City of Las Vegas

Agenda Item No.: 21

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SDR-5725 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: NV MORTGAGE, INC - Request for a Site Development Plan Review FOR A 1,660 SQUARE-FOOT OFFICE BUILDING on 0.14 acres at 716 South Jones Boulevard (APN: 138-36-316-009), R-1 (Single Family Residential) under Resolution of Intent to P-R (Professional Office and Parking), Ward 1 (Moncrief).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that the present site configuration of the building does not allow for the required setbacks.

WILLIAM SMILEY, 6418 Wild Strawberry Lane, appeared on behalf of his son-in-law, the owner of the property. He agreed to all conditions on the application.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:26 – 6:28)

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 21 – SDR-5725

CONDITIONS:

Planning and Development

1. The existing structure, in order to improve the aesthetics and maintain a residential character, shall be repaired prior to the approval of a Certificate of Occupancy of the proposed office.

2. A revised landscape plan shall be submitted to the Planning and Development Department prior to issue of building permits showing an addition of 10 feet to the landscape planter to a total of 15 feet in width along Jones Boulevard with 24-inch box trees a minimum of 20 feet on center, a five foot wide landscape finger with one 24 inch box tree between the parking spaces along the east side, and 24-inch box trees in the planters along the north and south planters. Each 24-inch tree shall have four one-gallon and four five-gallon planted shrubs.

3. Relocate the trash enclosure a minimum of 50 feet from the east residential property line as required by the Planning and Development Department.

4. No outdoor public address system shall be allowed.

5. A loading zone shall be shown on the existing driveway.

6. All development shall be in conformance with the site plan and building elevations, date stamped 11/30/04, except as amended by conditions herein.

7. 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.

8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

9. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said

CONDITIONS - Continued:

maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

10. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

11. Construct a nominal six-foot high block wall along the property lines where such does not currently exist as required by the Planning and Development Department. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.

12. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize shoebox fixtures and downward directed lights. Wall pack lighting shall utilize shoebox fixtures and downward directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened and shall not create fugitive lighting.

13. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

14. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single-family development).

15. All City Code requirements and design standards of all City departments must be satisfied.

16. All outdoor utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

CONDITIONS - Continued:

Public Works

17. Coordinate with the City Surveyor to determine whether a Reversionary Map or other Map is necessary; if such a Map is required, it should record prior to the issuance of any permits for this site.

18. Remove all substandard public street improvements and alley improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

19. If on-street parking is not already prohibited adjacent to this site, submit a written request to the Traffic and Parking Commission to eliminate parking on Jones Boulevard adjacent to this site prior to the issuance of building or offsite permits or the issuance of a business license, whichever may occur first. Comply with recommendations of the Traffic and Parking Commission.

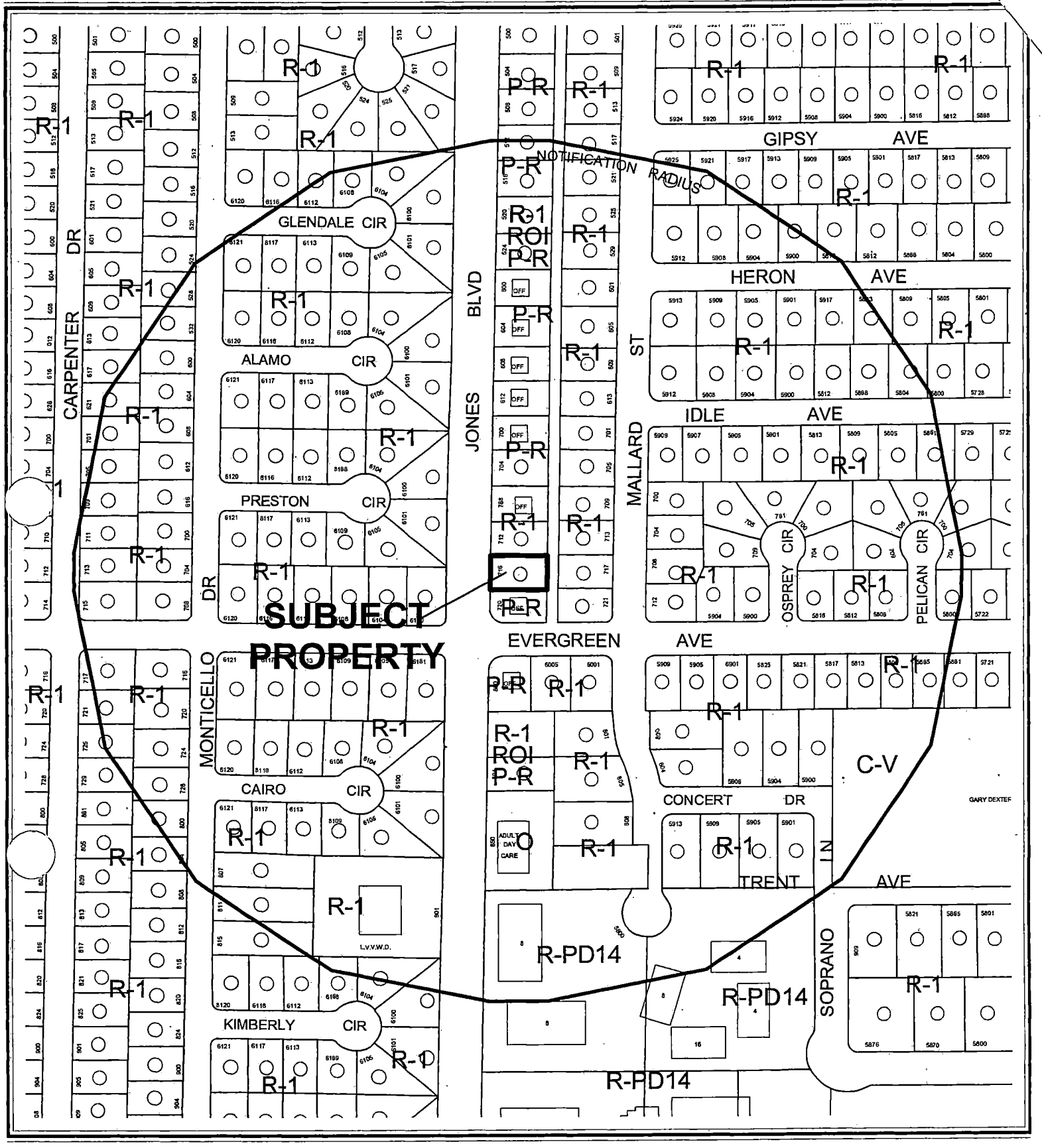
20. In accordance with Rezoning Classification Z-18-91, contribute $1,785.71 for area traffic mitigation prior to the issuance of any permits.

21. Hard Surface and/or landscape all unimproved right-of-way, if any unimproved area exists, on Jones Boulevard adjacent to this site prior to the issuance of a business license. Maintain all such improvements in perpetuity. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

22. Obtain an Occupancy Permit for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site.

23. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

24. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-18-91 and all other subsequent site-related actions.



0 200 400 Feet

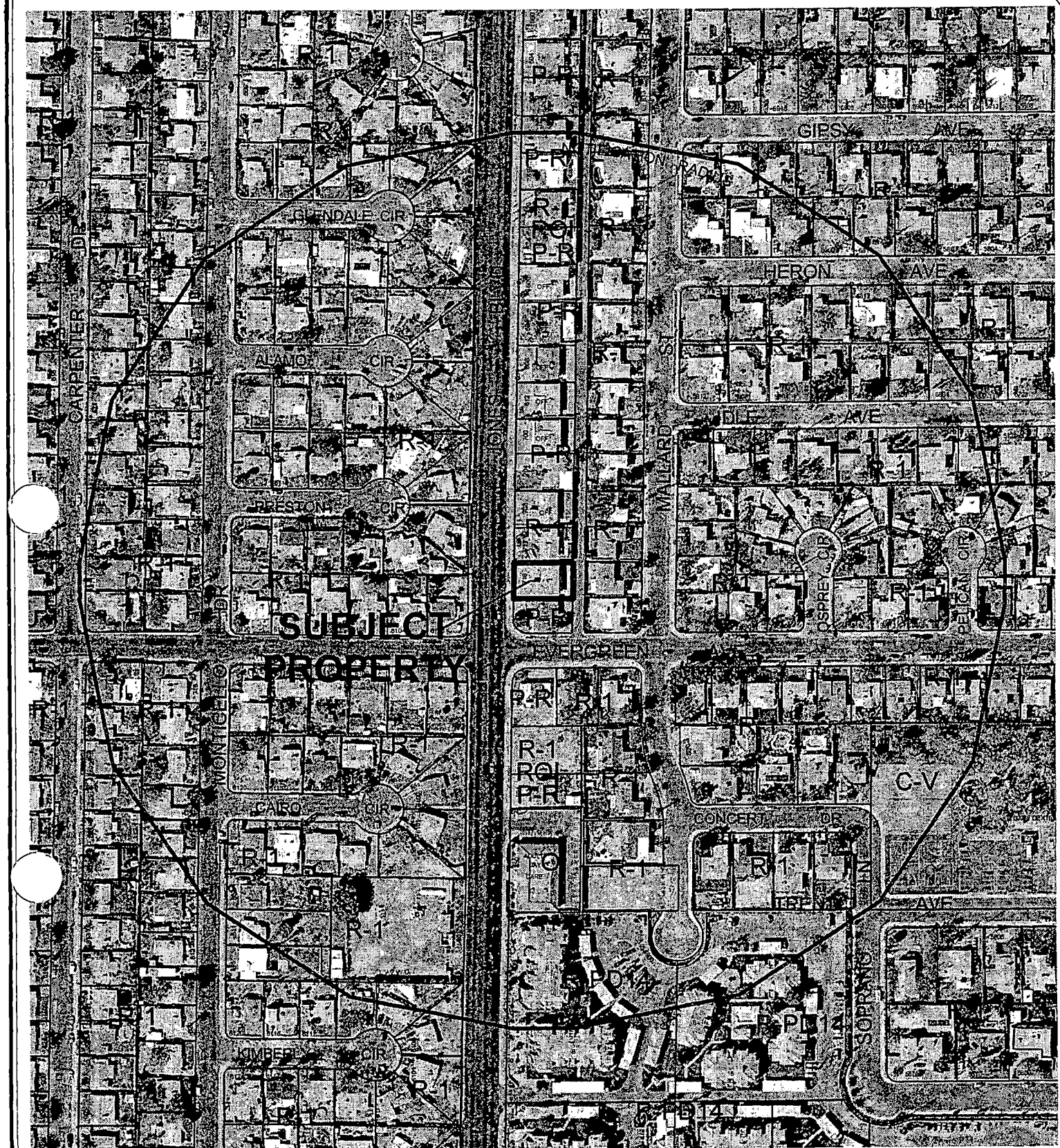
CASE: **SDR-5725**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE-FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO P-R (PROFESSIONAL OFFICE AND PARKING)

N



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N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5725 - APPLICANT/OWNER: NV MORTGAGE, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

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professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

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21. Hard Surface and/or landscape all unimproved right-of-way, if any unimproved area exists, on Jones Boulevard adjacent to this site prior to the issuance of a business license. Maintain all such improvements in perpetuity. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

22. Obtain an Occupancy Permit for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site.

23. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

24. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-18-91 and all other subsequent site-related actions.

KCW

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Site Development Plan Review for a proposed 1,660 square-foot home-to-office conversion on 0.14 acres at 716 South Jones Boulevard.

B) Applicant's Justification

The proposed office will fit into the area like the other commercial/ homes along Jones Boulevard. The Landscaping will be maintained and the hours of operation will in no way disturb the residential properties around since the hours will limited to 8AM to 5PM. The development will be an aesthetically pleasing addition to the neighborhood.

BACKGROUND INFORMATION

A) Previous Actions

4/03/91 The City Council approved a rezoning for this property (Z-18-91) from R-1 (Single Family Residence) to P-R (Professional Offices and Parking) as one of 17 parcels along Jones Boulevard that were part of a joint application. A Condition of Approval required each parcel to receive approval of a Plot Plan and Building Elevation Review prior to development.

B) Pre-Application Meeting

08/13/04 During a pre-application conference with the applicant the following was discussed.

i. SDR needs several waivers
    1. Perimeter landscaping
    2. Buffering
ii. Parking is too close to the alley- shows 19 feet; needs 24 feet
iii. Applicant needs to talk to Public Works about:
    1. Parking off of the alley
    2. Substandard street improvements
    3. Traffic fees and studies

KCW

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.15

B) Existing Land Use

Subject Property:	Single Family Residence
North:	Single Family Residence
South:	Office
East:	Single Family Residence
West:	Single Family Residence

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-1 (Single Family Residential) under Resolution of Intent to P-R (Professional Office and Parking)
North:	R-1 (Single Family Residential)
South:	P-R (Professional Office and Parking)
East:	R-1 (Single Family Residential)
West:	R-1 (Single Family Residential)

E) General Plan Compliance

The site is designated SC (Service Commercial) on the Southwest Sector Land Use Plan Map of the General Plan. The P-R (Professional Office and Parking) Zoning designation is in conformance with the General Plan. The proposed development is appropriate for a lot zoned P-R and conforms to the SC land use designation.

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

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This proposal is not affected by any special plan areas or districts.

PROJECT DESCRIPTION

Seven parcels of those that were part of the rezoning application along Jones Boulevard (Z-0018-91) have received approval of a Site Development Plan Review. All seven of these previous approvals have been conversions of existing single-family dwellings to professional offices like the subject of this request. These conversions are typically 1,200 square-foot buildings with a six-space parking lot. Because the buildings and sites would still be residential in appearance after conversion, the only landscaping requirements were for planter areas along Jones Boulevard.

As to the subject request, the applicant intends to convert the existing single-family residence to an office use. The plan shows the existing attached garage has been converted to be additional interior floor space. A 20-foot wide driveway will be used to provide access from Jones to four parking spaces. The remaining parking will be at the back of the building, accessed from a public alley. Landscaping in planters is shown along portions of the north side, along the street, around the foundation, and the south side of the site.

A five-foot wide landscape planter with trees, shrubs and ground cover is depicted along the Jones Boulevard street frontage. No landscaping is shown along the east property line. A trash enclosure is shown in the northeast corner of the site, adjacent to the north property line. There were no building elevations provided aside for photographs as this is an existing single-family dwelling being converted to an office.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	N/A	Y
Min. Lot Width	60 Feet	63 Feet	Y
Min. Setbacks			
• Front	20 Feet	30 Feet	Y
• Side	5 Feet	6.5 Feet	Y
• Corner	15 Feet	N/A	Y
• Rear	15 Feet	24 Feet	Y

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Max. Lot Coverage	50 %	25%	Y
Max. Building Height	2 Stories or 35 Feet whichever is less	1 Story	Y
Trash Enclosure	Y	Y	Y
Loading Zone	Y	N	N
Mech. Equipment	Screened	Not Shown	Not Shown

The proposal meets the development requirements of Title 19 for a commercial use except for the provision of a loading zone. A condition will be added to address the discrepancy.

A2) Residential Adjacency Standards

The height of the existing building is less than 15 feet, which only requires the building to meet the setbacks of the adjacent property. In this case the building is setback 24 feet from the east property line, which exceeds the 15 feet required in the adjacent R-1 (Single Family Residential) zoning district; therefore the Residential Adjacency Standards do not apply.

A3) Parking and Traffic Standards

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

Uses	GFA	**Required** Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Office, Other Than Listed	1,660 SF.	1 Space/300 GFA	5	1	6	1

The proposed site plan meets the parking standards of the code.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	**Required** Trees	**Provided**
Parking Area	1 Tree/ 6 Spaces	1 Trees	6
Buffer:			
• Min. Trees- Street	1 Trees/ 20Linear Ft- 63 Ft	3 Trees	
• North Property Line	1 Trees/ 20Linear Ft- 100 Ft	5 Trees	
• South Property Line	1 Trees/ 30Linear Ft- 100 Ft	4 Trees	

KCW

Totals		13 Trees	6 Trees
• Min. Zone Width			
- Front	15 Feet		5.08 Feet
- Sides and Rear	8 Feet		6.5 Feet
• Wall height	6 Feet		Not Shown

The proposal does not meet the requirements for landscaping. A condition will be added to require a revised landscaping plan that would show 13 24-inch box trees in the planters shown on the plan and widen the front planter by eliminating one parking space. The width and location of the planters can be supported considering the space limitations of an existing residential office conversion lot.

A5) Sign Standards

Insufficient information was provided that would facilitate the review of onsite signage pursuant to Title 19.14. Any signage proposed for the site in the future will require a separate review.

B) General Analysis and Discussion

- Zoning

The proposed office is an allowed use in the P-R (Professional Office and Parking) zoning district.

- Site Plan

The proposed development meets the minimum code requirements with regards to lot size, building setbacks and building height. However, the plan does not depict the location of a loading zone. The trash enclosure also needs to be relocated on the lot so it is 50 feet or greater from the residential development to the east. Conditions will be added to address these deficiencies.

- Waivers

No waivers have been requested by the applicant.

- Landscape Plan

A detailed landscape plan was not submitted with this application. The site plan indicates there are areas provided for landscaping around the perimeter of the site. However, the required number trees are not shown, the legend does not show the size of the trees on the plan, and a 5-foot wide planter finger in the parking area is not provided. The amount of landscape planter area is acceptable given the area limitation of a residential to office conversion site.

KCW

- Elevation

There were no building elevations as this is an existing single-family dwelling being converted to an office. Photographs submitted with this application show the single-family dwelling is in need of some exterior repairs. A condition has been added requiring the applicant to make necessary repairs to the existing structure in order to improve the aesthetics and maintain a residential character.

- Floor Plan

The floor plan shows that the whole building will be used as office space except for one restroom. There are two entries, one at the front and one at the back of the building.

FINDINGS

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

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

   The proposed office is appropriate along this segment of Jones Boulevard and is compatible with adjacent development in the area.

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

   The proposed project is not consistent with the General Plan, Title 19, and the Commercial Development Standards with regards to required landscaping, location of the trash enclosure, and provision of a loading zone. Conditions have been added requiring the applicant to revise landscape plan prior to any development activity on this site.

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

   The site will have access to Jones Boulevard, a Primary Arterial (100-foot) on the Master Plan of Streets and Highways, which is adequate to provide access to serve the proposed use. The site access and on-site circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

   There were no building elevations as this is an existing single-family dwelling being converted to an office. Photographs submitted with this application show the single-family dwelling is in need of some exterior repairs. A condition has been added requiring the applicant to make necessary repairs to the existing structure in order to improve the aesthetics and maintain a residential character. The landscaping will be appropriate, subject to compliance to the condition requiring a revised landscape plan.

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;"**

   With the added condition requiring repairs to the existing structure, the building elevations for this development will be harmonious and compatible with development in the area.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

NOTICES MAILED 209

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5725 APN: 138-36-316-009

Name of Property Owner: NV Mortgage Inc. / J. Jake Amos

Name of Applicant: NV Mortgage, Inc / J. Jake Amos

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: J. Jake Amos CEO

Subscribed and sworn before me

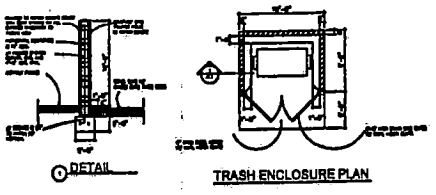
This 29 day of November, 2004

Elizabeth Lynch

Notary Public in and for said County and State

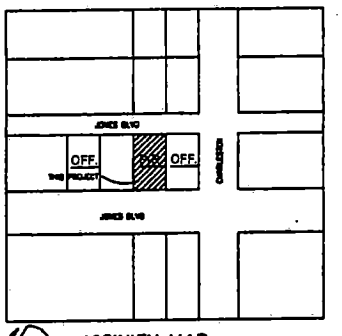
ELIZABETH LYNCH
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 03-09-2008
Certificate No: 04-87980-1

GENERAL CONTRACTOR TO VERIFY
AND COORDINATE ALL UNDER-GROUND
UTILITIES LOCATIONS AND TRENCHES
WITH ALL SUB-CONTRACTORS PRIOR TO EXCAVATION.



DETAIL

TRASH ENCLOSURE PLAN



VICINITY MAP
N.T.S.

NORTH

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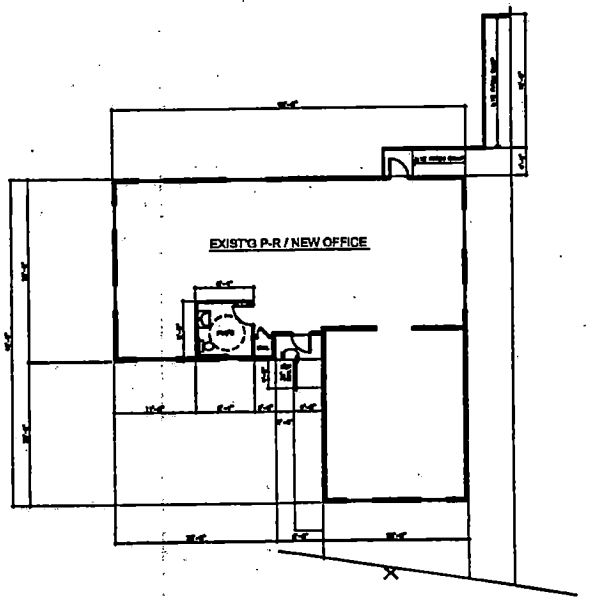
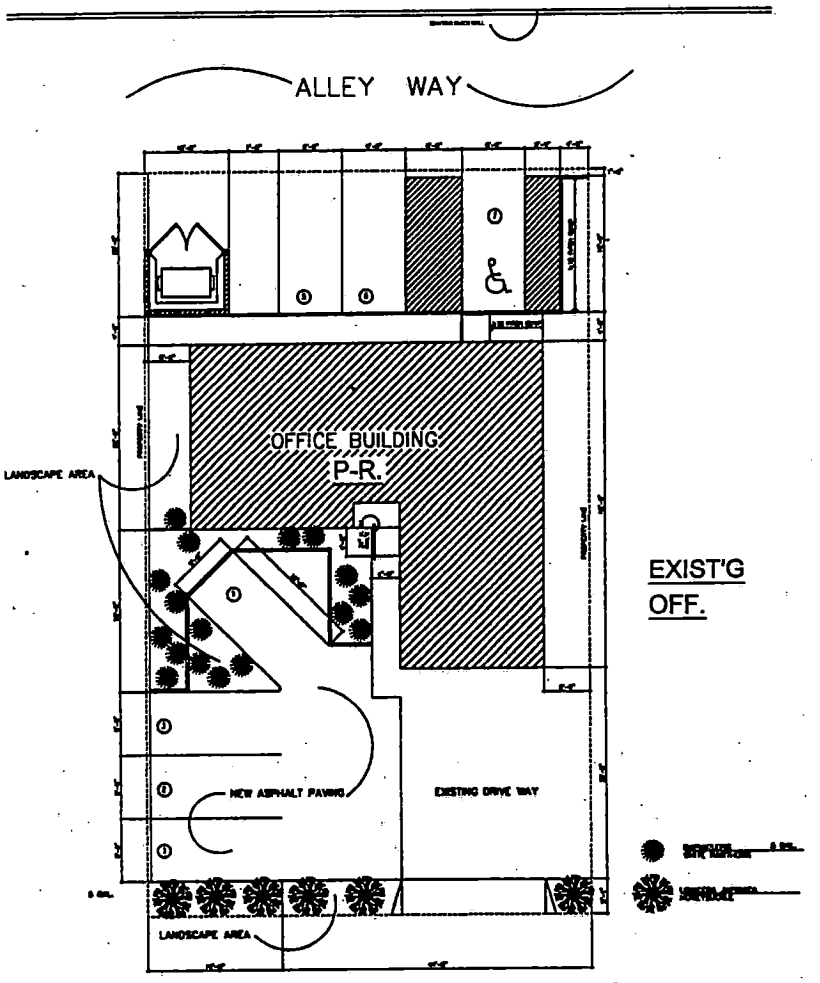
OFF.



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

NORTH



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OFF.

RECEIVED
NOV 30 2004

JONES BLVD

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

NORTH

NOTE:

THIS PROJECT SHALL COMPLY WITH THE 2000IBC, UMC AND UPC AND 1999 NEC, THE 1992 MODEL-ENERGY CODE, AND THE SOUTHERN NEVADA CODE AMENDMENTS.

PROJECT DATA:

CODE ANALYSIS :	IBC 2000
ZONING :	(EXISTING P-R TO OFFICE)
OCCUPANCY :	B
CONSTRUCTION TYPE:	VB
SPRINKLERS :	NO
HEIGHT :	15'
STORIES :	1

PARKING ANALISYS:

1660 SQ. FT. / 300 = 6 SPACES
PARKING PROVIDED: 7 SPACES

A NEW OFFICE AT 716 SOUTH JONES

716 SOUTH JONES
LAS VEGAS, NEVADA

REVISIONS

ACCURATE PATIOS
5000 WEST OAKEY BLVD
LAS VEGAS NEVADA, 89146
OFFICE 702-251-4220

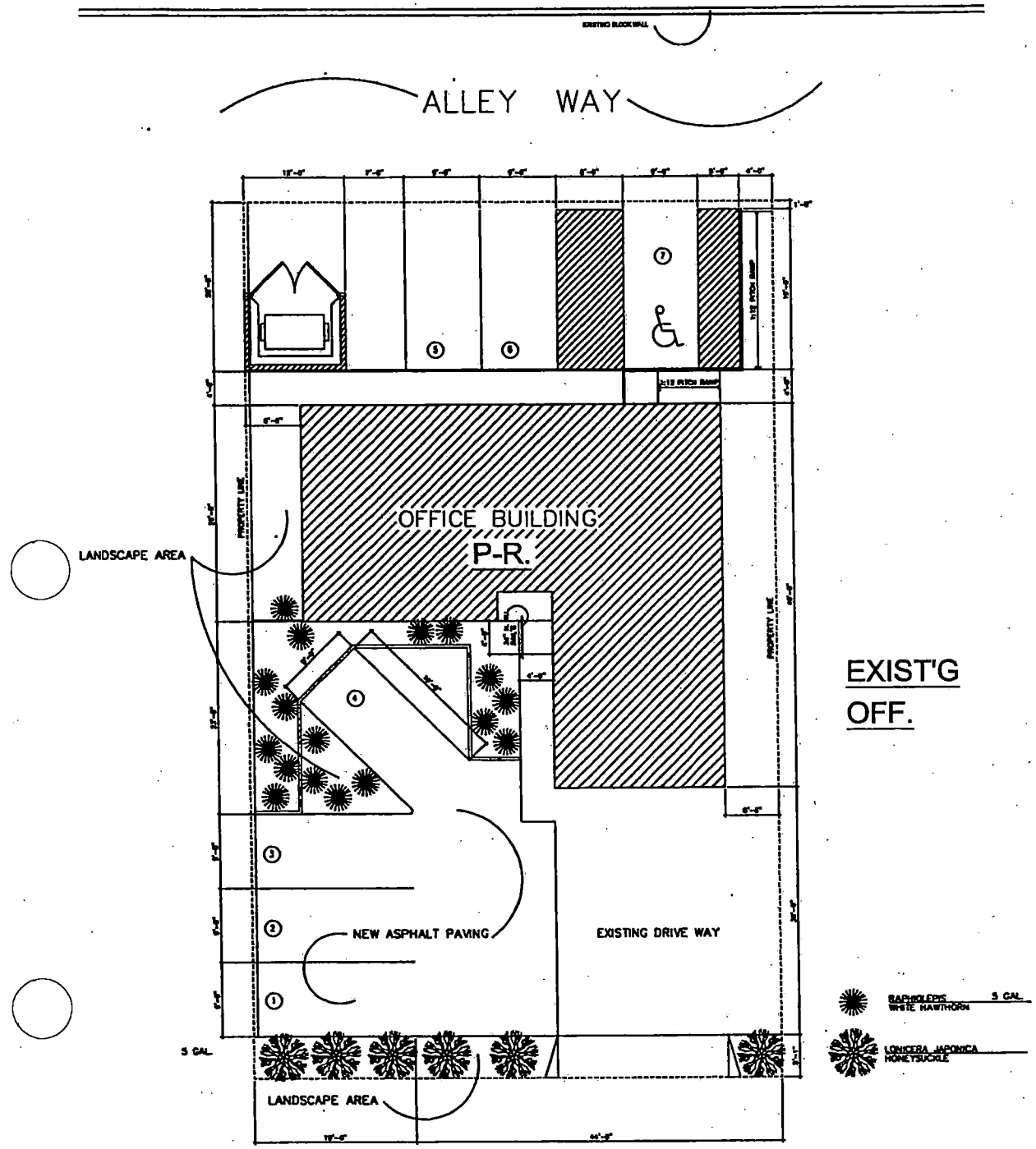
GENERAL CONTRACTOR
LIC. # 50323

DATE: 10-01-2004

SHEET:
A1.1

site plan
10-01-2004

SDR-5725
01-13-05 PC



EXIST'G
OFF.

RECEIVED
NOV 30 2004

site plan
SCALE: 1/16" = 1'-0"

NORTH

NOTE:

THIS PROJECT SHALL COMPLY WITH THE 2000IBC, UMC AND UPC AND 1999 NEC, THE 1992 MODEL-ENERGY CODE, AND THE SOUTHERN NEVADA CODE AMENDMENTS.

SDR-5725
01-13-05 PC

PROJECT DATA:

CODE ANALYSIS :	IBC 2000
ZONING :	(EXISTING P-R TO OFFICE)
OCCUPANCY :	B
CONSTRUCTION TYPE:	VB
SPRINKLERS :	NO
HIEGHT :	15'
STORIES :	1

PARKING ANALISYS:

1660 SQ. FT. / 300 = 6 SPACES
PARKING PROVIDED: 7 SPACES

REVISIONS:
1
2
3

A NEW OFFICE AT 716 SOUTH JONES

716 SOUTH JONES
LAS VEGAS, NEVADA

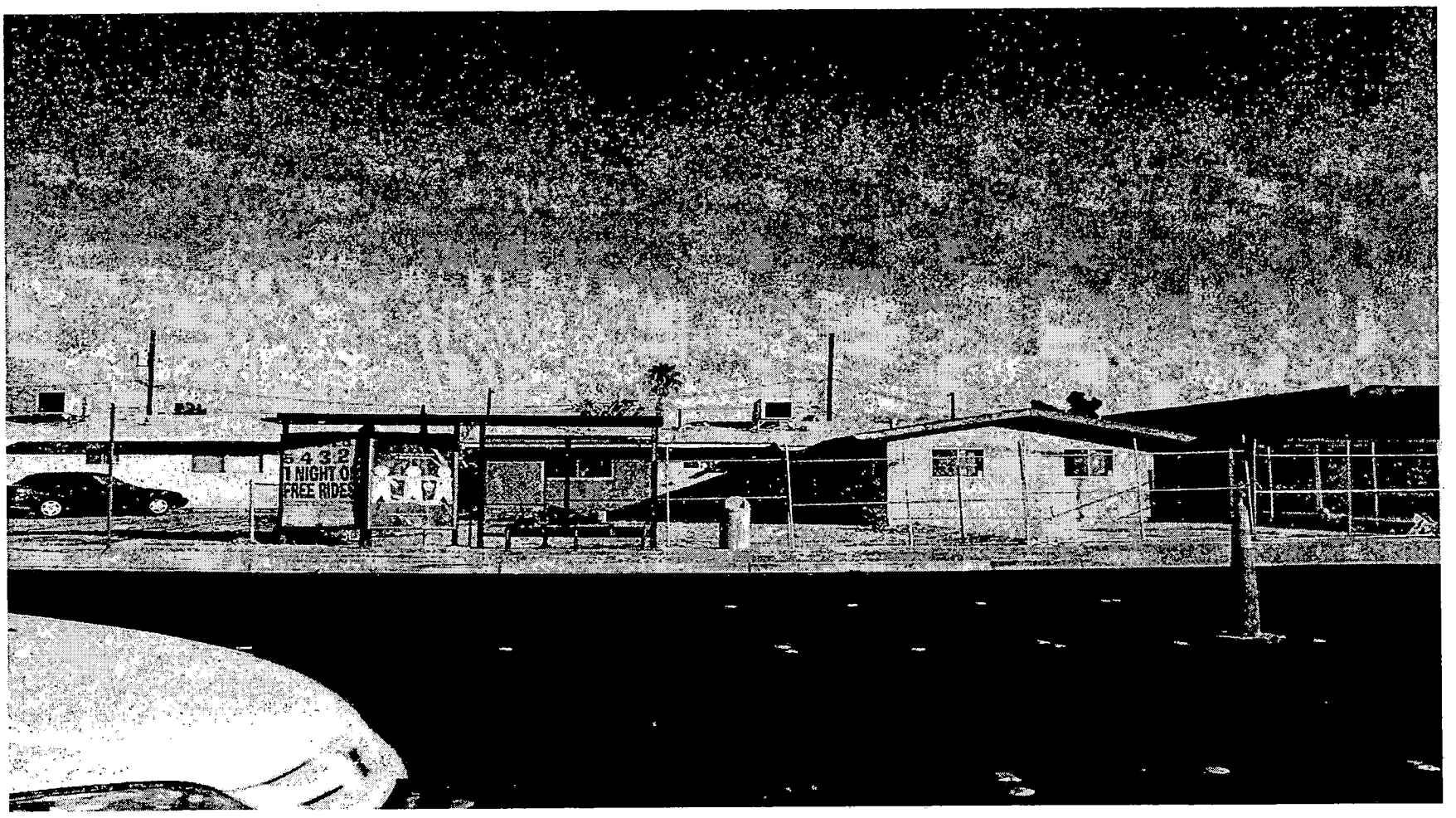
ACCURATE PATIOS
5000 WEST OAKEY BLVD
LAS VEGAS NEVADA, 89146
OFFICE 702-251-4220

GENERAL CONTRACTOR
LIC. # 50323

DATE: 10-01-2004

SHEET:
A1.1

site plan
10-01-2004



SDR-5725 - APPLICANT/OWNER: NV MORTGAGE, INC
716 SOUTH JONES BOULEVARD
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

City of Las Vegas

Agenda Item No.: 22

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SDR-5546 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: VENTURA ENTERPRISES INVESTMENT AND DEVELOPMENT, INC. - Request for a Site Development Plan Review FOR TWO PROPOSED 10,000 SQUARE-FOOT SINGLE-STORY OFFICE BUILDINGS AND WAIVERS OF THE FOUNDATION LANDSCAPING AND TRASH ENCLOSURE REQUIREMENTS on 1.48 acres at 5061 and 5071 North Rainbow Boulevard (APN 125-34-712-011 and 012), C-2 (General Commercial) Zone, Ward 6 (Mack).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that this application is for two, 10,000 square-foot office buildings that are among the last development pieces within this project. Staff is requesting that modifications be made regarding the landscaping plan to address the number of trees and the berm that is required for the parking lot screening. With the requested changes, staff finds the request appropriate and that the development fits within the context of the existing development.

MINUTES – Continued:

CHAIRMAN TRUESDELL requested the applicant or the applicant's representative come forward, there was none present. CHAIRMAN TRUESDELL then confirmed with MR. LEOBOLD that the applicant had spoken with staff and was aware of all conditions and concurred with them. MR. LEOBOLD stated there was a letter on file from the applicant agreeing to all conditions.

COMMISSIONER STEINMAN asked why the item was pulled from the One Motion One Vote portion of the agenda. MR. LEOBOLD explained that letters of objection were received after the agenda was published and with protests filed against it, an item cannot remain on One Motion One Vote. COMMISSIONER STEINMAN wanted to be sure that the application was required to have a trash enclosure and that landscaping was required. MR. LEOBOLD said he was correct.

MR. LEOBOLD added that the applicant was told they should have a representative present in case there were last minute objections; however, since the item was originally on the One Motion One Vote agenda, perhaps they felt it was not necessary.

CHAIRMAN TRUESDELL clarified that the One Motion One Vote portion of the agenda does require the applicants to have a letter of concurrence on file prior to the hearing date. Regardless of this fact, staff does encourage the applicant to have a representative in attendance in case there are problems at the meeting.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:28 – 6:31)

1-806

CONDITIONS:

Planning and Development

1. Prior to the issuance of building permits, a revised site plan must be submitted to and approved by the Department of Planning and Development showing a loading zone for the buildings.

2. The landscape plan shall be revised and approved by staff prior to the time application is made for a building permit, to reflect minimum 24-inch box trees 20 feet on center along Rainbow Boulevard and a minimum of four five-gallon and four one-gallon shrubs for each tree within the planters along the front the site. A three-foot tall landscaped parking lot screening berm shall be shown on the landscaping plan.

CONDITIONS – Continued:

3. All development shall be in conformance with the site plan and building elevations, dated 10/29/04, except as amended by changes by these conditions.

4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

5. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

6. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

7. 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.

8. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site.

9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a

CONDITIONS – Continued:

satisfactory manner. Failure to property maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.

10. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of abutting streets.

11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize shoebox fixtures and downward directed lights. Wall pack lighting shall utilize shoebox fixtures and downward directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened and shall not create fugitive lighting.

12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050

13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. In particular, the north wall of the site must be developed so as to eliminate impacts to residential areas to the north. Wall heights shall be measured from the side of the fence with the least vertical exposure above finished grade.

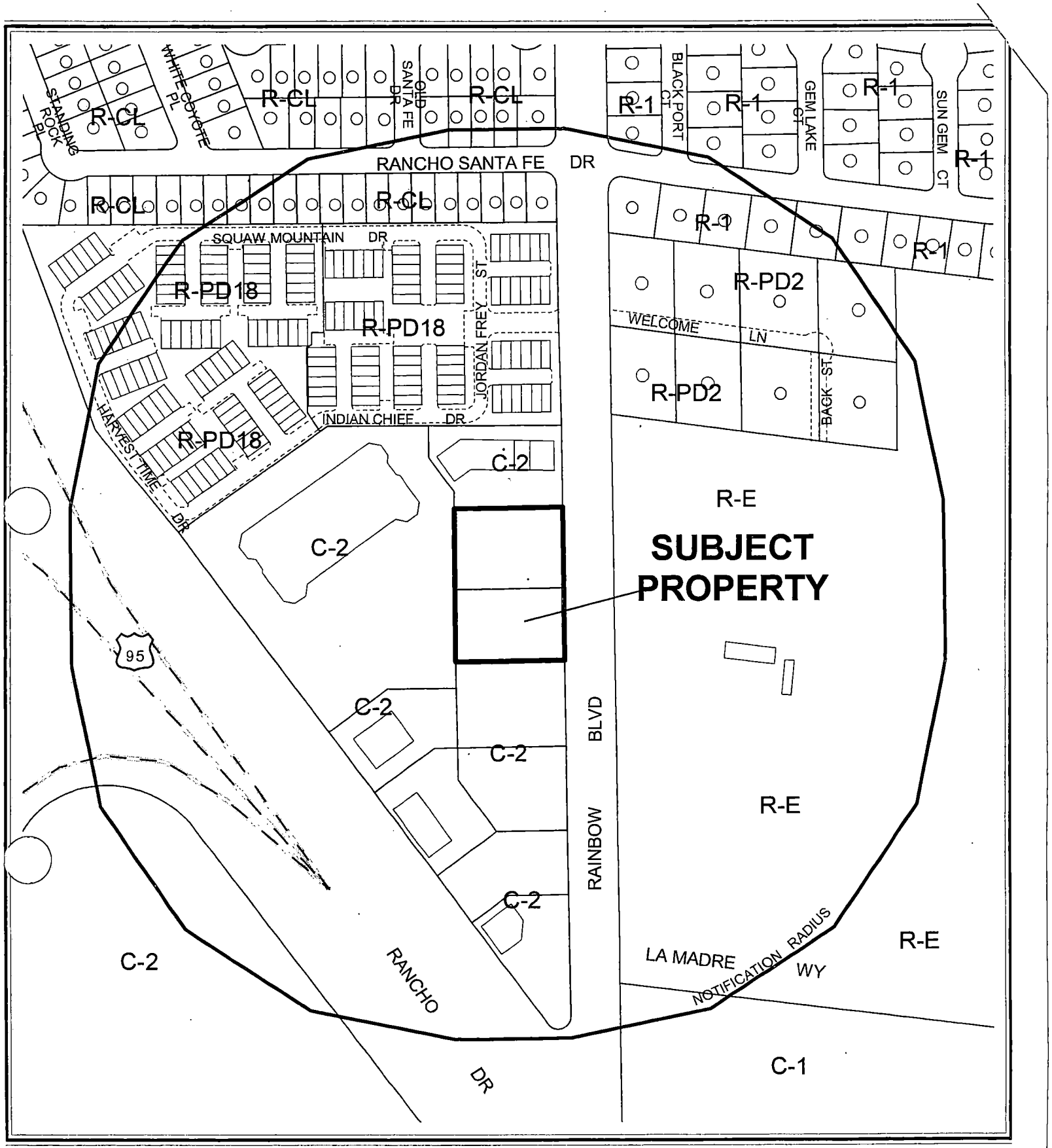
14. All City Code requirements and design standards must be satisfied.

Public Works

15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

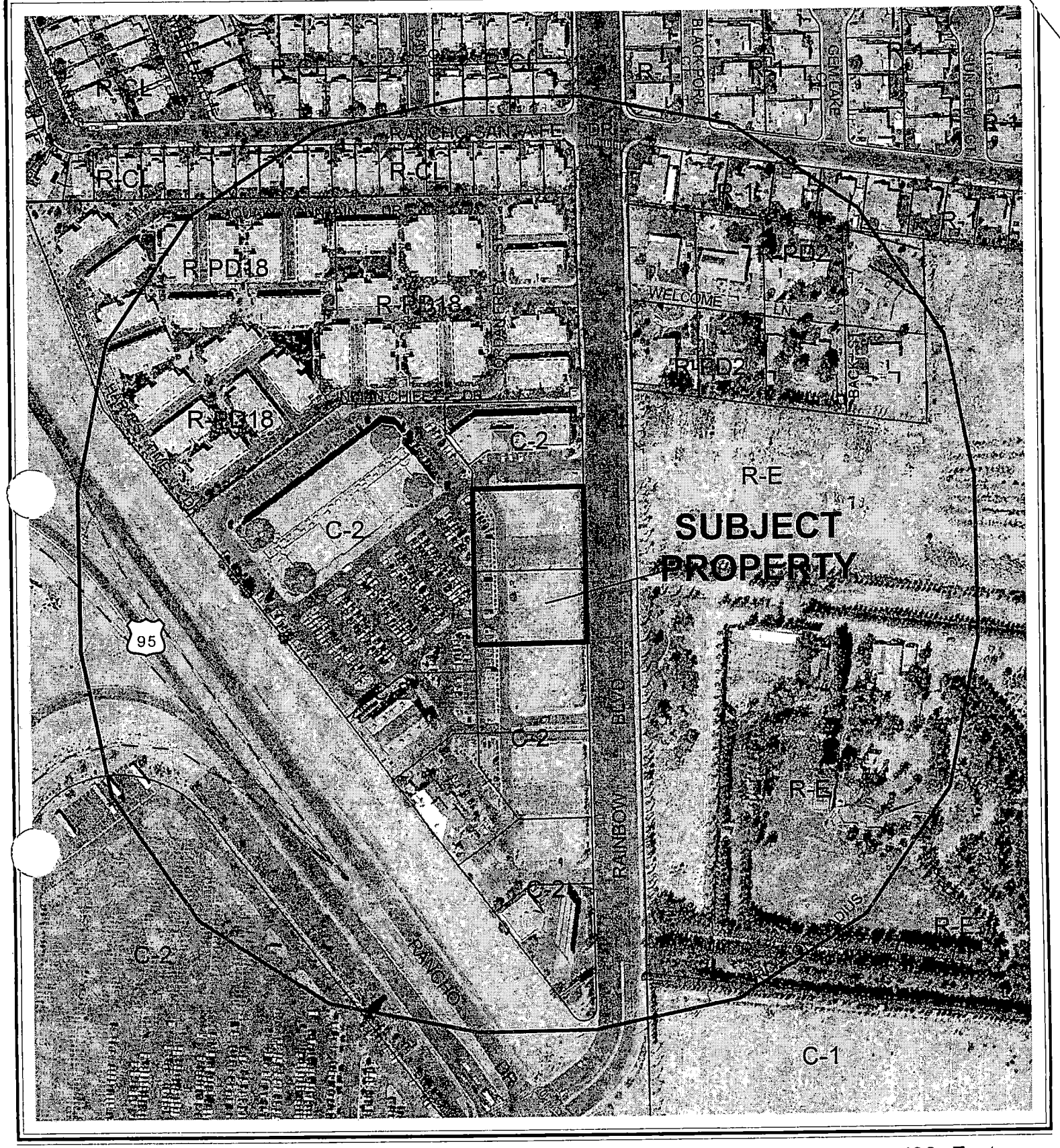
16. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits. Provide and improve all drainageways as recommended in the approved drainage plan/study.

17. Site development to comply with all applicable conditions of approval for Z-4-92, Rancho Santa Fe Center (commercial subdivision) and all other applicable site-related actions.



CASE: **SDR-5546**

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



0 200 400 Feet

CASE: **SDR-5546**

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5546 - APPLICANT/OWNER: VENTURA ENTERPRISES INVESTMENT AND DEVELOPMENT, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. Prior to the issuance of building permits, a revised site plan must be submitted to and approved by the Department of Planning and Development showing a loading zone for the buildings.

2. The landscape plan shall be revised and approved by staff prior to the time application is made for a building permit, to reflect minimum 24-inch box trees 20 feet on center along Rainbow Boulevard and a minimum of four five-gallon and four one-gallon shrubs for each tree within the planters along the front the site. A three-foot tall landscaped parking lot screening berm shall be shown on the landscaping plan.

3. All development shall be in conformance with the site plan and building elevations, dated 10/29/04, except as amended by changes by these conditions.

4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

5. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

KCW

6. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

7. 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.

8. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site.

9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to property maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.

10. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of abutting streets.

11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize shoebox fixtures and downward directed lights. Wall pack lighting shall utilize shoebox fixtures and downward directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened and shall not create fugitive lighting.

12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050

13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. In particular, the north wall of the site must be developed so as to eliminate impacts to residential areas to the north. Wall heights shall be measured from the side of the fence with the least vertical exposure above finished grade.

14. All City Code requirements and design standards must be satisfied.

Public Works

15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

16. 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. Provide and improve all drainageways as recommended in the approved drainage plan/study.

KCW

17. Site development to comply with all applicable conditions of approval for Z-4-92, Rancho Santa Fe Center (commercial subdivision) and all other applicable site-related actions.

KCW

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review for two proposed office buildings totaling 20,000 square feet on 1.48 acres in a commercial development adjacent to the northwest corner of Rainbow Boulevard and Rancho Road.

B) Applicant's Justification

The appearance of the exterior will be modern in nature. The owner intends to sell the spaces as office condominium properties. The applicant is not requesting waivers. The development is designed to comply with the covenants and the city's guidelines. It is proposed that the trash enclosure be built the match the others.

BACKGROUND INFORMATION

A) Previous Actions

03/18/92	The City Council approved the request for reclassification to C-2 (General Commercial) (Z-0004-92).
04/07/93	The City Council approved the request for an Extension of Time as recommended by the Planning Commission under case Z-0004-92(1).
06/15/94	The City Council approved the request for a Plot Plan and Building Elevation Review for 168 condominium units on a portion of the site under case Z-0004-92 (2).
07/06/94	The City Council approved the request for a Plot Plan and Building Elevation Review of a proposed commercial shopping center on a portion of the site under case Z-0004-92(3).
10/13/94	The Planning Commission approved a Plot Plan and Building Elevation Review for a temporary off-site sales trailer on a portion of the property under case Z-0004-92 (4).

KCW

07/19/95 The City Council approved a request for a Plot Plan and Building Elevation Review [Z-0004-92(5)] for a proposed Tavern on a portion of the site. The Planning Commission and Staff recommended approval.

05/11/95 The Planning Commission approved a Plot Plan and Building Elevation Review [Z-0004-92(6)] for a Convenience Store with Gasoline and Beer and Wine Sales on a portion of the property. Staff recommended approval.

11/09/95 The Planning Commission approved a Plot Plan and Building Elevation Review [Z-0004-92(7)] for a retail center located on a portion of the property. Staff recommended approval.

02/22/96 The Planning Commission approved a Plot Plan and Building Elevation Review Z-0004-92(8) for proposed commercial on a portion of the property. Staff recommended approval.

02/02/00 The City Council approved a Variance (V-0081-99) on property located on the west side of Rainbow Boulevard, north of the intersection with Rancho Drive to allow 674 parking spaces where 1,094 parking spaces are the minimum allowed. The Board of Zoning Adjustment and staff recommended approval.

B) Pre-Application Meeting

10/15/04 During the pre-application conference with the applicant the following was discussed.

- The Rancho Santa Fe Center Subdivision assigned addresses of 5071 and 5061 N. Rainbow Boulevard.
- Overall site approved by Z-0004-92 (3).
- Public Works: updates to the TIA and flood study may be required.
- Parking variance V-0081-99 reduced the parking requirements of the site.
- The size of the buildings has been reduced from the time of the variance.
- Fewer parking spaces will be required.
- Landscaped planter islands (the entire length of the space or rows of planters separating parking) will be required.

C) Neighborhood Meetings

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

KCW

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.48

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial)
South:	C-2 (General Commercial)
East:	R-E (Residence Estates)
West:	C-2 (General Commercial)

E) General Plan Compliance

The site is located within the area covered by the Centennial Hills Sector Plan of the General Plan. The Centennial Hills Interlocal Land Use Plan Map of the Centennial Hills Sector Plan currently designates this site as GC (General Commercial). The current zoning of C-2 conforms to the GC land use designation and the proposed development is consistent with the C-2 zoning and therefore the GC land use designation.

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

There are no special area plans or overlay districts that affect the this site.

KCW

PROJECT DESCRIPTION

The project consists of two 10,000 square-foot single-story office buildings, located approximately mid block between the intersection of Rainbow Boulevard and Rancho Drive and the adjacent residential development to the north, along the west side of Rainbow. The two buildings are located up to the setback line along the street with landscaping in the setback area. The parking for the buildings will be to the north and west of the buildings. Vehicular access to Rainbow will be via shared accesses north and south of the buildings.

The buildings currently proposed may be divided into independent business units.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	64,469 Sq. Ft.	Y
Min. Lot Width	100 Feet	215 feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	15 Feet	Y
• Corner	15 Feet	N/A	Y
• Rear	20 Feet	N/A	Y
Max. Lot Coverage	50 %	31%	Y
Max. Building Height	None	28.5 Feet	Y
Trash Enclosure	Enclosed and roofed	Shown	Y
Loading Zone	Yes	Not Shown	N

The proposal meets the requirements of the Commercial Standards of Title 19 except for the provision of a loading zone. A condition will be added to require an update of the site plan to show the loading zone.

A2) Residential Adjacency Standards

The Residential Adjacency Standards, pursuant to Title 19.08, do not apply to the subject proposal.

KCW

A3) Parking and Traffic Standards

The proposal meets the requirements for parking per the Variance for parking application V-0081-99.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	6 Trees/ 1 Space	8 Trees	10
Buffer: • Min. Trees	1 Trees/ 20 Linear Feet	15 Trees	12
• Min. Zone Width	15 Feet		22 Feet
• Wall height	6 Feet		Not Shown
• 3 Ft Tall Berm Parking Lot Screen	80 Feet		Zero

The proposal does not meet the requirements of Title 19.12 and the Landscape, Wall and Buffer Standards as the landscape plan shows 12 24-inch box trees along Rainbow when 15 is required and the parking lot screen is not labeled on the plan. Approval of this application will be conditioned to require a revised landscape plan that shows these features.

A5) Sign Standards

Insufficient information was provided that would facilitate the evaluation of signage for the development. Review of signage will take place by separate application.

B) General Analysis and Discussion

- Zoning

The proposed site plan conforms to the regulations of the C-2 (General Commercial) Zoning District.

- Site Plan

The site plan shows a total of 20,000 square feet of proposed office development in two one-story buildings to be in addition to the existing commercial onsite. The buildings are oriented to Rainbow Boulevard at the approximate center of the site along Rainbow. The buildings are positioned up to the 20-foot setback from Rainbow.

KCW

Parking areas are primarily behind the buildings with some of the parking north of the two pads adjacent to the secondary entrance of the overall site. Vehicular access into the site from Rainbow will be via shared accesses to the north and south of the proposed buildings. A separate application to identify signage on the site will need to be submitted by the applicant.

- Waivers

No Waivers have been requested as part of this application.

- Landscape Plan

The landscape plan conforms to Title 19.12 and the Landscape, Wall and Buffer Standards except for the number trees along Rainbow and lack of information on the plan about the required three-foot tall parking lot screening berm that should be shown between the north portion of the parking lot and the street.

- Elevation

The building elevations show single story buildings with hipped roofs and entry doors and display windows on all four sides of the exteriors. The elevations are compatible to the existing development around the site.

- Floor Plan

The floor plan shows interior design typical to this type of use. The interiors show that the floor area can be divided into individual suites.

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 an office complex that will be compatible with commercial development to the west, east and south of the site.

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

The proposed development is consistent with the General Plan. With compliance with the condition of approval addressing modifications to the landscape plan the proposal will conform to Title 19 and the Landscape, Wall and Buffer Standards.

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

The subject site has access to Rainbow Boulevard, designated as a Primary Arterial (100-foot) on the Master Plan of Streets and Highways. Rainbow Boulevard will be adequate to meet the requirements of the proposed zoning district.

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

The building and landscape materials are appropriate for this type of development.

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

The building elevations are typical of office and retail developments in this vicinity and will be compatible with surrounding development.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 211

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5546 APN: 125-34-712-011 & 012

Name of Property Owner: VENTURA ENTERPRISES

Name of Applicant: SAM VENTURA

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: SAMUEL VENTURA

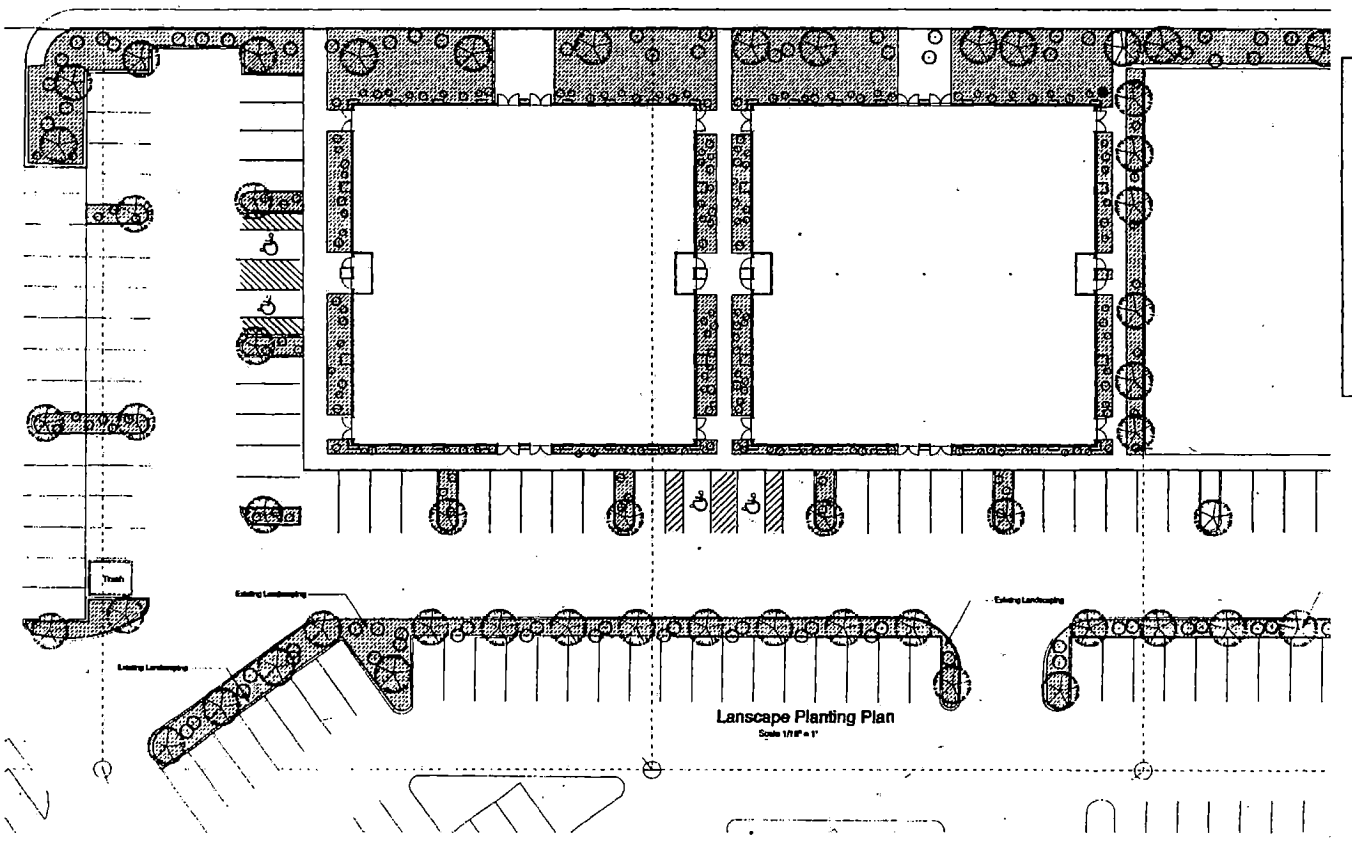
Subscribed and sworn before me

This 1st day of NOV, 2004

Tamara F. Sloan

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
TAMARA F. SLOAN
No: 00-61535-1
My Appointment Expires Aug. 12, 2008



Lanscape Planting Plan

Scale 1/16" = 1'

Planting Legend

Alternative:
Texas Honey Mesquite, (prosopis glandulosa) 24" Box and
Desert Willow (chilopsis linearis) 24" box

Alternative:
1. 7 Texas Ranger (leucophyllum laevigatum) 5 gal and
2. Cenizo (Leucophyllum candidum) 5 gal
Or Grande Equivalent as allowed by the City of Las Vegas Development Standard's Density Chart for 3 to Each Required Tree - Shrubs in excess of this amount may be of smaller size or they may be omitted. Irrigation systems will be installed to provide adequate water for plants that are in place as of the final inspection.

● Ornamental Grass 5 Gal

Decomposed Granite (rock mulch over weed barrier fabric with a minimum 2" layer of 1 per 100 s.f. of Each area (Shrubs/ground cover) and planting constitute mad with natural grade of community (commercial, office/retail, and public transportation zones allow rock mulch)

D. W. Strait, AIA
Architecture & Planning

Office Shell Building
@ Rancho Destin Pk. Center
APN # 125-04-713-011 and 125-04-713-018

Planting Plan

SHEET TITLE

REVISED DESCRIPTION DATE BY

DATE:
JOB #
SCALE:
DRAWN:
DESIGNED:
CHECKED:
SHEET

LS1

SDR-5546
01-13-05 PC

D. W. STRAIT Architecture & Planning
101. W. Brooks Ave. Suite C • N. Las Vegas • Nevada 89030
Tel (702) 657-0684 • Fax (702) 657-0936 • Email: dave@dwstralt.mpowermail.com

Letter of Justification

October 29, 2004

To: City of Las Vegas Planning Commission
Subject: Justification for Design Review
for Office Shell Buildings as Rancho Santa Fe
At APN 125-34-712-011 and 125-34-712-012

Proposal
Currently the properties are developed earth pads in a commercial subdivision with joint use of common area parking and amenities as set forth in covenants.

1. The applicant is requesting a Design Review of the two Single Story Commercial Building Shell. Exterior appearance will be modern in nature. The intended occupancy is for professional offices. The owner intends to sell the spaces as office condominium properties.

2. The applicant is requesting no Waiver of condition except as previously granted as a variance for reduced onsite parking.

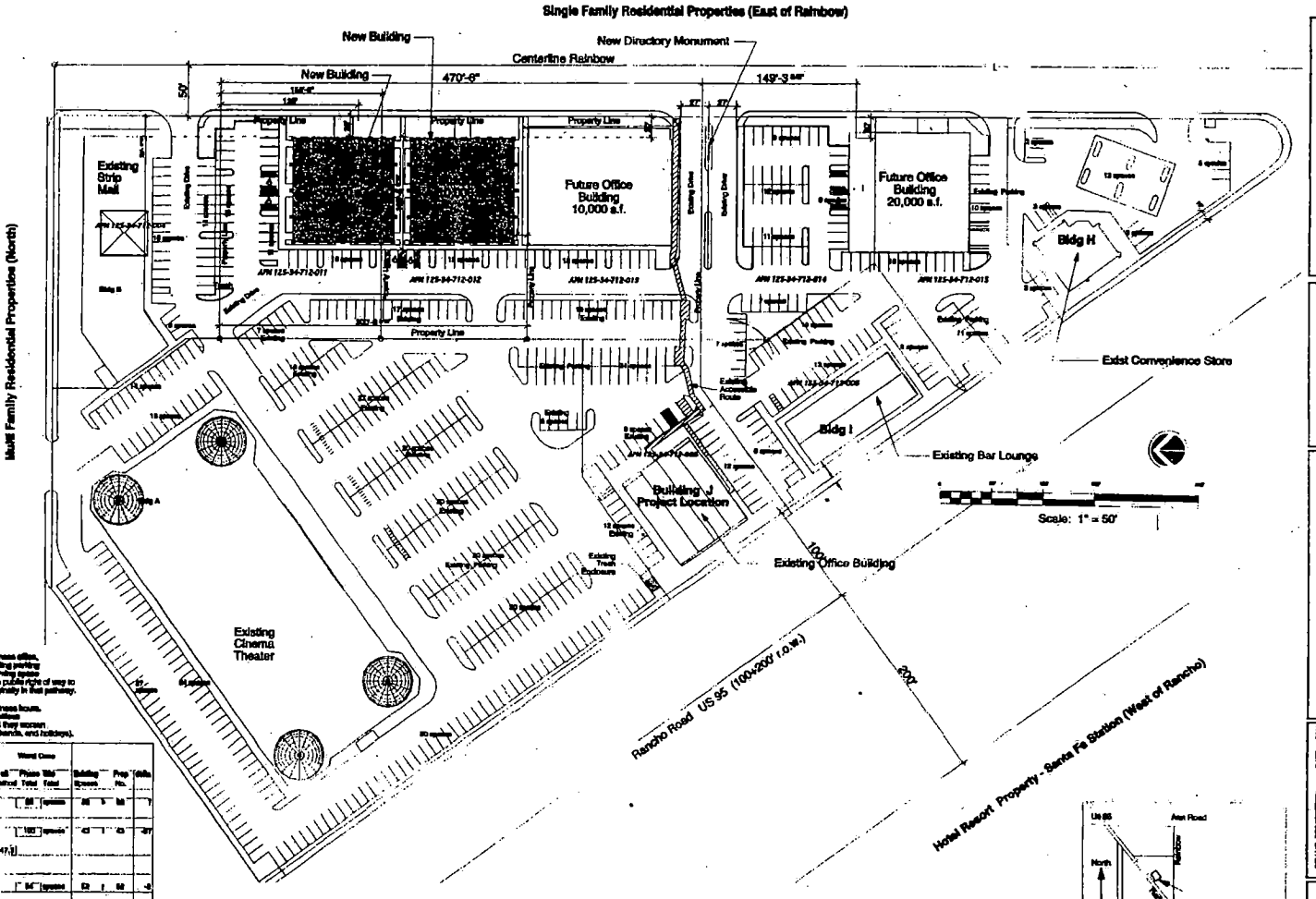
Justification -
1. Design review is required.
2. The orientation and arrangement on this site are designed to comply with the covenants and the city's guidelines for orientation and frontage presentation. The east west dimensions of the site do not allow sufficient room to provide sidewalk accessibility with a landscape buffer between the parking lot an buildings when full size parking spaces, traffic lanes, and perimeter landscaping are provided. We have provided abundant landscaping at the property perimeters.

4. Three parcels remain to be built on this subdivision. Trash enclosures do not have roofs for the other two. We propose to build a trash enclosure that matches the others.

Summary
This use is not controversial, but under Title 19, we are compelled to request waivers to use the full property.

Submitted on behalf of the Applicant,

David W. Strait, AIA



Parking Under Commercial Subdivision Was Established Under V-81-99

Since the last design review, Building "J" has been occupied as a business office, and no new buildings have been added. Development standards regarding parking lot landscaping have been changed to require tree islands, thus consuming spaces that had originally been planned as parking area. Also, and accessible route from public right of way to the entrance of Building "J", has been added, thus eliminating parking spaces originally in that pathway. The condition is still in force that theater parking does not adversely affect parking availability during normal daytime business hours. Therefore, daytime occupancies such as professional business offices are not expected to experience any parking impairment problems, nor will they worsen any parking impairments that are a function of cinema operations, (evenings, weekends, and holidays).

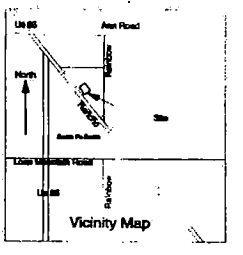
Area & Parking Calculations

All Buildings Simultaneously At Peak Occupancy — Peak — Basis — Weighted Demand

*As Determined by CLV Planning Staff 1999

At Present	Sub TM Area	Use	Parking Factor	Spaces required	alt method	Total	Phase Bldg Total	Building Spaces	Prop No.	delta
1 Strip Mall/Retail — 18000 s.f. = 0.66 Acre	18828	Peak 100%	5.1/1000s	94		94	spaces	88	88	
1 Bar/Restaurant — 4809 s.f. = 0.79 Acre	4809	Peak 100%	5.1/1000s	100		100	spaces	43	43	-57
	8288		50	40						
	1508		600	7.5		47				
1 Business Office (primarily health spa) — 13800 s.f. = 0.74 Acre	13828	Peak 100%	250	5.1/1000s	84	84	spaces	82	82	-2
1 Theater — 5488 s.f. = 0.29 Acre	5488	Peak 100%	50	5.1/1000s	255	255	spaces	255	255	-134
	3800 Seats		50	4 seats/space	200	200				
			4	employees	730	730				
				19A,14A,L2		438				
1 Convenience Store — 3000 s.f. = 0.09 Acre	3000	Peak 100%	250	5.1/1000s	17	17	spaces	55	55	0
				5.1/1000s	10	10	spaces	12		
New Buildings								54	48	
1 Retail Shops — 8000 s.f. =	8000	Peak 100%		5.1/1000s		0	spaces	10	94	
								17	30	
								55	79	-76
1 Professional Office — 46000 s.f. =	46000	Peak 100%		5.1/1000s	180	180	spaces	50	80	-100
								548	total	
Proposed New Space: 60000				Group Total		808	spaces		a Theater b Strip Mall *2 second c Convenience f Tenant j office	
Land — 3.76 Acre = 163870 s.f.				Planned Available Spaces		708	spaces			
Total Area: 137788 s.f.						808	spaces			
Lot Size 11.97 Acre = 487835 s.f.				Handicap required		18.17				
Percent Coverage 28%										

Trash Encl. 696 s.f. ok



Rancho Santa Fe Business Park
Buildings C & D
New Office Building Shells

Designers

Designer	Co. Name	Address	Telephone	Fax
Architect	D.W. Strait Architecture & Planning	101 W. Brooks Ave, St. C, North Las Vegas, NV 89030	702 657-0494	702 657-0336

Contents

Drawing #	Subject
A0	Architectural Site Plan and Cover Sheet
LS1	Landscape Planting Plan
A1	Ground Floor Plan and Schedules
A2	Elevations

SDR-5546

01-13-05 PC

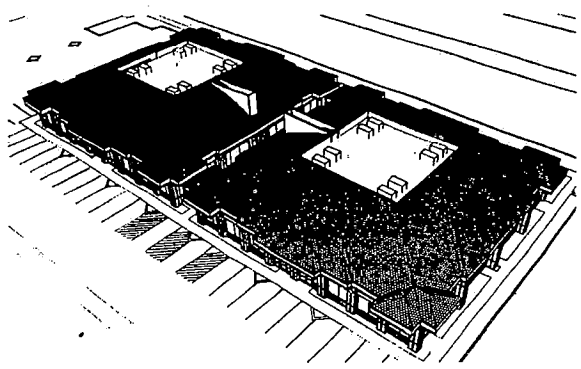
D. W. Strait, AIA
Architecture & Planning
101 W. Brooks Ave, Suite C
No. Las Vegas, NV 89030
(702) 657-0494
FAX (702) 657-0336

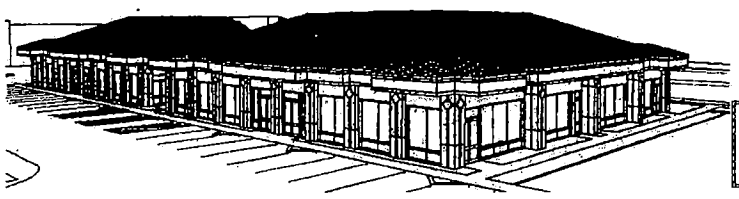
Office (Mail) Buildings
@ Rancho Santa Fe Business Park
APN # 138-34-712-011 and 138-34-712-012

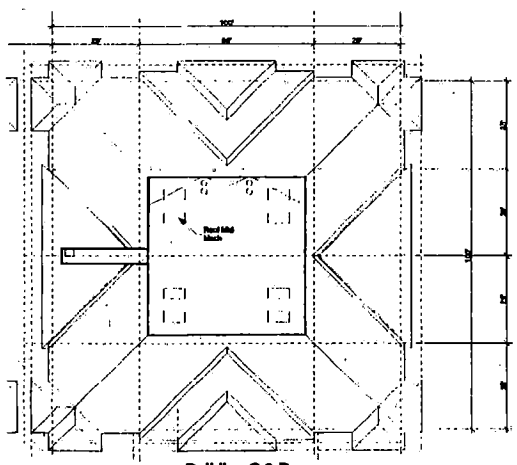
Sheet Title
Site Plan and Cover Sheet

REVISED DESCRIPTION — DATE — BY

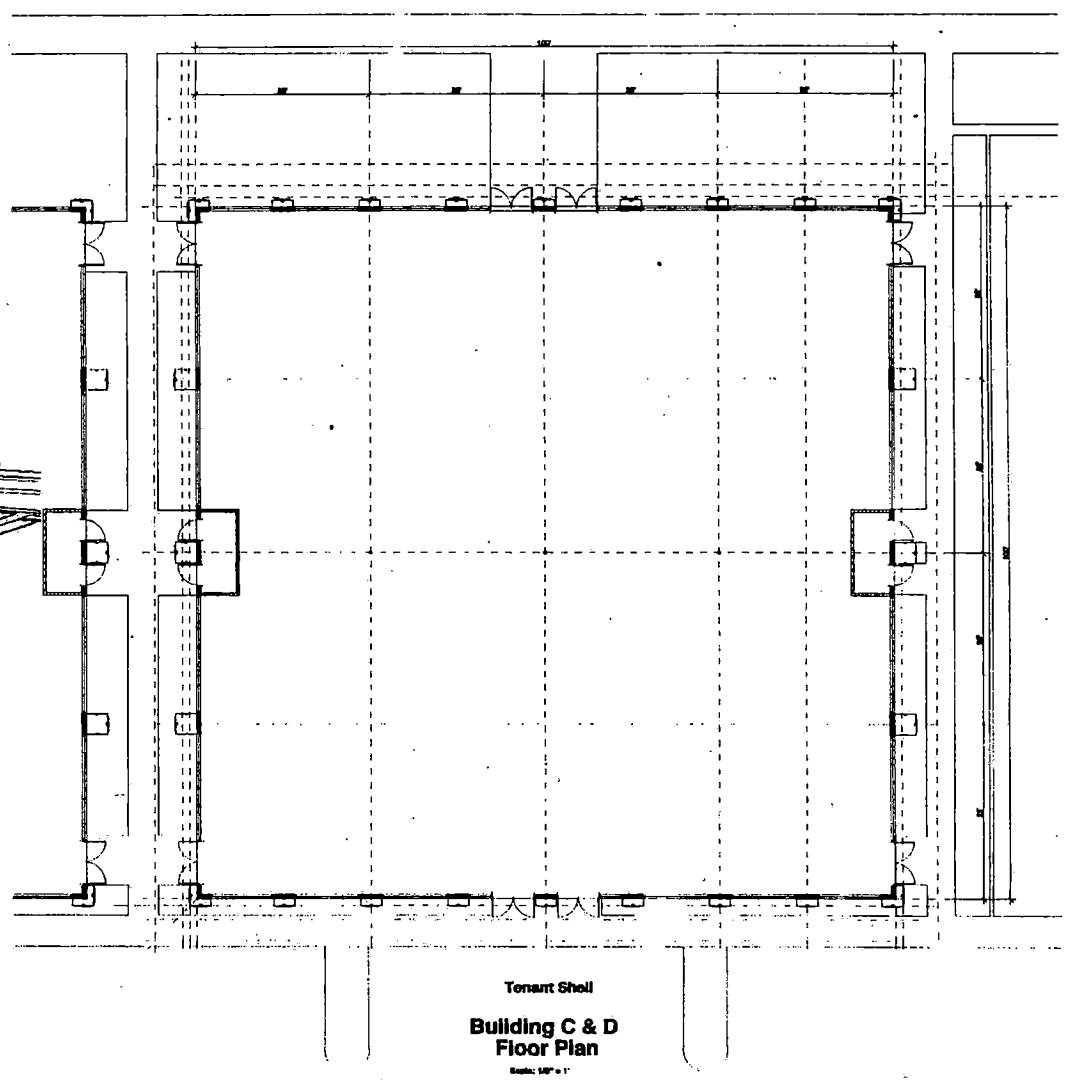
DATE:
JOB #
SCALE:
DRAWN:
DESIGNED:
CHECKED:
SHEET
A0







Building C & D
Roof Plan
Scale: 1/16" = 1'



Tenant Shell

Building C & D
Floor Plan
Scale: 1/8" = 1'

D. W. Strait, AIA
Architecture & Planning
6541
911 W. Bonanza Ave, Suite C,
Las Vegas, NV 89106
PHONE (702) 647-0884
FAX (702) 647-0886

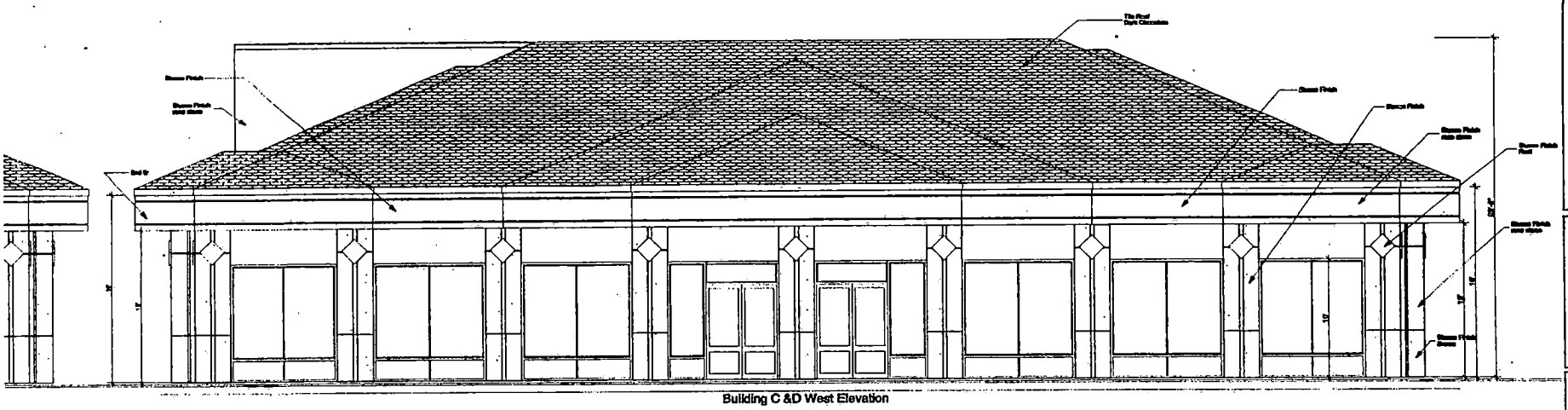
Office Shell Buildings
@ Rancho Santa Fe Center
APN # 125-34-712-011 and 125-34-712-012

SHEET TITLE
Floor Plan and Roof Plan

NO./MO DESCRIPTION DATE BY

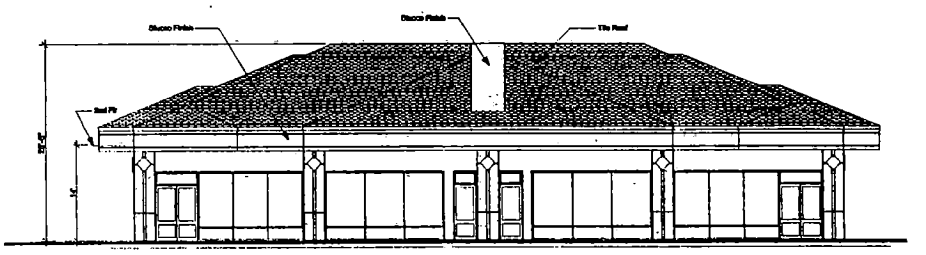
DATE:
JOB #
SCALE:
DRAWN:
DESIGNED:
CHECKED:
SHEET
A1

SDR-5546
01-13-05 PC



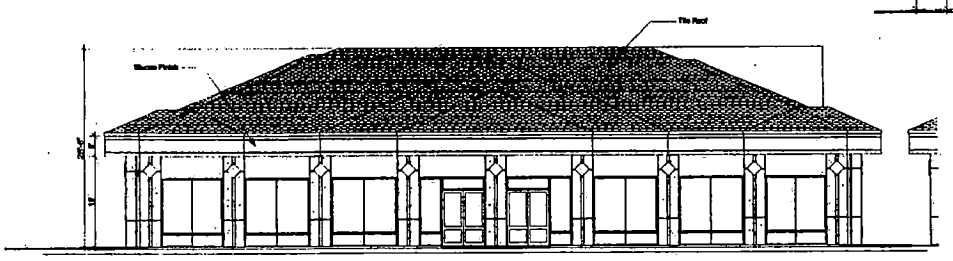
Building C &D West Elevation

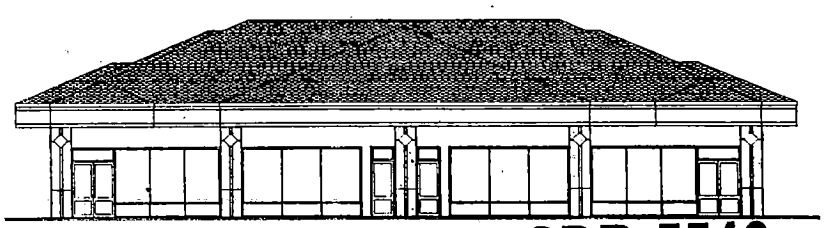
Scale 1/4" = 1'



Building C & D North Elevation

Scale 1/8" = 1'





Building C & D South Elevation

Scale 1/8" = 1'

SDR-5546

01-13-05 PC

D. W. Strait, AIA
Architecture & Planning
©2001

Office Shell Buildings
@ Rancho Santa Fe Center
APN # 185-34-710-011 and 185-34-712-018

SHEET TITLE
Site Plan and Cover Sheet

DATE:
JOB #
SCALE:
DRAWN:
DESIGNED:
CHECKED:
SHEET
A2

SDR-5546 - APPLICANT/OWNER: VENTURA ENTERPRISES INVESTMENT AND DEVELOPMENT, INC.
5061 AND 5071 NORTH RAINBOW BOULEVARD
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

City of Las Vegas

Agenda Item No.: 23

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SDR-5679 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: RANCHO POINT LLC - OWNER: RANCHO POINT LLC AND HELEN SLAVIN - Request for a Site Development Plan Review FOR A 4,500 SQUARE-FOOT RETAIL DEVELOPMENT AND A WAIVER FROM FOUNDATION LANDSCAPING REQUIREMENTS on 2.55 acres located approximately 300 feet south of the intersection of Rancho Drive and Alexander Road (APN 138-12-110-011 and a portion of 138-12-102-001), C-2 (General Commercial) Zone, Ward 6 (Mack).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO – APPROVED subject to conditions on Item 11 [TMP-5677], Item 12 [SUP-5718], Item 13 [SUP-5720], Item 14 [SUP-5722], Item 17 [SDR-5611], Item 20 [SDR-5709] and on Item 23 [SDR-5679], APPROVED subject to conditions and replacing Condition 3 with the following verbiage:

3. ***A waiver from foundation landscaping shall be approved.***

– UNANIMOUS with McSWAIN abstaining from Item 12 [SUP-5718], Item 13 [SUP-5720] and Item 14 [SUP-5722] because her company, Terra Contracting, is presently bidding work for a company that is working on the project

This is Final Action

NOTE: CHAIRMAN TRUESDELL disclosed that in the past, he had abstained from items involving Montecito Pads, L.L.C., because of properties his company has represented in the area. However, as there is no financial interest in the properties that are adjacent to the sites and he has

MOTION – Continued:
not discussed the items with anyone, he would be voting on Item 12 [SUP-5718], Item 13 [SUP-5720] and Item 14 [SUP-5722].

MINUTES:
CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 11 [TMP-5677], Item 12 [SUP-5718], Item 13 [SUP-5720], Item 14 [SUP-5722], Item 17 [SDR-5611], Item 20 [SDR-5709] and Item 23 [SDR-5679].

GARY LEOBOLD, Planning and Development, stated that staff requested Item 18 [SDR-5678], Item 21 [SDR-5725] and Item 22 [SDR-5546] be pulled from One Motion One Vote because staff received letters of protest on all three items.

CHRIS KAEMPFER, Attorney, Kummer Kaempfer Bonner & Renshaw, appeared on behalf of the applicant for Item 15 [SUP-5723] and Item 16 [SDR-5731] during the briefing portion of the meeting. He indicated that after speaking with staff, he would like both items pulled from the One Motion One Vote portion of the agenda to discuss the removal of Conditions 6 and 7 from Item 15 [SUP-5723] and to get a clarification of conditions on Item 16 [SDR-5731].

MR. LEOBOLD indicated that there was a condition change relative to Item 23 [SDR-5679]. MARGO WHEELER, Director, Planning & Development, requested that MR. LEOBOLD read the amended condition into the record. The new condition language was incorporated into the motion.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 11 [TMP-5677], Item 12 [SUP-5718], Item 13 [SUP-5720], Item 14 [SUP-5722], Item 17 [SDR-5611], Item 20 [SDR-5709] and Item 23 [SDR-5679].

(6:12 – 6:17)

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 23 – SDR-5679

CONDITIONS:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

2. All development shall be in conformance with the site plan and building elevations, date stamped November 30, 2004, except as amended by conditions herein.

3. The applicant shall provide a six (6) foot foundation landscape buffer between the existing sidewalk and the perimeter of the building.

4. 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.

5. All City Code requirements and design standards of all City departments must be satisfied.

6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.

8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.] [non-residential development]

9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

10. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.

CONDITIONS – Continued:

11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.

12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

13. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.

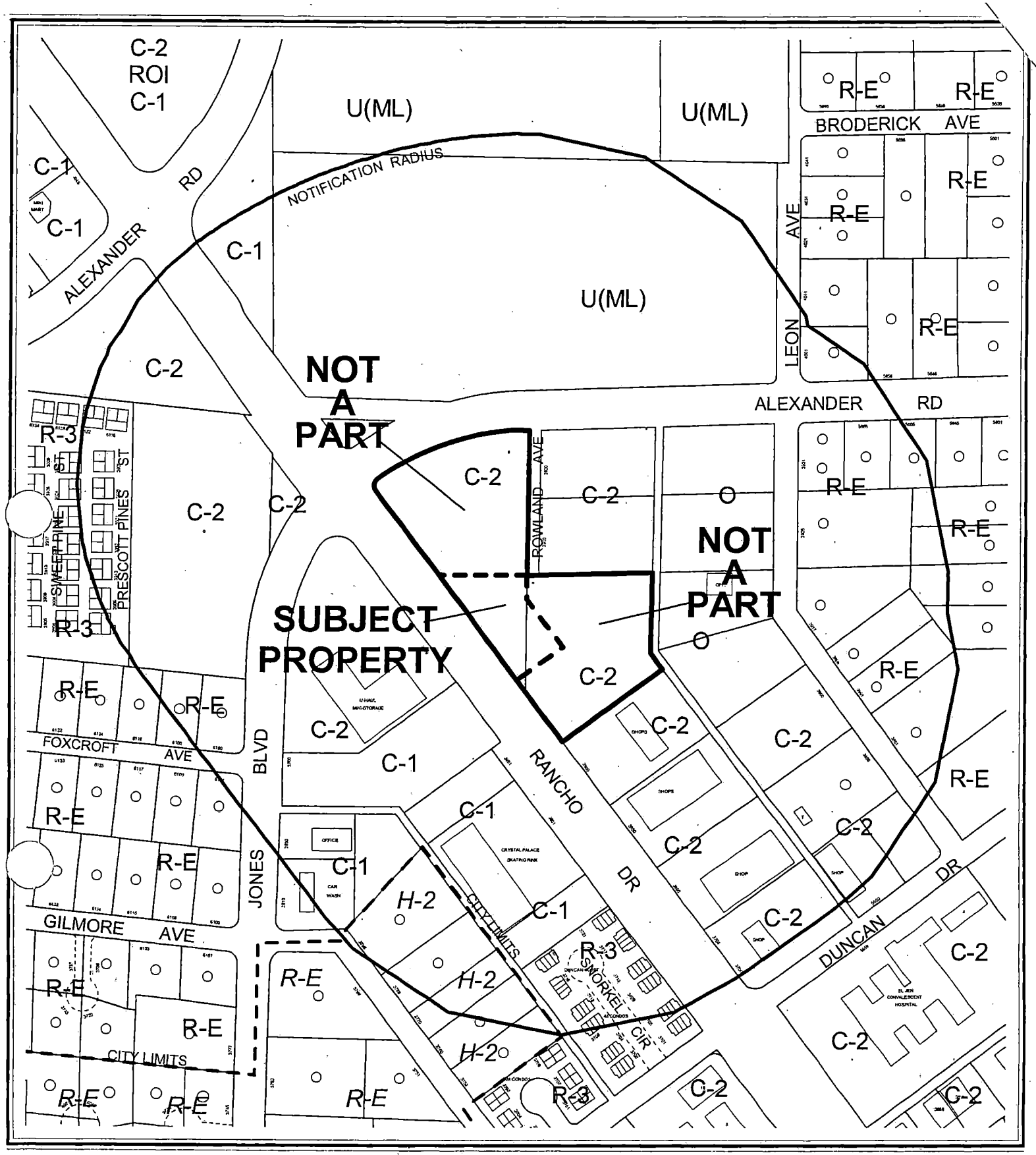
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

15. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

Public Works

16. 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.

17. Site development to comply with all applicable conditions of approval for Site Development Plan Review (SDR-3452), the Rancho Point (Commercial Subdivision) and all other subsequent site-related actions.



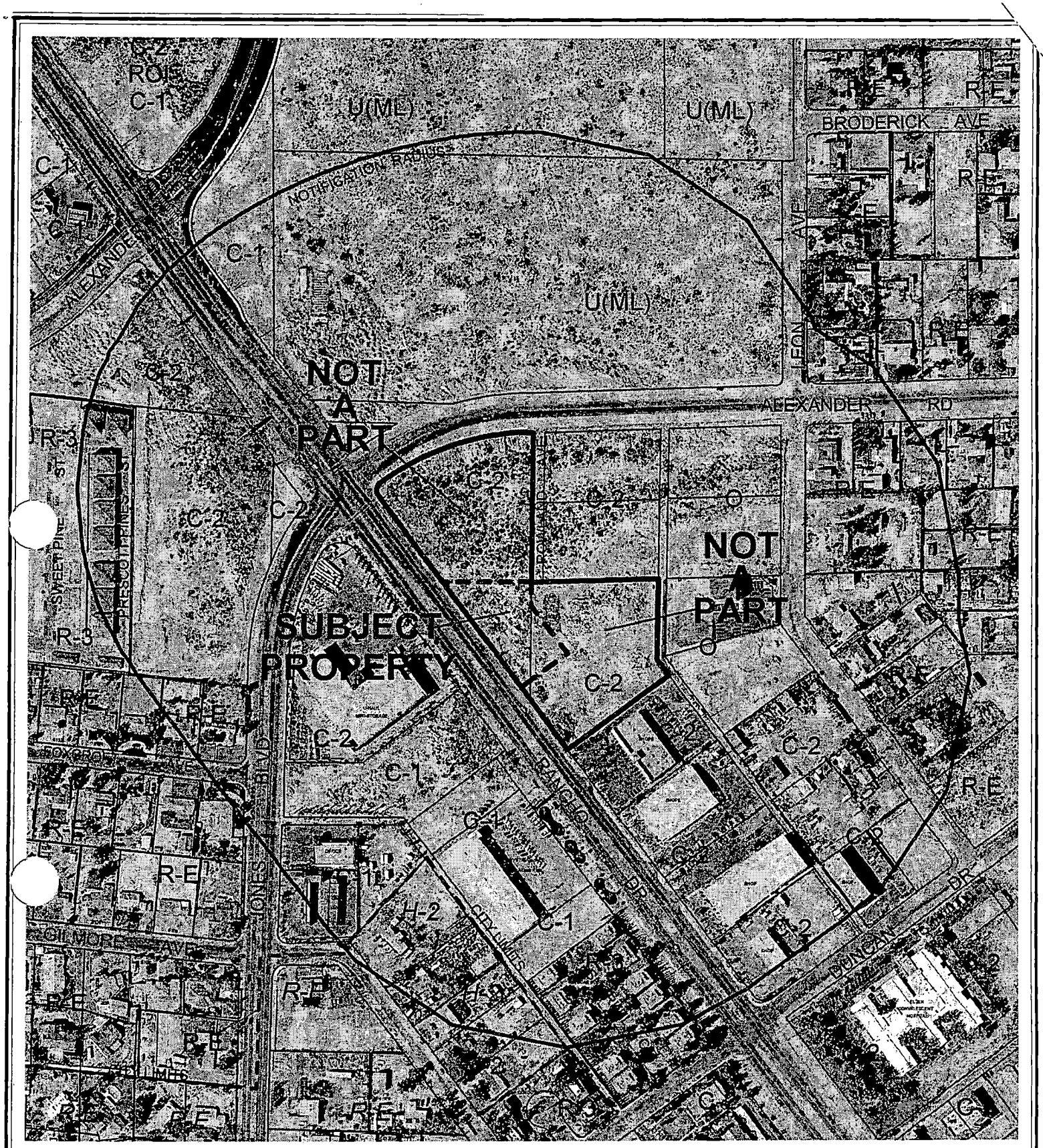
CASE: **SDR-5679**

RADIUS: 750 FT

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

0 300 600 Feet

N



0 300 600 Feet

CASE: **SDR-5679**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5679 - APPLICANT: RANCHO POINT LLC - OWNER: RANCHO POINT LLC AND HELEN SLAVIN

** CONDITIONS **

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

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

2. All development shall be in conformance with the site plan and building elevations, date stamped November 30, 2004, except as amended by conditions herein.

3. The applicant shall provide a six (6) foot foundation landscape buffer between the existing sidewalk and the perimeter of the building.

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5. All City Code requirements and design standards of all City departments must be satisfied.

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8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.] [non-residential development]

9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

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17. Site development to comply with all applicable conditions of approval for Site Development Plan Review (SDR-3452), the Rancho Point (Commercial Subdivision) and all other subsequent site-related actions.

