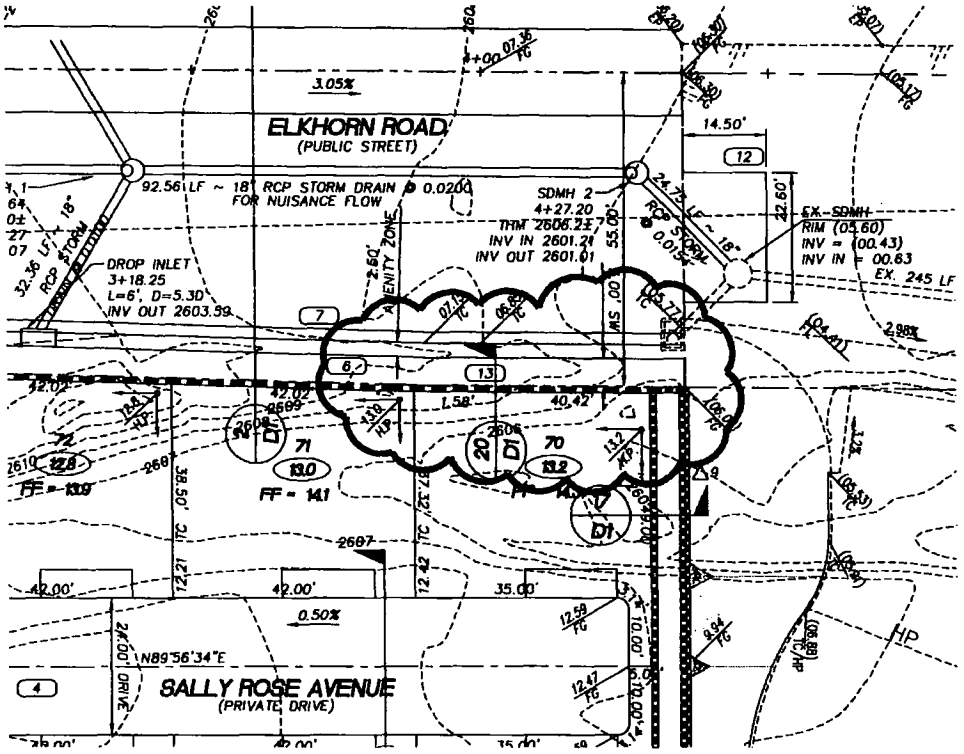
Print Name: Paula E. Chavez

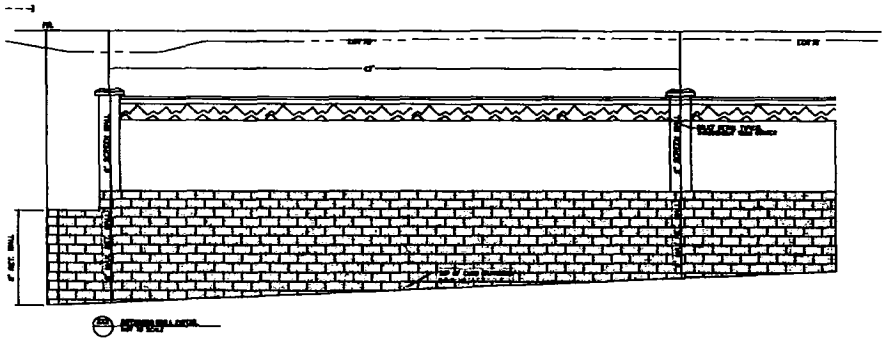
Subscribed and sworn before me

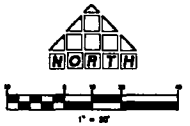
This 10 day of August, 2004

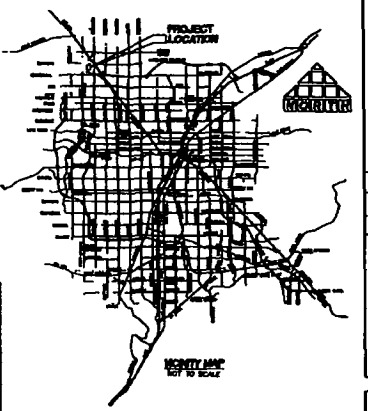
Teena Rockwell, Clark NV.
Notary Public in and for said County and State

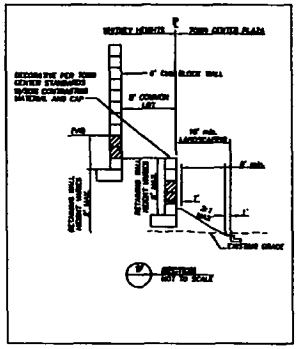
TEENA ROCKWELL
Notary Public State of Nevada
No. 97-2265-1
My appt. exp. May 4, 2005

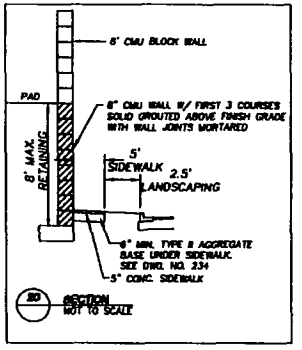












THOMASON CONSULTING ENGINEERS
3761 E. WARM SPRINGS ROAD, SUITE 200
LAS VEGAS, NEVADA 89120
702-432-4129 FAX: 702-432-4129

RICHMOND AMERICAN HOMES
WHITNEY HEIGHTS

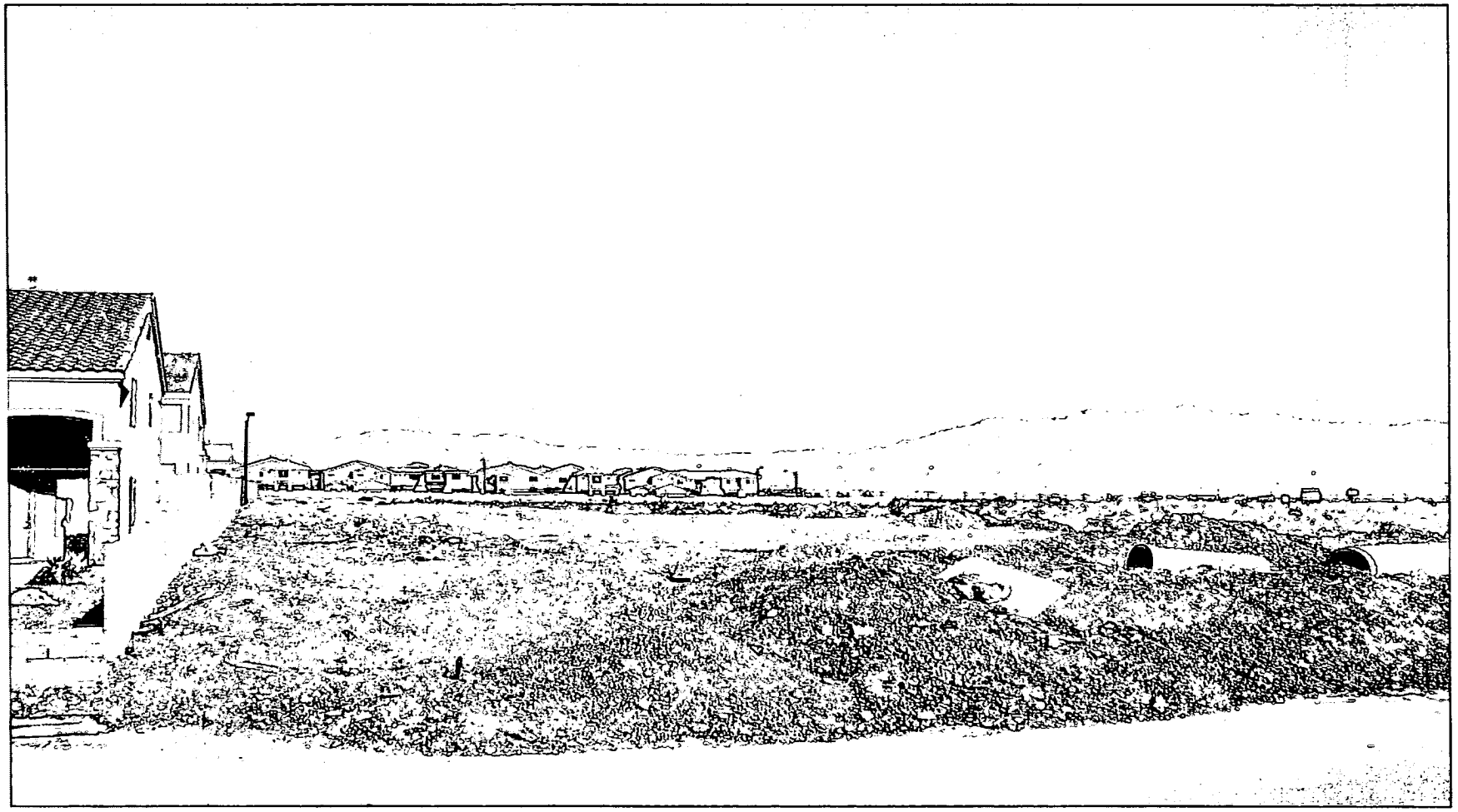
WALL HEIGHT WAIVER EXHIBIT

00104005

SHEET 1 OF 1

WVR-5487

12-02-04 PC

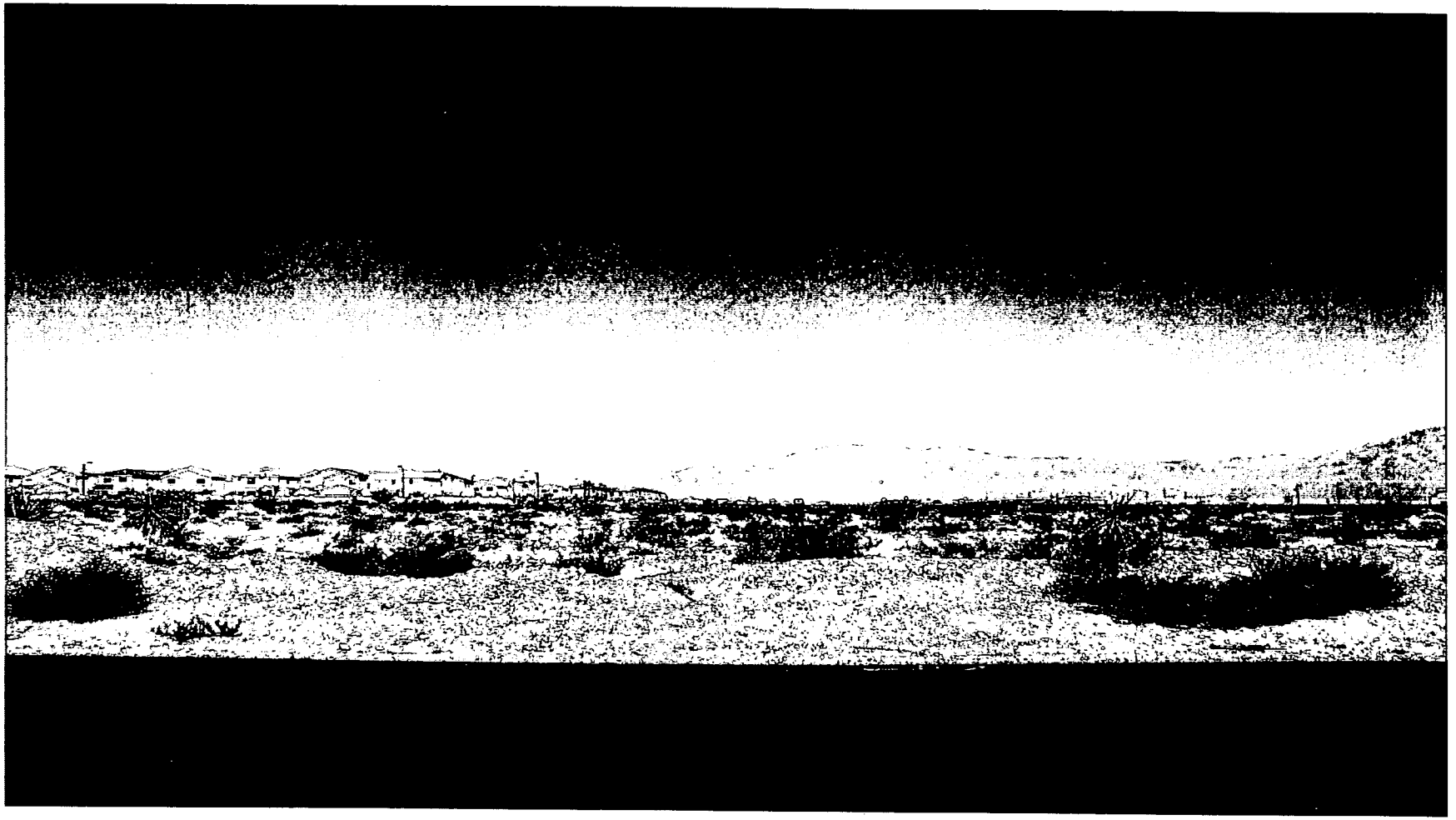


WVR-5487 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: THE KUSHROW ROOHANI FAMILY TRUST

SOUTH SIDE OF ELKHORN ROAD, BETWEEN CAMPBELL ROAD AND DURANGO DRIVE

DECEMBER 2 2004 PLANNING COMMISSION

11/05/04



WVR-5487 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: THE KUSHROW ROOHANI FAMILY TRUST
SOUTH SIDE OF ELKHORN ROAD, BETWEEN CAMPBELL ROAD AND DURANGO DRIVE
DECEMBER 2 2004 PLANNING COMMISSION

11/05/04

City of Las Vegas

Agenda Item No. 81

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VACATION

VAC-5408 - PUBLIC HEARING - APPLICANT/OWNER: SHADOW HILLS PLAZA, LLC - Petition to Vacate a Drainage Easement generally located between Cheyenne Avenue and Buckskin Avenue, west of Shady Timber Street, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

BROWN - APPROVED subject to conditions - UNANIMOUS with WOLFSON not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

There was no discussion.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(1:59 - 2:00)
3-1825

CONDITIONS:

1. Compliance with approved Drainage Study.

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

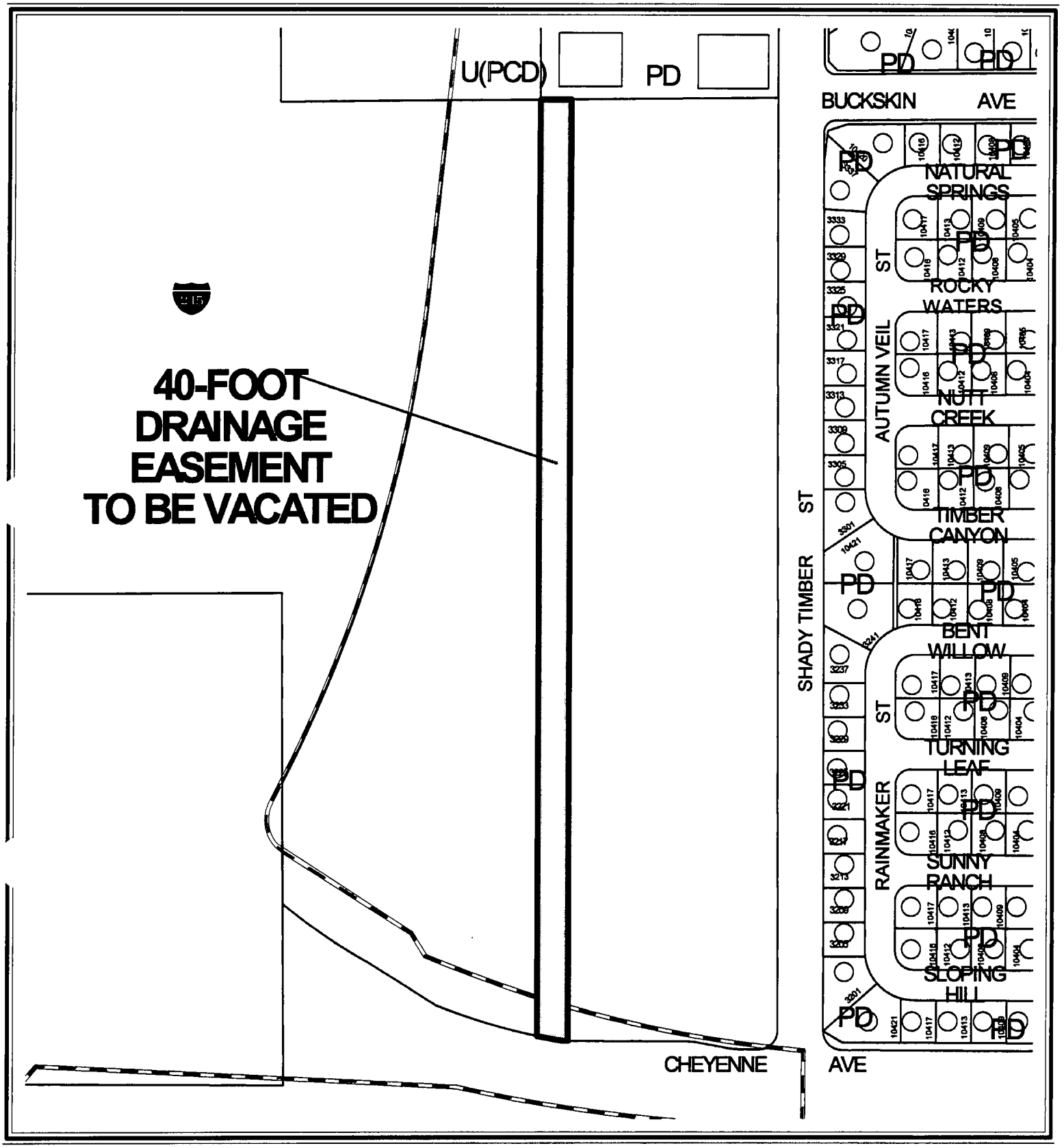
3. All development shall be in conformance with code requirements and design standards of all City Departments.

4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for

CONDITIONS - Continued:

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

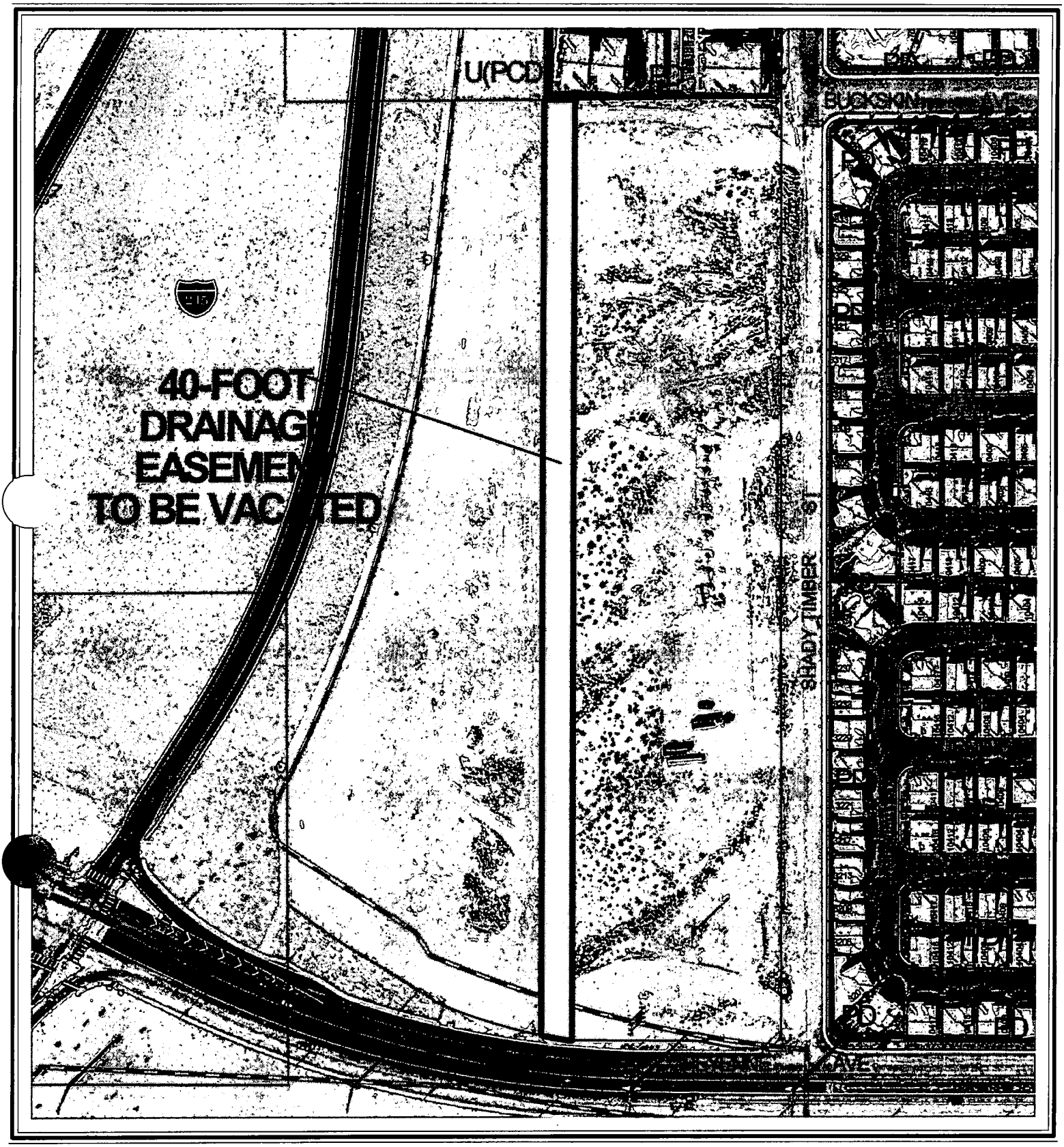
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.



0 100 200 Feet

CASE: VAC-5408

N



0 100 200 Feet

CASE: VAC-5408

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 5, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC 5408- APPLICANT/OWNER: SHADOW HILLS PLAZA, LLC

** CONDITIONS **

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

1. Compliance with approved Drainage Study.

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

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval to vacate a drainage easement generally located between Cheyenne Avenue and Buckskin Avenue, west of Shady Timber Street.

B) Applicant's Justification

The applicant states this drainage easement was temporary to address drainage during the construction of the Beltway. The contract for this portion of the Beltway has been completed. Also, Flood Control has raised no objections as long as the final map is amended to allow for inter-site drainage. They are in the process of preparing a Certificate of Amendment to the recorded map.

BACKGROUND INFORMATION

A) Previous Actions

04/07/04	The City Council approved a Site Plan Review for a Mini-Warehouse Facility of an3.57 acre portion of the overall site (SDR-3759). The Planning Commission and staff recommended approval.
05/19/04	The City Council approved as site development plan for an 87,790 square foot retail center on an 11.73-acre portion of this site located on the northwest corner of Cheyenne Avenue and Shady Timber (SDR-3651). The Planning Commission and staff recommended approval.
05/19/04	The City Council approved a Site Plan Review for a Financial Institution, General with drive-through on a 3.00 acre portion of the overall site. (SDR-3759).
10/20/04	The City Council approved the request for a major Modification to MLA (MOD-4632), a Waiver to Title 18 (WVR-4754) and a Site Plan Review for a 44 lot subdivision on a 3.7 acre portion of this overall site (SDR-4751). The Planning Commission had recommended approval. Staff recommended denial.
12/02/04	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #22/dc).

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate a drainage easement in a portion of the South Half (S½) of Section 12, Township 20 South, Range 59 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing public drainage easement because it is no longer needed in its current configuration. This request is appropriate, as the subject easement is not needed and will not result in reduced access traffic handling capability for the area.

B) Public Works discussion

This Vacation application proposes to vacate only a City of Las Vegas drainage easement. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this request to the utility companies and franchise holders, nor wait for their responses. Since only City easements are involved, any utility company interests will not be affected.

NOTICES MAILED 5 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-5408 APN: 137-12-401-022

Name of Property Owner: SHADOW HILLS PLAZA LLC.

Name of Applicant: PHIL DAVIS

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

____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Philip H. Davis

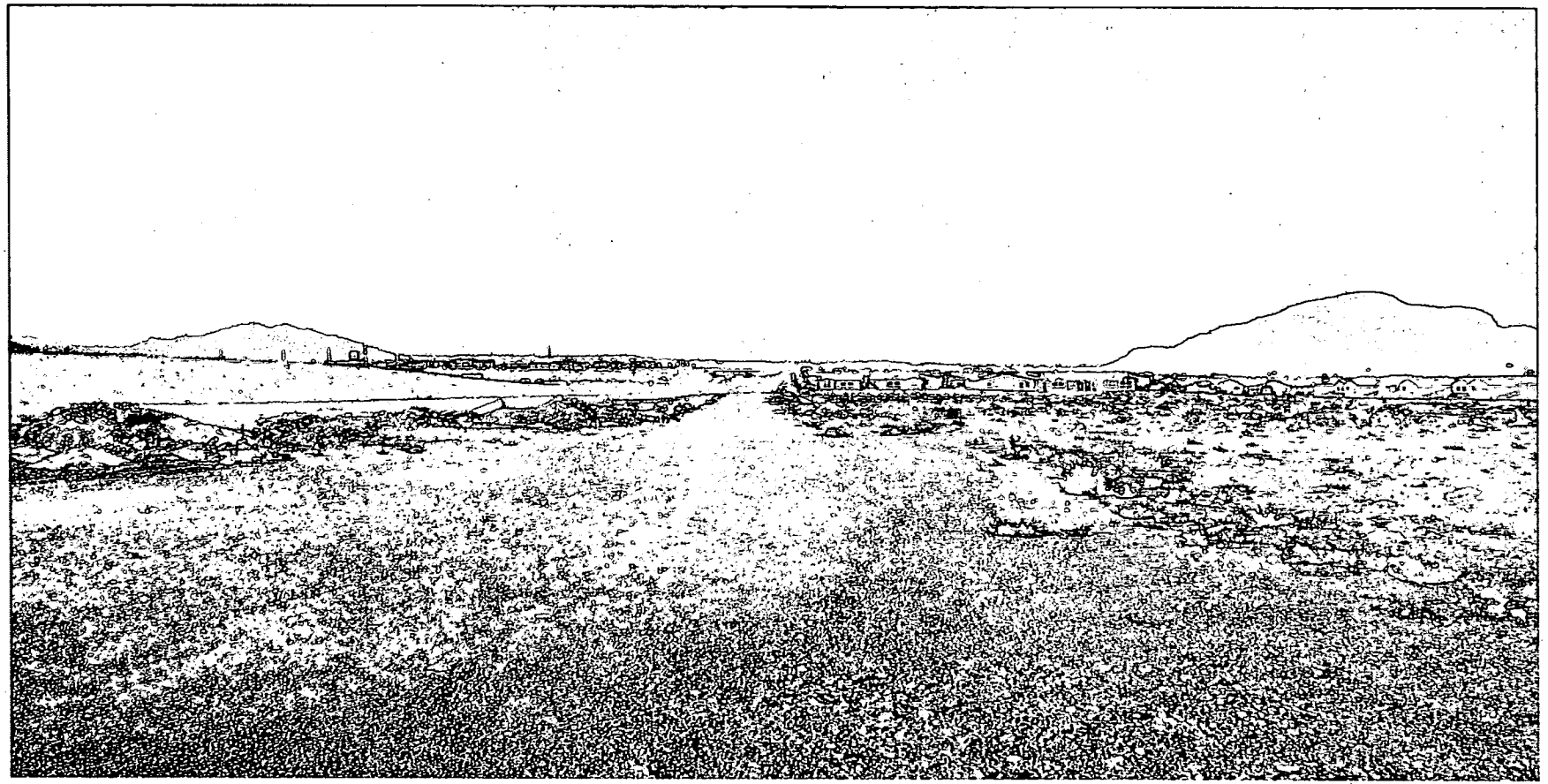
Subscribed and sworn before me

This 31st day of Oct, 2004

[signature]