BTS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Site Development Plan Review for a 4,500 square-foot retail development and a waiver from foundation landscaping requirements on 2.55 acres.

B) Applicant's Justification

The applicant states that the proposed project will accommodate a demand for retail space.

BACKGROUND INFORMATION

A) Previous Actions

12/15/97 The City Council approved a Special Use Permit (U-116-97) for a Tavern on this site. The Planning Commission and staff recommended approval on November 20, 1997.

04/02/03 The City Council approved a General Plan Amendment (GPA-1363) to GC (General Commercial) on this site as part of the Rancho Corridor Study Phase 1. The Planning Commission and staff recommended approval on February 27, 2003.

04/07/04 The City Council approved a Site Development Plan Review (SDR-3452) and a related Variance (VAR-3711) for a 23,000 square foot commercial development on 2.55 acres. The variance allows 134 parking spaces where 199 spaces are required. The Planning Commission and staff recommended denial on February 26, 2004.

07/21/04 The City Council approved a Review of Condition Numbers 15 and 16 of an approved Site Development Plan Review (SDR-3452).

09/23/04 The Planning Commission approved a Tentative Map for a one lot commercial subdivision. Staff also recommended approval of the Tentative Map.

B) Pre-Application Meeting

11/19/04 The elements of a Site Development Plan Review application were discussed.

BTS

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	2.55 acres

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Service Commercial
East:	Office/Single-family residential
West:	Undeveloped/Industrial

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The site is designated GC (General Commercial) on the Centennial Hills Interlocal Land Use Plan Map of the General Plan. The existing C-2 (General Commercial) Zoning designation is in conformance with the General Plan. The site plan is in compliance with the applicable General Plan policies.

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

BTS

Tentative Map (TMP-4977) outlined the required 20-foot wide trail established by the Multi-Use Transportation Trail along Rancho Drive.

PROJECT DESCRIPTION

Pad "D" is a 4,500 square-foot retail building located on the west side of the development, which consists of three other buildings. The buildings range from 4,500 to 7,000 square feet. The site is accessed via Rancho Road and contains 138 parking spaces.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	N/A	Y
Min. Lot Width	100 Feet	248 Feet	Y
Min. Setbacks			
• Front	20 Feet	25 Feet	Y
• Side	10 Feet	55 Feet	Y
• Corner	15 Feet	N/A	N/A
• Rear	20 Feet	333 Feet	Y
Max. Lot Coverage	50 %	22%*	Y

The 22% lot coverage represents the total square footage of all buildings on the site.

A2) Residential Adjacency Standards

Residential Adjacency standards do not apply to the subject site.

A3) Parking and Traffic Standards

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

Uses	GFA	Required Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Retail	4,500 SF.	1/175 GFA	26 spaces	2 spaces	26 spaces	2 spaces

BTS

The proposed retail building is part of a site, which contains retail, warehouse, and a tavern uses. The site is parked at 138 spaces; therefore, the retail site meets the required number of parking spaces in the Code.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1 Tree/ 6 Space	7 Trees	16 Trees
Buffer: • Min. Trees	1 Tree / 30 Linear Feet	15 Trees	15 Trees
• Min. Zone Width Perimeter	8 Feet		8 Feet
• Min. Zone Width Foundation	6 Feet		No
• Wall height	6 Feet		6 Feet

The applicant does not meet the requirement for foundation landscaping. Portions of the building's foundation do not meet the six (6) foot requirement. A condition of approval has been added, which addresses this issue.

B) General Analysis and Discussion

- Zoning

The proposed retail center is an allowed use in the C-2 (General Commercial) zoning district.

- Site Plan

The submitted plans depict one retail building. Access to the site is provided by one driveway from Rancho Drive with parking is located throughout the site.

The parking provided meets the minimum requirements of the zoning code. Based on the uses on the site, a total 26 spaces are required. The total site contains 138 parking spaces, which are shared throughout the site.

The proposed development meets the minimum code requirements with regards to lot size, building setbacks, building height and loading zones.

- Waivers

There are no waivers proposed for this application.

BTS

- Landscape Plan

The proposed landscape plan meets the minimum requirements of the Commercial Development Standards as the appropriate landscaping is provided around the perimeter of the site and in the parking lot area.

- Elevation

The building elevations depict one-story buildings with painted masonry walls, stone veneer accents and predominantly flat roofs. The submitted building elevations will demonstrate visual consistency with the surrounding developments along this segment of Rancho Drive.

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;"**

   A retail development is appropriate along this segment of Rancho Drive and is compatible with adjacent development in the area.

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

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

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

   The site will have access to Rancho Drive, a Primary Arterial (100-foot) on the Master Plan of Streets and Highways, which are adequate to provide access to serve the proposed use. The site access and on-site circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

   The submitted building elevations and landscaping plan will demonstrate visual consistency with the surrounding developments along this segment of Rancho Drive.

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 submitted building elevations and landscaping will demonstrate visual consistency with the surrounding developments, in that the submitted materials depict appropriate façade design. The development will be harmonious and compatible with development in the area.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 145

APPROVALS 0

PROTESTS 0

BTS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5679 APN: 138-12-102-001

Name of Property Owner: Helen Slavin Baldwin

Name of Applicant: Rancho Point 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: X Helen Slavin Baldwin

Print Name: Helen Slavin Baldwin

Subscribed and sworn before me

This 24th day of November, 2004

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
CHRISTINA SHAUGHNESSY
Appt. No. 02-76614-1
My Appt. Expires July 22, 2006

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3079 APN: 138-12-110-011

Name of Property Owner: Rancho Point LLC

Name of Applicant: Rancho Point LLC

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Mathew Brady

Subscribed and sworn before me

This 24th day of November, 2004

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

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
CHRISTINA SHAUGHNESSY
Appt. No. 02-76614-1
My Appt. Expires July 22, 2006

jones greenwold
architecture interiors

City of Las Vegas – Current Planning Department
401 South 4th. Street
Las Vegas, Nevada

Tuesday, November 30, 2004

RE: Justification Letter for Design Review

Per our filing requirements, this letter of justification is being provided to explain the reasoning behind the request for a design review of the project included with this submittal.

The intended use for this pad D is a retail lease structure containing 3 suites and shared parking with a previously approved commercial center. Initially the project was submitted with a fast food pad in this location which has been rethought with the intent of improving onsite circulation and accommodating a demand in the area for retail space.

We hope that this application meets with your approval. Should you have any questions, please don't hesitate to contact me at the address and number listed below.

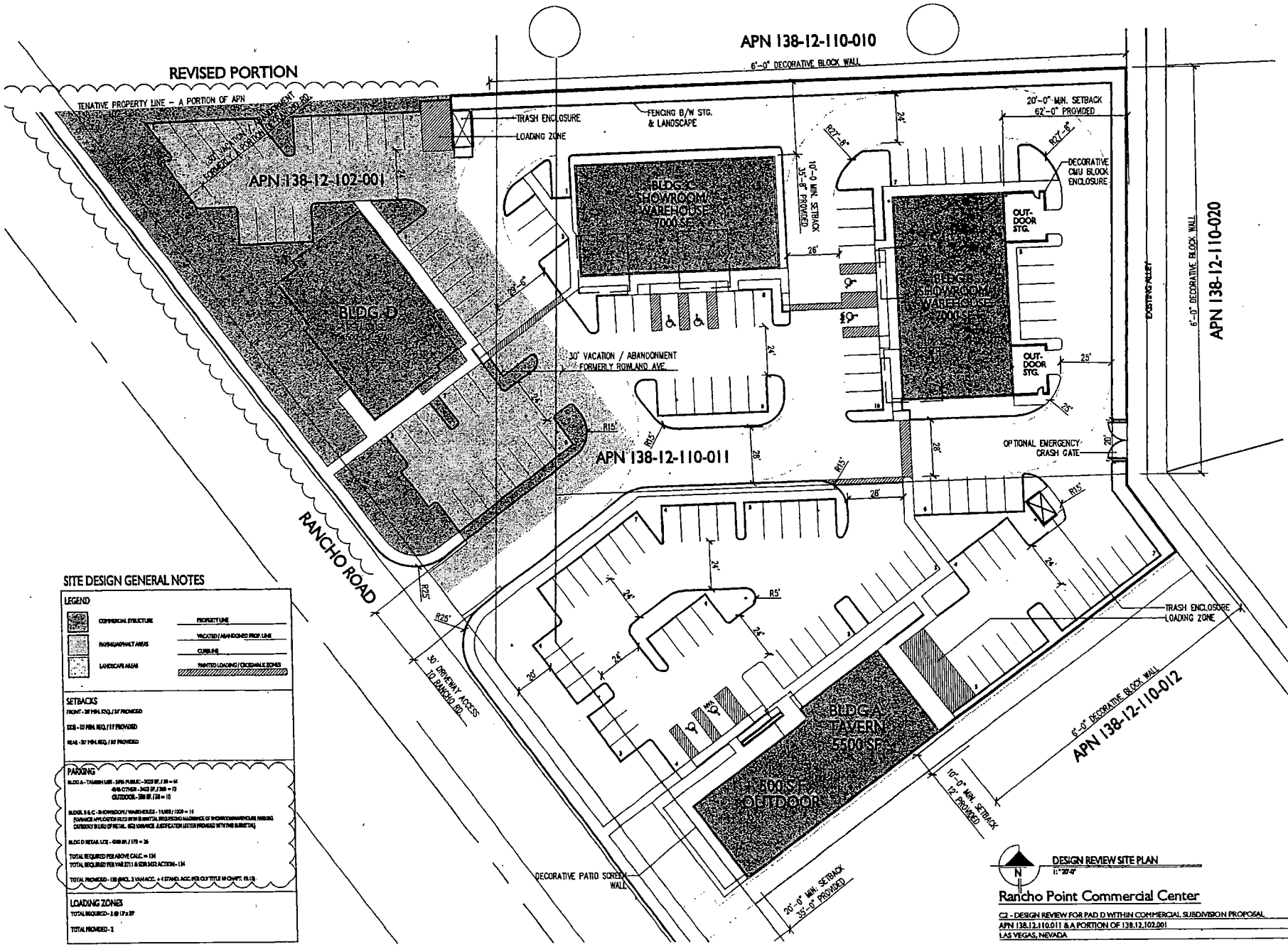
Thank you.

Sincerely,

Adrian Jones

Jones & Greenwold llc. | 4750 W. Flamingo Rd. Suite B | Las Vegas, NV. 89103
Phone: 702.933.5420 | Fax: 702.933.5450 | Email: design@arcia.com

SDR-5679



SITE DESIGN GENERAL NOTES

LEGEND

- COMMERCIAL STRUCTURE
- PAVING/ASPHALT AREAS
- LANDSCAPE AREAS
- PROPERTY LINE
- VACATED / ABANDONED PROP. LINE
- CURB LINE
- PAINTED LOADING / CROSSWALK ZONES

SETBACKS

FRONT - 20' MIN. REQ. / 24' PROVIDED

SIDE - 15' MIN. REQ. / 11' PROVIDED

REAR - 30' MIN. REQ. / 80' PROVIDED

PARKING

BLDG A - TAVERN USE - 50% PUBLIC - 3029 SF. / 120 = 64
@ 6% OTHER - 3423 SF. / 300 = 12
OUTDOOR - 1800 SF. / 120 = 15

BLDGS. B & C - (SHOWROOM / WAREHOUSES - 14,000 / 1000 = 14
(VARIANCE APPLICATION FILED WITH SUBMITTAL REQUESTING MAJORITY OF SHOWROOM/WAREHOUSE PARKING CATEGORY IS USE) OF RETAIL. (SEE VARIANCE JUSTIFICATION LETTER PROVIDED WITH THIS SUBMITTAL)

BLDG D RETAIL USE - 6300 SF. / 175 = 36

TOTAL REQUIRED PER ABOVE CALC. = 134
TOTAL REQUIRED PER VAR 2711 & SDR 5422 ACTION - 134

TOTAL PROVIDED - 138 (INCL. 3 VAN ACC. + 4 STAND. ACC. PER CLV TITLE 19 CHAPT. 19.13)

LOADING ZONES

TOTAL REQUIRED - 1 @ 12' x 25'

TOTAL PROVIDED - 1

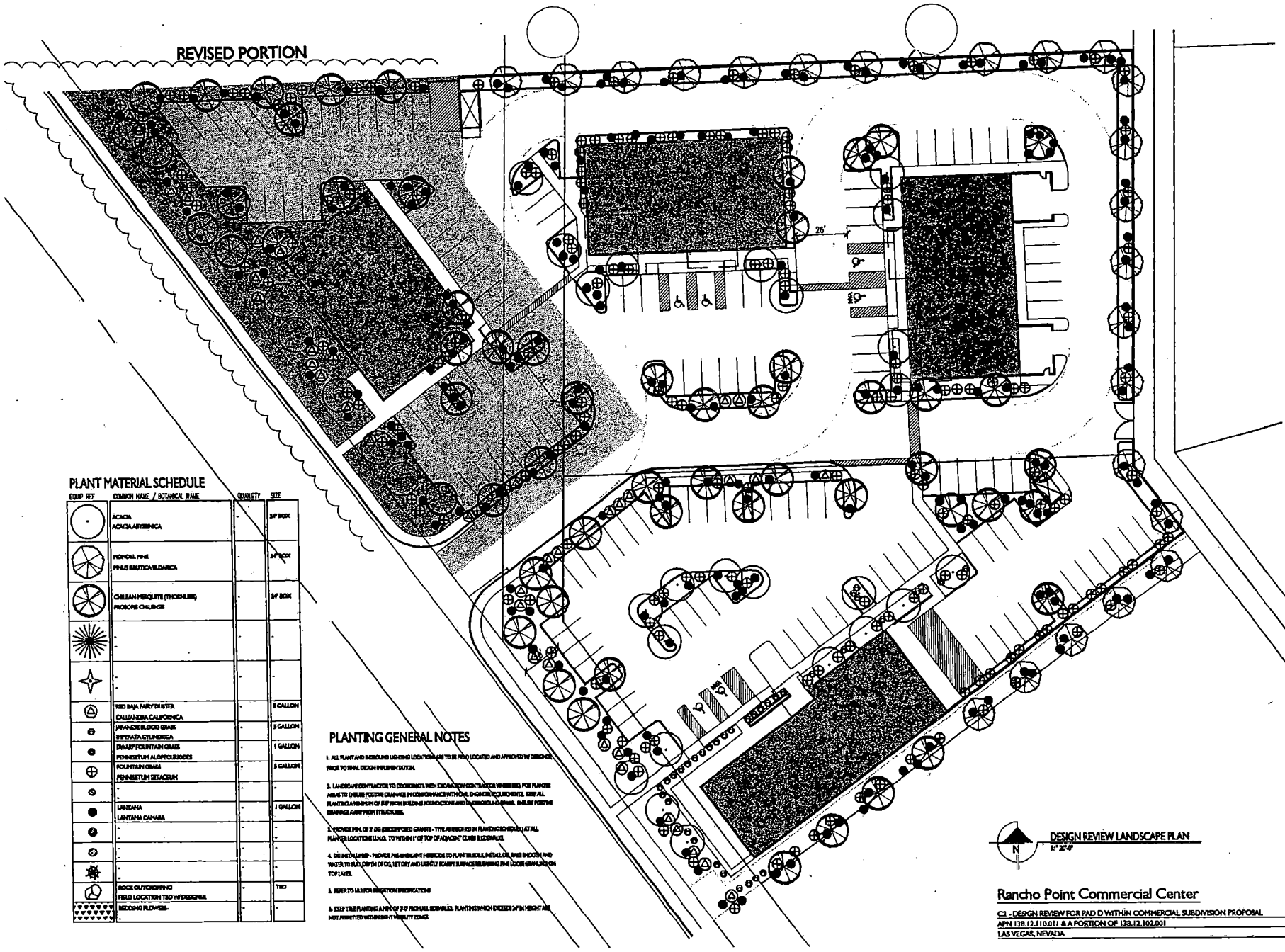
DESIGN REVIEW SITE PLAN
1" = 20'-0"

Rancho Point Commercial Center

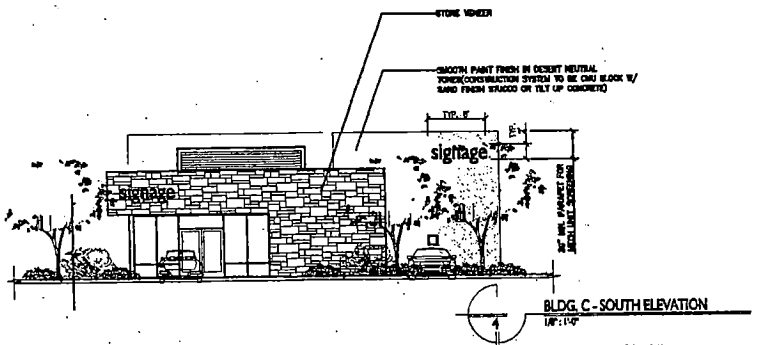
C2 - DESIGN REVIEW FOR PAD D WITHIN COMMERCIAL SUBDIVISION PROPOSAL — DES. REVIEW SUBMITTAL
APN 138.12.110.011 & A PORTION OF 138.12.102.001 — DRAWN BY AJ
LAS VEGAS, NEVADA — DR FOR PAD 10.19.04

jones • greenwold architecture + interiors
4720 w flamingo rd suite a | las vegas nv 89103
www.jonesgreenwold.com | email: designteam@jg.com
phone 702.739.1252 | fax 702.733.1253

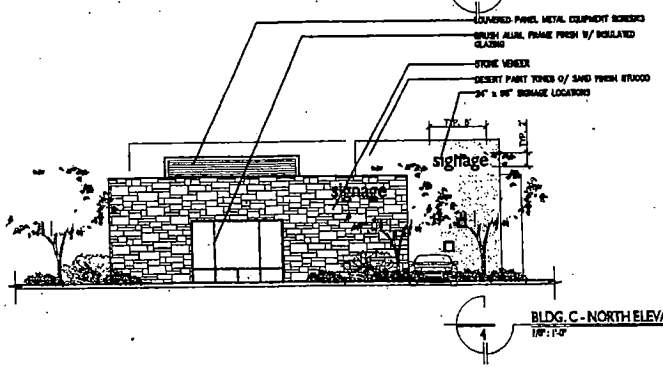
SDR-5679
01-13-05 PC



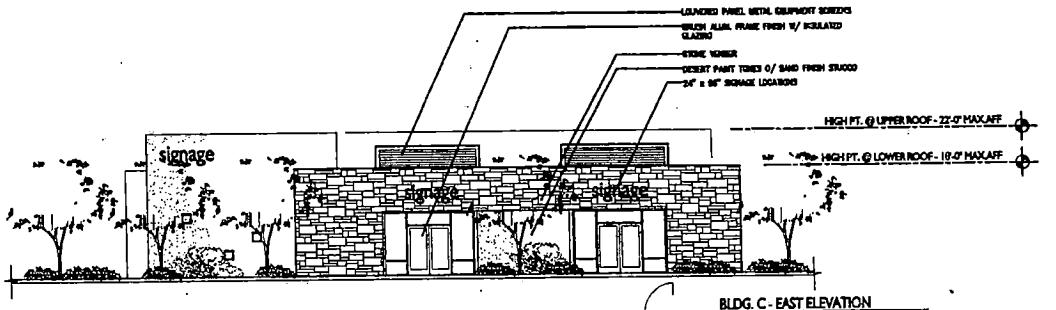
SDR-5679
01-13-05 PC



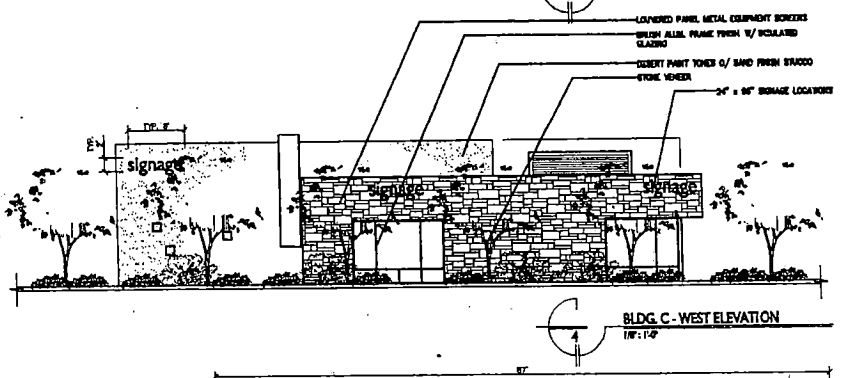
BLDG. C - SOUTH ELEVATION
1/8" : 1'-0"



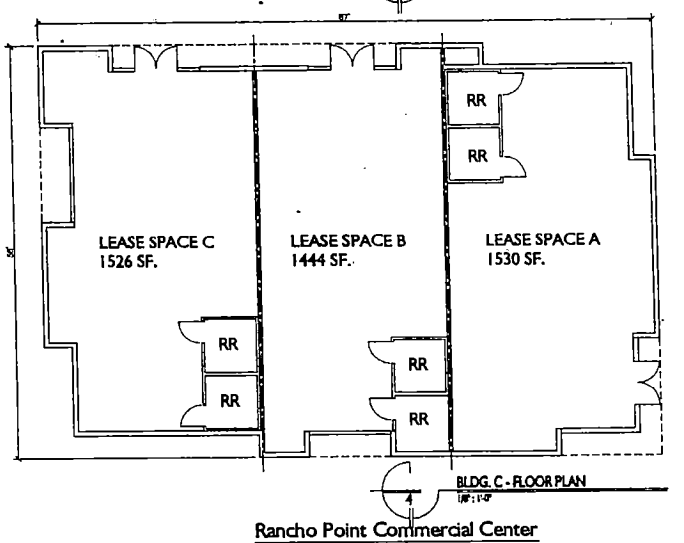
BLDG. C - NORTH ELEVATION
1/8" : 1'-0"



BLDG. C - EAST ELEVATION
1/8" : 1'-0"



BLDG. C - WEST ELEVATION
1/8" : 1'-0"



BLDG. C - FLOOR PLAN
1/8" : 1'-0"

Rancho Point Commercial Center

C2 - DESIGN REVIEW FOR PAD D WITHIN COMMERCIAL SUBDIVISION PROPOSAL — DES. REVIEW SUBMITTAL
APN 138.12.110.011 & A PORTION OF 138.12.102.001 — DRAWN BY AJ
LAS VEGAS, NEVADA — DR FOR PAD 10.19.04

jones • greenwold architecture ✣ interiors
4750 w flamingo rd suite a | las vegas nv 89103
www.arcjg.com | email: design@arcjg.com
phone 702.735.1552 | fax 702.735.1553

3

SDR-5679
01-13-05 PC

SDR-5679 - APPLICANT: RANCHO POINT LLC - OWNER: RANCHO POINT LLC AND HELEN SLAVIN
SOUTH OF THE INTERSECTION OF RANCHO DRIVE AND ALEXANDER ROAD
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

City of Las Vegas

Agenda Item No.: 24

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ABEYANCE - VAR-5099 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 4.40 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone [PROPOSED: R-PD9 (Residential Planned Development - 9 Units per Acre], Ward 3 (Reese).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 2/16/2005

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 24 [VAR-5099], Item 25 [ZON-5092], Item 26 [VAR-5300], Item 27 [WVR-5299], Item 28 [SDR-5098], Item 29 [SUP-5096] and Item 30 [SDR-5093].

GARY LEOBOLD, Planning and Development Department, explained that this set of applications is fairly complex and had been before the Commission previously. He acknowledged that the applicant has been working very hard over the last several months.

MINUTES – Continued:

MR. LEOBOLD stated the first five applications relate to the residential component of the project, which is 4.4 acres of the overall site, located at the southern end of the property. The last two applications pertain to the 1.6-acre portion at the north end of the site, which fronts onto Bonanza Road.

Regarding the residential piece. The applicant is asking to go to a (Residential Planned Development) R-PD zoning category. R-PD has a minimum site area requirement of five acres and because this portion of the site is 4.4 acres, the applicant is requesting Variance 5099. Staff had no difficulty in supporting that request because there are not many options to offer flexibility on this infill site. Without using R-1, there is not anything for the applicant to use that is smaller than that. R-PD would be an appropriate mechanism in this situation. Staff supported Item 24 [VAR-5099] for that reason.

Regarding Item 25 [ZON-5092], which is a request for R-PD9 density, staff felt the rezoning was appropriate because the land use is already at L (Low Density Residential) even though the zoning is at C-1 (Limited Commercial). This action would bring it in line with the current General Plan policies for the site.

Regarding Item 26 [VAR-5300], MR. LEOBOLD said the application is for an open space variance. The rezoning action to R-PD9 would impose an open space requirement for anything over 12 lots. The applicant is not providing open space in this project but staff felt that the argument made that there is not open space in many of the surrounding developments and that it is a tough infill site justified the request for the variance.

MR. LEOBOLD explained that regarding Item 27 [WVR-5299], the applicant's site plan shows two small streets, Street A and Street B. Street A runs in an east/west direction through the site and that street is acceptable as shown. Street B, however, is a stub and it is considered sub-standard and from a safety and liability standpoint, the Public Works Department as well as Planning staff cannot support the street as a public street. The applicant has been advised that they have the option to identify the street as a private street. If they do that, a homeowners association would have to be formed to handle the maintenance and liability of the street. The applicant is opposed to doing so. Because staff cannot support the Waiver and Item 28 [SDR-5098] is predicated on the need for that Waiver, staff recommends denial on the Site Plan. If Street B is redesigned to meet Code as a public street or be dedicated as a private street with the appropriate homeowners association attached to it, staff could support the design.

The last two applications pertained to the commercial aspect of the site. Item 29 [SUP-5096] a request for a Special Use Permit for a supper club on the northern piece and Item 30 [SDR-5093] is the Site Plan for the design of that use.

MINUTES – Continued:

Both applications were acceptable to staff. MR. LEOBOLD pointed out that there is an east/west easement running through the southern portion of the commercial site, through the parking lot area, and that requires a vacation, which is scheduled for the 1/27/2005 Planning Commission meeting.

MR. LEOBOLD summarized by saying staff recommended approval on all the applications except the Waiver and the residential Site Plan.

BONNIE CISNEROS, a managing member of the applicant, appeared and informed the Commission that they are in agreement with all of staff's recommendations except those which pertained to Street B as referenced by MR. LEOBOLD. She said that the all aspects of the street are up to Code except how the street ends to the north of the site. MS. CISNEROS felt that the most important aspect of a street meeting Code was width and the street was the proper width.

COMMISSIONER McSWAIN appreciated staff's point of view on the two items that were recommended for denial but she questioned why staff was recommending approval on Item 26 [VAR-5300] regarding the open space requirement. The Commissioner felt that there should be limits on what is allowed relative to accommodations of an infill piece. Looking at the Site Plan, she felt that the justification that open space was out of character for the area was not acceptable. To her, the lot sizes shown on proposed plan looked to be out of character because they were two to one when compared to the adjacent property to the north. The other properties in the area might not have had open space but they were larger lots with more yard space. COMMISSIONER McSWAIN could not support Item 26 [VAR-5300]. She also felt that regarding the width of Street B, the width would not be the only issue. The street, as designed, would force people to back out of the street if they went down it in error. She did not find that situation appropriate and could not support it.

COMMISSIONER STIENMAN said that he could support Item 26 [VAR-5300] if the applicant would agree to make the proper turn around at the end of Street B. He confirmed with MS. CISNEROS that the hesitancy to do that was due to the loss of lots. She indicated that they would lose four lots if the proper turn around were installed. He asked her to compare those four lots to the number of lots the development would lose if the open space requirement were enforced. MS. CISNEROS was not aware of the number of lots the open space requirement would take. She said that their reservation in including open space in the design was fueled by reports from the adjacent property homeowners association complaining that the nearby apartment residents loiter in the association's common areas even though their apartment complex is separate and across the street. She said it has become a safety issue and the police department is called regularly to keep the apartment residents out of those common space areas.

MINUTES – Continued:

COMMISSIONER STEINMAN replied that he was not as interested in the open space as he was with the proper turn around on the street.

COMMISSIONER EVANS questioned staff about the Commissions ability to grant a waiver allowing a public street when it does not meet standards. MR. LEOBOLD'S opinion was that if a driver was required to make a three-point turn or pull into a driveway to turn around and were to hit a car or person as a result of having to do so, the City could hold some liability if the street were a public street. If it were private, there would be no liability; it would be a private matter. He also pointed out that four lots would not be lost if the cul-de-sac bulb was offset to one side. He estimated that, at the most, the development might lose two lots. Doing so would also result in some open space being left around the bulb, which would help the open space Variance. DEPUTY CITY ATTORNEY BRYAN SCOTT agreed with MR. LEOBOLD'S assessment regarding City liability. If the City were to violate it's own Code by allowing a street that does not meet our Code requirement, and the Code is there in order to allow for safe turn arounds, there could be some liability. The City could be sued and challenged in court.

CHAIRMAN TRUESDELL confirmed with MR. LEOBOLD that if the street was private and an association was formed, it would be acceptable to the City. He then asked MS. CISNEROS about the developer's hesitation to form a homeowners association. She replied that they were trying not to have a homeowners association so the residents would not be burdened.

CHAIRMAN TRUESDELL explained that in granting the waivers, the Commission would be putting a burden on the City for potential issues that the developer did not want to take responsibility for. He thought the presentation was a reasonable development based on the infill character but based on other projects in the area, it would be helped by having an association that would be a helping hand to the development. He did not have a problem supporting the requests, including the waivers, if Street B remained private and there was an association formed. That way, the City would not have any liability regarding that sub-standard street. It would also be in keeping with other projects the Commission has approved in the past.

Prior to motioning on Item 26 [VAR-5300], COMMISSIONER McSWAIN asked the applicant if there was any interest in installing an off-center turn around because if they would install that, she could support the item. MS. CISNEROS said that she would not know without speaking to her partners. CHAIRMAN TRUESDELL offered that perhaps the item could be trailed or held in abeyance to allow the applicant time to discuss the item with her partners. After conferring with an unidentified man at the podium, MS. CISNEROS replied that they would prefer to move the item forward to City Council and would continue to try and get the street accepted by the City as public.

MINUTES – Continued:

CHAIRMAN TRUESDELL felt that if the open space Variance was going to be denied, it would be prudent to hold some of the applications instead of passing all of the items forward without it. Not having the open space Variance would affect the Site Plan. MR. LEOBOLD stated that if the Site Plan was going to be held, the R-PD9 zoning application would be affected because it was predicated on the Site Plan approval. MS. CISNEROS stated that since there was a month before the items would be heard before City Council, the applicant would like the items to move forward and not be held up.

Prior to voting on Item 28 [SDR-5098], COMMISSIONER STEINMAN asked for clarification about approving the Site Development Review Plan if it did not have Street B shown as a private street. CHAIRMAN TRUESDELL clarified that the motion was for denial. VICE CHAIRMAN NIGRO asked if there was an "if approved" condition that the street be changed. MARGO WHEELER, Director, Planning and Development Department, indicated there was not. She informed the Commission that the items would go forward to City Council with the Commission's comments. MR. LEOBOLD said that a condition such as suggested was not included under the Site Plan conditions because of the fact that there is a separate request waiving it. He added that the Commission was voting for denial but if the item were approved, the "if approved" conditions should reflect a new floor plan, which was submitted to the Planning Department on 1/12/2005. The new plan modified the originally submitted plan, which showed 20-foot front yard, 15 back, five on the sides and corners down to 18, 12, three and three.

CHAIRMAN TRUESDELL asked if the new plan required a waiver of the setbacks. MR. LEOBOLD said that they would not need a waiver because the application would be for R-PD. The applicant submitted the map to show that they want three-foot side yards, a 12-foot rear yard and an 18-foot front yard instead of what was shown on the initial submittal. CHAIRMAN TRUESDELL then reiterated that the Commission is trying to find the positive points surrounding this development but he was concerned that the applicant was reticent to work with the points that pertain to safety and compatibility. He acknowledged that the applicant has worked hard on the applications but felt that moving the items forward was the wrong way to approach the project. COMMISSIONER McSWAIN added that she was concerned over the longevity of the project and how it would mature. CHAIRMAN TRUESDELL said the area deserves good development. It was his personal opinion that staff's conditions were not unreasonable and he stated he could not support the item.

MINUTES – Continued:

Prior to the motion on Item 29 [SUP-5096], COMMISSIONER McSWAIN indicated she would be supportive of the item because it pertained only to the parcel with the supper club.

Subsequent to the votes on all the related items, MR. LEOBOLD asked if the approval of the rezoning to R-PD9 would stand after the Commission had denied the Site Plan Review. COMMISSIONER McSWAIN indicated she would be happy to rescind the motion and did so. The rescission passed unanimously on Item 25 [ZON-5092]. MS. CISNEROS asked for clarification on the rescission. She stated that staff had informed her that each item would be considered separately and the application involving Street B would be an individual item. She understood that if Item 27 [WVR-5299] was denied, the Site Plan would be denied as well but it would not affect the R-PD. MR. LEOBOLD stated that if the request had been for a standard rezoning such as R-1, there would not have to be an approved Site Plan. With R-PD9, because it allows for more design flexibility, there are no minimum standards so the approved Site Plan sets the standards for the project. That Site Plan then becomes a part of the rezoning package. Without it, there are no rules regarding items such as setbacks etc. MS. CISNEROS said that staff's report stated approval on all items except the item with Street B. CHAIRMAN TRUESDELL clarified that the report she referenced was a recommendation only, not stating approval of the items prior to the hearing.

COMMISSIONER STEINMAN confirmed with staff and CHAIRMAN TRUESDELL that per Code, a person could not apply for a rezoning to an R-PD without a Site Plan.

CHAIRMAN TRUESDELL informed MS. CISNEROS that she could meet with Planning Department Staff to get answers to any questions she might have before the items were heard by City Council.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 24 [VAR-5099], Item 25 [ZON-5092], Item 26 [VAR-5300], Item 27 [WVR-5299], Item 28 [SDR-5098], Item 29 [SUP-5096] and Item 30 [SDR-5093].

(6:31 – 6:59)

CONDITIONS:

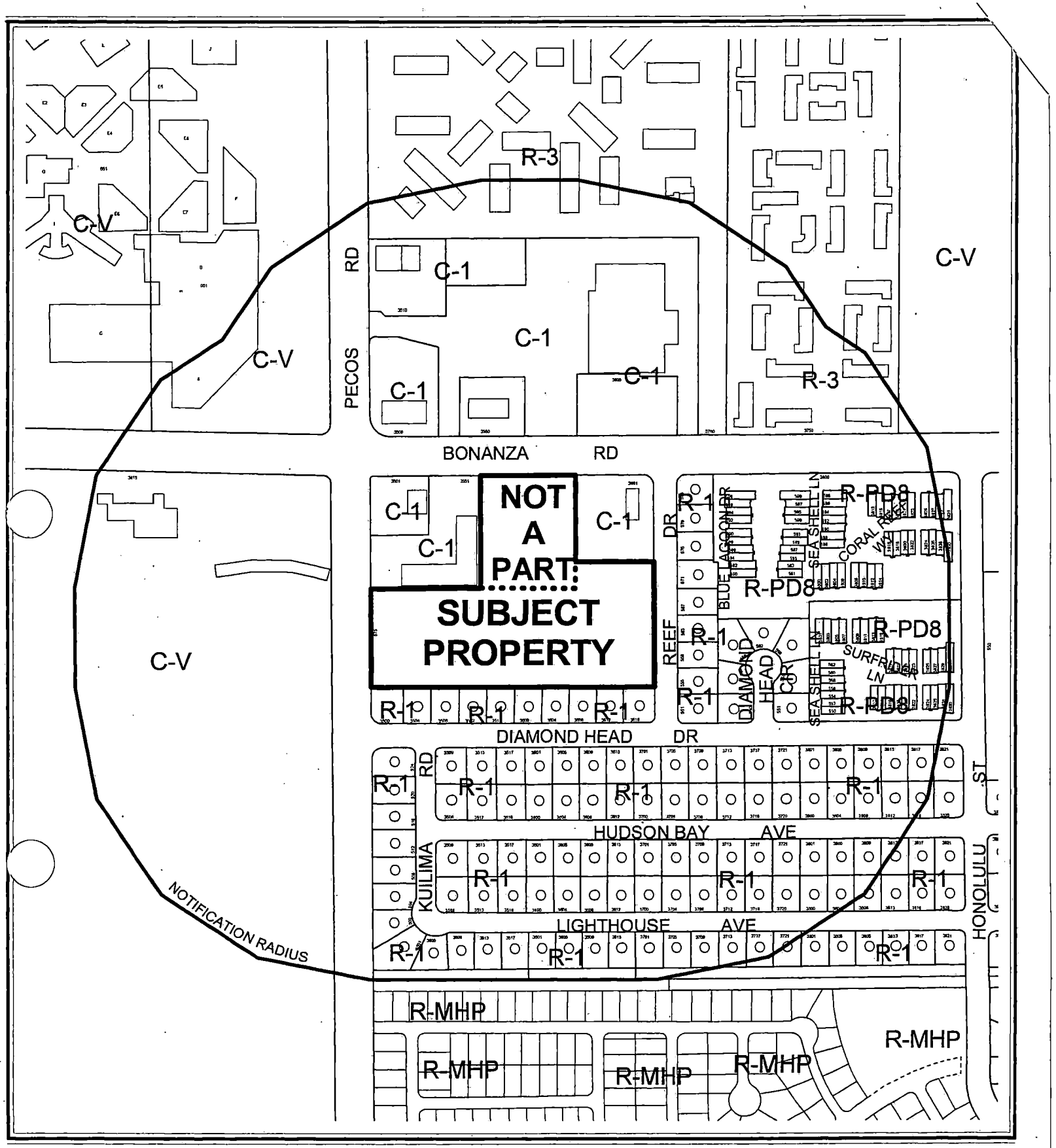
Planning and Development

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

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 24 – VAR-5099

CONDITIONS – Continued:

2. Approval of and conformance to the conditions of approval for related applications ZON-5092, VAR-5300, WVR-5299 and SDR-5098.



CASE: **VAR-5099**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-CL (SINGLE-FAMILY COMPACT-LOT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - VAR-5099 - APPLICANT/OWNER: BON BON, LLC

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** 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. Approval of and conformance to the conditions of approval for related applications ZON-5092, VAR-5300, WVR-5299 and SDR-5098.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Variance of Title 19.06.040 (A) to allow an R-PD (Residential Planned Development) zoning on property that is less than five acres in area, on a 4.40-acre site on the east side of Pecos Road, approximately 300 feet south of Bonanza Road.

B) Applicant's Justification

The applicant's justification for this request is to allow design flexibility for the proposed development which represents a transition between the R-1 single family residences to the south and the exiting commercial and proposed supper club to the north.

BACKGROUND INFORMATION

A) Previous Actions

10/07/04 The Planning Commission recommended approval of a General Plan Amendment to MLA (Medium-Low Attached Density Residential) (GPA-5082) and a Vacation of a portion of a 10-foot wide drainage easement and ingress/egress easements along Bonanza Road and Pecos Road for this property. (VAC-5101). Staff had recommended approval. The City Council is scheduled to hear these requests on 02/16/05, which will be the same day that the City Council is scheduled to review the subject application.

11/04/04 The Planning Commission held this item in abeyance to the 01/13/05 Planning Commission meeting at the request of the applicant.

01/13/05 The Planning Commission will hear related applications SDR-5098, VAR-5300, WVR-5299, ZON-5092, SUP-5096 and SDR-5093 as part of this agenda.

B) Pre-Application Meeting

08/03/04 Issues discussed pertaining to the residential portion of the project included the need for a more detailed site plan showing landscaping and interior streets.

C) Neighborhood Meetings

09/20/04 The required neighborhood meeting for the companion General Plan Amendment was held by the applicant. Seven persons attended who were all in favor of the project, as long as no apartments are constructed. The applicant stated they were not interested in building any multi-family units.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.40

B) Existing Land Use

Subject Property:	Undeveloped
North:	Commercial
South:	Single Family Residential
East:	Single Family Residential
West:	Desert Pines Golf Club

C) Planned Land Use

Subject Property:	L (Low Density Residential)
North:	M (Medium Density Residential)
South:	L (Low Density Residential)
East:	L (Low Density Residential)
West:	PR (Parks and Recreation)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	R-1 (Single Family Residential)
East:	C-V (Civic)
West:	

E) General Analysis and Discussion

The applicant is seeking relief from Title 19.06.040, which requires all Residential Planned Developments to have a minimum of five acres. The purpose of this standard is to ensure that adequate land is available to provide for flexibility and innovation in the design of the project.

The applicant had originally requested a rezoning to R-CL (Single-Family Compact-Lot), however, staff determined that application did not meet Code standards and could not be accepted, per Title 19.18.040 (C). Since applicant has requested a rezoning to R-PD9, approval of this request is predicated on approval of this Variance application.

The variance is appropriate for the following reasons:

1. The project advances Policy 2.1.2 of the Las Vegas 2020 Master Plan that encourages development of vacant or underutilized lots in a manner that is compatible with surrounding areas

2. The site is an undeveloped, unusually narrow infill property that is not conducive for development that would be regulated according to the parameters of standard residential zoning districts.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

In this case, approval of the requested Variance would allow a residential planned development on an odd-shaped parcel that is less than five acres in size, that is an appropriate transition between larger single family lots to the south and a developed commercial area to the north of the property. Such approval is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 582 – Mailed with VAR-5300, ZON-5092, WVR-5299, SDR-5098, SUP-5096, and SDR-5093

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5099 APN: 140-31-121-003

Name of Property Owner: John E. Kenny Je Teustee of The Kenny Family Declaeation of Teust Oated Feb. 10, 1992

Name of Applicant: _____

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

_____ Yes _____X_____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: John E Kenney Jr

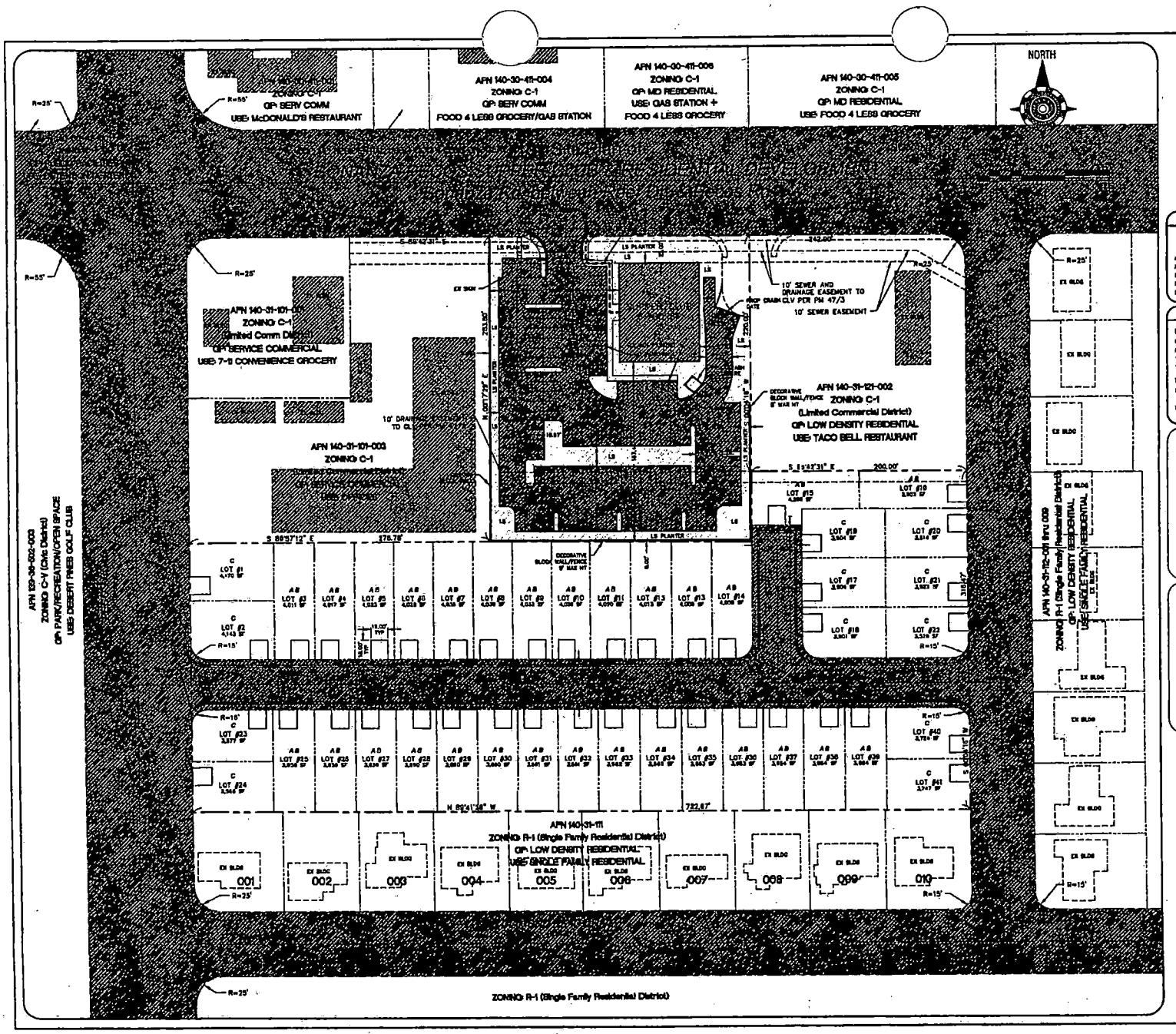
Print Name: JOHN E KENNEY JR TRUSTEE OF THE KENNEY FAMILY DECLARATION OF TRUST

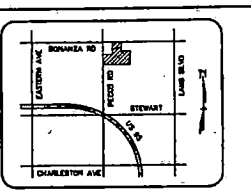
Subscribed and sworn before me

This 9 day of Aug., 2004

8/9/04
Notary Public in and for said County and State

G. A. MAROOFI
Comm. # 1388335
NOTARY PUBLIC - CALIFORNIA
Marin County
My Comm. Expires Dec. 3, 2006





KEY MAP
N.T.S.
TOWNSHIP 20 SOUTH-RANGE 63 EAST-SECTION 31

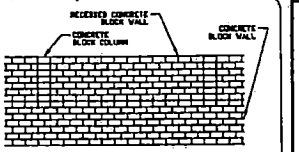
SITE & BUILDING INFORMATION

C-1 Supper Club &
R-CL Single-Family Compact-Lot Residential

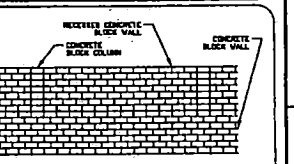
NET SQUARE FOOTAGE (COMMERCIAL)	68,218.54 SF
NET SQUARE FOOTAGE (RESIDENTIAL)	184,980.38 SF
BUILDING SIZE (SUPPER CLUB)	8,700 SF
F.A.R. (SUPPER CLUB)	103
DENSITY (RESIDENTIAL)	5.15 RESIDENTIAL UNITS PER ACRE

PARKING ANALYSIS (SUPPER CLUB)

PARKING REQUIREMENTS	
REQUIRED PARKING FOR SEATED	83.5 = 84 SPACES
REQUIRED PARKING FOR REMAINDER	17.0 = 12 SPACES
TOTAL REQUIRED PARKING	101 SPACES
TOTAL PARKING PROVIDED	101 SPACES
HANDICAP PARKING REQUIREMENTS	
REQUIRED HANDICAP PARKING (4 REGULAR/4 VAN ACCESSIBLE)	8 SPACES
HANDICAP PARKING PROVIDED (4 REGULAR/4 VAN ACCESSIBLE)	8 SPACES



EXISTING BLOCK WALL DETAIL
NOT TO SCALE



PROPOSED BLOCK WALL DETAIL
NOT TO SCALE

OWNER/DEVELOPER

HERMANNY CONSULTING, INC.
4850 W. OAKEY BLVD.
LAS VEGAS, NEVADA 89102
PH: 367-5866
FX: 531-9877

ABBREVIATIONS

CE	COMMON ENTRY	PROP	PROPOSED
LCE	LIMITED COMMON ENTRY	P/L	PROPERTY LINE
TE	TRASH ENCLOSURE	ROW	RIGHT-OF-WAY
HC	HANDICAPPED	R/W	RIGHT-OF-WAY
FH	FIRE HYDRANT	WM	WATER METER
TYP	TYPICAL	WV	WATER VALVE
EX	EXISTING	STLT	STREET LIGHT
BTB	BOT TO BACK	EOP	EDGE OF PAVEMENT
WA	WATER	SW	SIDEWALK
SS	SANITARY SEWER	B	RADIUS
BOC	BACK-OF-CURB	SF	SQUARE FEET
L	LENGTH	AC	ASPHALT
USD	UNIFORM STANDARD DRAWING, CLARK COUNTY AREA	CONC	CONCRETE
		DW	DRIVEWAY
		ELEC	ELECTRIC
		BLDG	BUILDING
LS	LANDSCAPED AREA	LOC	LIP OF GUTTER
EX	EXISTING	HT	HEIGHT

LEGEND

- EXISTING CENTERLINE OF ROAD
- RIGHT-OF-WAY (PUBLIC)
- SITE P/L & BOUNDARY
- PROPERTY LINE (ADJACENT)
- EASEMENT
- BUILDING SETBACK LINE
- HC ACCESS ROUTE

1st SUBMITTAL TO CLV 08/24/04

DESIGNED: ABH
DRAWN: ABH
DATE:

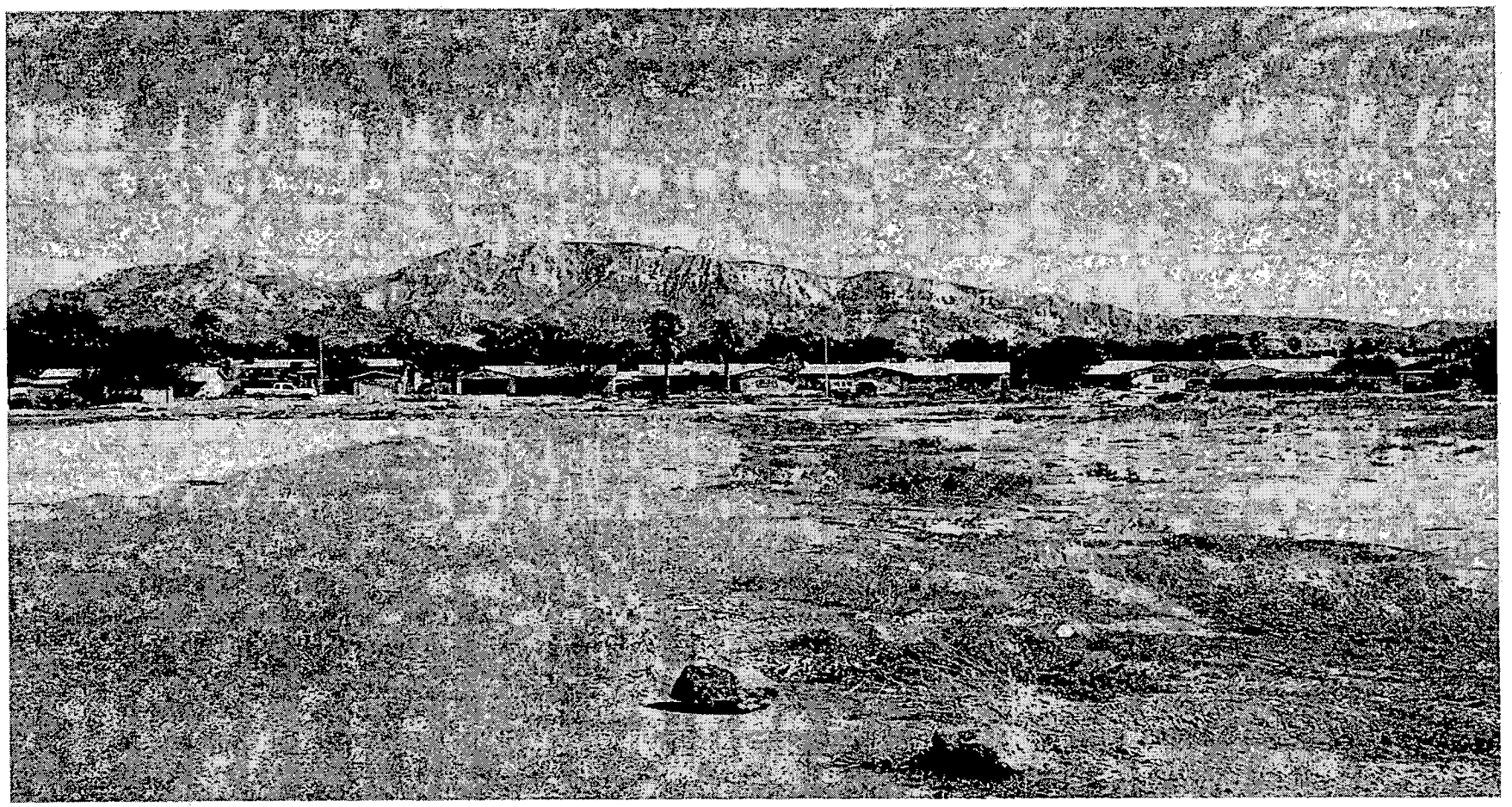
AZTEC ENGINEERING GROUP, INC.
2030 N. Green Valley Pkwy
Las Vegas, NV 89123-7110
Tel: (702) 396-3456
Fax: (702) 396-3753
Nev. Cert. No. 7968

BONANZA PECOS SITE IMPROVEMENTS
BONANZA RD between PECOS RD & REEF DR
SITE PLAN

SHEET
SP
1 of 1 Sheet

ZON-5092
VAR-5099
SUP-5096
SDR-5093
SDR-5098
10-07-04 PC

RECEIVED
AUG 24 2004



VAR-5099 - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC
SOUTH OF BONANZA ROAD AND EAST OF PECOS ROAD
JANUARY 13, 2005 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No.: 25

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ABEYANCE - ZON-5092 - REZONING RELATED TO VAR-5099 - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE) on 4.40 acres adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN 140-31-121-003), Ward 3 (Reese).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

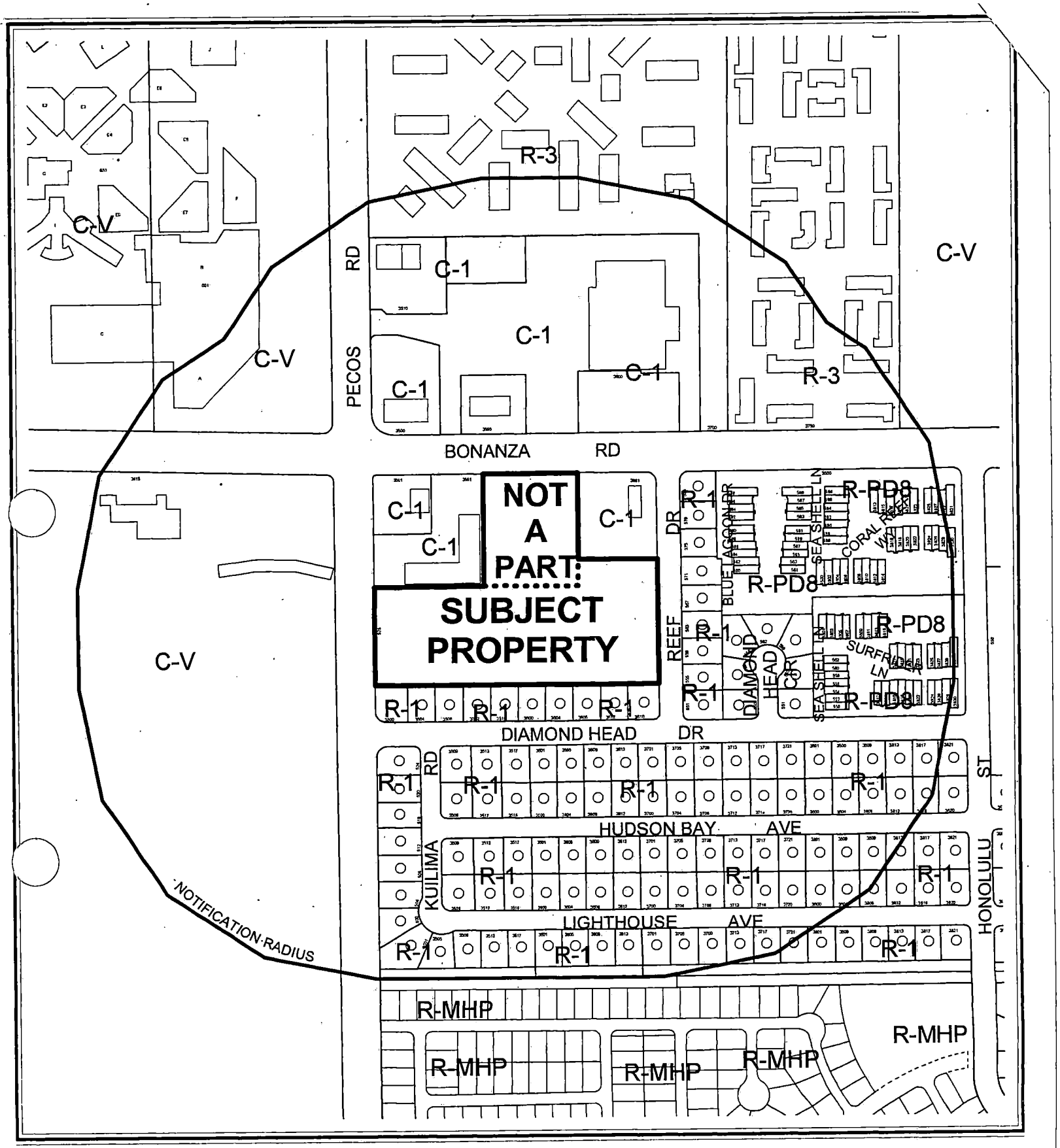
MOTION:
McSWAIN – DENIED – UNANIMOUS

To be heard by City Council 2/16/2005

NOTE: Subsequent to her motion for approval, which carried unanimously, COMMISSIONER McSWAIN motioned to rescind the approval, which also carried unanimously, so that the item could be reconsidered.

MINUTES:
See Item 24 [VAR-5099] for all related discussion on Item 24 [VAR-5099], Item 25 [ZON-5092], Item 26 [VAR-5300], Item 27 [WVR-5299], Item 28 [SDR-5098], Item 29 [SUP-5096] and Item 30 [SDR-5093].

(6:31 – 6:59)



0 300 600 Feet

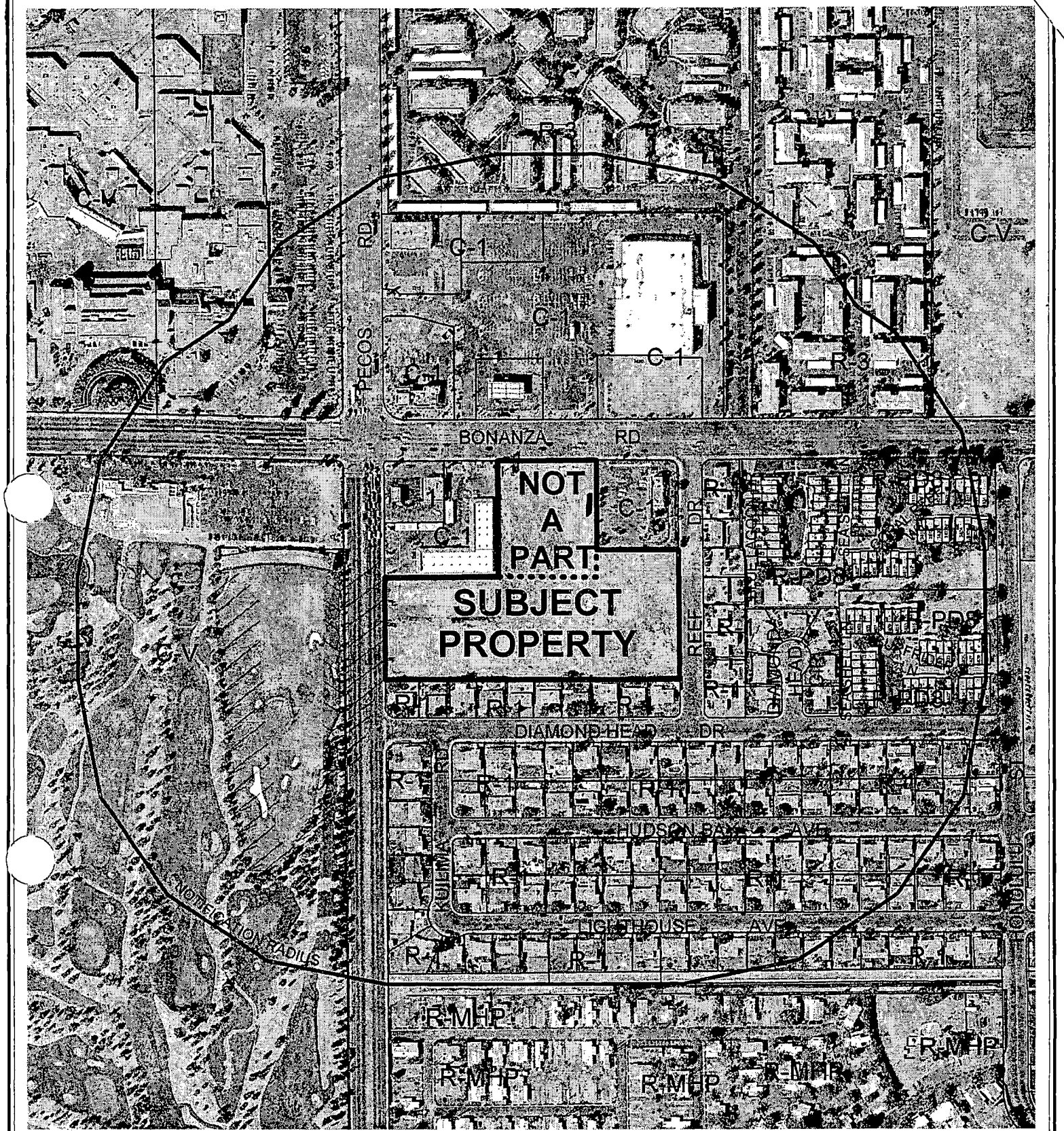
CASE: ZON-5092

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-CL (SINGLE-FAMILY COMPACT-LOT)

N



0 300 600 Feet

CASE: **ZON-5092**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-CL (SINGLE-FAMILY COMPACT-LOT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - ZON-5092 – APPLICANT/OWNER: BON BON, LLC

** CONDITIONS **

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

Planning and Development

1. Approval of a General Plan Amendment to MLA (Medium-Low Attached) by the City Council (GPA-5082).

2. A Resolution of Intent with a two-year time limit.

3. A Variance to permit an R-PD parcel of less than five acres (VAR-5099) and zero square feet of required open space (VAR-5300), a Waiver of Title 18 (WVR-5299) to permit a public street to terminate without a cul-de-sac and Site Development Plan Review for a 41-lot single-family development (SDR-5098) by the City Council.

Public Works

4. Coordinate with the City Surveyor to determine whether a Parcel Map or Merger and Resubdivision Map to establish the property boundaries as proposed is necessary; if such map is required it shall record prior to the issuance of any permits for this site.

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. Coordinate with the Clark County School District to determine the impact this zoning density has on the District's schools, and to identify possible methods to mitigate the impacts.

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study

concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Rezoning to R-PD9 (Residential Planned Development- 9 units per acre) on a 4.40-acre parcel located on the east side of Pecos Road, approximately 300 feet south of Bonanza Road.

B) Applicant's Justification

The applicant's justification for this density is that it is a transition between the single-family residences to the south currently zoned as R-1 (Single-Family Residential) and the existing commercial and proposed supper club to the north.

BACKGROUND INFORMATION

A) Previous Actions

10/07/04	The Planning Commission recommended approval of a General Plan Amendment to MLA (Medium-Low Attached Density Residential) (GPA-5082) and a Vacation of a portion of a 10-foot wide drainage easement and ingress/egress easements along Bonanza Road and Pecos Road for this property. (VAC-5101). Staff had recommended approval. The City Council is scheduled to hear these requests on 02/16/05, which will be the same day that the City Council is scheduled to review the subject application.
11/04/04	The Planning Commission held this item in abeyance to the 01/13/05 Planning Commission meeting at the request of the applicant.
01/13/05	The Planning Commission will hear related applications VAR-5099, VAR-5300, WVR-5299, SDR-5098, SUP-5096 and SDR-5093 as part of this agenda.

B) Pre-Application Meeting

08/03/04	Issues discussed pertaining to the residential portion of the project included the need for a more detailed site plan showing landscaping and interior streets.

C) Neighborhood Meetings

09/20/04 The required neighborhood meeting for the companion General Plan Amendment was held by the applicant. Seven persons attended who were all in favor of the project, as long as no apartments are constructed. The applicant stated they were not interested in building any multi-family units.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.40

B) Existing Land Use

Subject Property:	Undeveloped
North:	Commercial
South:	Single Family Residential
East:	Single Family Residential
West:	Desert Pines Golf Club

C) Planned Land Use

Subject Property:	L (Low Density Residential)
North:	M (Medium Density Residential)
South:	L (Low Density Residential)
East:	L (Low Density Residential)
West:	PR (Parks and Recreation)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	R-1 (Single Family Residential)
East:	R-1 (Single Family Residential)
West:	C-V (Civic)

E) General Plan Compliance

The site is designated L (Low Density Residential) on the Southeast Sector Map of the General Plan. A General Plan Amendment has been filed to change the land use to MLA (Medium-Low Attached) on this site. The proposed R-PD rezoning would conform to this amended land use designation.

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

While not considered a Special Area Plan or Overlay District, the site is within the Neighborhood Revitalization Area identified in the Las Vegas 2020 Master Plan. The plan contains policies encouraging redevelopment and development of vacant lots that is sensitive to the needs of the community.

B) General Analysis and Discussion

This proposal would permit the development of a 41-lot single-family residential subdivision at a density of 9.31 units per acre. The property is bounded by established and anticipated commercial uses to the north, single family residential on minimum 6,500 square-foot lots to the east and south and the Desert Pines Golf Club to the west.

The rezoning is appropriate for the following reasons:

1. It would place a residential project on an undeveloped infill parcel in a manner that is harmonious and compatible with the surrounding area.
2. It provides a reasonable transition from lower density residential to the east and south and commercial uses to the north.
3. The property is currently designated L (Low Density Residential) on the Southeast Sector Map of the General Plan, yet is zoned C-1 (Limited Commercial). The rezoning and related General Plan Amendment not only resolves this land use conflict, but also provides a reasonable density that will help bring stability to this long established neighborhood.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. **"The proposal conforms to the General Plan."**

   The proposal does not conform to the current land use designation of the General Plan. It does, however, conform to the MLA (Medium-Low Attached Density Residential) recommended for approval by the Planning Commission. The development of this parcel advances General Plan policies to encourage infill development at densities that are harmonious and compatible with the neighborhood.

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

   There is single-family development directly to the east and south of this property. It is at an appropriate density in close proximity to established commercial uses.

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

   The rezoning is appropriate as it represents development of an infill site that is in keeping with the established and anticipated development of this area of the City.

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

   The site is near the intersection of Bonanza Road and Pecos Road; both are adequate to accommodate the needs of this project.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 582 – Mailed with VAR-5099, VAR-5300, WVR-5299, SDR-5098, SUP-5096, and SDR-5093

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5092 APN: 140-31-121-003

Name of Property Owner: John E. Kenny Je Trustee of The Kenny Family Declaration of Trust Dated Feb. 10, 1992

Name of Applicant: _____

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

_____ Yes _____X_____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: John E Kenney Jr TRUSTEE

Print Name: JOHN E KENNEY JR TRUSTEE OF THE KENNEY FAMILY DECLARATION OF TRUST

Subscribed and sworn before me

This 9 day of Aug., 2004

8/9/04

Notary Public in and for said County and State

G. A. MAROOFI
Comm. # 1388335
NOTARY PUBLIC - CALIFORNIA
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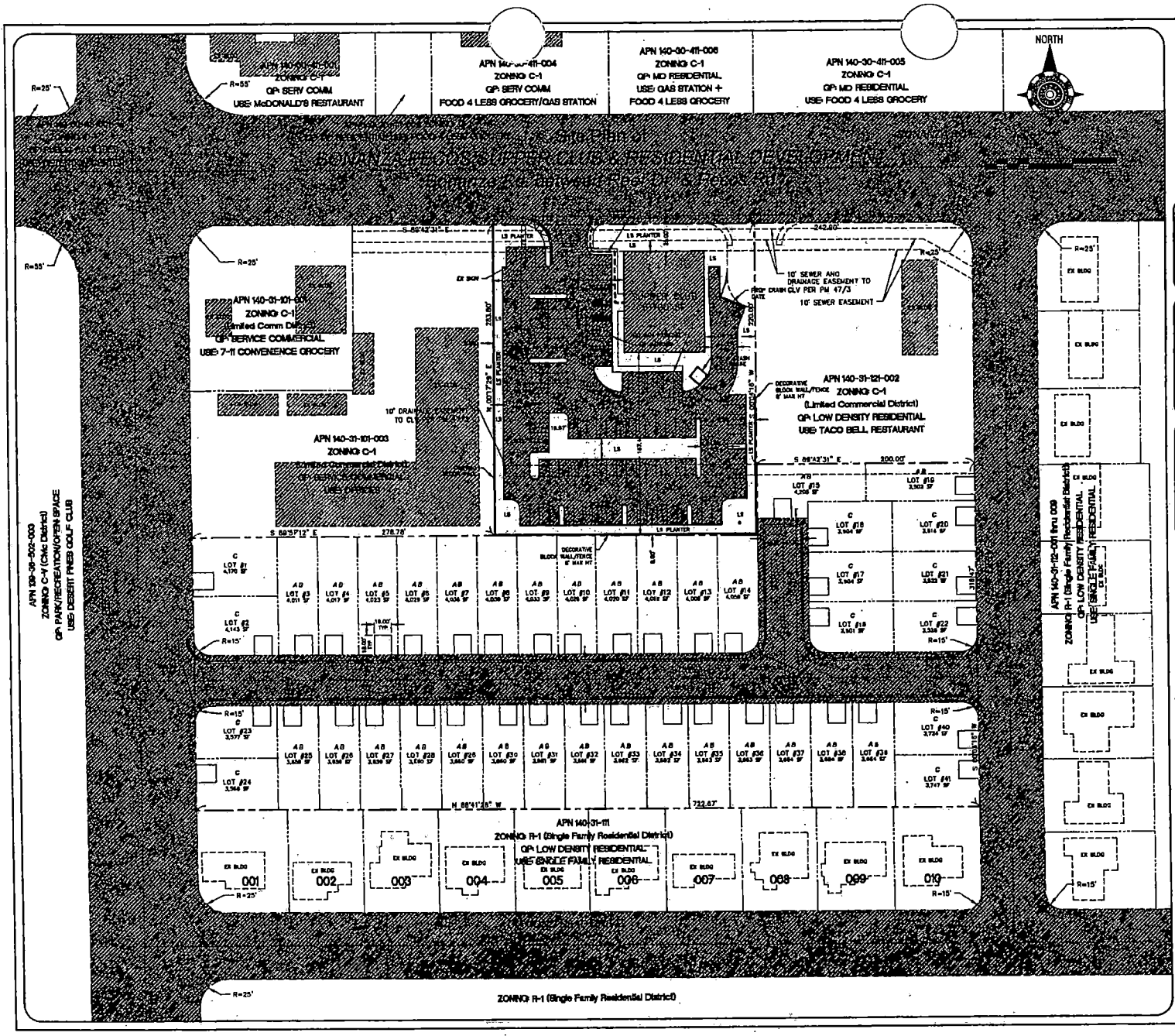

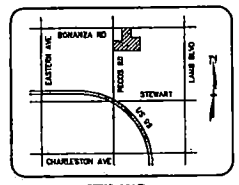

KEY MAP
N.T.S.
TOWNSHIP 20 SOUTH - RANGE 62 EAST - SECTION 31

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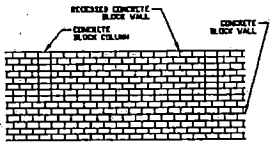

EXISTING BLOCK WALL DETAIL
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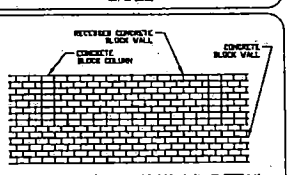

PROPOSED BLOCK WALL DETAIL
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OWNER/DEVELOPER

RESHAWNY CONSULTING, INC.
4320 W. DANEY BLVD.
LAS VEGAS, NEVADA 89103
PH: 367-5880
FX: 531-9877

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- BUILDING SETBACK LINE
- HC ACCESS ROUTE

NO	DESCRIPTION	BY	DATE
	1st SUBMITTAL TO CLV	MK	08/24/04

PROJ NO 2030126
DESIGN ABH
DRAWN
CHECKED

DATE

AZTEC
1330 N. Buffalo Drive
Suite 105
Las Vegas, NV 89128-7410
PH: 702-341-1620
FX: 702-341-1700
Web: aztecus.com

BONANZA PECOS SITE IMPROVEMENTS
BONANZA RD between PECOS RD & REEF DR
SITE PLAN

SHEET
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ZON-5092
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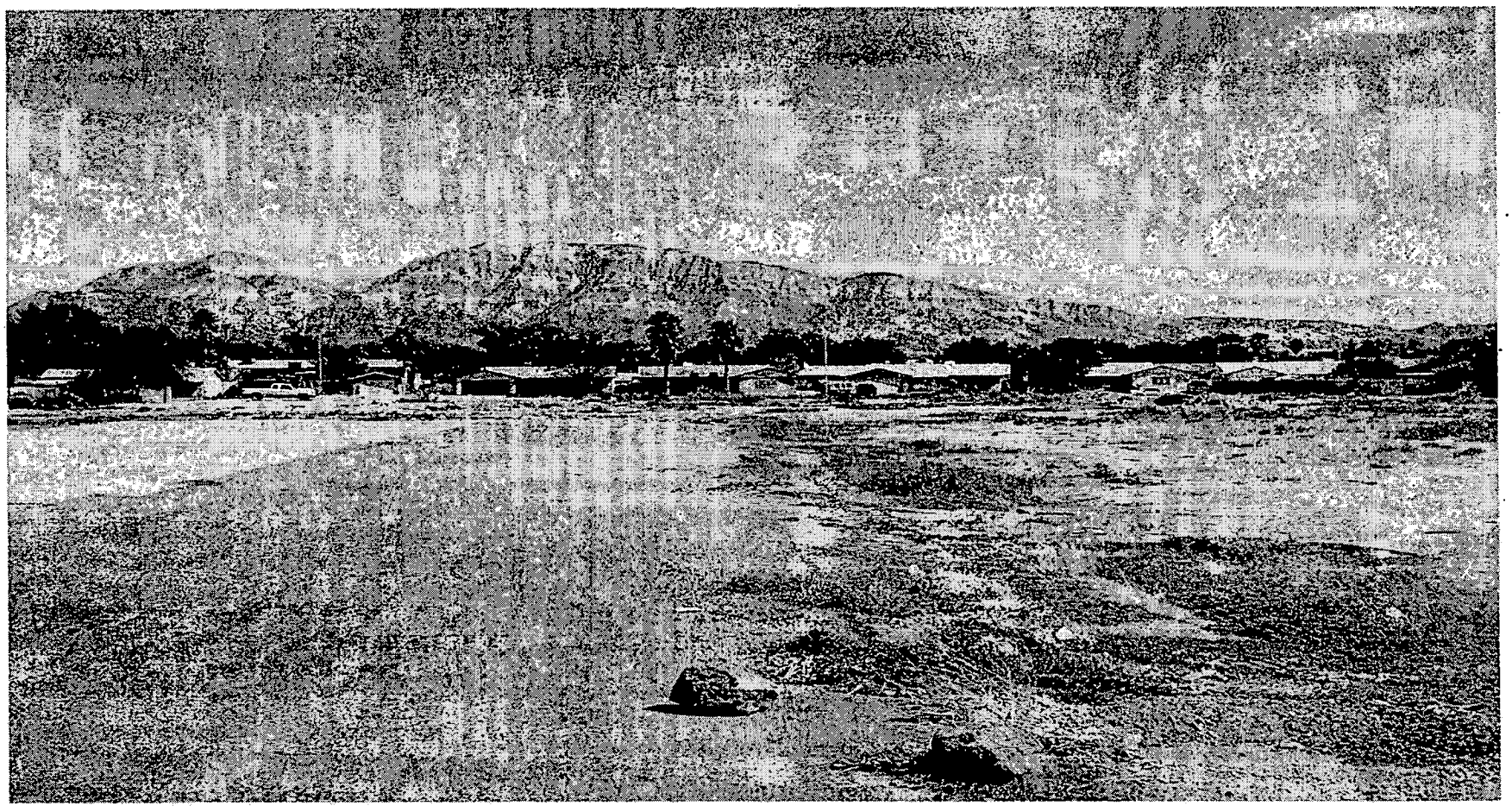


ZON-5092 - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC
SOUTH OF BONANZA ROAD AND EAST OF PECOS ROAD
JANUARY 13, 2005 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No.: 26

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:

ABEYANCE - VAR-5300 - VARIANCE RELATED TO VAR-5099 AND ZON-5092 - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Variance TO ALLOW ZERO ACRES OF OPEN SPACE WHERE 0.68 ACRES IS THE MINIMUM REQUIRED in conjunction with a proposed 41-lot single-family residential development on 4.40 acres adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN a portion of 140-31-121-003), C-1 (Limited Commercial) Zone [PROPOSED: R-PD9 (Residential Planned Development - 9 Units per Acre], Ward 3 (Reese).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

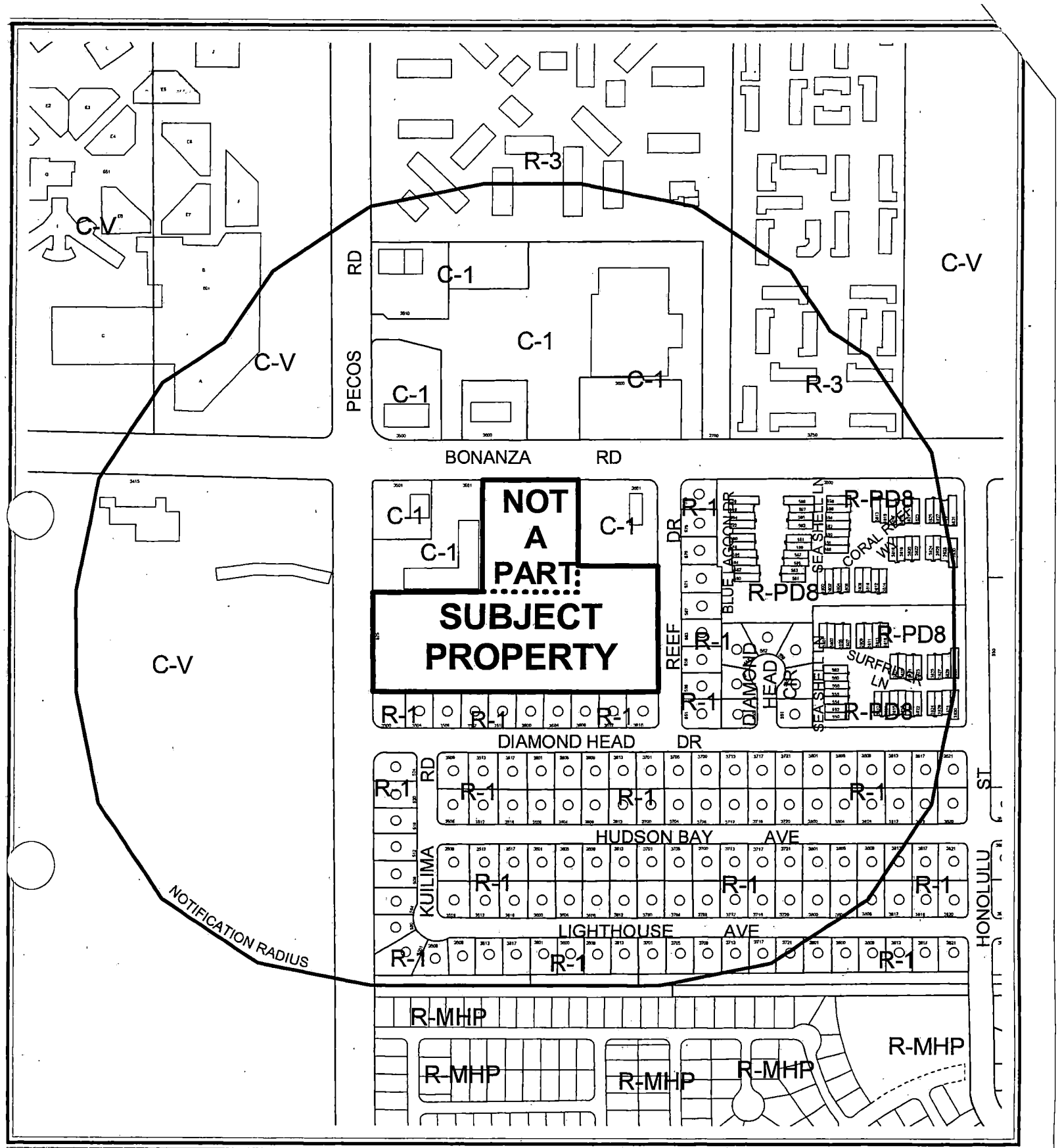
McSWAIN – DENIED – Motion carried with NIGRO, EVANS and STEINMAN voting NO

To be heard by City Council 2/16/2005

MINUTES:

See Item 24 [VAR-5099] for all related discussion on Item 24 [VAR-5099], Item 25 [ZON-5092], Item 26 [VAR-5300], Item 27 [WVR-5299], Item 28 [SDR-5098], Item 29 [SUP-5096] and Item 30 [SDR-5093].

(6:31 – 6:59)


C-V
R-3
C-1
C-V
PECOS RD
C-1
C-1
C-1
C-V
R-3
BONANZA RD
C-V
NOT A PART:
SUBJECT PROPERTY
C-1
C-1
C-1
R-1
R-1
R-1
R-1
R-PD8
R-PD8
R-PD8
R-PD8
DR
BLUE LAGOON DR
SEA SHELL LN
CORAL REEF LN
REEF
DIAMOND HEAD CR
SEA SHELL LN
SURFRIDER LN
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R-1
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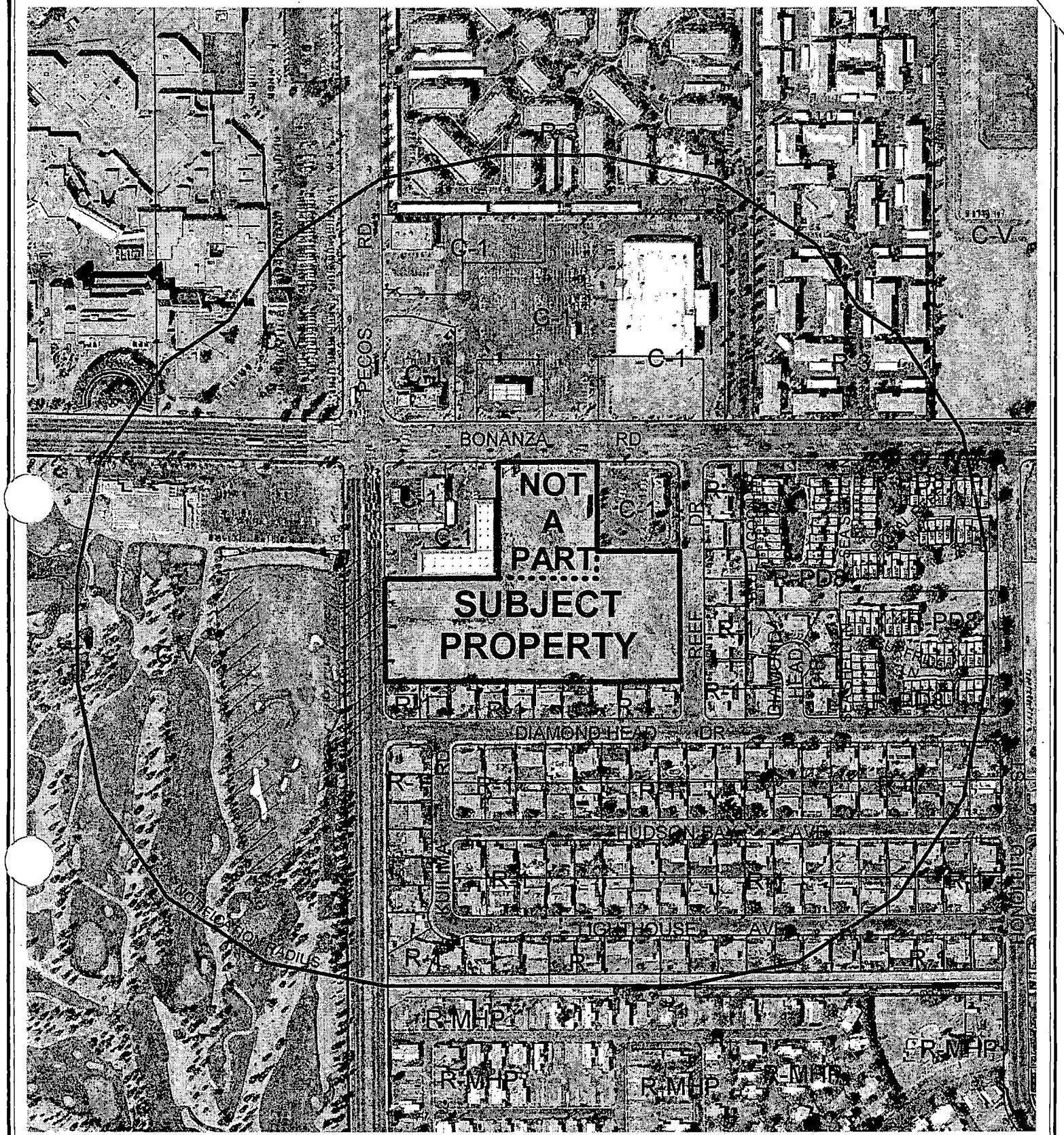


0 300 600 Feet

CASE: **VAR-5300**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-CL (SINGLE-FAMILY COMPACT-LOT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - VAR-5300 - APPLICANT/OWNER: BON BON, LLC

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL**, 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. A waiver of the required landscaping area along Pecos Road and Reef Drive is hereby granted.

3. Approval of and conformance to the conditions of approval imposed on VAR-5099, ZON-5092, WVR-5299 and SDR-5098.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Variance to allow zero acres of open space where approximately 0.68 acres are required, and to allow a waiver of perimeter landscaping requirements, on a 4.40-acre site on the east side of Pecos Road, approximately 300 feet south of Bonanza Road.

B) Applicant's Justification

The applicant's justification for this request is that the provision of landscaping and open space is not necessary for a site in this area, as it will provide a burden to homeowners and contribute to a lack of privacy in the development.

BACKGROUND INFORMATION

A) Previous Actions

10/07/04	The Planning Commission recommended approval of a General Plan Amendment to MLA (Medium-Low Attached Density Residential) (GPA-5082) and a Vacation of a portion of a 10-foot wide drainage easement and ingress/egress easements along Bonanza Road and Pecos Road for this property. (VAC-5101). Staff had recommended approval. The City Council is scheduled to hear these requests on 02/16/05, which will be the same day that the City Council is scheduled to review the subject application.
11/04/04	The Planning Commission held this item in abeyance to the 01/13/05 Planning Commission meeting at the request of the applicant.
01/13/05	The Planning Commission will hear related applications SDR-5098, VAR-5300, WVR-5299, ZON-5092, SUP-5096 and SDR-5093 as part of this agenda.

B) Pre-Application Meeting

08/03/04	Issues discussed pertaining to the residential portion of the project included the need for a more detailed site plan showing landscaping and interior streets.

C) Neighborhood Meetings

09/20/04 The required neighborhood meeting for the companion General Plan Amendment was held by the applicant. Seven persons attended who were all in favor of the project, as long as no apartments are constructed. The applicant stated they were not interested in building any multi-family units.

DETAILS OF APPLICATION REQUEST

Site Area

Gross Acres: 4.40

B) Existing Land Use

Subject Property:	Undeveloped
North:	Commercial
South:	Single-Family Residential
East:	Single-Family Residential
West:	Desert Pines Golf Club

C) Planned Land Use

Subject Property:	L (Low Density Residential)
North:	M (Medium Density Residential)
South:	L (Low Density Residential)
East:	L (Low Density Residential)
West:	PR (Parks and Recreation)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	R-1 (Single Family Residential)
East:	R-1 (Single Family Residential)
West:	C-V (Civic)

E) General Plan Compliance

The site is designated L (Low Density Residential) on the Southeast Sector Map of the General Plan. A General Plan Amendment has been filed to change the land use to MLA (Medium-Low Attached) on this site. There are no General Plan policies that are directly relevant to the proposed Variance.

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

While not considered a Special Area Plan or Overlay District, the site is within the Neighborhood Revitalization Area identified in the Las Vegas 2020 Master Plan. The plan contains policies encouraging redevelopment and development of vacant lots that is sensitive to the needs of the community.

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

Total Acreage	Density	**Required**			**Provided**	
		Ratio	Percent	Area	Percent	Area
4.40 acres	9.32	1.65	15	0.68 Acres	0%	None

The subject of this application is the provision of no open space for this 41 lot single-family subdivision at a density of 9.32 units per acre; additionally, the applicant has requested that no external perimeter landscaping be provided adjacent to the proposed lots that will flank Pecos Road and Reef Drive, as required pursuant to Title 19.12.

B) General Analysis and Discussion

This 4.40 acre-site is part of a larger 5.98-acre parcel; the remainder of the site is proposed for a Supper Club through companion applications. This residential portion of the overall project will be developed as a 41-lot subdivision. The single-family homes to the east and south are developed as R-1 lots, which do not require any common open space or external perimeter landscaping. Requirements for open space and perimeter landscaping in for this project would be out of character for the established development pattern for this area of the City. Also, the remnant piece has an unusual configuration, as it has an extremely narrow frontage along Pecos Road for it depth. Therefore, the request meets the standard of Title 19.18.070 (L).

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

In this instance, the application meets Code standards for the following reasons:

1. The site is narrow and shallow; relief from the open space and perimeter landscaping standards is warranted to develop a single-family residential subdivision that is harmonious and compatible with the area.

2. It does not permit a use that is not allowed in the R-PD zoning district, or vary a minimum distance separation standard or relieve a hardship, which is personal or self-created.