Notary Public in and for said County and State

JODIE LYNNE CRUM
Notary Public State of Nevada
No. 99-51690-1
My appt. exp. Feb. 17, 2007



VAC 5408 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: SHADOW HILLS PLAZA, LLC
GENERALLY LOCATED BETWEEN CHEYENNE AVENUE AND BUCKSKIN AVENUE, WEST OF SHADY TIMBER STREET
DECEMBER 2 2004 PLANNING COMMISSION

11/05/04

City of Las Vegas

Agenda Item No. 82

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ CONSENT ☒ DISCUSSION

SUBJECT:

VACATION

VAC-5464 - PUBLIC HEARING - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LLC - Petition to Vacate a portion of Maggie Avenue generally located east of Maverick Street, Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

The Planning Commission (5-0-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK- APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

BRIAN PSIODA, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and concurred with staff recommendations.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(2:00 - 2:01)
3-1857

CONDITIONS:

1. A vacation application must be approved by the Clark County Commission for the southern portion of Maggie Avenue adjacent to parcel 125-11-507-001, such Vacation shall record concurrently with this Order of Vacation; if either Order of Vacation cannot record or does not record then neither Order of Vacation shall record unless an additional 30 feet of half street right-of-way, and an appropriate turn-around acceptable to Public Works, is dedicated for Maggie Avenue adjacent to parcel 125-11-503-001.

2. This Order of Vacation shall record prior to the recordation of any Final Maps overlying any parcel or any portion of any parcel adjacent to or abutting the subject right of way.

3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the

CONDITIONS - Continued:

Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Zoning Reclassification ZON 5302 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.

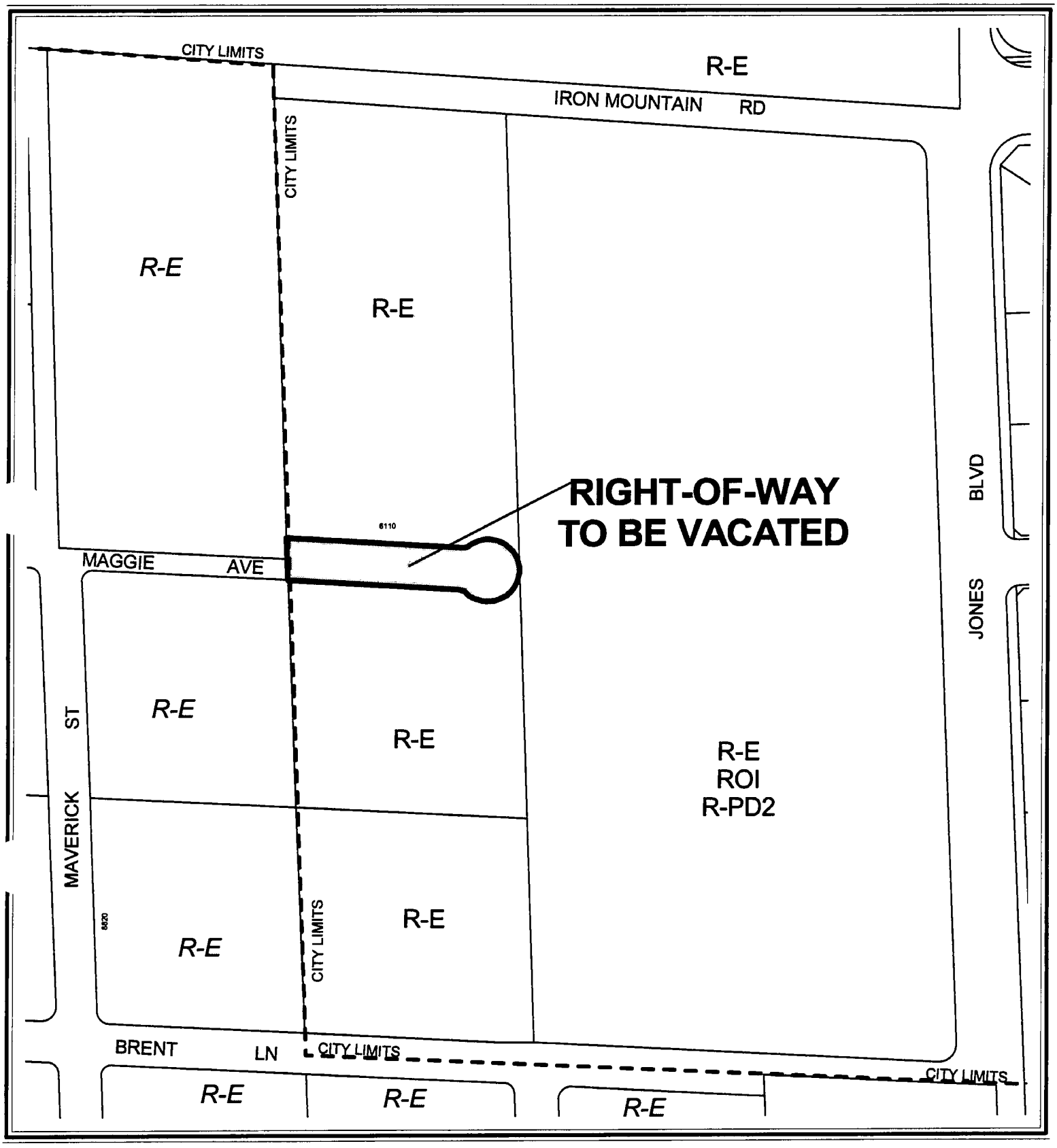
4. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

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

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

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

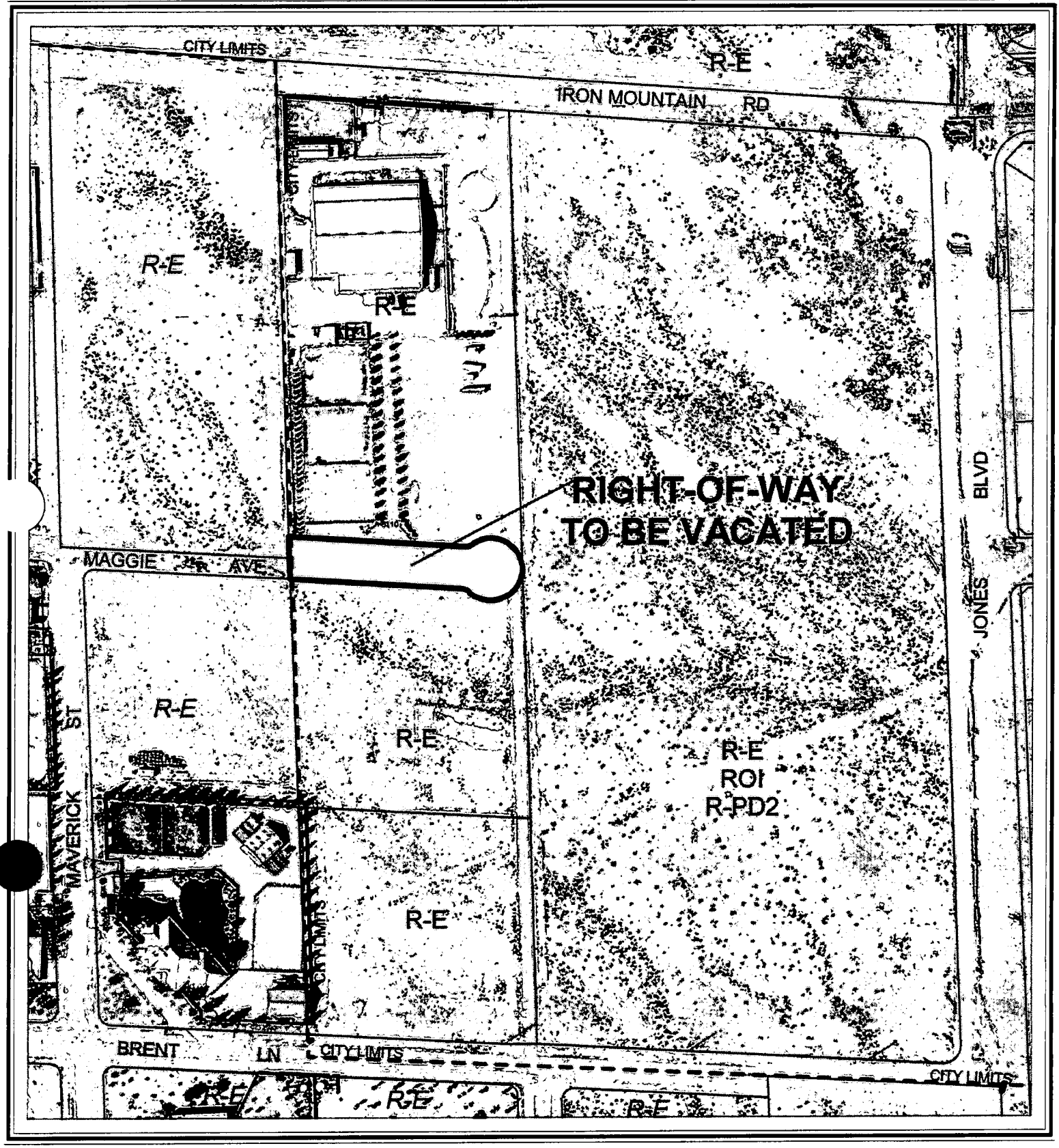


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CASE: VAC-5464

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CASE: VAC-5464

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City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 5, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-5464 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LLC

** CONDITIONS **

The Planning Commission (5-0-2 vote) and staff recommend APPROVAL, subject to:

1. A vacation application must be approved by the Clark County Commission for the southern portion of Maggie Avenue adjacent to parcel 125-11-507-001, such Vacation shall record concurrently with this Order of Vacation; if either Order of Vacation cannot record or does not record then neither Order of Vacation shall record unless an additional 30 feet of half street right-of-way, and an appropriate turn-around acceptable to Public Works, is dedicated for Maggie Avenue adjacent to parcel 125-11-503-001.

2. This Order of Vacation shall record prior to the recordation of any Final Maps overlying any parcel or any portion of any parcel adjacent to or abutting the subject right-of-way.

3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Zoning Reclassification ZON-5302 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.

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

5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

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

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

that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is to vacate a portion of Maggie Avenue, generally located east of Maverick Street, within the Quarterhorse Falls Estates subdivision.

B) Applicant's Justification

This is in Phase II of the project and will be developed as a single-family residential subdivision.

BACKGROUND INFORMATION

A) Previous Actions

08/18/04 The City Council approved the request for a Site Development Plan Review (Phase I) for a 29-lot single-family residential subdivision on 18.2 acres adjacent to the southeast corner of Iron Mountain Road and Jones Boulevard (SDR-4198). The Planning Commission recommended approval and staff recommended denial.

11/03/04 The City Council approved the request to annex 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain Road (ANX-4777). The Planning Commission and staff recommended approval. The effective date was 11/12/04.

12/01/04 The City Council approved a Rezoning (ZON-5302) from U (Undeveloped) [RE (Rural Estates) and RNP (Rural Neighborhood Preservation) General Plan Designations] to R-PD2 (Residential Planned Development – 2 Units per Acre); a Variance (VAR-5306) to allow zero acres of open space where 0.54 acres of open space is required; and a Site Development Plan Review (SDR-5304) for a proposed 33-lot single-family residential development on 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain Road. The Planning Commission and staff recommended approval.

12/02/04 The Planning Commission voted 5-0-2 to recommend APPROVAL (PC Agenda Item #23/dc).

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate the North Half (N½) and South Half (S½) of Maggie Avenue, Sixty Feet (60') Wide, commencing at the east parcel line of Assessor's Parcel Number 125-11-503-001, extending easterly approximately Three Hundred Thirty-Three Feet (330'), including a cul-de-sac bulb; said property being a portion of the West Half (W½) of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section 11, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

A) Planning discussion

Vacation of this portion of Maggie Avenue will allow for the development of a proposed 33-lot single-family residential development on adjacent parcels. The request is acceptable, as the right-of-way is not currently being used as a roadway and the vacation would not result in reduced traffic-handling capability or eliminate access to abutting parcels.

B) Public Works discussion

The following information is presented concerning this request to vacate certain public street rights-of-way:

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

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

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

D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, Zoning Reclassification ZON-5302 and Site Development Plan Review SDR-5304.*

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

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

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

PLANNING COMMISSION ACTION

The Planning Commission amended Condition #1 pursuant to Public Works Department recommendation.

NOTICES MAILED 7 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-5464 APN: 125-11-507-002, 4 and 125-11-503-001,2

Name of Property Owner: Quarterhorse Falls Estates LLC

Name of Applicant: Sterling S 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 names(s) of the person or persons with whom the city Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s) _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: John Michael Stratton

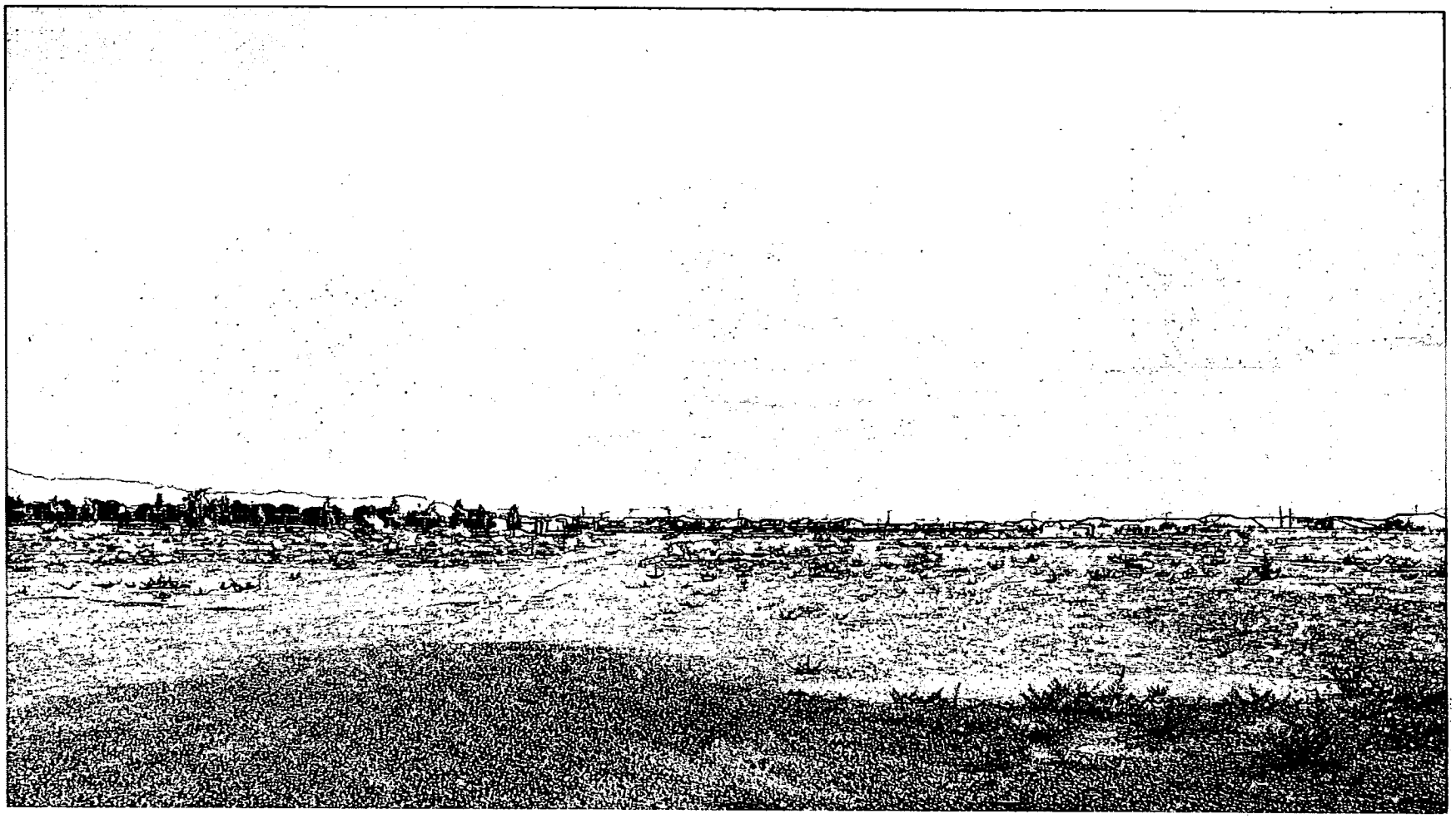
Print Name: John Michael Stratton

Subscribed and sworn before me

This 20th day of September ,20 04

Notary Public in and for said [illegible] State

MARY E. SMITH
Notary Public State of Nevada
No. 96-2142-1
My appt. exp. Mar. 15, 2008



VAC-5464 - VACATION - PUBLIC HEARING - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LLC
GENERALLY LOCATED EAST OF MAVERICK STREET
DECEMBER 2 2004 PLANNING COMMISSION

11/05/04

City of Las Vegas

Agenda Item No. 83

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER ☐ CONSENT ☒ DISCUSSION

SUBJECT:

VACATION

VAC-5477 - PUBLIC HEARING - APPLICANT: CW GROUP - OWNER: FORT APACHE/CHEYENNE HOLDINGS LLC - Petition to Vacate U.S. Government Patent Easements generally located west of Fort Apache Road and north of Cheyenne Avenue, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

BROWN - APPROVED subject to conditions - UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that his brother-in-law, ANDREW DONNER, owns a Timbers Bar & Grill near this site. He has not spoken to him about this application and does not believe it would have any impact on his business; therefore would vote on the item.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JIM CHILDS, CW Group, 5333 South Arville Street, appeared on behalf of the owner and concurred with staff's recommendations.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:01 - 2:02)

3-1889

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Zoning Reclassification ZON 2576 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.

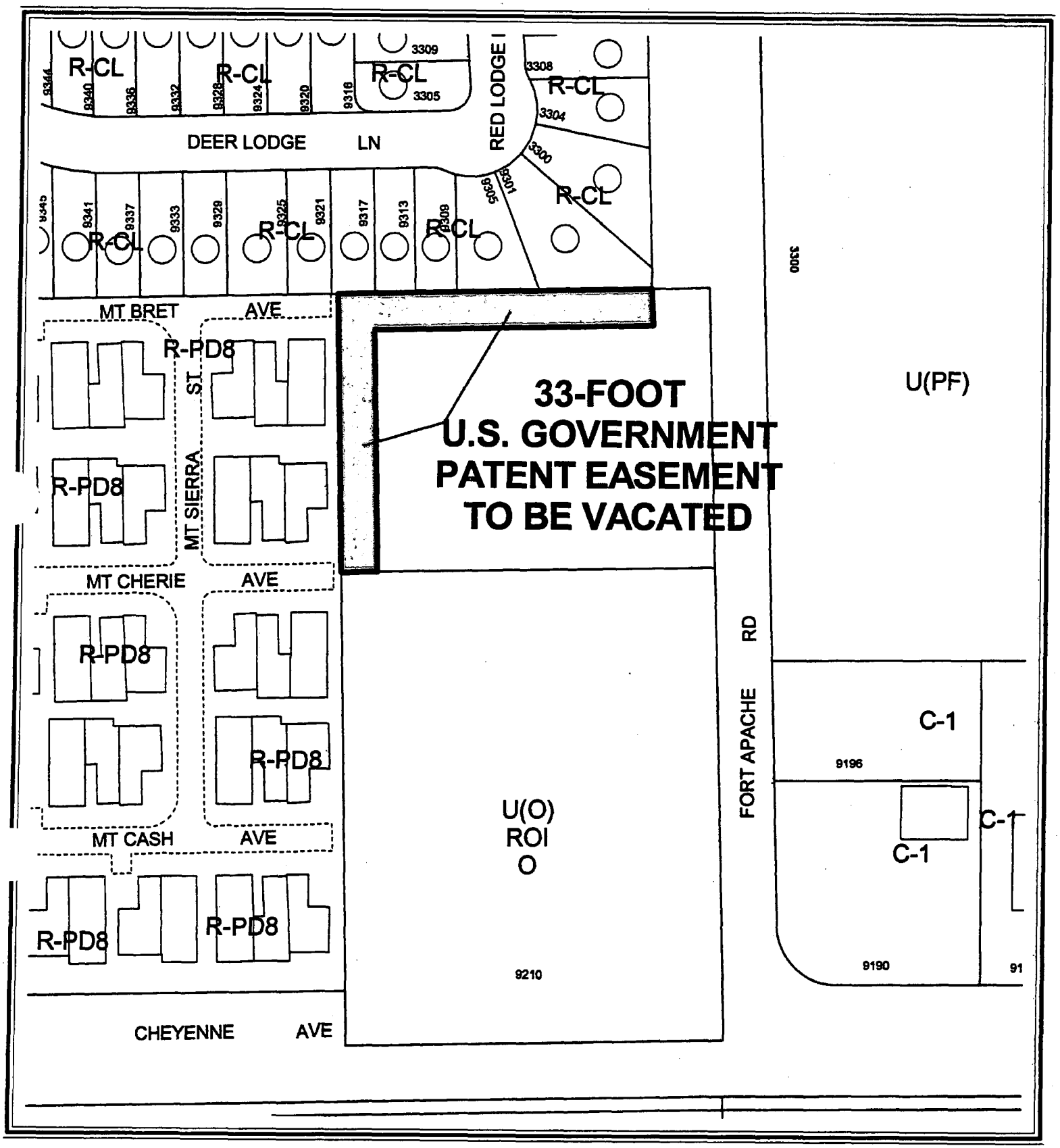
CONDITIONS - Continued:

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

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

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

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



0 100 200 Feet

CASE: VAC-5477

N

083

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 5, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAC-5477 - APPLICANT: CW GROUP - OWNER: FORT APACHE/CHEYENNE HOLDINGS LLC

** CONDITIONS **

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

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Zoning Reclassification ZON-2576 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.

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

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

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request to vacate U.S. Government Patent Easements generally located west of Fort Apache Road and north of Cheyenne Avenue.

B) Applicant's Justification

The applicant justifies this request by stating that the subject vacation is needed to develop the parcel for landscaping, parking, and structures associated with a proposed office development.

BACKGROUND INFORMATION

A) Previous Actions

02/05/03 The City Council approved an annexation (A-0038-02) for the subject property. The Planning Commission and staff recommended approval. The effective date was 02/14/03.

08/20/03 The City Council approved a General Plan Amendment (GPA-2575) to change the General Plan from ML (Medium-Low Density Residential) to O (Office) and a Rezoning (ZON-2576) from U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation] to O (Office) for this site. The Planning Commission and staff recommended denial.

05/19/04 The City Council approved requests for a General Plan Amendment (GPA-4042) from ML (Medium-Low Density Residential) to O (Office); a Rezoning (ZON-4043) from U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation] to O (Office); a Special Use Permit (SUP-4045) for a Financial Institution with Drive-Through on property adjacent to residential uses and without separation from residential properties by an intervening building; and a Site Development Plan Review (SDR-4060) and a Waiver of parking lot landscaping standards for a proposed Financial Institution, General with Drive-Through on 3.00 acres adjacent to the northwest corner of Cheyenne Avenue and Fort Apache Road. The Planning Commission and staff recommended approval of all items.

10/06/04 The City Council approved the Site Development Plan Review (SDR-4827) for an office development and a Waiver of the foundation landscaping requirements on the subject site. The Planning Commission and staff recommended approval.

10/06/04 The City Council approved a the Vacation (VAC-4956) of U. S. Government Patent Easements generally located north of Cheyenne Avenue, west of Fort Apache Road, and to the south of the subject property. The Planning Commission and staff recommended approval.

11/18/04 The Planning Commission approved a Tentative Map (TMP-5188) for a one-lot commercial subdivision (Tamarindo Professional Parc) on the subject site. Staff recommended approval.

12/02/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #24/ss).

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate U. S. Government Patent Reservations located in the north and west thirty-three feet (33'), excepting the east fifty feet (50') of the north two hundred sixty-four feet (264') of the East Half (E½) of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section 7, Township 20 South, Range 60 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing U. S. Government Patent Reservation because it is no longer needed in its current configuration. This will allow the development of a 19,200 square-foot office complex on the subject parcel. The specific area to be vacated will contain portions of two proposed buildings, required landscaping and parking spaces for this development. The request is appropriate, as the subject easement is not needed and will not result in reduced access or traffic handling capability for the area.

B) Public Works discussion

The Department of Public Works has no objection to the vacation application request for U.S. Government Patent Reservations generally located west of Fort Apache Road and north of Cheyenne Avenue.