As a result, it is recommended that the Variance be granted.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 582 – Mailed with VAR-5099, ZON-5092, WVR-5299, SDR-5098, SUP-5096, and SDR-5093

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5300 APN: 140-31-121-003

Name of Property Owner: BONBON 22C

Name of Applicant: SAME

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

_____ Yes ___X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Bonnie Cisneros

Print Name: Bonnie Cisneros

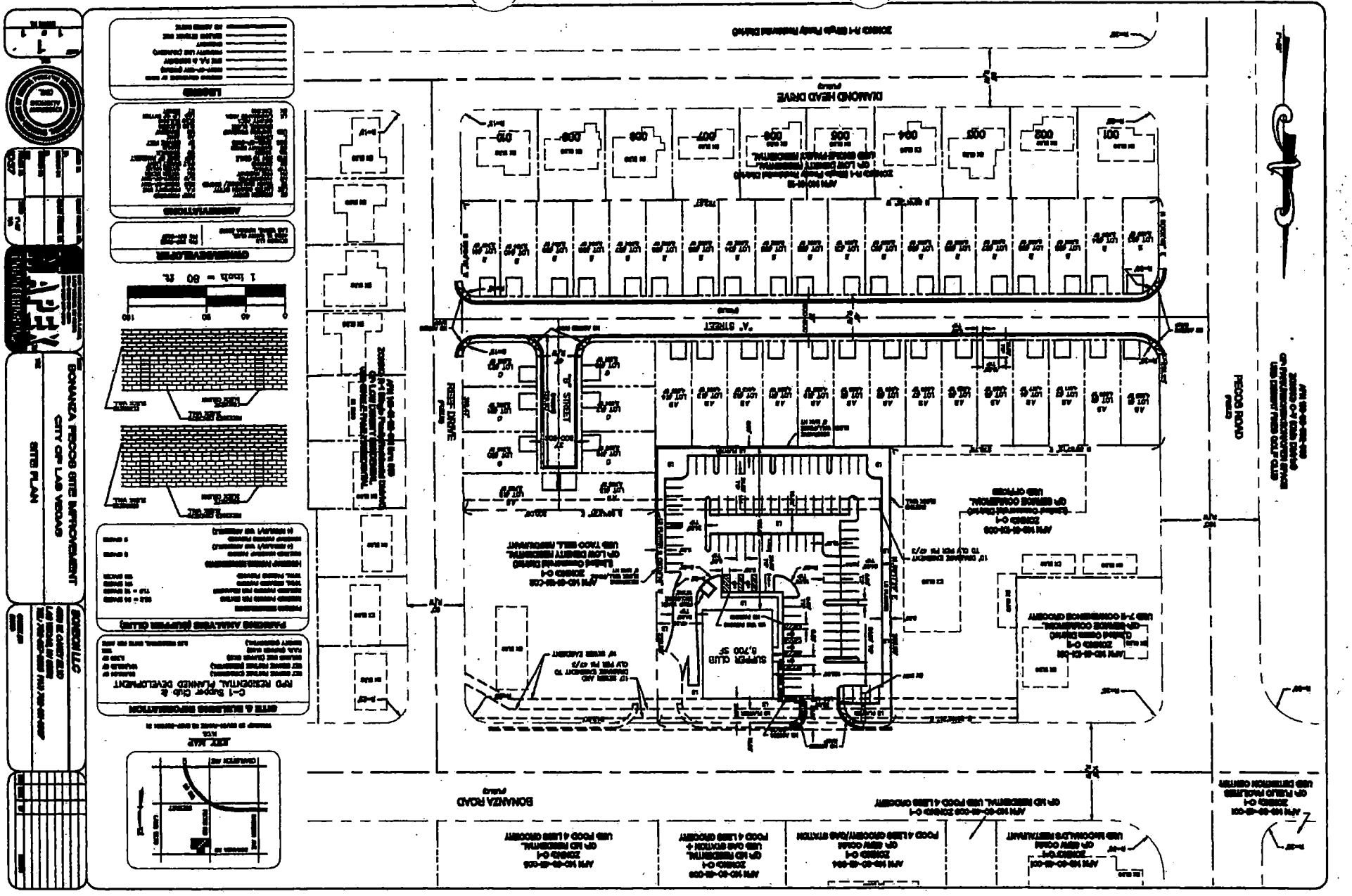
Subscribed and sworn before me

This 17 day of Sept, 2004

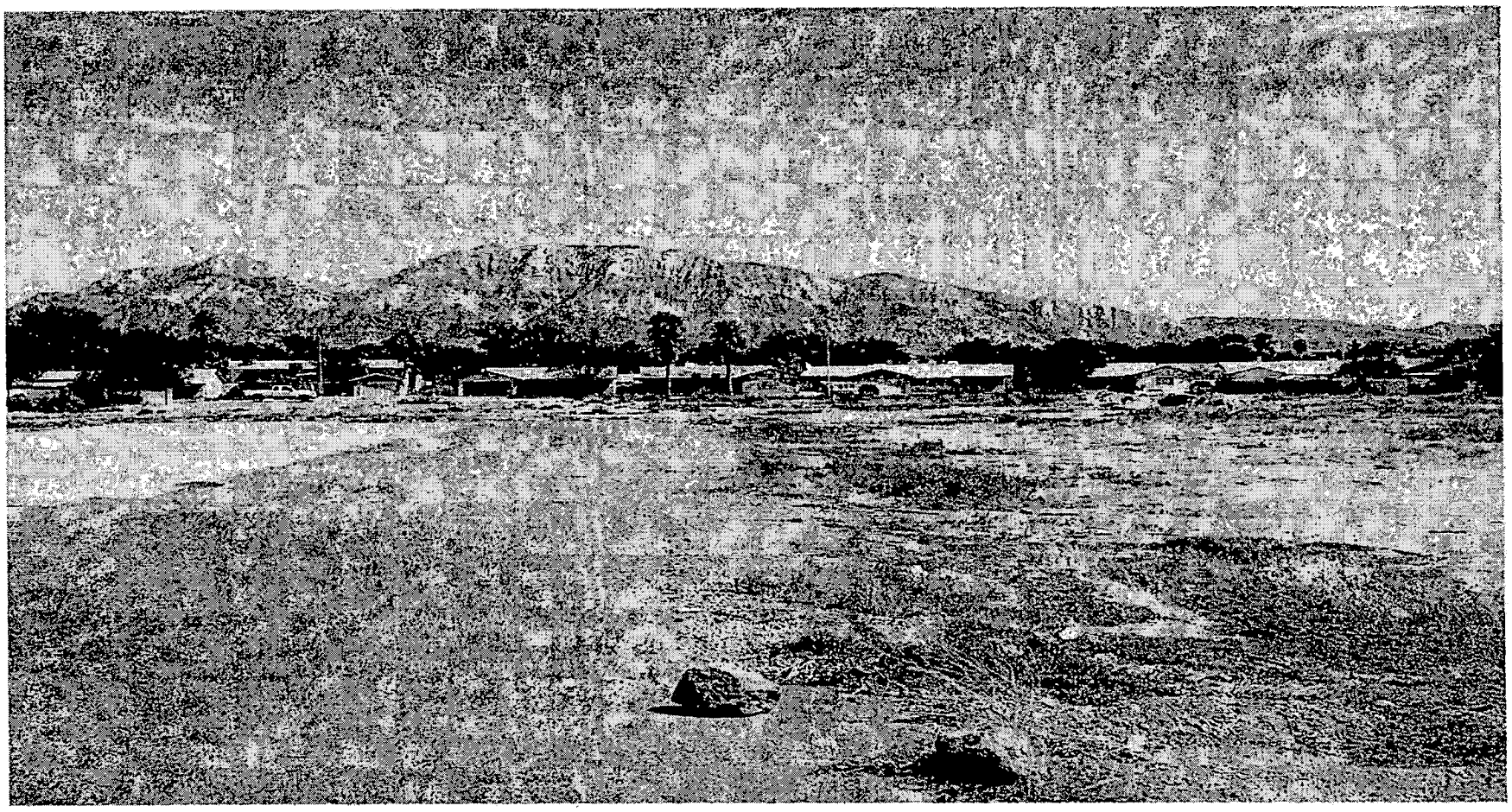
Donna J. Knight

Notary Public in and for said County and State

DONNA J. KNIGHT
Notary Public, State of Nevada
Appointment No. 01-70024-1
My Appt. Expires June 29, 2005



ZON-5092
VAR-5099
SDR-5098
VAR-5300
WVR-5299
11-04-04 PC



VAR-5300 - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC
SOUTH OF BONANZA ROAD AND EAST OF PECOS ROAD
JANUARY 13, 2005 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No.: 27

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:

ABEYANCE - WVR-5299 - WAIVER RELATED TO VAR-5099, ZON-5092 AND VAR-5300 - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Waiver of Title 18.12.130 TO ALLOW A PUBLIC STREET TO TERMINATE WITHOUT A CIRCULAR CUL-DE-SAC OR EMERGENCY ACCESS GATE WHERE ONE IS REQUIRED FOR STREETS TERMINATING OTHER THAN AT AN INTERSECTION WITH ANOTHER PUBLIC STREET in conjunction with a proposed 41-lot single-family residential development on 4.40 acres adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN a portion of 140-31-121-003), C-1 (Limited Commercial) Zone [PROPOSED: R-PD9 (Residential Planned Development - 9 Units per Acre], Ward 3 (Reese).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends DENIAL

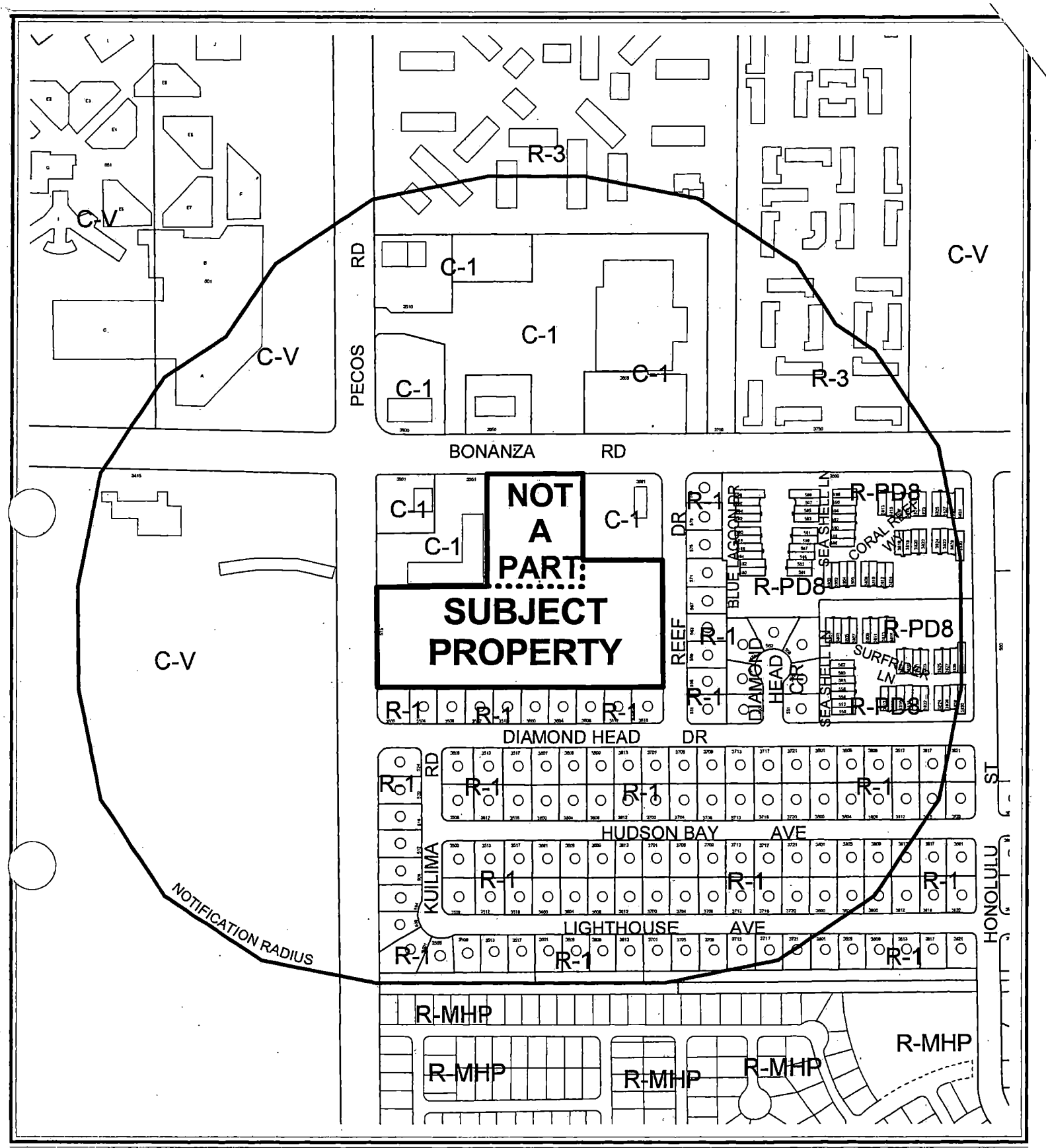
BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
McSWAIN – DENIED – UNANIMOUS

To be heard by City Council 2/16/2005

MINUTES:
See Item 24 [VAR-5099] for all related discussion on Item 24 [VAR-5099], Item 25 [ZON-5092], Item 26 [VAR-5300], Item 27 [WVR-5299], Item 28 [SDR-5098], Item 29 [SUP-5096] and Item 30 [SDR-5093].

(6:31 – 6:59)



CASE: **WVR-5299**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-CL (SINGLE-FAMILY COMPACT-LOT)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - WVR-5299 - APPLICANT/OWNER: BON BON, LLC

** CONDITIONS **

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

Planning and Development

1. The site development plan shall be revised to either terminate this street in a cul-de-sac or designate it as a private street as required by Title 18.

2. Create a Homeowners' Association to maintain the private street, if this option is chosen by the applicant.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request to allow a Waiver of Title 18.12.130, to allow a public street to terminate without a circular cul-de-sac or emergency access gate where one is required for streets terminating other than at an intersection with another public street, on a 4.40-acre site on the east side of Pecos Road, approximately 300 feet south of Bonanza Road. This Waiver applies to the street labeled "B" Street on the site development plan.

B) Applicant's Justification

The applicant's justification for this density is that it is a transition between the R-1 single-family residences to the south and the exiting commercial and proposed supper club to the north. The specific reason provided for this Waiver is that the street in question is only 125 feet in length and the Department of Fire Services had no objections to it.

BACKGROUND INFORMATION

A) Previous Actions

10/07/04	The Planning Commission recommended approval of a General Plan Amendment to MLA (Medium-Low Attached Density Residential) (GPA-5082) and a Vacation of a portion of a 10-foot wide drainage easement and ingress/egress easements along Bonanza Road and Pecos Road for this property. (VAC-5101). Staff had recommended approval. The City Council is scheduled to hear these requests on 02/16/05, which will be the same day that the City Council is scheduled to review the subject application.
11/04/04	The Planning Commission held this item in abeyance to the 01/13/05 Planning Commission meeting at the request of the applicant.
01/13/05	The Planning Commission will hear related applications SDR-5098, VAR-5099, VAR-5300, ZON-5092, SUP-5096 and SDR-5093 as part of this agenda.

B) Pre-Application Meeting

08/03/04	Issues discussed pertaining to the residential portion of the project included the need for a more detailed site plan showing landscaping and interior streets.

C) Neighborhood Meetings

09/20/04 The required neighborhood meeting for the companion General Plan Amendment was held by the applicant. Seven persons attended who were all in favor of the project, as long as no apartments are constructed. The applicant stated they were not interested in building any multi-family units.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.40

B) Existing Land Use

Subject Property:	Undeveloped
North:	Commercial
South:	Single Family Residential
East:	Single Family Residential
West:	Desert Pines Golf Club

C) Planned Land Use

Subject Property:	L (Low Density Residential)
North:	M (Medium Density Residential)
South:	L (Low Density Residential)
East:	L (Low Density Residential)
West:	PR (Parks and Recreation)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	R-1 (Single Family Residential)
East:	R-1 (Single Family Residential)
West:	C-V (Civic)

E) General Plan Compliance

The site is designated L (Low Density Residential) on the Southeast Sector Map of the General Plan. A General Plan Amendment has been filed to change the land use to MLA (Medium-Low Attached) on this site. There are no General Plan policies that are directly related to this waiver request.

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

While not considered a Special Area Plan or Overlay District, the site is within the Neighborhood Revitalization Area identified in the Las Vegas 2020 Master Plan. The plan contains policies encouraging redevelopment and development of vacant lots that is sensitive to the needs of the community.

PROJECT DESCRIPTION

The project consists of a 41-lot single-family subdivision. Two public streets are proposed, one providing internal access for a majority of the lots, which runs in an east-west direction between Pecos Road and Reef Drive. The other, which is the subject of this Title 18 Waiver request, is a 125-foot long street, which provides access to eight of the proposed lots. In most R-PD developments, clusters of four to eight lots are usually served by private drives and are maintained by a homeowners' association. One of the reasons the applicant is making this request is to not have to create a homeowners' association, since no other common elements are provided in the development.

General Analysis and Discussion

The Department of Public Works has indicated that it cannot support this request for a Waiver of Title 18.12.130 to allow a public street to terminate without a circular cul-de-sac or emergency access gate where one is required for streets terminating other than at an intersection with another public street. Although the Department of Fire Services may support this waiver with appropriate sprinklers, Public Works cannot support this request due to the inability of large vehicles such as delivery trucks to turn around upon reaching the street terminus and the inability of proper street cleaning. In addition vehicles would tend to utilize private driveways to turn around in order to exit the "dead end" street. Title 18 would permit the proposed termination if the street were to be designated as "private", therefore, it is Public Works' opinion that should this configuration remain, that the streets become private and therefore privately maintained. As a result, it is recommended that this Waiver be denied.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 582 – Mailed with VAR-5099, VAR-5300, ZON-5092, SDR-5098, SUP-5096, and SDR-5093

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-5299 APN: 140-31-121-003

Name of Property Owner: BONBON LLC

Name of Applicant: SAME

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

_____ Yes ___X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Bonnie Cisneros

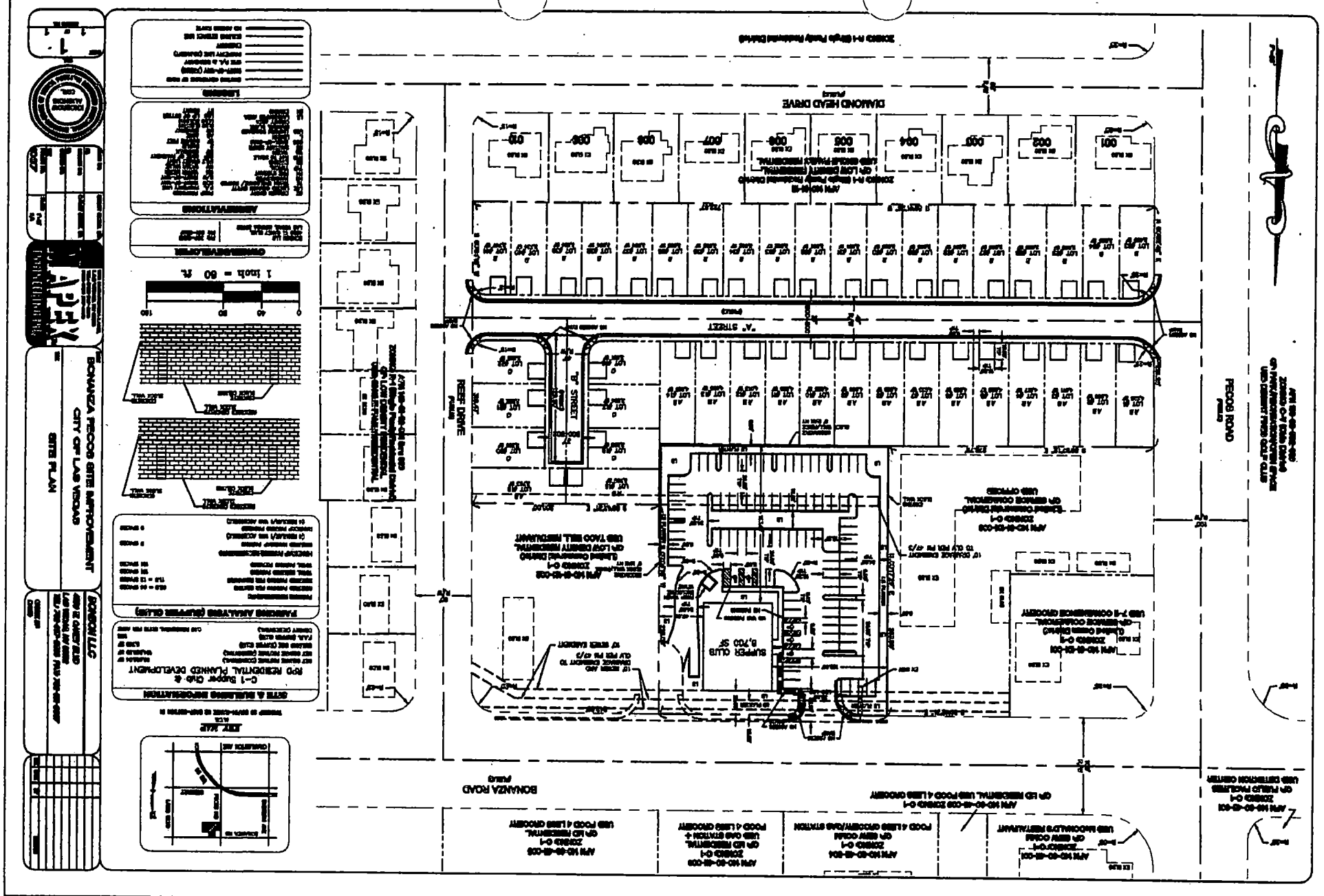
Subscribed and sworn before me

This 18 day of Sept, 2004

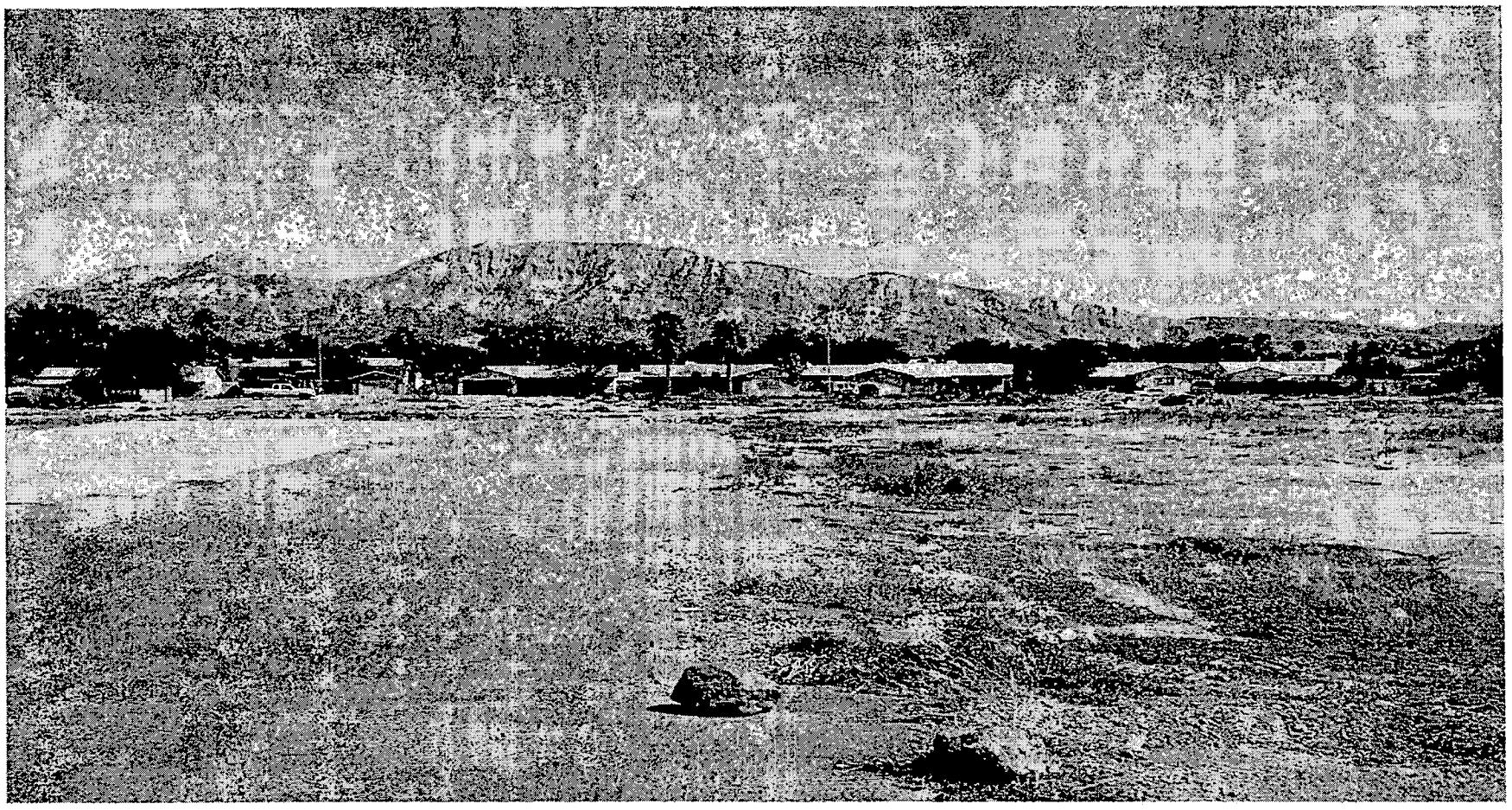
[signature]

Notary Public in and for said County and State

DONNA J. KNIGHT
Notary Public, State of Nevada
Appointment No. 01-70024-1
My Appt. Expires June 29, 2005



ZON-5092
VAR-5099
SDR-5098
VAR-5300
WVR-5299
11-04-04 PC



WVR-5299 - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC
SOUTH OF BONANZA ROAD AND EAST OF PECOS ROAD
JANUARY 13, 2005 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No.: 28

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:

ABEYANCE - SDR-5098 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5099, ZON-5092, VAR-5300 AND WVR-5299 - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Site Development Plan Review FOR A PROPOSED 41-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 4.40 acres adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone [PROPOSED: R-PD9 (Residential Planned Development - 9 Units per Acre], Ward 3 (Reese).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

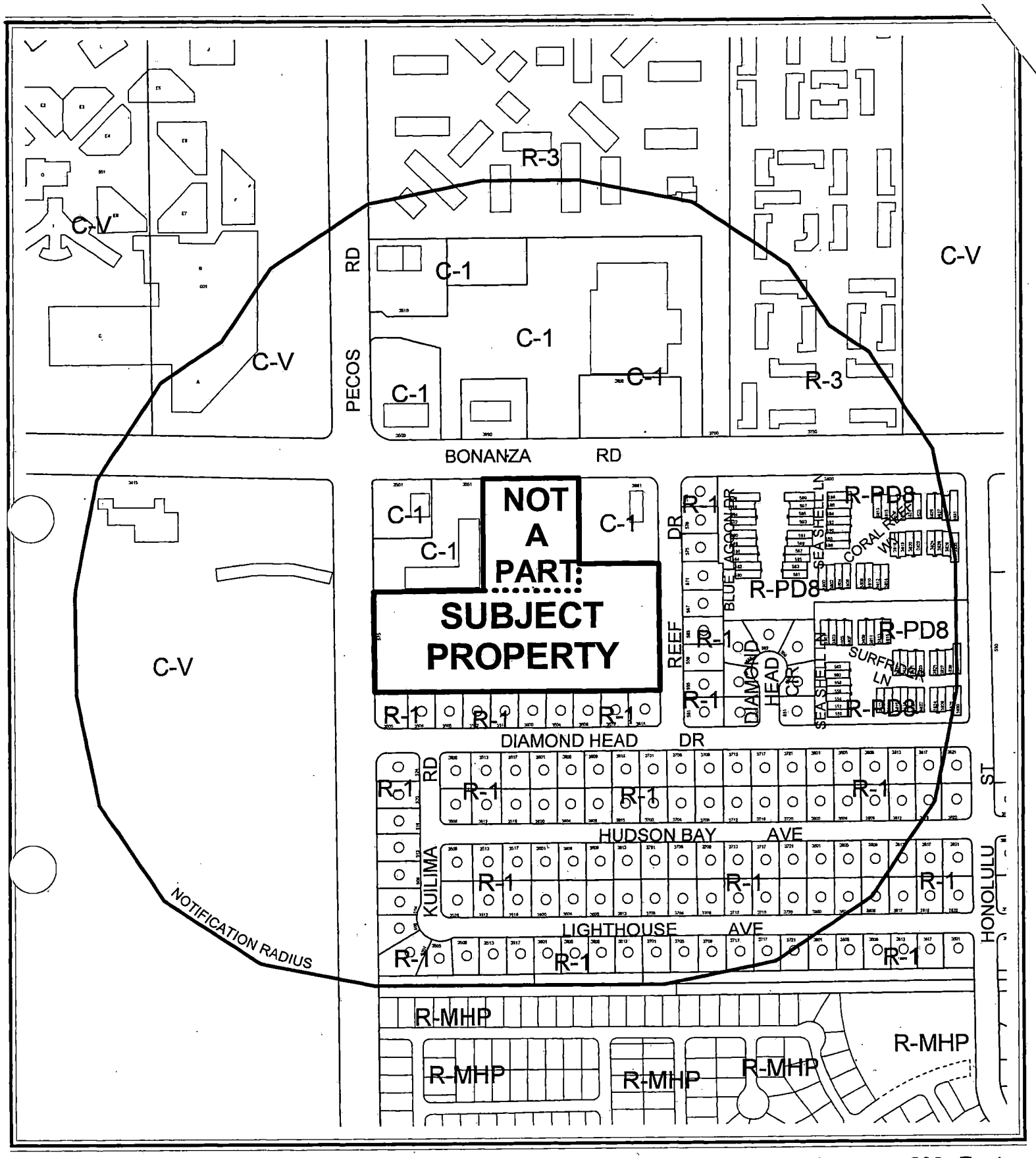
McSWAIN – DENIED – UNANIMOUS

To be heard by City Council 2/16/2005

MINUTES:

See Item 24 [VAR-5099] for all related discussion on Item 24 [VAR-5099], Item 25 [ZON-5092], Item 26 [VAR-5300], Item 27 [WVR-5299], Item 28 [SDR-5098], Item 29 [SUP-5096] and Item 30 [SDR-5093].

(6:31 – 6:59)



CASE: **SDR-5098**

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-CL (SINGLE-FAMILY COMPACT-LOT)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SDR-5098 – APPLICANT/OWNER: BON BON, LLC

** CONDITIONS **

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

Planning and Development

1. Approval of a General Plan Amendment to MLA (Medium-Low Attached) (GPA-5082); Variances to the required minimum lot size of five acres and to the required open space standard (VAR-5099) and (VAR-5300) and a Site Development Plan Review for 41 single-family residences (SDR-5098) by the City Council.

2. This site development plan review shall expire in two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council

3. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

4. All development shall be in conformance with the site plan and building elevations, date stamped October 20, 2004, except as amended by conditions herein.

5. The setbacks for this development shall be a minimum of 20 feet to the front of the house, five feet on the side, 10 feet on the corner side and 15 feet in the rear.

6. A waiver is granted to not provide landscaping along Pecos Road.

7. Air conditioning units shall not be mounted on rooftops.

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

9. Any new property line wall shall be a decorative block wall, with at least 20 % contrasting materials. Wall heights shall be measure from the side of the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

10. All City Code requirements and standards shall be met.

Public Works

11. 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.

12. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5092 and all other applicable site-related actions.

13. A Master Streetlight Plan must be submitted and approved prior to the submittal of any construction drawings for this site.

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

15. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Site Development Plan Review of a 41-lot single-family residential subdivision on a 4.40-acre site on the east side of Pecos Road, approximately 300 feet south of Bonanza Road.

B) Applicant's Justification

The applicant has justified this request by stating that the project represents a transition between the R-1 single-family residences to the south and the existing commercial and proposed supper club to the north.

BACKGROUND INFORMATION

A) Previous Actions

10/07/04 The Planning Commission recommended approval of a General Plan Amendment to MLA (Medium-Low Attached Density Residential) (GPA-5082) and a Vacation of a portion of a 10-foot wide drainage easement and ingress/egress easements along Bonanza Road and Pecos Road for this property. (VAC-5101). Staff had recommended approval. The City Council is scheduled to hear these requests on 02/16/05, which will be the same day that the City Council is scheduled to review the subject application.

11/04/04 The Planning Commission held this item in abeyance to the 01/13/05 Planning Commission meeting at the request of the applicant.

01/13/05 The Planning Commission will hear related applications VAR-5099, VAR-5300, WVR-5299, ZON-5092, SUP-5096 and SDR-5093 as part of this agenda.

B) Pre-Application Meeting

08/03/04 Issues discussed pertaining to the residential portion of the project included the need for a more detailed site plan showing landscaping and interior streets.

C) Neighborhood Meetings

09/20/04 The required neighborhood meeting for the companion General Plan Amendment was held by the applicant. Seven persons attended who were all in favor of the project, as long as no apartments are constructed. The applicant stated they were not interested in building any multi-family units.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.40

B) Existing Land Use

Subject Property:	Undeveloped
North:	Commercial and Undeveloped
South:	Single Family Residential
East:	Single Family Residential
West:	Desert Pines Golf Club

C) Planned Land Use

Subject Property:	L (Low Density Residential)
North:	M (Medium Density Residential)
South:	L (Low Density Residential)
East:	L (Low Density Residential)
West:	PR (Parks and Recreation)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	R-1 (Single Family Residential)
East:	R-1 (Single Family Residential)
West:	C-V (Civic)

E) General Plan Compliance

The site is designated L (Low Density Residential) on the Southeast Sector Map of the General Plan. A General Plan Amendment has been filed to change the land use to MLA (Medium-Low Attached) on this site. The proposed site plan would conform to this amended land use designation.

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

While not considered a Special Area Plan or Overlay District, the site is within the Neighborhood Revitalization Area identified in the Las Vegas 2020 Master Plan. The plan contains policies encouraging redevelopment and development of vacant lots that is sensitive to the needs of the community.

PROJECT DESCRIPTION

Direct access to the project is via a 47-foot wide public street (with "L" curb) that connects Pecos Road to Reef Drive. Thirty-three of the lots will have access to this street, while the other eight lots front along a 125-foot long street that does not terminate in a cul-de-sac as required by Title 18. All driveways are at least six feet from the intersection of the proposed street to Pecos Road.

Most of the lots are slightly larger, with similar dimensions than what would be expected in an R-CL (Single Family - Compact Lot) subdivision. No open space or landscaping is proposed. These deficiencies are addressed through a companion Variance request (VAR-5300).

There are 10 lots zoned as R-1 (Single Family Residential) that directly abut the southern edge of the subject site. The site plan as proposed would place 19 lots along the south property line, which will mean that there are approximately two lots on the subject site adjacent to any one lot on the existing site to the south.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Development Standards for an R-PD zoned project are set out on the site plan. In the case of the subject proposal, these are as follows:

Standards	**Proposed**
Standard. Lot Size	3,578 average SF / lot
Standard. Lot Width	38 Feet (average)
Min. Setbacks • Front • Side • Corner • Rear	 20 Feet 5 Feet 10 Feet 15 Feet
Max. Lot Coverage	80% (approx)
Max. Building Height	2 Stories / 27 Feet

These standards are appropriate for this type and scale of development, although there is no open space provided on the site.

A2) Residential Adjacency Standards

There are no Residential Adjacency Standards that apply to the subject proposal.

A3) Parking and Traffic Standards

The Code requires two parking spaces per single-family dwelling. All house are provided with two-car garages.

The Department of Public Works has recommended denial of the companion waiver to allow one of the internal public streets to terminate without a cul-de-sac.

A4) Landscape and Open Space Standards

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

Standards	**Required**		**Provided**
	Ratio	Trees	
Buffer:			
• Min. Trees	1 Tree/30 Linear Feet	5 Trees	None
• Min. Zone Width	6 Feet		None

The applicant has not provided perimeter landscaping. This is not in conformance to Code standards. A companion application (VAR-5300) has been filed to address this deficiency.

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

Total Acreage	Density	**Required**			**Provided**	
		Ratio	Percent	Area	Percent	Area
4.40 acres	9.32	1.65	15.3	0.68 Acres	None	None

The project is 100% deficient in open space based on the requirements of the Code. The applicant has filed a concurrent Variance from the open space standards of Title 19 (VAR-5300).

B) General Analysis and Discussion

- Zoning

The proposed R-PD9 (Residential Planned Development - 9 Units per Acre) zoning district will be a conforming rezoning if a General Plan Amendment to MLA (Medium Low Attached) is approved by the City Council. (GPA-5082). The allowable density of 9.49 units per acre encompasses the proposed site density of 9.31 u.p.a. for the companion site plan request, and will provide for a reasonable transition from the existing R-1 (Single Family Residential) zoned property to the south and the commercial area to the north of the site.

- Site Plan

A crucial deficiency regarding the site development plan is that the 125-foot wide interior public street that does not terminate in a cul-de sac. There are options to this issue; one is to make it a private street or drive and create a homeowners' association, the other is to redesign the site plan to provide the cul-de-sac. Implementation of this option may result in the loss of up to four lots. Either is acceptable to City staff.

- Waivers

The applicant has requested that perimeter landscaping be waived and has requested a Variance of the requirement to provide an open space component for the project. The basis for these requests is that the developer does not wish to have to create a homeowners' association or landscape maintenance association to be responsible for ongoing maintenance, and that the developer feels that any common space will offer an potentially undesirable congregation point for non-residents. As well, a Waiver to certain Title 18 standards has also been requested. As the Public Works Department has recommended denial of the Waiver, and the site plan is predicated on the design requiring the waiver, denial of the site plan is recommended.

- Elevation

The elevations are standard for this type of development.

FINDINGS

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

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

   The proposed single-family development is compatible with the adjacent single-family homes to the east and south and the commercial areas to the north. It represents a reasonable transition between these two land uses.

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

   The proposal advances Revitalization Plan policies, which encourage the development of infill parcels in manner that maintains neighborhood stability; however, the recommendation for denial is based on substandard design elements, primarily the lack of conformance to Title 18.

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

   The site is adequately served with direct access to Pecos Road, designated as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. The site plan has been revised to show that all driveways will maintain a minimum distance six feet from the intersection with Pecos Road.

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

   No perimeter landscaping or internal open space is proposed with this development, which could greatly benefit from the inclusion of these features in the project design.

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 proposal is harmonious and compatible with the surrounding area.

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

   No particular measures need to be taken other than inspections conducted by the Department of Building and Safety.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 582 – Mailed with VAR-5099, VAR-5300, WVR-5299, ZON-5092, SUP-5096, and SDR-5093

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5098 APN: 140-31-121-003

Name of Property Owner: John E. Kenny Je Trustee of The Kenny Family Declaration of Trust Dated Feb. 10, 1992

Name of Applicant: _____

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

_____ Yes _____X_____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: John E Kenney Jr TRUSTEE

Print Name: JOHN E KENNEY JR TRUSTEE OF THE KENNEY FAMILY DECLARATION OF TRUST

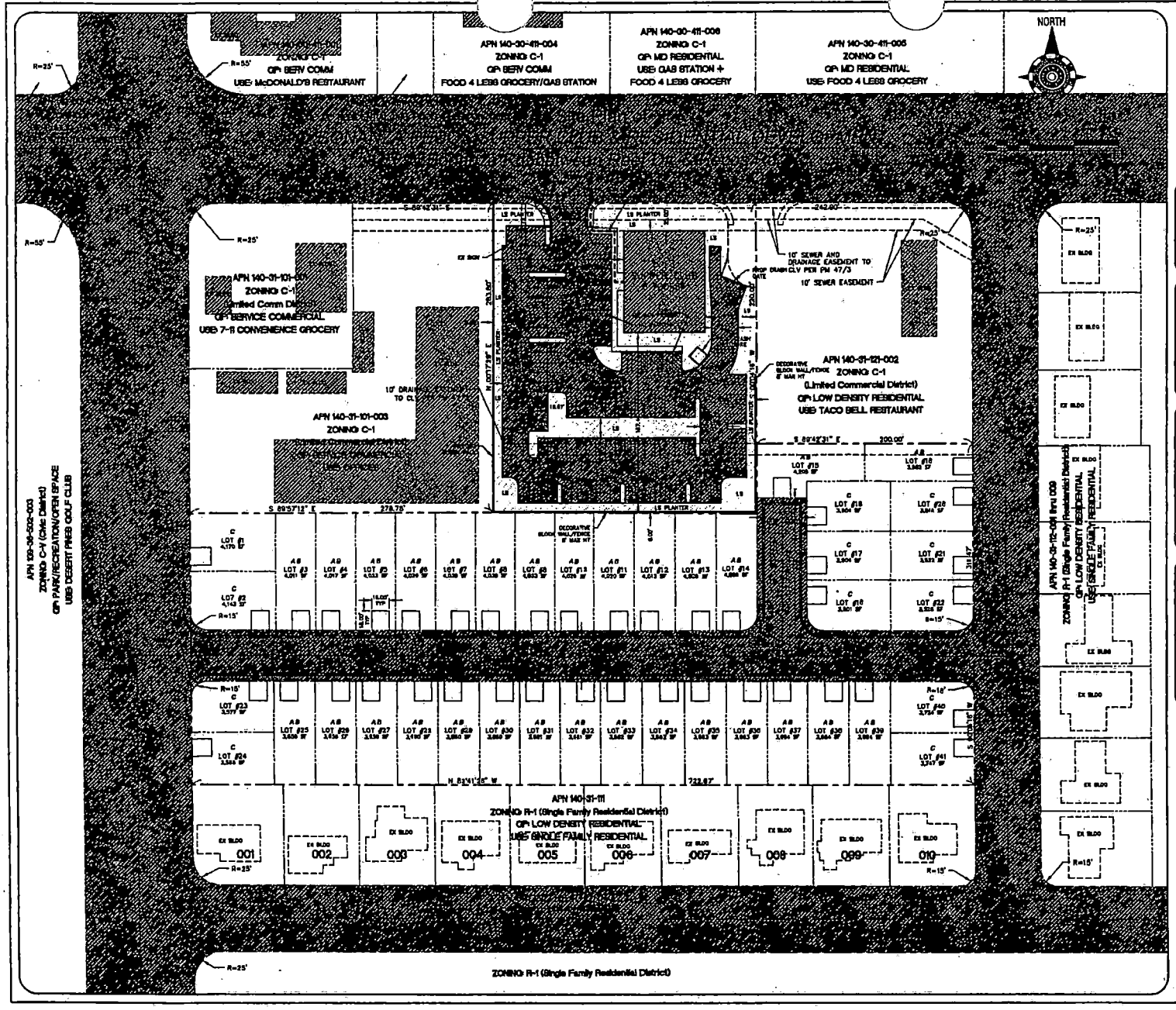
Subscribed and sworn before me

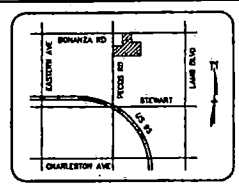
This 9 day of Aug., 2004

8/9/04

Notary Public in and for said County and State

G. A. MAROOFI
Comm. # 1388335
NOTARY PUBLIC - CALIFORNIA
Marin County
My Comm. Expires Dec. 3, 2006





KEY MAP
N.T.S.
TOWNSHIP 20 SOUTH-RANGE 63 EAST-SECTION 31

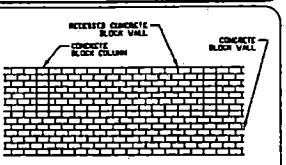
SITE & BUILDING INFORMATION

C-1 Supper Club &
R-CL Single-Family Compact-Lot Residential

NET SQUARE FOOTAGE (COMMERCIAL)	87,328.34 SF
NET SQUARE FOOTAGE (RESIDENTIAL)	154,895.26 SF
BUILDING SIZE (SUPPER CLUB)	6,700 SF
F.A.R. (SUPPER CLUB)	1:26
DENSITY (RESIDENTIAL)	8.15 RESIDENTIAL UNITS PER ACRE

PARKING ANALYSIS (SUPPER CLUB)

PARKING REQUIREMENTS	
REQUIRED PARKING FOR SEATING	83.0 = 84 SPACES
REQUIRED PARKING FOR REMAINDER	11.0 = 12 SPACES
TOTAL REQUIRED PARKING	106 SPACES
TOTAL PARKING PROVIDED	181 SPACES
HANDICAP PARKING REQUIREMENTS	
REQUIRED HANDICAP PARKING (4 REGULAR/1 VAN ACCESSIBLE)	5 SPACES
HANDICAP PARKING PROVIDED (4 REGULAR/1 VAN ACCESSIBLE)	5 SPACES



EXISTING BLOCK WALL DETAIL
NOT TO SCALE

PROPOSED BLOCK WALL DETAIL
NOT TO SCALE

OWNER/DEVELOPER

REDHAWK CORPORATIONS, INC.
6885 S. GAILEY BLVD.
LAS VEGAS, NEVADA 89102
PH# 367-6888
FX# 531-9837

ABBREVIATIONS

CE	CONCRETE ENTRY	PROP	PROPOSED
LCE	LIMITED CONCRETE ENTRY	P/L	PROPERTY LINE
T/E	TRASH ENCLOSURE	ROW	RIGHT-OF-WAY
HC	HANDICAPPED	R/W	RIGHT-OF-WAY
FH	FIRE HYDRANT	WM	WATER METER
TYP	TYPICAL	WV	WATER VALVE
EX	EXISTING	ST.L	STREET LIGHT
NTS	NOT TO SCALE	EOP	EDGE OF PAVEMENT
W	WATER	SW	SIDEWALK
SS	SANITARY SEWER	R	RADIUS
BOC	BACK-OF-CURB	SF	SQUARE FEET
L	LENGTH	AC	ACRES
S/D	SIMPLEX STANDARD	DW	DRIVEWAY
	DRAINAGE FLUME	ELEC	ELECTRIC
	COUNTY AREA	BLDG	BUILDING
LS	LANDSCAPED AREA	LOC	LIP OF CUTTER
EX	EXISTING	HT	HEIGHT

LEGEND

- EXISTING CENTERLINE OF ROAD
- RIGHT-OF-WAY (PUBLIC)
- SITE P.A. & BOUNDARY
- PROPERTY LINE (ADJACENT)
- EASEMENT
- BUILDING SETBACK LINE
- NO ACCESS ROUTE

1st SUBMITTAL TO CLV 06/24/04

AZTEC

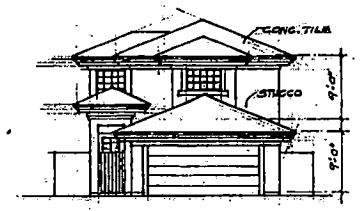
3330 N. Buffalo Drive
Suite 105
Las Vegas, NV 89129-7510
Tel: 702-396-2426
Fax: 702-396-7726
www.aztecla.com

BONANZA PECOS SITE IMPROVEMENTS
BONANZA RD between PECOS RD & REEF DR
SITE PLAN

SHEET
SP
1 of 1 Sheet

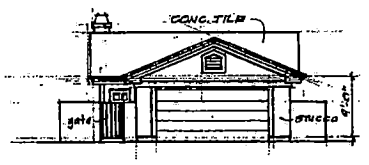
RECEIVED
AUG 24 2004

ZON-5092
VAR-5099
SUP-5096
SDR-5093
SDR-5098
10-07-04 PC



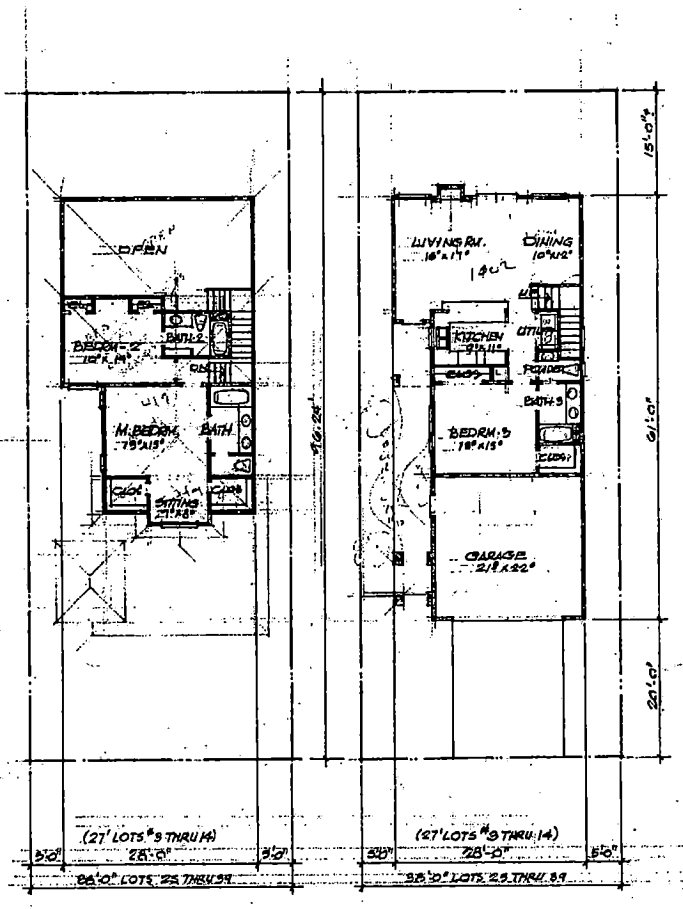
PLAN -B - FRONT ELEVATION

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



PLAN -A -FRONT ELEVATION

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

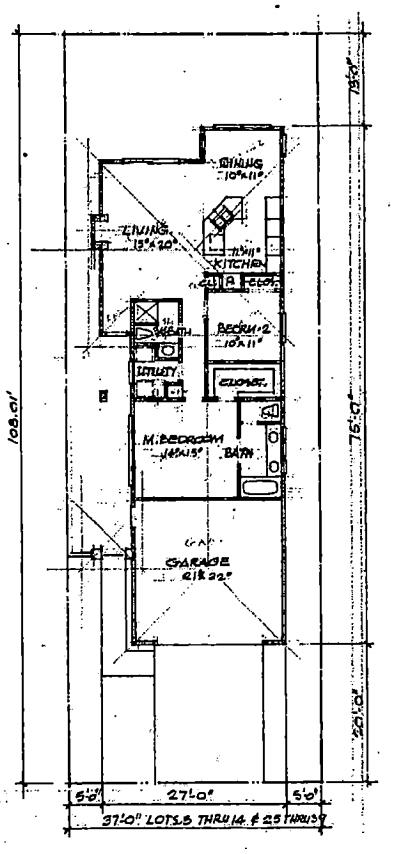


PLAN -B - 2ND FLOOR PLAN

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

PLAN -B - 1ST FLOOR PLAN

SCALE:		1/8"=1'-0"
HOUSE:	2(1902 S.F. INTR.)(4/29/04 2nd PC)	1922 S.F.
GARAGE:		462
TOTAL		1884 S.F.



PLAN - A - FLOOR PLAN

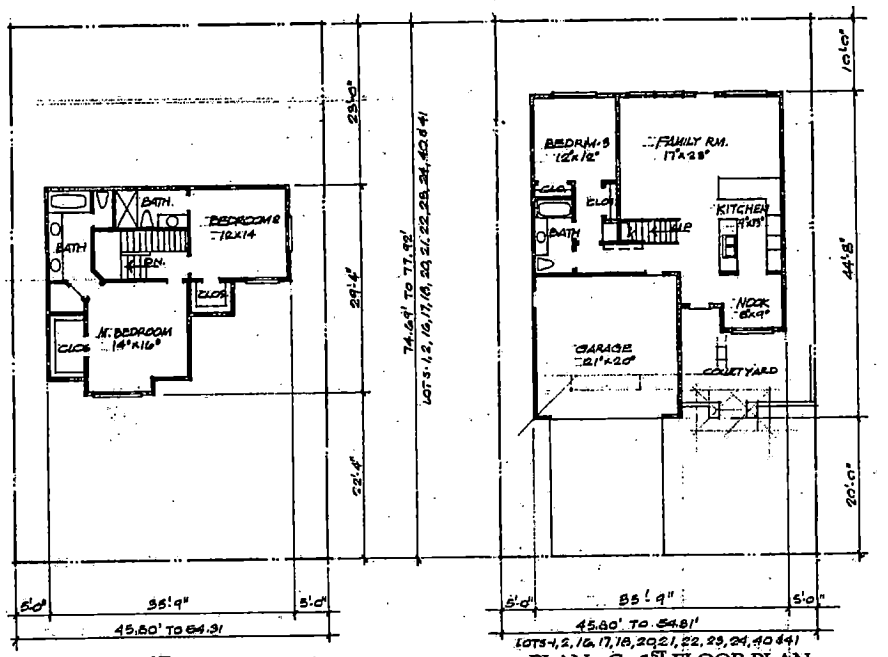
SCALE:	1/8"=1'-0"
HOUSE	1277 S.F.
GARAGE	473 S.F.
TOTAL	1750 S.F.

ZON-5092
VAR-5099
SUP-5096
SDR-5093
SDR-5098
10-07-04 PC

RECEIVED
AUG 24 2004

STEVE FISKIN, ARCHITECT
3305 SPRING MT. RD., #32
LAS VEGAS, NV. 89102 ph. 227-6693

BONANZA PECOS
RESIDENTIAL DEVELOPMENT



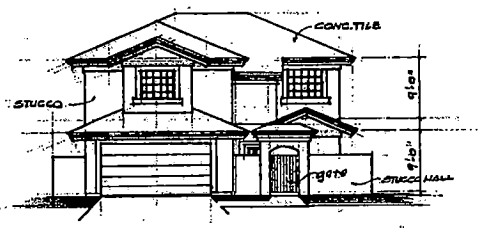
PLAN - C - 2ND FLOOR PLAN

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

PLAN - C - 1ST FLOOR PLAN

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

HOUSE (996 s.f. 1ST FLR.) (779 s.f. 2ND FLR.) 1775 S.F
GARAGE 420
TOTAL 2195 SF.



PLAN - C - FRONT ELEVATION

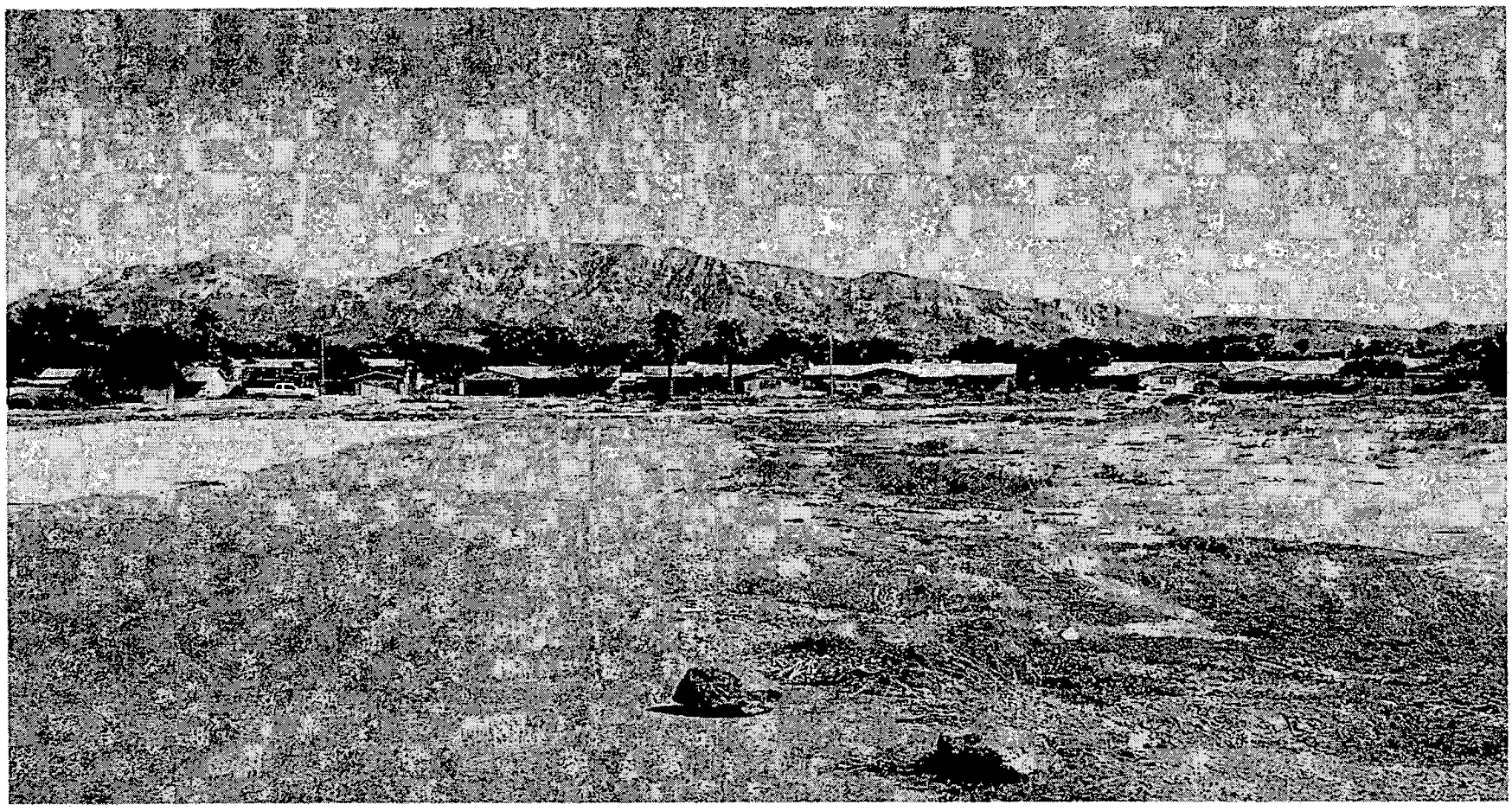
SCALE: 1/8"=1'-0"

STEVE FISKIN, ARCHITECT
3305 SPRING MT. RD., #32
LAS VEGAS, NV. 89102, ph. 222-6493

BONANZA PLAZA PECOS
RESIDENTIAL DEVELOPMENT

RECEIVED
AUG 24 2004

ZON-5092
VAR-5099
SUP-5096
SDR-5093
SDR-5098
10-07-04 PC



SDR-5098 - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC
SOUTH OF BONANZA ROAD AND EAST OF PECOS ROAD
JANUARY 13, 2005 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No.: 29

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:

ABEYANCE - SUP-5096 - SPECIAL USE PERMIT RELATED TO VAR-5099, ZON-5092, VAR-5300, WVR-5299 AND SDR-5098 - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Special Use Permit FOR A SUPPER CLUB adjacent to the south of Bonanza Road approximately 290 feet east of Pecos Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	**Planning Commission Mtg.**	0
City Council Meeting		**City Council Meeting**	

RECOMMENDATION:
Staff recommends APPROVAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
McSWAIN – APPROVED – UNANIMOUS

To be heard by City Council 2/16/2005

MINUTES:
See Item 24 [VAR-5099] for all related discussion on Item 24 [VAR-5099], Item 25 [ZON-5092], Item 26 [VAR-5300], Item 27 [WVR-5299], Item 28 [SDR-5098], Item 29 [SUP-5096] and Item 30 [SDR-5093].

(6:31 – 6:59)

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 29 – SUP-5096

CONDITIONS:

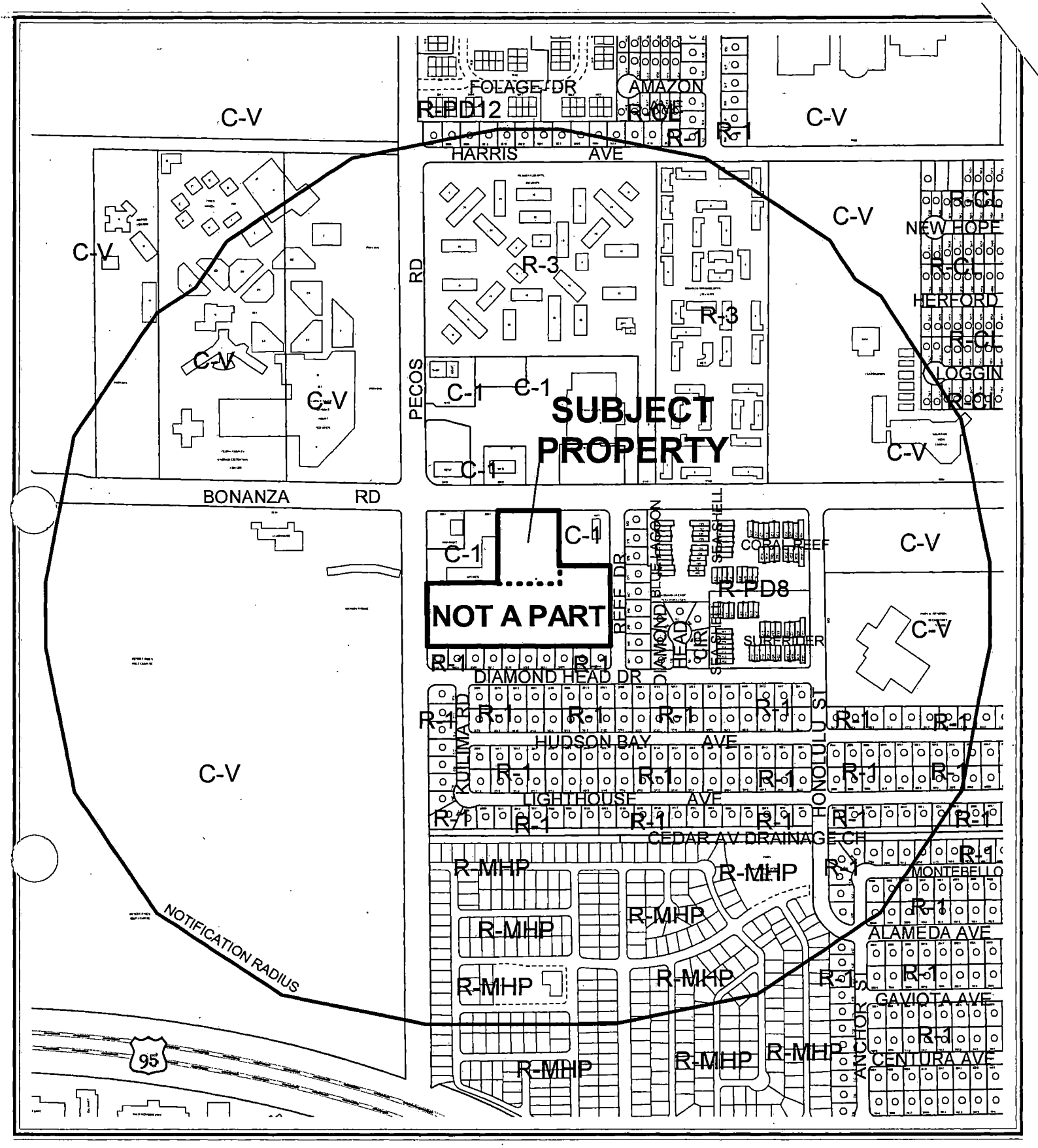
Planning and Development

1. Conformance to all Title 19 requirements for a Supper Club.

2. Approval of and conformance to all conditions of approval for Site Development Plan Review SDR-5093.

3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted.

4. Conformance to all applicable City Code standards.



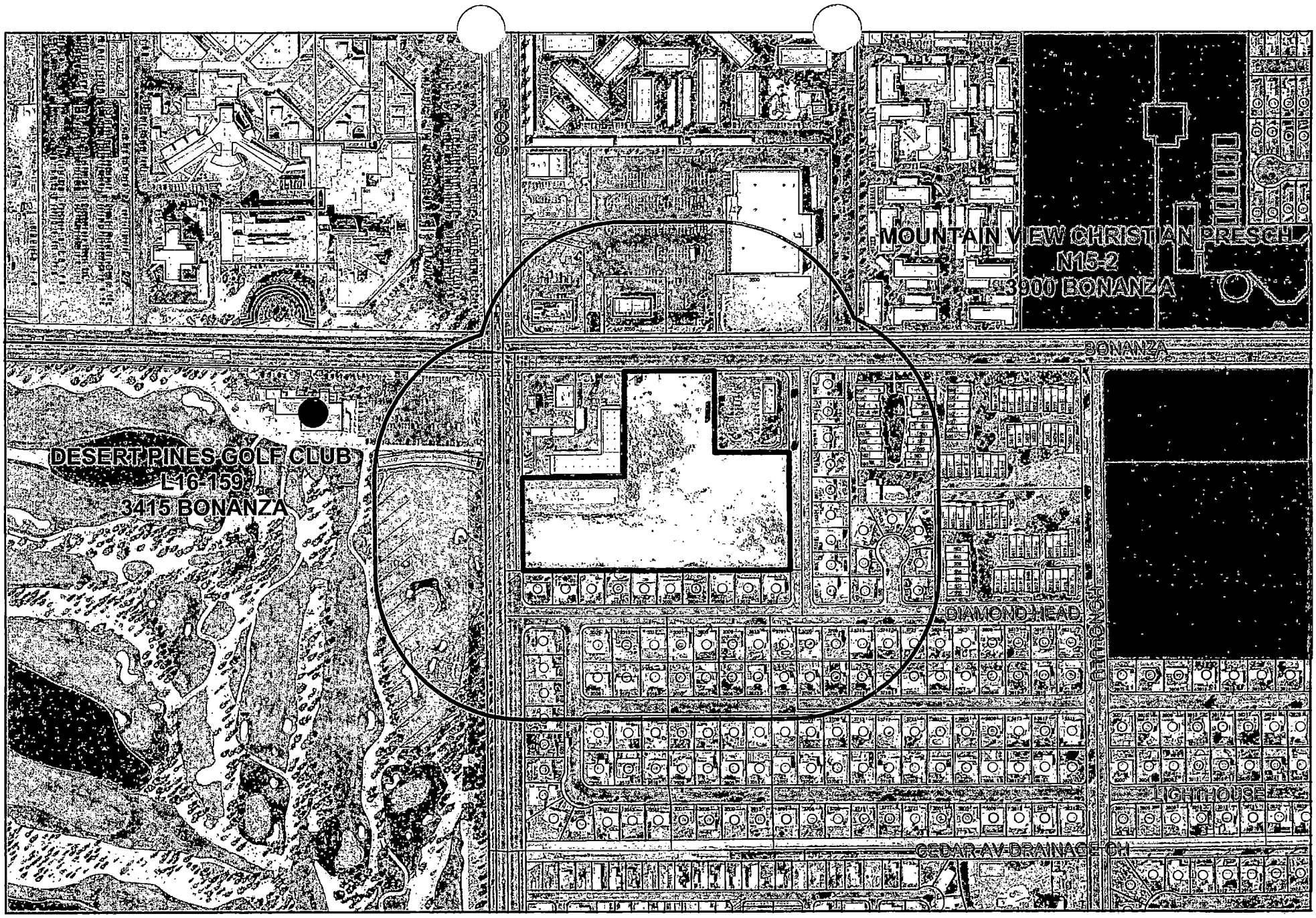
0 400 800 Feet

CASE: **SUP-5096**

RADIUS: 1500 FT

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

N



SUP-5096

Protected Landuses

- Parks
- Schools
- Taverns
- Religious

Business Licenses

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

- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SUP-5096 – APPLICANT/OWNER: BON BON, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to all Title 19 requirements for a Supper Club.

2. Approval of and conformance to all conditions of approval for Site Development Plan Review SDR-5093.

3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted.

4. Conformance to all applicable City Code standards.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Supper Club on a 1.58-acre parcel located on the south side of Bonanza Road, east of Pecos Road.

B) Applicant's Justification

The applicant states a Supper Club is allowed in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. As most of the other restaurants in the vicinity are fast food, this type of restaurant is needed in the area and there are no protected uses within 400 feet from this parcel.

BACKGROUND INFORMATION

A) Previous Actions

10/07/04 The Planning Commission recommended approval of a General Plan Amendment to MLA (Medium-Low Attached Density Residential) (GPA-5082) and a Vacation of a portion of a 10-foot wide drainage easement and ingress/egress easements along Bonanza Road and Pecos Road for this property. (VAC-5101). Staff had recommended approval. The City Council is scheduled to hear these requests on 02/16/05, which will be the same day that the City Council is scheduled to review the subject application.

11/04/04 The Planning Commission held this item in abeyance to the 01/13/05 Planning Commission meeting at the request of the applicant.

01/13/05 The Planning Commission will hear related applications VAR-5099, VAR-5300, WVR-5299, ZON-5092, SDR-5093 and SDR-5098 as part of this agenda.

B) Pre-Application Meeting

08/03/04 Issues discussed pertaining to the residential portion of the project included the need for a more detailed site plan showing landscaping and interior streets.

C) Neighborhood Meetings

09/20/04 The required neighborhood meeting for the companion General Plan Amendment was held by the applicant. Seven persons attended who were all in favor of the project, as long as no apartments are constructed. The applicant stated they were not interested in building any multi-family units.

DETAILS OF APPLICATION REQUEST

A) Site Area: 1.58

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

This site is currently designated L (Low Density Residential) on the Southeast Sector Map of the General Plan. A General Plan Amendment has been requested to change this designation to SC (Service Commercial). The subject parcel is zoned C-1 (Limited Commercial). The proposed use is permitted in the C-1 zoning district with the approval of a Special Use Permit.

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

While not considered a Special Area Plan or Overlay District, the site is within the Neighborhood Revitalization Area identified in the Las Vegas 2020 Master Plan. The plan contains policies encouraging re-development and attracting development on vacant lots that are designed to be sensitive to the needs of the community.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Supper Club	6,700 Square Feet	1 space/50 GFA seating; 1 space/200 GFA, other areas	101 spaces	5 spaces	101 spaces	5 spaces

The request meets the parking standards of the Code.

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.04, the following distance separation standards apply to the subject proposal:

Standards	**Code Requirement**	**Provided**
Supper Club	400 Feet from any Church, School, Daycare of City Park	There are no protected uses within the minimum distance separation requirement.

The proposed Supper Club meets the separation distance standards of Title 19.

Standards	Code Requirement	Provided
Trash Enclosure	50 Feet from residential uses and must be enclosed.	Meets Code standards.

The proposed Supper Club meets these standards of the Code.

B) General Analysis and Discussion

- Zoning

The request is permitted with the approval of a Special Use Permit in the C-1 (Limited Commercial) zoning district. It is bordered by existing C-1 (Limited Commercial) uses to the east, west and north.

- Use

Title 19 defines a Supper Club as a restaurant and bar operation with alcoholic beverage sales in which the bar area is separated from the restaurant area by a buffer sufficient to prevent access by minors. Alcohol can only be served within the seating area in conjunction with food, and the restaurant operation shall be the principal portion of the business. The seating accommodates at least one hundred twenty-five persons, and full-course meals are available during all hours the bar area is open to the public. A cook and food server, other than a bartender, shall be available at all times the bar area is open to the public. This request meets the requirements of this definition and can be conducted in a manner that is harmonious and compatible with the surrounding land uses.

FINDINGS

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

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

   The proposed Supper Club is located on the south side of Bonanza Road, between a fast food restaurant to the east and a convenience store to the west. As a result, it appears that the proposed use can be conducted in a manner that is harmonious and compatible with the surrounding area.

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

   The site is physically suited for the site, as the Supper Club can be accommodated in accordance with all standards of the Code.

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

   Both Bonanza Road and Pecos Road are adequate in size to accommodate the request.

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

   Approval of the request should not compromise the overall health, safety and general welfare of residents of this area of the City. It advances General Plan policies that encourage the development of infill parcels in a manner consistent with the surrounding area.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 582 – Mailed with VAR-5099, VAR-5300, WVR-5299, SDR-5098, ZON-5092, and SDR-5093

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5096 APN: 140-31-121-003

Name of Property Owner: John E. Kenny Jr Trustee of The Kenny Family Declaration of Trust Dated Feb. 10, 1992

Name of Applicant: _____

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

_____ Yes _____X_____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: John E Kenney Jr TRUSTEE

Print Name: John E Kenney Jr TRUSTEE OF THE KENNEY FAMILY DECLARATION OF TRUST

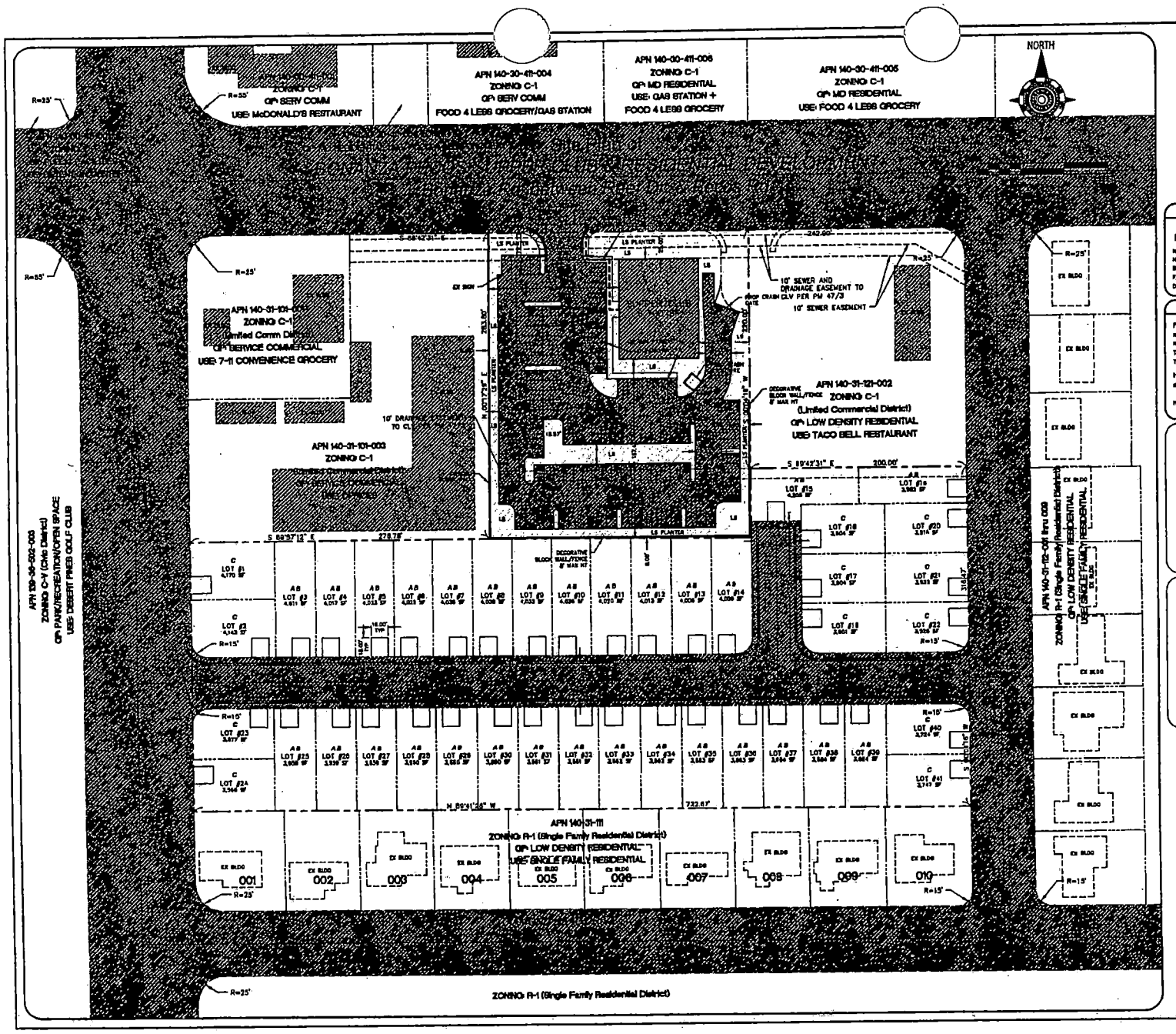
Subscribed and sworn before me

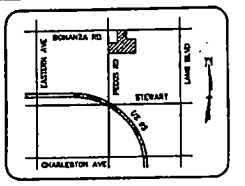
This 9 day of Aug., 2004

G A Maroofi 8/9/04

Notary Public in and for said County and State

G. A. MAROOFI
Comm. # 1388335
NOTARY PUBLIC - CALIFORNIA
Marin County
My Comm. Expires Dec. 3, 2006





KEY MAP
N.T.S.
TOWNSHIP 20 SOUTH- RANGE 62 EAST- SECTION 31

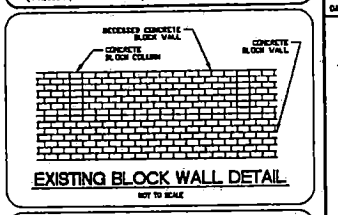
SITE & BUILDING INFORMATION

C-1 Supper Club &
R-CL Single-Family Compact-Lot Residential

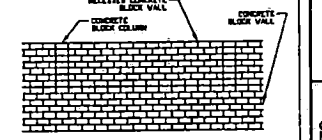
NET SQUARE FOOTAGE (COMMERCIAL)	69,338.54 SF
NET SQUARE FOOTAGE (RESIDENTIAL)	194,985.34 SF
BUILDING SIZE (SUPPER CLUB)	6,700 SF
F.A.R. (SUPPER CLUB)	.105
DENSITY (RESIDENTIAL)	6.18 RESIDENTIAL UNITS PER ACRE

PARKING ANALYSIS (SUPPER CLUB)

PARKING REQUIREMENTS	
REQUIRED PARKING FOR SEATING	83.6 = 84 SPACES
REQUIRED PARKING FOR REMAINDER	11.6 = 12 SPACES
TOTAL REQUIRED PARKING	196 SPACES
TOTAL PARKING PROVIDED	101 SPACES
HANDICAP PARKING REQUIREMENTS	
REQUIRED HANDICAP PARKING (4 REGULAR/1 VAN ACCESSIBLE)	5 SPACES
HANDICAP PARKING PROVIDED (4 REGULAR/1 VAN ACCESSIBLE)	5 SPACES



EXISTING BLOCK WALL DETAIL
NOT TO SCALE



PROPOSED BLOCK WALL DETAIL
NOT TO SCALE

OWNER/DEVELOPER

HEDHARRY CORRALING, INC.
4530 W. OAKEY BLVD.
LAS VEGAS, NEVADA 89102
PH: 367-6388
FX: 331-9637

ABBREVIATIONS

CE	COMMON ENTITY	PROP	PROPOSED
LCE	LIMITED COMMON ENTITY	P.L.	PROPERTY LINE
TE	TRASH ENCLOSURE	R/W	RIGHT-OF-WAY
(H)	HANDICAPPED	R/S	RIGHT-OF-WAY
FH	FIRE HYDRANT	WM	WATER METER
TYP	TYPICAL	WV	WATER VALVE
(E)	EXISTING	STLT	STREET LIGHT
NTS	NOT TO SCALE	EOP	EDGE OF PAVEMENT
SA	SEWER	SW	SIDEWALK
SS	SANITARY SEWER	R	RADIUS
W/C	BACK-OF-CURB	SF	SQUARE FEET
L	LENGTH	AC	ACRE
UNO	UNIFORM STANDARD	DW	DRIVEWAY
	DRAINING CLEAR	ELEC	ELECTRIC
	COUNTY AREA	BLDG	BUILDING
LS	LANDSCAPED AREA	U/G	UP OF DUTTER
EX	EXISTING	HT	HEIGHT

LEGEND

- EXISTING CENTERLINE OF ROAD
- RIGHT-OF-WAY (PUBLIC)
- SITE P/L & A BOUNDARY
- PROPERTY LINE (ADJACENT)
- EASEMENT
- BUILDING SETBACK LINE
- HC ACCESS ROUTE

NO	DESCRIPTION	BY	DATE
	1st SUBMITTAL TO CLV	MA	7/4/04

PROJ NO ADV04-

DESIGN ___ APN ___

DATE ___

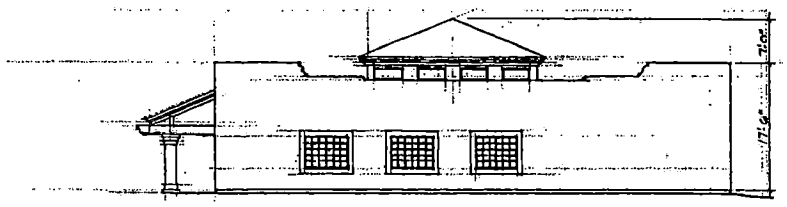
AZTEC
3333 N. Buffalo Drive
Suite 115
Las Vegas, NV 89129-7410
702-395-7515
702-395-7529
Web site

BONANZA PECOS SITE IMPROVEMENTS
BONANZA RD between PECOS RD & REEF DR
SITE PLAN

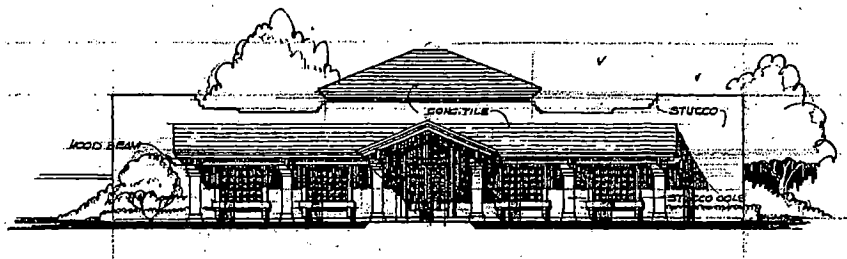
SHEET
SP
1 of 1 Sheet

ZON-5092
VAR-5099
SUP-5096
SDR-5093
SDR-5098
10-07-04 PC

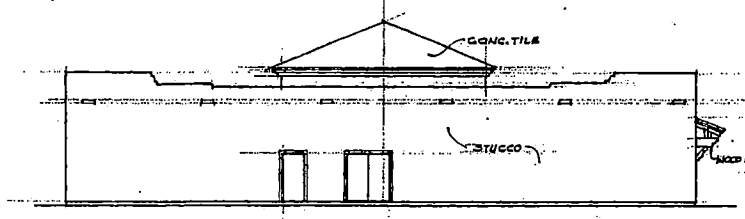
RECEIVED
AUG 24 2004



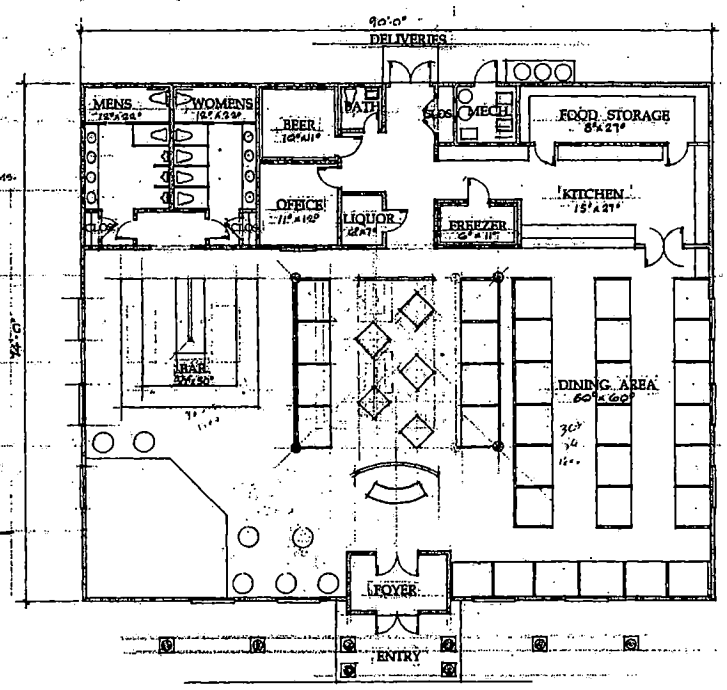
SOUTH ELEVATION



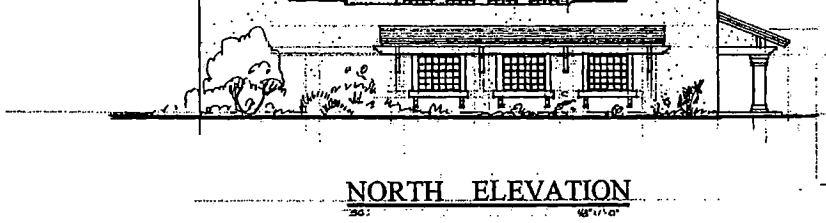
WEST ELEVATION



EAST ELEVATION



FLOOR PLAN



NORTH ELEVATION

RECEIVED

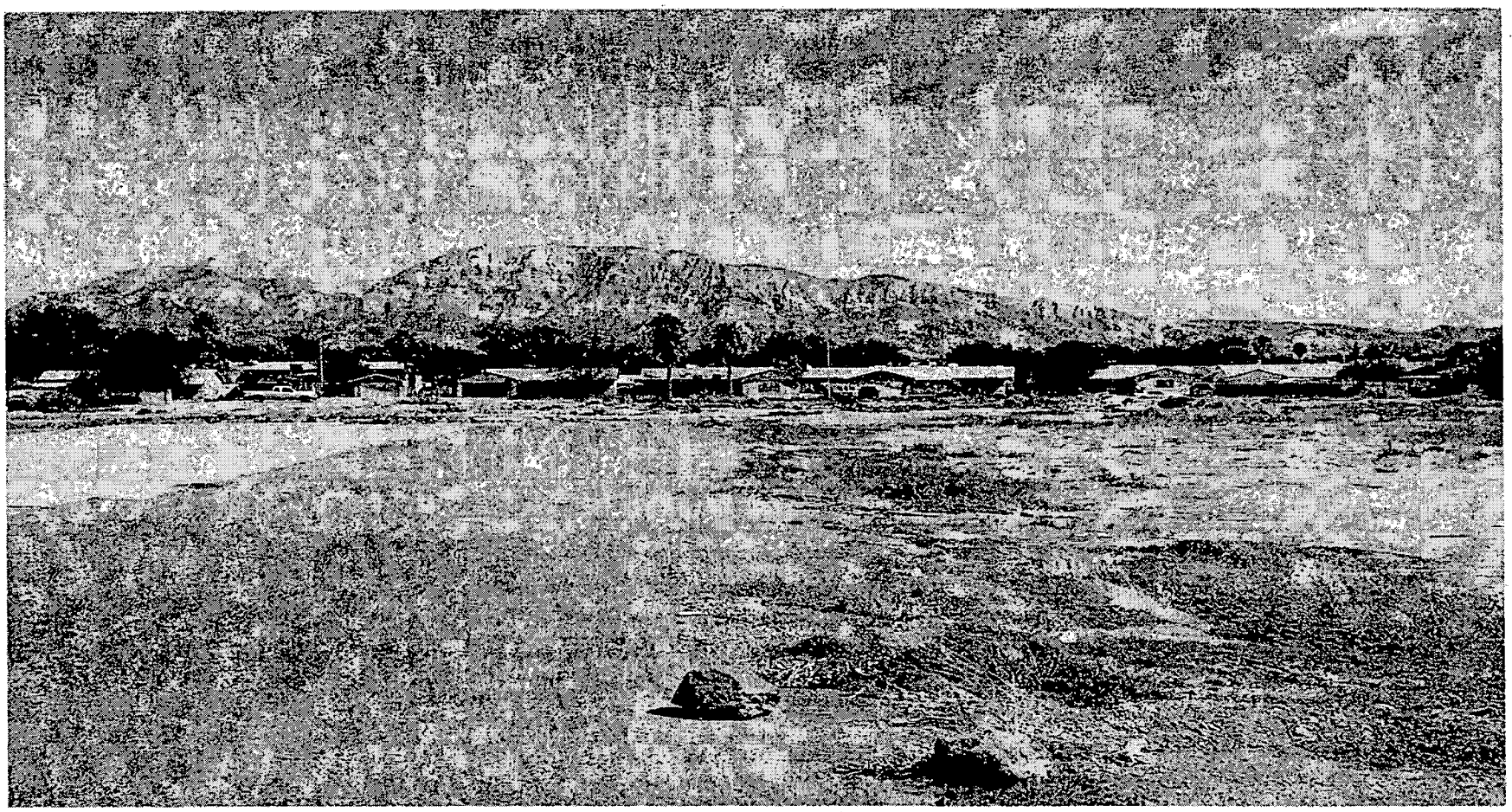
AUG 24 2004

ZON-5092
VAR-5099
SUP-5096
SDR-5093
SDR-5098
10-07-04 PC

STEVE FISKIN, ARCHITECT
3305 SPRING MT. RD., #32
LAS VEGAS, NV 89102 ph. 227-6493

SUPPER CLUB
BONANZA AND PECOS RD.
LAS VEGAS, NEVADA

FLOOR PLAN
ELEVATIONS



SUP-5096 - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC
SOUTH OF BONANZA ROAD AND EAST OF PECOS ROAD
JANUARY 13, 2005 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No.: 30

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:

ABEYANCE - SDR-5093 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-5099, ZON-5092, VAR-5300, WVR-5299, SDR-5098 AND SUP-5096 - PUBLIC HEARING – APPLICANT/OWNER: BON BON, LLC - Request for a Site Development Plan Review FOR A SUPPERCLUB on 1.58 acres south of Bonanza Road approximately 290 feet east of Pecos Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
McSWAIN – APPROVED – UNANIMOUS

To be heard by City Council 2/16/2005

MINUTES:
See Item 24 [VAR-5099] for all related discussion on Item 24 [VAR-5099], Item 25 [ZON-5092], Item 26 [VAR-5300], Item 27 [WVR-5299], Item 28 [SDR-5098], Item 29 [SUP-5096] and Item 30 [SDR-5093].

(6:31 – 6:59)
1-912

CONDITIONS:
Planning and Development
1. Approval of conformance to all conditions of approval for Special Use Permit SUP-5096.

CONDITIONS – Continued:

2. This site development plan shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. All development shall be in conformance to the site development plan date stamped 10/20/04 and the building elevations date stamped 08/24/04.

4. The applicant shall submit a revised landscaping plan depicting the correct number of trees in the landscaped planter area along Bonanza Road prior to the issuance of any permits for this site.

5. All mechanical equipment, air conditioners and trash enclosures shall be fully screened from the view of any abutting streets. The trash enclosure shall be enclosed in accordance with Title 19.08.045.

6. Parking lot lighting shall be nor more than 30 feet in height and utilize "shoe-box" fixtures and downward-directed lighting. Wall pack lighting shall utilize "shoe-box" fixtures and downward-directed lighting on the proposed building.

7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

Public Works

8. Coordinate with the City Surveyor to determine whether a Parcel Map or Merger and Resubdivision Map to establish the property boundaries as proposed is necessary; if such map is required it shall record prior to the issuance of any permits for this site.

9. 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.

10. The proposed driveway accessing Bonanza Road shall be designed, located and constructed in accordance with Standard Drawing #222A.