NOTICES MAILED 120 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-5477 APN: 138-07-801-010

Name of Property Owner: FORT APACHE/CHEYENNE HOLDINGS

Name of Applicant: CW GROUP

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: JAMES CHILDS (AGENT)

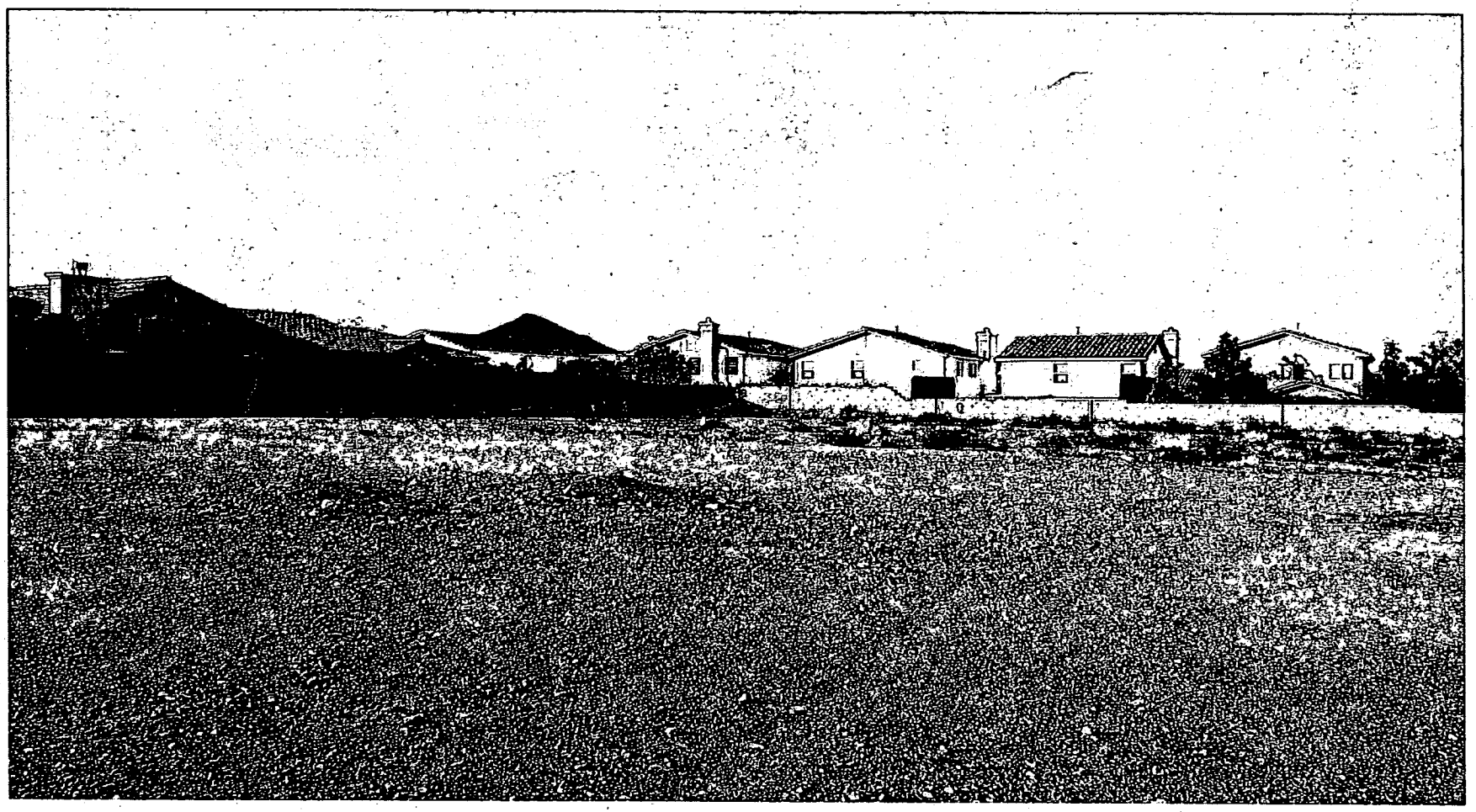
Subscribed and sworn before me

This 19th day of October, 2004

Diana L Brady

Notary Public in and for said County and State

DIANA L. BRADY
Notary Public, State of Nevada
Appointment No. 9314661
My Appt. Expires Jan. 2, 2005



VAC-5477 - VACATION - PUBLIC HEARING - APPLICANT: CW GROUP - OWNER: FORT APACHE/CHEYENNE HOLDINGS LLC
GENERALLY LOCATED WEST OF FORT APACHE ROAD AND NORTH OF CHEYENNE AVENUE
DECEMBER 2 2004 PLANNING COMMISSION

11/05/04

City of Las Vegas

Agenda Item No. 84

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VARIANCE

VAR-5227 - PUBLIC HEARING - APPLICANT/OWNER: COKE AND MAGGIE LLC - Appeal filed by the Applicant from the Denial by the Planning Commission of a request for a Variance TO ALLOW A 25-FOOT FRONT YARD SETBACK WHERE 30 FEET IS REQUIRED AND TO ALLOW A 25-FOOT REAR YARD SETBACK WHERE 35 FEET IS REQUIRED on 10.25 acres adjacent to the northeast corner of Maggie Avenue and Coke Street (APN 125-09-501-003), U (Undeveloped) Zone [RE (Rural Estates) General Plan Designation], Ward 6 (Mack). The Planning Commission (5-1-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	3	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

The Planning Commission (5-1-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Build the American Dream Corporation

MOTION:

MACK - APPROVED subject to conditions and the added condition as read for the record as follows:

- This variance shall not apply to the rear yard setback on Lot #1, located adjacent to the Maggie alignment at the east side of the site.

- UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DAVID KOERBER, 8445 Las Vegas Boulevard, appeared on behalf of the applicant.

DAVE ARPIN and KATHLEEN OLENDER, 6735 Maggie Avenue, asked that the setbacks be kept at 35 feet on Maggie Avenue and not 25 feet. MR. ARPIN did not oppose the entire variance, but was concerned with the southeast corner of Maggie Avenue and Buffalo Drive, which is contiguous to his property. MS. OLENDER added that her neighbors have equestrian properties.

MR. KOERBER reminded the City Council that the property in question is horse property; therefore, anyone buying a home could have a horse. He verified for COUNCILMAN MACK that a disclosure will be given to a new homeowner that the adjacent residents have horses.

COUNCILMAN MACK read into the record an additional condition stating that the variance shall not apply to the rear yard setback on Lot #1, located adjacent to the Maggie alignment at the east side of the

MINUTES - Continued:

site.

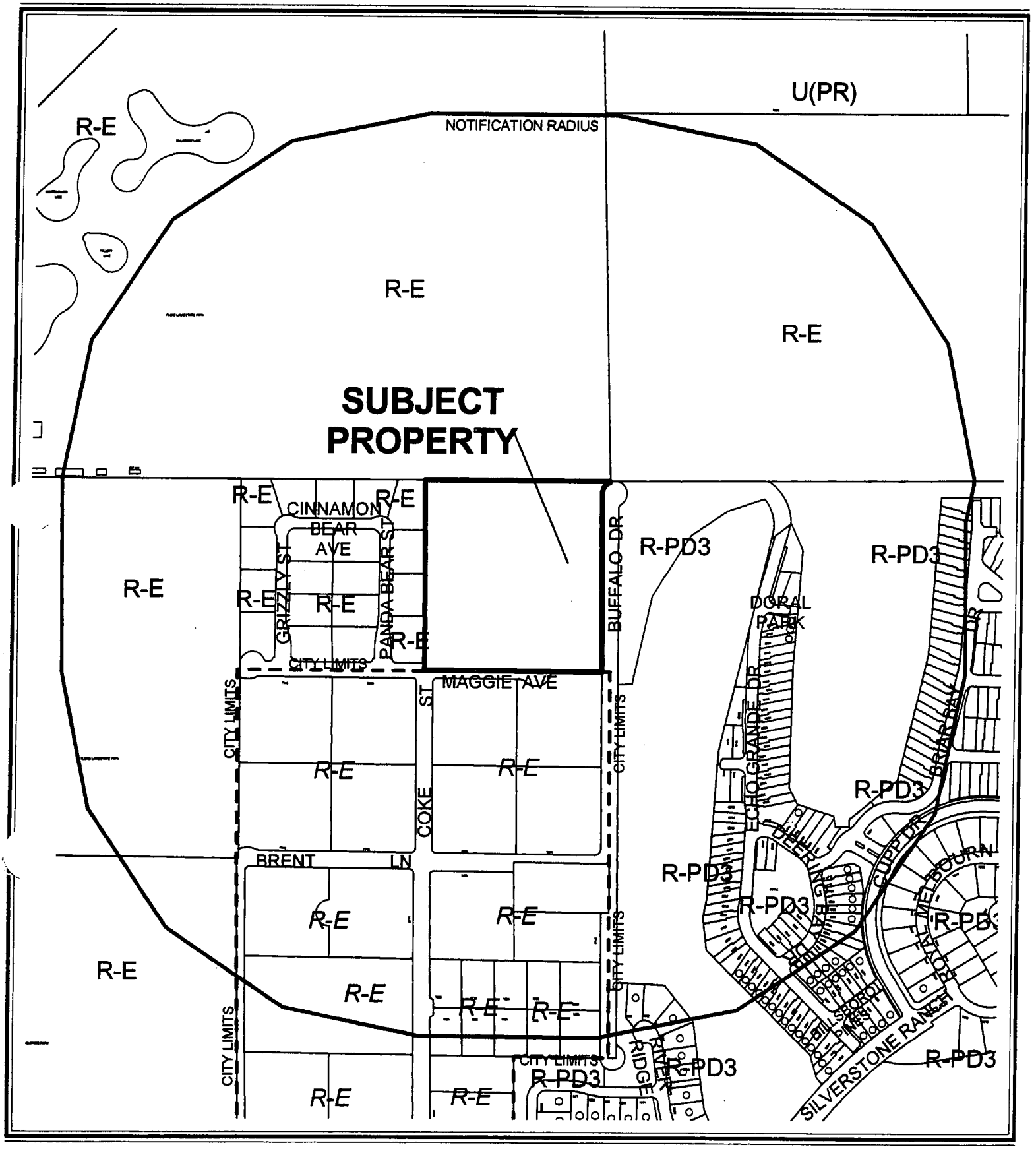
MAYOR GOODMAN declared the Public Hearing closed.
(2:02 - 2:07)
3-1929

CONDITIONS:

Planning and Development

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

2. Conformance to the Conditions of Approval for Special Use Permit SUP-4558.

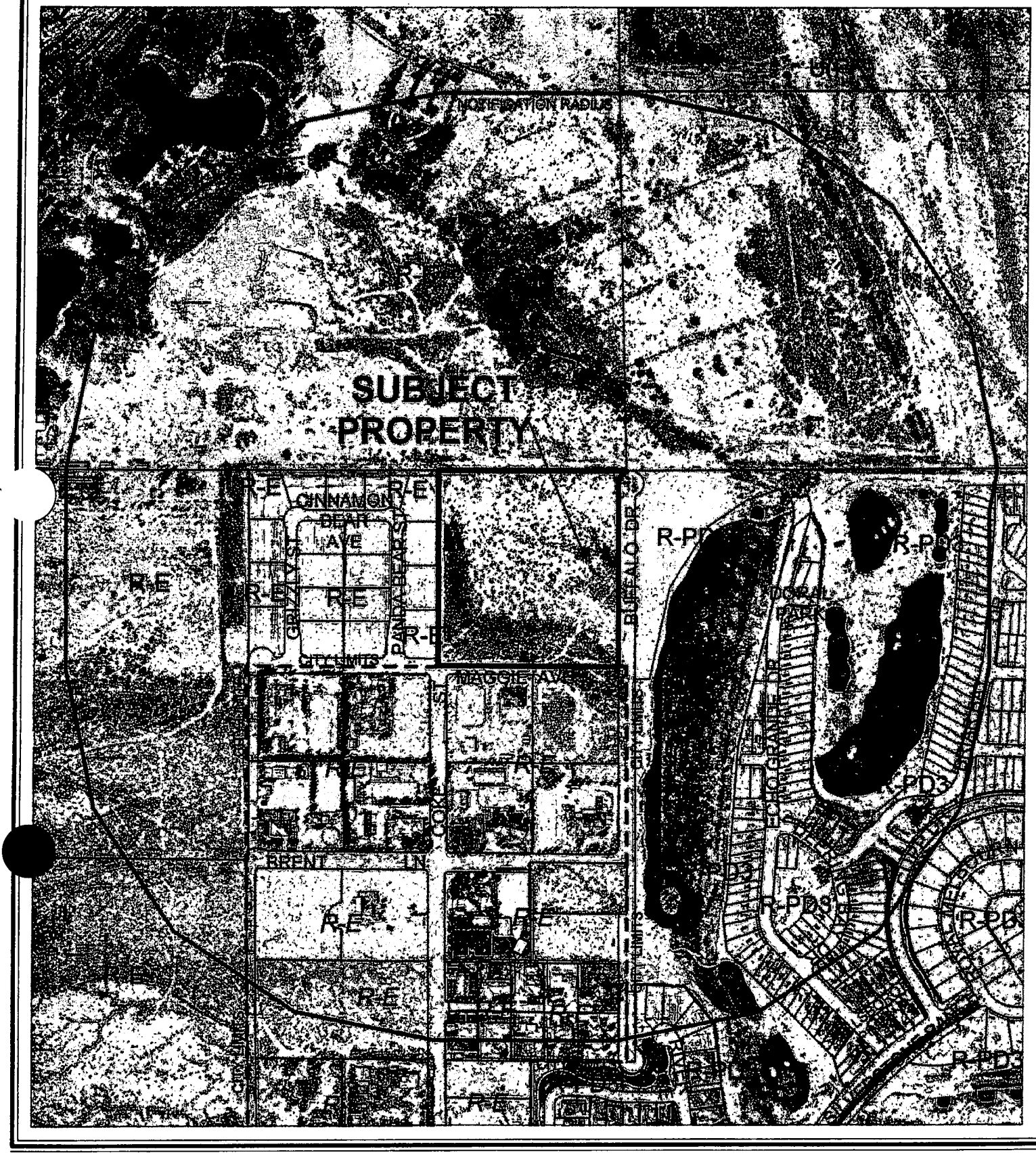


CASE: **VAR-5227**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

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



0 400 800 Feet

CASE: **VAR-5227**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 5, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5227 - APPLICANT/OWNER: COKE AND MAGGIE LLC

** CONDITIONS **

The Planning Commission (5-1-1 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

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

2. Conformance to the Conditions of Approval for Special Use Permit SUP-4558.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by the Applicant from the Denial by the Planning Commission of a request for a Variance to allow a 25-foot front yard setback where 30 feet is required and to allow a 25-foot rear yard setback where 35 feet is required on 10.25 acres adjacent to the northeast corner of Maggie Avenue and Coke Street.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

05/05/04	The City Council approved a petition for Annexation (ANX-3871) of 10.75 acres, most of which encompasses the subject property.
02/27/03	The Planning Commission approved a Tentative Map for a 19-lot single-family residential subdivision, adjacent to the subject site (TMP-1179.) Staff recommended approval.
06/16/04	The City Council approved a request for a Variance to allow 25 foot front setbacks where 30 feet is the minimum setback required and to allow 25 foot rear setbacks where 35 feet is the minimum setback required on 9.46 acres on the northwest corner of Maggie Avenue and Coke Street adjacent to the subject property (VAR-3902).The Planning Commission and staff recommended denial.
08/04/04	The City Council approved a request for a Special Use Permit for private streets in conjunction with a proposed single-family residential development adjacent to the northeast corner of Coke Street and Maggie Avenue (SUP-4558).
11/04/04	The Planning Commission held this item in abeyance to allow the applicant time to work with staff. No discussions have taken place since that time between staff and the applicant.
12/02/04	The Planning Commission voted 5-1-1 to recommend DENIAL (PC Agenda Item #48/srs).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.25

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

This site is designated DR (Desert Rural Residential) on the Centennial Hills Interlocal Land Use Plan Map of the General Plan. There are no General Plan policies that are directly relevant to this request.

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

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

A) Zoning Code Compliance

A1) Development Standards

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

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

B) General Analysis and Discussion

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

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

FINDINGS

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

Additionally, Title 19.18.070L states:

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

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

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

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

PLANNING COMMISSION ACTION

There were 3 protest speakers on this matter at the Planning Commission hearing.

NOTICES MAILED 70 by City Clerk

APPROVALS 0

PROTESTS 3

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5227 APN: 125-09-501-003

Name of Property Owner: Coke Maggie LLC

Name of Applicant: Coke Maggie LLC

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Paul R. Lamm

Print Name: Paul R. Lamm

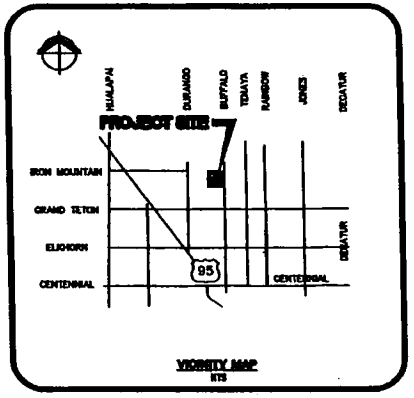
Subscribed and sworn before me

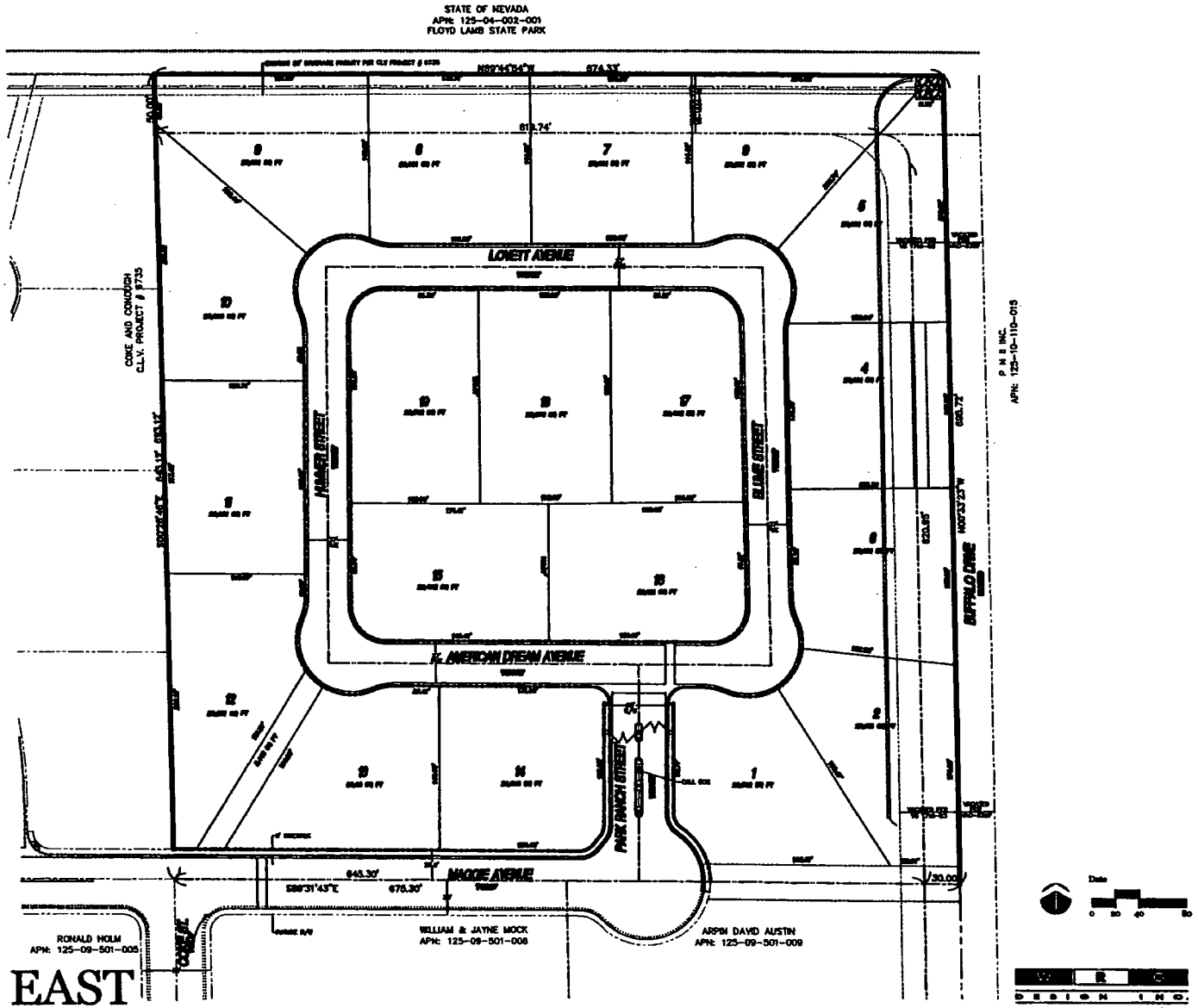
This 9th day of September, 2004

Linda K. John

Notary Public in and for said County and State

LINDA K. JOHN
Notary Public State of Nevada
No. 01-70972-1
My appt. exp. Sept. 13, 2005





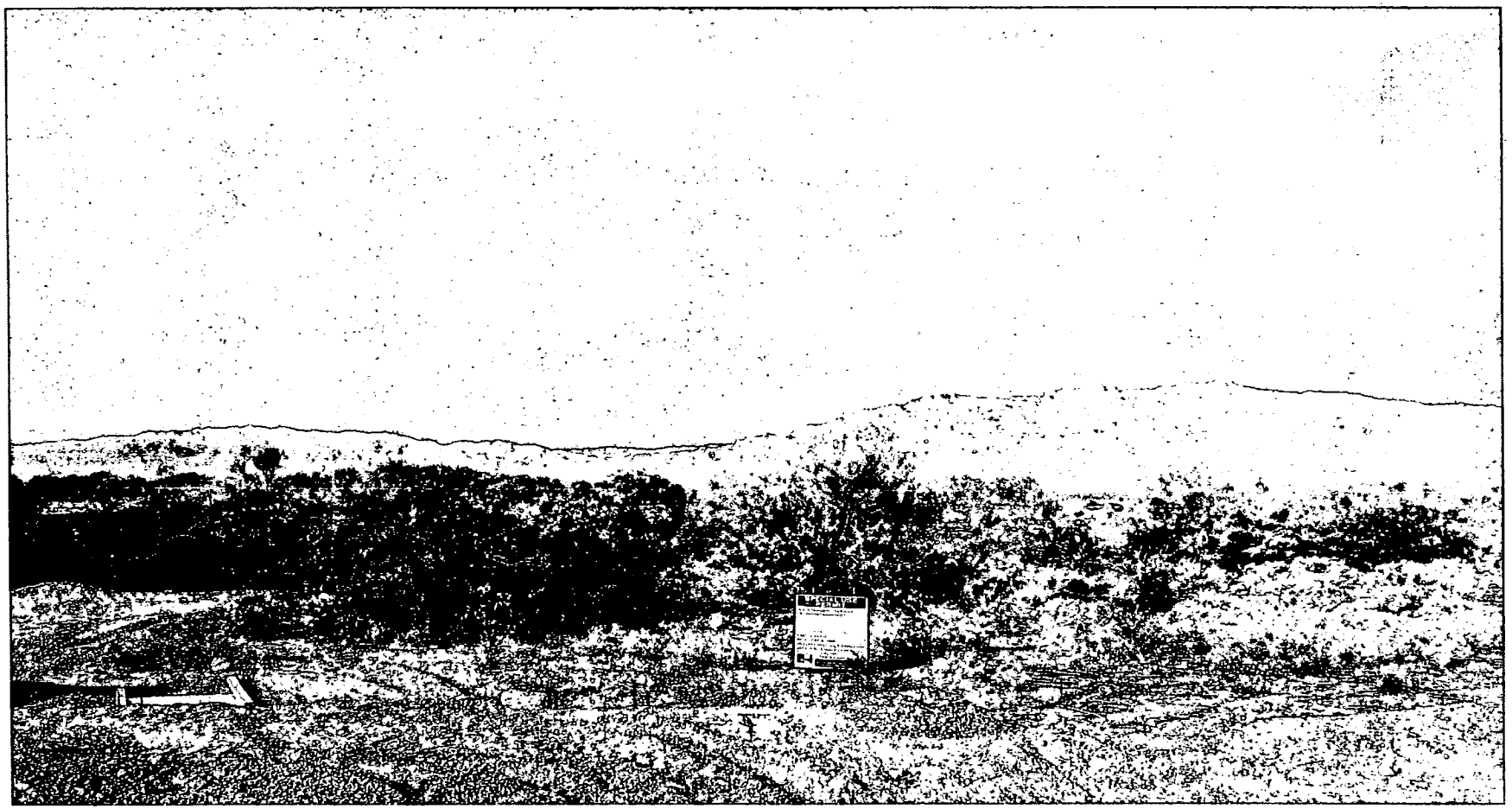
COKE & MAGGIE EAST

A "Building the American Dream" Development

SITE PLAN

VAR-5227
11-04-04 PC

RECEIVED
SEP 09 2004



VAR-5227 - APPLICANT/OWNER: COKE AND MAGGIE L.L.C.
NORTHEAST CORNER OF MAGGIE AVENUE AND COKE STREET
DECEMBER 2, 2004 PLANNING COMMISSION

10/15/04

Building The American Dream Corporation

2400 North Teneya – Las Vegas, Nevada 89128
Office (702) 304-6565 Fax (702) 304-6501

December 7, 2004

RECEIVED
CITY CLERK
2004 DEC -8 P 3:07

CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER
731 S. Fourth Street
Las Vegas, NV 89102

RE: VARIANCE – VAR-5227

Dear Sir/Madam:

This letter is to request an appeal of the Planning Commission's denial of our variance. We ask that this matter be heard before the next available City Council Meeting slated for January 5, 2005. Your assistance is greatly appreciated. Should you have any questions or concerns, please call me at the above number, extension 1024. Thank you for your consideration.

Sincerely,

Paul Hummer
Building The American Dream Corp.

DEC 7 4 50 PM '04

City of Las Vegas

Agenda Item No. 85

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 5, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VARIANCE

VAR-5483 - PUBLIC HEARING - APPLICANT: H.E.L.P. DEVELOPMENT CORP. – OWNER: CITY OF LAS VEGAS - Request for a Variance TO ALLOW 50 PARKING SPACES WHERE 107 PARKING SPACES ARE REQUIRED FOR A PROPOSED 75-UNIT SINGLE ROOM OCCUPANCY HOUSING COMPLEX on 4.84 acres approximately 500 feet south of the intersection of Owens Avenue and Main Street (APN 139-27-502-015), C-V (Civic District) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS with BROWN abstaining because he is a Board Member of Catholic Charities who own property across from the proposed project and MACK abstaining because his parents, RON and JUDY MACK, own property nearby, which might be impacted by the proposed project

NOTE: COUNCILMAN MACK disclosed his parents RON and JUDY MACK, own property nearby. He felt this would not affect their interest and would vote on both items. However, DEPUTY CITY ATTORNEY BRYAN SCOTT advised him that as an heir to his parents' property he may have some interest because their property's value may be affected. Therefore, he should abstain from voting on both items.