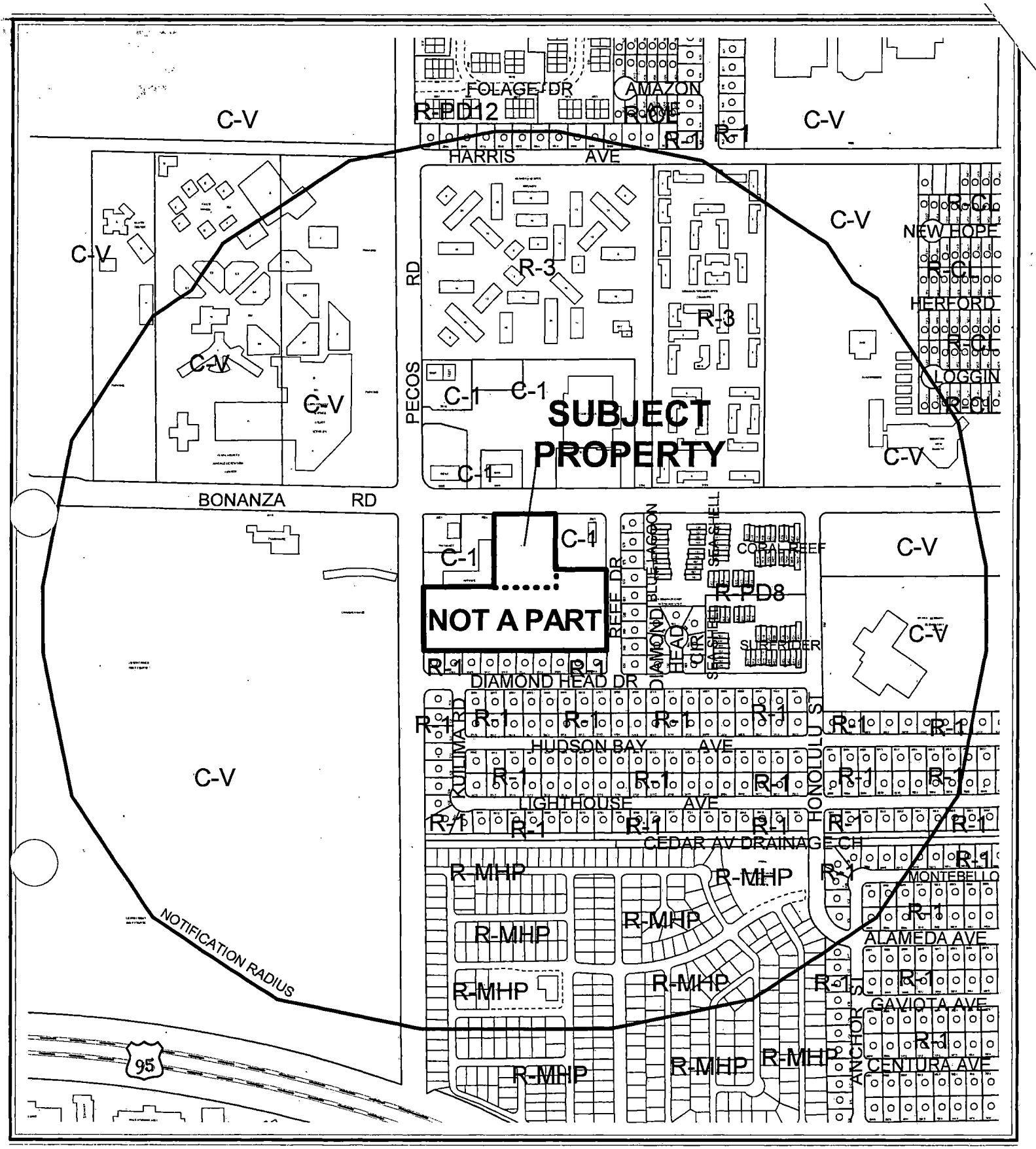
11. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

CONDITIONS – Continued:

12. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.

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

14. Site development to comply with all applicable conditions of approval for Rezoning Z-80-77 and the Pecos/Bonanza Plaza Commercial subdivision and all other applicable site-related actions.



0 400 800 Feet

CASE: **SDR-5093**

RADIUS: 1500 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SDR-5093 – APPLICANT/OWNER: BON BON, LLC

** CONDITIONS **

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

Planning and Development

1. Approval of conformance to all conditions of approval for Special Use Permit SUP-5096.

2. This site development plan shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. All development shall be in conformance to the site development plan date stamped 10/20/04 and the building elevations date stamped 08/24/04.

4. The applicant shall submit a revised landscaping plan depicting the correct number of trees in the landscaped planter area along Bonanza Road prior to the issuance of any permits for this site.

5. All mechanical equipment, air conditioners and trash enclosures shall be fully screened from the view of any abutting streets. The trash enclosure shall be enclosed in accordance with Title 19.08.045.

6. Parking lot lighting shall be nor more than 30 feet in height and utilize "shoe-box" fixtures and downward-directed lighting. Wall pack lighting shall utilize "shoe-box" fixtures and downward-directed lighting on the proposed building.

7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

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8. Coordinate with the City Surveyor to determine whether a Parcel Map or Merger and Resubdivision Map to establish the property boundaries as proposed is necessary; if such map is required it shall record prior to the issuance of any permits for this site.

9. 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.

10. The proposed driveway accessing Bonanza Road shall be designed, located and constructed in accordance with Standard Drawing #222A.

11. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

12. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.

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14. Site development to comply with all applicable conditions of approval for Rezoning Z-80-77 and the Pecos/Bonanza Plaza Commercial subdivision and all other applicable site-related actions.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Site Development Plan Review of a 6,700 square-foot Supper Club on a 1.58-acre parcel located on the south side of Bonanza Road, east of Pecos Road.

B) Applicant's Justification

The applicant states a Supper Club is allowed in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. As most of the other restaurants in the vicinity are fast food, this type of restaurant is needed in the area and there are no protected uses within 400 feet from this parcel.

BACKGROUND INFORMATION

A) Previous Actions

10/07/04 The Planning Commission recommended approval of a General Plan Amendment to MLA (Medium-Low Attached Density Residential) (GPA-5082) and a Vacation of a portion of a 10-foot wide drainage easement and ingress/egress easements along Bonanza Road and Pecos Road for this property. (VAC-5101). Staff had recommended approval. The City Council is scheduled to hear these requests on 02/16/05, which will be the same day that the City Council is scheduled to review the subject application.

11/04/04 The Planning Commission held this item in abeyance to the 01/13/05 Planning Commission meeting at the request of the applicant.

01/13/05 The Planning Commission will hear related applications VAR-5099, VAR-5300, WVR-5299, ZON-5092, SUP-5096 and SDR-5098 as part of this agenda.

B) Pre-Application Meeting

08/03/04 Issues discussed pertaining to the residential portion of the project included the need for a more detailed site plan showing landscaping and interior streets.

DETAILS OF APPLICATION REQUEST

A) Site Area: 1.58

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	C-1 (Limited Commercial)
East:	C-1 (Limited Commercial)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

This site is currently designated L (Low Density Residential) on the Southeast Sector Map of the General Plan. A General Plan Amendment has been requested to change this designation to SC (Service Commercial). The subject parcel is zoned C-1 (Limited Commercial).

PROJECT DESCRIPTION

The applicant is proposing to construct a 6,700 square-foot Supper Club on the site. Access is directly to Bonanza Road. A decorative eight-foot high block wall is proposed along the south and east sides of the site, which will connect to the existing block wall along the west property line. A landscaped planter is proposed along the street frontage as well as the south, east and west sides of the building. Landscaped finger islands are proposed in the parking lot. Handicapped spaces are proposed along the west and south sides of the building.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	NA	1.58 Acres	Y
Min. Lot Width	100 Feet	200 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	47 Feet	Y
• Rear	20 Feet	167 Feet	Y
Max. Building Height	None	1 Story/24'6"	Y
Trash Enclosure	Must be enclosed	Yes	Y
Loading Zone	1	1	Y
Mech. Equipment	Screened	Screened	Y

The proposal is in conformance to all Code standards. The only item not clearly indicated on the site development plan is the 20-foot front setback line, which must meet Code standards.

A2) Residential Adjacency Standards

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

a) Proximity slope. The height of the supper club is 24.5 feet, which requires a minimum distance of 73.5 feet to the single-family residential development. The site development plan shows a distance of 167 feet; therefore the Code standard is met.
b) Building setback. The proposed Supper Club also meets the building setback component of the Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Supper Club	6,700 SF.	1space/50 GFA of seating; 1/200 GFA of other areas	101 spaces	5 spaces	101 spaces	5 spaces

The proposed Supper Club meets the parking standards of the Code.

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1 Tree/6 Spaces	18 Trees	Yes
Buffer: • Min. Trees	1Tree/20Linear Feet	10 Trees	7- Does not meet
• Min. Zone Width	15 Feet Along Bonanza, 8 Feet interior		Yes
• Wall height	8 Feet		8 Feet-Yes

The number of trees in the 15-foot wide landscape planter along Bonanza Road appears to be deficient by three trees. There is adequate room to meet Code standards. A condition of approval will address this issue. All other landscaping and wall standards are met.

B) General Analysis and Discussion

- Zoning

The proposed use is allowed in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Site Plan

The site development plan meets all Code standards and is an effective design a Supper Club on this property.

- Waivers

No waivers have been requested.

- Landscape Plan

The landscaped plan needs to be updated to indicate that the correct number of trees are planted in the 15-foot wide landscaped planter along Bonanza Road.

- Elevation

The elevations are appropriate for this use and area of the City.

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 proposal is harmonious and compatible with the development pattern of the surrounding area. There are established commercial uses to the north, east and west sides of this property. The single-family homes to the south will be developed by the applicant and are shown as part of the overall site development plan for the commercial and residential portions of this development.

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

   The proposed use advances General Plan policies that encourage infill development of intensity and scale that is compatible with the surrounding area. The applicant will need to submit a revised landscaping plan showing the correct number of trees in all planter areas.

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

   Access to the site is directly to Bonanza Road, which will not have a negative impact on neighborhood traffic.

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

   The building and landscaping materials are in keeping with other development in this area of the City. Both should provide an attractive development for the area.

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

   The building elevations and overall design of the project should contribute to a pleasing environment. This parcel has been vacant for a long period of time; development should contribute toward a more orderly development pattern in the area.

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

   Inspections of the restaurant will take place to ensure maintenance of the overall health, safety and welfare of the community.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 582. – Mailed with VAR-5099, VAR-5300, WVR-5299, SDR-5098, SUP-5096, and ZON-5092

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5093 APN: 140-31-121-003

Name of Property Owner: John E. Kenny Je Trustee of The Kenny Family Declaration of Trust Dated Feb. 10, 1992

Name of Applicant: _____

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

_____ Yes ____X____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: John E Kenney Jr TRUSTEE

Print Name: JOHN E KENNEY JR TRUSTEE OF THE KENNEY FAMILY DECLARATION OF TRUST

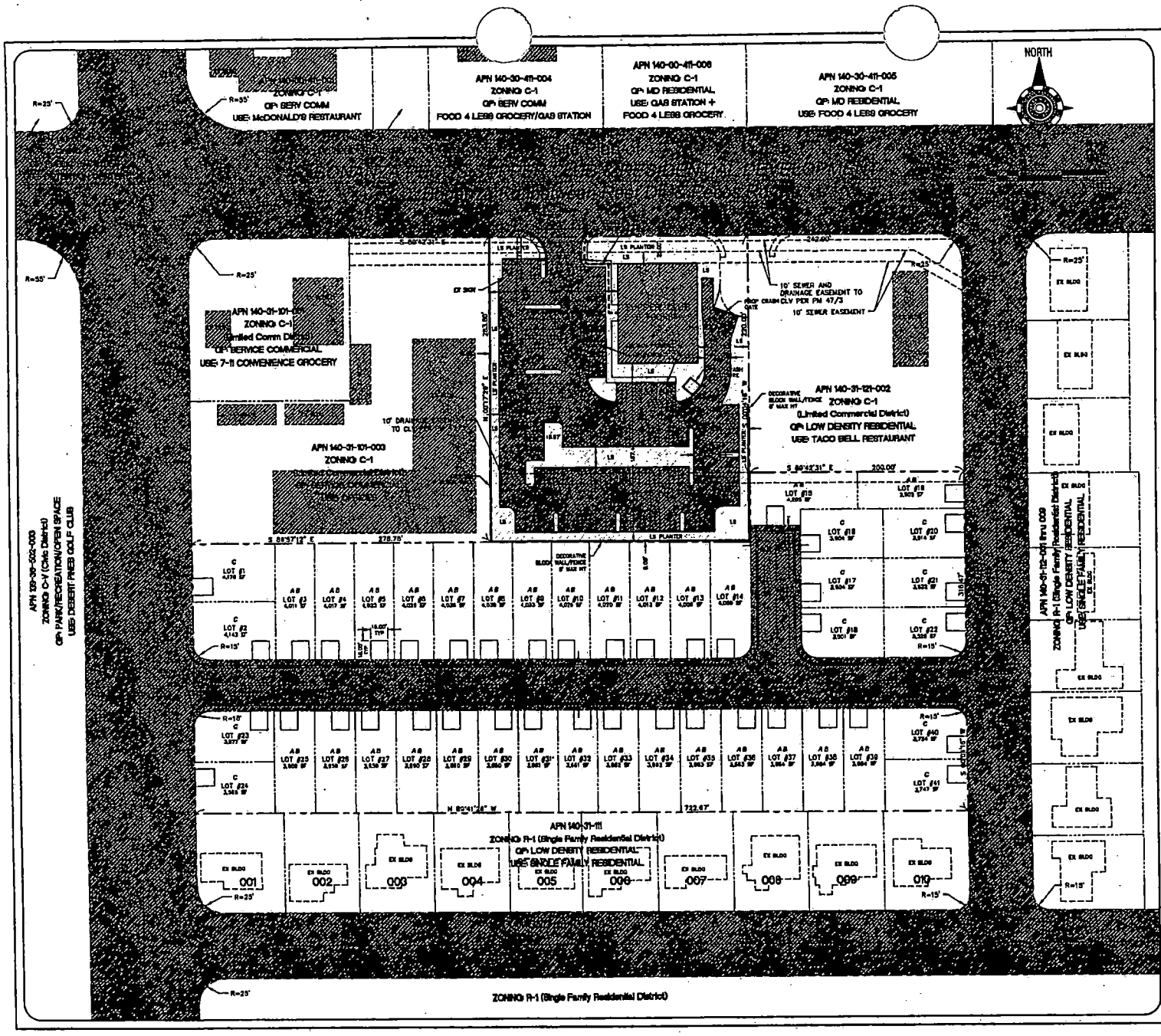
Subscribed and sworn before me

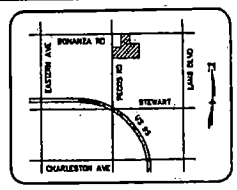
This 9 day of Aug, 2004

8/9/04

Notary Public in and for said County and State

G. A. MAROOFI
Comm. # 1388335
NOTARY PUBLIC - CALIFORNIA
Marin County
My Comm. Expires Dec. 3, 2006





KEY MAP
N.T.S.
TOWNSHIP 20 SOUTH-RANGE 62 EAST-SECTION 31

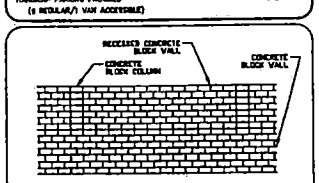
SITE & BUILDING INFORMATION

C-1 Supper Club &
R-CL Single-Family Compact-Lot Residential

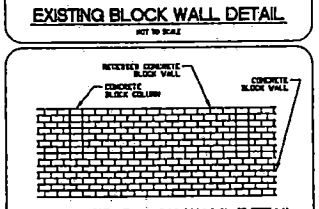
NET SQUARE FOOTAGE (COMMERCIAL)	69,228.84 SF
NET SQUARE FOOTAGE (RESIDENTIAL)	194,983.36 SF
BUILDING SIZE (SUPPER CLUB)	6,700 SF
F.A.R. (SUPPER CLUB)	10%
DENSITY (RESIDENTIAL)	6.15 RESIDENTIAL UNITS PER ACRE

PARKING ANALYSIS (SUPPER CLUB)

PARKING REQUIREMENTS	
REQUIRED PARKING FOR SEATING	89.6 = 90 SPACES
REQUIRED PARKING FOR REMAINDER	11.2 = 12 SPACES
TOTAL REQUIRED PARKING	101 SPACES
TOTAL PARKING PROVIDED	101 SPACES
HANDICAP PARKING REQUIREMENTS	
REQUIRED HANDICAP PARKING (4 REGULAR/1 VAN ACCESSIBLE)	5 SPACES
HANDICAP PARKING PROVIDED (4 REGULAR/1 VAN ACCESSIBLE)	5 SPACES



EXISTING BLOCK WALL DETAIL
NOT TO SCALE



PROPOSED BLOCK WALL DETAIL
NOT TO SCALE

OWNER/DEVELOPER

REHMANNY CORPORATING, INC.
4350 S. DUKE BLVD.
LAS VEGAS, NEVADA 89103
PH 367-4999
FX 331-9877

ABBREVIATIONS

CE	COMMON ENTRY	PROP	PROPOSED
LCE	LIMITED COMMON ENTRY	P/L	PROPERTY LINE
TE	TRUST EASEMENT	R/W	RIGHT-OF-WAY
HC	HANDICAPPED	R/S	RIGHT-OF-SAY
FH	FIRE HYDRANT	WM	WATER METER
TYP	TYPICAL	WV	WATER VALVE
EX	EXISTING	SL/V	STREET LIGHT
NTS	NOT TO SCALE	TOP	TOP OF PAVEMENT
WA	WATER	SW	SIDEWALK
SS	SANITARY SEWER	R	RADIUS
TOC	BACK-OF-CURB	SF	SQUARE FEET
L	LENGTH	AC	ACRE
UBC	UNIFORM STANDARD DRAWING, CLARK COUNTY AREA	DW	DRIVEWAY
		ELEC	ELECTRIC
		BLDG	BUILDING
LS	LANDSCAPED AREA	LIP	LIP OF GUTTER
EX	EXISTING	HT	HEIGHT

LEGEND

- EXISTING CENTERLINE OF ROAD
- RIGHT-OF-WAY (PUBLIC)
- SITE P/L & BOUNDARY
- PROPERTY LINE (ADJACENT)
- EASEMENT
- BUILDING SETBACK LINE
- NO ACCESS ROUTE

NO.	DESCRIPTION	BY	DATE
1st	SUBMITTAL TO CLV	MEL	06/24/04

PROJ NO. 42MH1JR
DESIGN ABH

AZTEC
3330 N. Buffalo Drive
Suite 105 Las Vegas, NV 89129-7410
Ph: (702) 396-7250
Fax: (702) 396-7253
Web: aztecnv.com

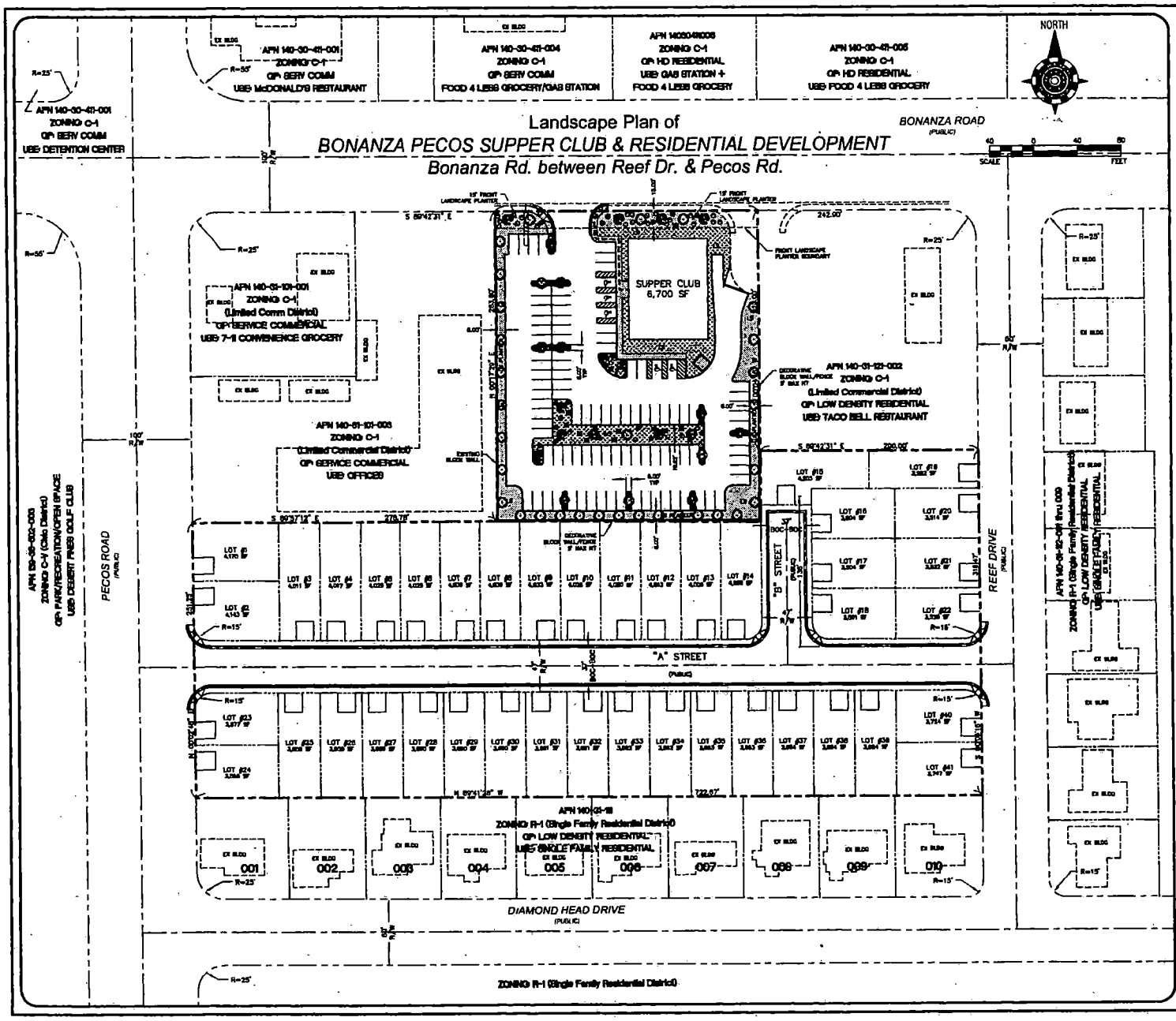
BONANZA PECOS SITE IMPROVEMENTS
BONANZA RD between PECOS RD & REEF DR
SITE PLAN

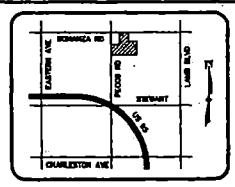
SHEET
SP
1 of 1 Sheet

ZON-5092
VAR-5099
SUP-5096
SDR-5093
SDR-5098
10-07-04 PC

RECEIVED
AUG 24 2004

Landscape Plan of
BONANZA PECOS SUPPER CLUB & RESIDENTIAL DEVELOPMENT
Bonanza Rd. between Reef Dr. & Pecos Rd.





KEY MAP
N.T.S.
TOWNSHIP 20 SOUTH - RANGE 62 EAST - SECTION 29

LANDSCAPE PLAN

C-1 Supper Club &
R-CL Single-Family Compact-Lot Residential

- FAN-TEX ASH, 24" BOX SIZE (DECIDUOUS)
- STONE PINE, 24" BOX SIZE (EVERGREEN)
- MIXTURE OF DESERT BROOM, PURPLE ROCKROSE & LANTANA, 5-GALLON EVERGREEN SHRUBS
- 3" LAYER OF ROCK MULCH WITH LANDSCAPE FABRIC

RECEIVED
AUG 24 2004

ZON-5092
VAR-5099
SUP-5096
SDR-5093
SDR-5098
10-07-04 PC

OWNER/DEVELOPER

REDHAWK CONSULTING, INC.
4505 S. MAPLE BLVD.
LAS VEGAS, NEVADA 89103
PH 252-4088
FX 531-9537

ABBREVIATIONS

C.E.	CORNER ENTRY	PROP	PROPOSED
L.E.C.	LIMITED CORNER ENTRY	P.L.	PROPERTY LINE
T.E.	TRASH ENCLOSURE	R.O.W.	RIGHT-OF-WAY
H.C.	HANDICAPPED	R/W	RIGHT-OF-WAY
FH	FIRE HYDRANT	S.D.	STORM DRAIN
TYP.	TYPICAL	S.S.	SANITARY SEWER
STRUC.	STRUCTURE	S.L.	STREET LIGHT
N.T.S.	NOT TO SCALE	T.O.P.	TOP OF PAVEMENT
B.W.	BACK OF WALK	SW	SIDEWALK
SS	SANITARY SEWER	SAD	SADDLE
B.O.C.	BACK-OF-CURB	S.F.	SQUARE FEET
L.H.	LIGHTING	AC	ASPHALT CONCRETE
U.S.D.	UNIFORM STANDARD DRAWING, CLARK COUNTY AREA	DW	DRIVEWAY
		ELEC	ELECTRIC
L.S.	LANDSCAPED AREA	BLDG	BUILDING
EX.	EXISTING	L.O.C.	LIP OF GUTTER
		HT.	HEIGHT

LEGEND

- EXISTING CENTERLINE OF ROAD
- RIGHT-OF-WAY (PUBLIC)
- SITE P.A. & BOUNDARY
- PROPERTY LINE (ADJACENT)
- EASEMENT
- EXISTING BUILDINGS
- INC ACCESS ROUTE
- FRONT LANDSCAPE PLANTER BOUNDARY

1st SUBMITTAL TO CLV 06/24/04

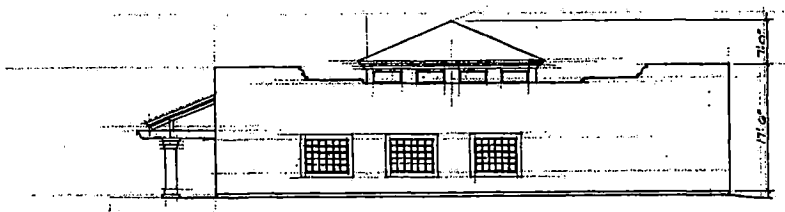
3320 S. Jones Blvd
Suite 102 Las Vegas, NV 89146-7410
Tel 702-364-1420
Fax 702-364-1754
Web azteclv.com

AZTEC

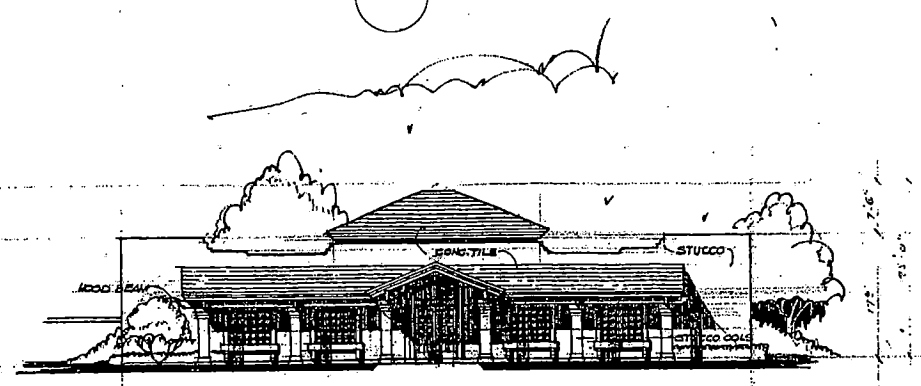
BONANZA PECOS SITE IMPROVEMENTS
BONANZA RD between PECOS RD & REEF DR
LANDSCAPE PLAN

SHEET
LS
1 of 1 Sheet

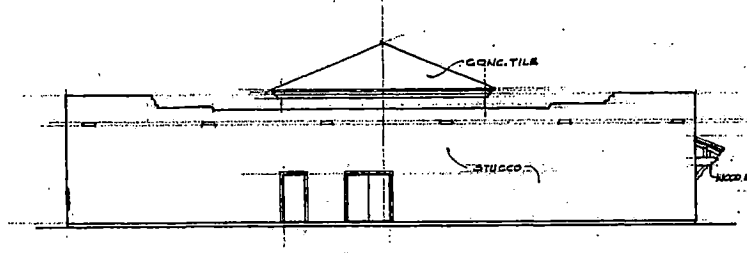
RECEIVED
AUG 24 2004



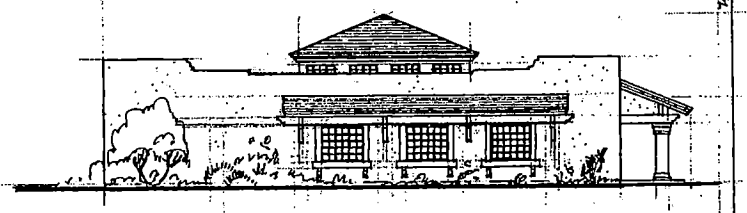
SOUTH ELEVATION



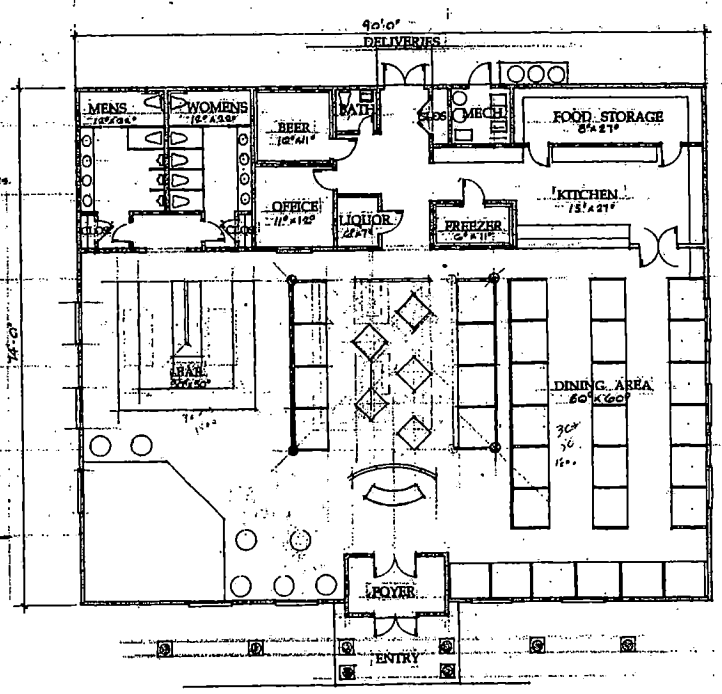
WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION



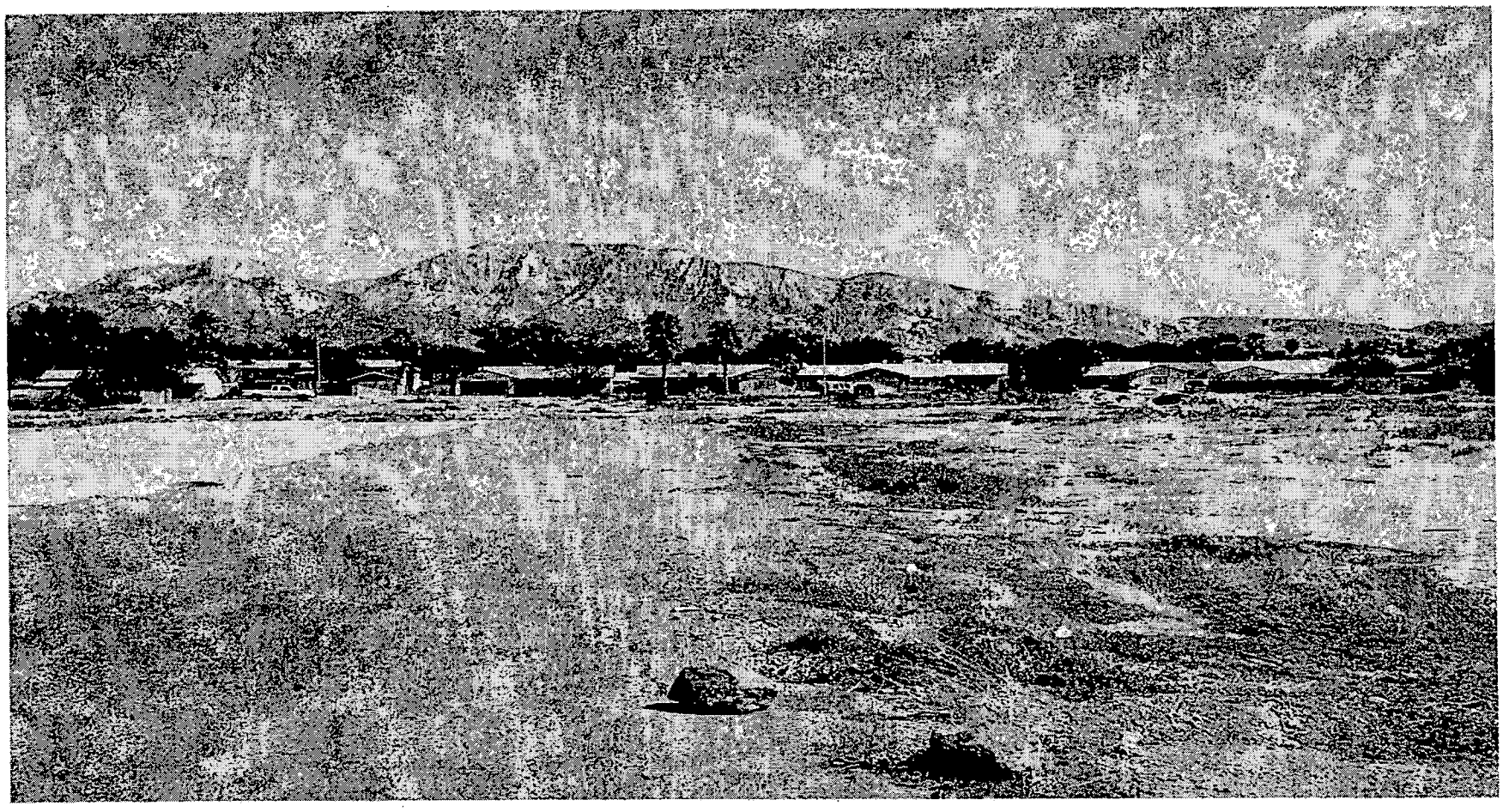
FLOOR PLAN

ZON-5092
VAR-5099
SUP-5096
SDR-5093
SDR-5098
10-07-04 PC

STEVE FISKIN, ARCHITECT
3305 SPRING MT. RD., #32
LAS VEGAS, NV 89102 - ph. 227-6493 -

SUPPER CLUB
BONANZA AND PECOS RD.
LAS VEGAS, NEVADA

FLOOR PLAN
ELEVATIONS



SDR-5093 - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC
SOUTH OF BONANZA ROAD AND EAST OF PECOS ROAD
JANUARY 13, 2005 PLANNING COMMISSION

09/17/04

City of Las Vegas

Agenda Item No.: 31

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:

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

WITHDRAW WITHOUT PREJUDICE

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends WITHDRAW WITHOUT PREJUDICE

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO motioned to bring forward and HOLD IN ABEYANCE Item 19 [SDR-5700], Item 35 [ZON-5653], Item 36 [SUP-5853], Item 37 [SDR-5657], Item 53 [VAR-5693], Item 54 [VAR-5694], Item 55 [SUP-5691], Item 56 [SDR-5689], Item 59 [VAR-5701] and Item 82 [SDR-5711] to the 2/10/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 31 [VAR-5216] and Item 42 [GPA-5661] – UNANIMOUS

MINUTES:

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

(6:05 – 6:08)

YESCO®

YOUNG ELECTRIC SIGN COMPANY
5119 SOUTH CAMERON STREET, LAS VEGAS, NV 89118
Phone: (702) 876-8080 Fax: (702) 944-4500

December 30, 2004

Mr. Steve Scott
City Planner
City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101

RE: VAR-5216 – VARIANCE WITHDRAWAL

Dear Mr. Scott,

Upon review of the initial response from the city pertaining to the variance application noted above, our client has decided to withdraw the application for the variance. Please accept this letter as formal notification of the withdrawal. Thank you for your assistance in this matter.

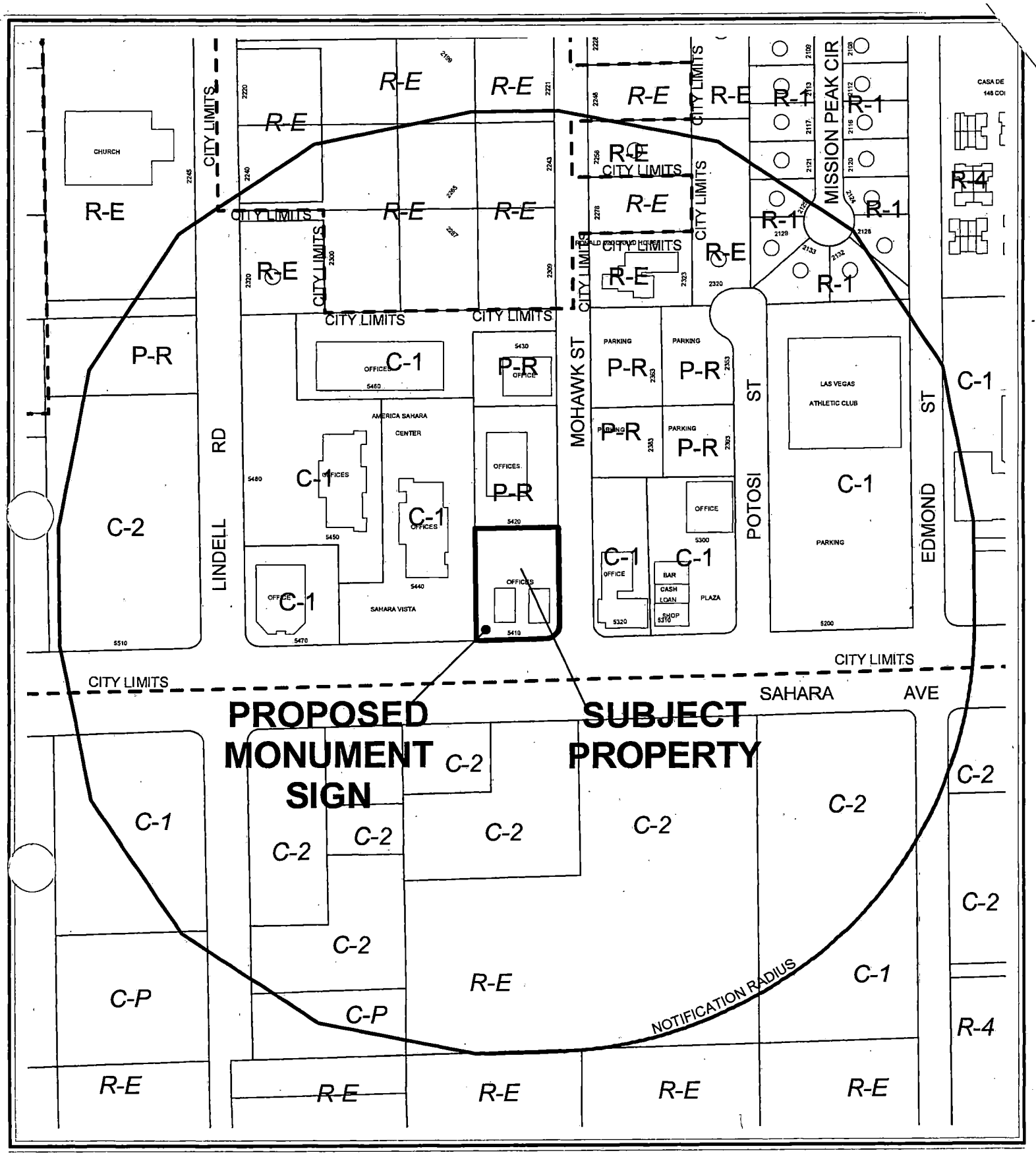
If you have any additional questions or need further information, please contact me at 702-303-0151.

Thank you.

Sincerely,
YOUNG ELECTRIC SIGN COMPANY

Mark J. Zannis
Account Executive

C: Billy Meskel
Dr. Peter Lacata



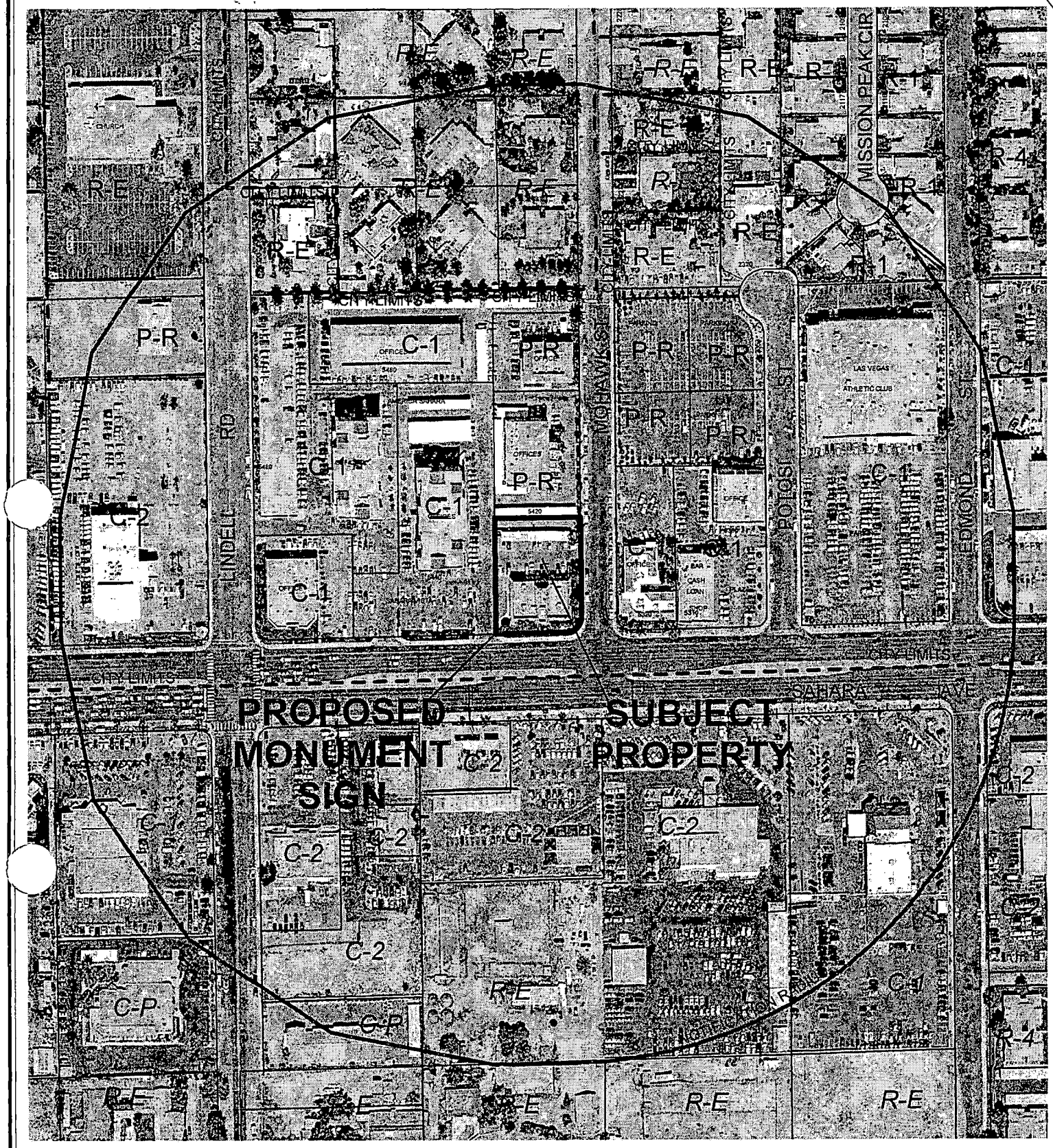
0 200 400 Feet

CASE: **VAR-5216**

RADIUS: 750 FT

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

N



0 200 400 Feet

CASE: **VAR-5216**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - VAR-5216 - APPLICANT/OWNER: OSTEOPATHIC MEDICAL ASSOCIATES OF NEVADA

ON DECEMBER 30, 2004 THE APPLICANT REQUESTED THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE.

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Osteopathic Medical Associates

Name of Applicant: Osteopathic Meciaal Associates

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

_____Yes __X____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: PETER LICATA, DO

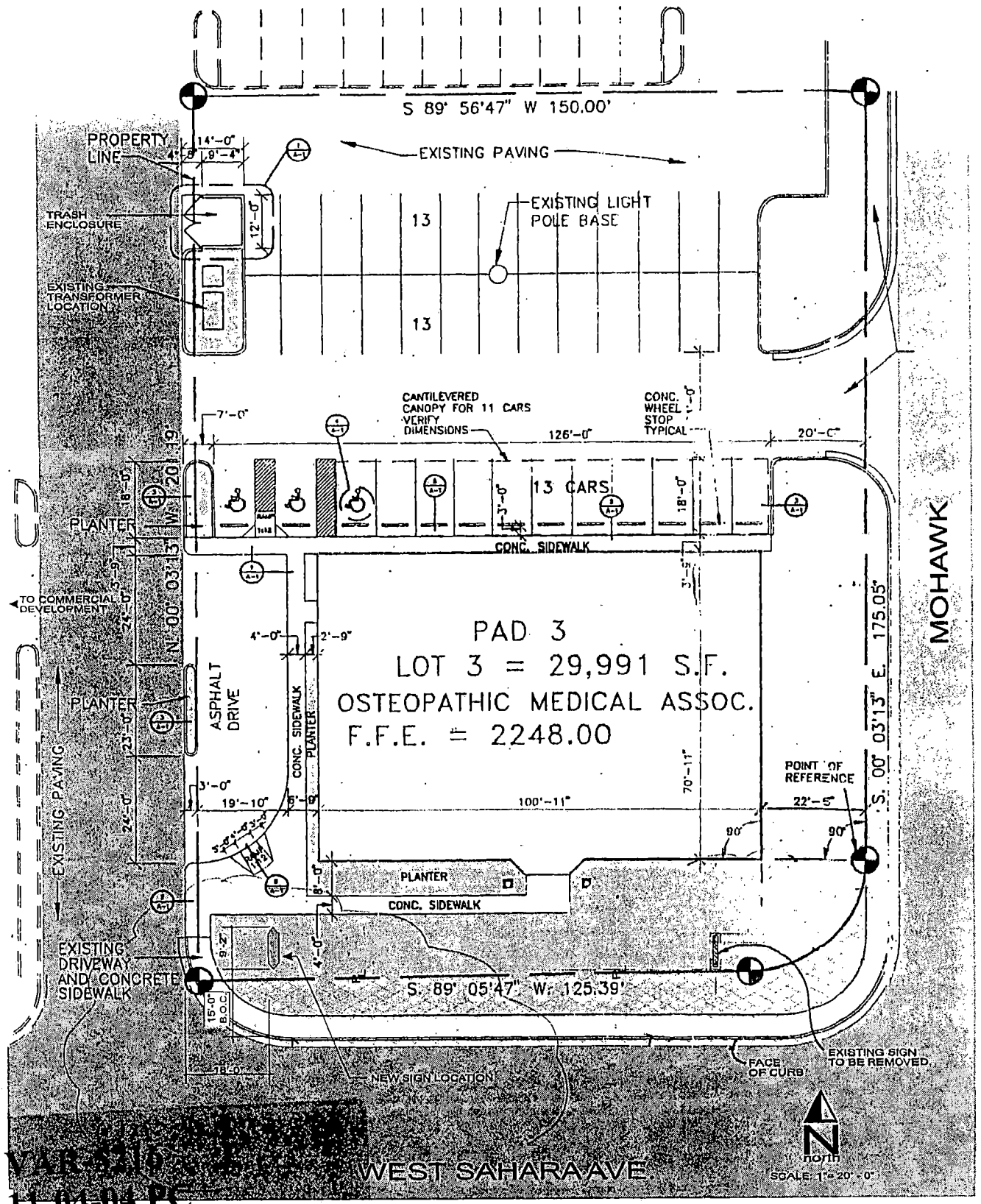
Subscribed and sworn before me

This 25 day of August, 20 04

_____

Notary Public in and for said County and State

LEAH ANN TWIST
Notary Public, State of Nevada
Appointment No. 00-61571-1
My Appt. Expires Mar 2, 2008



VAR-5210
11-04-04 PC

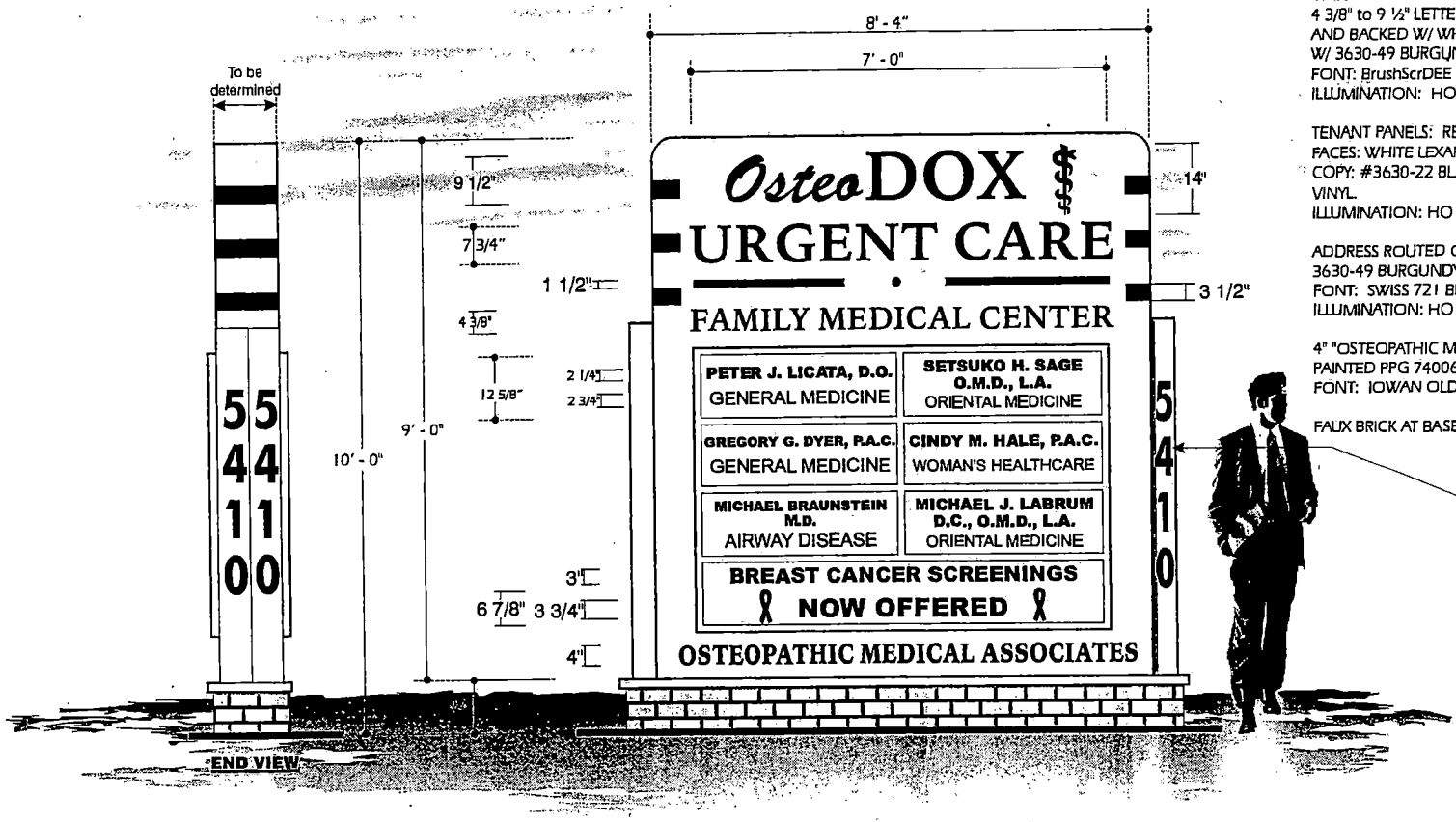
SCOPE OF WORK:
MFG. & INSTALL: ONE D/F INTERNALLY ILLUMINATED MONUMENT SIGN.
CABINET: ALUM. AND TRIM PAINTED TO MATCH EXISTING SIGN (TEX-COTE). 1 ½" & 3 ½" STRIPES & 1 ½"DOT PAINTED PPG 74006 BURGUNDY.
4 3/8" to 9 ½" LETTERS AND 14" CADUCEUS: ROUTED OUT AND BACKED W/ WHITE ACRYLIC W/ 3630-49 BURGUNDY VINYL.
FONT: BrushScrDEE and IOWAN OLD STYLE BT (BOLD)
ILLUMINATION: HO FLUORESCENT LAMPS.

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

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

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

FAUX BRICK AT BASE TO MATCH BUILDING BRICK.



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

75 Sq. Ft.

OVERHEAD VIEW
N.T.S.

REV4 - R. BALDWIN - 7/22/04 - CHANGE ADDRESS TO ROUTED OUT PACKED WITH PLEX & VINYL, ILLUMINATED
REV3 - JANET ADAMS - 6/21/04 - ADDED CADUCEUS AND 4" COPY, LOWERED BACK BASE.
REV2 - D. LYNN - 2/20/04 - ADDED BOOMERET AS OPTION REV1 - M. Pacheco - 4/2/04 - Redesign, Delete Option 1.

DESIGNER	DATE	APPROVED BY	DRAWING #
JANET ADAMS	12/15/04		L57011C
DENNIS SPARKS	04/15/04		SHEET 1 OF 1
M. PACHECO	4/2/04		
JANET ADAMS	3/31/04		
R. BALDWIN	7/22/04		

PRIOR NAME / LOCATION ADDRESS
OSTEOPATHIC MEDICAL ASSOCIATES
5410 WEST SAHARA
LAS VEGAS, NEVADA

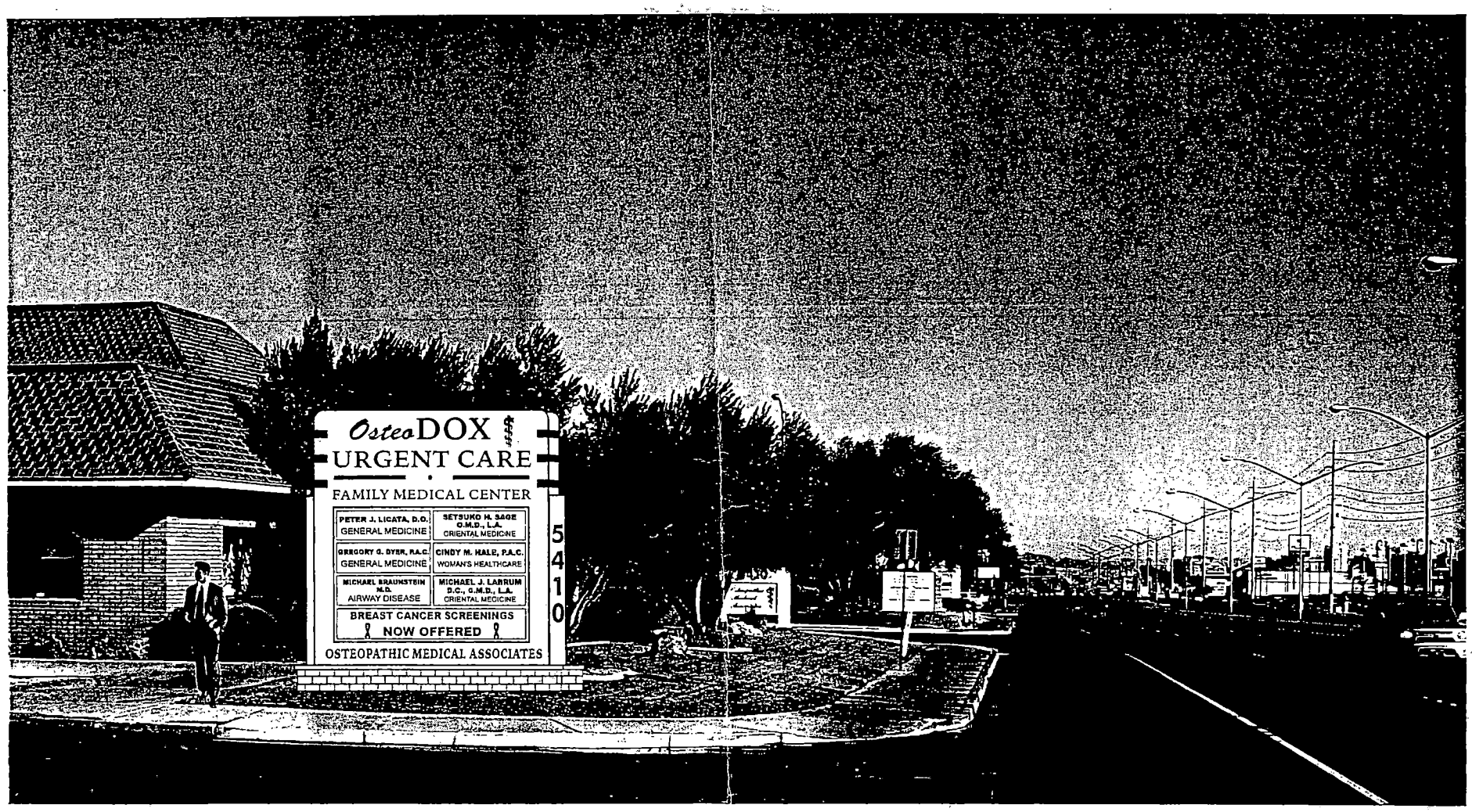
SCALE	REVISIONS	DATE
AS NOTED	REV #1	4/2/04
AS NOTED	REVISION 2	6/21/04
AS NOTED	REVISION 3	7/22/04
AS NOTED	REVISION 4	

CLIENT
SALES
DESIGN
ENGINEERING
ESTIMATING
APPROVED BY

LAS VEGAS DIVISION
YOUNG ELECTRIC SIGN COMPANY
5119 So. Cameron St., Las Vegas, NV. 89118 (702) 870-8080

COPYRIGHT ©2004 YESCO
NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL

VAR-5216
11-04-04 PC



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

Scale: NTS

REV.3 - JANET ADAMS - 6/21/04 - ADDED CADUCEUS AND 4" COPY. LOWERED BRICK BASE.

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

REV. #1 - D. SPRIK - 03/16/04: PLACING OPTION#2 INTO PHOTO

LOS VEGAS DIVISION
YOUNG ELECTRIC SIGN COMPANY
5119 So. Cameron St., Las Vegas, NV. 89118 (702) 876-8080

THIS DRAWING WAS CREATED TO ASSIST YOU IN VISUALIZING OUR PROPOSAL. THE ORIGINAL IDEAS HEREIN ARE THE PROPERTY OF YOUNG ELECTRIC SIGN COMPANY. PERMISSION TO USE COPY OR REVISE THIS DRAWING CAN BE OBTAINED ONLY BY WRITTEN AGREEMENT. SEE YOUR SALES REPRESENTATIVE OR CALL THE MANAGER'S OFFICE OF YOUNG ELECTRIC SIGN COMPANY.

yesco

NEVADA CONTRACTOR LICENSE NO. 780	APPROVED BY	DATE
CLIENT		
SALES		7/9
DESIGN		6/21
ESTIMATING		
ENGINEERING		
EXPEDITING		

REVISIONS	SCALE	DATE	DESIGNER
	AS NOTED	02/25/04	JANET ADAMS
REV.#1	AS NOTED	03/16/04	DENNIS SPRIK
REV2	AS NOTED	6/1/04	M. Pacheco
REVISION 3	AS NOTED	6/21/04	JANET ADAMS

FIRM NAME / LOCATION ADDRESS		
OSTEOPATHIC MEDICAL ASSOCIATES	14471A1.2 FILE DESIGN NUMBER	R3
5410 WEST SAHARA	SHEET 2 OF 2	
LAS VEGAS, NEVADA		
SALESPERSON = M. ZANNIS	P.O. NUMBER	

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

VAR-5216
11-04-04 PC

VAR-5216 - APPLICANT/OWNER: OSTEOPATHIC MEDICAL ASSOCIATES OF NEVADA
NORTHWEST CORNER OF SAHARA AVENUE AND MOHAWK STREET
JANUARY 13, 2005 PLANNING COMMISSION

10/15/04

City of Las Vegas

Agenda Item No.: 32

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

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

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends DENIAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
NIGRO – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is presently under contract with Ovation Development

This is Final Action

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that this item had been before the Commission previously; however, it was being heard again because instead of the four covered garages, the applicant wanted to have six. All other aspects remain the same. Staff is

MINUTES – Continued:

required by State law to recommend denial because the use of the site is not denied but the hardship is self imposed because the developer proposes building to the property line.

TABATHA KEACH, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She indicated on a map, where the proposed garages would be located. ATTORNEY KEACH confirmed MR. LEOBOLD'S comments about the item being heard previously. She explained that the original design included detached garages included into the site. Due to some minor modifications made to the site design, the developer was faced with the decision of eliminating the garages or relocating them to the site being discussed.

ATTORNEY KEACH said the request is justifiable based on the fact that the garages would be adjacent to all C-2 zoned properties. She pointed out that there is a convenience store behind the garages and the adjacent residences face Rancho Drive so there would be no negative impact on the adjacent residences in the area. ATTORNEY KEACH said the site would remain exactly as previously approved and as shown at the neighborhood meeting.

TODD DONNELLY, 6644 Painted Desert Drive, appeared and said the neighbors did meet with Ovation Development prior to the development receiving any approval from the City and many of the neighbors walked out of the meeting before it was over. Several people stayed, including MR. DONNELLY, to make some suggestions to the developer. In MR. DONNELLY'S opinion, the developer was not open to the suggestions and had little regard for the resident's suggestions. After that meeting, a group unhappy about the developer's attitude, petitioned against the project and received approximately 500 signatures. He submitted that petition when this item was initially heard, he offered to petition again if necessary.

MR. DONNELLY said that the zoning on the property was originally residential estates and that was changed to accommodate this project. He voiced concerns that the developer might come back in the near future and request additional modifications that would burden the neighbors even more. He felt the developer should have to build the project as it was approved and not be able to return to modify the plan repeatedly. MR. DONNELLY said that if the garages are built as proposed, there would be a loitering issue. He concluded by saying the project has been crammed down the throat of the neighborhood and they should have to stick to the original design.

ATTORNEY KEACH rebutted by saying the addition of the garages adds an amenity and makes the multi-family product more luxurious. The elevations are beautiful and the garages would match the project. She reiterated that the reduction in landscaping and zero setback would have

MINUTES – Continued:
no impact on adjacent residential. What was originally approved and what the neighbors saw previously would remain unchanged.

VICE CHAIRMAN NIGRO stated that he could appreciate MR. DONNELLY'S comment relative to the objection of having multi-family there but the application did make it through the process and get approved. He continued by saying this property is adjacent to C-2 and he could not see how the request could increase any impact the project as previously approved would have had. He would be in support of the request. The site is in need of development and the garages do not impact the adjacent property owners of the C-2 property.

CHAIRMAN TRUESDELL said that it was obvious the project was involved while working through the system. Regarding MR. DONNELLY'S comments, the Chairman could understand remarks pertaining to building what was originally proposed and approved; however, this would be a very subtle adjustment to the Site Plan and the change is proposed for a rear corner of the development. CHAIRMAN TRUESDELL could not find any negative repercussions of approval of the Variance but could find none. He also stated that from the outside of the project, the garages would not be visible except from the two, C-2 parcels. The neighbors would not see any change in landscaping or streetscape along Red Coach. He assured the residents that the Commission would not tolerate a developer to continually return to whittle away at an approved plan but he could support the application. CHAIRMAN TRUESDELL felt confident the developer would build the product well and make it the asset to the neighborhood they have represented it to be.

COMMISSIONER EVANS stated that he did have some concerns when the item was originally before the Commission but as the application only pertains to the six garages, he would support the item.

COMMISSIONER DAVENPORT clarified with ATTORNEY KEACH that the garages would be pushed up to the back wall so there would be no separation from the back wall.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:59 – 7:09)

1-1990

CONDITIONS:
Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3490).

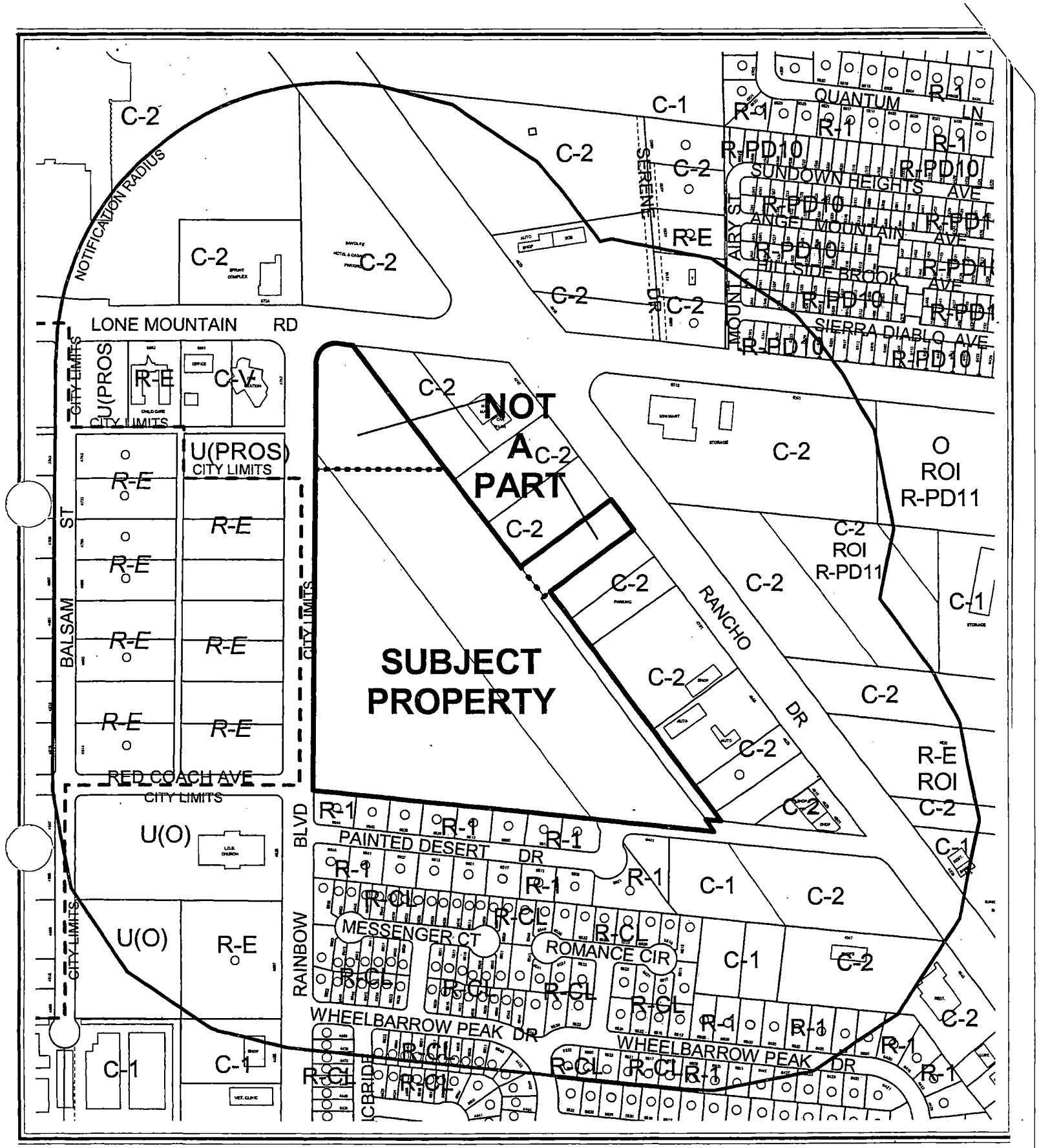
PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 32 – VAR-5548

CONDITIONS – Continued:

2. The structures shall comply with all the provisions of the Building Code.

3. The garages shall be constructed according to the elevation drawings date stamped 11/01/04 and the site plans date stamped 12/08/04.

4. These Variances 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.

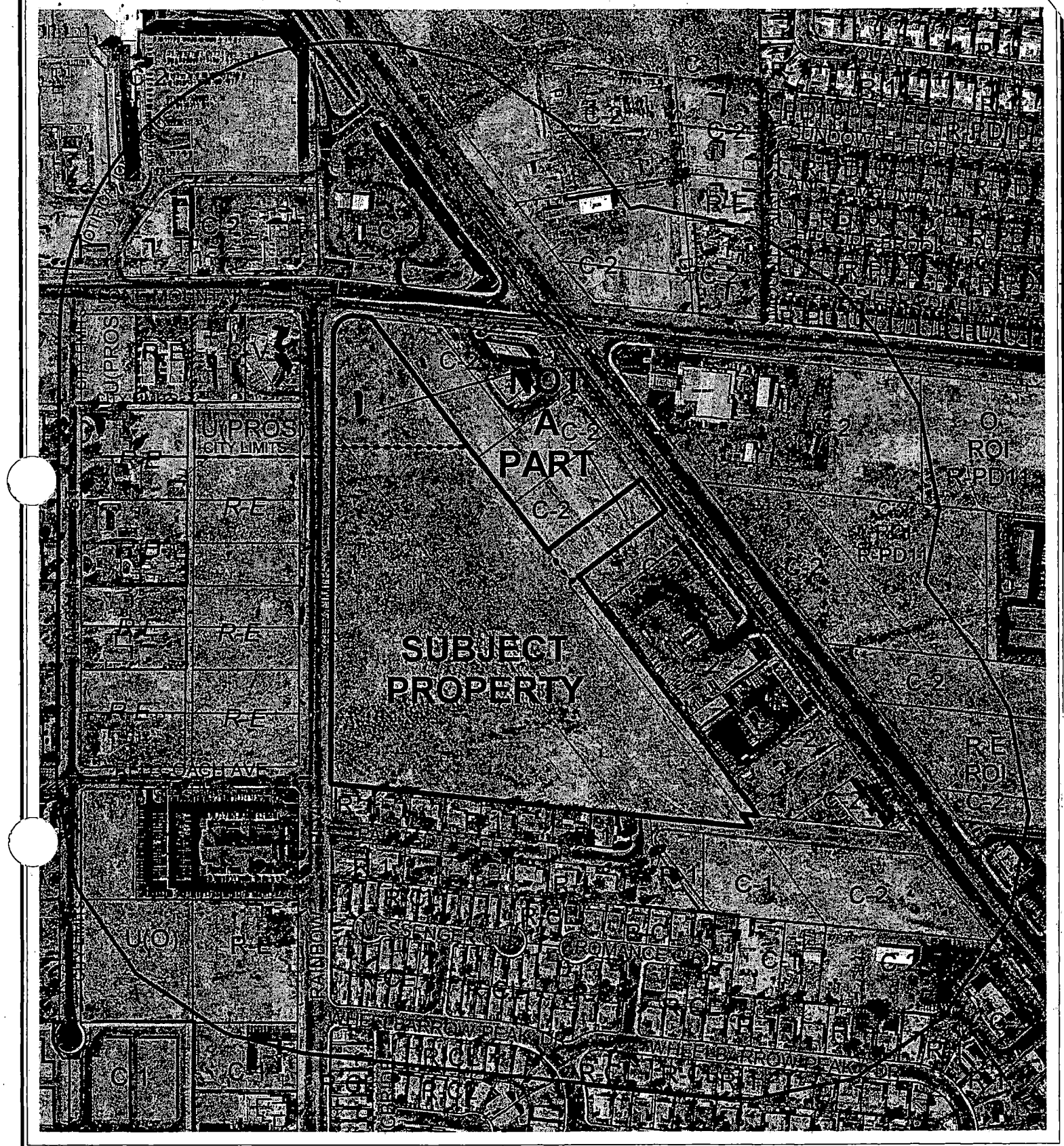


CASE: **VAR-5548**

RADIUS: 750 FT

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

N



0 300 600 Feet

CASE: **VAR-5548**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5548 - APPLICANT: OVATION DEVELOPMENT - OWNER: LONE MOUNTAIN APTS. I, LLC

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-3490).

2. The structures shall comply with all the provisions of the Building Code.

3. The garages shall be constructed according to the elevation drawings date stamped 11/01/04 and the site plans date stamped 12/08/04.

4. These Variances 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 a zero-foot rear yard setback where three feet is required for accessory structures (six covered parking garages) and a Variance to eliminate the six-foot wide landscape planter and required trees in the location of the accessory structures in conjunction with a proposed multi-family residential development adjacent to the east side of Rainbow Boulevard, approximately 350 feet south of Lone Mountain Road.

B) Applicant's Justification

In a letter submitted with the application, the applicant states that there is an interest in constructing six remote covered parking garages along the northeasterly boundary of the subject site. The request for this Variance is to allow the back wall of the garages to serve as the perimeter wall for the project. The applicant indicates that the garages will not have any detrimental affect on any surrounding residents, as the garages are intentionally placed adjacent to commercial property. Any landscaping that would have been required would have been placed on the inside of the perimeter wall where the landscaping would not be seen.

BACKGROUND INFORMATION

A) Previous Actions

04/27/98 The City Council accepted the withdrawal of an application to amend the Northwest Sector Plan (Centennial Hills Plan) of the General Plan from SC (Service Commercial) to M (Medium Density Residential). The Planning Commission and staff recommended denial on 03/26/98.

04/27/98 The City Council accepted the withdrawal of an application to Rezone (Z-009-98) the subject property from R-E (Residence Estates) and C-2 (General Commercial) to R-3 (Medium Density Residential) for a proposed 458-unit three-story apartment complex. The Planning Commission and staff recommended denial on 03/26/98.

DDS

02/18/04 The City Council approved a General Plan Amendment (3484) to change the land use designation of the subject property from SC (Service Commercial) to M (Medium Density Residential); a Rezoning (ZON-3486) from R-E (Residence Estates) and C-2 (General Commercial) to R-3 (Medium Density Residential; and a Site Development Plan Review (SDR-3490) for a 426 unit multi-family residential development. The Planning Commission recommended denial on 11/02/04. The staff recommended approval.

12/16/04 The Planning Commission held this item in abeyance to its 01/13/05 meeting to properly re-notify the request in accordance with the revised site plans, which depict six covered parking garages.

B) Pre-Application Meeting

10/22/04 The staff met with the prospective applicant to review a proposal to place garages along the rear property line of a proposed apartment project on the subject property. The staff indicated that the rear and side yard setbacks for garages are three feet, and to eliminate the requirement, would necessitate the approval of a Variance. The staff also informed the applicant that a Variance would be necessary in the required perimeter landscaping that would be displaced by the garages. There was some question whether there would be sufficient parking spaces for the proposed apartment development if garages displaced some of the parking spaces.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres:	17.80

B) Existing Land Use

Subject Property	Undeveloped
North	Undeveloped/ Commercial
South	Single-family homes
East	Commercial
West	Undeveloped/ Public Facility

C) Planned Land Use

Subject Property	M (Medium Density Residential)
North	SC (Service Commercial)
South	L (Low Density Residential)
East	GC (General Commercial)
West	O (Office); PF (Public Facilities); PR-OS (Park, Recreation, and Open Space)

D) Existing Zoning

Subject Property	R-E (Residence Estates) and C-2 (General Commercial) under Resolution of Intent to R-3 (Medium Density Residential)
North	C-2 (General Commercial)
South	R-1 (Single-Family Residential)
East	C-2 (General Commercial)
West	C-V (Civic); U (Undeveloped) [PR (Park and Recreation) General Plan designation]; and R-E (Rural Estates) [Clark County designation]

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The Centennial Hills Sector Map designates the future land use for this property as M (Medium Density Residential). The property is zoned R-E (Residence Estates) and C-2 (General Commercial) under a Resolution of Intent to R-3 (Medium Density Residential), which is a zone permitted in the M (Medium Density Residential). The requested Variance is not directly affected by any General Plan policies.

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

There are no special plans or overlays that affect the subject site.

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards and an approved Site Development Plan (SDR-3490), the following standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	6,500 S.F.	17.80 Acres	Y
Min. Lot Width	N/A Feet	N/A	Y
Min. Setbacks			
• Front	20 Feet	30 Feet	Y
• Side	5 Feet	65 Feet	Y
• Corner	5 Feet	90 Feet	Y
• Rear	20 Feet	50 Feet	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories/ 32 Feet	Y

DDS

The subject request is not a request to vary the development standards above; however, accessory structures in the R-3 (Medium Density Residential) Zone are required to have a three-foot setback from side and rear property lines. Part of this Variance request is to reduce this setback to zero feet for proposed garages.

B) General Analysis and Discussion

A Site Development Plan Review (SDR-3490) was approved on 11/02/04 by the City Council for a 426 unit multi-family residential development on the subject site. Garages were not proposed for the development nor included in that SDR. The applicant now wants to provide garages for some of the tenants and to situate the garages along the northeasterly (rear) property line of the proposed development. Opposite the property line from where the garages would be located exists commercial property. To locate the garages along the northeasterly property line would require the approval of a Variance to reduce the required three-foot setback from property lines for accessory buildings and a Variance in the Landscape, Wall and Buffer Standards of Title 19 to eliminate the required planting island and trees where the garages would be placed.

The individual garages are to have a shed roof that slopes inward to the property with a 20-foot wall height abutting the property line. The actual roofline is 2.5 feet below the top of the wall to meet building code requirements. All drainage would be directed inward from the property line.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

DDS

The criteria in Title 19 for granting a variance are promulgated from common law in the State of Nevada. More specifically, a "practical difficulty" or "hardship" as stated above has special meaning under Nevada law. The courts have interpreted a hardship to mean that a "regulation to property greatly decreases or practically destroys its value for any permitted use, so as to deprive the owner of the land of all beneficial use or that land is virtually useless as it is presently zoned."[*Enterprise Citizens v. Clark County Commissioners* (1996).]

In view of the above criteria, it is recommended that the application be denied. This recommendation of denial is based on the following findings, only one of which is necessary to deny a Variance:

- **No evidence is provided that a hardship exists to warrant a Variance in the required rear yard.**

  The onus for presenting such evidence is placed on the applicant, the person allegedly aggrieved by the requirement. The applicant indicates an interest in providing garages as an added amenity for some of the units but presents no evidence as to why the garages couldn't be provided in compliance with the Zoning Code requirement. Since no such evidence is provided, the application should be denied.

- **The hardship is self-imposed.**

  Clearly the hardship is of the applicant's own making, as the reduction in the amount of rear yard setback is based upon the applicant's interest in constructing the garages within the required setback. Since the hardship is self-imposed, then according to the criteria above, a Variance is not warranted.

- **Use of the property is not denied.**

  Here the question is one of whether the rear yard setback requirement so impairs use of the property that it cannot be used for residential purposes. The response to this question is obvious, as the property can be used for the project that was approved. Accordingly, the Variance is not warranted.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 188 - 12/16/04 PC

APPROVALS 0

PROTESTS 1

DDS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5548 APN: 138-02-101-001 +013

Name of Property Owner: Lone Mountain Apts I LLC.

Name of Applicant: Oration Development

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

____ Yes __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: Alan L Molasky

Print Name: ALAN L MOLASKY

Subscribed and sworn before me

This 26TH day of OCTOBER, 2007

Notary Public in and for said County and State

SCOTT R. PARKER
Notary Public, State of Nevada
Appointment No. 04879851
My Appt. Expires Apr. 1, 2008

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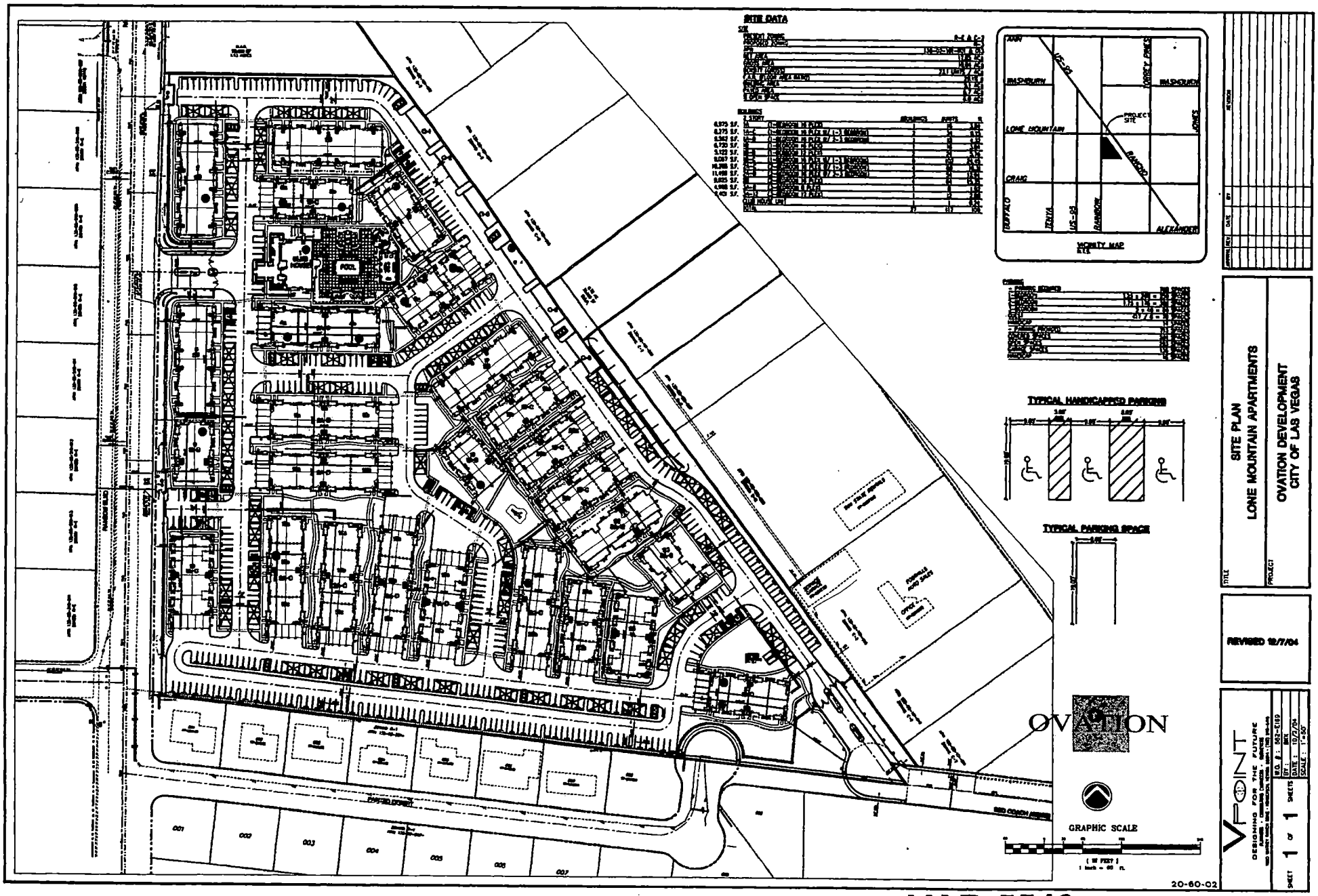

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12.8.04

VAR-5548
12/16/04 PC

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20-60-02

VPOINT
DESIGNING FOR THE FUTURE

SHEET 1 OF 1 SHEETS

DATE: OCT 2004
SCALE: 1"=40'

TITLE
CONCEPTUAL LANDSCAPE PLAN

PROJECT
LONE MOUNTAIN/RAINBOW

APPROVED | DATE | BY
DESIGN

GRAPHIC SCALE

OPEN FENCE DETAIL

LANDSCAPE MATERIAL

VICINITY MAP
N.T.S.

ALEXANDER | RAINBOW | US-95 | VALLEY | BUFFALO
CRAIG | RANCHO | LONE MOUNTAIN
JONES | PROJECT SITE | WASHBURN
TORREY PINES | US-95 | ANN

VAR-5548
12/16/04 PC

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VAR-5548
12/16/04 PC

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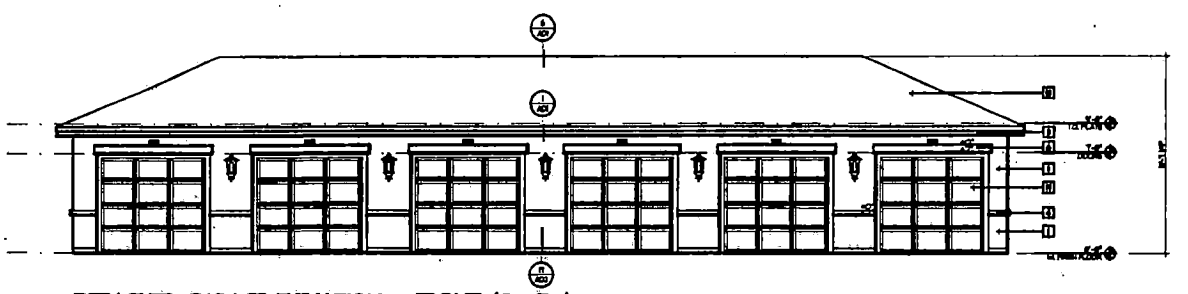
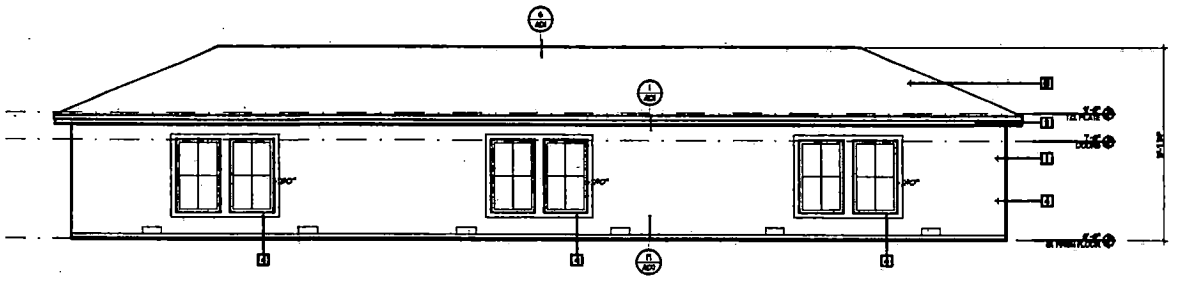
DETACHED GARAGE

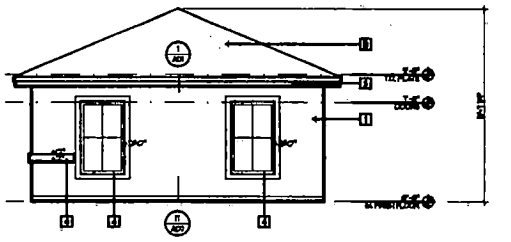
ELEVATION KEY NOTES	
ID	DESCRIPTION – TYPICAL BUILDINGS
1	2 x 12 FACIA BOARD
2	SHAPED WOOD FASCIA - SEE ARCHITECTURAL DETAILS
3	STUCCO FASCIA - SEE ARCHITECTURAL DETAILS
4	2 x 4 POINT TRIM AT STUCCO FASCIA
5	FASCIA CORBEL - SEE ARCHITECTURAL DETAILS
6	2 x 6 POINT TRIM AT STUCCO FASCIA
7	ROOFING TYPICAL - SEE ROOF PLAN
8	2 x 6 POINT TRIM AT STUCCO FASCIA
9	LIGHT FIXTURE - SEE ELECTRICAL PLANS
10	FASCIA CORBEL - SEE ARCHITECTURAL DETAILS
11	24 X 8 CONCRETE CONCEALED AIR COVER - SEE MECHANICAL PLANS
12	2 x 12 POINT TRIM AT STUCCO FASCIA
13	STUCCO - SEE COLOR PLAN TO SEE WHICH BUILDING HAS WHICH
14	ROOF DRAINAGE
15	SHUTTER TYPE - SEE ARCHITECTURAL DETAILS
16	WINDOWS - SEE PLAN AND WINDOW SCHEDULE
17	DOOR - SEE PLAN AND DOOR SCHEDULE
18	CONCRETE ROOF TILE - PLAN ON LAST PHASE



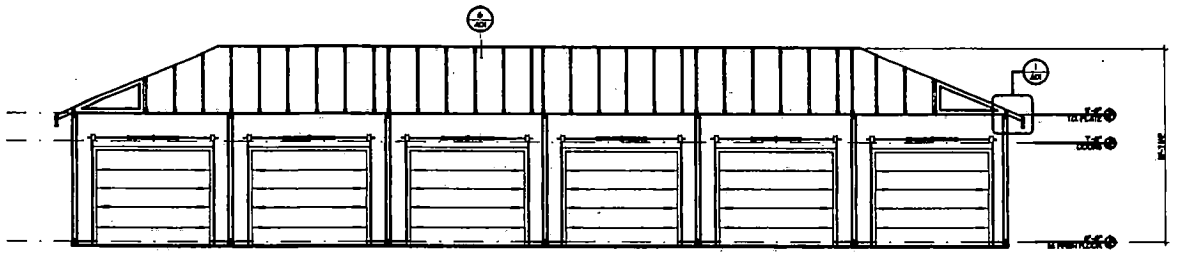
DETACHED GARAGE ELEVATION – FRONT (On Site)



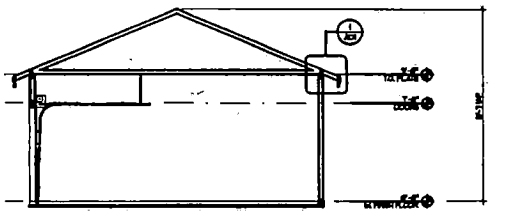
DETACHED GARAGE ELEVATION – REAR (On Site)



DETACHED GARAGE ELEVATION – SIDES (On Site)



A / A7.5 DETACHED GARAGE – SECTION (On Site)



B / A7.5 DETACHED GARAGE ELEVATION – SIDES (On Site)

SCOTT L. BAKER, ARCHITECT, INC.