NOTE: COUNCILMAN BROWN disclosed he serves on the Board of Directors of Catholic Charities who own property across from the proposed project. DEPUTY CITY ATTORNEY BRYAN SCOTT advised him that this project might have an effect on Catholic Charities' property values, and since the Councilman's capacity as a Board Member is to protect their financial interests, he should abstain from voting on these items.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 85 [VAR-5483] and Item 86 [SDR-5481].

CRAIG GALATI, 500 Pilot Road, Suite A, stated that the Site Development Plan and Variance applications are a follow-up of the General Plan and Rezoning the City Council approved in August 2004. He thanked Planning staff for working with him on this difficult plan. He accepted staff's

MINUTES - Continued:

conditions. MR. GALATI verified for MAYOR GOODMAN that he has spoken with MONSIGNOR LEARY regarding this project. While MONSIGNOR LEARY still believes there has not been affordable housing in the area, he would not oppose this project.

COUNCILMAN WEEKLY thanked MR. GALATI for working with his office. For years he has expressed concern about this corridor and the City continues taking the burden to provide these types of services. He is pleased with this project, which will be a great addition to the homeless corridor. He asked MR. GALATI to explain the parking variance request and how long will the residents remain in the facility. MR. GALATI indicated that each resident is issued a parking permit to ensure that other people will not park on the site. He pointed out that the Bonanza facility, which is the same size as the proposed project, has never had more than 30 permits issued at any one time. He pledged that if the parking becomes a problem, additional parking would be added in their next phase. COUNCILMAN REESE verified that the parking lot at the Bonanza Facility has not had more than three or four cars in the parking lot.

MR. GALATI indicated that this permanent affordable housing project does not have any condition regarding how long someone could remain in this facility. He hopes that this is a steppingstone for residents to be able to move out into market-rate rental housing. There are many Veterans in the St. Vincent and the Bonanza View facilities that have two-year stays. At the end of the two years, if they still need additional counseling, this project will be a great place for those people to move into.

Subsequent to the vote, ROBERT GENZER, Director, Planning and Development Department, indicated that on Item 86 [SDR-5481] the date needed to be amended on Condition 2. COUNCILMAN WEEKLY reconsidered Item 86 [SDR-5481] to amend Condition 2 to reflect the revised plans submitted December 22, 2004.

No one appeared in opposition.

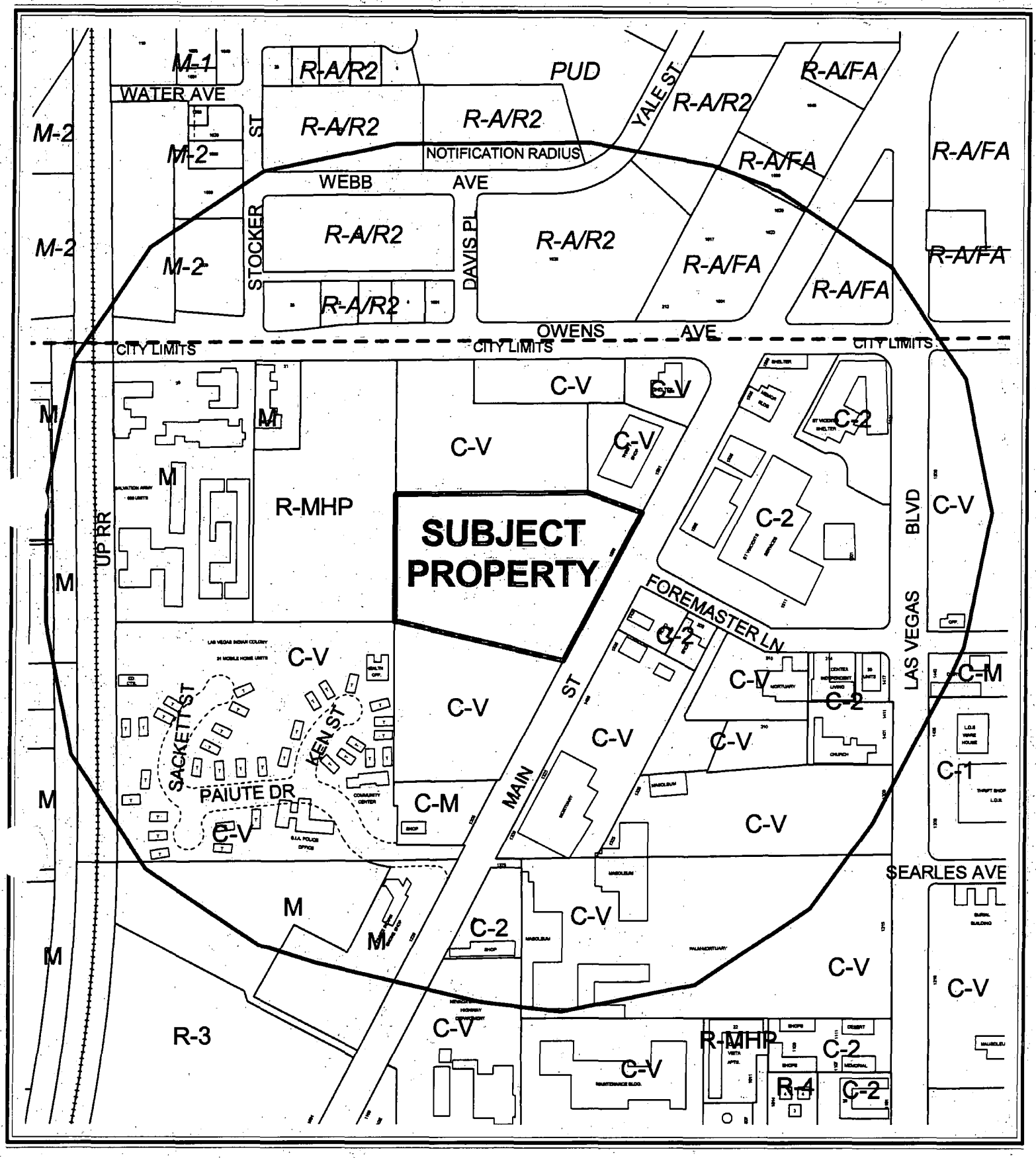
MAYOR GOODMAN declared the Public Hearing closed on Item 85 [VAR-5483] and Item 86 [SDR-5481].
(2:07 - 2:14/2:16 - 2:17)
3-2144/3-2558

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5481.

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



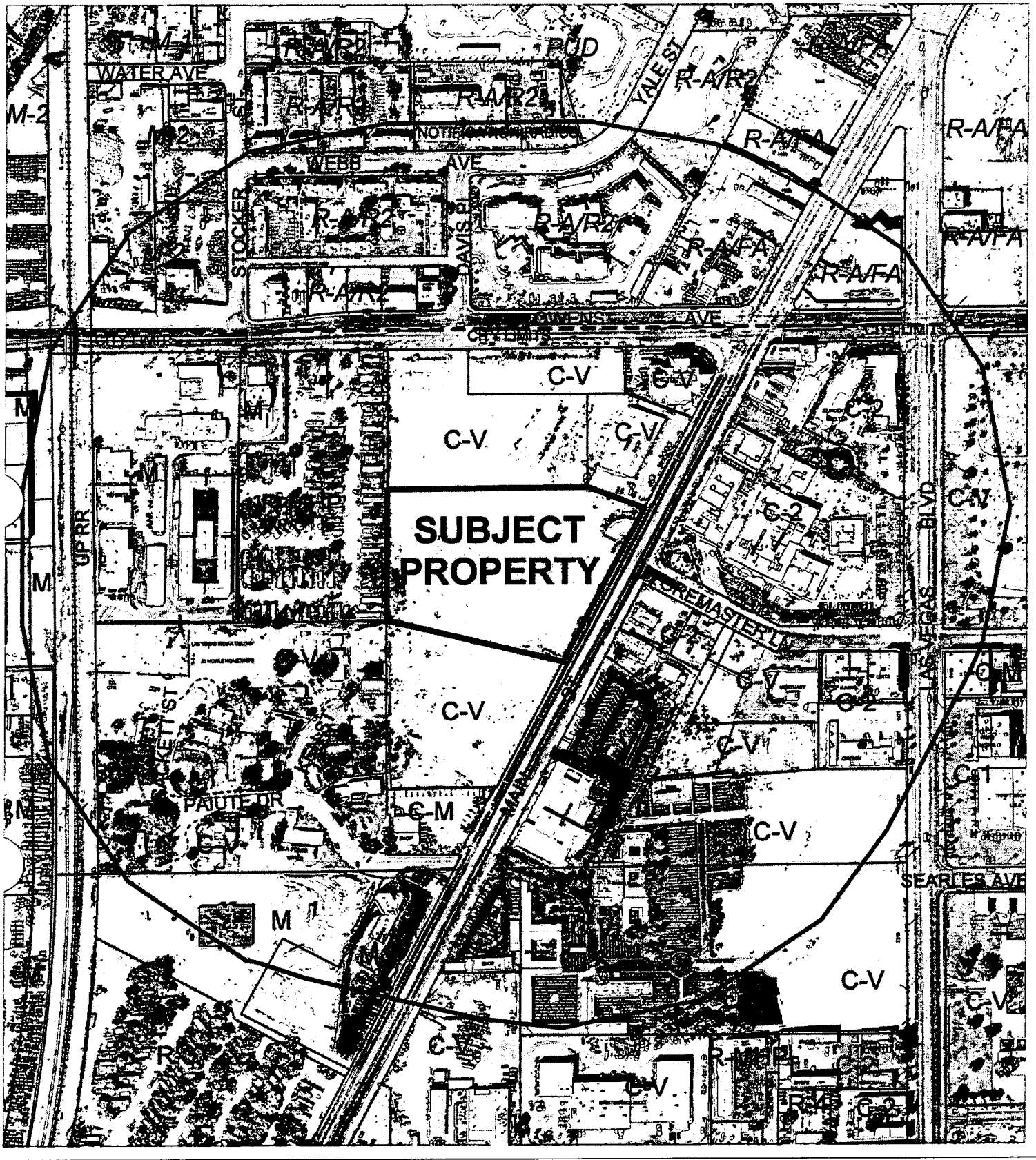
CASE: **VAR-5483**

RADIUS: 900 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 300 600 Feet

N



CASE: **VAR-5483**

RADIUS: 900 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 5, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5483 - APPLICANT: H.E.L.P. DEVELOPMENT CORP. – OWNER: CITY OF LAS VEGAS

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5481.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow 50 parking spaces where 107 spaces is the minimum required for a proposed multi-family development on 4.84 acres adjacent to the west side of Main Street, approximately 500 feet south from the intersection of Main Street and Owens Avenue.

B) Applicant's Justification

HELP currently operates a similar project located at Bonanza and 28th Street. This project also serves similar clientele. HELP has a policy to issue parking permits to park onsite at their facilities. Over the past two years HELP has issued less than 30 permits to park at the existing facility.

BACKGROUND INFORMATION

A) Previous Actions

12/17/98 The City Council approved a Special Use Permit (U-0146-98) for a transitional housing facility. The Planning Commission and Staff recommended approval.

02/22/99 The City Council approved a Special Use Permit (U-0146-98) for a homeless shelter with long and short-term transitional housing, administrative offices, ancillary childcare, and medical clinic facilities in conjunction with an existing 40,377 square-foot transitional living center. The Planning Commission and Staff recommended.

07/28/04 A Parcel Map (PMP-3847) for the subject site was released for recordation.

08/18/04 The City Council approved General Plan Amendment GPA-4607 to change the land use from PF (Public Facilities) to H (High Density Residential). The Planning Commission and Staff recommended approval.

08/18/04 The City Council approved Rezoning ZON-4608 the change the zoning of the site from C-V (Civic) to R-5 (Apartment). The Planning Commission and Staff recommended approval.

12/02/04 The Planning Commission recommended approval of a related Site Development Plan Review (SDR-5481) for a 75-unit single room occupancy housing complex as a companion to this item.

12/02/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #39/kw).

B) Pre-Application Meeting

10/13/04 Elements of a Variance application were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 4.84

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped, Thrift Shop
South:	Undeveloped
East:	Auto Shops
West:	Mobile Homes

C) Planned Land Use

Subject Property:	H (High Density Residential)
North:	H (High Density Residential)
South:	PF (Public Facilities)
East:	PF (Public Facilities) GC (General Commercial)
West:	M (Medium Density Residential)

D) Existing Zoning

Subject Property:	C-V (Civic) under Resolution of Intent to R-5 (Apartment)
North:	C-V (Civic) under Resolution of Intent to R-5 (Apartment) C-V (Civic)
South:	C-V (Civic)
East:	C-V (Civic) C-2 (General Commercial)
West:	R-MHP (Residential Mobile / Manufactured Home Park)

E) General Plan Compliance

This site is designated H (High Density Residential) on the Southeast Sector Plan of the General Plan. This land use category permits medium to high-density residential development with densities greater than 18 dwellings units per acre. The land use allows residential planned development and other urban residential developments. This Variance request is not directly related to specific policies of the General Plan.

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

Special Notification

Property located within the notification radius falls within sections of the City of North Las Vegas. The North Las Vegas Planning Department has been notified of the variance application.

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
Studio/ One Bedroom	N/A.	1.25 Spaces per Occupant One guest space per six units	93.7 12.5	5		
Totals			106.2	5	50	4

The subject application proposes less than half of the required parking spaces for the residential project.