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

PRELIMINARY SET
8/9 DRL
OCTOBER 25, 2004
PRELIMINARY SET

DETACHED GARAGE ELEVATIONS & SECTIONS
A7.5
SHEET ____ OF ____

VAR-5548
12/16/04 PC

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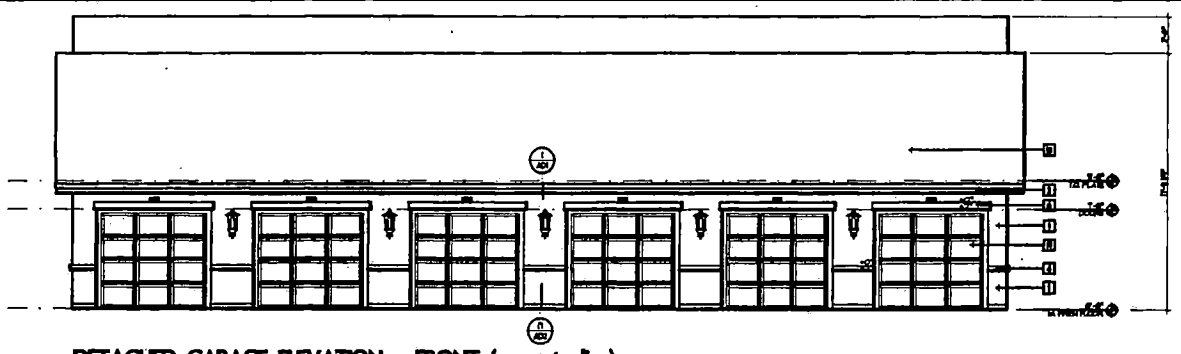
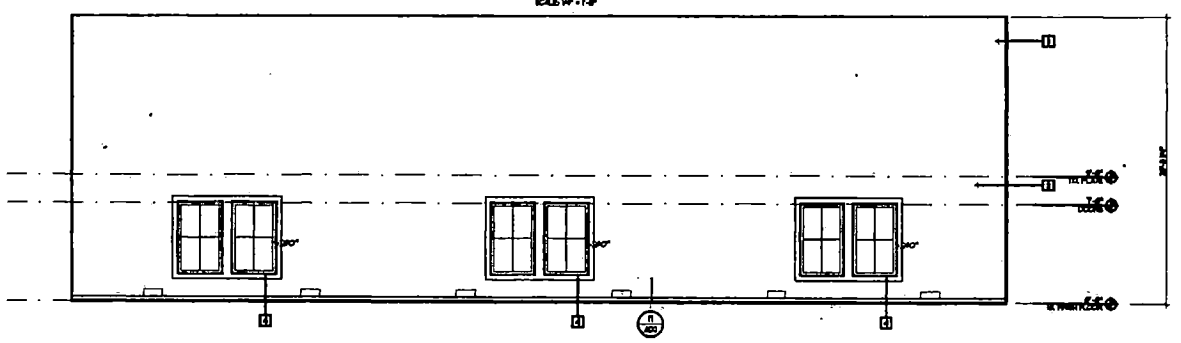
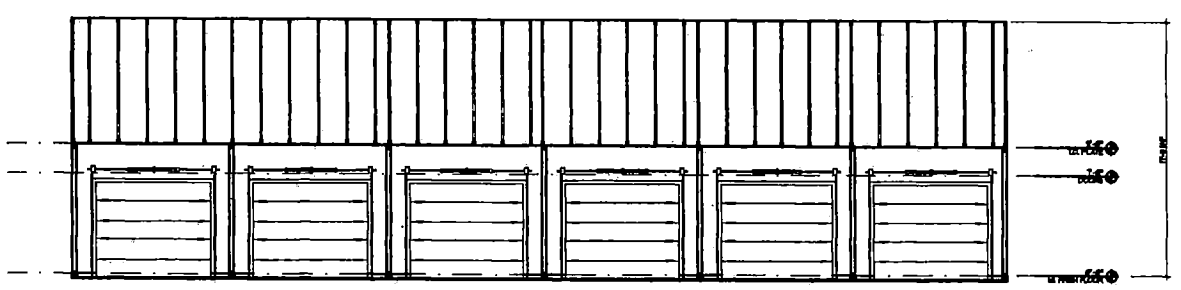
DETACHED GARAGE



DETACHED GARAGE ELEVATION – FRONT (property line)

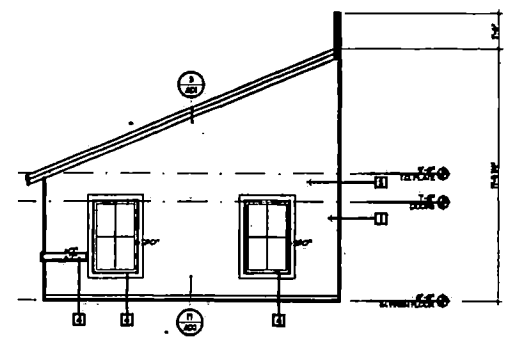


DETACHED GARAGE ELEVATION – REAR (property line)

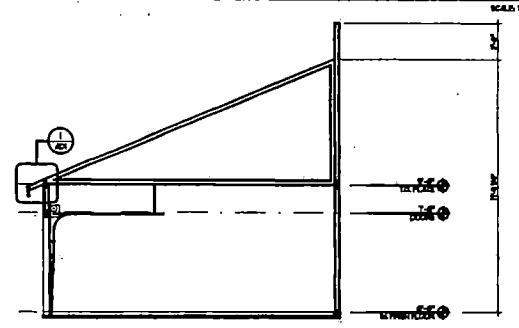


A / A7.6 DETACHED GARAGE – SECTION (property line)

ELEVATION KEY NOTES	
⊡	DESCRIPTION – TYPICAL BUILDINGS
1	8 – COAT STUCCO FINISH
2	PAINTED WOOD FASCIA - SEE ARCHITECTURAL DETAILS
3	STUCCO FASCIA - SEE ARCHITECTURAL DETAILS
4	3 or 4 FOAM TRIM W/ STUCCO FINISH
5	FASCIA CORNER - SEE ARCHITECTURAL DETAILS
6	2 or 3 FOAM TRIM W/ STUCCO FINISH
7	WELDED WIRE MESH - SEE SITE PLAN
8	2 or 3 FOAM TRIM W/ STUCCO FINISH
9	LIGHT FIXTURE - SEE ELECTRICAL PLANS
10	METAL FASCIA - SEE ARCHITECTURAL DETAILS
11	30 X 3 STONE CAP/MANSARD ROOF COVER - SEE MECHANICAL PLANS
12	3 or 4 FOAM TRIM W/ STUCCO FINISH
13	GRADE - SEE SITE PLAN TO SEE EACH BUILDING PAD GRADE
14	SEE PLANS
15	PAINTED POST - SEE ARCHITECTURAL DETAILS
16	STUCCO - SEE PLAN AND STUCCO SCHEDULE
17	STUCCO - SEE PLAN AND STUCCO SCHEDULE
18	CONCRETE ROOF TILE - SEE ROOF PLAN



DETACHED GARAGE ELEVATION – SIDES



B / A7.6 DETACHED GARAGE ELEVATION – SIDES (property line)

SCOTT L BAKER, ARCHITECT, INC.

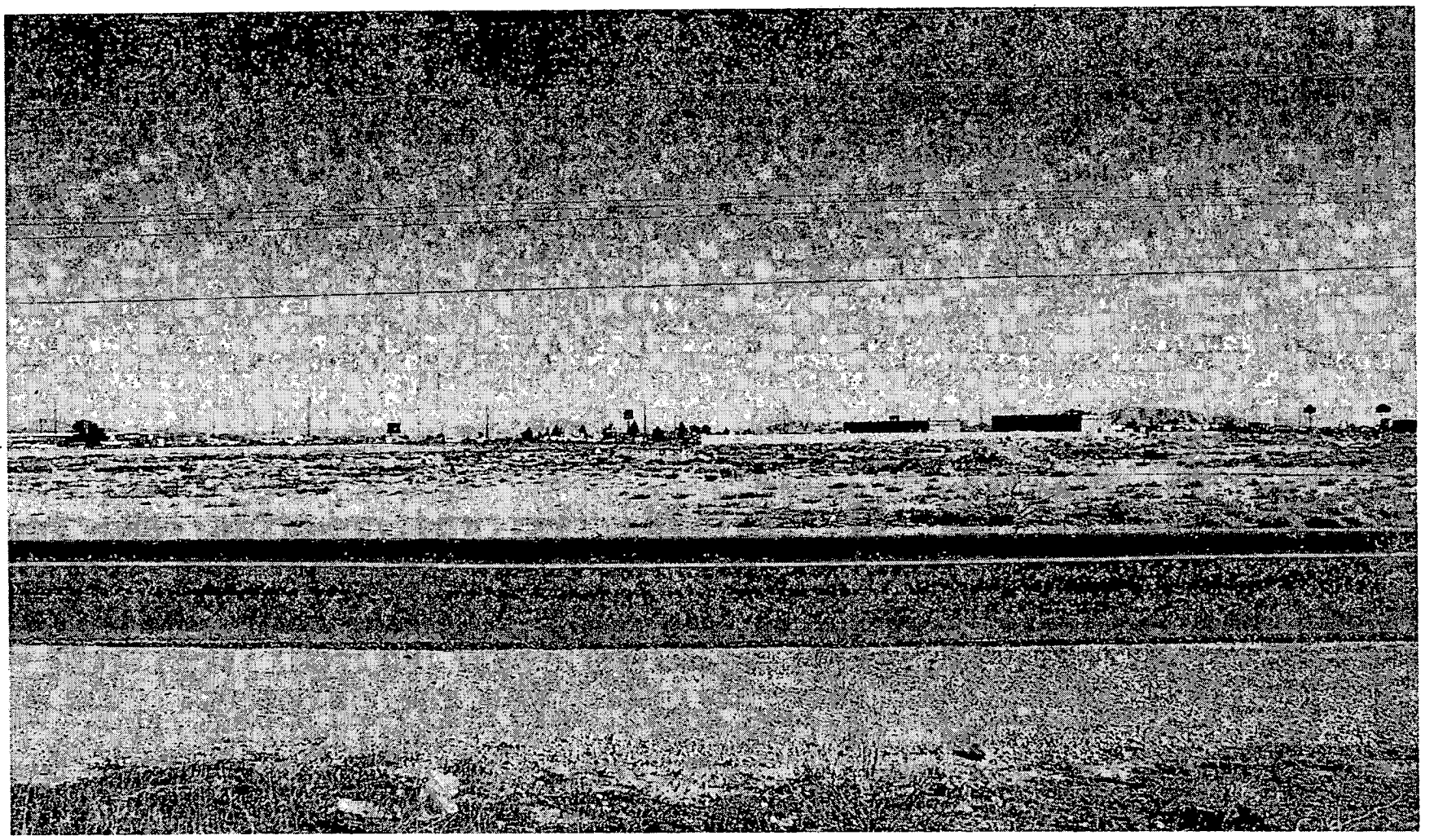
OVATION
LONE MOUNTAIN PROJECT
RANCHO AND LONE MOUNTAIN
CITY OF LAS VEGAS, NEVADA

PRELIMINARY SET

DRB SUBMITTAL
OCTOBER 31, 2004

PRELIMINARY SET

DETACHED GARAGE ELEVATIONS & SECTIONS
A7.6
SHEET ___ OF ___



VAR-5548 - APPLICANT: OVATION DEVELOPMENT - OWNER: LONE MOUNTAIN APTS. I, LLC
EAST SIDE OF RAINBOW BOULEVARD, APPROXIMATELY 350 FEET SOUTH OF LONE MOUNTAIN ROAD
JANUARY 13, 2005 PLANNING COMMISSION

12/2/04

Elva L Weidner
1337 Cashman Dr
Las vegas NV 89102

December 16, 2004

Planning Commission
City Council Chambers
400 Stewart Av
Las Vegas NV
Fax: 702 474-0352

Re: VAR –5548 Ovationn Development
SDR –5553
SUP – 5554

Attn: Gary M Leobold, Planning Supervisor

I would like to lodge my complaint again regarding the Ovation Apartments that you approved Against all of the residents complaints. We took up petitions, waited to be heard until after 10 pm in the eveings, and were treated like we didn't exist. I know that Stations casinos wanted the apartment complex so they would have more bodies coming to their casino to throw their money away. After you approved the apartments Mack was quoted that the residents would thank him for it!! I wish apartments would be built Behind his home. Whenever and wherever there are apartment complexes the crime rate goes up along with the traffic congestion. The lease you could have made the complex entrance not off of Rainbow, but we know Station's wanted to keep their commercial piece of property. Now,to insult us even further they want to waive the landscaping buffer they had told the residents they would do, and have a xero setback.
I object to this! It was bad enough to have lousey apartments in the area,now they are getting special favors!

Next, you want to put an auto body detailing shop right across from my property on McBride!! An auto detail shop should not be across the street from a residential neighborhood!! It should be out on Lossee road or some other area not around residences. The air quality is bad enough with the freeway, hundres of apartments going up, casino traffic and just what the neighborhood needs is more polution.
I object to this also. We don't need any autobody shop in what used to be a quiet neighborhood.

I was planning on retiring in my small home on 4460 McBride, but I know now I could never live in the neighborhood now with what the planning commission has done to the area.

I don't have the time or the energy to go to your meetings and sit around all night, feeding the parking meter every hour, and still not being listened to.

But, I need to vent my anger at what you are doing to neighborhoods.

Elva L Weidner

READ INTO THE RECORD

cc. faxed to: Oscar Goodman 385-7960
Michael Mack 382-8558

City of Las Vegas

Agenda Item No.: 33

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:

ABEYANCE - VAR-5557 - VARIANCE - PUBLIC HEARING - APPLICANT: ROGER ANDERSON - OWNER: SYUFY ENTERPRISES, A CALIFORNIA LIMITED PARTNERSHIP - Request for a Variance TO ALLOW 179 PARKING SPACES WHERE A MINUMUM OF 234 PARKING SPACES IS REQUIRED on 3.8 acres adjacent to the south side of Charleston Boulevard, approximately 500 feet east of Wilshire Street (APN 163-01-502-005, 006, 007, and 008), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

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

MOTION:

STEINMAN – DENIED – Motion carried with DAVENPORT and McSWAIN voting NO

To be heard by City Council 2/16/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 33 [VAR-5557] and Item 34 [SDR-5556].

GARY LEOBOLD, Planning and Development Department, explained the applications were previously held in abeyance from the 12/16/2004 meeting because the application showed three buildings that were proposed but did not reflect an existing tavern on the site that would be remaining at that location for a short time. There were also questions regarding whether or not the tavern could remain there at all.

MINUTES – Continued:

The applicant redesigned the Site Plan to eliminate one of the two pads, which left one large building, one pad and the existing tavern on the northeast corner. MR. LEOBOLD identified the tavern as a non-conforming use in a conforming building. The site is subject to a parking variance so the tavern could remain but could not be expanded. The applicant has commitments to retain this use for no more than two years. The Site Plan has been revised to retain the taverns and reflects two other buildings on the site. The floor area of the site has been reduced to approximately 39,000 square feet. This reduction affects the parking variance slightly but the site is still considered under parked by approximately 24 percent. Staff acknowledged the recent changes as an improvement; however, a self-imposed variance is still being requested and the Site Plan is predicated on that variance so both applications have a denial recommendation.

MR. LEOBOLD clarified that the tavern could remain at the current location but if it were ever relocated, the application for the tavern would have to start over completely. He explained that the use is non-conforming because there are two churches within 1,500 feet of the site the tavern is on. One church is across Charleston Boulevard and could be waived but the other church is to the west on the south side of Charleston Boulevard. He said it would be unlikely that a tavern could be relocated on this site but can remain at its current location.

ROGER ANDERSON, Applicant, 1909 Reliza Court, appeared and stated the Site Plan was revised, as requested by the Commission, and that he concurred with all conditions.

PAUL ROBARTS, 6450 Spring Mountain Road, stated he owns the property to the east of the subject site and he noted that his Site Plan shows the building in the northeast corner of the property. He wanted assurance that any building in that corner would maintain a 30-foot and 20-foot setback because of a driveway located right at the property line. He was also concerned about visibility in the area after the proposed bus turn out was installed. MR. ROBARTS stated that if the map shown on the overhead was the current plan, his issues were not relative anymore. MARGO WHEELER, Director, Planning and Development Department, assured MR. ROBARTS that any change proposed to the Site Plan being considered would require re-notification so he would be kept aware.

COMMISSIONER STEINMAN asked exactly how many parking spaces staff counted on the property after the changes. MR. LEOBOLD stated the current Site Plan had 174 spaces and the requirement was 229. The Commissioner then asked if the minimum-parking requirement included the building situated on the west end of the site, which was marked Proposed Restaurant/Retail. MR. LEOBOLD informed him that the applicant's plan makes it very clear how the restaurant uses are being broken out. He felt the applicant was diligent in their estimates

MINUTES – Continued:

but acknowledged the applicant might develop with no restaurant and then the project would be much closer to not needing a variance, if one was needed at all. He acknowledged that the applicant needed a larger variance they would have to come back before the Commission.

COMMISSIONER STEINMAN stated that almost 40 percent of the parking spaces on this site are located behind the front line of the shopping center. The majority of them are behind the building and on the east side of the building. He felt the spaces were unusable except, perhaps, by employees. The Commissioner did not feel the customer base could use the parking the way it was situated. Most consumers do not walk around buildings to enter them. He felt the parking deficiency was compounded by the way the spaces were designed. MR. LEOBOLD stated that the same situation occurs with four-sided buildings that are pushed towards the street. In some instances it could create a problems related to deliveries and unloading with certain uses but it is done. The back of the building does not have to be a no mans land. COMMISSIONER STEINMAN felt that very few tenants in this type of center would want customers walking in their back door. He did not like the Variance and he felt the site was overused.

MARGO WHEELER, Director, Planning and Development Department, calculated that of the 4,500 square feet of restaurant area would require 65 parking spaces for that single use. As retail, it would require only 18 parking spaces. The difference is 47 spaces and the Variance request is for 55 spaces. If the building were developed as retail, the net difference would be seven spaces. COMMISSIONER STEINMAN then asked if the applicant would accept a condition that there would be no restaurants.

COMMISSIONER McSWAIN asked MR. ANDERSON if he had considered the possibility of a shared parking agreement with the fast food restaurant adjacent to the property on the east side. MR. ANDERSON said that he tried to purchase that parcel and the owner was not interested. The Commissioner said she had mixed feelings regarding the project and was curious about what the other members thought. She felt the adjustment was substantial if a restaurant component were included; however, being familiar with the area she recognized there are not really any parking issues. She asked if he had any tenants lined up. MR. ANDERSON said one lease has been signed with a sleep diagnostic center, which would operate during the evening hours only so they would use no parking spaces during the day. He also pointed out that although the tavern is open 24 hours a day; the peak hours for business are during the night.

COMMISSIONER McSWAIN stated that she drives near this area often and the tavern is never packed. She asked about the parking requirement for the tavern only. MR. LEOBOLD indicated the tavern use required 31 parking spaces. The Commissioner explained that she wanted to be able to support the item because the corridor needs some renovation and this project could help. She asked MR. ANDERSON if he had any renderings to view and he showed a 3-D drawing.

MINUTES – Continued:

MR. ANDERSON indicated that one of the buildings shown on the rendering was eliminated from the Site Plan being considered but the remainder of the rendering remains the same. He explained that the project was nicely designed with five different colors on the building, custom awnings for each storefront, stone façade and pavers for the sidewalk instead of concrete. She asked if he had any renderings of the rear elevations, he did not. COMMISSIONER McSWAIN said she did not need to see them; she was supportive of the project and the Variance.

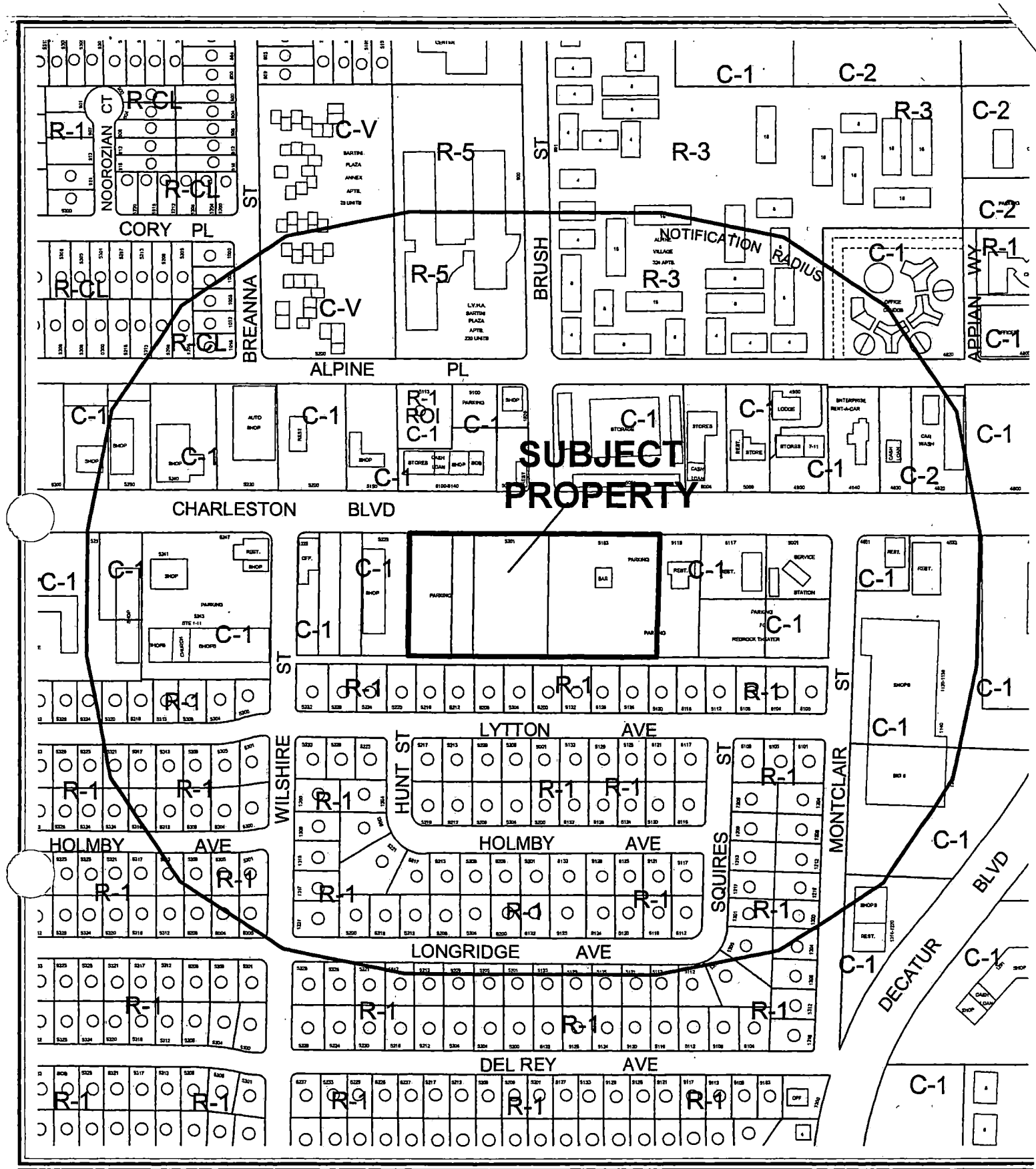
Addressing COMMISSIONER STEINMAN'S comments regarding the rear parking, MR. ANDERSON stated that he counted 48 spaces out of 174 spaces that were located in the back. He said those spaces would be utilized by tenant employees who would be required to park in the back as a condition of the leases. This would help keep parking clear in front and it also allowed the building to be moved forward towards the street so a variance for the building height to the residential adjacency would not be necessary.

CHAIRMAN TRUESELL informed the applicant that he did want to support the project but the Variance was for a significant number, he needed to get past some of the more technical issues with regards to the Site Plan. He thought that with some subtle changes the developer would not need such a significant variance. The Chairman stated that situating the retail building in the front on the west end would result in that store's front door facing a trash enclosure and two loading zones. In his experience in dealing with tenants over the last several years, he could not imagine anyone wanting those items in front of their store regardless of the type of retail operator they might be. The only zone that would be used would be the one in front of retail, which is behind the restaurant and that would be the messiest one. He said that the site was overbuilt.

CHAIRMAN TRUESDELL thought it would serve the site well if there was a parking drive on the west end as well. It would be usable parking and have other benefits as well. It would also help the board justify the use of the parking in the rear better because drivers would not have to drive one way and then off the site if there was no parking. As it is configured, if a driver goes to the back to park and it's full, there would be no option except going offsite and then coming back in. CHAIRMAN TRUESDELL said the design does not function as far as circulation is concerned. He could not support the plan in its current configuration. The board wants good development in this area but not by sacrificing function for development. The site is square and very straightforward. There are not unrealistic circumstances involved and he could not support the item.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 33 [VAR-5557] and Item 34 [SDR-5556].

(7:09 – 7:30)



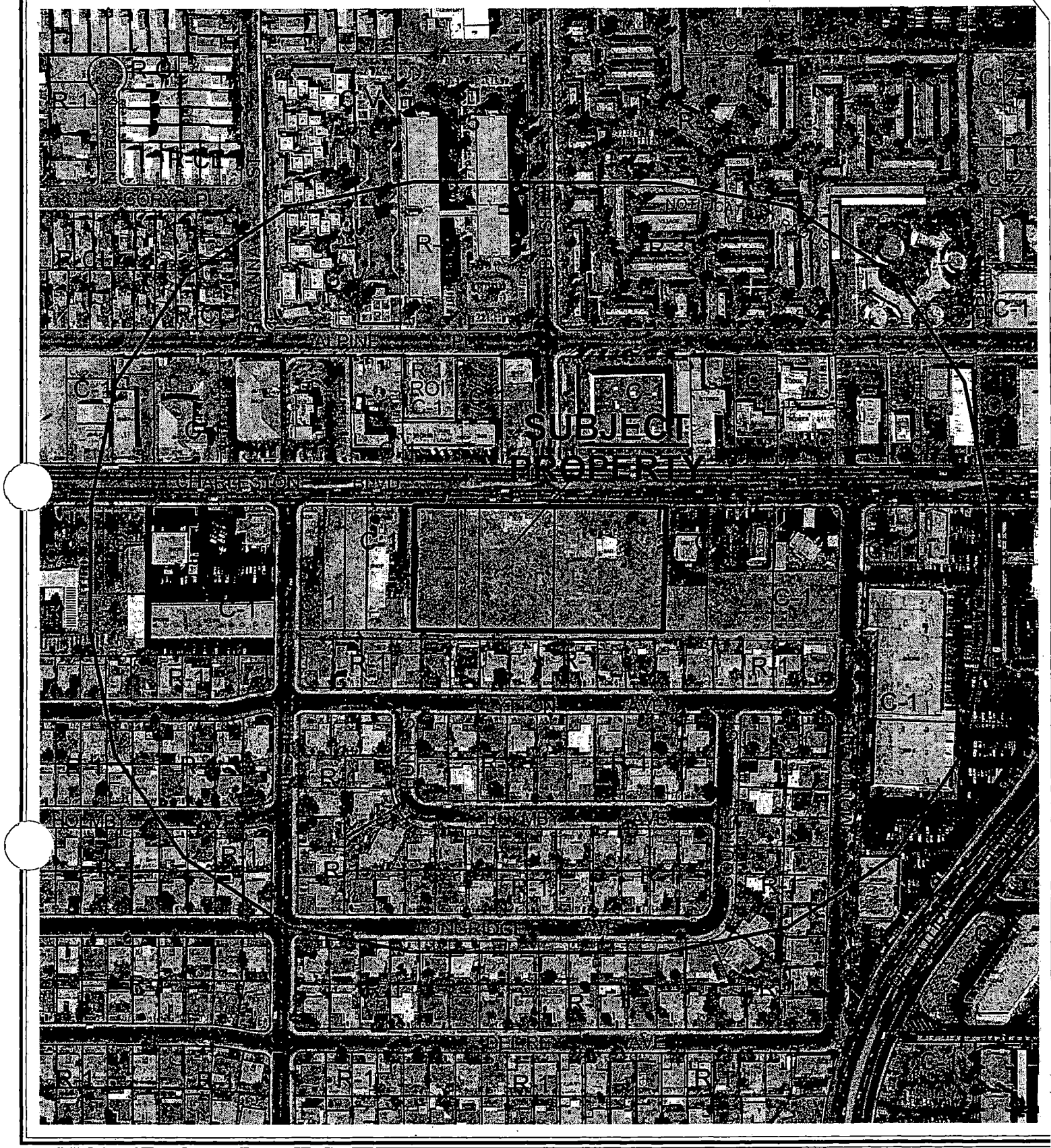
CASE: **VAR-5557**

RADIUS: 750 FT

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

0 300 600 Feet

N



0 300 600 Feet

CASE: **VAR-5557**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5557 - APPLICANT: ROGER ANDERSON - OWNER: SYUFY ENTERPRISES, A CALIFORNIA LIMITED PARTNERSHIP

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5556).

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 179 parking spaces where a minimum of 234 parking spaces is required in conjunction with a proposed 42,160 square-foot retail development on 3.8 acres adjacent to the south side of Charleston Boulevard, approximately 500 feet east of Wilshire Street. Based on revised plans submitted, the request is now for 37,660 square feet of new retail space, and retention of the existing 2,000 square-foot non-conforming Tavern on the site, which will be integrated into the new development.

B) Applicant's Justification

The applicant justifies this request by stating that the required parking calculation takes into account eating and drinking establishment uses for each building, although it is not known at this time whether such establishments will actually become tenants. If only retail uses are considered, the project meets Title 19 parking requirements.

BACKGROUND INFORMATION

A) Previous Actions

10/24/62	The Board of City Commissioners approved a request for a Rezoning from R-1 (Single-Family Residential) to C-1 (Limited Commercial) on the subject property as part of a larger request (Z-0100-62). The Planning Commission and staff recommended denial.
02/25/71	The Board of Zoning Adjustment approved a request for a Variance (V-0005-71) to allow the reduction of off-street parking spaces for the Red Rock Theatre from 243 to 207 on property located at 5201 West Charleston Boulevard. A Plot Plan Review was also approved that permitted the expansion of the theater to four screens. Staff recommended approval.
09/19/90	The City Council approved a request for a Special Use Permit (U-0136-90) for a proposed 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 5183 West Charleston Boulevard, subject to a five-year review. The Planning Commission and staff recommended approval.
10/18/95	The City Council approved a Five-Year Review [U-0136-90(1)] of an approved Special Use Permit for a 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 5183 West Charleston Boulevard, subject to a five-year review. The Planning Commission and staff recommended approval.

12/06/00 The City Council approved a Five-Year Review [U-0136-90(2)] of an approved Special Use Permit for a 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 5183 West Charleston Boulevard, subject to a two-year review. The Planning Commission and staff recommended approval.

01/22/03 The City Council approved a Two-Year Review (RQR-1229) of an approved Special Use Permit for a 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 5183 West Charleston Boulevard, subject to a two-year review. The Planning Commission and staff recommended approval.

12/16/04 The Planning Commission held this item in abeyance to its 01/13/05 meeting to allow the applicant time to work with staff and prepare a revised site plan.

01/13/05 The Planning Commission will consider a companion request for a Site Development Plan Review (SDR-5556) and Waivers of the Commercial Development Standards for a 15-foot front yard setback where 20 feet is required, the required foundation landscaping, and screen wall requirements for a proposed 42,160 square foot retail development on the subject site. Staff recommends denial.

B) Pre-Application Meeting

10/15/04 At the meeting, the applicant was advised that a Merger and Resubdivision Map or Commercial Subdivision Map will be required to erase the existing lot lines on the site. Traffic and drainage studies will also be required for this project. Preliminary drawings for the pad sites along Charleston Boulevard will be submitted with this project, but more detailed site reviews will be required at a later time. The Tavern on the site is nonconforming (another Tavern and a House of Worship are located within 1,500 feet). The Tavern will then be subject to the regulations in Title 19.16 pertaining to nonconforming uses. The type and number of waivers to the Commercial Development Standards were discussed, as well as the need for a parking variance.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 3.8

B) Existing Land Use

Subject Property:	Tavern, Undeveloped
North:	Retail, Restaurant, Mini-Warehouses
South:	Single-Family Residential
East:	Restaurant with Drive-Through
West:	Retail

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Southwest Sector Map of the General Plan, allowing for retail, office, and other commercial uses that do not contain more intense characteristics. The existing C-1 (Limited Commercial) zoning district conforms to this General Plan designation. There are no General Plan policies that are directly relevant to the requested Variance.

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

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

The proposal is also located within the Airport Overlay District. All development within the airspace above the height of 35 feet above the surface of the land, lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces, shall be subject to the height standards established on the Airport Overlay Maps. The proposed structures will stand at a maximum height of 42 feet, well below the 200-foot height restriction imposed by the North Las Vegas Airport Overlay District map. Had the proposed building exceeded the height restriction, the applicant would have been required to notify the FAA regional office and the Clark County Department of Aviation of the application and present any subsequent comments to the Planning Commission and City Council.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	**Required** Parking Ratio	**Required** Parking Regular	**Required** Parking Handicap	**Provided** Parking Regular	**Provided** Parking Handicap
Building A:						
General Retail, 25,000 SF or greater	31,210 SF	1/250 SF GFA	125 spaces			
Restaurant	1,950 SF	1,350 SF at 1/50 and 600 SF at 1/200	30 spaces			
Building B:				---		
Restaurant	2,500 SF	1,500 SF at 1/50 and 1,000 SF at 1/200	35 spaces			
Retail, 25000 SF or greater	2,000 SF	1/250 SF GFA	8 spaces			
Existing Tavern	2,000 SF	1,400 SF at 1/50 and 600 SF at 1/200	31 spaces	---		
TOTAL	39,660 SF	---	229 spaces	7 spaces	174 spaces	6 spaces

The proposed retail development is deficient 55 spaces. The applicant has requested a companion Variance (VAR-5557) to reduce the amount of required parking for the site. At this time, it is not known which uses will occupy the buildings; however, since restaurant uses are expected, the applicant has calculated parking based on restaurant and retail uses for each building, accounting for the higher requirement. Approximately 20 percent of the spaces are designated for compact vehicles. Three loading zones are also provided for deliveries and pick-ups.

The following comments were submitted by the Department of Public Works as conditions of approval:

"Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Access of any type, including construction traffic, shall not be taken from the proposed Brush Street entry until all necessary modifications to the existing traffic signal are complete. All work within the Charleston Boulevard right-of-way shall receive approval from the Nevada Department of Transportation. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site."

B) General Analysis and Discussion

This request is in conjunction with a proposed 37,660 square-foot retail development, plus retention and integration of an existing 2,000 square-foot non-conforming Tavern. At this time, it is not known which uses will occupy the buildings; however, since restaurant uses are expected, the applicant has calculated parking based on restaurant and retail uses for each building, accounting for an inflated requirement. Without any restaurant uses, the Code requirement is 169 spaces, which the applicant can meet. Even one restaurant would increase the requirement over the 179 spaces provided. To ameliorate the parking discrepancy, the applicant has designated approximately 20 percent of the spaces for compact vehicles.

It is unlikely that the development would contain strictly retail uses, given the site plan design; therefore, the possibility that the Zoning Code could be met regarding the number of off-street parking spaces is also unlikely.

FINDINGS

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

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

Additionally, Title 19.18.070(L) states:

"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing more intense uses and hence a greater parking demand than the site can accommodate. Reduction of some of the proposed restaurant/bar uses could bring the site into compliance with the Zoning Code. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

NOTICES MAILED 168 [Mailed with SDR-5556] 12/16/04 PC

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-5557** APN: 163-01-502-005,006,007 & 008

Name of Property Owner: SYUFY ENTERPRISES

Name of Applicant: ROGER ANDERSON

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: ALAN STETER CFO

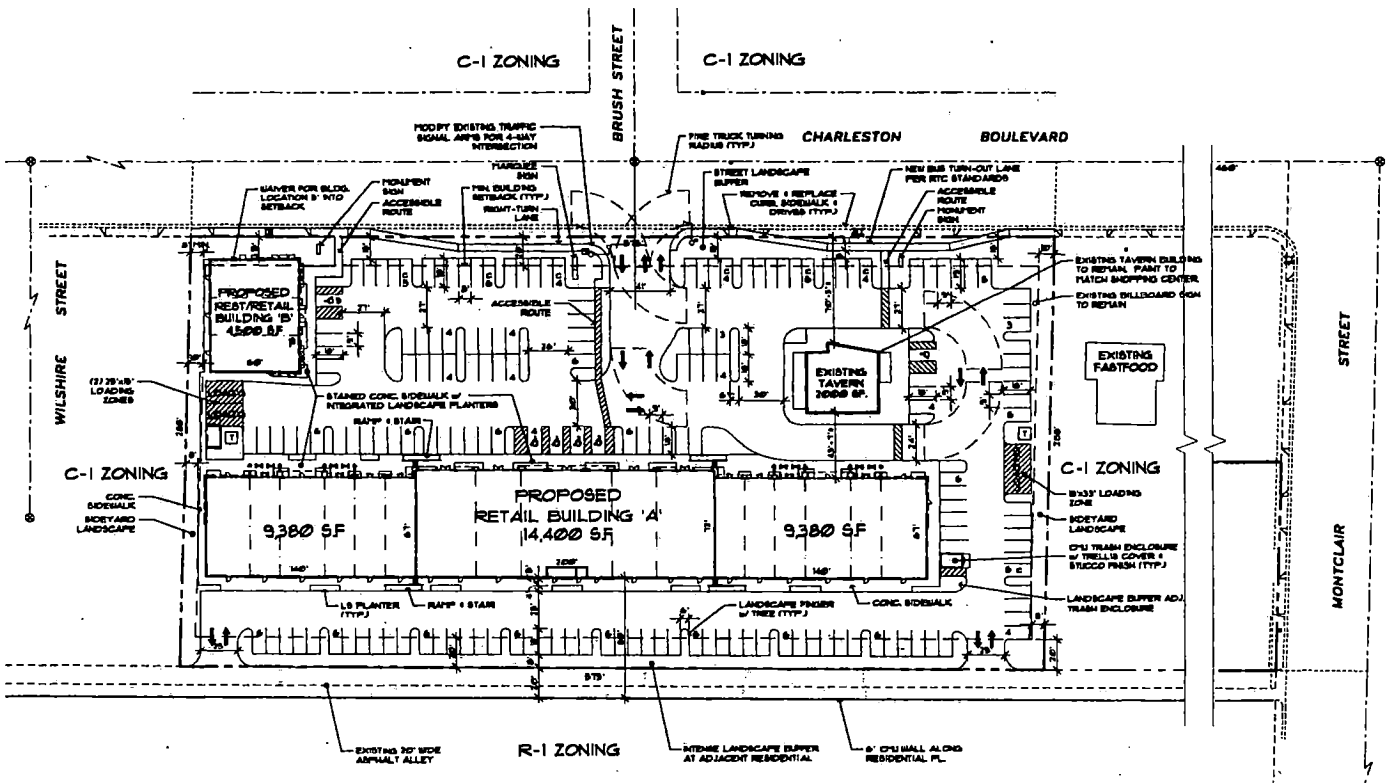
Subscribed and sworn before me

This 27 day of October, 2004

_____

Notary Public in and for said County and State

ELAINE TUFO-SEGALE
Commission # 1317051
Notary Public - California
Marin County
My Comm. Expires Sep 5, 2005



Site Data

ASSESSORS PARCEL NUMBER:
163-01-802-005,006,007 & 008
(TO BE COMBINED INTO ONE COMMERCIAL SUBDIVISION)

CURRENT ZONING: C-1

PARCEL AREA

SITE GROSS:	3.8 ACRES GROSS	165328 S.F.
BUILDING AREA GROSS		39,660 S.F.
BUILDING FOOTPRINT		39,660 S.F.
BUILDING SITE COVERAGE		24 PERCENT

BUILDING

BLDG. 'A': RETAIL	33,160 S.F.
BLDG. 'B': REST/CAFE/RETAIL	4,500 S.F.
EXIST'G. TAVERN	2,000 S.F.
TOTAL BUILDING AREA	39,660 S.F.

PARKING REQUIRED

BLDG. 'A' (1/250):	31,210/250 =	125 SPACES
(1/90):	1,350/50 =	27 SPACES
(1/200):	600/200 =	3 SPACES
BLDG. 'B' (1/50):	500/50 =	10 SPACES
(1/200):	1000/200 =	5 SPACES
(1/250):	2000/250 =	8 SPACES
EX. TAVERN (1/50):	1400/50 =	28 SPACES
MISC. (1/200):	600/200 =	3 SPACES
PARKING REQUIRED:		229 SPACES

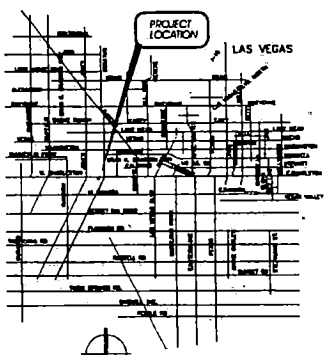
PARKING PROVIDED:
174 SPACES
(INCLUDING 6 HC SPACES)

VARIANCE REQUIRED FOR 55 SPACES (24% DECREASE)

Owner / Developer

ROGER ANDERSON
P.O. BOX 36069
LAS VEGAS, NV 89133
(702) 871-0100

Vicinity Map



Site Plan

Scale: 1" = 40'-0"

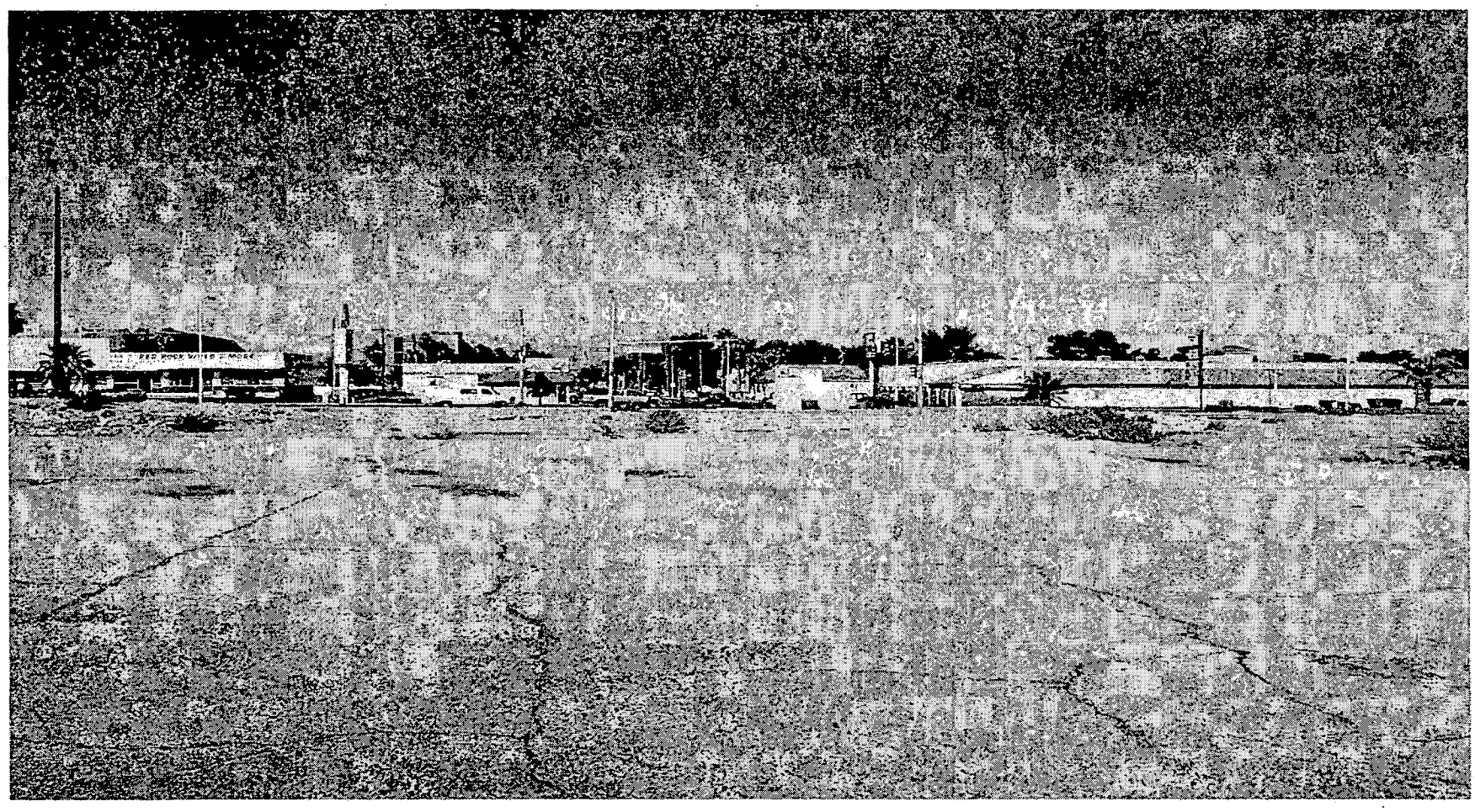
North

VAR-5557
SDR-5556
01-13-05 PC
REVISED 12/28/04

NOTE:
ALL SIGNAGE TO BE REVIEWED UNDER A SEPARATE SUBMITTAL BY SIGN COMPANY

Red Rock Plaza - Retail Shopping Center

LABAR architecture, inc.
architecture • design • planning
10444 AMERICAN FALLS LANE
LAS VEGAS, NEVADA 89144
ph.702.304.1660 fx.702.304.1690



VAR-5557 - APPLICANT: ROGER ANDERSON - OWNER: SYUFY ENTERPRISES, A CALIFORNIA LIMITED PARTNERSHIP
SOUTH SIDE OF CHARLESTON BOULEVARD, APPROXIMATELY 500 FEET EAST OF WILSHIRE STREET
JANUARY 13, 2005 PLANNING COMMISSION

11/24/04

City of Las Vegas

Agenda Item No.: 34

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:

ABEYANCE - SDR-5556 RELATED TO VAR-5557 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: ROGER ANDERSON - OWNER: SYUFY ENTERPRISES, A CALIFORNIA LIMITED PARTNERSHIP - Request for a Site Development Plan Review FOR A PROPOSED 42,160 SQUARE-FOOT RETAIL CENTER, WAIVER OF THE COMMERCIAL DEVELOPMENT STANDARDS FOR A 15-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED, AND FOR A WAIVER OF THE REQUIRED FOUNDATION LANDSCAPING AND SCREEN WALL REQUIREMENTS on 3.8 acres south of Charleston Boulevard, approximately 500 feet east of Wilshire Street (APN 163-01-502-005, 006, 007, and 008), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends DENIAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

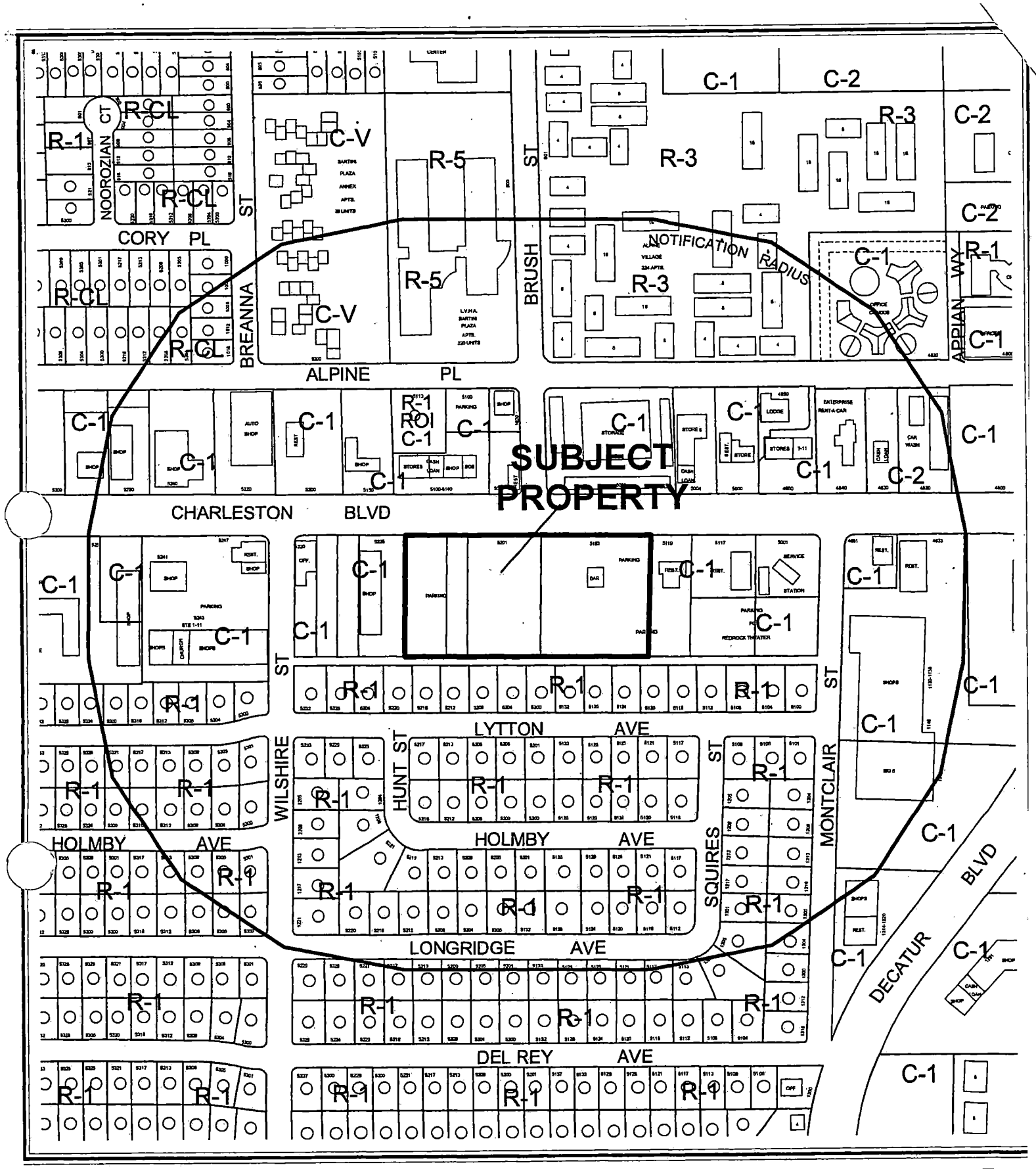
MOTION:
STEINMAN – DENIED – Motion carried with DAVENPORT and McSWAIN voting NO

To be heard by City Council 2/16/2005

MINUTES:
See Item 33 [VAR-5557] for related discussion on Item 33 [VAR-5557] and Item 34 [SDR-5556].

(7:09 – 7:30)

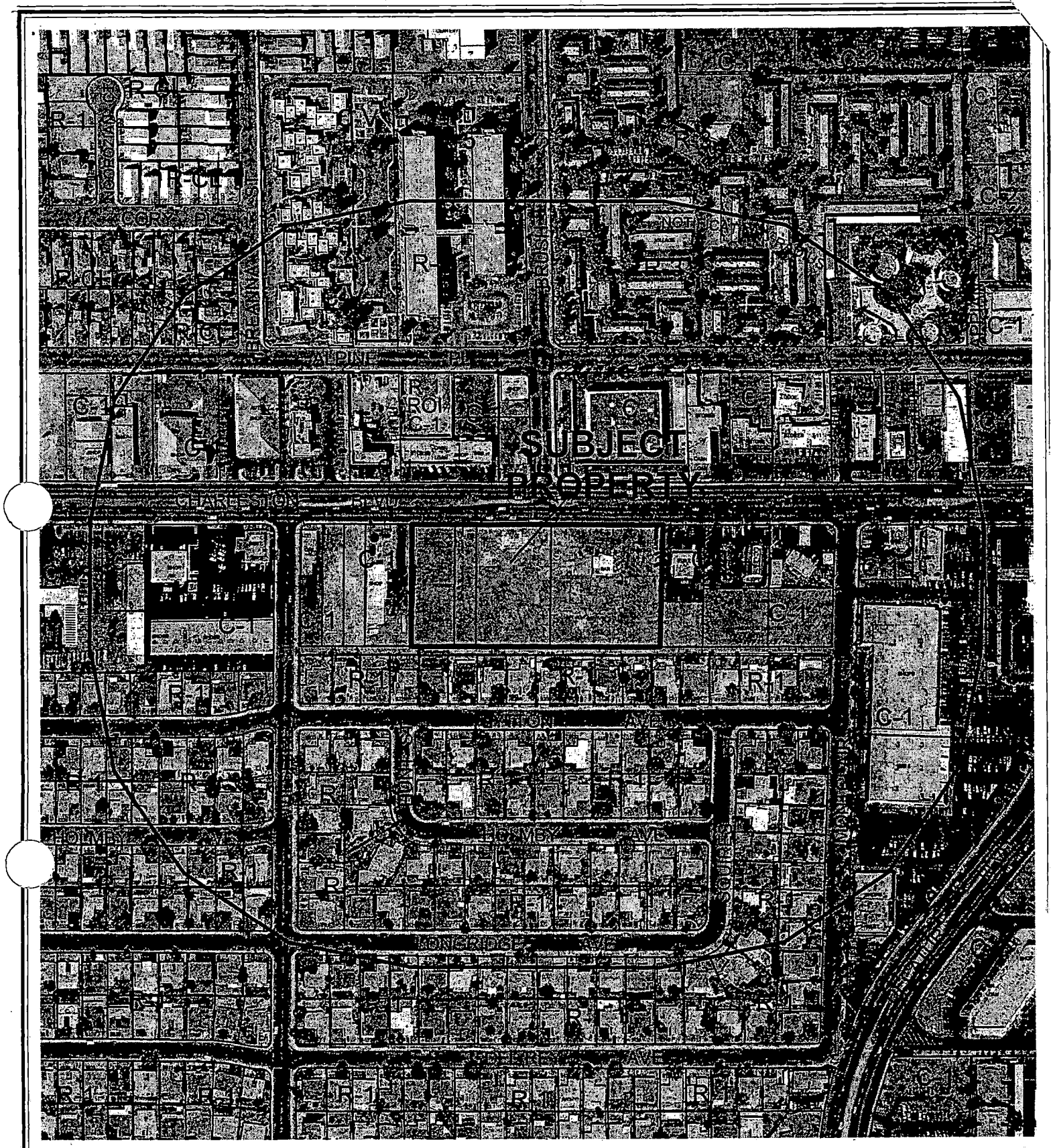
1-2411



CASE: **SDR-5556**

RADIUS: 750 FT

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



CASE: **SDR-5556**

RADIUS: 750 FT

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

0 300 600 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5556 - APPLICANT: ROGER ANDERSON - OWNER: SYUFY ENTERPRISES, A CALIFORNIA LIMITED PARTNERSHIP

** CONDITIONS **

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

Planning and Development

1. A Variance (VAR-5557) to allow a reduction in the minimum number of required parking spaces on the site approved by the City Council.

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. All development shall be in conformance with the site plan date stamped 12/28/04, except as amended by conditions herein.

4. In accordance with Title 19.16.030, the existing Tavern may not be expanded or relocated on the site.

5. A Waiver of the 20-foot front setback standard is hereby approved; the front setback shall be a minimum of 15 feet.

6. A Waiver of the requirement for a solid block wall on the south property line is hereby approved.

7. A Waiver of foundation landscaping requirements is hereby approved.

8. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box shade trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within the provided planter along Charleston Boulevard. Palm trees are unacceptable.

9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

10. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5 percent of the total landscaped area as turf.

11. Prior to the time application is made for a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

14. 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.

15. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to either common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

16. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

17. A Reversionary Map or Commercial Subdivision Map shall be recorded for the purpose of eliminating the underlying lot lines prior to the issuance of any building or grading permits.

18. Dedicate all additional rights-of-way required by Standard Drawing #234.1 or #234.3 for a bus turnout adjacent to this site prior to the issuance of any permits or the recordation of a commercial subdivision map for this site, whichever may occur first, unless specifically not required in the approved Traffic Impact Analysis. Grant a Traffic Signal Chord Easement at the southwest and southeast corners of the Brush Street intersection.

19. 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.

20. Obtain an Occupancy Permit from the Nevada Department of Transportation for all private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.

21. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

22. Meet with the Traffic Engineering Representative in Land Development for assistance in the redesign of the proposed driveway access prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Access of any type, including construction traffic, shall not be taken from the proposed Brush Street entry until all necessary modifications to the existing traffic signal are complete. All work within the Charleston Boulevard right-of-way shall receive approval from the Nevada Department of Transportation.

23. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review and Waivers of the Commercial Development Standards for a 15-foot front yard setback where 20 feet is required, the required foundation landscaping, and screen wall requirements for a proposed 37,660 square-foot retail development on 3.8 acres on the south side of Charleston Boulevard, approximately 500 feet east of Wilshire Street. Additionally, an existing 2,000 square-foot non-conforming Tavern on the site will remain and be integrated into the site plan.

B) Applicant's Justification

The uses on the site are compatible with the adjacent property uses. The residential development to the south will be buffered by an eight-foot landscape planter and the building is set back to meet Residential Adjacency Standards. The rest of the code standards are met except for those for which waivers are requested. A 15-foot front setback will help Building 'B' better address the street and meet the front landscape planter. Foundation landscaping is provided in varying depths but is less than the required six feet in some places. Construction of a second screen wall adjacent to the alley could create a potentially hazardous space that cannot be monitored from the proposed development.

BACKGROUND INFORMATION

A) Previous Actions

10/24/62 The Board of City Commissioners approved a request for a Rezoning from R-1 (Single-Family Residential) to C-1 (Limited Commercial) on the subject property as part of a larger request (Z-0100-62). The Planning Commission and staff recommended denial.

02/25/71 The Board of Zoning Adjustment approved a request for a Variance (V-0005-71) to allow the reduction of off-street parking spaces for the Red Rock Theatre from 243 to 207 on property located at 5201 West Charleston Boulevard. A Plot Plan Review was also approved that permitted the expansion of the theater to four screens. Staff recommended approval.

09/19/90 The City Council approved a request for a Special Use Permit (U-0136-90) for a proposed 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 5183 West Charleston Boulevard, subject to a five-year review. The Planning Commission and staff recommended approval.

10/18/95 The City Council approved a Five-Year Review [U-0136-90(1)] of an approved Special Use Permit for a 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 5183 West Charleston Boulevard, subject to a five-year review. The Planning Commission and staff recommended approval.

12/06/00 The City Council approved a Five-Year Review [U-0136-90(2)] of an approved Special Use Permit for a 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 5183 West Charleston Boulevard, subject to a two-year review. The Planning Commission and staff recommended approval.

01/22/03 The City Council approved a Two-Year Review (RQR-1229) of an approved Special Use Permit for a 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 5183 West Charleston Boulevard, subject to a two-year review. The Planning Commission and staff recommended approval.

12/16/04 The Planning Commission held this item in abeyance to its 01/13/05 meeting to allow the applicant time to meet with staff and redesign the site plan.

01/13/05 The Planning Commission will consider a companion request for a Variance (VAR-5557) to allow 179 parking spaces where a minimum of 234 spaces is required on the subject site. Staff recommends denial.

B) Pre-Application Meeting

10/15/04 A Merger and Resubdivision Map or Commercial Subdivision Map will be required to erase the existing lot lines on the site. Traffic and drainage studies will also be required for this project. Preliminary drawings for the pad sites along Charleston Boulevard will be submitted with this project, but more detailed site reviews will be required at a later time. The Tavern on the site is non-conforming (another Tavern and a House of Worship are located within 1,500 feet). The Tavern will then be subject to the regulations in Title 19.16 pertaining to nonconforming uses. The type and number of waivers to the Commercial Development Standards were discussed, as well as the need for a parking variance.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 3.8

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B) Existing Land Use

Subject Property:	Tavern
North:	Retail
	Restaurant
	Mini-Warehouses
South:	Single-Family Residential
East:	Restaurant with Drive-Through
West:	Retail

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Southwest Sector Map of the General Plan, allowing for retail, office, and other commercial uses that do not contain more intense characteristics. The existing C-1 (Limited Commercial) zoning district conforms to this General Plan designation. The proposed site plan conforms to the applicable General Plan policies for the area.

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

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

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The proposal is also located within the Airport Overlay District. All development within the airspace above the height of 35 feet above the surface of the land, lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces, shall be subject to the height standards established on the Airport Overlay Maps. The proposed structures will stand at a maximum height of 42 feet, well below the 200-foot height restriction imposed by the North Las Vegas Airport Overlay District map. Had the proposed building exceeded the height restriction, the applicant would have been required to notify the FAA regional office and the Clark County Department of Aviation of the application and present any subsequent comments to the Planning Commission and City Council.

PROJECT DESCRIPTION

In the initial submission, the applicant had proposed three buildings providing retail and restaurant uses totaling 42,160 square feet. Two of the buildings are 4,500 square-foot pad sites situated near Charleston Boulevard on opposing ends of the development. The third building is 33,160 square feet and is located to the rear of the site, leaving the balance of the area for parking and circulation.

The revised application has eliminated the eastern pad site (Building C) in favor of retaining the existing 2,000 square-foot Tavern in approximately the same location on the site, with parking and drive aisles reconfigured to address the new design. The remainder of the site plan is relatively unchanged.

Primary access is from a signalized intersection at Brush Street. Secondary access to both sides of the development can be taken from the rear alley. A bus turnout lane is proposed along Charleston Boulevard on the east end of the site. An existing off-premise sign will remain on the northeast corner of the site. No walls are proposed on the perimeter of the site. Waivers of commercial development standards have been requested for omission of the rear wall and for front setback and foundation landscaping requirements. These requests are detailed below.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required C-1	Provided	Compliance
Min. Lot Size	N/A	3.8 Acres	N/A
Min. Lot Width	100 Feet	575 Feet	Y
Min. Setbacks			
• Front	20 Feet	15 Feet	N
• Side	10 Feet	13 Feet	Y
• Corner	15 Feet	N/A	N/A
• Rear	20 Feet	60 Feet	Y
Max. Lot Coverage	50 %	24 %	Y
Max. Building Height	None	42 Feet	Y
Trash Enclosure	Walled, gated, roofed	Walled, gated, roofed	Y
Loading Zone	3 spaces	3 spaces	Y
Mech. Equipment	Screened	Screened	Y

The applicant has asked for a Waiver of the Commercial Development Standards to allow a 15-foot front setback for the building labeled "Pad B" where 20 feet is required. Additional waivers to these commercial standards are detailed in the section below.

A2) Residential Adjacency Standards

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

a) Proximity slope. Proposed buildings at the rear of the proposed development have a maximum height of 42 feet; however, they step down to 26 feet at a point 80 feet from the property lines of the protected single-family dwellings located on the south side of the development; therefore, the adjacency standard with respect to the 3:1 proximity slope has been met.

b) Building setback. The proposed building must be setback a minimum of 15 feet from the protected single-family properties on the south side of Smoke Ranch Road. At 80 feet from these protected properties, the adjacency standard with respect to building setback is satisfied.

A3) Parking and Traffic Standards

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

Uses	GFA	Required Parking Ratio	Required Parking Regular	Required Parking Handicap	Provided Parking Regular	Provided Parking Handicap
Building A:						
General Retail, 25,000 SF or greater	31,210 SF	1/250 SF GFA	125 spaces			
Restaurant	1,950 SF	1,350 SF at 1/50 and 600 SF at 1/200	30 spaces			
Building B:				---		
Restaurant	2,500 SF	1,500 SF at 1/50 and 1,000 SF at 1/200	35 spaces			
Retail, 25000 SF or greater	2,000 SF	1/250 SF GFA	8 spaces			
Existing Tavern	2,000 SF	1,400 SF at 1/50 and 600 SF at 1/200	31 spaces	---		
TOTAL	39,660 SF	---	229 spaces	7 spaces	174 spaces	6 spaces

The proposed retail development is deficient 55 spaces. The applicant has requested a companion Variance (VAR-5557) to reduce the amount of required parking for the site. At this time, it is not known which uses will occupy the buildings; however, since restaurant uses are expected, the applicant has calculated parking based on restaurant and retail uses for each building, accounting for the higher requirement. Approximately 20 percent of the spaces are designated for compact vehicles. Three loading zones are also provided for deliveries and pick-ups.

The following comments were submitted by the Department of Public Works as conditions of approval:

"Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Access of any type, including construction traffic, shall not be taken from the proposed Brush Street entry until all necessary

modifications to the existing traffic signal are complete. All work within the Charleston Boulevard right-of-way shall receive approval from the Nevada Department of Transportation. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site."

A4) Landscape and Open Space Standards

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

Standards	**Required** Ratio	Trees	**Provided**
Parking Area	1 Tree/6 Spaces	36 Trees	43 Trees
Buffer:			
• Min. Trees (ROW)	1 – 24" Box Tree/20 Linear Feet + 1 Tree	26 Trees	16 Trees*
• Min. Trees (sides)	1 – 24" Box Tree/30 Linear Feet + 1 Tree	18 Trees	18 Trees
• Min. Trees (rear)	1 – 24" Box Tree/20 Linear Feet + 1 Tree	24 Trees	24 Trees
• Min. Zone Width (ROW)	15 Feet		15 Feet
• Min. Zone Width (sides/rear)	8 Feet		8 Feet
• Wall height (north, east, and west property lines)	Max. 6 Feet, but not required		None
• Wall height (south property line)	Min. 6 Feet		None

*Sixteen 24-inch box trees are provided; however, 12 additional Mexican Fan Palms of various sizes are provided.

The development meets the Commercial Development Standards and the Landscape, Wall, and Buffer Standards with regard to parking lot and perimeter buffering, with the exception of the number and type of trees provided in the planter along Charleston Boulevard. The Code requires deciduous shade trees or evergreen trees along rights-of-way; palm trees are unacceptable. Therefore, a condition of approval of this site review will require that the code be met by providing additional shade trees.

A5) Sign Standards

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

Monument Signs: [Charleston Boulevard]

Standards	**Allowed**	**Provided**
Maximum Number	1 / 200 Linear Feet street frontage 3 total freestanding/monument	3 total
Maximum Area	75 SF /sign	Not indicated
Maximum Height	10 Feet	Not indicated
Minimum Setback	5 Feet	5 Feet
Minimum Separation Distance	100 Feet along the street frontage	Min. 169 Feet
Illumination	Internal/External, Animated, Electronic Message Unit	Not indicated

Wall Signs: [all buildings]

Standards	**Allowed**	**Provided**
Maximum Number	Limited by area	26 total
Maximum Area	20% of each elevation	Less than 20%
Maximum Projection	4 Feet	Not indicated
Illumination	Internal/External, Animated, Electronic Message Unit	Not indicated

Three freestanding signs are indicated on the site plans, to be located along Charleston Boulevard; at least two of them are monument signs. Wall signage areas are shown on the elevations. Signage for the proposed development must comply with all applicable criteria for signs in the C-1 (Limited Commercial) zoning district contained within Title 19.14.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-1 (Limited Commercial). Retail and restaurant uses are permitted as of right in this zoning district. The existing Tavern (Rice Paddy) on the eastern portion of the site is a nonconforming use of a conforming building. It is nonconforming with respect to the 1,500-foot distance separation from other existing Taverns and an existing church. According to Title 19.16.030.A, a nonconforming use of a conforming building shall not be extended or expanded into any other portion of the conforming building if the expansion requires a Variance or waiver regarding any provision of Title 19, including those that pertain to parking, landscaping and residential adjacency requirements. Since a parking Variance and waivers of the Commercial Development Standards are sought in conjunction with this Site Development Plan Review, the Tavern use can remain but cannot be expanded or relocated on the site following the redevelopment of the property.

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- Site Plan

  Although the rear location of the large multi-tenant retail building (Building 'A') creates a large parking area near the front of the site, it also allows for the proposed pad building to be placed at or near the front setback line. The traffic circulation pattern is logical. Denial is recommended for the site because the parking demand outstrips what the site can accommodate. Reduction of some of the restaurant/bar uses could bring the site into compliance with the Zoning Code.

- Waivers

  A Waiver of the Commercial Development Standards (Title 19.08.045) for a 15-foot front setback where 20 feet is required in the C-1 (Limited Commercial) zoning district has been requested. If this application is approved, the waiver is recommended because Building 'B' will be able to be placed next to the landscape buffer, which is 15 feet in depth along the entire Charleston Boulevard frontage; this would be preferable to leaving a five-foot gap between the planter and the building or installing an additional sidewalk next to the building. It would also allow for additional parking behind the building, including required loading zones.

  A Waiver of the Commercial Development Standards has also been requested to eliminate the requirement for the construction of a minimum six-foot high solid wall on the south property line where it abuts residential development. This waiver is recommended, since there is an intervening 20-foot alley between the proposed development and the property lines of the single-family development to the south. In addition, a screen wall has already been constructed on the property lines of the residential development next to the alley; a second wall on the north side of the alley would create an undesirable tunnel effect for the alley and a potential security hazard.

  A third Waiver of the Commercial Development Standards has been requested of the required six-foot landscape buffer between the buildings and parking area. If the application is approved, this waiver is recommended for the following reasons:

  1. Some foundation landscaping is already being provided that is integrated into a widened sidewalk at the front of Building 'A'. If the full six-foot planter is provided, there is not enough room to also provide a four to six foot wide sidewalk.

  2. It will also allow for the provision of additional parking and a required drive aisle along the east side of Building 'A' for access to the rear of the building.

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- Landscape Plan

  The conceptual landscape plan depicts adequate perimeter buffer areas, in which 24-inch box Shoestring Acacia and Desert Museum Palo Verde trees are planted in the front and sides, and 24-inch box Mondel Pines are planted for screening in the rear. Landscaping in the parking area consists of 24-inch box Chitalpa, Raywood Ash, and Desert Museum Palo Verde. An assortment of shrubs including New Gold Lantana, Desert Spoon, and Silver Leaf Cassia are provided within these planters. Landscape, Wall and Buffer Standards require deciduous shade trees or evergreen trees along rights-of-way. The depicted palm trees in the 15-foot planter along Charleston Boulevard are not adequate shade trees and cannot be counted toward the perimeter tree requirement. Therefore, a condition of approval of this site review will require that the code be met by providing additional shade trees along Charleston Boulevard.

- Elevation

  Each structure provides visual interest by employing varying rooflines and the use of arcades, canvas awnings, and recesses. Gray stone veneer lines the base of the arcade columns, while the facades consist primarily of plaster with an earth-tone stucco finish. Tall windows dominate the front of each building.

- Floor Plan

  Building 'A' contains individual tenant suites ranging from 1,340 square feet to 4,138 square feet. The site plan identifies a 1,950 square-foot restaurant space in this structure; the rest is shown as retail space. Building 'B' is shown with a 2,500 square-foot restaurant and 2,000 square feet of retail space. The Tavern is shown will 1,400 square feet of seating area. The more retail that can be provided in these Buildings A and B, the lesser the impact on parking for the overall site.

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 retail development is compatible with existing commercial development along Charleston Boulevard and will provide appropriate infill for the area. The buildings meet Residential Adjacency Standards that protect single-family properties to the south of the site; however, the proposed mix of restaurant and retail uses requires more parking than the site can provide, and ultimately this will have a negative impact on the area. In addition, the existing Tavern on the site is a nonconforming use and cannot be expanded or relocated on the site.

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

   The project meets all applicable Title 19 and Landscape, Wall and Buffer Standards, with the exception of waivers of the Commercial Development Standards, which are recommended for approval, and perimeter tree requirements, which are conditioned to be corrected on a revised landscape plan. The overall site is consistent with the SC (Service Commercial) General Plan designation.

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

   Access to the site is provided by Charleston Boulevard, designated a Primary (100-foot) Arterial by the Master Plan of Streets and Highways. The intersection at Brush Street will be fully signalized; therefore, neighborhood traffic will be adequately controlled.

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

   Building materials, which include plaster, stucco, and a slate veneer, are appropriate for this development and compatible with commercial developments in the area. Landscape materials, with the exception of palm trees along Charleston Boulevard, are also appropriate for the area. The palms should either be removed or replaced by shade trees, or shade trees should be added to the planter.

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;"**

   Buildings proposed for the site provide visual interest by employing varying rooflines and the use of arcades, canvas awnings, and recesses. They will be compatible with existing commercial development along Charleston Boulevard.

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

   The proposed retail development will be subject to periodic inspection by regulatory agencies for compliance with business licensing and building codes, and will therefore not compromise the public health, safety and welfare.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

NOTICES MAILED 168 [Mailed with VAR-5567] 12-16-04 PC

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5556 APN: 163-01-502-005,006,007 & 008

Name of Property Owner: SYUFY ENTERPRISES

Name of Applicant: ROGER DODGESON

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: ALAN STEUER - CFO

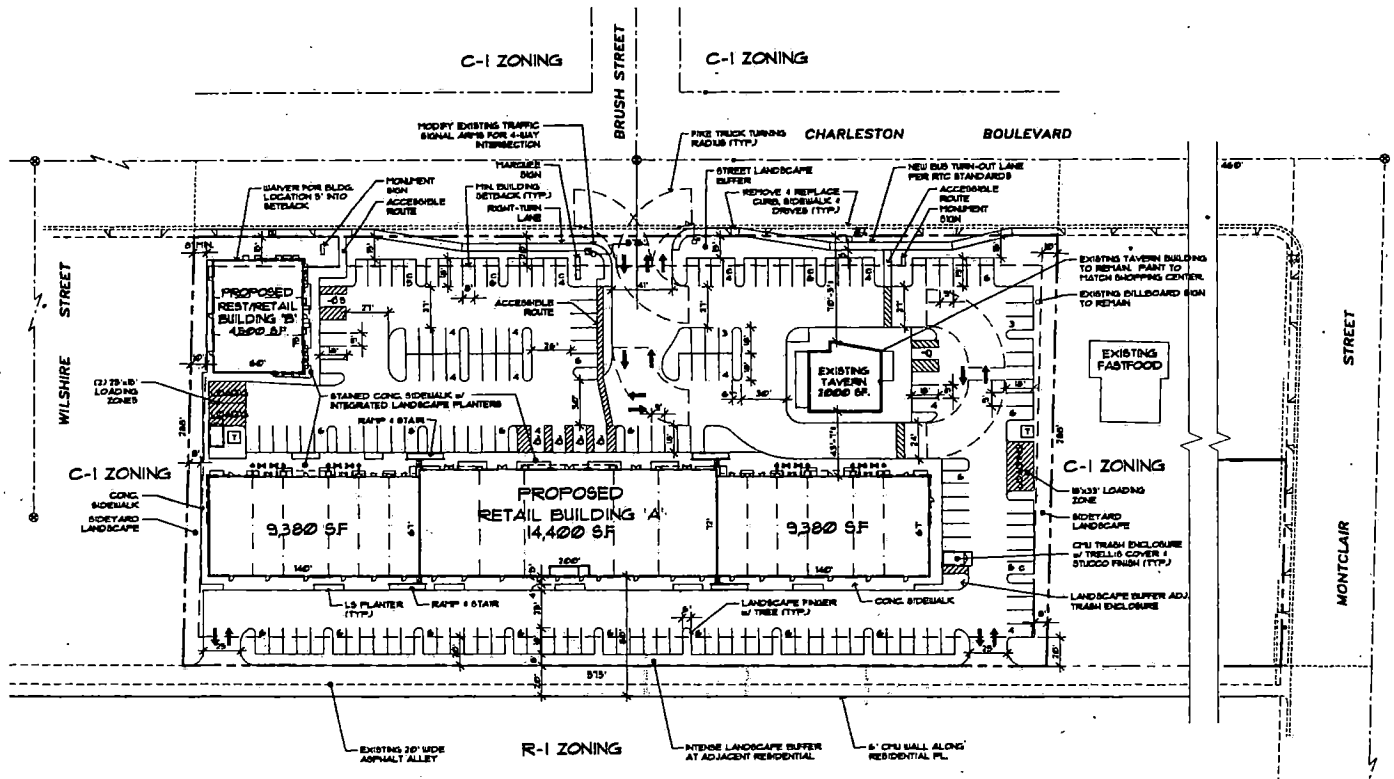
Subscribed and sworn before me

This 27 day of October, 2004

_____

Notary Public in and for said County and State

ELAINE TUFO-SEGALE
Commission # 1317051
Notary Public - California
Marin County
My Comm. Expires Sep 5, 2005



Site Data

ASSESSORS PARCEL NUMBER:
163-21-502-005,006,007 & 008
(TO BE COMBINED INTO ONE COMMERCIAL SUBDIVISION)

CURRENT ZONING: C-1

PARCEL AREA

SITE GROSS:	3.8 ACRES GROSS	165,528 S.F.
BUILDING AREA GROSS		39,660 S.F.
BUILDING FOOTPRINT		39,660 S.F.
BUILDING SITE COVERAGE		24 PERCENT

BUILDING

BLDG. 'A': RETAIL	33,160 S.F.
BLDG. 'B': REST/CAFE/RETAIL	4,500 S.F.
EXIST'G. TAVERN	2,000 S.F.
TOTAL BUILDING AREA	39,660 S.F.

PARKING REQUIRED

BLDG. 'A' (1/250):	31,210/250 =	125 SPACES
(1/50):	1,350/50 =	27 SPACES
(1/200):	600/100 =	3 SPACES
BLDG. 'B' (1/50):	500/50 =	10 SPACES
(1/100):	1000/100 =	5 SPACES
(1/250):	2000/250 =	8 SPACES
EX. TAVERN (1/50):	1400/50 =	28 SPACES
MISC. (1/200):	600/100 =	3 SPACES
PARKING REQUIRED:		229 SPACES

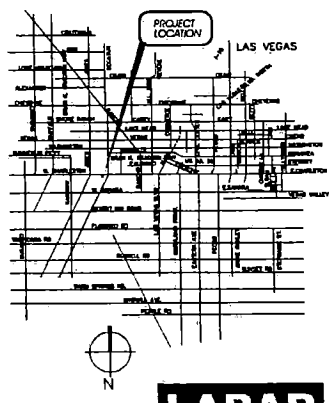
PARKING PROVIDED:
174 SPACES
(INCLUDING 6 HC SPACES)

VARIANCE REQUIRED FOR 55 SPACES (24% DECREASE)

Owner / Developer

ROGER ANDERSON
P.O. BOX 36069
LAS VEGAS, NV 89133
(702) 877-0100

Vicinity Map



Site Plan

Scale: 1" = 40'-0"

North

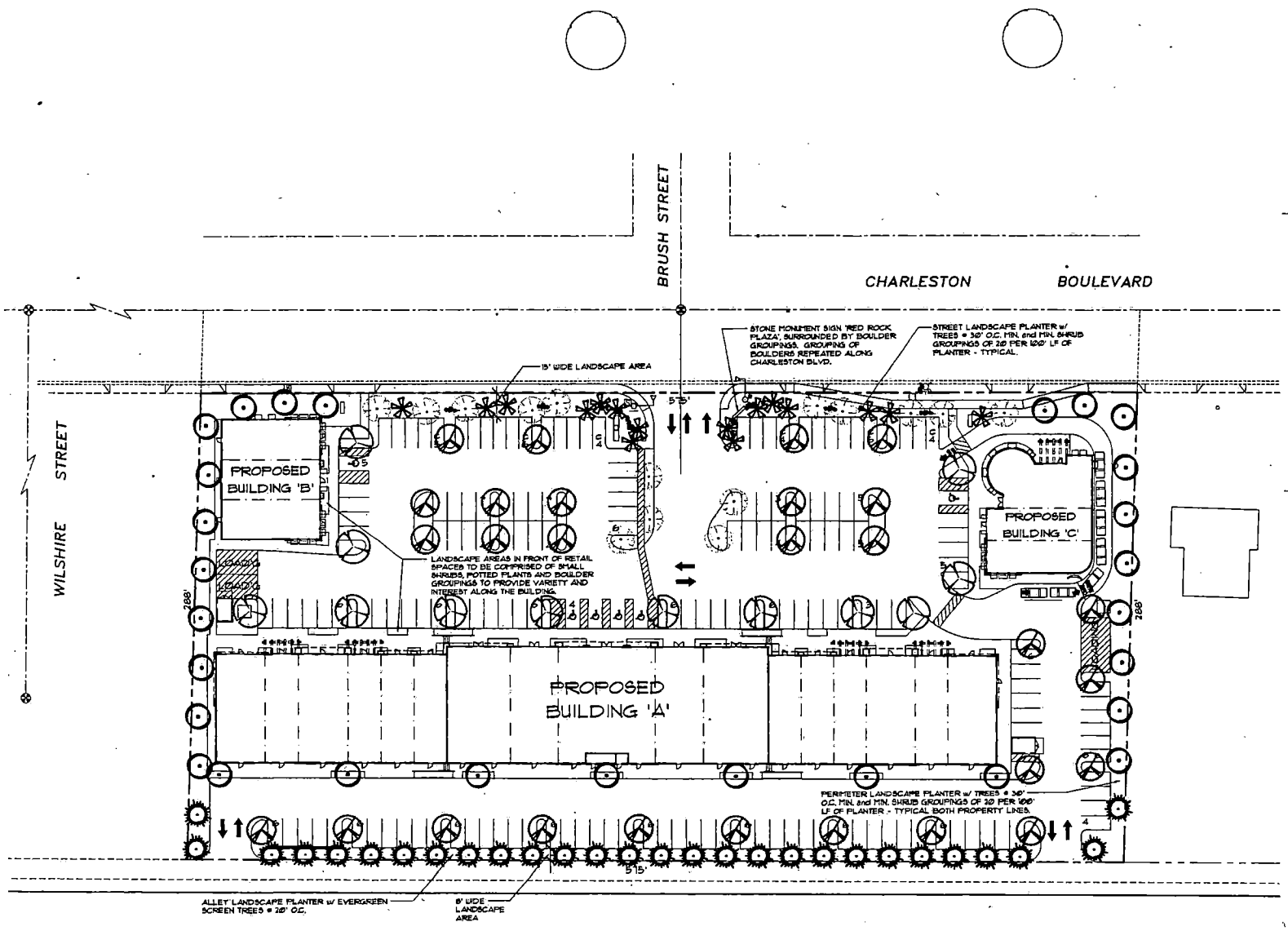
VAR-5557
SDR-5556
01-13-05 PC
REVISED 12/28/04

NOTE:
ALL SIGNAGE TO BE REVIEWED UNDER A SEPARATE SUBMITTAL BY SIGN COMPANY

Red Rock Plaza - Retail Shopping Center

December 27, 2004 | Site Development Review Submittal | City of Las Vegas, Nevada

LABAR architecture, inc.
architecture • design • planning
10444 AMERICAN FALLS LANE
LAS VEGAS, NEVADA 89144
ph.702.304.1660 fx.702.304.1690



Planting Legend:

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QUANTITY
	ACACIA STENOPHYLLA SHOESTRING ACACIA	24" BOX	27
	CERCIDIUM 'DESERT MUSEUM' DESERT MUSEUM PALO VERDE	24" BOX	15
	CHITALPA TASHKENTENSIS CHITALPA	24" BOX	12
	FRAXINUS OXYCARPA 'RATYWOOD' RATYWOOD ASH	24" BOX	26
	PINUS ELDARICA MONDEL PINE	24" BOX	28
	WASHINGTONIA ROBUSTA MEXICAN FAN PALM	VARIES SEE PLAN	16

SUGGESTED SHRUB LIST

AGAVE GEMINIFLORA TWIN FLOWERED AGAVE	5 GALLON
CASSIA PHYLLODENIA SILVER LEAF CASSIA	5 GALLON
CALLIANDRA HYBRID 'SIERRA STAR' SIERRA STAR FAIRY DUSTER	5 GALLON
CHRYSACTINIA MEXICANA DAMINITA	1 GALLON
DALEA CAPITATA 'SIERRA GOLD' SIERRA GOLD DALEA	1 GALLON
DASYLIRION WHEELERI DESERT SPOON	5 GALLON
DIETES BICOLOR FORTNIGHT LILY	1 GALLON
HESPERALOE PARVIFLORA RED HESPERALOE	5 GALLON
HYMENOXYS ACAULIS ANGELITA DAISY	1 GALLON
LANTANA 'NEW GOLD' NEW GOLD LANTANA	1 GALLON
LEUCOPHYLLUM SPECIES TEXAS RANGER	5 GALLON
MUHLENBERGIA CAPILLARIS 'REGAL MIST' REGAL MIST DEER GRASS	1 GALLON

Notes:

1. DECOMPOSED GRANITE (D.G.) - INSTALLED A 2" LAYER OF 3/4" MINUS 'MOJAVE GOLD' DECOMPOSED GRANITE, CONTINUOUS IN ALL PLANTERS UNDER ALL TREES AND SHRUBS.

Conceptual Landscape Plan

Scale: 1" = 30'-0"

North

Red Rock Plaza - Retail Shopping Center

November 2, 2004 — Site Development Review Submittal — City of Las Vegas, Nevada

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SDR-5556
12/16/04 PC

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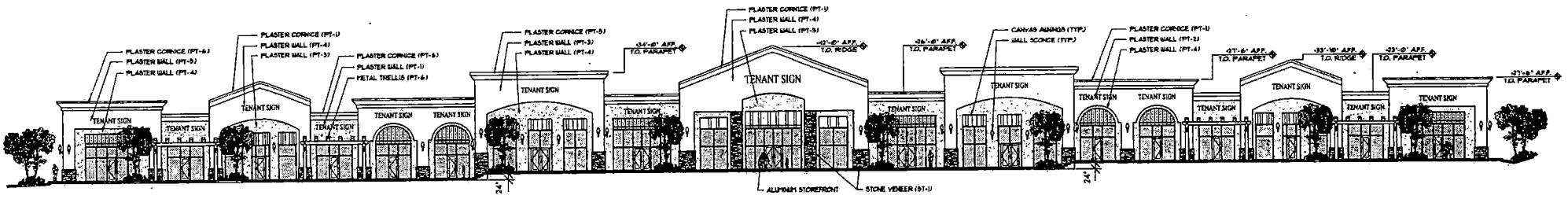
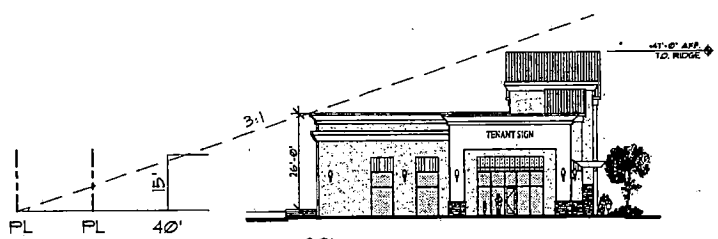


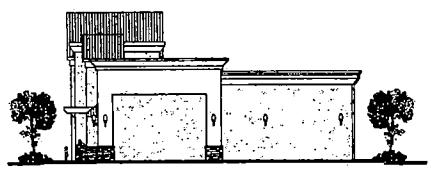
North Elevation (Front)

Scale: 1/16" = 1'-0"



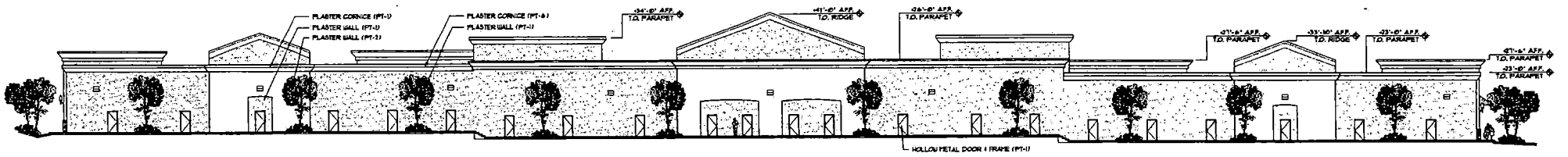
East Elevation (Side)

Scale: 1/16" = 1'-0"



West Elevation (Side)

Scale: 1/16" = 1'-0"



South Elevation (Rear)

Scale: 1/16" = 1'-0"

Red Rock Plaza - Building 'A'

November 2, 2004

Site Development Review Submittal

City of Las Vegas, Nevada

SDR-5556

12/16/04 PC

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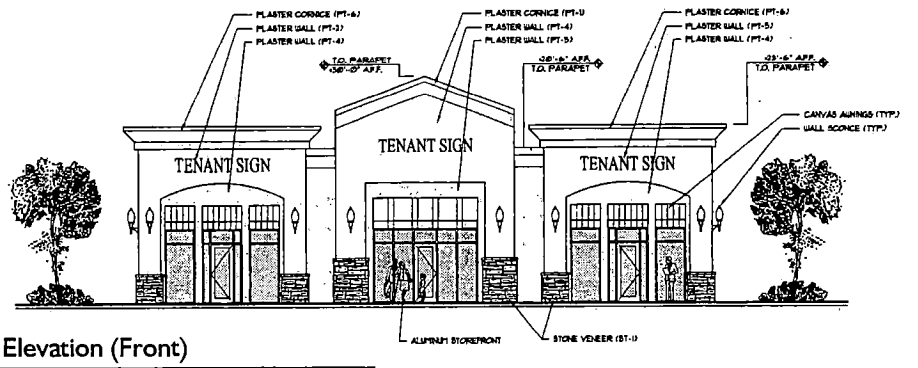
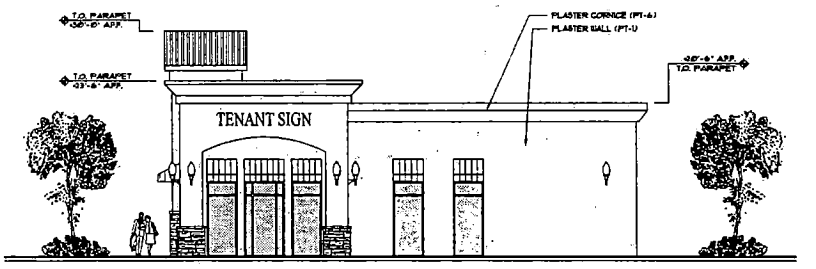


East Elevation (Front)

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

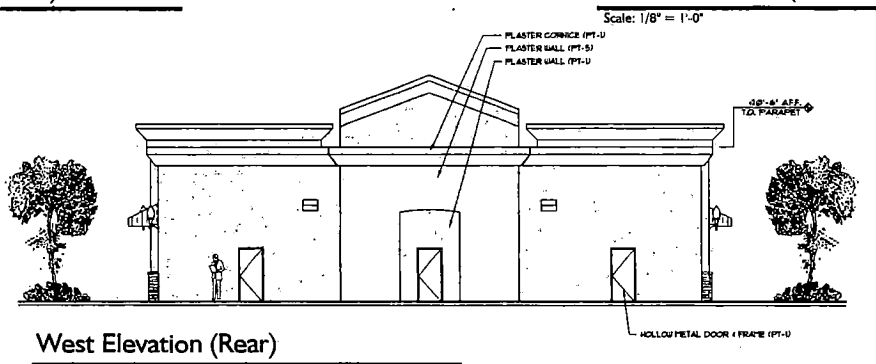
South Elevation (Rear/Side)

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



North Elevation (Front/Side)

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



West Elevation (Rear)

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

Red Rock Plaza - Building 'B'

November 2, 2004 — Site Development Review Submittal — City of Las Vegas, Nevada

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SDR-5556
12/16/04 PC

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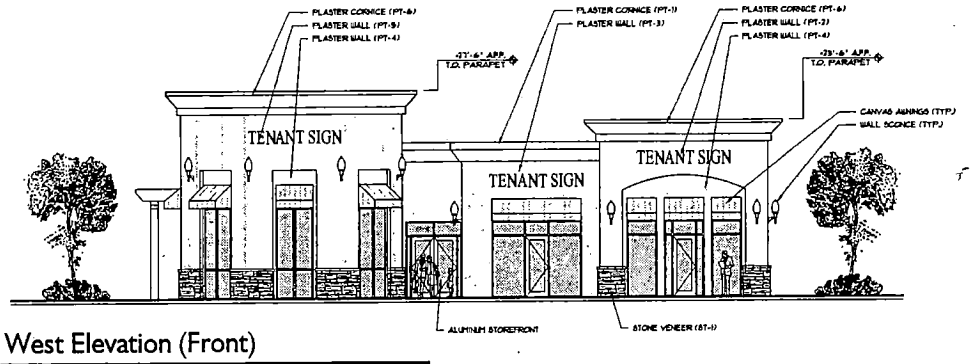
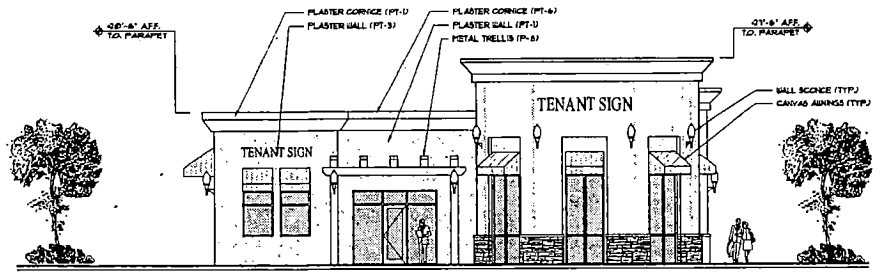
NOV 2 2004



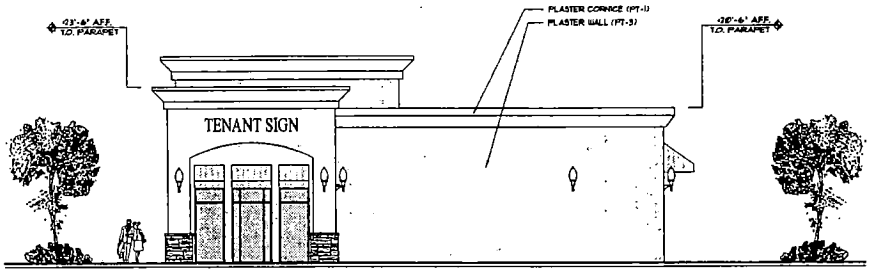
West Elevation (Front)

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



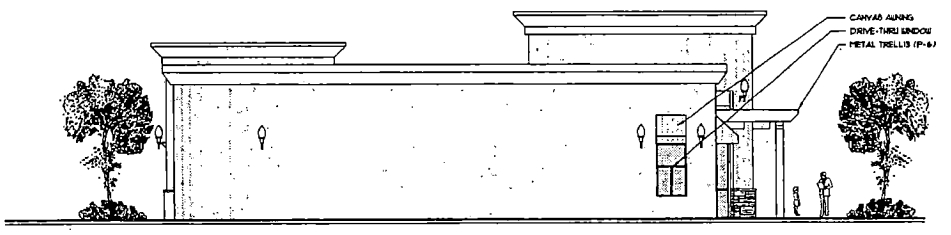
North Elevation (Front/Side)

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



South Elevation (Rear/Side)

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



East Elevation (Rear)

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

Red Rock Plaza - Building 'C'

November 2, 2004

Site Development Review Submittal

City of Las Vegas, Nevada

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12/16/04 PC

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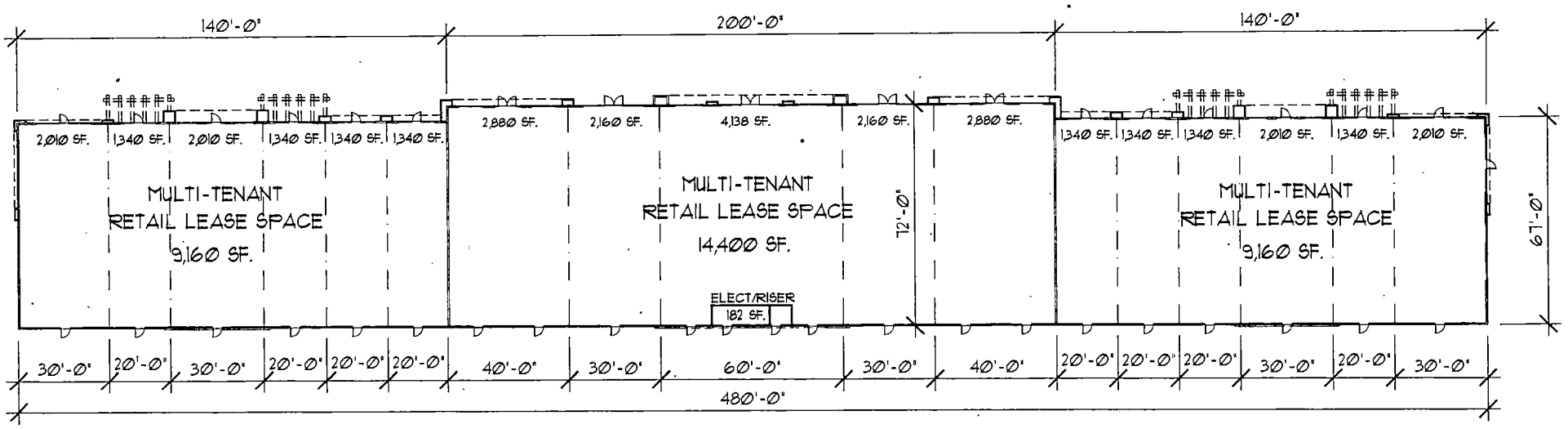

Floor Plan

Scale: 1/16" = 1'-0"

North

Red Rock Plaza - Building 'A'

November 2, 2004

Site Development Review Submittal

City of Las Vegas, Nevada

SDR-5556

12/16/04 PC

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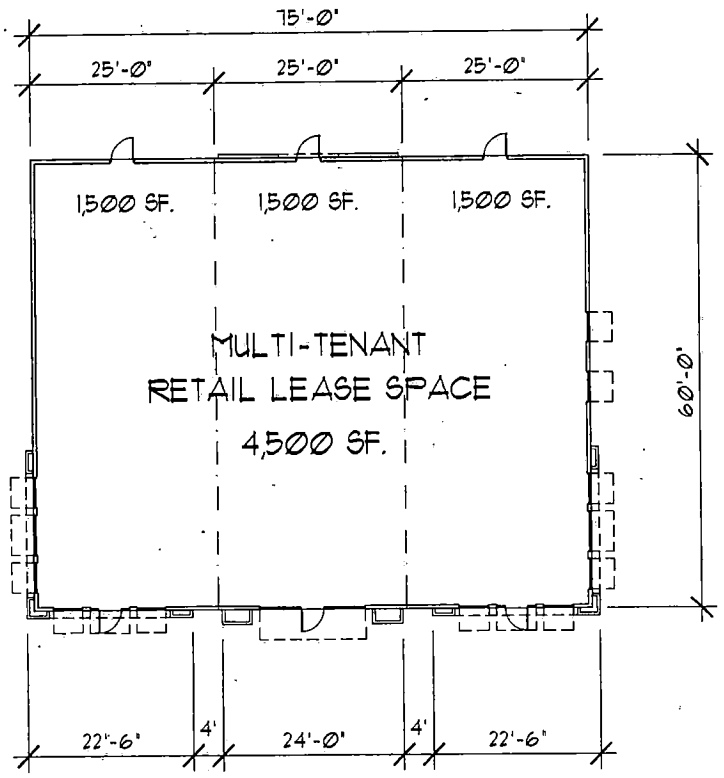

Floor Plan

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

North

Red Rock Plaza - Building 'B'

November 2, 2004

Site Development Review Submittal

City of Las Vegas, Nevada

SDR-5556

12/16/04 PC

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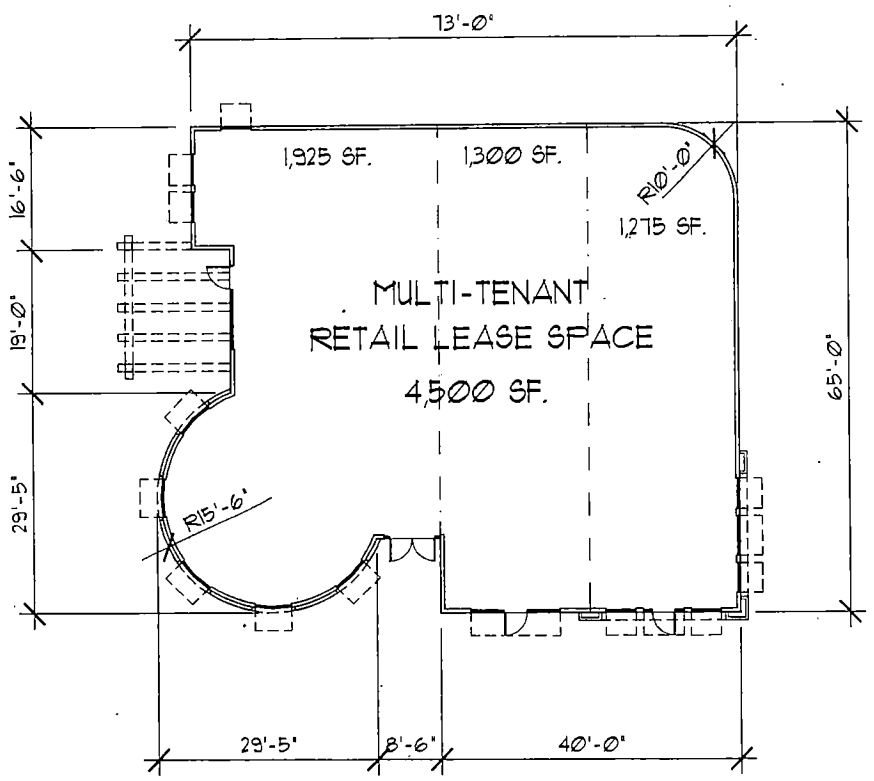

Floor Plan

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

North

Red Rock Plaza - Building 'C'

November 2, 2004

Site Development Review Submittal

City of Las Vegas, Nevada

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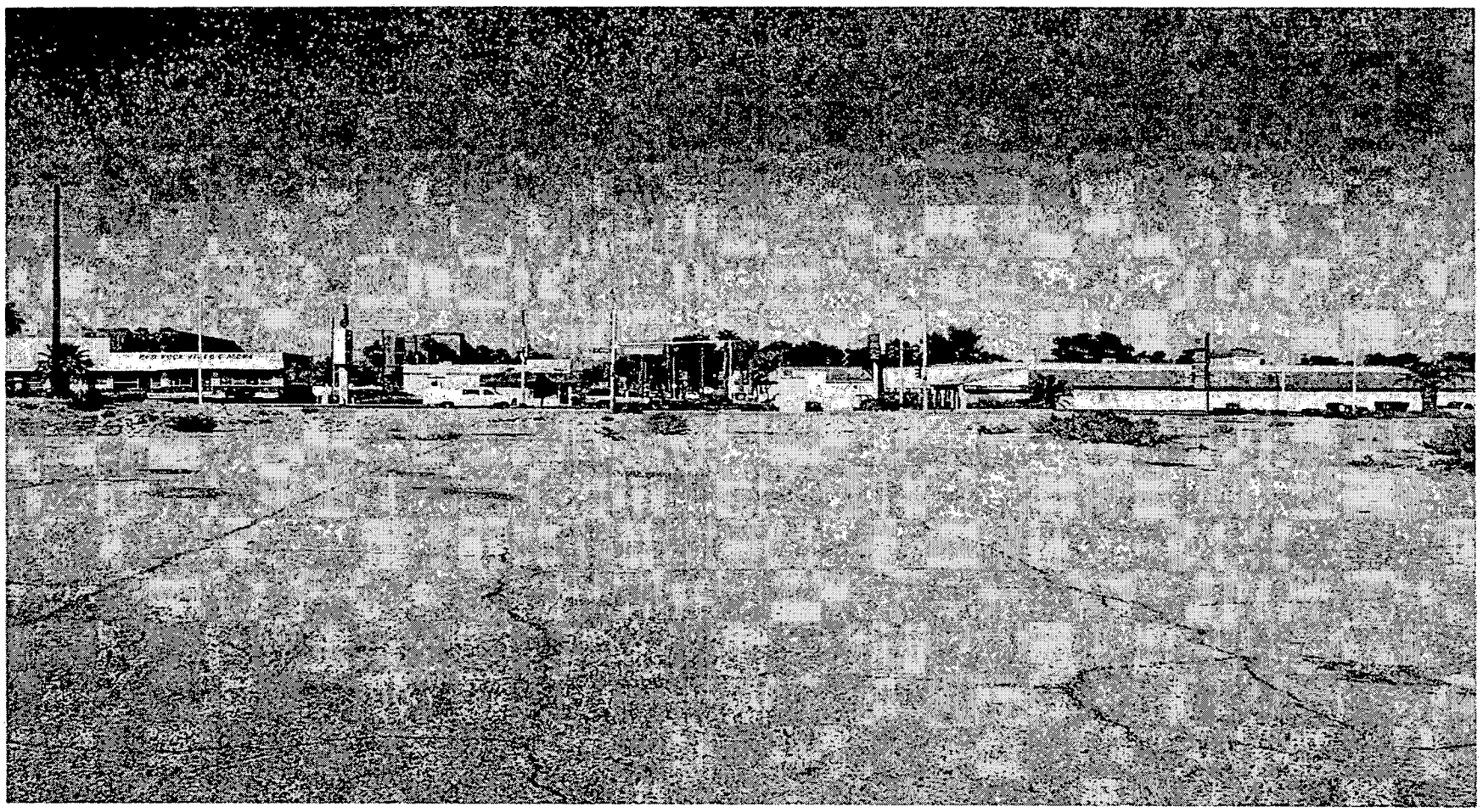
ph.702.304.1680 fx.702.304.1690

SDR-5556

12/16/04 PC

RECEIVED
NOV 2 2004



SDR-5556 - APPLICANT: ROGER ANDERSON - OWNER: SYUFY ENTERPRISES, A CALIFORNIA LIMITED PARTNERSHIP
SOUTH SIDE OF CHARLESTON BOULEVARD, APPROXIMATELY 500 FEET EAST OF WILSHIRE STREET
JANUARY 13, 2005 PLANNING COMMISSION

11/24/04

City of Las Vegas

Agenda Item No.: 35

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ZON-5653 - REZONING - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: GREAT WASH PARK LLC - Request for a Rezoning FROM: U(UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION] TO: C-2 (GENERAL COMMERCIAL) on 30.21 acres adjacent to the northeast corner of Alta Drive and Rampart Boulevard (APN 138-32-601-003), Ward 2 (Wolfson).

ABEYANCE TO FEBRUARY 10, 2005 PLANNING COMMISSION MEETING

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	19	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends ABEYANCE

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
NIGRO motioned to bring forward and HOLD IN ABEYANCE Item 19 [SDR-5700], Item 35 [ZON-5653], Item 36 [SUP-5853], Item 37 [SDR-5657], Item 53 [VAR-5693], Item 54 [VAR-5694], Item 55 [SUP-5691], Item 56 [SDR-5689], Item 59 [VAR-5701] and Item 82 [SDR-5711] to the 2/10/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 31 [VAR-5216] and Item 42 [GPA-5661] – UNANIMOUS

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

(6:05 – 6:08)

PECCOLE NEVADA

January 7, 2005

Via Facsimile: 385-7268

Mr. Gary Leobold
Planning Supervisor
Planning and Development
City of Las Vegas

Re: ZON - 5653
SUP – 5853
SDR – 5657

Dear Mr. Leobold:

On Thursday, January 6, 2005, the Applicant for the above referenced matters met with Councilman Steve Wolfson, his staff and Margo Wheeler, Director of Planning and Development. It was mutually agreed that the matters should be moved to the February 10, 2005 Planning Commission meeting. Thank you for your assistance in coordinating this change in schedule.

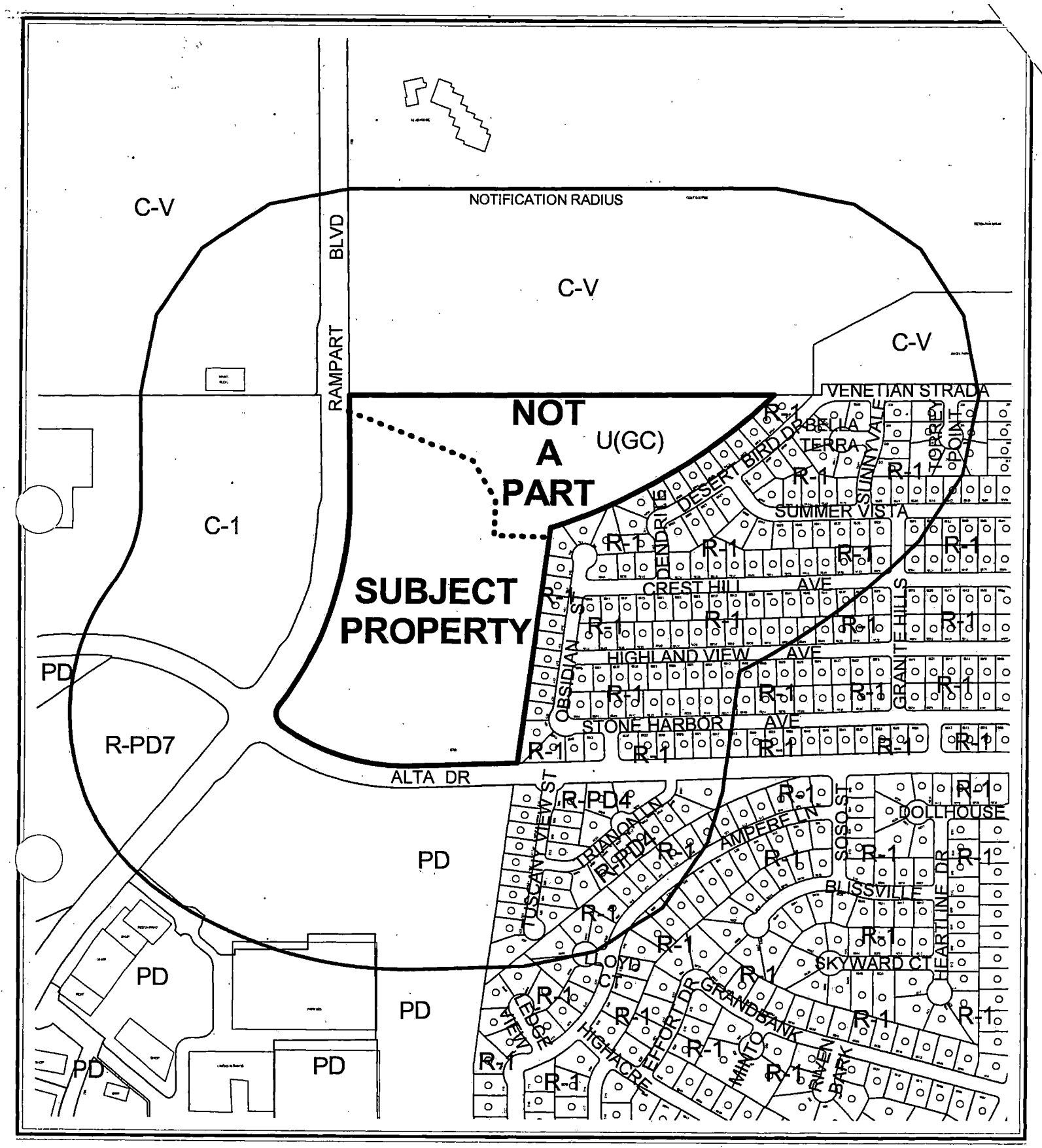
Additionally, thank you for the information regarding the Traffic Study for the project and its approval. As requested, we will provide additional copies of the study for you and your staff.

Kind regards,

Fredrick P. Waid, Esq.
Chief Operating Officer

FPW/jb

851 S. Rampart Boulevard • Suite 220 • Las Vegas, Nevada 89145 • Telephone 702 933-1111 • Fax: 702 933-0017



0 400 800 Feet

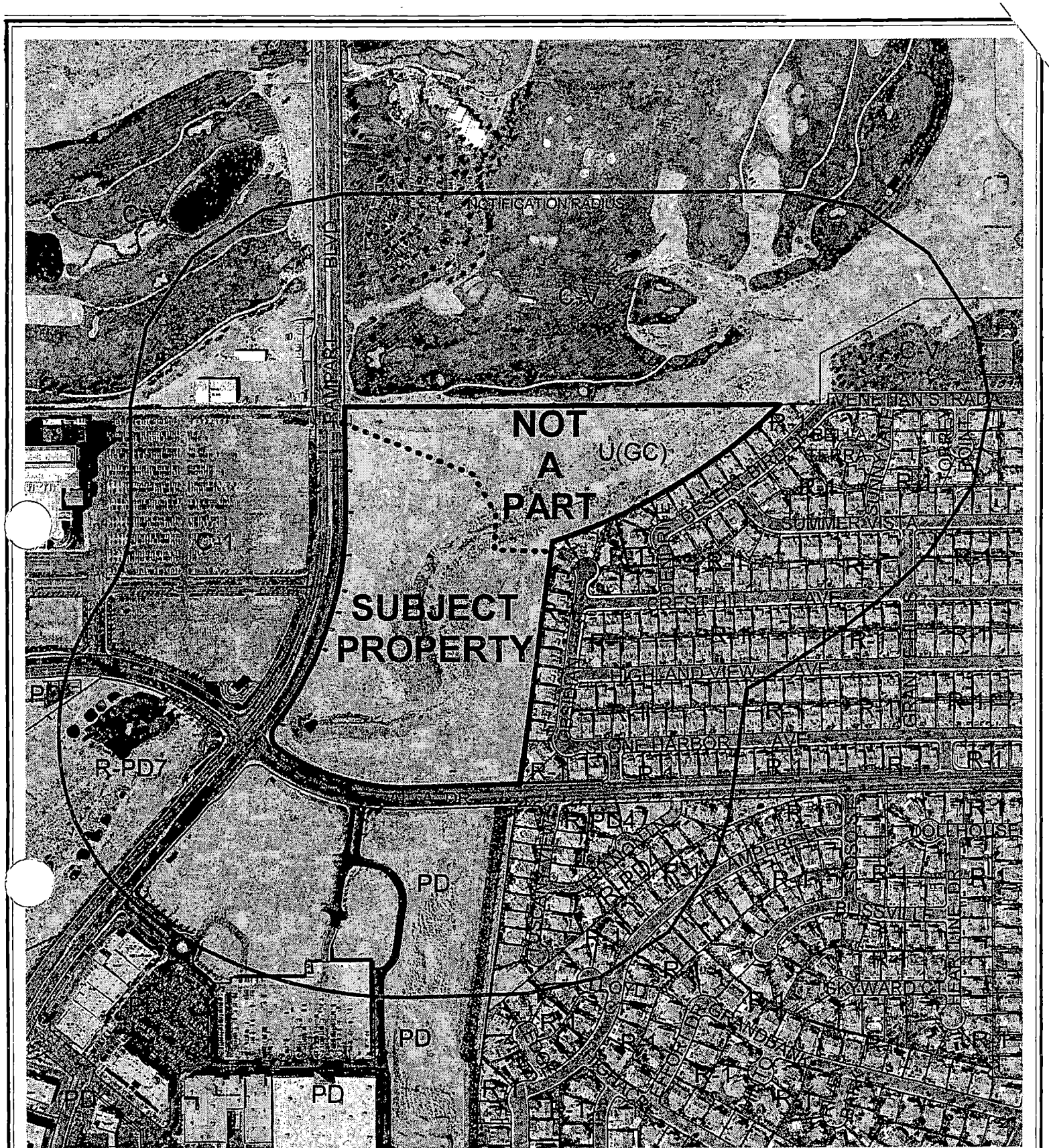
CASE: **ZON-5653**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION]

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

N



0 400 800 Feet

CASE: **ZON-5653**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION]

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-5653 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: GREAT WASH PARK LLC

THE APPLICANT REQUESTS THIS ITEM BE HELD IN ABEYANCE TO THE FEBRUARY 10, 2005 PLANNING COMMISSION MEETING.

FF

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON 5653 APN: 138 32 601 003

Name of Property Owner: Great Wash Park L.L.C. c/o Peccole NV

Name of Applicant: JMA Architecture Studios

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

_____Yes _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Larry A Miller

Print Name: Larry A. Miller

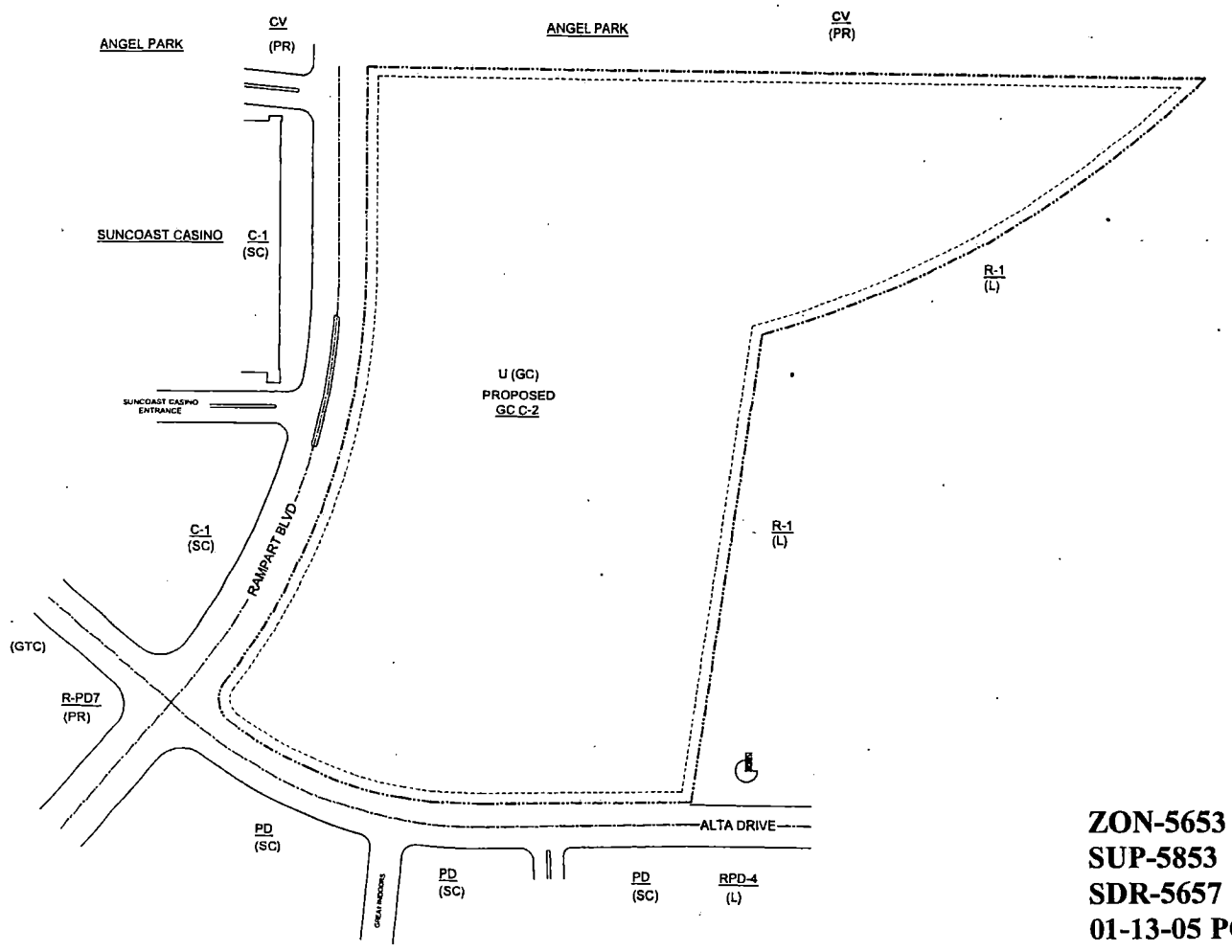
Subscribed and sworn before me

This 18th day of November, 2004

Joanne Baldassare

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
JOANNE BALDASSARE
My Appointment Expires
June 2, 2006
No: 98-3510-1



ZON-5653
SUP-5853
SDR-5657
01-13-05 PC

Queensborough
Summerlin
LAS VEGAS, NEVADA

LOCATION PLAN

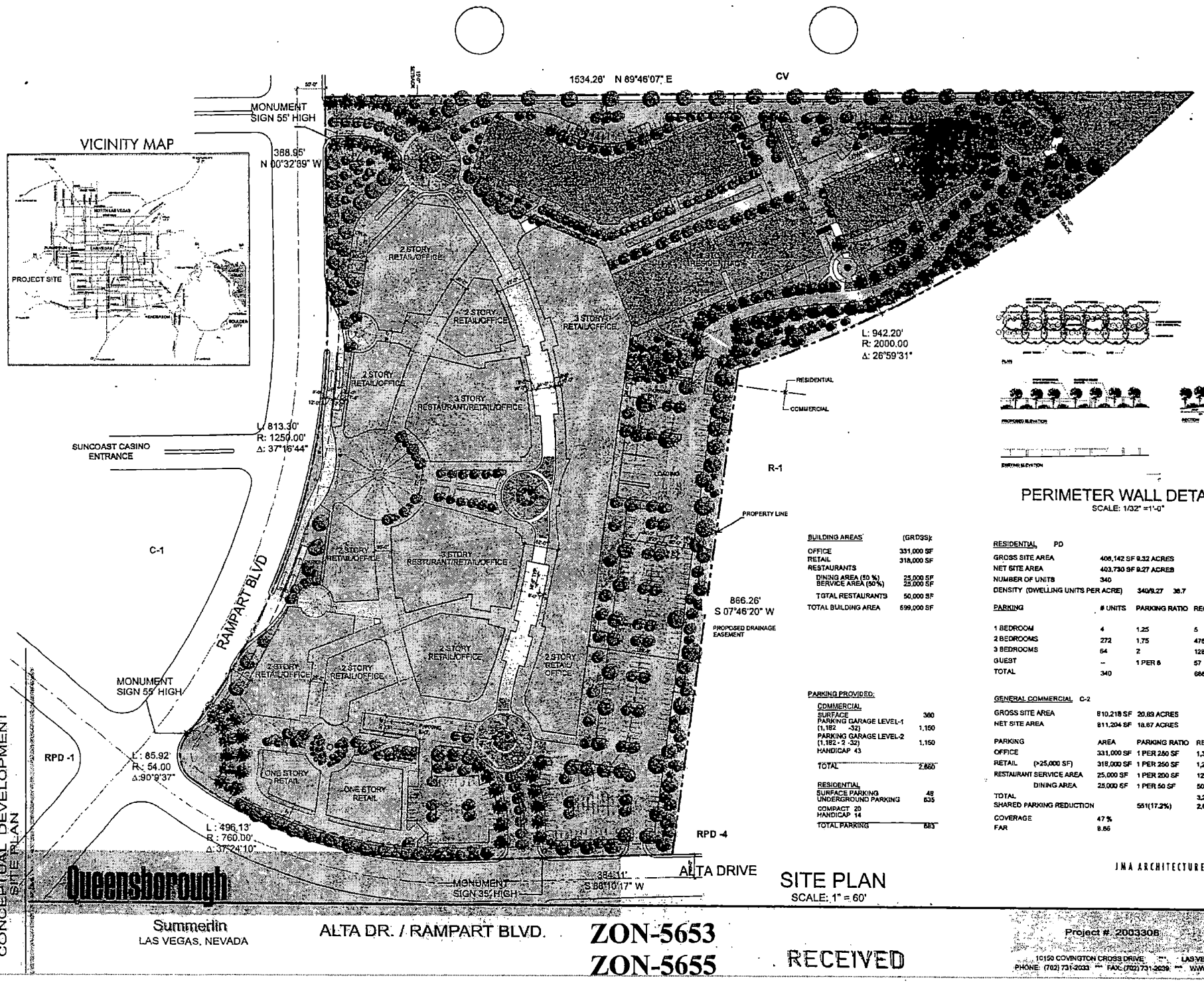
ALTA DR. / RAMPART BLVD.

JMA ARCHITECTURE STUDIOS
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89114
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

Project # 2003306

NORTH

Date: NOVEMBER 22, 2004

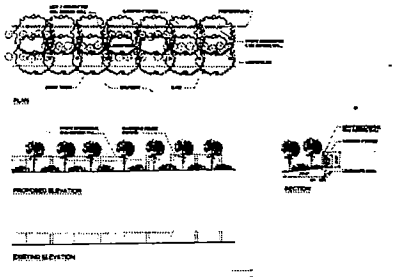


BUILDING AREAS	(GROSS):
OFFICE	331,000 SF
RETAIL	318,000 SF
RESTAURANTS	
DINING AREA (50 %)	25,000 SF
SERVICE AREA (50%)	25,000 SF
TOTAL RESTAURANTS	50,000 SF
TOTAL BUILDING AREA	699,000 SF

PARKING PROVIDED:

COMMERCIAL	
SURFACE	380
PARKING GARAGE LEVEL-1 (1,182 -32)	1,150
PARKING GARAGE LEVEL-2 (1,182 - 2 -32)	1,150
HANDICAP 43	
TOTAL	2,660

RESIDENTIAL	
SURFACE PARKING	48
UNDERGROUND PARKING	635
COMPACT 20	
HANDICAP 14	
TOTAL PARKING	683



PERIMETER WALL DETAIL
SCALE: 1/32" =1'-0"

RESIDENTIAL PD				
GROSS SITE AREA	406,142 SF 9.32 ACRES			
NET SITE AREA	403,730 SF 9.27 ACRES			
NUMBER OF UNITS	340			
DENSITY (DWELLING UNITS PER ACRE)	340/9.27 36.7			
PARKING	# UNITS	PARKING RATIO	REQUIRED	PROVIDED
1 BEDROOM	4	1.25	5	
2 BEDROOMS	272	1.75	476	
3 BEDROOMS	64	2	128	
GUEST	--	1 PER 8	57	
TOTAL	340		666	683

GENERAL COMMERCIAL C-2				
GROSS SITE AREA	910,218 SF	20.89 ACRES		
NET SITE AREA	811,204 SF	18.67 ACRES		
PARKING	AREA	PARKING RATIO	REQUIRED	PROVIDED
OFFICE	331,000 SF	1 PER 250 SF	1,324	
RETAIL (>25,000 SF)	318,000 SF	1 PER 250 SF	1,272	
RESTAURANT SERVICE AREA	25,000 SF	1 PER 200 SF	125	
DINING AREA	25,000 SF	1 PER 50 SF	500	
TOTAL			3,211	
SHARED PARKING REDUCTION		551(17.2%)	2,660	2,660
COVERAGE	47 %			
FAR	0.86			

JMA ARCHITECTURE STUDIOS

SITE PLAN
SCALE: 1" = 60'

NOVEMBER 29, 2004

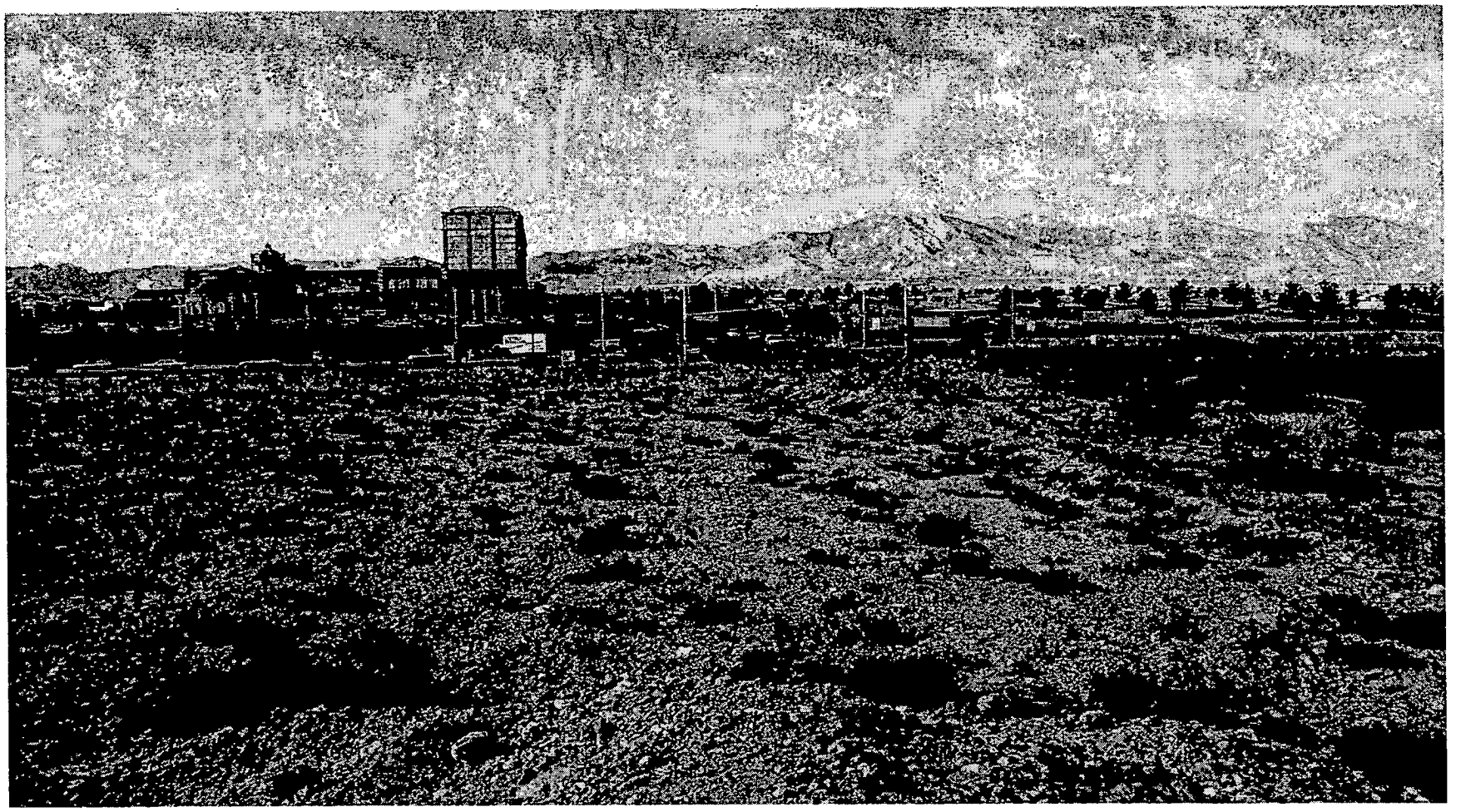
Project #: 2003306

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

DR-00

ZON-5653
ZON-5655
SDR-5657
01-13-05 PC

RECEIVED
NOV 30 2004



ZON-5653 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: GREAT WASH PARK LLC
NORTHEAST CORNER OF ALTA DRIVE AND RAMPART BOULEVARD
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

Main Identity

From: "Anna Bowers" <abowers9@cox.net>
To: <swolfson@lasvegasnevada.gov>; <greese@lasvegasnevada.gov>; <lbrown@lasvegasnevada.gov>; <lweekly@lasvegasnevada.com>; <mmack@lasvegasnevada.gov>; <jmoncrief@lasvegasnevada.gov>; <ogoodman@lasvegasnevada.gov>
Sent: Tuesday, January 04, 2005 2:30 PM
Subject: REF: ZON 5653, SUP 5853, SDR 5657

Ref: ZON 5653, SUP 5853, SDR 5657

This is to formally register our complaint regarding the Northeast corner of Alta and Rampart development plan. We who live in Angel Park Ranch always knew there would be commercial development on those sites. We absolutely do not want 375 residential condos built in our backyards at Rampart and Angel Park. It would totally obstruct our view of the mountains, create traffic hazards, pollute us with noise, and impact property values.

The already approved 4 18-story towers on the southwest corner of Rampart and Alta at Badlands, continued commercial development of Boca Park, and the likelihood of Suncoast Casino expansion creates the same problems for our neighborhood. To add 375 condos seems excessive and overcrowded.

Please consider this our formal protest vote. Thank you.

Anna M. Bowers Anna M. Bowers
Frank R. Bowers F Bowers
8557 Summer Vista Avenue
Las Vegas, Nevada 89145
702-304-9855

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CITY CLERK
2005 JAN -4 P 2:35

Las

ZON-5653
SUP-5853
SDR-5657 1/4/05

Joan Marcotte

From: "Joan Marcotte" <jamarco@cox.net>
To: "Joan Marcotte" <jamarco@cox.net>
Sent: Tuesday, January 04, 2005 9:13 AM
Subject: ZON 5653, SUP 5853, SDR 5657

Dear Planning Commission,

My name is Joan Marcotte and I live in Angel Park Ranch.

I would like to voice my concerns about the pending development on the corner of Alta and Rampart called the "Queensborough Project". GPA-5652 which now is being referred to as: ZON 5653, SUP 3, SDR 5657.

While it is inevitable that this corner will be developed sooner or later I am very concerned about the traffic this project will bring to this area. It is very difficult to make a left turn onto Alta from Angel Park Ranch now and with the building of the offices, restaurants and shopping as well as the Condo's with approximately 380 units, the left turn out of our development will be very dangerous and next to impossible. Also with the opening of the new Summerlin Parkway exit onto Durango it will be difficult to make a left turn from our development at the North entrance onto Durango. The traffic that this new project will bring to our development is going to be unimaginable.

I am also concerned that the "wash" on this corner (Alta and Rampart) is going to be filled in and now I am worried about flooding.

Other concerns I have are:

With the increased traffic on Alta, Rampart and Durango there will be added air pollution from the traffic as cars and trucks sit at traffic lights. This air pollution will spill directly over our development.

With deliveries to the Queensborough Project there will be increased truck traffic.

With the proposed condominiums being 10 and 5 stories this will block the view of the mountains for those living on the perimeter who paid a lot premium for the view.

All of this is being planned in addition to the four 18 story condominiums that will be built on the South West corner of Rampart and Alta at the Badlands golf course. With the probability of 600 to 800 living units at this site there could be as many as 1400 to 1500 automobiles generating traffic from this development alone. This alone will create a traffic nightmare in the area surrounding Angel Park Ranch.

My personal preference would be not to develop the "Queensborough Project" at all but if something must be developed on the corner of Rampart and Alta please do not permit the condominiums which could add as many as 400 to 600 more vehicles moving in and out of that area a day.

Another concern is with all of these living quarters being built at one major intersection where will all the kids go to school? Will there have to be new schools built and where will they build these schools?

Thank you for your kind consideration.

Sincerely,

Joan A. Marcotte

Joan A. Marcotte
8528 Crest Hill Ave.
Las Vegas, NV 89145
jamarco@cox.net

RECEIVED
CITY CLERK
2005 JAN -4 P 3:50

ZON-5653
SUP-5853
SDR-5657

1/4/2005

attn: Vicky Darling

ANGEL PARK RANCH
ARCHITECTURAL COMMITTEE

PAUL "PACO" ZAHRA – PRESIDENT 233-5258
FRED GARIBALDI – VICE PRES. **SANDY WHITEHOUSE – SEC'Y./TREAS.**

JANUARY 4, 2005

THE ANGEL PARK RANCH COMMITTEE DOES NOT APPROVE QUEENSBOROUGH PROJECT ZONE 5653, SUP 5853, AND SDR 5657 FOR REASONS LISTED BELOW.

1. **WITH THE OPENING OF THE NEW SUMMERLIN PARKWAY EXIT ONTO DURANGO WILL CAUSE MORE TRAFFIC AND MAKE IT MORE DIFFICULY TO MAKE LEFT TURNS FROM VENETIAN STRADA.**
2. **THE SOUTHWEST CORNER OF ALTA AND RAMPART FOUR 18 STORY HIGH RIZE CONDOMINIUMS ARE BEIGN CONSTRUCTED. PROBABILITIES OF 1,600 UNITS WHICH MEANS ABOUT 2,000 MORE VEHICLES IN THAT CORNER.**
3. **"QUEENSBOROUGH PROJECT" ON NORTH EAST CORNER OF ALTA AND RAMPART WOULD ADD AN ADDITIONAL 500 VEHICLES.**
4. **THE COMMITTEE DOES NOT THINK THAT THE CORNER OF ALTA AND RAMPART CAN SERVICE 2,500 TO 2,700 MORE VEHICLES. THAT CORNER IS ALREADY TOO BUSY WITH THE SUNCOAST HOTEL AND CASINO AND BOCA PARK SHOPPING MALL.**
5. **FINALLY WE ARE ASKING THAT YOU USE GOOD JUDGEMENT, AND FOR THE BENEFIT OF SAVING LIVES, DECLINE THE ABOVE MENTIONED PROJECT.**

THE COMMITTEE

RECEIVED
CITY CLERK
2005 JAN -4 P 3:50

ZON-5653
SUP-5853
SDR-5657

RECEIVED
CITY CLERK

2005 JAN -4 P 3:50

January 4, 2005

Vicky Darlling, City Clerk: Las Vegas City Council

Reference: ZON 5653, SUP 5853, SDR 5657
Alta & Rampart Queensbourgh Project

We live in the Bailey & Mcgah development at 508 Soso. We are writing in protest to the ZON 5653, SUP 5853, SDR 5657, Peccole development at Alta and Rampart.

The traffic now on Alta presents a problem getting on to Alta. We understand that Boca Park still has more to build, the Suncoast has approval to expand, the Badlands corner has approval to build four, eighteen story condos, all which will add to the density and traffic, not counting what Peccole proposes. The only way to help with the traffic is to lessen the density of the Peccole project.

We hope you will consider our problem with this project.

Ralph & Mary Carlson

Ralph R Carlson
Mary D. Carlson

ZON-5653
SUP-5853
SDR-5657

RECEIVED
CITY CLERK

2005 JAN -4 A 10: 22

January 4, 2005

Vicky Darling, City Clerk: Las Vegas City Council

Reference: ZON 5653, SUP 5853, SDR 5657
Alta and Rampart Queensbourgh project

I live in the Anget Park Raanch developoment at 8628 Desert Bird Drive. I am an original owner and have lived here ten years and have lived in Clark County since 1968. I am writing in protest to the ZON 5653, SUP 5853, SDR 5657, Peccole development at Alta and Rampart.

The project will have a very negative effect on all the surrounding neighborhoods, with the increased density, which will add to the traffic problem we are already experiencing, as trying to turn onto Alta from the Angel Park Ranch, Mesa 2, and the Tuscany developments.

The intersection at Rampart and Altla is one of the busyest, and the four corners are not completed with the projects that have already been approved.

1. Boca Park is far from completed
2. The Badlands corner have been approved to build 4 eighteen story highrise condos (Approx 400)
3. The Suncoase has been approved to expand

Now Peccole plans Commerical with 2 levels of underground parking, office buildings, a 10 story highrise condos, plus 2 four story condos. All this on 31 acres. I feel we are being crushed and they said the project would take two years & enoludes blasting. We have alot of retired people adjacent to the project, who are home most of the time and I can not imaging two years of this. The commercial will be two & three stories, which will flow nicely with our one & two story homes, but the condos, besides being too dense would invade our privacy. The only way to help with the traffice from projects that have already been approved is to lessen the density on the Peccole project. Two additiional turn lanes and an additional light is not going to fix the problem when you are considering 750 more families in an area that has not completed projects that have already been approved.

Thank you for your consideration

Carol S. Ayres
702 243 2760

Carol S. Ayres

ZON 5653
SUP 5853
SDR 5657

Submitted after final agenda

Date 1/4/05 Item

RECEIVED
CITY CLERK

2005 JAN -5 P 4:17

01/05/05
Fax: 382-4803
Issue: ZON5653,SUP5853SDR5657

Dear Ms. Combs,Agender Tech,

I have been a resident of Angel Park Ranch since August 1994. I want to strongly protest the proposed Peccole Development at the NE corner of Alta & Rampart. The major effect will be TRAFFIC as well as pollution, increased accidents, noise level and density of the condos. The impact of this development will negatively effect the quality of life for the residents in the area. The proposed traffic lights will be of no help to those of us who live in Angel Park. We will need a light at the corner of Venetian Strada & Durango just to enter our community because of the Durango extension. I sincerely hope you will listen to the my concerns as well as my neighbors.

Sincerely, Elizabeth McCaffrey,
8508 Summer Vista Ave, LV 89145

ZON-5453
SUP-5853
SDR-5457

James and Cynthia Willbanks
8504 Stone Harbor Ave.
Las Vegas, NV 89145
702-240-0133
fax-240-0125

01-05-05

Ref: ZON 5653, SUP 5853, SDR 5657

I feel a ten and 2 five story condo buildings are going to cause traffic and privacy problems for the Angel Park Neighborhood.

Thank you,

Cynthia A. Willbanks

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CITY CLERK
2005 JAN -5 P 4:58

ZON-5653
SUP-5853
SDR-5657

January 5, 2005

Vicky Darlling, City Clerk: Las Vegas City Council

Reference: ZON 5653, SUP 5853, SDR 5657
Alta & Rampart Queensbourgh Project

I live in the Bailey & Mcgah development at 505 Anpere, my back fence backs up to Alta. I am writing in protest to the ZON 5653, SUP 5853, SDR 5657, Peccole development at Alta and Rampart.

The traffic now on Alta presents a problem exiting our development. I know Boca Park still has more commercial to build, the Suncoast has approval to expand, the Badlands corner has approval to build four, eighteen story condos, all which will add to the density and traffic, not counting what Peccole proposes. Alta is a 30 mph street with many school zones and is becomming a freeway with the increase traffic and few cars travel less that 45 mph. The only way to help with the traffic is to lessen the density of the Peccole project, since all the other corner projects already have approval.

I hope you will consider this problem when considering the Peccole project.

Charles J. Dunn

Chas J Dunn

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CITY CLERK
2005 JAN -5 P 4:58

ZON-5653
SUP-5853
SDR-5657

RECEIVED
CITY CLERK

2005 JAN -6 A 7:58

To: Ms. Vicky Darling
City Clerk

From: Gary Echols
8612 Crest Hill Ave.
Las Vegas, NV 89145

Re: ZON 5653, SUP 5853, SDR 5657

I live in the Angel Park Ranch neighborhood that lies east of the above referenced project coming before the City Council for approval. I am opposed to this project. The increased traffic generated by this project will make an already congested area unbearable to residents who live in this neighborhood. Further, these towers will obstruct our view of the Red Rock Mountains to the West. It would also seem that homes on the western end of our neighborhood will lose some of their privacy with these tall buildings looming over their backyards. I urge the City Council to deny passage of this project when it comes before you for a vote.

Respectfully,

Gary Echols

ZON-5653
SUP-5853
SDR-5657

December 27, 2004

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

RE: General Plan Amendment (SDR-5657); Site Development Plan (Zone-5653)
Pecole Nevada Corporation (Rampart at Alta)

Dear Planning Commission Members:

I am a 70-year-old female who resides at 8624 Desert Bird Drive as indicated by the attached map. The wash is directly in the back of my home.

I am oppose to People Nevada Corporation (Great Wash Park LLC) from developing their property over the present height limit of 55 feet to 110 feet to build their 10-story condominium. All of the neighborhood would lose their privacy and view.

I am also very much oppose to the developer covering and filling the wash for two very important reasons:

First, it would greatly endanger and threaten the lives and properties of the owners living near this huge ravine. The wash is at least a 100 feet wide at the bottom, 200 feet wide at the top, and at least 75 feet deep. During heavy rains, I have seen with my own eyes, the rapid moving floodwaters rise to 10 to 20 feet high. If you allow the developer to cover and fill the wash, even if he installs a drainage system, where will all the floodwaters flow to during a very heavy storm that will last for days? Keeping this wide and natural wash the way it is for now is the only way to insure that our lives and properties will be safe from the potential of flooding.

The second reason is personal. When I purchased this home in 1995, the developer Pulte Homes, assured me nothing would ever be built on the wash in the back of my property. I believed them and paid a premium of $40,000 for this right. All the other original property owners along the perimeter of the wash along Desert Bird also paid a similar premium to Pulte. Who will be responsible and liable for our lost? Pulte Homes? The City of Las Vegas, or the new developer?

Please deny Great Wash Park LLC from filling and covering the wash and building over it.

Thank you very much.

Sincerely,

Ann Sokabe (808) 551-0707
1120 Bishop Street
Honolulu, Hawaii 96813

Certified Mail; Return Receipt Requested

ZON-5653
SDR-5657
SUP-5853

Jan 4, 05

Re:ZON 5653, SUP 5853, SDR 5657

This is a letter to register a complaint regarding the newest plans at Alta and Rampart...Our concerns were to lighten up the traffic at one time and open Durango to help out Rampart. Now it is sad that they want to built so many condo's to make traffic just as bad and to polute our air even more. We do feel like we are trapped between 2 freeways.....thats way we left LA.....polutions burns your eyes and makes you sick.....Commercial is one thing, but changing all the natural beauty is a big shame to damage nature and make it unhealthy and more dangeous for folks to even leave their homes to drive across the street to SunCoast. Please look at this plans again and remember why we are opening up Durango (to help the traffic on Rampart) Just look at all the accidents we have had on that street where everyone drives too fast anyway....More cars and too many condo's is not the answer....Do not overcrowd the areas we have a BIG problem in already.....Please listen to us also....

Patti & Ty Kille
8560 Summer Vista Ave.
Las Vegas, NV. 89145
(702) 255-5205

RECEIVED
CITY CLERK
2005 JAN -5 A 7:35

ZON-5653
SUP-5853
SDR-5657

RECEIVED
CITY CLERK
2005 JAN -4 P 4:45

To: Vicky Darling
Las Vegas City Clerk

January 4, 2005

We oppose the proposed Peccole project at Alta/Rampart -
(ZON 5653, SUP 5853 and SDR 5657) for the following reasons:

The increased traffic caused not only by the proposed commercial and residential project, along with the prior approvals for development on properties also bordering on the Rampart/Alta intersection will significantly impact the traffic on an already dangerously over-traveled area of the Boca Park/Summerlin/Suncoast Casino area.

Entrance/exit drives into the area should be studied as to appropriate turn lanes, bus stop areas, signal lights, right turn only signage, etc. The effects of the Alta bridge to the west, the Durango bridge to the north, the approved high-rise development on the southwest corner of Rampart/Alta, the future development of Boca Park and the proposed additions to the Suncoast Casino should also be included in the traffic studies. The impact of the compounded increase in traffic flow of these modifications should be a major consideration.

The residential portion of the project will continue the trend of allowing and even encouraging high rise apartment/condo encroachment on established single-family one and two-story neighborhoods, thereby causing unwarranted high density population centers and the inherent increase in traffic and potential
crime areas.

Traffic and crime are only a couple of significant factors. It is strongly suggested that the high-rise portion of this development be rejected, or at least reduced to no more than three (3) buildings consisting of no more than two (2) stories each, and limit the number of residences to no more than one hundred (100) units. As this area is adjacent to single-family one- and two-story homes, the impact on our neighborhood would be detrimental. There are no other high-rise developments on the east side of the Rampart/Alta area and none should be introduced.

Al & Carole Pontius
8612 Desert Bird Dr.

ZON-5653
SUP-5853
SDR-5657

January 4, 2005
City Council
Las Vegas, NV 89101

RECEIVED
CITY CLERK
2005 JAN -4 P 4:16

RE: ZON 5653, SUP 5853, SDR 5657
Peccole development at Alta and Rampart

Dear Members of the City Council,

We are opposed to and protest the proposed development at the northeast corner of Alta and Rampart for the following reasons:

1. Density. In our small area in the Angel Park Ranch there are 200 single family homes. This project proposes to build 375 units in a smaller area that will place a significant burden on our adjacent intersections, schools, park and other amenities.

2. Access to Venetian Strada.. It is vital that a "covenant running with the land" be required of the developers so that at no time in the future will their project have an opening to Venetian Strada. At one time there was a small road that allowed golfers access to the Angel Park Golf course from Venetian Strada. Cars raced through our neighborhood to get to the golf course making it unsafe for our children to get to the park. For the safety of pedestrians, especially our children crossing Venetian Strada to the park, Venetian Strada should never be open again.

3. Traffic. The City Council has approved another Peccole project, four 18-story condominium towers across from the Suncoast in the Badlands Golf Course (of which we had no notice or input in spite of the impact on our neighborhood). Another project in progress is the creation of an entrance from Durango onto Summerlin Parkway. Coupled with these projects and the built out at Boca Park, Alta and Durango will be even more heavily used. This will make a left turn out of Angel Park Ranch at Venetian Strada and left turns out of our two exits on to Alta unsafe if not impossible. At a minimum you will need to provide a signal at Venetian Strada and Durango and remove the yellow pedestrian light just north of Venetian Strada at Durango.

4) Parking waiver. Our understanding is that as presently designed, the Peccole Corporation is seeking a waiver for not having sufficient parking spots. Where will the parking go at the peak shopping periods? Down Alta? Into our neighborhood streets?

We anticipate Peccole to do a tasteful job with their development. Nevertheless what they are proposing is overuse of their available space. We are already congested. We respectfully request that the Peccole Corporation either withdraws its request for 375 condominiums or reduces the number and height of the structures significantly, so that proposed solutions to the traffic issue will actually have some effect when all four corners are built out.

Sincerely,

Corinne Escobar

Chris and Corinne Escobar
308 Torrey Point Court
Las Vegas, NV 89145 255-3912
ladybug1@mstar2.net

ZON-5653
SUP-5853
SDR-5657

Joseph W. McLaughlin
8613 Crest Hill Avenue
Las Vegas, NV 89128

(702) 254-5549 Residence *(702)-254-7159 Fax* *(702) 595-6541 Business*

TO: Carol Combs, Agenda Tech: ccombs@lasvegasnevada.gov, via E-mail.

This is my letter of protest to ZON 5653, SUP 5853 SDR 5657, particularly, the proposed Peccole Development at the NEC of Alta and Rampart, Las Vegas, NV

I am strenuously opposed to the above referenced development.

The intersection of Alta and Rampart is severely over-burdened with traffic now. The Metropolitan Police Department has described it as most dangerous from a traffic safety standpoint. And certainly, the nearby residents can provide testimony to the number of accidents, serious accidents, frequently occurring at and near that location.

The proposed development will result in a significant increase in the amount of traffic, and therefore traffic accidents generated by on-site residents and employees of the offices and retail establishments, plus the increased traffic to the site for business purposes and visitors to any of the proposed buildings.

Additionally, more traffic will be generated by the overpass at Summerlin Parkway and Durango, which traffic will in many instances logically and for convenience use Alta to reach their destination. And it is important to note the increased traffic by the development of the four eighteen story towers at the Badlands, AND the increased traffic generated by the office and retail facilities to be completed at Boca Park will negatively impact the intersection. The towers and the Boca Park expansion will result in a HUGE increase in motorized traffic, with the attendant increase in traffic safety concerns; just count the number of automobiles per units built for the residential towers alone, the number is in the thousands!

Increased traffic at this intersection must be avoided in the interest of general public safety, and the safety of the

nearby residents, including but not limited to the community known as Angel Park Ranch, where I reside. Again, additionally, the expansion of the parking and gaming and gaming related space at the Suncoast Hotel and Casino will dramatically increase traffic in the immediate area; further contributing to substantially increased public safety concerns. The ingress and egress for the Suncoast already is inadequate and represents excessive risk to the public, not to mention extremely poor traffic safety planning.

Additionally, the proposed development will have a very negative impact on the quiet enjoyment rights of a significant number of Angel Park Ranch residents, and particularly those residents bordering the project; they will be subject to a substantial increase in noise, and light emanating from the multi-use development. Moreover, the impact on Angel Park Ranch property values will be significantly adverse. And the views presently available to many Angel Park Residents will disappear, further aggravating the negative impact on property values.

For the life of me, I cannot understand why this project should even be considered by the city-planning department, or for that matter, the city council. It makes no sense whatsoever.

I respectfully request you submit my concerns as stated in this letter to all parties having jurisdiction over this project. I have sent this letter, prepared in Word, as an attachment, for your convenience. Please distribute as you see fit.

Should you or anyone wish to contact me to discuss my position on this project, I will be pleased to take your call.

Thank you.

Cc: each city council member

mccarp@cox.net

Telephone Protest/ Approval Log

Meeting Date: 01/13/05 **Case Number:** SUP 5853

Date: 01/04/05
Name: Helen McKay
Address: 8529 Highland View Ave 89145
Phone: (702) 233-1628
[X] **PROTEST** [ ] **APPROVE**

Date: 01/04/05
Name: Katherine & David Nicola
Address: 8604 Highland View Ave. 89145
Phone: (702) 869-8638
[X] **PROTEST** [ ] **APPROVE**

Date: 01/05/05
Name: Corinne Escobar
Address: 308 Torrey Point Ct 89145
Phone: (702) 255-3912
[X] **PROTEST** [ ] **APPROVE**

Date: 01/05/05
Name: Ralph Carlson
Address: 508 Soso St 89145
Phone: 567-0468
[X] **PROTEST** [ ] **APPROVE**

Date: 01/06/05
Name: Kennedy, Franco
Address: 8528 Highland View Ave 89145
Phone: (702) 869-0242
[X] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

City of Las Vegas

Agenda Item No.: 36

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SUP-5853 - SPECIAL USE PERMIT RELATED TO ZON-5653 - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: GREAT WASH PARK LLC - Request for a Special Use Permit TO ALLOW A PROPOSED MIXED-USE COMMERCIAL AND RESIDENTIAL DEVELOPMENT adjacent to the northeast corner of Alta Drive and Rampart Boulevard (APN 138-32-601-003), U(GC) [Undeveloped (General Commercial) General Plan Designation] Zone, [Proposed: C-2 (General Commercial)], Ward 2 (Wolfson).

ABEYANCE TO FEBRUARY 10, 2005 PLANNING COMMISSION MEETING

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	19	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

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

MOTION:

NIGRO motioned to bring forward and HOLD IN ABEYANCE Item 19 [SDR-5700], Item 35 [ZON-5653], Item 36 [SUP-5853], Item 37 [SDR-5657], Item 53 [VAR-5693], Item 54 [VAR-5694], Item 55 [SUP-5691], Item 56 [SDR-5689], Item 59 [VAR-5701] and Item 82 [SDR-5711] to the 2/10/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 31 [VAR-5216] and Item 42 [GPA-5661] – UNANIMOUS

MINUTES:

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

(6:05 – 6:08)

PECCOLE NEVADA

January 7, 2005

Via Facsimile: 385-7268

Mr. Gary Leobold
Planning Supervisor
Planning and Development
City of Las Vegas

Re: ZON - 5653
SUP – 5853
SDR – 5657

Dear Mr. Leobold:

On Thursday, January 6, 2005, the Applicant for the above referenced matters met with Councilman Steve Wolfson, his staff and Margo Wheeler, Director of Planning and Development. It was mutually agreed that the matters should be moved to the February 10, 2005 Planning Commission meeting. Thank you for your assistance in coordinating this change in schedule.

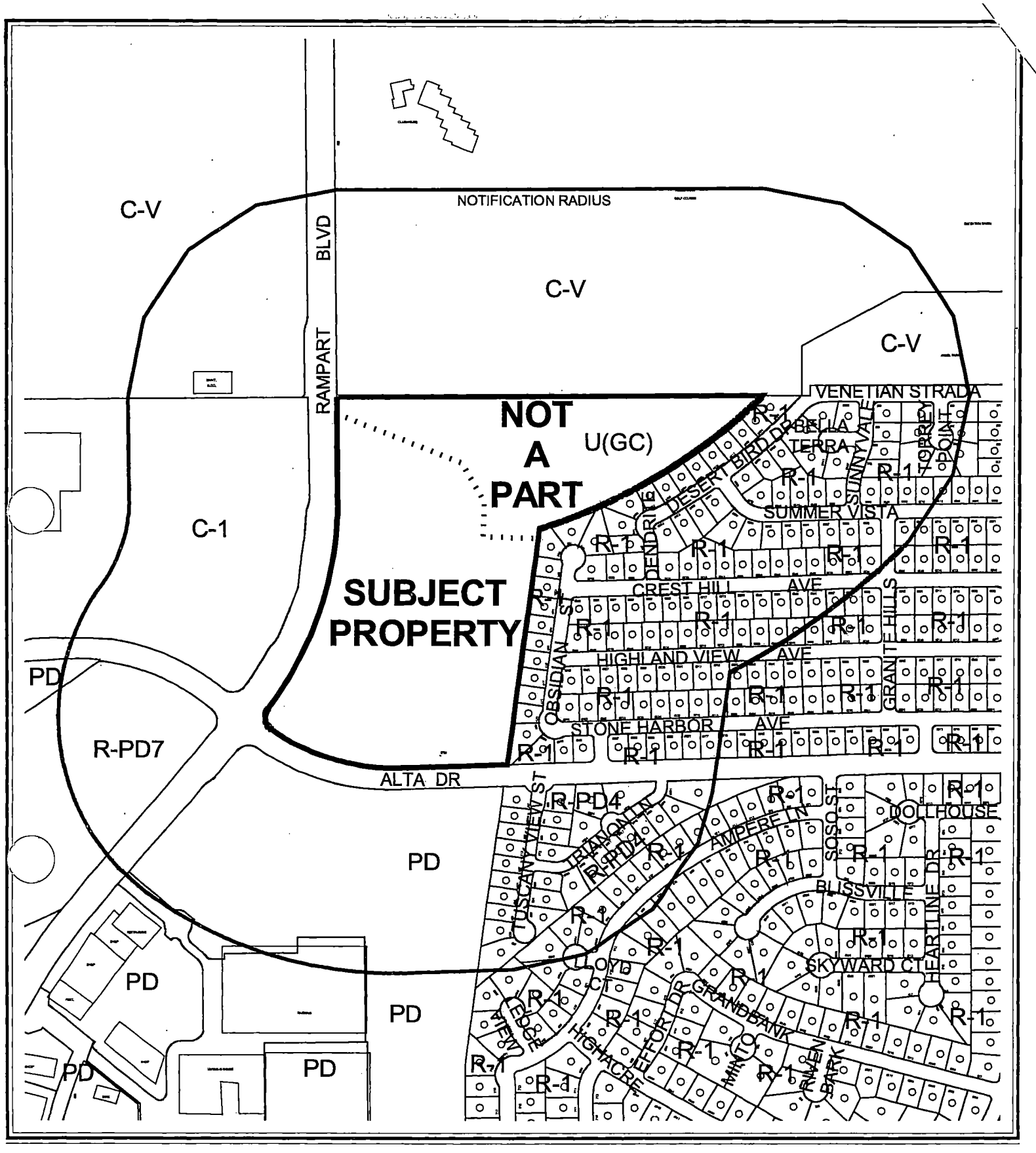
Additionally, thank you for the information regarding the Traffic Study for the project and its approval. As requested, we will provide additional copies of the study for you and your staff.

Kind regards,

Fredrick P. Waid, Esq.
Chief Operating Officer

FPW/jb

851 S. Rampart Boulevard • Suite 220 • Las Vegas, Nevada 89145 • Telephone 702 933-1111 • Fax: 702 933-0017



0 400 800 Feet

CASE: **SUP-5853**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION]

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: GREAT WASH PARK LLC

THE APPLICANT REQUESTS THIS ITEM BE HELD IN ABEYANCE TO THE FEBRUARY 10, 2005 PLANNING COMMISSION MEETING.

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5853 APN: 138 32 601 003

Name of Property Owner: Great Wash Park LLC c/o Peccole NV

Name of Applicant: JMA Architecture Studios

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: [signature]

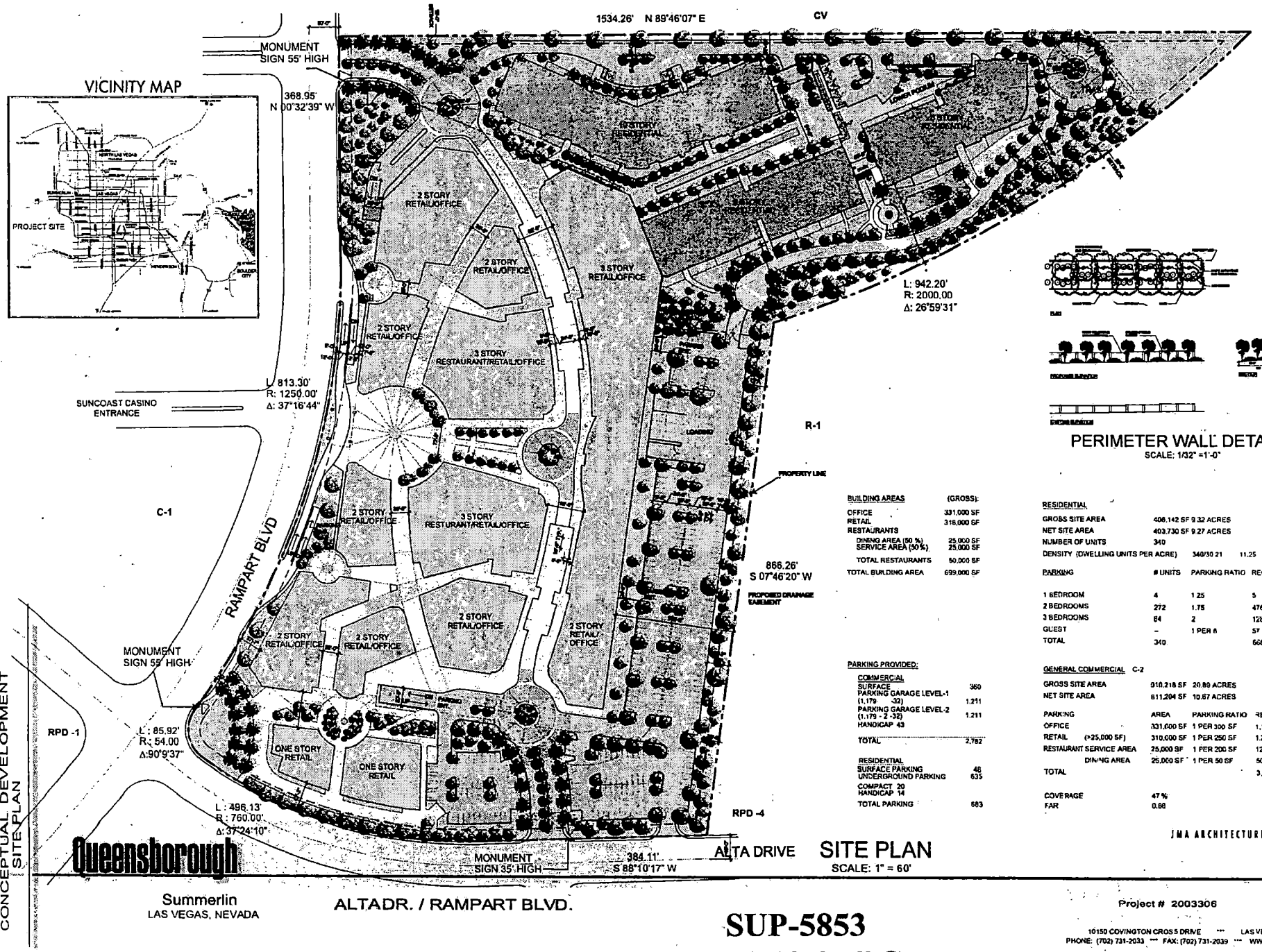
Print Name: Larry A. Mullen

Subscribed and sworn before me

This 21st day of December 2004

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

Notary Public - State of Nevada
County of Clark
JOANNE BALDASSARE
My Appointment Expires
June 2, 2006
No: 98-3510-1



PERIMETER WALL DETAIL
SCALE: 1/32" =1'-0"

SITE PLAN
SCALE: 1" = 60'

BUILDING AREAS	(GROSS):
OFFICE	331,000 SF
RETAIL	318,000 SF
RESTAURANTS	
DINING AREA (50 %)	25,000 SF
SERVICE AREA (50%)	25,000 SF
TOTAL RESTAURANTS	50,000 SF
TOTAL BUILDING AREA	699,000 SF

PARKING PROVIDED:

COMMERCIAL	
SURFACE	360
PARKING GARAGE LEVEL-1 (1,179 -32)	1,211
PARKING GARAGE LEVEL-2 (1,179 - 2 -32)	1,211
HANDICAP 43	
TOTAL	2,782
RESIDENTIAL	
SURFACE PARKING	48
UNDERGROUND PARKING	635
COMPACT 20	
HANDICAP 14	
TOTAL PARKING	683

RESIDENTIAL				
GROSS SITE AREA	406,142 SF 9.32 ACRES			
NET SITE AREA	403,730 SF 9.27 ACRES			
NUMBER OF UNITS	340			
DENSITY (DWELLING UNITS PER ACRE)	340/30.21	11.25		
PARKING	# UNITS	PARKING RATIO	REQUIRED	PROVIDED
1 BEDROOM	4	1.25	5	
2 BEDROOMS	272	1.75	476	
3 BEDROOMS	64	2	128	
GUEST	–	1 PER 6	57	
TOTAL	340		666	683

GENERAL COMMERCIAL C-2				
GROSS SITE AREA	910,218 SF	20.89 ACRES		
NET SITE AREA	811,204 SF	18.87 ACRES		
PARKING	AREA	PARKING RATIO	REQUIRED	PROVIDED
OFFICE	331,000 SF	1 PER 300 SF	1,104	
RETAIL (>25,000 SF)	318,000 SF	1 PER 250 SF	1,272	
RESTAURANT SERVICE AREA	25,000 SF	1 PER 200 SF	125	
DINING AREA	25,000 SF	1 PER 50 SF	500	
TOTAL			3,001	3,142
COVERAGE	47 %			
FAR	0.86			

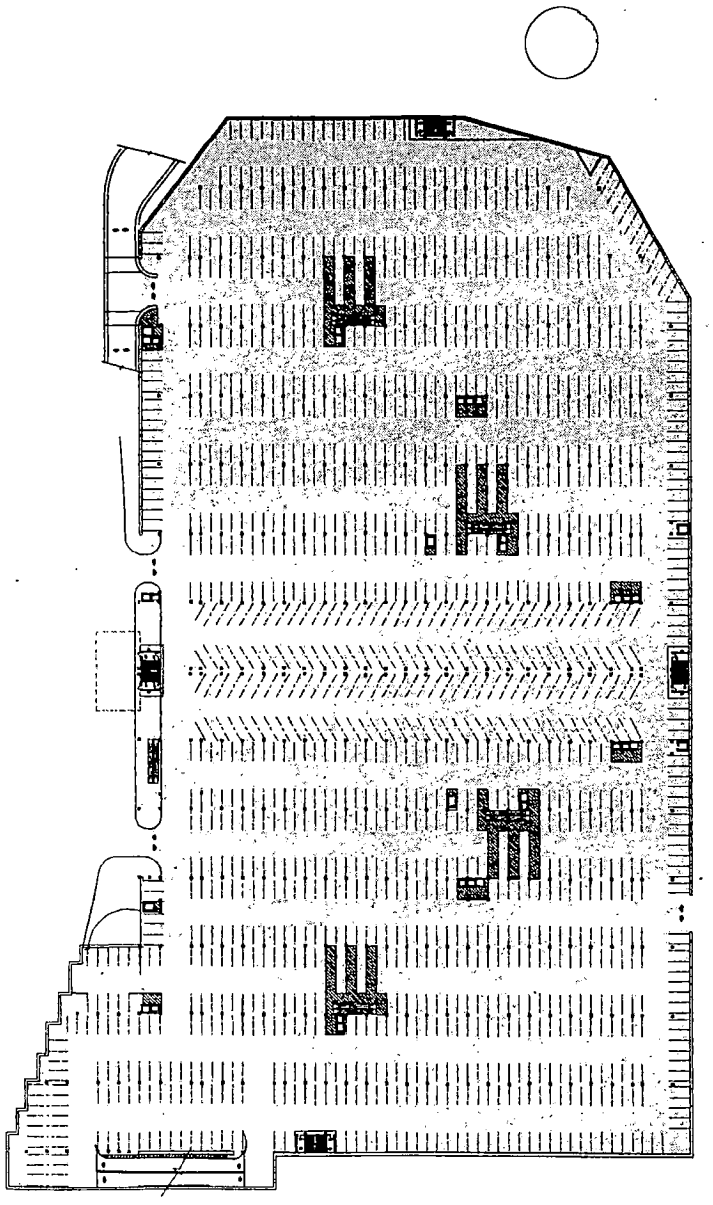
SUP-5853
01-13-05 PC

JMA ARCHITECTURE STUDIOS
Project # 2003306
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

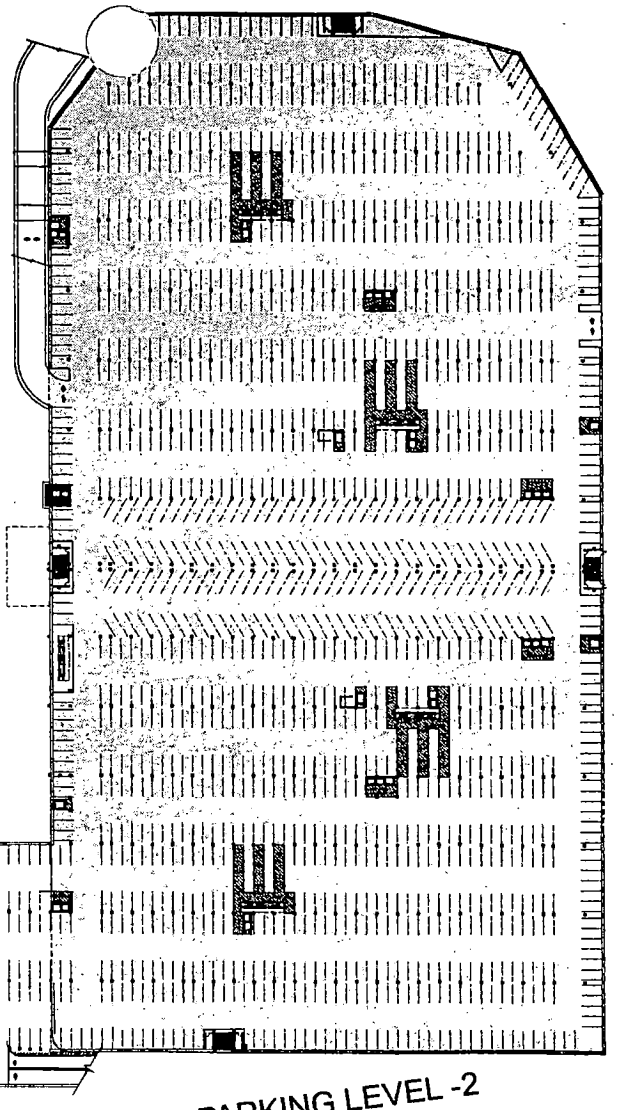
NORTH

Date: NOVEMBER 29, 2004

DR-00



PARKING LEVEL -1



PARKING LEVEL -2

RETAIL/REST./OFFICE PARKING LEVELS

SCALE: 1"= 50'

JMA ARCHITECTURE STUDIOS

Project # 2003306

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

NORTH

Date: DECEMBER 7, 2004

NM-14

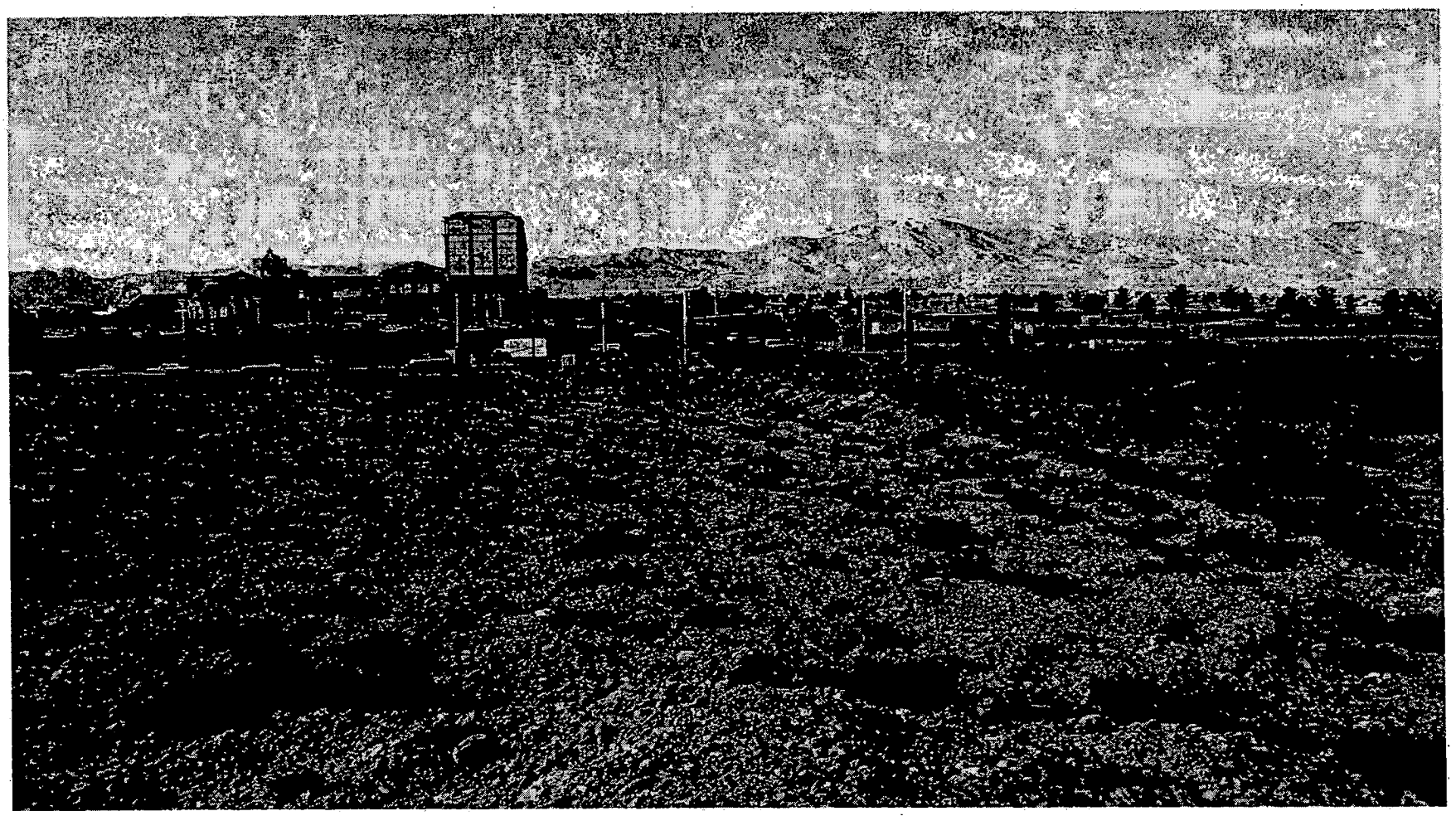
CONCEPTUAL DEVELOPMENT
SITE PLAN

Queensborough

Summerlin
LAS VEGAS, NEVADA

ALTA DR. / RAMPART BLVD.

SUP-5853
01-13-05 PC



SUP-5853 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: GREAT WASH PARK LLC
NORTHEAST CORNER OF ALTA DRIVE AND RAMPART BOULEVARD
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

Main Identity

From: "Anna Bowers" <abowers9@cox.net>
To: <swolfson@lasvegasnevada.gov>; <greese@lasvegasnevada.gov>; <lbrown@lasvegasnevada.gov>; <lweekly@lasvegasnevada.com>; <mmack@lasvegasnevada.gov>; <jmoncrief@lasvegasnevada.gov>; <ogoodman@lasvegasnevada.gov>
Sent: Tuesday, January 04, 2005 2:30 PM
Subject: REF: ZON 5653, SUP 5853, SDR 5657

Ref: ZON 5653, SUP 5853, SDR 5657

This is to formally register our complaint regarding the Northeast corner of Alta and Rampart development plan. We who live in Angel Park Ranch always knew there would be commercial development on those sites. We absolutely do not want 375 residential condos built in our backyards at Rampart and Angel Park. It would totally obstruct our view of the mountains, create traffic hazards, pollute us with noise, and impact property values.

The already approved 4 18-story towers on the southwest corner of Rampart and Alta at Badlands, continued commercial development of Boca Park, and the likelihood of Suncoast Casino expansion creates the same problems for our neighborhood. To add 375 condos seems excessive and overcrowded.

Please consider this our formal protest vote. Thank you.

Anna M. Bowers Anna M. Bowers
Frank R. Bowers F Bowers
8557 Summer Vista Avenue
Las Vegas, Nevada 89145
702-304-9855

RECEIVED
CITY CLERK
2005 JAN -4 P 2:35

Las

ZON-5653
SUP-5853
SDR-5657 1/4/05

Joan Marcotte

From: "Joan Marcotte" <jamarco@cox.net>
To: "Joan Marcotte" <jamarco@cox.net>
Sent: Tuesday, January 04, 2005 9:13 AM
Subject: ZON 5653, SUP 5853, SDR 5657

Dear Planning Commission,

My name is Joan Marcotte and I live in Angel Park Ranch.

I would like to voice my concerns about the pending development on the corner of Alta and Rampart called the "Queensborough Project". GPA-5652 which now is being referred to as: ZON 5653, SUP 3, SDR 5657.

While it is inevitable that this corner will be developed sooner or later I am very concerned about the traffic this project will bring to this area. It is very difficult to make a left turn onto Alta from Angel Park Ranch now and with the building of the offices, restaurants and shopping as well as the Condo's with approximately 380 units, the left turn out of our development will be very dangerous and next to impossible. Also with the opening of the new Summerlin Parkway exit onto Durango it will be difficult to make a left turn from our development at the North entrance onto Durango. The traffic that this new project will bring to our development is going to be unimaginable.

I am also concerned that the "wash" on this corner (Alta and Rampart) is going to be filled in and now I am worried about flooding.

Other concerns I have are:

With the increased traffic on Alta, Rampart and Durango there will be added air pollution from the traffic as cars and trucks sit at traffic lights. This air pollution will spill directly over our development.

With deliveries to the Queensborough Project there will be increased truck traffic.

With the proposed condominiums being 10 and 5 stories this will block the view of the mountains for those living on the perimeter who paid a lot premium for the view.

All of this is being planned in addition to the four 18 story condominiums that will be built on the South West corner of Rampart and Alta at the Badlands golf course. With the probabillty of 600 to 800 living units at this site there could be as many as 1400 to 1500 automobiles generating traffic from this development alone. This alone will create a traffic nightmare in the area surrounding Angel Park Ranch.

My personal preference would be not to develop the "Queensborough Project" at all but if something must be developed on the corner of Rampart and Alta please do not permit the condominiums which could add as many as 400 to 600 more vehicles moving in and out of that area a day.

Another concern is with all of these living quarters being built at one major intersection where will all the kids go to school? Will there have to be new schools built and where will they build these schools?

Thank you for your kind consideration.

Sincerely,

Joan A. Marcotte

Joan A. Marcotte
8528 Crest Hill Ave.
Las Vegas, NV 89145
jamarco@cox.net

RECEIVED
CITY CLERK
2005 JAN -4 P 3:50

ZON-5653
SUP-5853
SDR-5657

1/4/2005

attn: Vicky Darling

ANGEL PARK RANCH
ARCHITECTURAL COMMITTEE

PAUL "PACO" ZAHRA – PRESIDENT 233-5258
FRED GARIBALDI – VICE PRES. **SANDY WHITEHOUSE – SEC'Y./TREAS.**

JANUARY 4, 2005

THE ANGEL PARK RANCH COMMITTEE DOES NOT APPROVE QUEENSBOROUGH PROJECT ZONE 5653, SUP 5853, AND SDR 5657 FOR REASONS LISTED BELOW.

1. **WITH THE OPENING OF THE NEW SUMMERLIN PARKWAY EXIT ONTO DURANGO WILL CAUSE MORE TRAFFIC AND MAKE IT MORE DIFFICULY TO MAKE LEFT TURNS FROM VENETIAN STRADA.**
2. **THE SOUTHWEST CORNER OF ALTA AND RAMPART FOUR 18 STORY HIGH RIZE CONDOMINIUMS ARE BEIGN CONSTRUCTED. PROBABILITIES OF 1,600 UNITS WHICH MEANS ABOUT 2,000 MORE VEHICLES IN THAT CORNER.**
3. **"QUEENSBOROUGH PROJECT" ON NORTH EAST CORNER OF ALTA AND RAMPART WOULD ADD AN ADDITIONAL 500 VEHICLES.**
4. **THE COMMITTEE DOES NOT THINK THAT THE CORNER OF ALTA AND RAMPART CAN SERVICE 2,500 TO 2,700 MORE VEHICLES. THAT CORNER IS ALREADY TOO BUSY WITH THE SUNCOAST HOTEL AND CASINO AND BOCA PARK SHOPPING MALL.**
5. **FINALLY WE ARE ASKING THAT YOU USE GOOD JUDGEMENT, AND FOR THE BENEFIT OF SAVING LIVES, DECLINE THE ABOVE MENTIONED PROJECT.**

THE COMMITTEE

RECEIVED
CITY CLERK
2005 JAN -4 P 3:50

ZON-5653
SUP-5853
SDR-5657

RECEIVED
CITY CLERK

2005 JAN -4 P 3:50

January 4, 2005

Vicky Darlling, City Clerk: Las Vegas City Council

Reference: ZON 5653, SUP 5853, SDR 5657
Alta & Rampart Queensbourgh Project

We live in the Bailey & Mcgah development at 508 Soso. We are writing in protest to the ZON 5653, SUP 5853, SDR 5657, Peccole development at Alta and Rampart.

The traffic now on Alta presents a problem getting on to Alta. We understand that Boca Park still has more to build, the Suncoast has approval to expand, the Badlands corner has approval to build four, eighteen story condos, all which will add to the density and traffic, not counting what Peccole proposes. The only way to help with the traffic is to lessen the density of the Peccole project.

We hope you will consider our problem with this project.

Ralph & Mary Carlson

Ralph R Carlson
Mary D. Carlson

ZON-5653
SUP-5853
SDR-5657

RECEIVED
CITY CLERK

2005 JAN -4 A 10: 22

January 4, 2005

Vicky Darling, City Clerk: Las Vegas City Council

Reference: ZON 5653, SUP 5853, SDR 5657
Alta and Rampart Queensbourgh project

I live in the Anget Park Raanch developoment at 8628 Desert Bird Drive. I am an original owner and have lived here ten years and have lived in Clark County since 1968. I am writing in protest to the ZON 5653, SUP 5853, SDR 5657, Peccole development at Alta and Rampart.

The project will have a very negative effect on all the surrounding neighborhoods, with the increased density, which will add to the traffic problem we are already experiencing, as trying to turn onto Alta from the Angel Park Ranck, Mesa 2, and the Tuscany developments.

The intersection at Rampart and Altla is one of the busyest, and the four corners are not completed with the projects that have already been approved.

1. Boca Park is far from completed
2. The Badlands corner have been approved to build 4 eighteen story highrise condos (Approx 400)
3. The Suncoase has been approved to expand

Now Peccole plans Commerical with 2 levels of underground parking, office buildings, a 10 story highrise condos, plus 2 four story condos. All this on 31 acres. I feel we are being crushed and they said the project would take two years & enoludes blasting. We have alot of retired people adjacent to the project, who are home most of the time and I can not imaging two years of this. The commercial will be two & three stories, which will flow nicely with our one & two story homes, but the condos, besides being too dense would invade our privacy. The only way to help with the traffice from projects that have already been approved is to lessen the density on the Peccole project. Two additiional turn lanes and an additional light is not going to fix the problem when you are considering 750 more families in an area that has not completed projects that have already been approved.

Thank you for your consideration

Carol S. Ayres
702 243 2760

Carol S. Ayres

ZON 5653
SUP 5853
SDR 5657

Submitted after final agenda

Date 1/4/05 Item

RECEIVED
CITY CLERK

2005 JAN -5 P 4:17

01/05/05
Fax: 382-4803
Issue: ZON5653,SUP5853SDR5657

Dear Ms. Combs,Agender Tech,

I have been a resident of Angel Park Ranch since August 1994. I want to strongly protest the proposed Peccole Development at the NE corner of Alta & Rampart. The major effect will be TRAFFIC as well as pollution, increased accidents, noise level and density of the condos. The impact of this development will negatively effect the quality of life for the residents in the area. The proposed traffic lights will be of no help to those of us who live in Angel Park. We will need a light at the corner of Venetian Strada & Durango just to enter our community because of the Durango extension. I sincerely hope you will listen to the my concerns as well as my neighbors.

Sincerely, Elizabeth McCaffrey,
8508 Summer Vista Ave, LV 89145

ZON-5453
SUP-5853
SDR-5457

James and Cynthia Willbanks
8504 Stone Harbor Ave.
Las Vegas, NV 89145
702-240-0133
fax-240-0125

01-05-05

Ref: ZON 5653, SUP 5853, SDR 5657

I feel a ten and 2 five story condo buildings are going to cause traffic and privacy problems for the Angel Park Neighborhood.

Thank you,

Cynthia A. Willbanks

RECEIVED
CITY CLERK
2005 JAN -5 P 4:58

ZON-5653
SUP-5853
SDR-5657

FROM : CAROL S. AYERS PHONE NO. : 702 233 0129 Dec. 27 1998 03:41AM P1

January 5, 2005

Vicky Darling, City Clerk: Las Vegas City Council

Reference: ZON 5653, SUP 5853, SDR 5657
Alta & Rampart Queensbourgh Project

I live in the Bailey & Mcgah development at 505 Anpere, my back fence backs up to Alta. I am writing in protest to the ZON 5653, SUP 5853, SDR 5657, Peccole development at Alta and Rampart.

The traffic now on Alta presents a problem exiting our development. I know Boca Park still has more commercial to build, the Suncoast has approval to expand, the Badlands corner has approval to build four, eighteen story condos, all which will add to the density and traffic, not counting what Peccole proposes. Alta is a 30 mph street with many school zones and is becomming a freeway with the increase traffic and few cars travel less that 45 mph. The only way to help with the traffic is to lessen the density of the Peccole project, since all the other corner projects already have approval.

I hope you will consider this problem when considering the Peccole project.

Charles J. Dunn

Chas J Dunn

RECEIVED
CITY CLERK
2005 JAN -5 P 4:58

ZON-5653
SUP-5853
SDR-5657

RECEIVED
CITY CLERK

2005 JAN -6 A 7:58

To: Ms. Vicky Darling
City Clerk

From: Gary Echols
8612 Crest Hill Ave.
Las Vegas, NV 89145

Re: ZON 5653, SUP 5853, SDR 5657

I live in the Angel Park Ranch neighborhood that lies east of the above referenced project coming before the City Council for approval. I am opposed to this project. The increased traffic generated by this project will make an already congested area unbearable to residents who live in this neighborhood. Further, these towers will obstruct our view of the Red Rock Mountains to the West. It would also seem that homes on the western end of our neighborhood will lose some of their privacy with these tall buildings looming over their backyards. I urge the City Council to deny passage of this project when it comes before you for a vote.