B) General Analysis and Discussion

On April 7, 2004, the City of Las Vegas entered into an Option Agreement with the HELP Las Vegas Housing Cooperation for the purpose of developing 300 affordable housing units on 4.84 acres of the subject site. The site's proximity to the St. Vincent's Rescue Mission/Homeless Shelter, the Shade Tree Women's Shelter, and Salvation Army Family Center makes it an ideal location for a low-income housing development. The conceptual site plan depicts the first two phases of a five-phase low-income apartment complex, which consists of 89 units on 2.14 acres. Three two-story buildings are depicted, and the site will receive access via two drives from North Main Street.

Per the parking calculations for Residential and Lodging Use under the heading of Studio and one Bedroom, Multi-family and Condominium Developments the first phase of this project would require 107 parking spaces. The owner is requesting a variance to install 50 parking stalls in the first phase based on previous operational experiences with these building types and current conditions at other facilities like the proposed in the valley.

FINDINGS

The request for a variance can be supported. The applicant has shown from previous experience that this type of development does not need to be parked to the same extent as other multi-family development and that the amount of parking provided should be sufficent for the proposed use.

NOTICES MAILED 43 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

[redacted]

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5483 APN: 139-27-502-015

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: H.E.L.P. DEVELOPMENT CORP.

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: David Roark

Print Name: David Roark

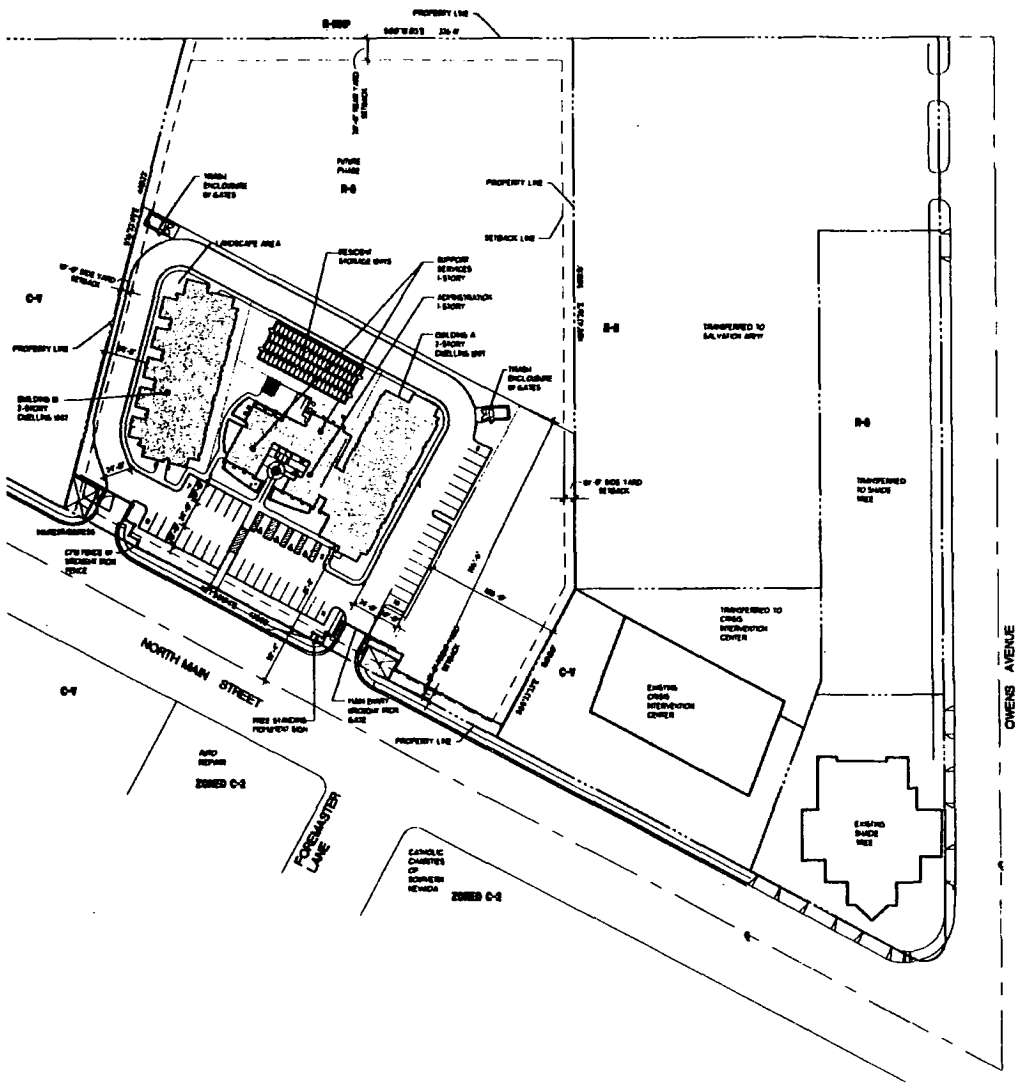
Subscribed and sworn before me

This 18th day of October, 2004

Jill Melone

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
JILL MELONE
No. 99-61648-1 My Appointment Expires Feb. 16, 2007



SITE ANALYSIS PER PHASE I

TOTAL SITE	+/- 4.86 ACRES GROSS
PHASE ONE SITE	+/- 1.87 ACRES
BUILDING S.F. BUILDING A	8,100 S.F.
BUILDING B	22,464 S.F.
MAXIMUM OCCUPANCY PER IBC	38 OCCUPANTS
TOTAL UNITS PER THIS PHASE	19 UNITS
LOT COVERAGE	28.4 PERCENT
GENERAL PLAN	HIGH 21+ DWELLING UNITS / ACRE
CURRENT ZONING	R-3 - RESIDENTIAL
ASSESSOR PARCEL NUMBER	139-27-502-005

SITE ANALYSIS FOR THIS SITE PLAN REVIEW

BUILDING USES

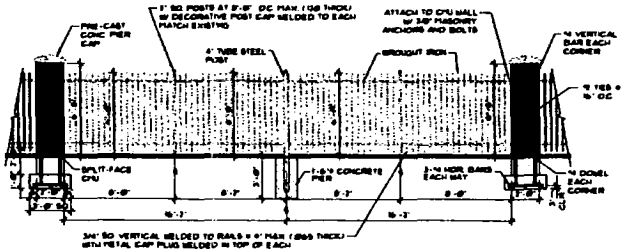
RESIDENTIAL BUILDING

LANDSCAPE AREA

PAVEMENT AREA

PARKING ANALYSIS PER TITLE 19A

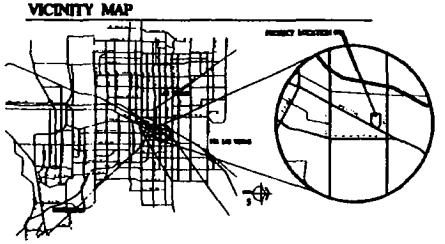
PARKING REQUIRED 1.25 SPACES PER OCCUPANT	37.5 SPACES
+ ONE GUEST SPACE PER EVERY SIX UNITS	0.33 SPACES
TOTAL PARKING SPACES REQUIRED	38.25 SPACES
TOTAL HANDICAP SPACES REQUIRED	1 SPACES
TOTAL PARKING PROVIDED - VARIANCE PENDING	19 SPACES
TOTAL HANDICAP SPACES PROVIDED	1 SPACES



FENCE ELEVATION

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

VICINITY MAP



LEGAL DESCRIPTION

PARCEL 1 IN THE CITY OF LAS VEGAS, COUNTY OF CLARK, AS PER MAP RECORDED IN FILE 107, PAGE 19 OF PLATS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 27, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B.&M.

VAR-5483

SDR-5481

1-5-04 CC

REVISED

REVISED 12-22-04

N

PROJECT NO. 0076-04-001

H.E.L.P. INC. - LAS VEGAS
H.E.L.P. III - LAS VEGAS
REVISED PROPOSED PHASE 1 SITE PLAN

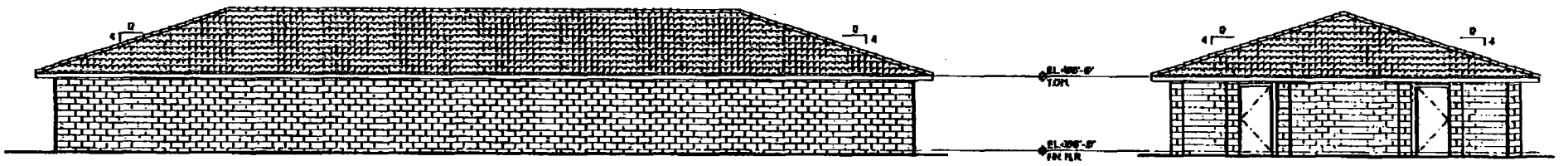
DECEMBER 21, 2004

SCALE: 1" = 50'-0"

LUCCHESI GALATI ARCHITECTS

RECEIVED

DEC 2 9 2004



FRONT / REAR ELEVATION

TYPICAL SIDE ELEVATION

VAR-5483
SDR-5481
1-5-04 CC
REVISED

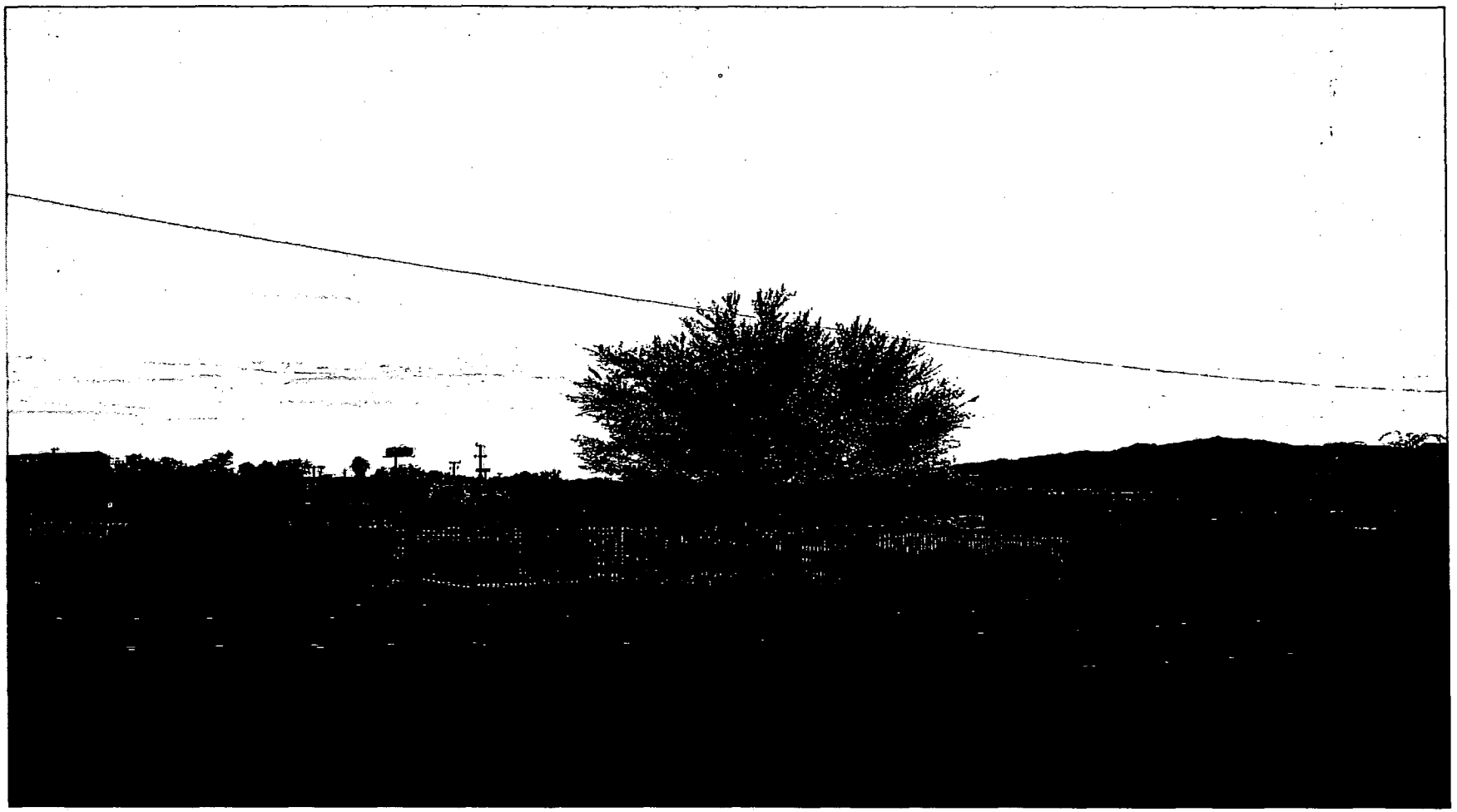
LUCCHESI
•GALATI•
305 PILOT ROAD
SUITE A
LAS VEGAS, NEVADA
89119
(702) 263-7181

PROJECT NAME: H.E.L.P. @ OWENS
PROJECT NO.: 0076-04-002
DATE ISSUED: DECEMBER 22, 2004

REVISED
12-22-04

RECEIVED
DEC 22 2004

SKETCH OF



VAR-5483 - APPLICANT: H.E.L.P. DEVELOPMENT CORP. - OWNER: CITY OF LAS VEGAS
APPROXIMATELY 500 FEET SOUTH OF THE INTERSECTION OF OWENS AVENUE AND MAIN STREET
DECEMBER 2 2004 PLANNING COMMISSION

11/05/04