Respectfully,

Gary Echols

ZON-5453
SUP-5853
SDR-5457

December 27, 2004

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

RE: General Plan Amendment (SDR-5657); Site Development Plan (Zone-5653)
Pecole Nevada Corporation (Rampart at Alta)

Dear Planning Commission Members:

I am a 70-year-old female who resides at 8624 Desert Bird Drive as indicated by the attached map. The wash is directly in the back of my home.

I am oppose to People Nevada Corporation (Great Wash Park LLC) from developing their property over the present height limit of 55 feet to 110 feet to build their 10-story condominium. All of the neighborhood would lose their privacy and view.

I am also very much oppose to the developer covering and filling the wash for two very important reasons:

First, it would greatly endanger and threaten the lives and properties of the owners living near this huge ravine. The wash is at least a 100 feet wide at the bottom, 200 feet wide at the top, and at least 75 feet deep. During heavy rains, I have seen with my own eyes, the rapid moving floodwaters rise to 10 to 20 feet high. If you allow the developer to cover and fill the wash, even if he installs a drainage system, where will all the floodwaters flow to during a very heavy storm that will last for days? Keeping this wide and natural wash the way it is for now is the only way to insure that our lives and properties will be safe from the potential of flooding.

The second reason is personal. When I purchased this home in 1995, the developer Pulte Homes, assured me nothing would ever be built on the wash in the back of my property. I believed them and paid a premium of $40,000 for this right. All the other original property owners along the perimeter of the wash along Desert Bird also paid a similar premium to Pulte. Who will be responsible and liable for our lost? Pulte Homes? The City of Las Vegas, or the new developer?

Please deny Great Wash Park LLC from filling and covering the wash and building over it.

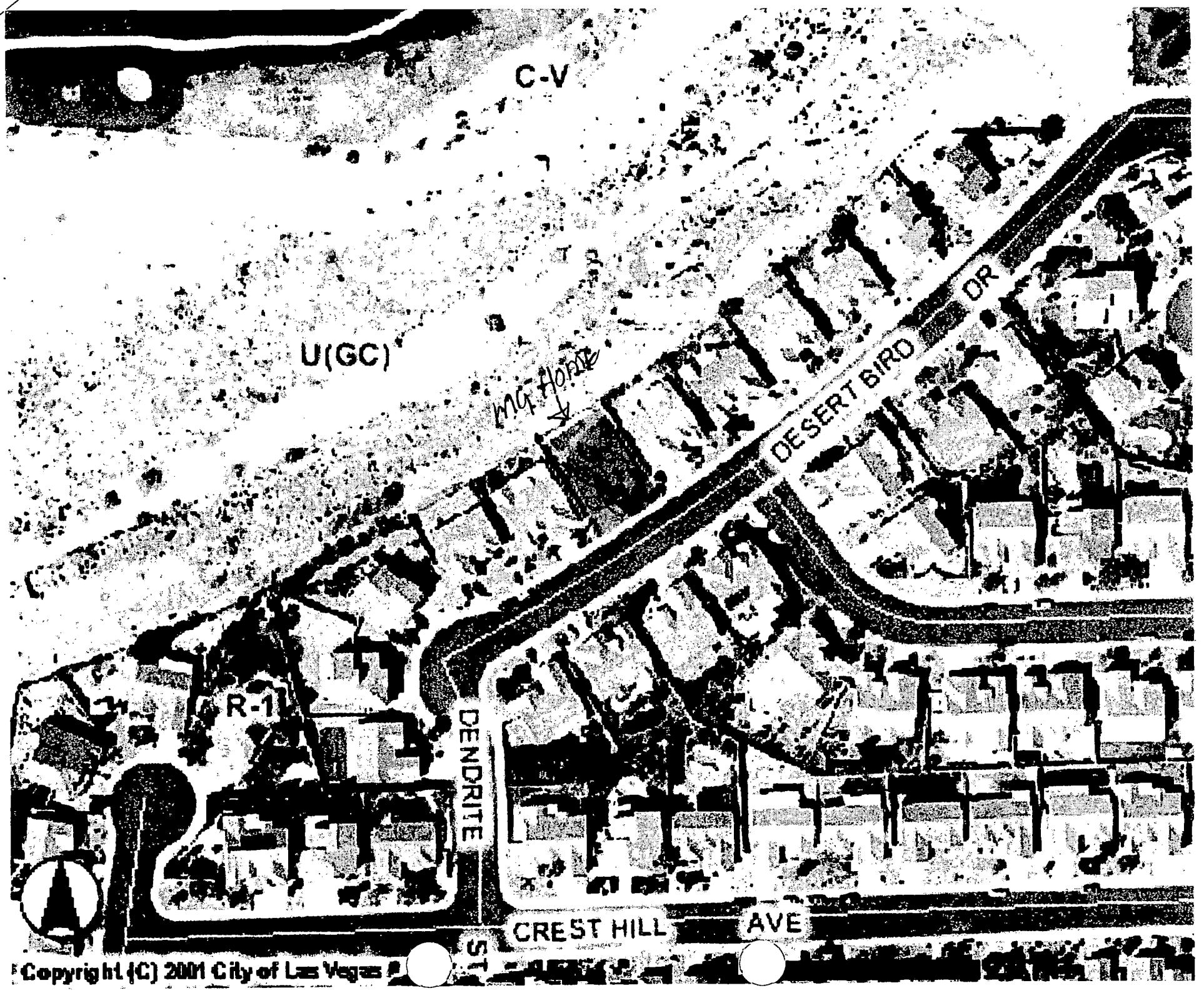
Thank you very much.

Sincerely,

Ann Sokabe (808) 551-0707
1120 Bishop Street
Honolulu, Hawaii 96813

Certified Mail; Return Receipt Requested

ZON-5653
SDR-5657
SUP-5853


C-V
U(GC)
MG Horde
DESERT BIRD DR
R-1
DENDRITE ST
CREST HILL AVE
Copyright (C) 2001 City of Las Vegas

Jan 4, 05

Re:ZON 5653, SUP 5853, SDR 5657

This is a letter to register a complaint regarding the newest plans at Alta and Rampart...Our concerns were to lighten up the traffic at one time and open Durango to help out Rampart. Now it is sad that they want to built so many condo's to make traffic just as bad and to polute our air even more. We do feel like we are trapped between 2 freeways.....thats way we left LA.....polutions burns your eyes and makes you sick.....Commercial is one thing, but changing all the natural beauty is a big shame to damage nature and make it unhealthy and more dangeous for folks to even leave their homes to drive across the street to SunCoast. Please look at this plans again and remember why we are opening up Durango (to help the traffic on Rampart) Just look at all the accidents we have had on that street.where everyone drives too fast anyway....More cars and too many condo's is not the answer....Do not overcrowd the areas we have a BIG problem in already.....Please listen to us also....

Patti & Ty Kille
8560 Summer Vista Ave.
Las Vegas, NV. 89145
(702) 255-5205

RECEIVED
CITY CLERK
2005 JAN -5 A 7:35

ZON-5653
SUP-5853
SDR-5657

RECEIVED
CITY CLERK
2005 JAN -4 P 4:45

To: Vicky Darling
Las Vegas City Clerk

January 4, 2005

We oppose the proposed Peccole project at Alta/Rampart -
(ZON 5653, SUP 5853 and SDR 5657) for the following reasons:

The increased traffic caused not only by the proposed commercial and residential project, along with the prior approvals for development on properties also bordering on the Rampart/Alta intersection will significantly impact the traffic on an already dangerously over-traveled area of the Boca Park/Summerlin/Suncoast Casino area.

Entrance/exit drives into the area should be studied as to appropriate turn lanes, bus stop areas, signal lights, right turn only signage, etc. The effects of the Alta bridge to the west, the Durango bridge to the north, the approved high-rise development on the southwest corner of Rampart/Alta, the future development of Boca Park and the proposed additions to the Suncoast Casino should also be included in the traffic studies. The impact of the compounded increase in traffic flow of these modifications should be a major consideration.

The residential portion of the project will continue the trend of allowing and even encouraging high rise apartment/condo encroachment on established single-family one and two-story neighborhoods, thereby causing unwarranted high density population centers and the inherent increase in traffic and potential
crime areas.

Traffic and crime are only a couple of significant factors. It is strongly suggested that the high-rise portion of this development be rejected, or at least reduced to no more than three (3) buildings consisting of no more than two (2) stories each, and limit the number of residences to no more than one hundred (100) units. As this area is adjacent to single-family one- and two-story homes, the impact on our neighborhood would be detrimental. There are no other high-rise developments on the east side of the Rampart/Alta area and none should be introduced.

Al & Carole Pontius
8612 Desert Bird Dr.

ZON-5653
SUP-5853
SDR-5657

January 4, 2005
City Council
Las Vegas, NV 89101

RECEIVED
CITY CLERK

2005 JAN -4 P 4:16

RE: ZON 5653, SUP 5853, SDR 5657
Peccole development at Alta and Rampart

Dear Members of the City Council,

We are opposed to and protest the proposed development at the northeast corner of Alta and Rampart for the following reasons:

1. Density. In our small area in the Angel Park Ranch there are 200 single family homes. This project proposes to build 375 units in a smaller area that will place a significant burden on our adjacent intersections, schools, park and other amenities.

2. Access to Venetian Strada.. It is vital that a "covenant running with the land" be required of the developers so that at no time in the future will their project have an opening to Venetian Strada. At one time there was a small road that allowed golfers access to the Angel Park Golf course from Venetian Strada. Cars raced through our neighborhood to get to the golf course making it unsafe for our children to get to the park. For the safety of pedestrians, especially our children crossing Venetian Strada to the park, Venetian Strada should never be open again.

3. Traffic. The City Council has approved another Peccole project, four 18-story condominium towers across from the Suncoast in the Badlands Golf Course (of which we had no notice or input in spite of the impact on our neighborhood). Another project in progress is the creation of an entrance from Durango onto Summerlin Parkway. Coupled with these projects and the built out at Boca Park, Alta and Durango will be even more heavily used. This will make a left turn out of Angel Park Ranch at Venetian Strada and left turns out of our two exits on to Alta unsafe if not impossible. At a minimum you will need to provide a signal at Venetian Strada and Durango and remove the yellow pedestrian light just north of Venetian Strada at Durango.

4) Parking waiver. Our understanding is that as presently designed, the Peccole Corporation is seeking a waiver for not having sufficient parking spots. Where will the parking go at the peak shopping periods? Down Alta? Into our neighborhood streets?

We anticipate Peccole to do a tasteful job with their development. Nevertheless what they are proposing is overuse of their available space. We are already congested. We respectfully request that the Peccole Corporation either withdraws its request for 375 condominiums or reduces the number and height of the structures significantly, so that proposed solutions to the traffic issue will actually have some effect when all four corners are built out.

Sincerely,

Corinne Escobar

Chris and Corinne Escobar
308 Torrey Point Court
Las Vegas, NV 89145 255-3912
ladybug1@mstar2.net

ZON-5653
SUP-5853
SDR-5657

Joseph W. McLaughlin
8613 Crest Hill Avenue
Las Vegas, NV 89128

(702) 254-5549 Residence *(702)-254-7159 Fax* *(702) 595-6541 Business*

TO: Carol Combs, Agenda Tech: ccombs@lasvegasnevada.gov, via E-mail.

This is my letter of protest to ZON 5653, SUP 5853 SDR 5657, particularly, the proposed Peccole Development at the NEC of Alta and Rampart, Las Vegas, NV

I am strenuously opposed to the above referenced development.

The intersection of Alta and Rampart is severely over-burdened with traffic now. The Metropolitan Police Department has described it as most dangerous from a traffic safety standpoint. And certainly, the nearby residents can provide testimony to the number of accidents, serious accidents, frequently occurring at and near that location.

The proposed development will result in a significant increase in the amount of traffic, and therefore traffic accidents generated by on-site residents and employees of the offices and retail establishments, plus the increased traffic to the site for business purposes and visitors to any of the proposed buildings.

Additionally, more traffic will be generated by the overpass at Summerlin Parkway and Durango, which traffic will in many instances logically and for convenience use Alta to reach their destination. And it is important to note the increased traffic by the development of the four eighteen story towers at the Badlands, AND the increased traffic generated by the office and retail facilities to be completed at Boca Park will negatively impact the intersection. The towers and the Boca Park expansion will result in a HUGE increase in motorized traffic, with the attendant increase in traffic safety concerns; just count the number of automobiles per units built for the residential towers alone, the number is in the thousands!

Increased traffic at this intersection must be avoided in the interest of general public safety, and the safety of the

mccarp@cox.net

nearby residents, including but not limited to the community

known as Angel Park Ranch, where I reside. Again, additionally, the expansion of the parking and gaming and gaming related space at the Suncoast Hotel and Casino will dramatically increase traffic in the immediate area; further contributing to substantially increased public safety concerns. The ingress and egress for the Suncoast already is inadequate and represents excessive risk to the public, not to mention extremely poor traffic safety planning.

Additionally, the proposed development will have a very negative impact on the quiet enjoyment rights of a significant number of Angel Park Ranch residents, and particularly those residents bordering the project; they will be subject to a substantial increase in noise, and light emanating from the multi-use development. Moreover, the impact on Angel Park Ranch property values will be significantly adverse. And the views presently available to many Angel Park Residents will disappear, further aggravating the negative impact on property values.

For the life of me, I cannot understand why this project should even be considered by the city-planning department, or for that matter, the city council. It makes no sense whatsoever.

I respectfully request you submit my concerns as stated in this letter to all parties having jurisdiction over this project. I have sent this letter, prepared in Word, as an attachment, for your convenience. Please distribute as you see fit.

Should you or anyone wish to contact me to discuss my position on this project, I will be pleased to take your call.

Thank you.

Cc: each city council member

mccarp@cox.net

Telephone Protest/ Approval Log

Meeting Date: 01/13/05 **Case Number:** SDR 5657

Date: 01/04/05
Name: Helen McKay
Address: 8529 Highland View Ave 89145
Phone: (702) 233-1628
[X] **PROTEST** [ ] **APPROVE**

Date: 01/04/05
Name: Katherine & David Nicolai
Address: 8604 Highland View Ave 89145
Phone: (702) 869-8630
[X] **PROTEST** [ ] **APPROVE**

Date: 01/05/05
lame: Corinne Escobar
Address: 308 Torrey Point Ct. 89145
Phone: (702) 255-3912
[X] **PROTEST** [ ] **APPROVE**

Date: 0/05/05
Name: Ralph Carlson
Address: 508 Sosa St 89145
Phone: 562-0468
[X] **PROTEST** [ ] **APPROVE**

Date: 01/06/05
Name: Kennedy, Franco
Address: 8528 Highland View Ave 89145
Phone: (702) 869-0292
[X] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

City of Las Vegas

Agenda Item No.: 37

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SDR-5657 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5653 AND SUP-5853 - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: GREAT WASH PARK LLC - Request for a Site Development Plan Review TO ALLOW A MIXED-USE DEVELOPMENT TO INCLUDE 700,000 SQUARE FEET OF COMMERCIAL SPACE AND 375 RESIDENTIAL CONDOMINIUM UNITS IN (1) 10-STORY AND (2) 5-STORY RESIDENTIAL CONDOMINIUM BUILDINGS on 30.21 acres adjacent to the northeast corner of Alta Drive and Rampart Boulevard (APN 138-32-601-003), U (Undeveloped) [GC (General Commercial) General Plan Designation] Zone, [Proposed: C-2 (General Commercial)], Ward 2 (Wolfson).

ABEYANCE TO FEBRUARY 10, 2005 PLANNING COMMISSION MEETING

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	19	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends ABEYANCE

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

NIGRO motioned to bring forward and HOLD IN ABEYANCE Item 19 [SDR-5700], Item 35 [ZON-5653], Item 36 [SUP-5853], Item 37 [SDR-5657], Item 53 [VAR-5693], Item 54 [VAR-5694], Item 55 [SUP-5691], Item 56 [SDR-5689], Item 59 [VAR-5701] and Item 82 [SDR-5711] to the 2/10/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 31 [VAR-5216] and Item 42 [GPA-5661] – UNANIMOUS

MINUTES:

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

(6:05 – 6:08)

PECCOLE NEVADA

January 7, 2005

Via Facsimile: 385-7268

Mr. Gary Leobold
Planning Supervisor
Planning and Development
City of Las Vegas

Re: ZON - 5653
SUP – 5853
SDR – 5657

Dear Mr. Leobold:

On Thursday, January 6, 2005, the Applicant for the above referenced matters met with Councilman Steve Wolfson, his staff and Margo Wheeler, Director of Planning and Development. It was mutually agreed that the matters should be moved to the February 10, 2005 Planning Commission meeting. Thank you for your assistance in coordinating this change in schedule.

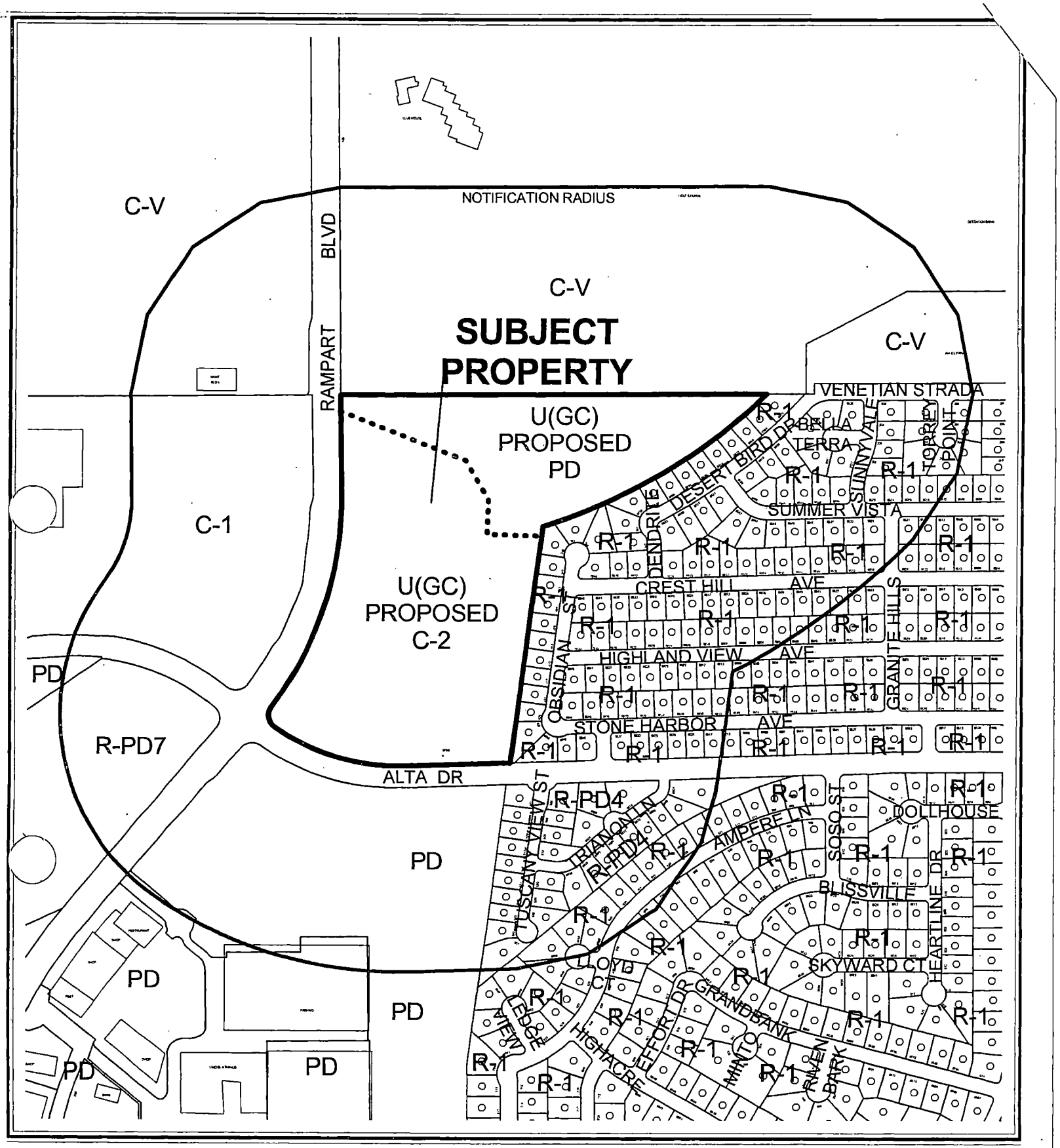
Additionally, thank you for the information regarding the Traffic Study for the project and its approval. As requested, we will provide additional copies of the study for you and your staff.

Kind regards,

Fredrick P. Waid, Esq.
Chief Operating Officer

FPW/jb

851 S. Rampart Boulevard • Suite 220 • Las Vegas, Nevada 89145 • Telephone 702 933-1111 • Fax: 702 933-0017



CASE: **SDR-5657**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
C-2 (GENERAL COMMERCIAL) AND PD (PLANNED DEVELOPMENT)

0 400 800 Feet

CASE: **SDR-5657**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:
C-2 (GENERAL COMMERCIAL) AND PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5657 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: GREAT WASH PARK LLC

THE APPLICANT REQUESTS THIS ITEM BE HELD IN ABEYANCE TO THE FEBRUARY 10, 2005 PLANNING COMMISSION MEETING.

FF

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5657 APN: 138 32 601 003

Name of Property Owner: Great Wash Park L.L.C. c/o Peccole NV

Name of Applicant: JMA Architecture Studios

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

_____Yes _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Larry A Miller

Print Name: Larry A. Miller

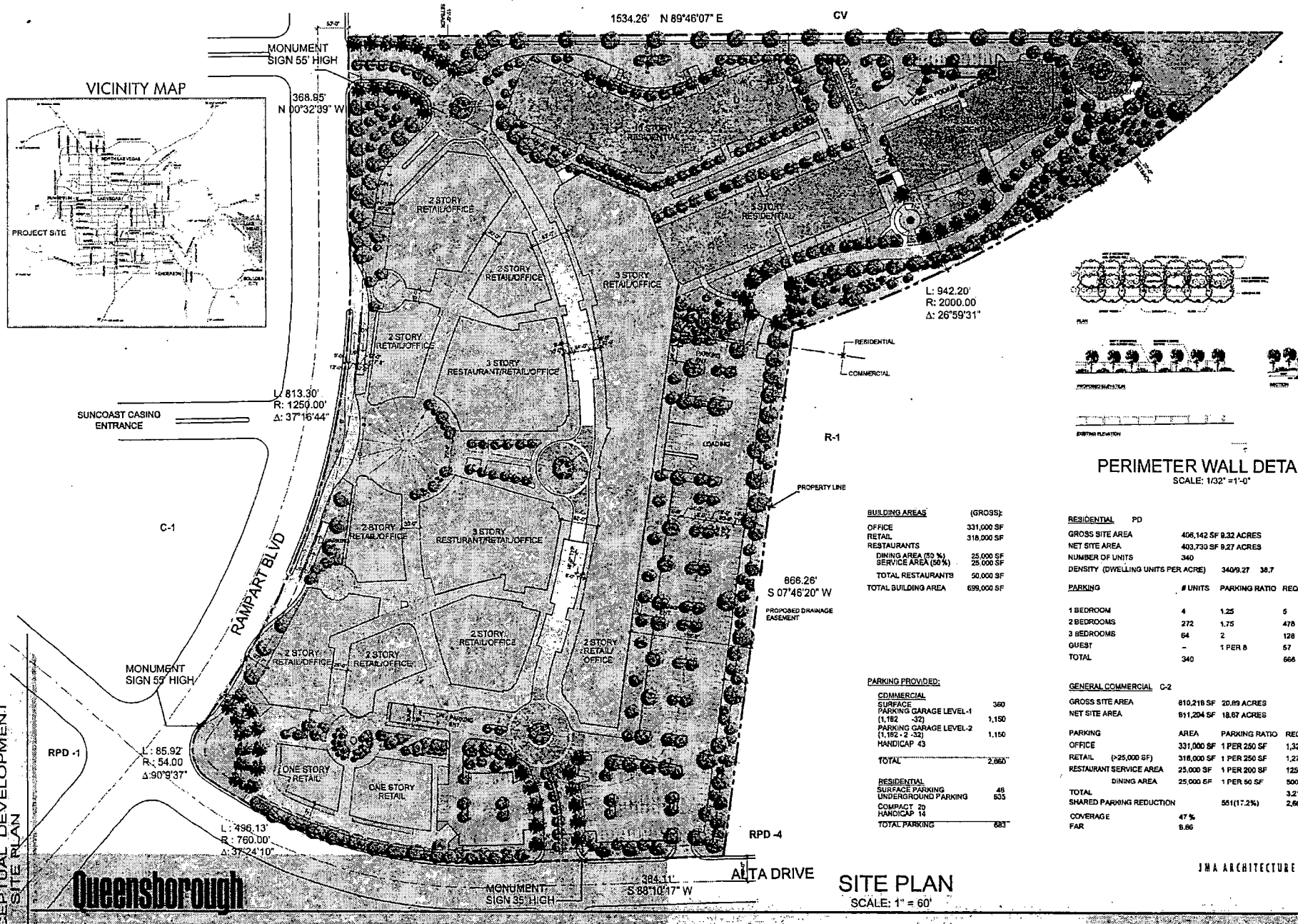
Subscribed and sworn before me

This 16th day of November 2004

Joanne Baldassare

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
JOANNE BALDASSARE
My Appointment Expires
June 2, 2006
No: 98-3510-1



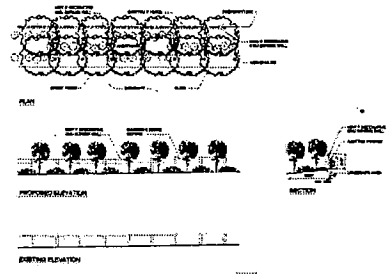
CONCEPTUAL DEVELOPMENT / SITE PLAN

Queensborough

Summerlin
LAS VEGAS, NEVADA

ALTA DR. / RAMPART BLVD.

SITE PLAN
SCALE: 1" = 60'



PERIMETER WALL DETAIL
SCALE: 1/32" =1'-0"

BUILDING AREAS (GROSS):

OFFICE	331,000 SF
RETAIL	318,000 SF
RESTAURANTS	
DINING AREA (50 %)	25,000 SF
SERVICE AREA (50 %)	25,000 SF
TOTAL RESTAURANTS	50,000 SF
TOTAL BUILDING AREA	699,000 SF

PARKING PROVIDED:

COMMERCIAL	
SURFACE	360
PARKING GARAGE LEVEL-1 (1,182 -32)	1,150
PARKING GARAGE LEVEL-2 (1,182 + 2 -32)	1,150
HANDICAP 43	
TOTAL	2,660
RESIDENTIAL	
SURFACE PARKING	48
UNDERGROUND PARKING	535
COMPACT 20	
HANDICAP 14	
TOTAL PARKING	683

RESIDENTIAL PD

GROSS SITE AREA	406,142 SF 9.32 ACRES			
NET SITE AREA	403,730 SF 9.27 ACRES			
NUMBER OF UNITS	340			
DENSITY (DWELLING UNITS PER ACRE)	340/9.27	36.7		
PARKING	# UNITS	PARKING RATIO	REQUIRED	PROVIDED
1 BEDROOM	4	1.25	5	
2 BEDROOMS	272	1.75	476	
3 BEDROOMS	64	2	128	
GUEST	–	1 PER 8	57	
TOTAL	340		666	683

GENERAL COMMERCIAL C-2

GROSS SITE AREA	810,218 SF	20.89 ACRES		
NET SITE AREA	811,204 SF	18.67 ACRES		
PARKING	AREA	PARKING RATIO	REQUIRED	PROVIDED
OFFICE	331,000 SF	1 PER 250 SF	1,324	
RETAIL (>25,000 SF)	318,000 SF	1 PER 250 SF	1,272	
RESTAURANT SERVICE AREA	25,000 SF	1 PER 200 SF	125	
DINING AREA	25,000 SF	1 PER 50 SF	500	
TOTAL			3,211	
SHARED PARKING REDUCTION		551(17.2%)	2,660	2,660
COVERAGE	47 %			
FAR	0.86			

JMA ARCHITECTURE STUDIOS
10150 COVINGTON CROSS DRIVE LAS VEGAS, NV 89144
PHONE: (702) 731-2033 FAX: (702) 731-2039 WWW.JMAARCH.COM

Project # 2003306

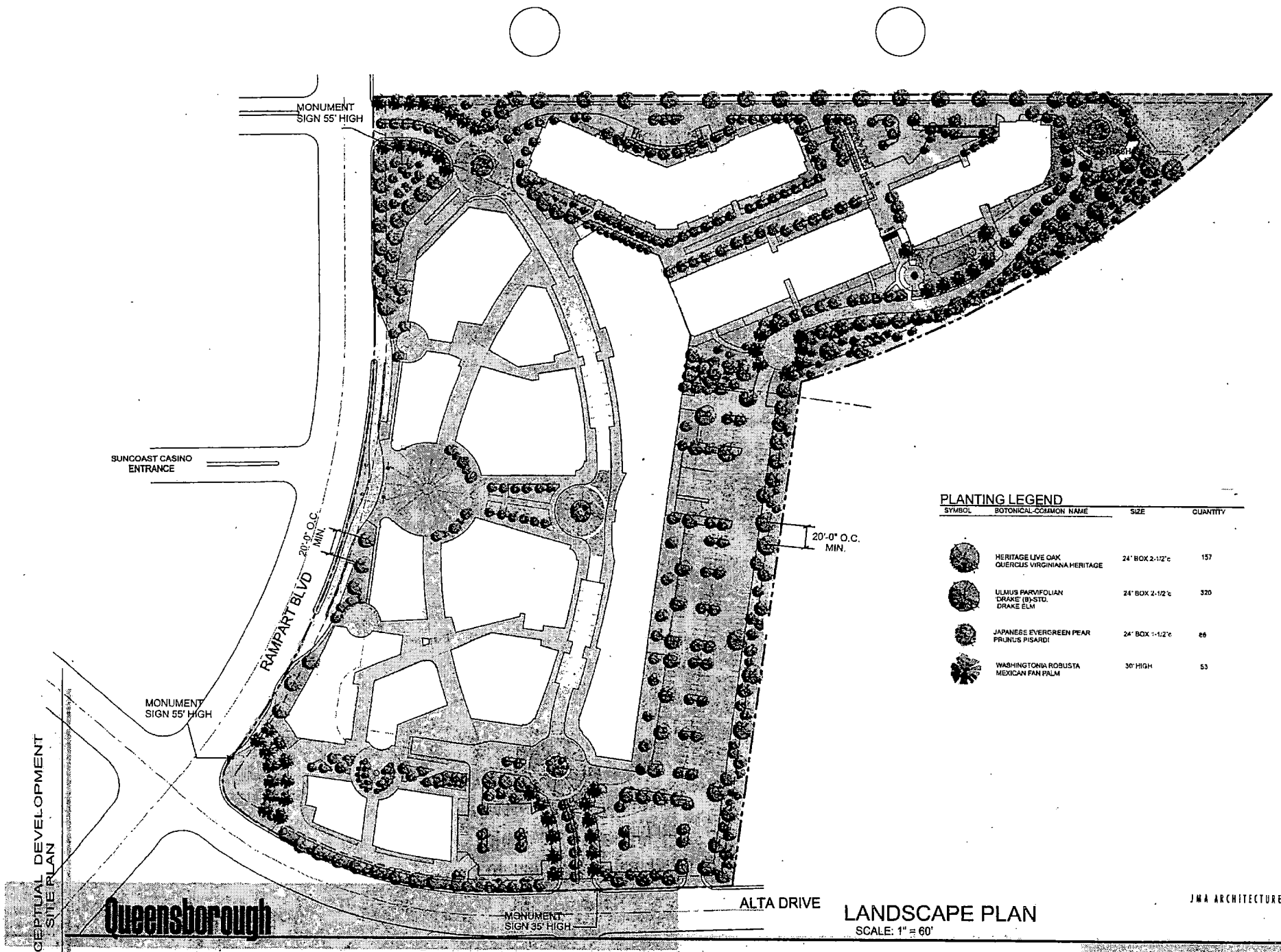
NORTH

Date: NOVEMBER 29, 2004

DR-00

ZON-5653
ZON-5655
SDR-5657
01-13-05 PC

RECEIVED
NOV 30 2004



PLANTING LEGEND

SYMBOL	BOTONICAL-COMMON NAME	SIZE	QUANTITY
	HERITAGE LIVE OAK QUERCUS VIRGINIANA HERITAGE	24" BOX 2-1/2"c	157
	ULMUS PARVIFOLIAN 'DRAKE' (B)-STD. DRAKE ELM	24" BOX 2-1/2"c	320
	JAPANESE EVERGREEN PEAR PRUNUS PISARDI	24" BOX 1-1/2"c	66
	WASHINGTONIA ROBUSTA MEXICAN FAN PALM	30' HIGH	53

LANDSCAPE PLAN
SCALE: 1" = 60'

ZON-5653
ZON-5655
SDR-5657
01-13-05 PC

RECEIVED
NOV 30 2004

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10150 COVINGTON CROSS DRIVE LAS VEGAS, NV 89114
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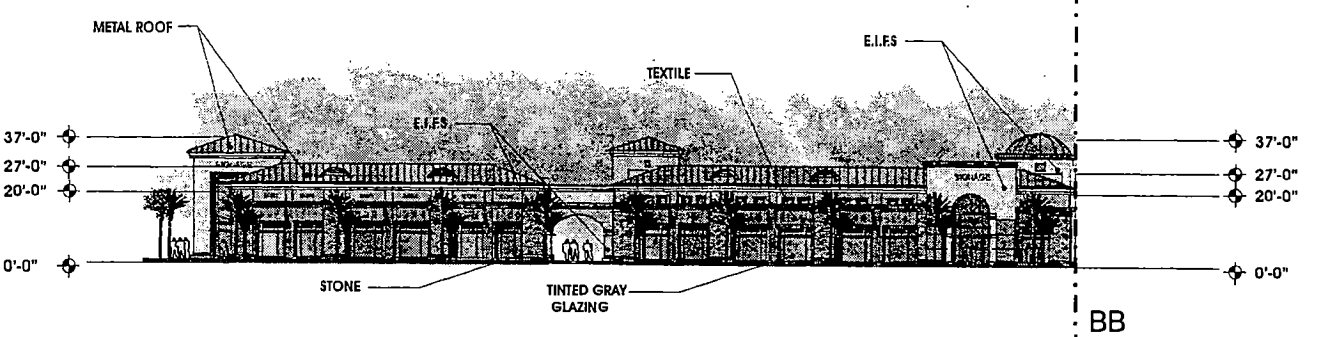
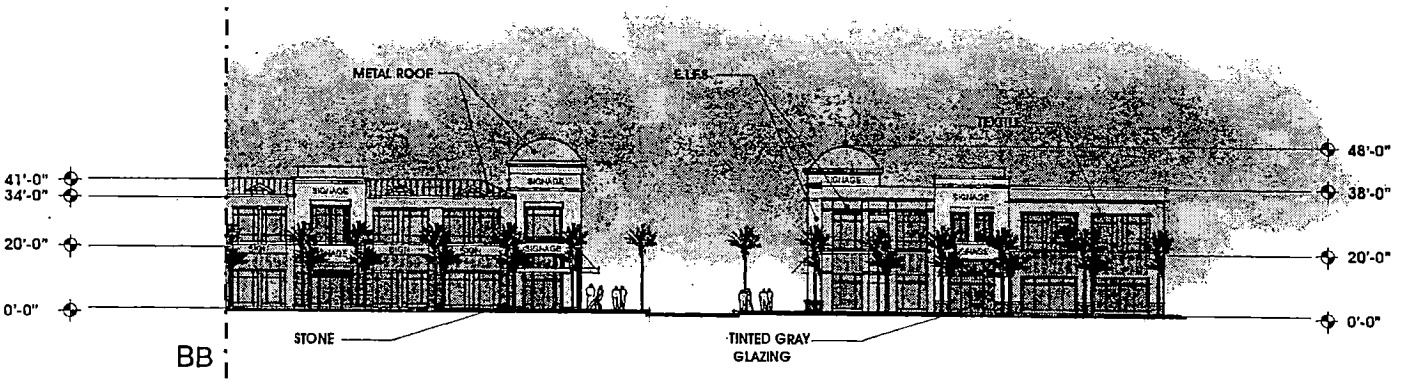
Project # 2003306
Date: NOVEMBER 29, 2004
DR-01





CONCEPTUAL DEVELOPMENT
SITE PLAN

Queensborough

Summerlin
LAS VEGAS, NEVADA

ALTA DR. / RAMPART BLVD.

SOUTH ELEVATION
SCALE: 3/64" = 1'

ZON-5653
ZON-5655
SDR-5657
01-13-05 PC

RECEIVED
NOV 30 2004

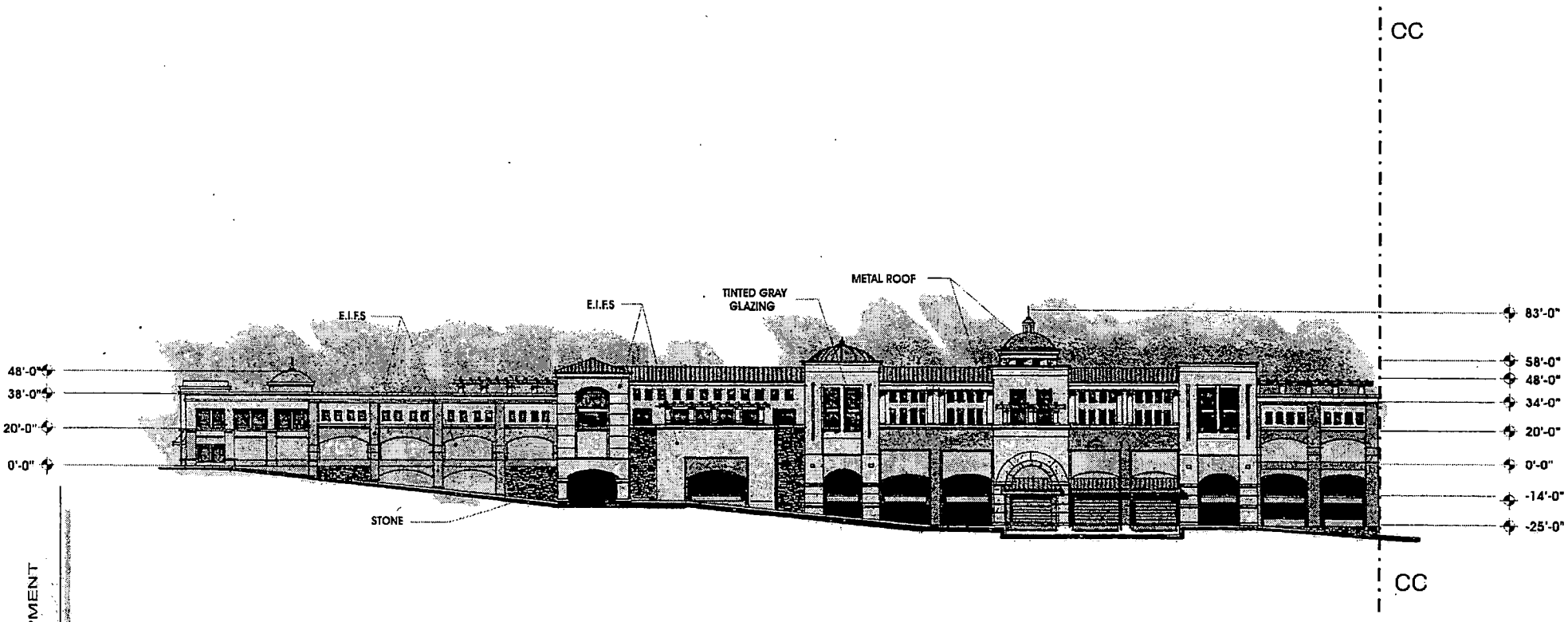
JMA ARCHITECTURE STUDIOS

Project # 2003306
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

NORTH

Date: NOVEMBER 28, 2004

DRC-03



CONCEPTUAL DEVELOPMENT / SITE PLAN

Queensborough

Summerlin
LAS VEGAS, NEVADA

ALTA DR. / RAMPART BLVD.

EAST ELEVATION
SCALE: 3/64" = 1'

JMA ARCHITECTURE STUDIOS

NOVEMBER 22, 2004

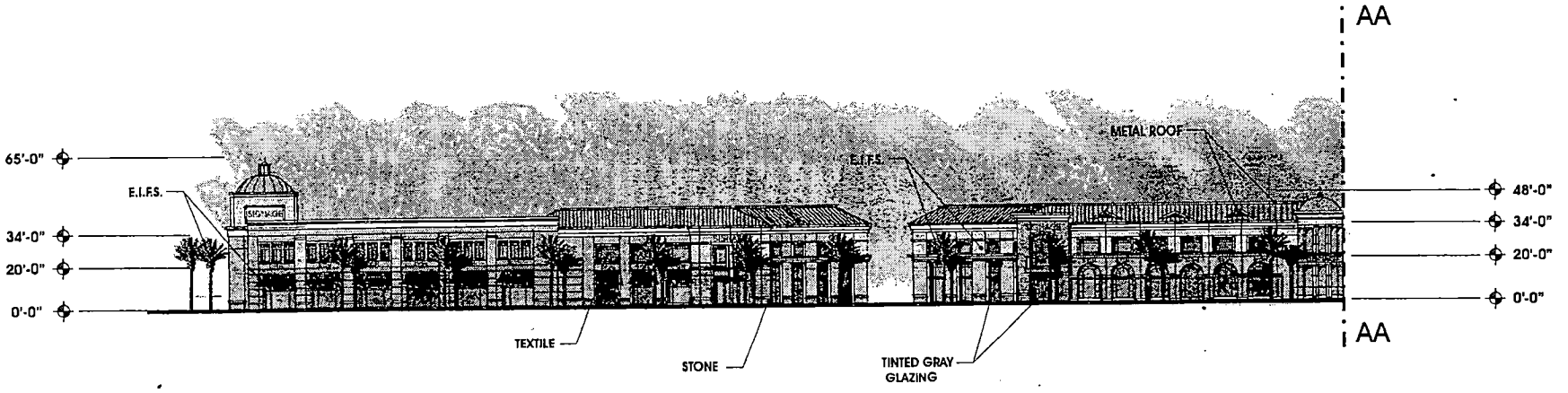
DRC-04

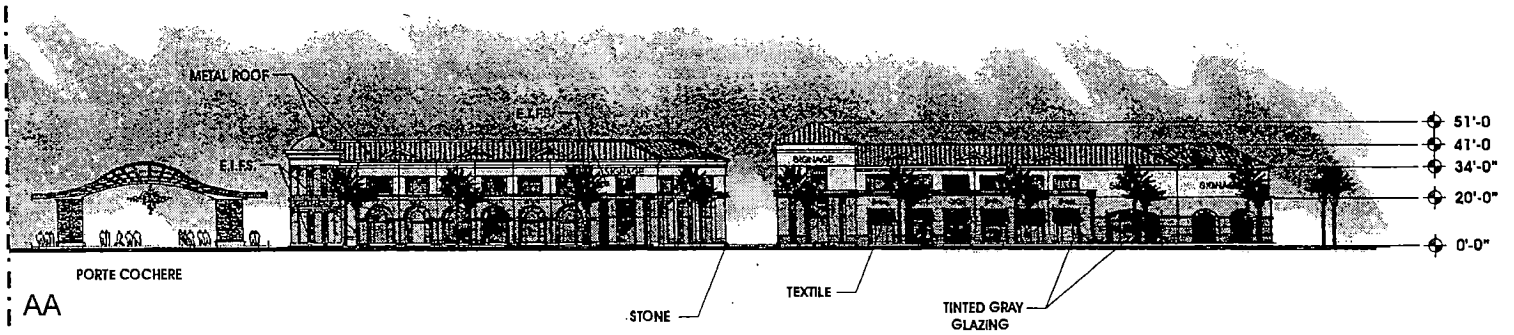
Project # 2003306

10150 COVINGTON CROSS DRIVE
LAS VEGAS, NV 89144
PHONE: (702) 731-2033 FAX: (702) 731-2039
WWW.JMAARCH.COM

ZON-5653
ZON-5655
SDR-5657
01-13-05 PC

RECEIVED
NOV 30 2004





CONCEPTUAL DEVELOPMENT
SITE PLAN

Queensborough

Summerlin
LAS VEGAS, NEVADA

ALTA DR. / RAMPART BLVD.

WEST ELEVATION
SCALE: 3/64" = 1'

JMA ARCHITECTURE STUDIOS

Project #: 2003306

NORTH

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

Date: NOVEMBER 29, 2004

DRC-05

ZON-5653
ZON-5655
SDR-5657
01-13-05 PC

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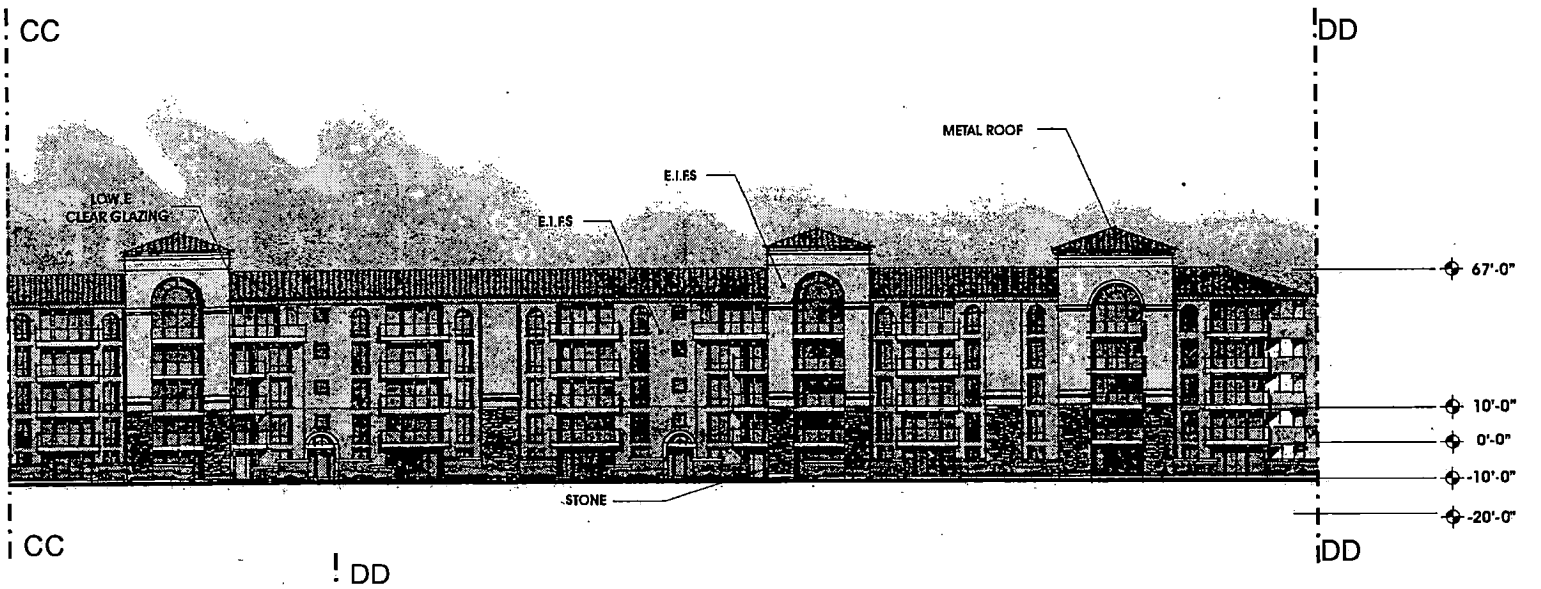
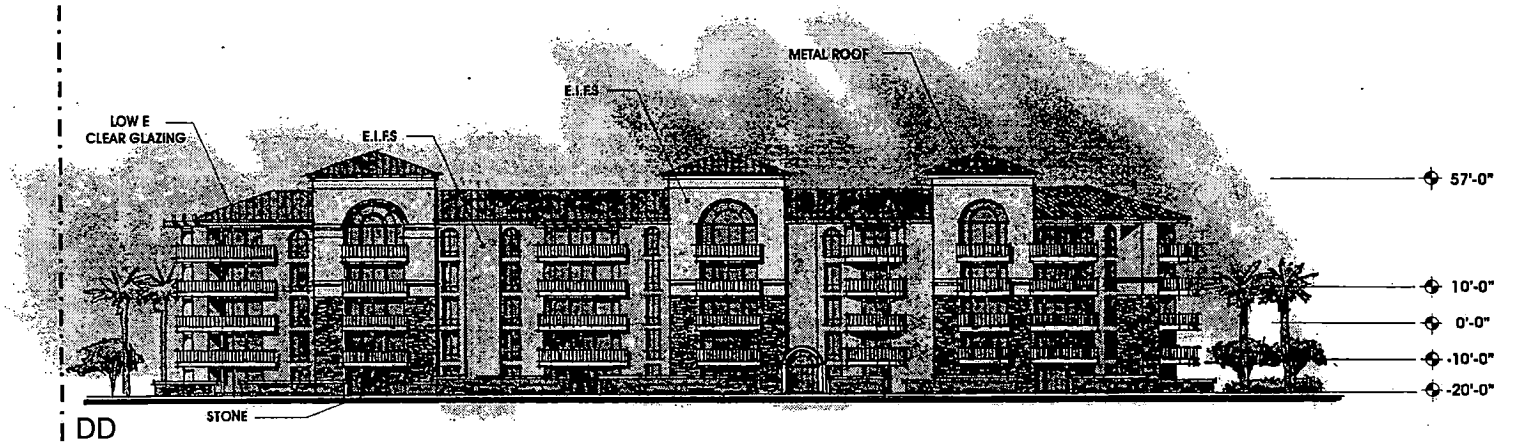
NOV 30 2004





CONCEPTUAL DEVELOPMENT
SITE PLAN

Queensborough

Summerlin
LAS VEGAS, NEVADA

ALTA DR. / RAMPART BLVD.

SOUTH ELEVATION
SCALE: 3/64"=1'

JMA ARCHITECTURE STUDIOS

Project # 2003306
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMARCH.COM

NORTH

Date: NOVEMBER 29, 2004

DRR-09

ZON-5653
ZON-5655
SDR-5657
01-13-05 PC

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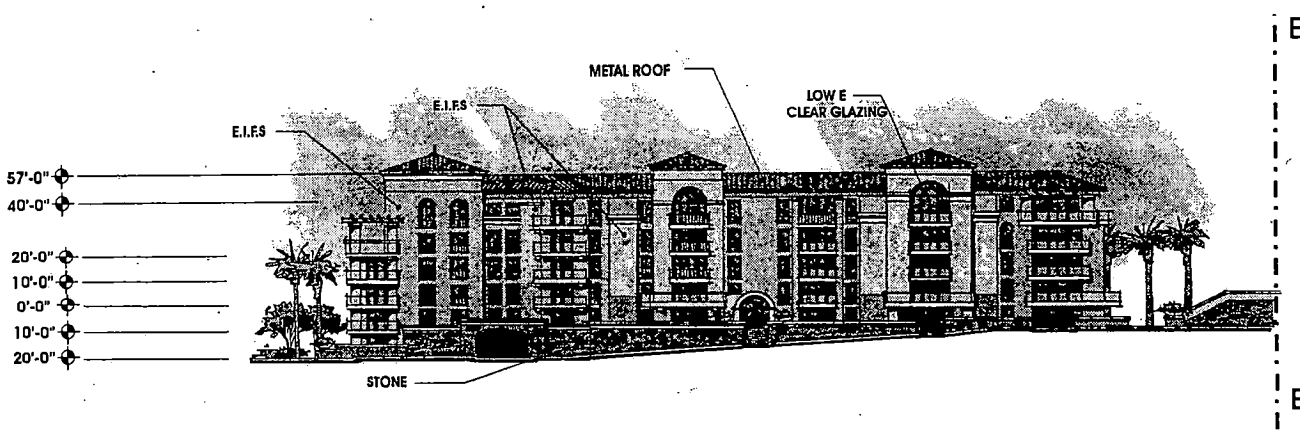
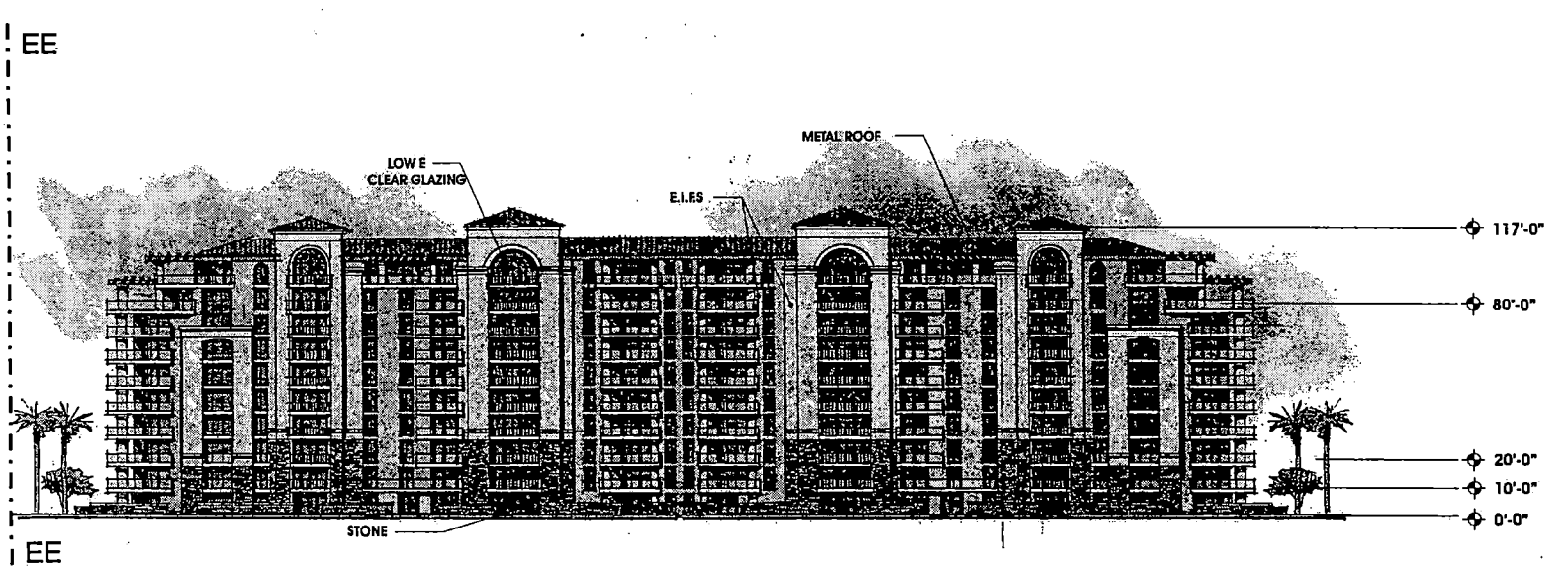




CONCEPTUAL DEVELOPMENT
SITE PLAN

Queensborough
Summerlin
LAS VEGAS, NEVADA

ALTA DR. / RAMPART BLVD.

NORTH ELEVATION
SCALE: 3/64"=1'

ZON-5653
ZON-5655
SDR-5657
01-13-05 PC

RECEIVED
NOV 30 2004

JMA ARCHITECTURE STUDIOS

Project # 2003308

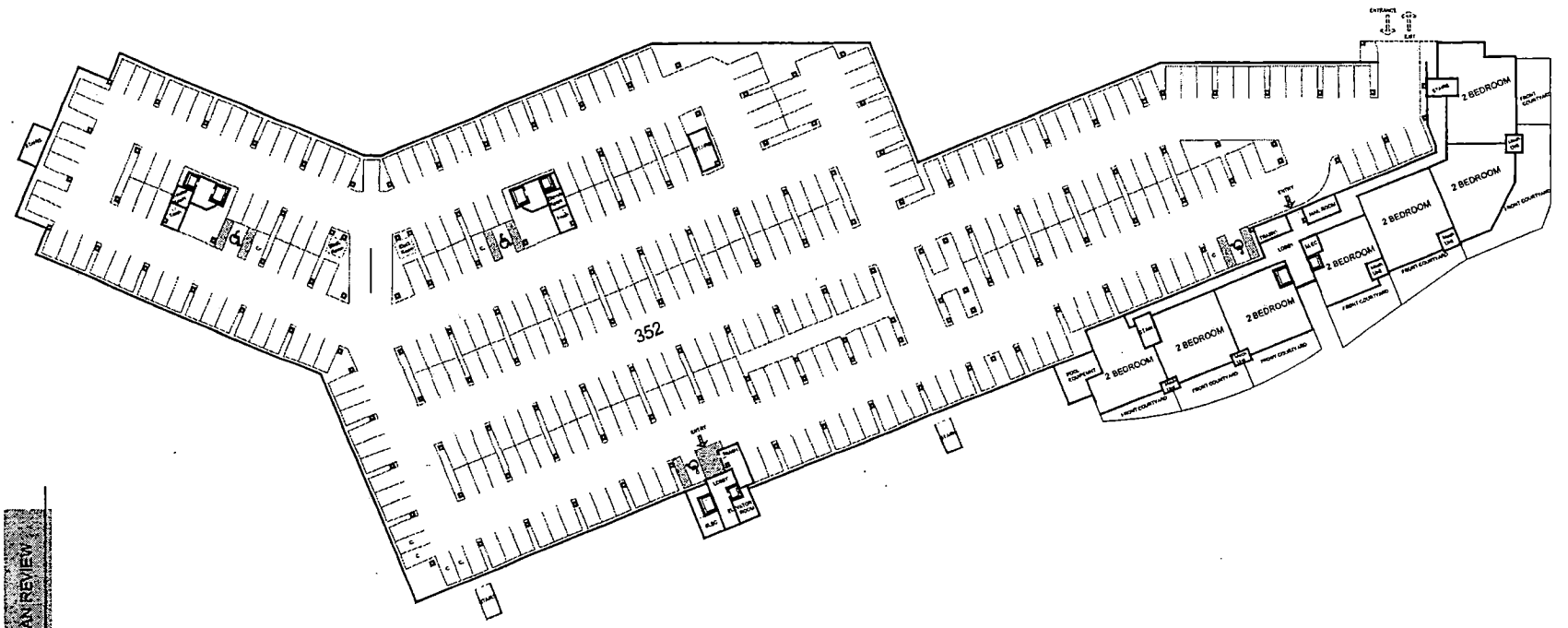
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

NORTH

Date: NOVEMBER 29, 2004

DRR-10

JMA ARCHITECTURE STUDIOS



SITE DEVELOPMENT PLAN REVIEW

QUEENSBOROUGH

City of Las Vegas
LAS VEGAS, NEVADA

RAMPART BLVD. / ALTA DR.

PARKING LEVEL -2

SCALE: 1"=30'

ZON-5653
ZON-5655
SDR-5657
01-13-05 PC

DRR-01

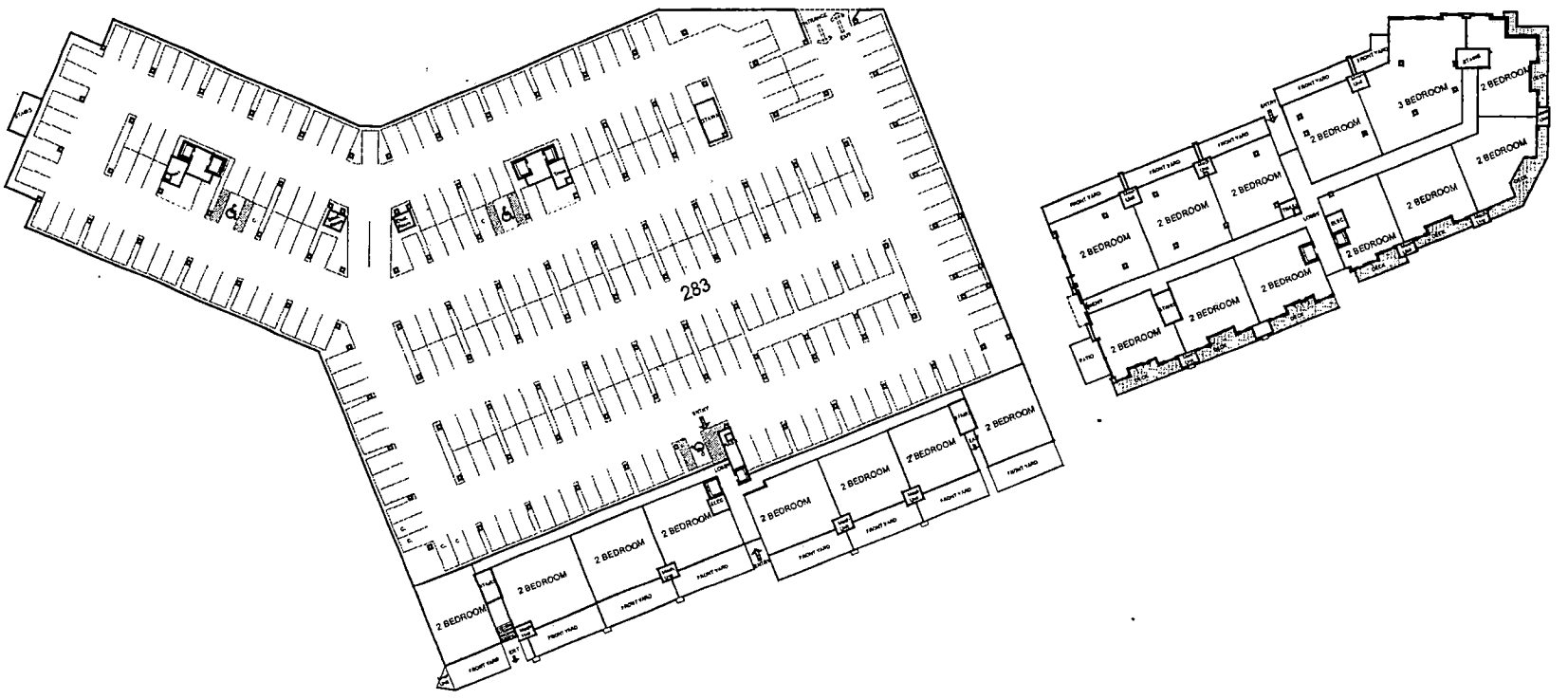
DATE: NOVEMBER 22, 2004

Project # 2003306

NORTH

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

JMA ARCHITECTURE STUDIOS



SITE DEVELOPMENT PLAN REVIEW

PARKING LEVEL -1

SCALE: 1"=30'

QUEENSBOROUGH

City of Las Vegas
LAS VEGAS, NEVADA

RAMPART BLVD./ ALTA DR.

ZON-5653
ZON-5655
SDR-5657
01-13-05 PC

DRR-02

NOVEMBER 23, 2004

Project # 2003306

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
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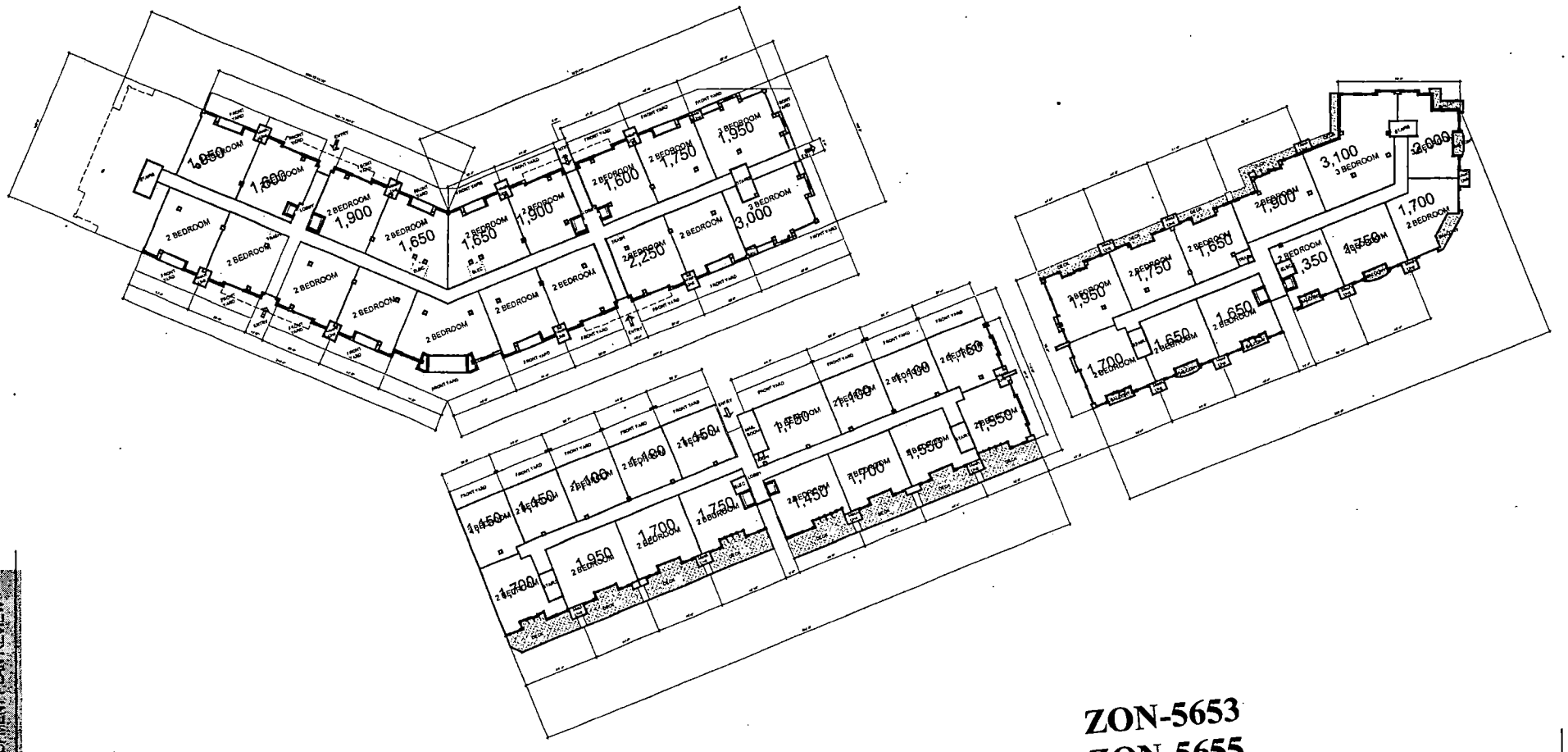
JMA ARCHITECTURE STUDIOS



SITE DEVELOPMENT PLAN REVIEW

QUEENSBOROUGH

City of Las Vegas
LAS VEGAS, NEVADA

RAMPART BLVD./ ALTA DR.

LEVEL 0
SCALE: 1"=30'

ZON-5653
ZON-5655
SDR-5657
01-13-05 PC

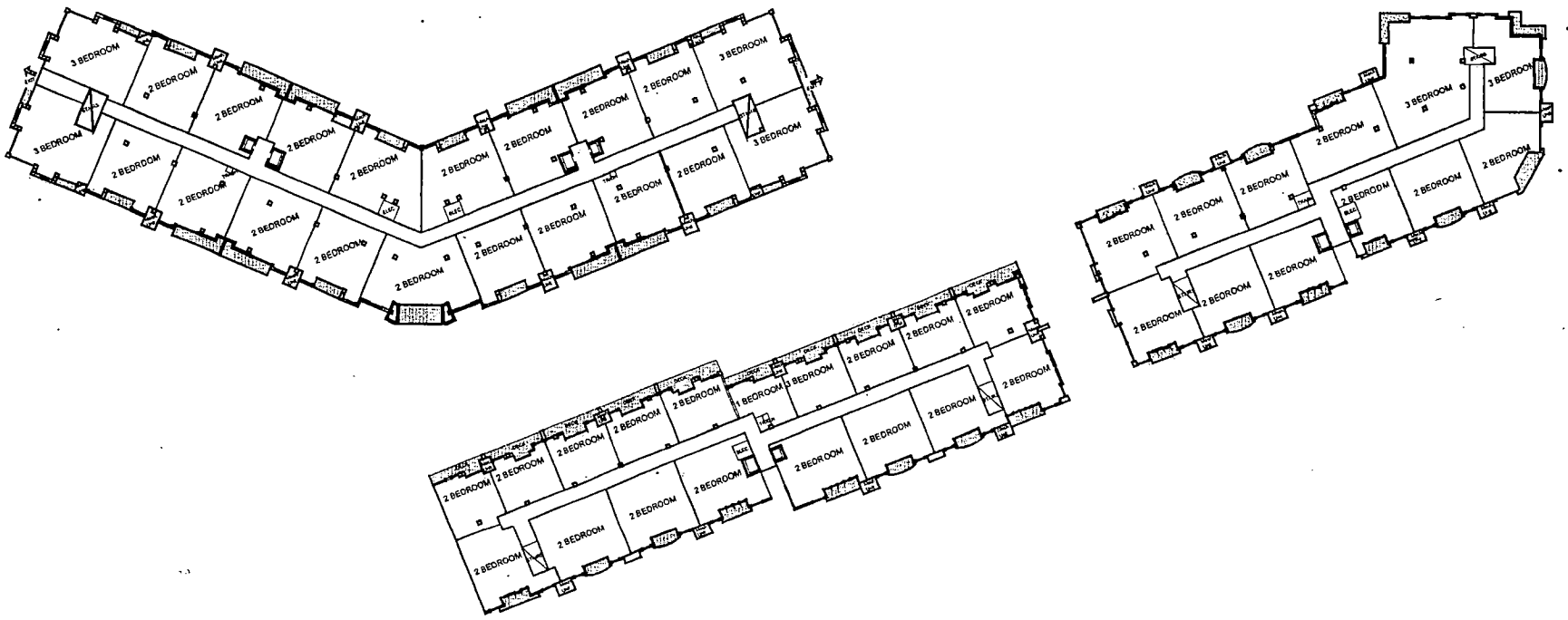
DRR-03

DATE: NOVEMBER 22, 2004

Project # 2003306

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

JMA ARCHITECTURE STUDIOS



LEVEL 1

SCALE: 1"=30'

SITE DEVELOPMENT PLAN REVIEW

QUEENSBOROUGH

City of Las Vegas

LAS VEGAS, NEVADA

RAMPART BLVD./ ALTA DR.

ZON-5653
ZON-5655
SDR-5657
01-13-05 PC

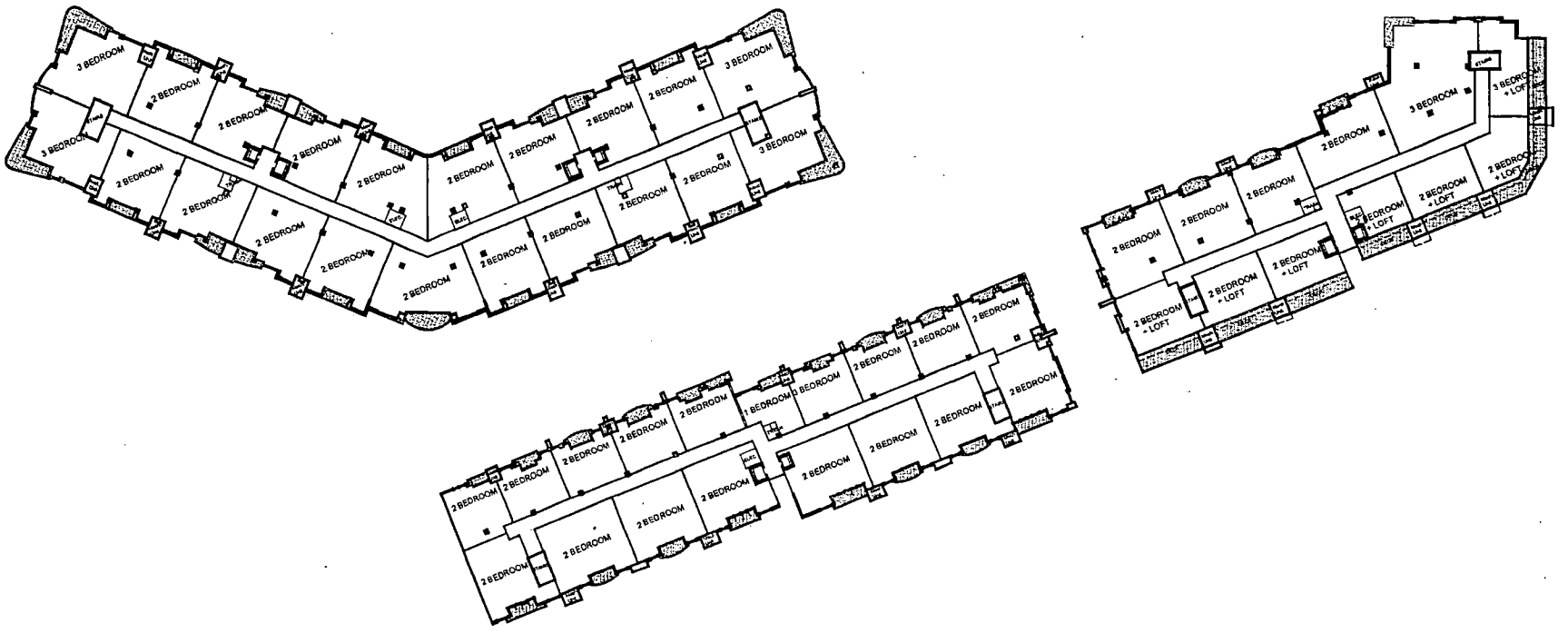
Project # 2003306

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

DRR-04

DATE: NOVEMBER 22, 2004

JMA ARCHITECTURE STUDIOS



LEVEL 2

SCALE: 1"=30'

QUEENSBOROUGH

City of Las Vegas
LAS VEGAS, NEVADA

RAMPART BLVD./ ALTA DR.

ZON-5653
ZON-5655
SDR-5657
01-13-05 PC

Project # 2003306

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

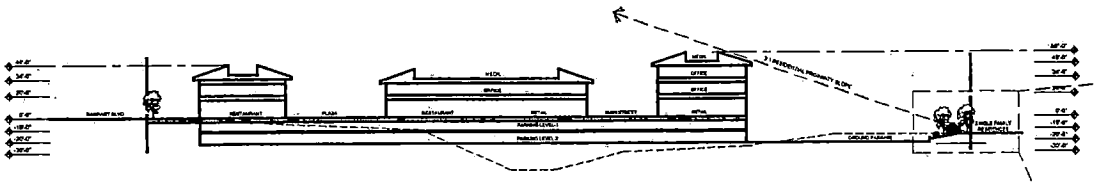
NORTH

DRR-05

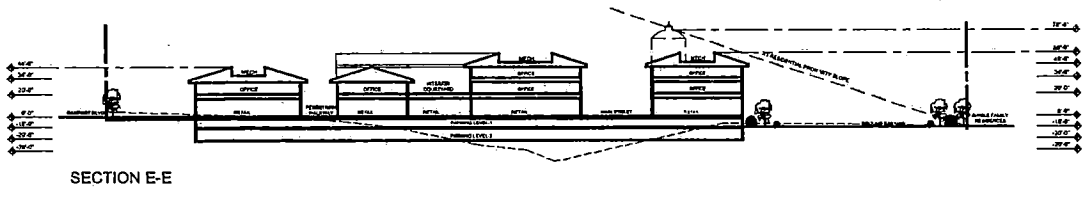
DATE:

#2 SITE DEVELOPMENT PLAN REVIEW

JMA ARCHITECTURE STUDIOS



SECTION D-D



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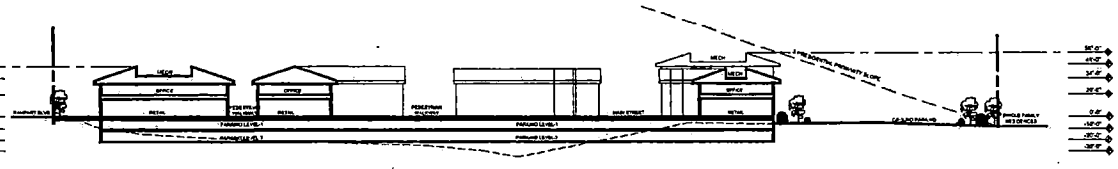

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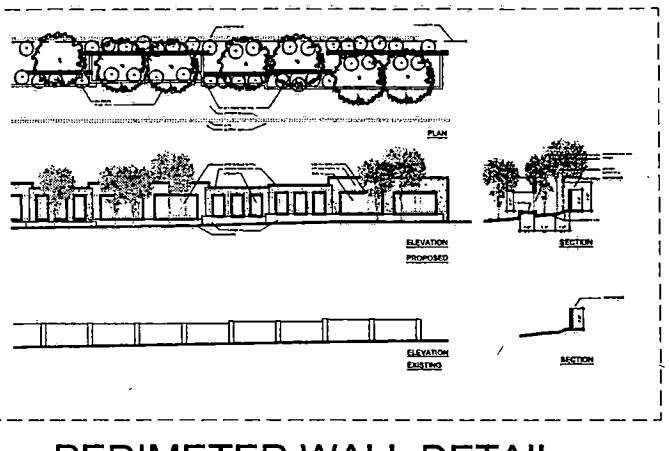


PERIMETER WALL DETAIL

SCALE: 1/16"=1'

SECTIONS

SCALE: 1"=50'

SITE DEVELOPMENT PLAN REVIEW

QUEENSBOROUGH

City of Las Vegas
LAS VEGAS, NEVADA

RAMPART BLVD / ALTA DR.

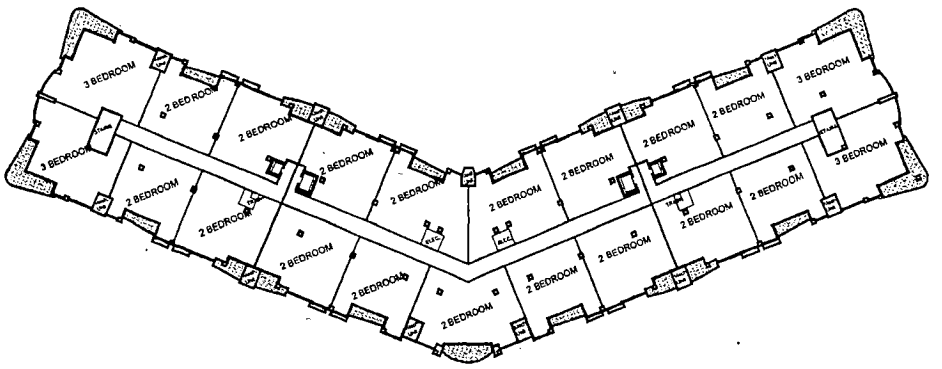
ZON-5653
ZON-5655
SDR-5657
01-13-05 PC

DR-06

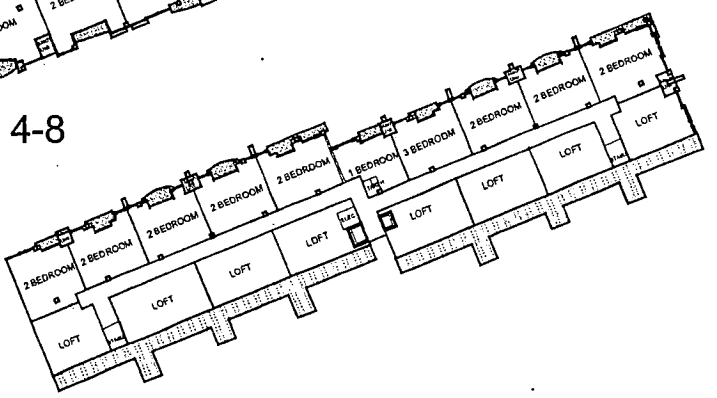
Project # 2003306

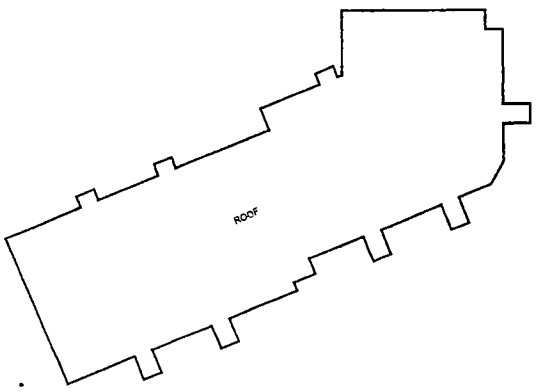
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

JMA ARCHITECTURE STUDIOS



LEVEL 4-8





LEVEL 4

SCALE: 1"=30'

SITE DEVELOPMENT PLAN REVIEW

QUEENSBOROUGH

City of Las Vegas
LAS VEGAS, NEVADA

RAMPART BLVD. / ALTA DR.

ZON-5653
ZON-5655
SDR-5657
01-13-05 PC

DRR-07

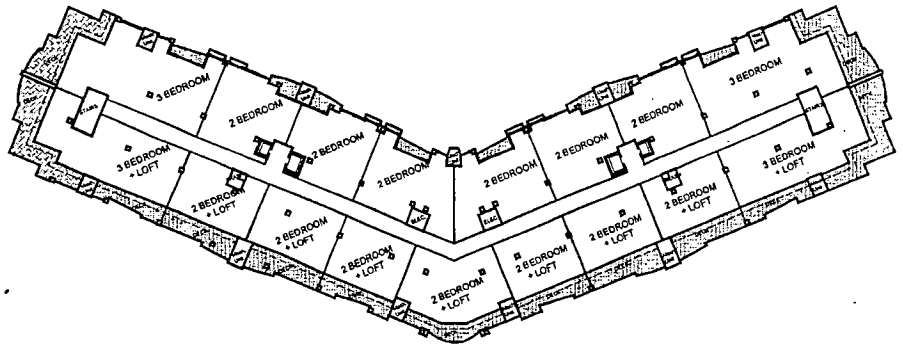
DATE: NOVEMBER 22, 2004

Project # 2003306

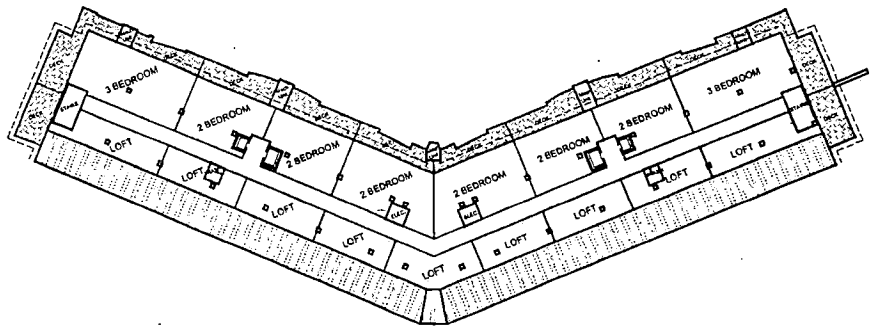
NORTH

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMARCH.COM

JMA ARCHITECTURE STUDIOS



LEVEL 9



LEVEL 10

SITE DEVELOPMENT PLAN REVIEW

QUEENSBOROUGH

City of Las Vegas
LAS VEGAS, NEVADA

RAMPART BLVD./ ALTA DR.

SCALE: 1"=30'

ZON-5653
ZON-5655
SDR-5657
01-13-05 PC

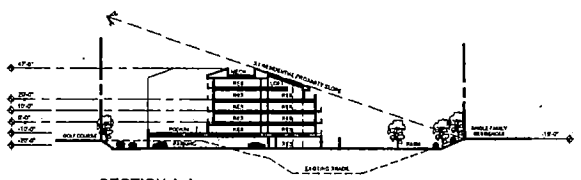
DRR-08

DATE: NOVEMBER 22, 2004

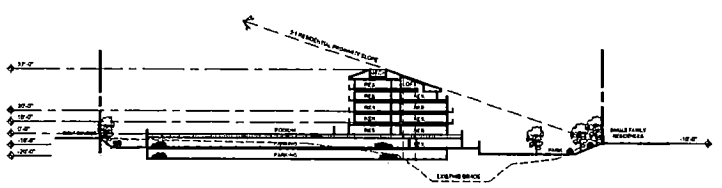
NORTH

Project # 2003306
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

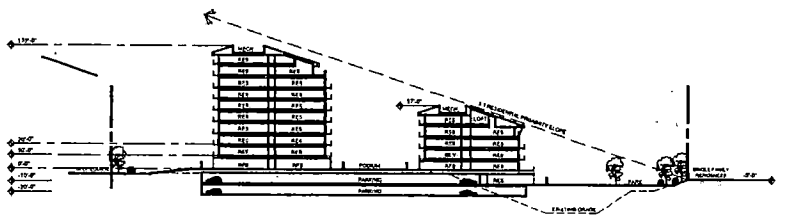
JMA ARCHITECTURE STUDIOS



SECTION A-A



SECTION B-B



SECTION C-C

SITE DEVELOPMENT PLAN REVIEW

QUEENSBOROUGH

City of Las Vegas
LAS VEGAS, NEVADA

RAMPART BLVD./ ALTA DR.

SECTIONS

SCALE: 1"=50'

ZON-5653
ZON-5655
SDR-5657
01-13-05 PC

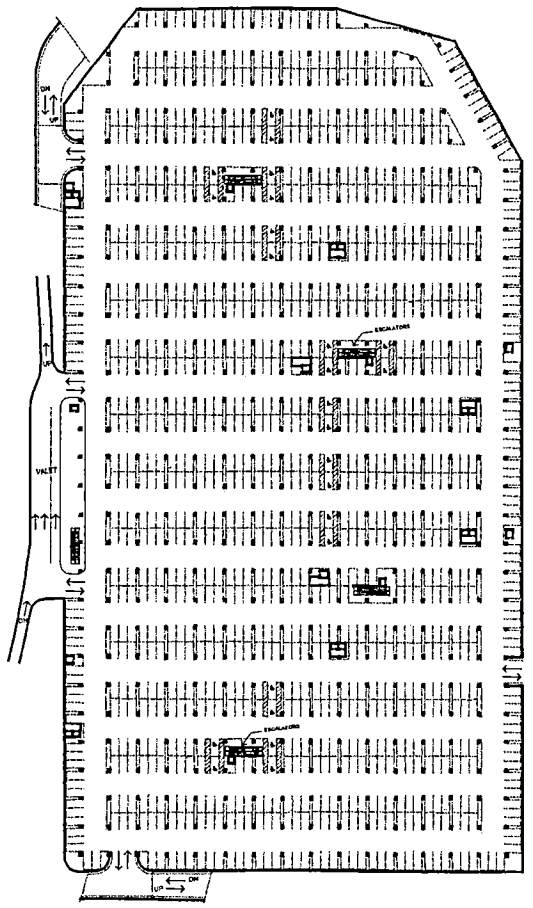
Project # 2003306

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

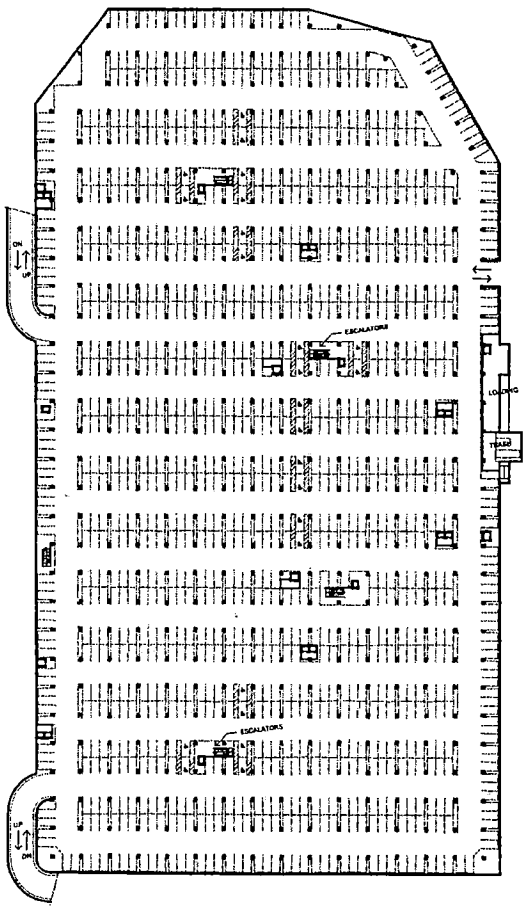
DRR-11

NOVEMBER 22, 2004

JMA ARCHITECTURE STUDIOS



PARKING LEVEL -1



PARKING LEVEL -2

SCALE: 1"=60'

DRC-01

Project # 2003306

NORTH

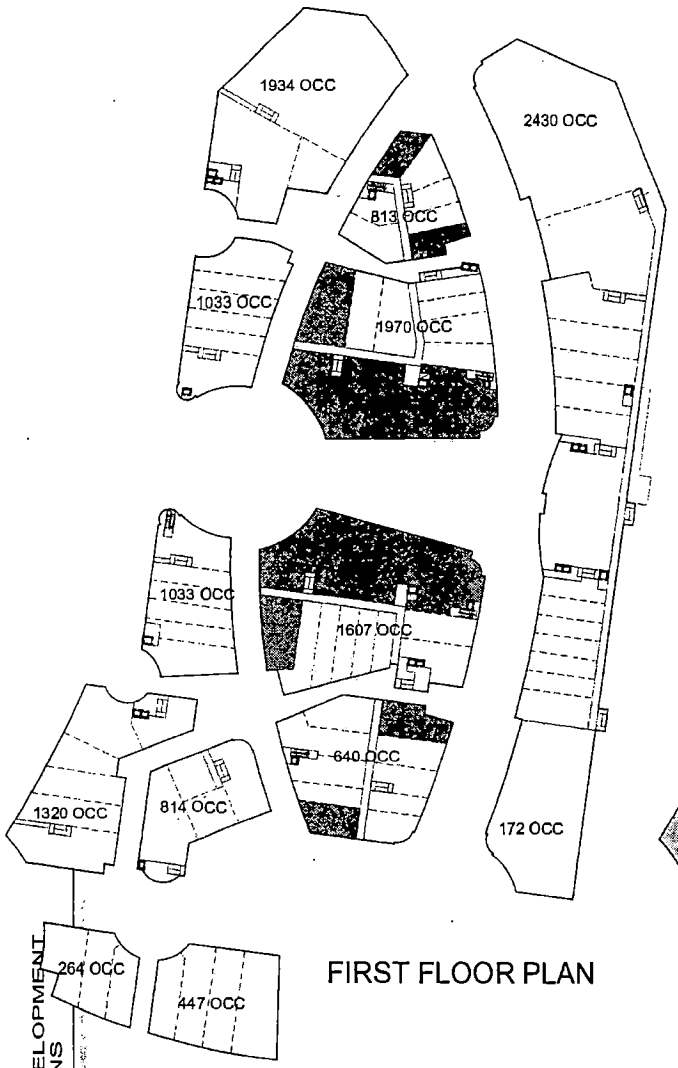
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

SITE DEVELOPMENT PLAN REVIEW

QUEENSBOROUGH
City of Las Vegas
LAS VEGAS, NEVADA

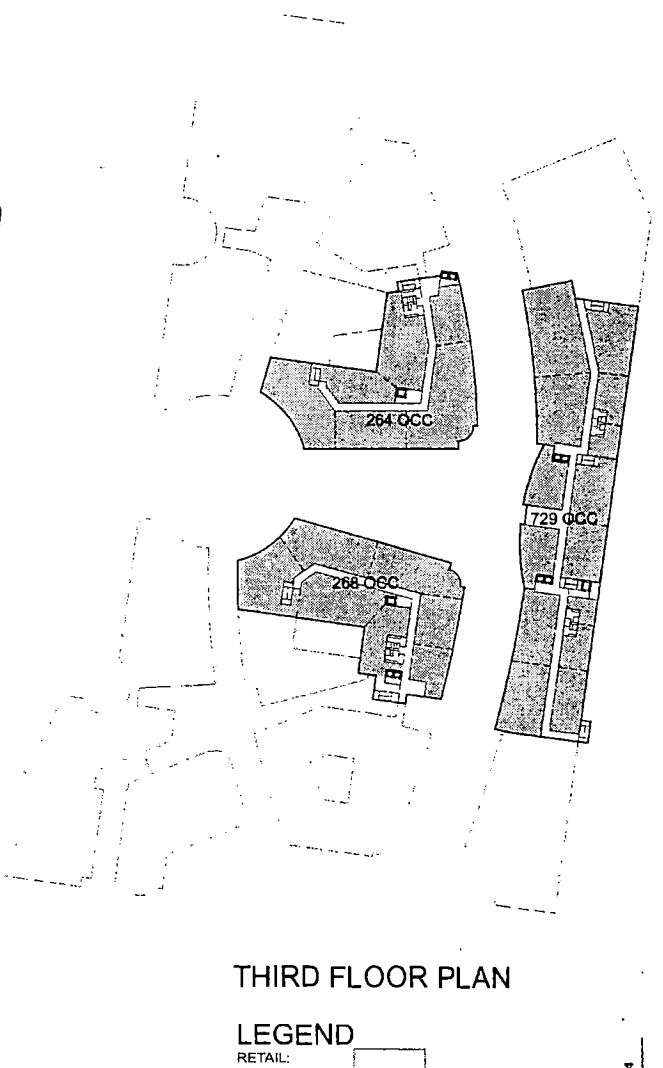
RAMPART BLVD./ ALTA DR.

ZON-5653
ZON-5655
SDR-5657
01-13-05 PC



FIRST FLOOR PLAN

SECOND FLOOR PLAN



THIRD FLOOR PLAN

LEGEND

RETAIL:

RESTAURANT:

OFFICE:

JMA ARCHITECTURE STUDIOS

CONCEPTUAL DEVELOPMENT FLOOR PLANS

Queensborough

Summerlin
LAS VEGAS, NEVADA

ALTA DR. / RAMPART BLVD.

COMMERCIAL FLOOR PLANS
SCALE: 1" = 60'-0"

ZON-5653
ZON-5655
SDR-5657
01-13-05 PC

Project # 2003306

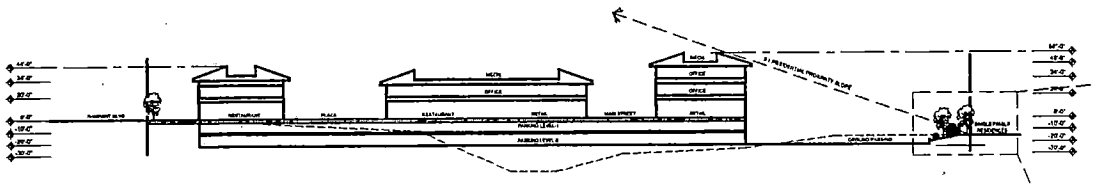
NORTH

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89114
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

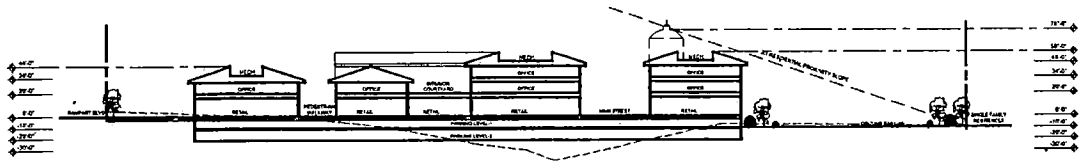
Date: NOVEMBER 22, 2004

DRC-02

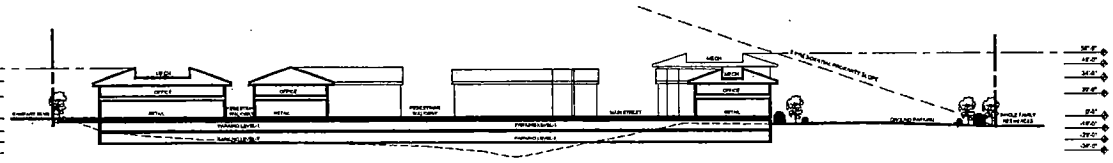
JMA ARCHITECTURE STUDIOS



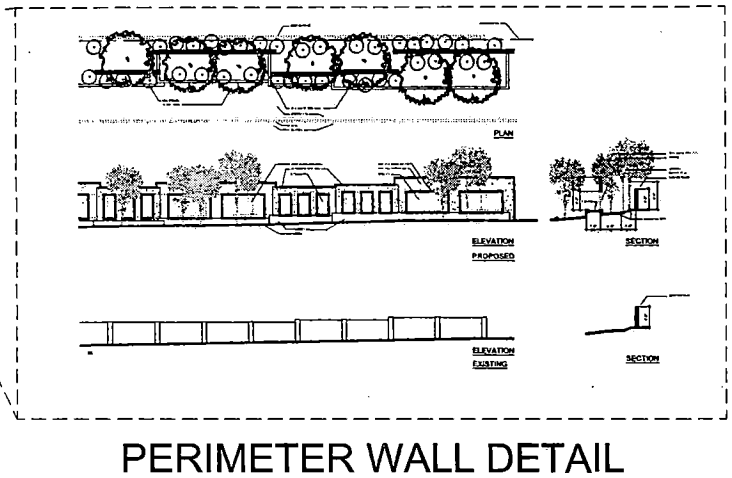
SECTION D-D



SECTION E-E



SECTION F-F



PERIMETER WALL DETAIL

SCALE: 1/16"=1'

SECTIONS

SCALE: 1"=50'

QUEENSBOROUGH

City of Las Vegas

LAS VEGAS, NEVADA

RAMPART BLVD. / ALTA DR.

SITE DEVELOPMENT PLAN REVIEW

DR-06

Project # 2003306

NORTH

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 **** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

ZON-5653

ZON-5655

SDR-5657

01-13-05 PC

SDR-5657 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: GREAT WASH PARK LLC
NORTHEAST CORNER OF ALTA DRIVE AND RAMPART BOULEVARD
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

Main Identity

From: "Anna Bowers" <abowers9@cox.net>
To: <swolfson@lasvegasnevada.gov>; <greese@lasvegasnevada.gov>; <lbrown@lasvegasnevada.gov>; <lweekly@lasvegasnevada.com>; <mmack@lasvegasnevada.gov>; <jmoncrief@lasvegasnevada.gov>; <ogoodman@lasvegasnevada.gov>
Sent: Tuesday, January 04, 2005 2:30 PM
Subject: REF: ZON 5653, SUP 5853, SDR 5657

Ref: ZON 5653, SUP 5853, SDR 5657

This is to formally register our complaint regarding the Northeast corner of Alta and Rampart development plan. We who live in Angel Park Ranch always knew there would be commercial development on those sites. We absolutely do not want 375 residential condos built in our backyards at Rampart and Angel Park. It would totally obstruct our view of the mountains, create traffic hazards, pollute us with noise, and impact property values.

The already approved 4 18-story towers on the southwest corner of Rampart and Alta at Badlands, continued commercial development of Boca Park, and the likelihood of Suncoast Casino expansion creates the same problems for our neighborhood. To add 375 condos seems excessive and overcrowded.

Please consider this our formal protest vote. Thank you.

Anna M. Bowers Anna M. Bowers
Frank R. Bowers F Bowers
8557 Summer Vista Avenue
Las Vegas, Nevada 89145
702-304-9855

RECEIVED
CITY CLERK
2005 JAN -4 P 2:35

Las

ZON-5653
SUP-5853
SDR-5657 1/4/05

Joan Marcotte

From: "Joan Marcotte" <jamarco@cox.net>
To: "Joan Marcotte" <jamarco@cox.net>
Sent: Tuesday, January 04, 2005 9:13 AM
Subject: ZON 5653, SUP 5853, SDR 5657

Dear Planning Commission,

My name is Joan Marcotte and I live in Angel Park Ranch.

I would like to voice my concerns about the pending development on the corner of Alta and Rampart called the "Queensborough Project". GPA-5652 which now is being referred to as: ZON 5653, SUP 3, SDR 5657.

While it is inevitable that this corner will be developed sooner or later I am very concerned about the traffic this project will bring to this area. It is very difficult to make a left turn onto Alta from Angel Park Ranch now and with the building of the offices, restaurants and shopping as well as the Condo's with approximately 380 units, the left turn out of our development will be very dangerous and next to impossible. Also with the opening of the new Summerlin Parkway exit onto Durango it will be difficult to make a left turn from our development at the North entrance onto Durango. The traffic that this new project will bring to our development is going to be unimaginable.

I am also concerned that the "wash" on this corner (Alta and Rampart) is going to be filled in and now I am worried about flooding.

Other concerns I have are:

With the increased traffic on Alta, Rampart and Durango there will be added air pollution from the traffic as cars and trucks sit at traffic lights. This air pollution will spill directly over our development.

With deliveries to the Queensborough Project there will be increased truck traffic.

With the proposed condominiums being 10 and 5 stories this will block the view of the mountains for those living on the perimeter who paid a lot premium for the view.

All of this is being planned in addition to the four 18 story condominiums that will be built on the South West corner of Rampart and Alta at the Badlands golf course. With the probability of 600 to 800 living units at this site there could be as many as 1400 to 1500 automobiles generating traffic from this development alone. This alone will create a traffic nightmare in the area surrounding Angel Park Ranch.

My personal preference would be not to develop the "Queensborough Project" at all but if something must be developed on the corner of Rampart and Alta please do not permit the condominiums which could add as many as 400 to 600 more vehicles moving in and out of that area a day.

Another concern is with all of these living quarters being built at one major intersection where will all the kids go to school? Will there have to be new schools built and where will they build these schools?

Thank you for your kind consideration.

Sincerely,

Joan A. Marcotte

Joan A. Marcotte
8528 Crest Hill Ave.
Las Vegas, NV 89145
jamarco@cox.net

RECEIVED
2005 JAN -4 P 3:50
CITY CLERK

ZON-5653
SUP-5853
SDR-5657

1/4/2005

attn: Vicky Darling

ANGEL PARK RANCH
ARCHITECTURAL COMMITTEE

PAUL "PACO" ZAHRA – PRESIDENT 233-5258
FRED GARIBALDI – VICE PRES. **SANDY WHITEHOUSE – SEC'Y./TREAS.**

JANUARY 4, 2005

THE ANGEL PARK RANCH COMMITTEE DOES NOT APPROVE QUEENSBOROUGH PROJECT ZONE 5653, SUP 5853, AND SDR 5657 FOR REASONS LISTED BELOW.

1. **WITH THE OPENING OF THE NEW SUMMERLIN PARKWAY EXIT ONTO DURANGO WILL CAUSE MORE TRAFFIC AND MAKE IT MORE DIFFICULY TO MAKE LEFT TURNS FROM VENETIAN STRADA.**
2. **THE SOUTHWEST CORNER OF ALTA AND RAMPART FOUR 18 STORY HIGH RIZE CONDOMINIUMS ARE BEIGN CONSTRUCTED. PROBABILITIES OF 1,600 UNITS WHICH MEANS ABOUT 2,000 MORE VEHICLES IN THAT CORNER.**
3. **"QUEENSBOROUGH PROJECT" ON NORTH EAST CORNER OF ALTA AND RAMPART WOULD ADD AN ADDITIONAL 500 VEHICLES.**
4. **THE COMMITTEE DOES NOT THINK THAT THE CORNER OF ALTA AND RAMPART CAN SERVICE 2,500 TO 2,700 MORE VEHICLES. THAT CORNER IS ALREADY TOO BUSY WITH THE SUNCOAST HOTEL AND CASINO AND BOCA PARK SHOPPING MALL.**
5. **FINALLY WE ARE ASKING THAT YOU USE GOOD JUDGEMENT, AND FOR THE BENEFIT OF SAVING LIVES, DECLINE THE ABOVE MENTIONED PROJECT.**

THE COMMITTEE

RECEIVED
CITY CLERK
2005 JAN -4 P 3:50

ZON-5653
SUP-5853
SDR-5657

RECEIVED
CITY CLERK

2005 JAN -4 P 3:50

January 4, 2005

Vicky Darlling, City Clerk: Las Vegas City Council

Reference: ZON 5653, SUP 5853, SDR 5657
Alta & Rampart Queensbourgh Project

We live in the Bailey & Mcgah development at 508 Soso. We are writing in protest to the ZON 5653, SUP 5853, SDR 5657, Peccole development at Alta and Rampart.

The traffic now on Alta presents a problem getting on to Alta. We understand that Boca Park still has more to build, the Suncoast has approval to expand, the Badlands corner has approval to build four, eighteen story condos, all which will add to the density and traffic, not counting what Peccole proposes. The only way to help with the traffic is to lessen the density of the Peccole project.

We hope you will consider our problem with this project.

Ralph & Mary Carlson

Ralph R Carlson
Mary D. Carlson

ZON-5653
SUP-5853
SDR-5657

FROM : CAROL S. AYERS PHONE NO. : 702 233 0129 Dec. 25 1998 08:56PM P2

RECEIVED
CITY CLERK

2005 JAN -4 A 10: 22

January 4, 2005

Vicky Darling, City Clerk: Las Vegas City Council

Reference: ZON 5653, SUP 5853, SDR 5657
Alta and Rampart Queensbourgh project

I live in the Anget Park Raanch developoment at 8628 Desert Bird Drive. I am an original owner and have lived here ten years and have lived in Clark County since 1968. I am writing in protest to the ZON 5653, SUP 5853, SDR 5657, Peccole development at Alta and Rampart.

The project will have a very negative effect on all the surrounding neighborhoods, with the increased density, which will add to the traffic problem we are already experiencing, as trying to turn onto Alta from the Angel Park Ranck, Mesa 2, and the Tuscany developments.

The intersection at Rampart and Altla is one of the busyest, and the four corners are not completed with the projects that have already been approved.

1. Boca Park is far from completed
2. The Badlands corner have been approved to build 4 eighteen story highrise condos (Approx 400)
3. The Suncoase has been approved to expand

Now Peccole plans Commerical with 2 levels of underground parking, office buildings, a 10 story highrise condos, plus 2 four story condos. All this on 31 acres. I feel we are being crushed and they said the project would take two years & encludes blasting. We have alot of retired people adjacent to the project, who are home most of the time and I can not imaging two years of this. The commercial will be two & three stories, which will flow nicely with our one & two story homes, but the condos, besides being too dense would invade our privacy. The only way to help with the traffice from projects that have already been approved is to lessen the density on the Peccole project. Two additiional turn lanes and an additional light is not going to fix the problem when you are considering 750 more families in an area that has not completed projects that have already been approved.

Thank you for your consideration

Carol S. Ayres
702 243 2760

Carol S. Ayres

ZON 5653
SUP 5853
SDR 5657

Submitted after final agenda

Date 1/4/05 Item

RECEIVED
CITY CLERK

2005 JAN -5 P 4:17

01/05/05
Fax: 382-4803
Issue: ZON5653,SUP5853SDR5657

Dear Ms. Combs,Agender Tech,

I have been a resident of Angel Park Ranch since August 1994. I want to strongly protest the proposed Peccole Development at the NE corner of Alta & Rampart. The major effect will be TRAFFIC as well as pollution, increased accidents, noise level and density of the condos. The impact of this development will negatively effect the quality of life for the residents in the area. The proposed traffic lights will be of no help to those of us who live in Angel Park. We will need a light at the corner of Venetian Strada & Durango just to enter our community because of the Durango extension. I sincerely hope you will listen to the my concerns as well as my neighbors.

Sincerely, Elizabeth McCaffrey,
8508 Summer Vista Ave, LV 89145

ZON-5453
SUP-5853
SDR-5457

James and Cynthia Willbanks
8504 Stone Harbor Ave.
Las Vegas, NV 89145
702-240-0133
fax-240-0125

01-05-05

Ref: ZON 5653, SUP 5853, SDR 5657

I feel a ten and 2 five story condo buildings are going to cause traffic and privacy problems for the Angel Park Neighborhood.

Thank you,

Cynthia A. Willbanks

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CITY CLERK
2005 JAN -5 P 4:58

ZON-5653
SUP-5853
SDR-5657

January 5, 2005

Vicky Darling, City Clerk: Las Vegas City Council

Reference: ZON 5653, SUP 5853, SDR 5657
Alta & Rampart Queensbourgh Project

I live in the Bailey & Mcgah development at 505 Anpere, my back fence backs up to Alta. I am writing in protest to the ZON 5653, SUP 5853, SDR 5657, Peccole development at Alta and Rampart.

The traffic now on Alta presents a problem exiting our development. I know Boca Park still has more commercial to build, the Suncoast has approval to expand, the Badlands corner has approval to build four, eighteen story condos, all which will add to the density and traffic, not counting what Peccole proposes. Alta is a 30 mph street with many school zones and is becomming a freeway with the increase traffic and few cars travel less that 45 mph. The only way to help with the traffic is to lessen the density of the Peccole project, since all the other corner projects already have approval.

I hope you will consider this problem when considering the Peccole project.

Charles J. Dunn

Chas J Dunn

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CITY CLERK
2005 JAN -5 P 4:58

ZON-5653
SUP-5853
SDR-5657

RECEIVED
CITY CLERK

2005 JAN -6 A 7:58

To: Ms. Vicky Darling
City Clerk

From: Gary Echols
8612 Crest Hill Ave.
Las Vegas, NV 89145

Re: ZON 5653, SUP 5853, SDR 5657

I live in the Angel Park Ranch neighborhood that lies east of the above referenced project coming before the City Council for approval. I am opposed to this project. The increased traffic generated by this project will make an already congested area unbearable to residents who live in this neighborhood. Further, these towers will obstruct our view of the Red Rock Mountains to the West. It would also seem that homes on the western end of our neighborhood will lose some of their privacy with these tall buildings looming over their backyards. I urge the City Council to deny passage of this project when it comes before you for a vote.

Respectfully,

Gary Echols

ZON-5453
SUP-5853
SDR-5457

December 27, 2004

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

RE: General Plan Amendment (SDR-5657); Site Development Plan (Zone-5653)
Pecole Nevada Corporation (Rampart at Alta)

Dear Planning Commission Members:

I am a 70-year-old female who resides at 8624 Desert Bird Drive as indicated by the attached map. The wash is directly in the back of my home.

I am oppose to People Nevada Corporation (Great Wash Park LLC) from developing their property over the present height limit of 55 feet to 110 feet to build their 10-story condominium. All of the neighborhood would lose their privacy and view.

I am also very much oppose to the developer covering and filling the wash for two very important reasons:

First, it would greatly endanger and threaten the lives and properties of the owners living near this huge ravine. The wash is at least a 100 feet wide at the bottom, 200 feet wide at the top, and at least 75 feet deep. During heavy rains, I have seen with my own eyes, the rapid moving floodwaters rise to 10 to 20 feet high. If you allow the developer to cover and fill the wash, even if he installs a drainage system, where will all the floodwaters flow to during a very heavy storm that will last for days? Keeping this wide and natural wash the way it is for now is the only way to insure that our lives and properties will be safe from the potential of flooding.

The second reason is personal. When I purchased this home in 1995, the developer Pulte Homes, assured me nothing would ever be built on the wash in the back of my property. I believed them and paid a premium of $40,000 for this right. All the other original property owners along the perimeter of the wash along Desert Bird also paid a similar premium to Pulte. Who will be responsible and liable for our lost? Pulte Homes? The City of Las Vegas, or the new developer?

Please deny Great Wash Park LLC from filling and covering the wash and building over it.

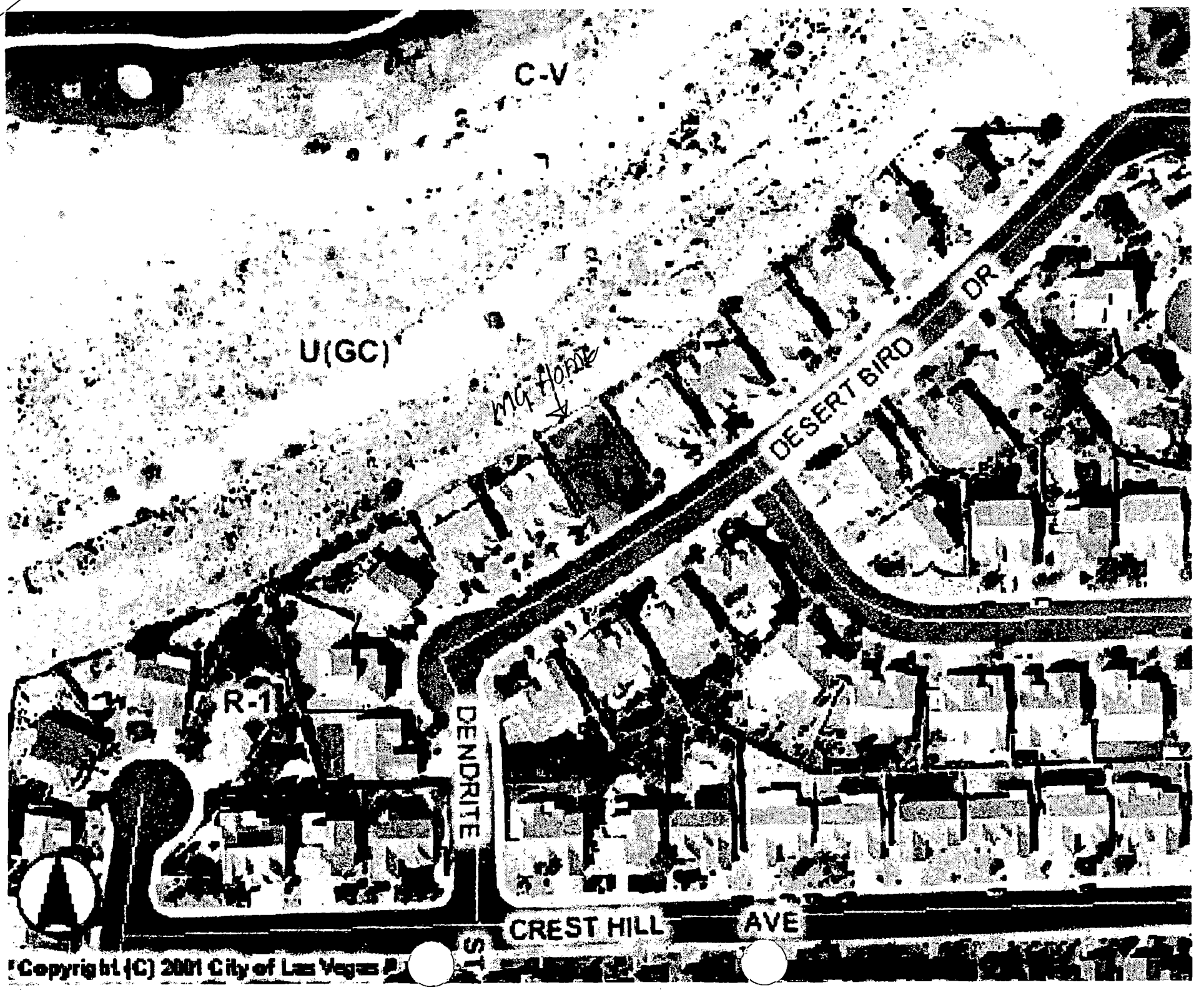
Thank you very much.

Sincerely,

Ann Sokabe (808) 551-0707
1120 Bishop Street
Honolulu, Hawaii 96813

Certified Mail; Return Receipt Requested

ZON-5653
SDR-5657
SUP-5853


C-V
U(GC)
MG Horse
DESERT BIRD DR
R-1
DENDRITE ST
CREST HILL AVE
Copyright (C) 2001 City of Las Vegas

Jan 4, 05

Re:ZON 5653, SUP 5853, SDR 5657

This is a letter to register a complaint regarding the newest plans at Alta and Rampart...Our concerns were to lighten up the traffic at one time and open Durango to help out Rampart. Now it is sad that they want to built so many condo's to make traffic just as bad and to polute our air even more. We do feel like we are trapped between 2 freeways.....thats way we left LA.....polutions burns your eyes and makes you sick.....Commercial is one thing, but changing all the natural beauty is a big shame to damage nature and make it unhealthy and more dangeous for folks to even leave their homes to drive across the street to SunCoast. Please look at this plans again and remember why we are opening up Durango (to help the traffic on Rampart) Just look at all the accidents we have had on that street where everyone drives too fast anyway....More cars and too many condo's is not the answer....Do not overcrowd the areas we have a BIG problem in already.....Please listen to us also....

Patti & Ty Kille
8560 Summer Vista Ave.
Las Vegas, NV. 89145
(702) 255-5205

RECEIVED
CITY CLERK
2005 JAN -5 A 7:35

ZON-5653
SUP-5853
SDR-5657

01/04/2005 TUE 22:09 [TX/RX NO 5815] 001

RECEIVED
CITY CLERK
2005 JAN -4 P 4:45

To: Vicky Darling
Las Vegas City Clerk

January 4, 2005

We oppose the proposed Peccole project at Alta/Rampart - (ZON 5653, SUP 5853 and SDR 5657) for the following reasons:

The increased traffic caused not only by the proposed commercial and residential project, along with the prior approvals for development on properties also bordering on the Rampart/Alta intersection will significantly impact the traffic on an already dangerously over-traveled area of the Boca Park/Summerlin/Suncoast Casino area.

Entrance/exit drives into the area should be studied as to appropriate turn lanes, bus stop areas, signal lights, right turn only signage, etc. The effects of the Alta bridge to the west, the Durango bridge to the north, the approved high-rise development on the southwest corner of Rampart/Alta, the future development of Boca Park and the proposed additions to the Suncoast Casino should also be included in the traffic studies. The impact of the compounded increase in traffic flow of these modifications should be a major consideration.

The residential portion of the project will continue the trend of allowing and even encouraging high rise apartment/condo encroachment on established single-family one and two-story neighborhoods, thereby causing unwarranted high density population centers and the inherent increase in traffic and potential
crime areas.

Traffic and crime are only a couple of significant factors. It is strongly suggested that the high-rise portion of this development be rejected, or at least reduced to no more than three (3) buildings consisting of no more than two (2) stories each, and limit the number of residences to no more than one hundred (100) units. As this area is adjacent to single-family one- and two-story homes, the impact on our neighborhood would be detrimental. There are no other high-rise developments on the east side of the Rampart/Alta area and none should be introduced.

Al & Carole Pontius
8612 Desert Bird Dr.

ZON-5653
SUP-5853
SDR-5657

January 4, 2005
City Council
Las Vegas, NV 89101

RECEIVED
CITY CLERK

2005 JAN -4 P 4:16

RE: ZON 5653, SUP 5853, SDR 5657
Peccole development at Alta and Rampart

Dear Members of the City Council,

We are opposed to and protest the proposed development at the northeast corner of Alta and Rampart for the following reasons:

1. Density. In our small area in the Angel Park Ranch there are 200 single family homes. This project proposes to build 375 units in a smaller area that will place a significant burden on our adjacent intersections, schools, park and other amenities.

2. Access to Venetian Strada.. It is vital that a "covenant running with the land" be required of the developers so that at no time in the future will their project have an opening to Venetian Strada. At one time there was a small road that allowed golfers access to the Angel Park Golf course from Venetian Strada. Cars raced through our neighborhood to get to the golf course making it unsafe for our children to get to the park. For the safety of pedestrians, especially our children crossing Venetian Strada to the park, Venetian Strada should never be open again.

3. Traffic. The City Council has approved another Peccole project, four 18-story condominium towers across from the Suncoast in the Badlands Golf Course (of which we had no notice or input in spite of the impact on our neighborhood). Another project in progress is the creation of an entrance from Durango onto Summerlin Parkway. Coupled with these projects and the built out at Boca Park, Alta and Durango will be even more heavily used. This will make a left turn out of Angel Park Ranch at Venetian Strada and left turns out of our two exits on to Alta unsafe if not impossible. At a minimum you will need to provide a signal at Venetian Strada and Durango and remove the yellow pedestrian light just north of Venetian Strada at Durango.

4) Parking waiver. Our understanding is that as presently designed, the Peccole Corporation is seeking a waiver for not having sufficient parking spots. Where will the parking go at the peak shopping periods? Down Alta? Into our neighborhood streets?

We anticipate Peccole to do a tasteful job with their development. Nevertheless what they are proposing is overuse of their available space. We are already congested. We respectfully request that the Peccole Corporation either withdraws its request for 375 condominiums or reduces the number and height of the structures significantly, so that proposed solutions to the traffic issue will actually have some effect when all four corners are built out.

Sincerely,

Corinne Escobar

Chris and Corinne Escobar
308 Torrey Point Court
Las Vegas, NV 89145 255-3912
ladybug1@mstar2.net

ZON-5653
SUP-5853
SDR-5657

Joseph W. McLaughlin
8613 Crest Hill Avenue
Las Vegas, NV 89128

(702) 254-5549 Residence *(702)-254-7159 Fax* *(702) 595-6541 Business*

TO: Carol Combs, Agenda Tech: ccombs@lasvegasnevada.gov, via E-mail.

This is my letter of protest to ZON 5653, SUP 5853 SDR 5657, particularly, the proposed Peccole Development at the NEC of Alta and Rampart, Las Vegas, NV

I am strenuously opposed to the above referenced development.

The intersection of Alta and Rampart is severely over-burdened with traffic now. The Metropolitan Police Department has described it as most dangerous from a traffic safety standpoint. And certainly, the nearby residents can provide testimony to the number of accidents, serious accidents, frequently occurring at and near that location.

The proposed development will result in a significant increase in the amount of traffic, and therefore traffic accidents generated by on-site residents and employees of the offices and retail establishments, plus the increased traffic to the site for business purposes and visitors to any of the proposed buildings.

Additionally, more traffic will be generated by the overpass at Summerlin Parkway and Durango, which traffic will in many instances logically and for convenience use Alta to reach their destination. And it is important to note the increased traffic by the development of the four eighteen story towers at the Badlands, AND the increased traffic generated by the office and retail facilities to be completed at Boca Park will negatively impact the intersection. The towers and the Boca Park expansion will result in a HUGE increase in motorized traffic, with the attendant increase in traffic safety concerns; just count the number of automobiles per units built for the residential towers alone, the number is in the thousands!

Increased traffic at this intersection must be avoided in the interest of general public safety, and the safety of the

nearby residents, including but not limited to the community known as Angel Park Ranch, where I reside. Again, additionally, the expansion of the parking and gaming and gaming related space at the Suncoast Hotel and Casino will dramatically increase traffic in the immediate area; further contributing to substantially increased public safety concerns. The ingress and egress for the Suncoast already is inadequate and represents excessive risk to the public, not to mention extremely poor traffic safety planning.

Additionally, the proposed development will have a very negative impact on the quiet enjoyment rights of a significant number of Angel Park Ranch residents, and particularly those residents bordering the project; they will be subject to a substantial increase in noise, and light emanating from the multi-use development. Moreover, the impact on Angel Park Ranch property values will be significantly adverse. And the views presently available to many Angel Park Residents will disappear, further aggravating the negative impact on property values.

For the life of me, I cannot understand why this project should even be considered by the city-planning department, or for that matter, the city council. It makes no sense whatsoever.

I respectfully request you submit my concerns as stated in this letter to all parties having jurisdiction over this project. I have sent this letter, prepared in Word, as an attachment, for your convenience. Please distribute as you see fit.

Should you or anyone wish to contact me to discuss my position on this project, I will be pleased to take your call.

Thank you.

Cc: each city council member

mccarp@cox.net

Telephone Protest/ Approval Log

Meeting Date: 01/13/05 **Case Number:** ZON 5653

Date: 01/04/05
Name: Helen McKay
Address: 8529 Highland View Ave 89145
Phone: (702) 233-1028
[X] **PROTEST** [ ] **APPROVE**

Date: 01/04/05
Name: Katherine & David Nicolai
Address: 8604 Highland View Ave 89145
Phone: (702) 869-8638
[X] **PROTEST** [ ] **APPROVE**

Date: 01/05/05
Name: Corinne Escobar
Address: 309 Torrey Point Ct. 89145
Phone: (702) 255-3912
[X] **PROTEST** [ ] **APPROVE**

Date: 01-05/05
Name: Ralph Carlson
Address: 508 Soso ST 89145
Phone: 562-0468
[✓] **PROTEST** [ ] **APPROVE**

Date: 01/06/05
Name: Kennedy, Franco
Address: 8528 Highland View 89145
Phone: 869-0242
[X] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

City of Las Vegas

Agenda Item No.: 38

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:
GPA-5714 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT CO. - OWNER: JOHN LEE AND ONG PARTNERS, L.L.C. - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL) on 3.50 acres adjacent to the northwest corner of Sahara Avenue and Pioneer Way (APN a portion of 163-03-402-017), Ward 1 (Moncrief).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends DENIAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
McSWAIN – DENIED – Motion carried with GOYNES and TRUESDELL voting NO

To be heard by City Council 2/16/2005

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 38 [GPA-5714], Item 39 [ZON-5176], Item 40 [SUP-5719] and Item 41 [SDR-5717].

GARY LEOBOLD, Planning and Development, explained that the application pertained to a site that was considered in May of 2004. It was approved for low-intensity commercial uses on the front of the site and office uses to the rear. This configuration was considered because it could transition into the low-density neighborhood to the north and it would provide some protection by not having access and a limited amount of traffic and movement. This characteristic is the key to development on Sahara Boulevard both east and west of Buffalo Drive. The current application requests that the SC (Service Commercial) designation be

MINUTES – Continued:

changed to GC (General Commercial) and for the zoning to be changed to C-2 to match the GC land use designation. On the rear portion, the applicant would like the zoning changed to PR (Professional Office and Parking). This would allow the applicant to store vehicles in that area. The cars stored in this area would be visible from the neighborhood to the north of the site. The Special Use Permit request is for motor vehicle use sales, which will be done primarily from the front of the site, and for auto dealer inventory storage, on the rear of the site to the north.

The Site Plan that was originally submitted did show a relatively small building, approximately 2,020 square feet; however, since that submittal, a revised Site Plan was submitted showing that building slightly larger. He explained that if the item were approved, an amendment would be necessary to incorporate the more recent submittal acceptance date into Condition 5 of Item 41 [SDR-5717].

MR. LEOBOLD indicated that staff is recommending denial on all applications because of the potential impact on the neighbor to the north and the incompatibility with adjacent office and low-intensity commercial uses. MR. LEOBOLD informed the commission that although the number listed for protests was zero, he personally spoke with several concerned neighbors about this project.

BILL CURRAN, Attorney, Curran and Perry, 300 South 4th Street, appeared on behalf of the applicant. He stated the applicant is looking for a new location to house a new car dealership for a vehicle known as a Smart Car. He said the car is sold widely in Europe. The compact car is made and distributed by Mercedes. It is a great car for urban residents who do not need large vehicles. The applicant needs to develop a lot where these vehicles can be sold.

Regarding the amendment on the size of the building for the site, ATTORNEY CURRAN explained that the building size was increased because the original dimension was too small for a 5-acre parcel. The lot area made the building look too small on the site. The showroom size was increased but the number of employees would not increase.

ATTORNEY CURRAN showed the area on a map and indicated that the Mercedes dealership, which is located along Sahara Avenue, to the east of the subject site, has been very active and successful. That activity at that location exceeded expectations and there have been problems at that site with overflow parking. An attempt to resolve that issue by entering into an agreement with an adjacent church, St. Josephs, worked well for the church and the dealership but not the residents. The residents are trying to end that reciprocal parking agreement. The subject site would provide nearby parking to relieve the overflow situation without the church being involved.

MINUTES – Continued:

ATTORNEY CURRAN stated the proposed project would be lushly landscaped and attractive from Sahara Avenue. He pointed out an area near Via Olivero Avenue, where many of the concerned neighbors lived. ATTORNEY CURRAN stated that after a neighborhood meeting, the applicant eliminated any exit from the subject site onto Via Olivero Avenue. The applicant also plans a 30-foot landscape buffer, which would be extensively landscaped. No traffic could exit the lot into the residential area; all traffic would exit onto Sahara Avenue. He stated the Pioneer Way, on the east side of the property, has been vacated to the rear of the property so traffic cannot spill back into the neighborhood from that street. A joint-access agreement was signed between the property owner and the owner of the adjacent property to the east of the site so that access to the subject site would be through two driveways on Sahara Avenue.

ATTORNEY CURRAN stated the 4,000 square-foot showroom would be modest. There would not be more than eight employees in the showroom at one time. The site would not have service or repair facilities of any type. The site would also provide storage space for inventory cars stored along the north boundary of the property. The storage could be for the Smart Car or any other vehicle the Mercedes dealership needed to house. The employee parking would be situated between the storage area and the showroom. All employees from the Mercedes lot down the street would be required to park at the lot as well as the employees from the Smart Car dealership.

ATTORNEY CURRAN noted that there have been concerns about the residents being able to see the parking area from across the street. To alleviate those concerns, the applicant has agreed to build a wall there at whatever height is deemed appropriate. He added that conditions have been imposed regarding the height of the light poles and the shoebox fixtures and the applicant agrees to all. He said that in the past there had been concerns regarding paging systems and the dealership would comply with the City ordinance prohibiting use of a speaker paging system.

ATTORNEY CURRAN suggested the use of the property is not intense and it will help to solve a neighborhood problem regarding the other location.

ANNA WILLIAMS, 7451 O'Bannon Drive, explained that she did attend the neighborhood meeting on December 14th. She objected to the proposed plan because the applicant has demonstrated a complete disregard of conformance to the conditions imposed on the present site at Sahara Avenue and Tenaya Way. That dealership, she stated, is 44,200 square feet and has 611 parking spaces, 125 display and storage spaces and 10 handicap parking spaces. Staff had recommended denial on that application but it was approved. Now it is a storage area for the inventory and the dealership employees park three blocks into the neighborhood. The residents tried for many months to have the employees quit parking in the neighborhoods.

MINUTES – Continued:

She stated the dealership is too intense of a use for the neighborhood and should never have been approved. MS. WILLIAMS feared the proposed dealership might end up with the same fate. There was no way to get assurance the employees would not be walking through the neighborhood, parking on the street smoking in front of neighbors homes. If 611 were not enough spaces for the first use, how can anyone be sure there will be enough on the proposed site. She said the neighbors do not want this project there, they were looking for a more diverse usage on the site and wanted it to be something that would enhance the area.

TAMALA KAHLE, Managing Partner, Golden View Development, which owns one of the buildings adjacent to the proposed northwest corner of the lot. She appeared on behalf of some of the business owners on the west side of lot where there is light commercial use. MS. KAHLE suggested the applications be denied because of concerns regarding noise and because this will only be used as a parking lot. It will turn the light commercial use zoning area into a glorified parking lot and that would denigrate the current uses.

CAROLYN STONE, 1509 Ten Palms Court, informed the Commission that her husband jogs up Via Olivero Avenue with their two small children in a jogging stroller. They stop at a park on that street to allow the children to play. During his jogs, he sees cars from the existing Fletcher Jones dealership on Tenaya Way well into the residential area. She said that if she were to go and test drive a car and took it into the neighborhood, she did not think the salesman would stop her from driving there. MS. STONE stated that in the 1990's the noise from the car dealerships was from the paging systems. Now, the noise is from all of the car alarms going off repeatedly. The parking lot is huge and at night, they go off and keep going off all night.

MS. STONE also wanted to point out that the current dealership did exceed expectations and there is no reason not to think the proposed one would do the same. It will be a new product, there is no data analyzing how well the car would sell etc. She felt the site would be outgrown in a short period of time and asked that the Commission follow staff's recommendation for denial.

ATTORNEY CURRAN said that regarding traffic, there would be no traffic exiting onto Via Olivero Avenue. The property is located in the center of the block and the only ingress/egress is on Sahara Avenue. There is also no way to get back to Via Olivero Avenue if someone were walking. ATTORNEY CURRAN reiterated that this would help with problems in the community, not cause more. He requested approval.

COMMISSIONER DAVENPORT disagreed with ATTORNEY CURRAN. He stated that exiting the lot, a driver would most likely not be able to cross the traffic to go left. Drivers would go down Sahara Avenue to Buffalo Drive and then back down Via Olivero Avenue to the

MINUTES – Continued:

other Fletcher Jones dealership. He asked if the problem was fueled by storage of vehicles in the employee parking spaces because he had received calls from the neighbors to that effect. ATTORNEY CURRAN did not know the answer but said he had not heard that. COMMISSIONER DAVENPORT stated that during meetings held with COUNCILWOMAN MONCRIEF, statements to that effect were made. He asked for assurance that the second lot would give up employee parking spaces to increase their inventory. It was his understanding that if the existing Mercedes dealer were to give the employee spaces back to the workers, there would not be a parking problem. The problem, he said, was self-imposed.

ATTORNEY CURRAN said any commercial development generates traffic and that this was a solution to the problem. A parking agreement with the church would alleviate the problem but the residents did not care for it.

COMMISSIONER DAVENPORT also noted that in the justification letter from ATTORNEY CURRAN, a statement was made saying Fletcher Jones adheres to all Municipal Codes and requested approval. If the applicant had a condition regarding the employee parking spaces and they are not allowed to park there because excess inventory is being stored there, the applicant is not in compliance with Code. ATTORNEY CURRAN was not able to address that issue. COMMISSIONER DAVENPORT stated that because of the problems with test-driving in the neighborhood and other problems that have arisen from the existing dealership, he could not support the item.

GUS HOPPLE, 9533 Bernita Court, explained that he works for Fletcher Jones and that he could address some of the questions being asked. Regarding parking, he said that the company did grow past allowing the employees to park on the facility at 7300 West Sahara Avenue. When they visited with COUNCILWOMAN MONCRIEF, discussions pertained to finding another place to park the inventory or another employee parking lot. The applicant did so when they entered into an agreement with another property owner on West Sahara Avenue.

He explained that there is a two-hour limit for people to park on Tenaya Way and on parts of Via Olivero Avenue as well. The Fletcher Jones Company cannot prohibit employees from other dealerships from parking there. He did say that the employees that work part time from 5 p.m. to 9 p.m. do like to park in those two-hour spaces; however, they are permitted to do so because the two-hour restriction is lifted after 6 p.m.

MR. HOPPLE said that the new site would provide an outlet for the Smart franchise. The Planning potential for this area is approximately 40 vehicles per month. Using that number as a guide, there would not be hundreds of Smart vehicles on the lot. There would also not be dozens

MINUTES – Continued:

of employees. With the proposed layout, in addition to the Smart lot, the parking issue could be remedied regarding employees and excessive inventory. He said impact on Via Olivero Avenue would be non-existent. He said the company could insure that the employees would go down to Charleston Boulevard and up Tenaya Way or even down to Rainbow Boulevard if it is an issue.

COMMISSIONER DAVENPORT appreciated his comments but noted that if the existing Mercedes dealer grows or the Smart franchise grows beyond expectation, the inventory would continue to grow and then this situation would occur again. MR. HOPPLE said he could appreciate the concern but in the long run, if the growth continues, a second location would most likely be considered. Plans are being drawn up for another Mercedes Benz store in the southeast part of the Valley.

COMMISSIONER GOYNES thanked the neighbors for the letters he received. He asked how the dealer could insure the anticipated growth would not impede into the neighborhood. The issue has been discussed several times in the past. He suggested that perhaps the employees could be required to have a unique sticker on their car so they can be readily identified. He was searching for options of reinforcement to remind the employees they would be ticketed. MR. HOPPLE informed the Commissioner that the applicant just hired a retired METRO motorcycle officer to work as a compliance officer. He has held that position for only one week but one of the first things done was ordering stickers for the employees' cars and making a roster of all employees to match up with the stickers. The street would be policed so no employees would park on Tenaya Way or Via Olivero Avenue. The company will purchase shuttles to transport employees from the parking lot to the dealer to supplement the two existing shuttles.

MR. HOPPLE stated that when he first began at the dealership in 2003, there were problems with the employees parking on Via Olivero Avenue and they would smoke back there etc. The applicant mitigated that problem. He contested that employees do not go back behind the lot to smoke or loiter. He reiterated that Via Olivero Avenue would not be accessible from the proposed lot. COMMISSIONER GOYNES stated that the compliance officer should be well known in the neighborhood so the residents know who to call to handle the problems.

COMMISSIONER McSWAIN said this situation is an example of why C-2 should not mix with C-1. The applicant has gone to great lengths to make the project work and there are still several issues. She stated that she had mixed feelings regarding the project. The vacation of Pioneer Way is a benefit and so is the fact that there will not be service or auto body repair facilities on site; however, she was concerned about the right turn onto Sahara Avenue and also the denigration of the light commercial use in the area.

MINUTES – Continued:

COMMISSIONER STEINMAN asked if the proposal was that the Mercedes employees from the existing location would park in the proposed new lot. MR. HOPPLE confirmed he was correct. The Commissioner did not think the employees would be happy doing that. MR. HOPPLE informed him that it is happening that way now. The employees currently park at another facility further east on Sahara Avenue near Rainbow Boulevard. COMMISSIONER STEINMAN said if that was the case, then there should not be any Fletcher Jones employees parking in the neighborhood presently. MR. HOPPLE said that he knew there were people parking on Tenaya Way and also on Via Olivero Avenue but when their employees are caught doing that, they are run off. The compliance officer will do that from now on and he will enforce company policy, which now states they are not to park there. MR. HOPPLE said that there were several other dealerships to the east and they are encountering similar problems with parking and it is probable that their employees are parking on the streets. He has no control over that.

COMMISSIONER STEINMAN asked why there needed to be a new lot if the employees are already parking elsewhere. MR. HOPPLE explained that the dealership needed the facility for their franchise and this would be the dealers property, it would not be leased from someone else. Ownership of the property would allow the applicant to enforce policy much better.

MR. HOPPLE said the applicant is looking for alternatives beyond reprimanding and terminating employees. COMMISSIONER GOYNES suggested that payroll deductions are often very effective.

CHAIRMAN TRUESDELL asked ATTORNEY CURRAN if the dealership across the street from the subject site was related to Fletcher Jones. He replied it was not. The Chairman stated that the dealership he was referring to had installed a landscape buffer that is significant in fronting onto Loredo Street. CHAIRMAN TREUSDELL understood the need for growth and expansion but he wanted to see the dealerships in this area work together to resolve the issue pertaining to Via Olivero Avenue. He hoped that there could be a parking prohibition on that street and then no one would have to police the situation. It is easy for the dealers to blame each other but the homeowners are impacted and something must be done.

CHAIRMAN TRUESDELL said the streets are private and test drivers expect to be able to drive on and around Tenaya Way. The auto dealers in this area have been very successful and will continue growing. To see good planning and support of that growth, there needs to be a commitment on the users part to mitigate impact on the community. The Chairman could support the application if it came with a commitment from Fletcher Jones to take a leadership role in coming up with a solution to the problem. Otherwise, the dealers needs are being met at the expense of the neighbors.

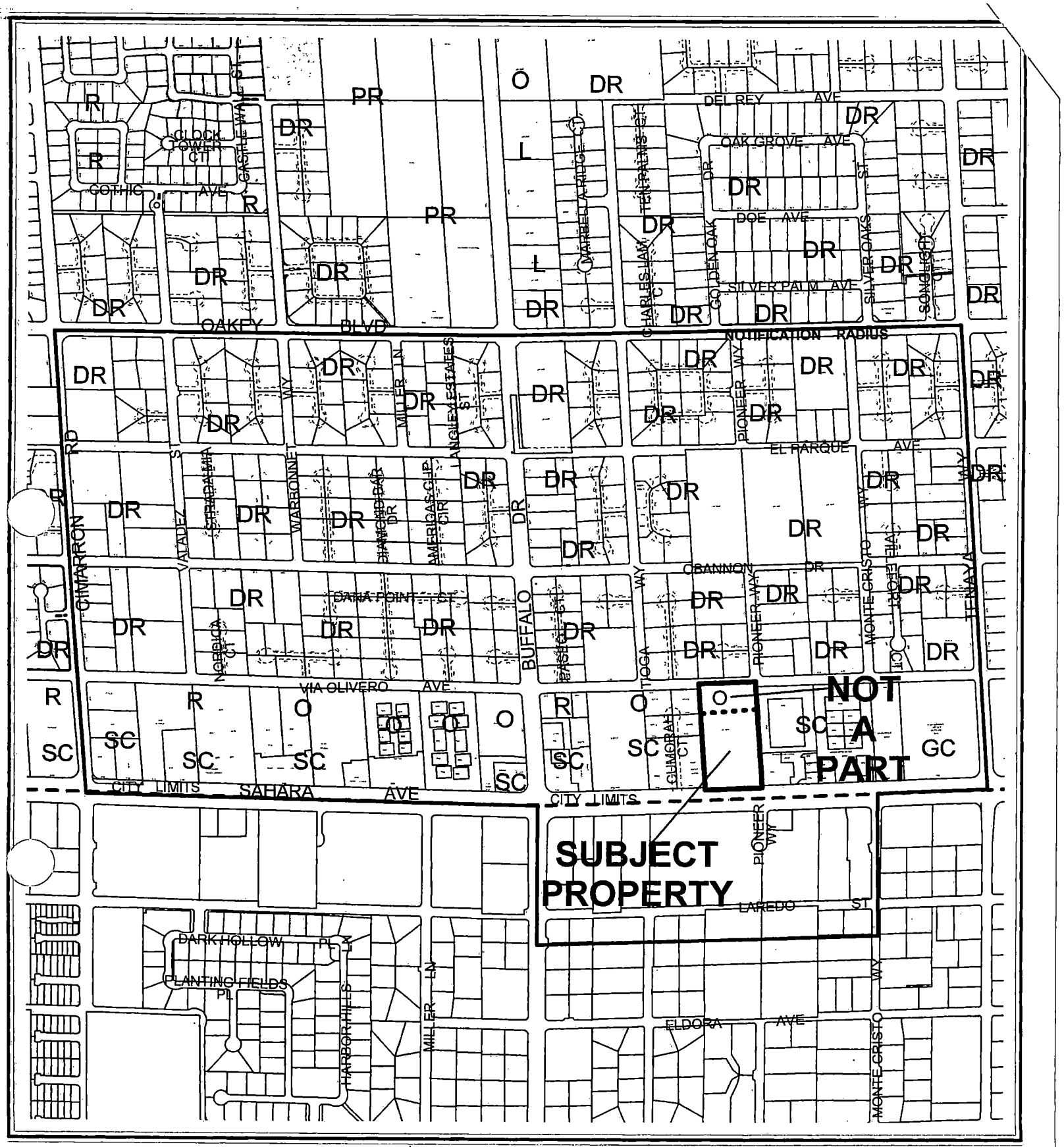
PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 38 – GPA-5714

MINUTES – Continued:

ATTORNEY CURRAN said that he could say, on behalf of the applicant, that they would cooperate in trying to find resolutions as suggested. From the standpoint of Fletcher Jones, the parking prohibition on Via Olivero Avenue would be encouraged. That would solve one problem and simplify the issue from the dealership's standpoint. MR. HOPPLE assured the Chairman that Fletcher Jones would take a leadership role in working with the Southern Nevada Franchise Auto Dealers and the dealers on Sahara Avenue to discuss potential solutions with COUNCILWOMAN MONCRIEF.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 38 [GPA-5714], Item 39 [ZON-5176], Item 40 [SUP-5719] and Item 41 [SDR-5717].

(7:30 – 8:12)



CASE: **GPA-5714**

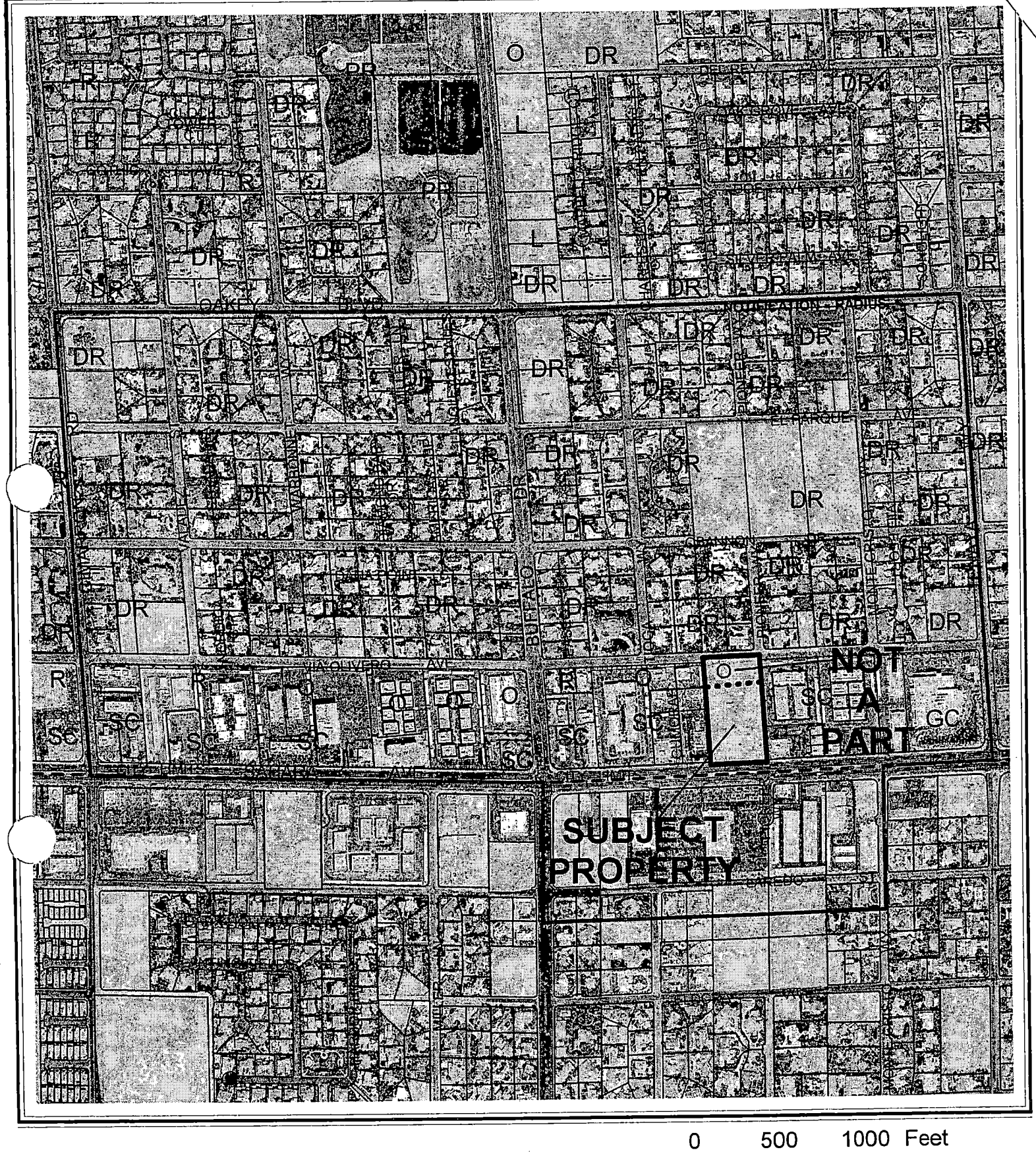
RADIUS: SPECIAL

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE) AND SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

GC (GENERAL COMMERCIAL)



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CASE: **GPA-5714**

RADIUS: SPECIAL

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
O (OFFICE) AND SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
GC (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-5714 - APPLICANT: FLETCHER JONES MANAGEMENT CO. - OWNER: JOHN LEE

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL

AR

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located adjacent to the northwest corner of Sahara Avenue and Pioneer Way from SC (Service Commercial) to GC (General Commercial). A related rezoning to C-2 (General Commercial) and P-R (Professional Offices and Parking), a Site Development Plan Review for an auto dealership, a Special Use Permit for used auto sales, and a Special Use Permit for auto dealer inventory storage will also be considered on this agenda.

BACKGROUND DATA:

08/07/85 The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Rural Density Residential land uses with a maximum density of three dwelling units per acre.

03/12/92 The Planning Commission approved the three Land Use Sector Maps of the General Plan. The subject parcel was designated for R (Rural Density Residential) land uses on the southwest sector map.

6/21/95 The City Council approved a General Plan Amendment from R (Rural Density Residential) to SC (Service Commercial) [GPA-25-95] for the south portion of the subject site

08/18/99 The City Council approved GPA-14-99 to amend portions of the Southwest Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.

05/05/04 The City Council approved a General Plan Amendment to O (Office) [GPA-3985] for the north portion of subject site.

DETAILS OF APPLICATION REQUEST

Site Area: 3.50 Acres

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EXISTING LAND USE

Subject Property	Undeveloped
North	Across Via Olivero Avenue - Single Family Residential
South	Undeveloped
East	Offices
West	Offices

PLANNED LAND USE

Subject Property	R (Rural Density Residential)
North	Across Via Olivero Avenue – DR (Desert Rural)
South	SC (Service Commercial)
East	SC (Service Commercial)
West	O (Office)

EXISTING ZONING

Subject Property	U (Undeveloped)
North	Across Via Olivero Avenue – R-E (Residence Estates)
South	U (Undeveloped)
East	P-R (Professional Office and Parking)
West	P-R (Professional Office and Parking)

	YES	NO
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

DEFINITIONS

R (Rural Density Residential) (2.5 to 3.59 dwelling units/gross acre). The Rural Density Residential category allows a maximum of 3.5 dwelling units per gross acre. This is a rural or semi-rural environment with a life-style much like that of the Desert Rural, but with a smaller allowable lot size.

O (Office) The Office category provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

AR

SC (Service Commercial) The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

GC (General Commercial) General Commercial allows retail, service, wholesale, office, and other general business uses of a more intense commercial character. These uses include limited outdoor storage or display of products, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas with significant transition. Examples of General Commercial uses include: new and used car sales; recreational vehicles and boat sales; mortuaries; and other vehicle-oriented uses such as hotels, motels, apartment hotels, and similar uses. This category includes the Village and Town Center concept areas.

INTERAGENCY ISSUES

None

ANALYSIS

The subject parcel is currently undeveloped. Access is provided by Sahara Avenue to the south. Adjacent land uses include office/commercial developments to the west and east, and single-family homes to the north.

Policy 2.1.2 of the Master Plan 2020 states, "That development on vacant or underutilized lots within existing residential neighborhoods be sensitive in use and design to surrounding development." This policy does not support development as proposed by this request. A General Commercial district, which permits an auto dealership, is not compatible with adjacent development. The fact that there are already commercial uses in the area does not justify allowing additional increases in intensity of development. The increased traffic and general activity will only add to the impacts already existing.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,

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2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to "1": General commercial allows retail, service, wholesale, office and other general business uses of a more intense commercial character. These uses commonly include outdoor storage or display of products or parts, noise, lighting, or other characteristics not generally considered compatible with adjoining residential properties without significant transition. Examples include new and used car sales, recreation vehicles and boat sales, car body and engine repair shops, mortuaries, and other uses such as hotels and motels. Such uses are not compatible with the Service Commercial and Office designations to the east and west of the subject site.

In regard to "2": The zoning designations that would be permitted with this amendment are not compatible with the adjacent C-1 (Limited Commercial) and P-R (Professional Offices and Parking) zoning districts.

In regard to "3": Public facilities and infrastructure presently exist to support commercial development. Access would be directly to Sahara Avenue. The property is just over two miles from a fire station at Charleston Boulevard and Durango Drive and within one mile of a police station at Charleston Boulevard and Rainbow Boulevard.

In regard to "4": Objectives and policies are addressed in the *City of Las Vegas Master Plan 2020*. There are no plans or policies that specifically address this area of the Southwest Sector.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on December 14, a neighborhood meeting sponsored by the applicant was held at the West Sahara Library at 7604 West Sahara Avenue. Ten people attended and had the following comments:

- Don't want another car dealership along Sahara.
- Test drives being taken along Via Olivero Avenue increased the dangers for neighborhood children.
- Concerned about employees who park along Via Olivero Avenue
- Concerned about off-site parking of customers along Via Olivero Avenue
- Concerned about parking lot lighting and other light pollution generated by the dealership

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- Wanted the dealership to prohibit their employees from taking smoke breaks outside designated areas
- Worried about traffic exiting the dealership and making right turns at shift's end.

The majority of the neighbors in attendance were opposed to the project, and the applicant stated that they would be willing to work with the neighbors to address their concerns.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED: 6

NOTICES MAILED 436 – Mailed with ZON-5716, SUP-5719 and SDR-5717

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-5714 APN: 163 034 02~~7~~1017

Name of Property Owner: John Lee

Name of Applicant: Fletcher Jones Management Company

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

_____Yes _____√_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: John D. Lee

Print Name: JOHN D. Lee

Subscribed and sworn before me

This 4th day of November, 20 04

_____

Notary Public in and for said County and State

MELISSA LEE
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 09-03-08
Certificate No: 04-91388-1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-75714 APN: 163034020~~7~~017

Name of Property Owner: ONG Partners, LLC

Name of Applicant: Fletcher Jones Management Company

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Kenny Ong

Print Name: KENNY ONG

Subscribed and sworn before me

This 4th day of November, 2004

Notary Public in and for said County and State

MELISSA LEE
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 09-03-08
Certificate No: 04-91388-1

CURRAN & PARRY
ATTORNEYS AT LAW
300 SOUTH FOURTH STREET
SUITE 1201
LAS VEGAS, NEVADA 89101

WILLIAM P. CURRAN
STANLEY W. PARRY

JOSHUA H. REISMAN
GLENN M. MACHADO

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

November 30, 2004

CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER
731 South 4th Street
Las Vegas, NV 89101

RE: **Fletcher Jones/SMARTCAR GPA Application**
NW Corner Pioneer/Sahara
APN: 163-03-402-017

Dear Madam/Sir:

Fletcher Jones Management Corporation seeks to obtain a General Plan Amendment in conjunction with its application for Rezoning, Special Use Permit for used car sales, and Site Design Review which will allow the establishment of a new car dealership at the above location. These other applications are being filed simultaneously.

Fletcher Jones has a long-standing history of operating quality car dealerships throughout the Las Vegas Valley and in other communities across the western United States. The most recent additions to the Fletcher Jones family of dealerships have been quality projects that have enhanced the surrounding areas, and the company has a policy of working with the neighbors to provide facilities that are acceptable and beneficial to the surrounding area. The approval of the proposed SMARTCAR dealership would be no exception, and the facility will add a new dimension to the array of automobiles currently available in our valley, and the proposed plans for this location fit within the current development of the area.

In addition to providing increased variety and economic development within the district, the new dealership provides several advantages to its neighbors. Currently, the nearby Fletcher Jones Mercedes dealership shares its employee parking with the well-attended St. Joseph, Husband of Mary Catholic Church. While this agreement has worked well considering the differing hours of attendance at the establishments, it has now become necessary for Fletcher Jones to develop a property where its employees can use a permanent parking facility designated solely for their use. The SMARTCAR dealership property can provide this use. The small size of the SMARTCAR makes a large dealership unnecessary, so there is ample additional parking space on the subject property beyond what is require for the SMARTCAR dealership operations. The additional space can be designated as Fletcher Jones employee parking not only for the SMARTCAR operation, but for the nearby Mercedes dealership employees. The parking area will be distinctly landscaped and located so that it acts a buffer to the neighboring residents. The back portion of the property will

GPA-5714

remained zoned as Office to reassure the neighbors that the design and usage will provide such a buffer. Gates and landscaping buffers will be utilized to not only provide an adequate buffer from the commercial development, but also to create a more desirable view from Sahara, and convenient and safe parking for the employees.

All requirements of the applicable Las Vegas Municipal Code will be strictly adhered to in the plans and operation of the dealership. Fletcher Jones respectfully requests the approval of this, and the associated applications to allow the establishment of the SMARTCAR dealership.

Should you have any questions or concerns about this project, please feel free to contact my office for more information or assistance.

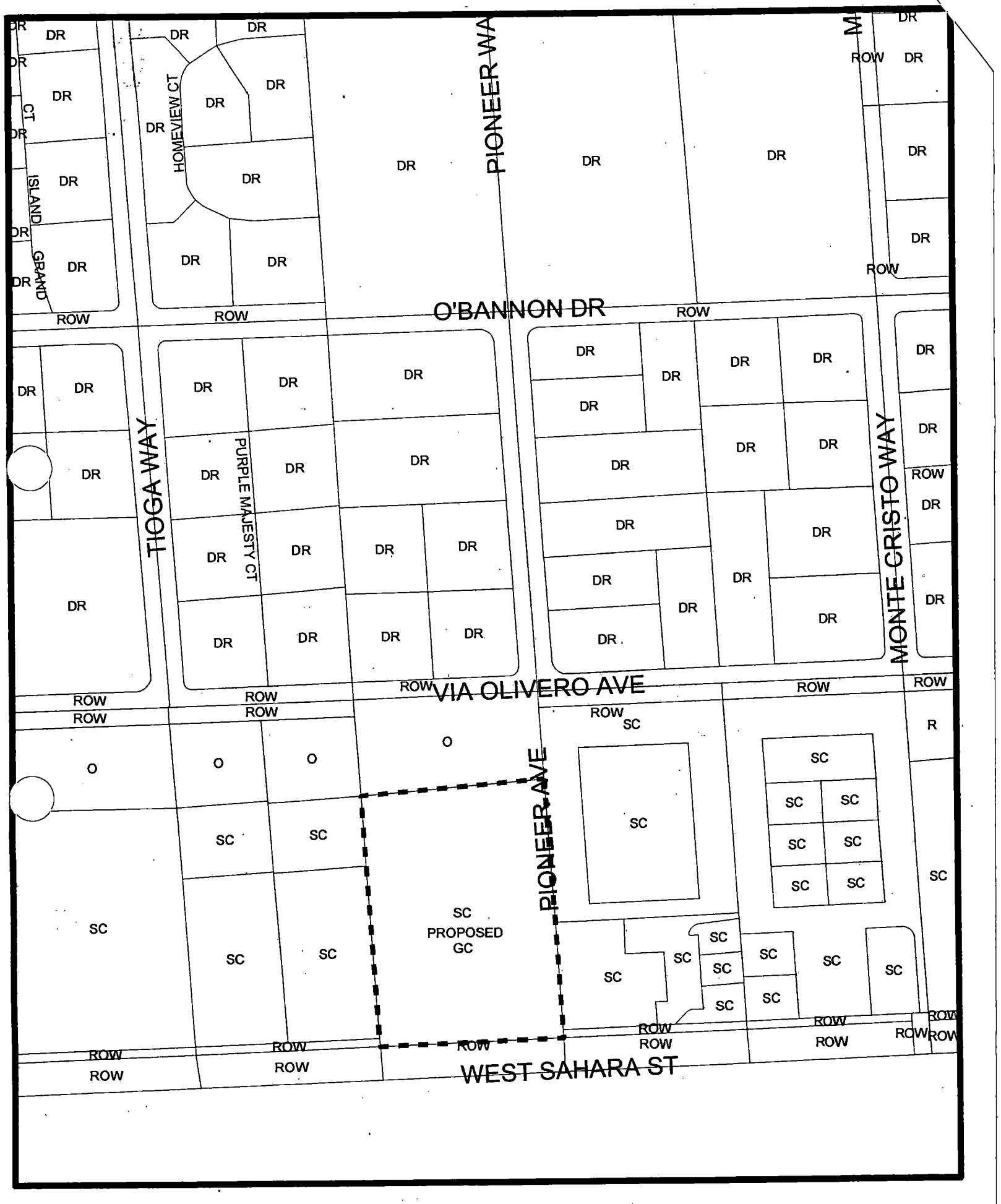
Sincerely,

CURRAN & PARRY

Bill Curran

WPC/mp
W:\Fletcher Jones\W Sahara-Mercedes Site\letters\GPA Justification Letter.wpd

GPA-5714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PIONEER WA
O'BANNON DR
TIOGA WAY
PURPLE MAJESTY CT
MONTE CRISTO WAY
VIA OLIVERO AVE
PIONEER AVE
WEST SAHARA ST
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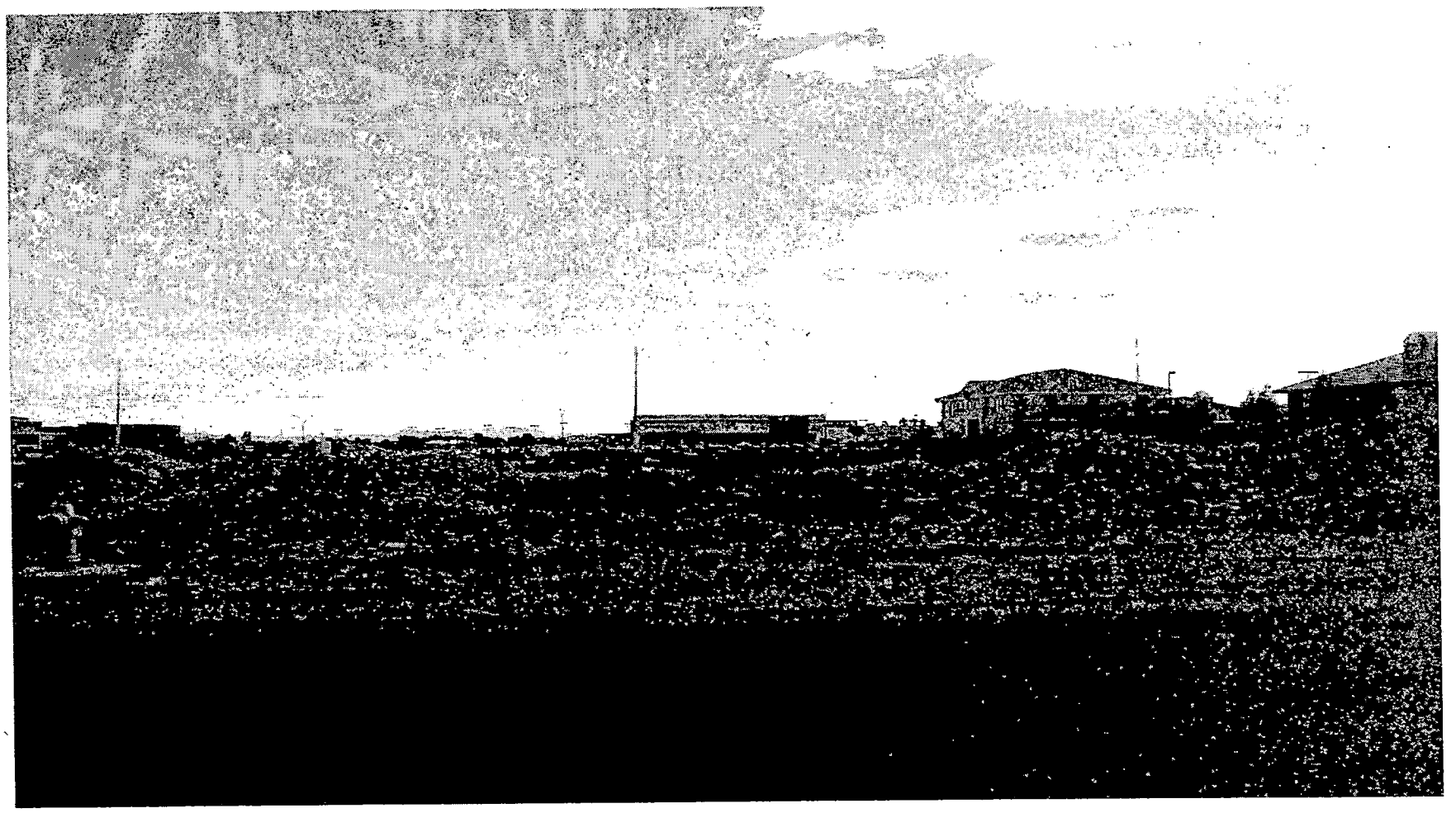
GPA-5714



GPA-5714 - APPLICANT: FLETCHER JONES MANAGEMENT CO. - OWNER: JOHN LEE AND ONG PARTNERS, L.L.C.
NORTHWEST CORNER OF SAHARA AVENUE AND PIONEER WAY
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

January 10, 2005

Las Vegas Planning Commission
731 South 4th Street – 2nd Floor
Las Vegas, NV 89101

Reference: Case No. SDR-5717 Site Development Review
Case No. ZON-5716 Rezoning
Case No. GPA-5714
Case No. SUP-5719

Dear Sirs,

This letter is in protest to the proposed zoning changes to the property referenced above. My family and I reside at 2271 S. Pioneer Way, directly behind the property affected.

I am strongly against changing the zoning to allow an automobile dealership to locate on the afore-mentioned property. We are still dealing with the current nuisance of bright lighting left on all night from the current businesses located on Sahara (which back up to Via Olivero and Pioneer Way), increased traffic on our residential streets, and car alarms going off all night at the Honda Dealership located across Sahara. I fear that these events will only increase with the addition of another car dealership in our neighborhood, taking away the charm and value of our custom homes.

I attended the meeting on Tuesday, December 14th at the Sahara West Library regarding the zoning changes. My neighbors and I made it clear that we are unhappy about the proposed car dealership.

We are still dealing with the Mercedes Dealership parking employees' cars on Via Olivero and Tenaya Way after being assured that this would not happen.

Another concern is the site plan shows a gate accessing Via Olivero. **We do not want any access allowed onto Via Olivero**, our concern being that the dealer will have employees being shuttled back and forth from this location to the Mercedes Benz Dealership, increasing traffic on our street.

A major trepidation is that once a precedent is set allowing a dealership (currently small) at this location, what is to prevent it from expanding to the back portion of the property, taking over the area they designated as employee parking. We will have a repeat of what is now occurring at the Mercedes Benz dealership with employees parking on our residential streets. The poor forecasting and planning of parking needs for the current dealership could again recur on this new property.

I have no personal animosity towards the parties requesting this zoning change, only a concern for quality of life in our family-oriented neighborhood. Please do not allow yet another car dealership in our area.

Thank you for your time and consideration.

Sincerely,

Anne Caddick

Anne Caddick
2271 S. Pioneer Way
Las Vegas, NV 89117
(702) 360-6612

cc: Janet Moncrief, Ward 1
Oscar Goodman, Mayor
Anna Williams

City of Las Vegas

Agenda Item No.: 39

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ZON-5716 - REZONING RELATED TO GPA-5714 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT CO. - OWNER: JOHN LEE AND ONG PARTNERS, L.L.C. - Request for a Rezoning FROM: U (UNDEVELOPED) [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) AND FROM: U (UNDEVELOPED) [O (OFFICE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO O (OFFICE) TO: P-R (PROFESSIONAL OFFICES AND PARKING) on 4.86 acres adjacent to the northwest corner of Sahara Avenue and Pioneer Way (APN 163-03-402-017), Ward 1 (Moncrief).

C.C. 2/16/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends DENIAL

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

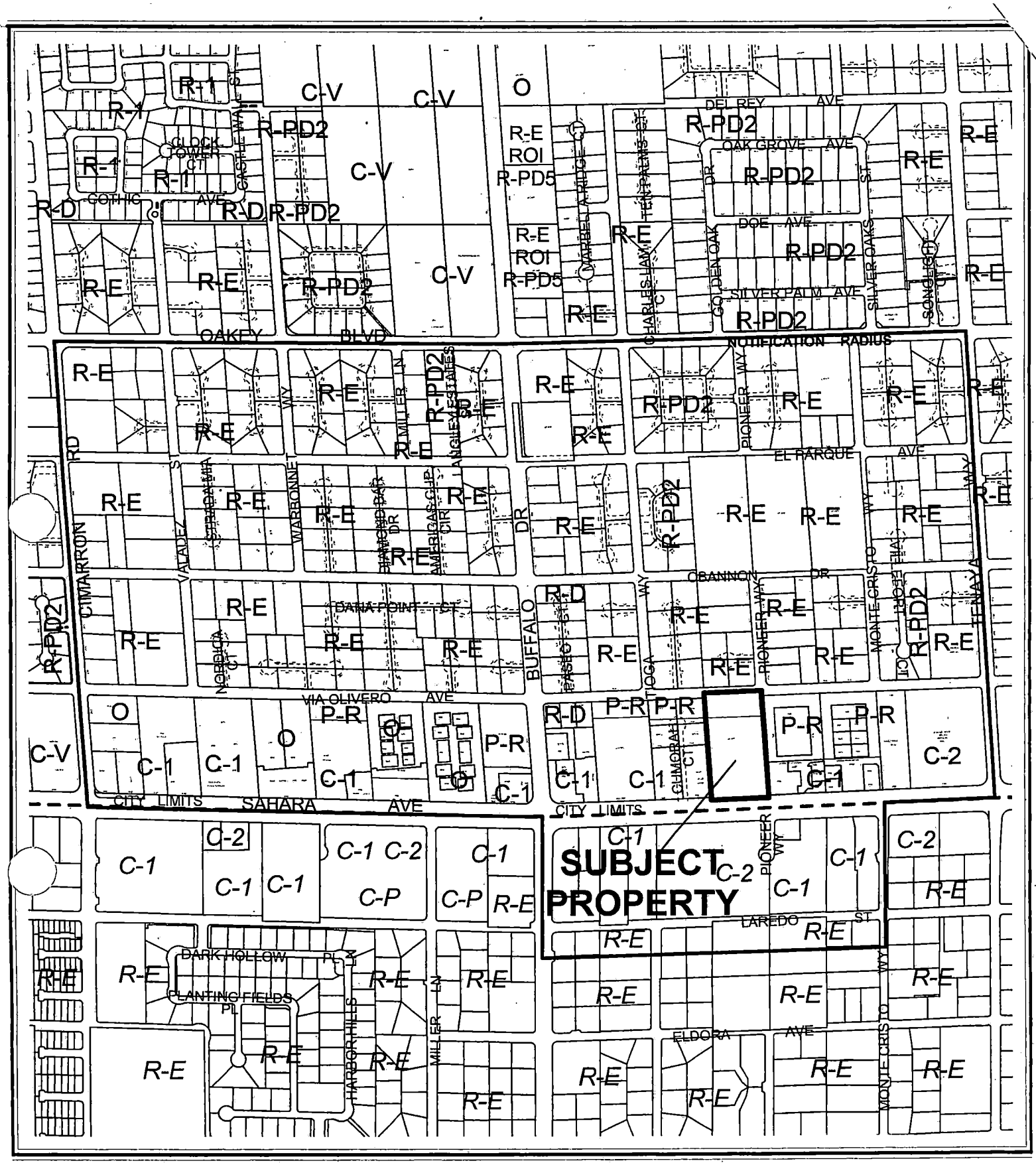
MOTION:
McSWAIN – DENIED – Motion carried with GOYNES and TRUESDELL voting NO

To be heard by City Council 2/16/2005

MINUTES:
See Item 38 [GPA-5714] for related discussion on Item 38 [GPA-5714], Item 39 [ZON-5176], Item 40 [SUP-5719] and Item 41 [SDR-5717].

(7:30 – 8:12)

1-3535



0 500 1000 Feet

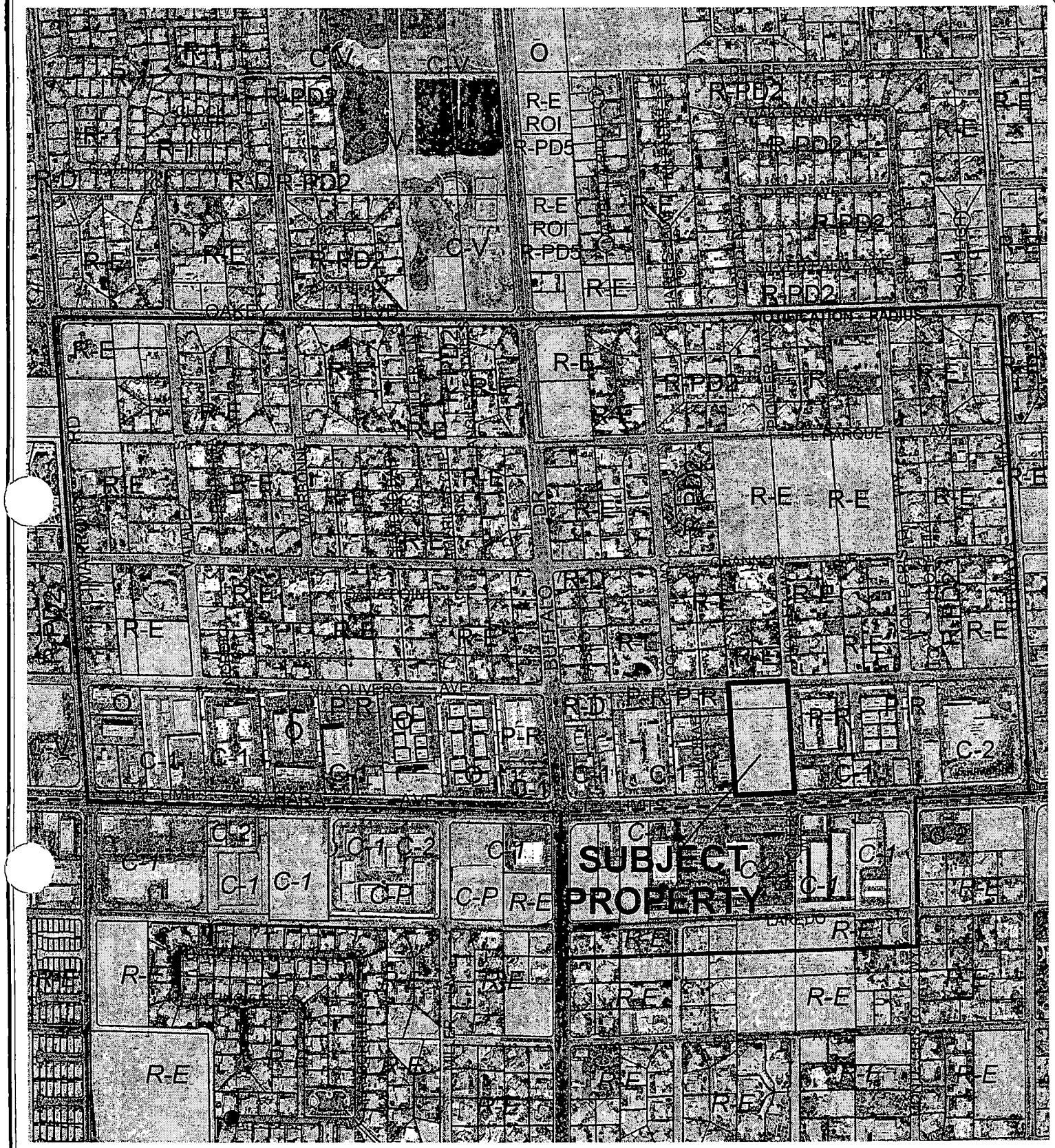
CASE: **ZON-5716**

RADIUS: SPECIAL

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO 0 (OFFICE) AND U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
C-2 (GENERAL COMMERCIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING)

N



CASE: **ZON-5716**

RADIUS: SPECIAL

0 500 1000 Feet

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO 0 (OFFICE) AND U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
C-2 (GENERAL COMMERCIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-5716 - APPLICANT: FLETCHER JONES MANAGEMENT CO. - OWNER: JOHN LEE

** CONDITIONS **

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

Planning and Development

1. A General Plan Amendment (GPA-5714) to a GC (General Commercial) land use designation on a portion of the site approved by the City Council.

2. A Resolution of Intent with a two-year time limit.

3. A Site Development Plan Review application (SDR-5717) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

4. The south side of Via Olivero Avenue shall be developed with landscaping and berming and without a sidewalk, using a design consistent with that on other developed parcels on the south side of Via Olivero Avenue.

Public Works

5. Dedicate 30 feet of right-of-way adjacent to this site for Via Olivero Avenue and dedicate an additional 14.5 feet of right-of-way for a total half-street width of 75 feet on Sahara Avenue adjacent to this site prior to the issuance of any permits.

6. Construct all incomplete half-street improvements on Via Olivero Avenue and Sahara Avenue adjacent to this site concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

7. 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. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Rezoning from U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution Of Intent to C-1 (Limited Commercial) to C-2 (General Commercial) and from U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution Of Intent to O (Office) to P-R (Professional Offices and Parking) on 4.86 acres adjacent to the northwest corner of Sahara Avenue and Pioneer Way. Approval of this Rezoning request will allow the applicant to develop a proposed 2,020 square-foot auto dealership on the subject site.

Related requests to change the General Plan land use designation (GPA-5714) of the southern portion of the property from SC (Service Commercial) to GC (General Commercial), a Site Development Plan Review for the auto dealership (SDR-5717) and a Special Use Permit (SUP-5719) for used auto sales and for auto dealership storage will also be reviewed concurrently.

B) Applicant's Justification

The applicant indicates this request is justified because the proposed plans for this location fit within the current development of the area.

BACKGROUND INFORMATION

A) Previous Actions

03/19/86 The City Council approved a request (A-0009-85) to annex approximately 1,509 acres of land, including the subject site.

04/11/96 The Planning Commission accepted a request to withdraw without prejudice a request (GPA-0059-95) to amend the Southwest Sector Plan of the General Plan from R (Rural Density Residential) to Service Commercial. Staff had recommended approval.

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05/05/04 The City Council approved the following: a Request to Amend a portion of the Southwest Sector Plan of the General Plan (GPA-3985) from R (Rural Density Residential) to O (Office) for the northern portion of the subject site. The Planning Commission (7-0 vote) and staff recommended approval; a Request for a Rezoning (ZON-3987) from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to O (Office) and from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial). The Planning Commission (7-0 vote) and staff recommended approval; and a request for a Site Development Plan Review (SDR-3988) and a Waiver of foundation landscaping standards for a proposed 42,400 square-foot office building and 12,800 square-foot retail building on the subject site. The Planning Commission (7-0 vote) and staff recommended approval.

B) Neighborhood Meetings

On December 14, a neighborhood meeting sponsored by the applicant was held at the West Sahara Library at 7604 West Sahara Avenue. Ten people attended and had the following comments:

- Don't want another car dealership along Sahara.
- Test drives being taken along Via Olivero Avenue increased the dangers for neighborhood children.
- Concerned about employees who park along Via Olivero Avenue
- Concerned about off-site parking of customers along Via Olivero Avenue
- Concerned about parking lot lighting and other light pollution generated by the dealership
- Wanted the dealership to prohibit their employees from taking smoke breaks outside designated areas
- Worried about traffic exiting the dealership and making right turns at shift's end.

The majority of the neighbors in attendance were opposed to the project, and the applicant stated that they would be willing to work with the neighbors to address their concerns.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	4.89
Net Acres:	4.54

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Dwellings (across Via Olivero Avenue)
South:	Clark County
East:	Offices and Financial Uses
West:	Offices and Financial Uses

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C) Planned Land Use

Subject Property:	R (Rural Density Residential) and SC (Service Commercial)
North:	DR (Desert Rural Density Residential)
South:	Clark County
East:	SC (Service Commercial)
West:	SC (Service Commercial) and O (Office)

D) Existing Zoning

Subject Property:	U (Undeveloped) [R (Rural Density Residential) and SC (Service Commercial) General Plan Designations]
North:	R-E (Residence Estates)
South:	Clark County
East:	C-1 (Limited Commercial) and P-R (Professional Office and Parking)
West:	C-1 (Limited Commercial) and P-R (Professional Office and Parking)

E) General Plan Compliance

The Southwest Sector Map of the General Plan designates the north portion of the site as O (Office). The Office category provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations. The proposed rezoning to P-R (Professional Offices and Parking) of the north portion of the site is in conformance with the O (Office) General Plan designation.

The south portion of the site is designated SC (Service Commercial). The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services. A related General Plan Amendment (GPA-5714) application seeks to change the land use designation of the south portion of the site to GC (General Commercial) General Commercial allows retail, service, wholesale, office, and other general business uses of a more intense commercial character. These uses include limited outdoor storage or display of products, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas with significant transition. Examples of General Commercial uses include: new and used car sales; recreational vehicles and boat sales; mortuaries; and other vehicle-oriented uses such as hotels, motels, apartment hotels, and similar uses. The proposed C-2 (General Commercial) Zoning District is in conformance with the proposed GC (General Commercial) land use designation on this portion of the site.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. **"The proposal conforms to the General Plan."**

   The south portion of the subject site is currently designated SC [Service Commercial] on the Southwest Sector Map of the Las Vegas General Plan. The applicant has requested an amendment to the Southwest Sector Map to GC (General Commercial) for this part of the subject site. While the requested Rezoning to C-2 (General Commercial) will be consistent with the requested General Plan designation for that part of site, staff has found the requested General Plan amendment to be inappropriate for the site and has recommended denial. For the same reasons of incompatibility between existing residential uses and potential commercial uses of the site, because of the spot zoning nature of the request, and the potential to induce commercial encroachment into an existing residential neighborhood, staff finds the requested Rezoning inappropriate and recommends denial.

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

   Staff finds that the type of uses potentially allowable under the C-2 (General Commercial) zone will be more intense in nature than allowed uses with the existing zoning. Staff therefore finds these uses will not be compatible with the adjacent single-family residential land uses and zoning districts to the north and east.

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

   Staff finds that the proposed Rezoning and the proposed automobile dealership will not meet any identified need for such uses in the surrounding neighborhood. The proposed project is a regional rather than a local commodity, and can be located elsewhere in the City. Therefore, staff finds the requested Rezoning will not be responsive to existing community needs.

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

   The subject site has access to Sahara Avenue, designated as a Primary (150-foot) Arterial on the Master Plan of Streets and Highways. Sahara Avenue will be adequate to meet the requirements of the proposed zoning district.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED: 6

NOTICES MAILED 436 – Mailed with GPA-5714, SUP-5719 and SDR-5717

APPROVALS 0

PROTESTS 1

AR

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5716 APN: 163 034 02 071

Name of Property Owner: John Lee

Name of Applicant: Fletcher Jones Managment Company

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

_____Yes _____√_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: John D. Lee

Print Name: JOHN D. Lee

Subscribed and sworn before me

This 4th day of November, 20 04

_____

Notary Public in and for said County and State

MELISSA LEE
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 09-03-08
Certificate No: 04-91388-1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5716 APN: 163034 02071

Name of Property Owner: ONG Partners, LLC

Name of Applicant: Fletcher Jones Management Company

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

_____Yes ✓ _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Kenny Ong

Print Name: KENNY ONG

Subscribed and sworn before me

This 4th day of November, 2004

_____

Notary Public in and for said County and State

MELISSA LEE
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 09-03-08
Certificate No: 04-91388-1

CURRAN & PARRY
ATTORNEYS AT LAW
300 SOUTH FOURTH STREET
SUITE 1201
LAS VEGAS, NEVADA 89101

WILLIAM P. CURRAN
STANLEY W. PARRY

JOSHUA H. REISMAN
GLENN M. MACHADO

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

November 30, 2004

CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER
731 South 4th Street
Las Vegas, NV 89101

RE: **Fletcher Jones/SMARTCAR Rezoning Application**
NW Corner Pioneer/Sahara
APN: 163-03-402-017

Dear Madam/Sir:

Fletcher Jones Management Corporation seeks to obtain a Rezoning of the front portion of the subject property to C-2 in conjunction with its application for a General Plan Amendment, Special Use Permit for used car sales, and Site Design Review, which will allow the establishment of a new car dealership at the above location. These other applications are being filed simultaneously.

Fletcher Jones has a long-standing history of operating quality car dealerships throughout the Las Vegas Valley and in other communities across the western United States. The most recent additions to the Fletcher Jones family of dealerships have been quality projects that have enhanced the surrounding areas, and the company has a policy of working with the neighbors to provide facilities that are acceptable and beneficial to the surrounding area. The approval of the proposed SMARTCAR dealership would be no exception, and the facility will add a new dimension to the array of automobiles currently available in our valley, and the proposed plans for this location fit within the current development of the area.

In addition to providing increased variety and economic development within the district, the new dealership provides several advantages to its neighbors. Currently, the nearby Fletcher Jones Mercedes dealership shares its employee parking with the well-attended St. Joseph, Husband of Mary Catholic Church. While this agreement has worked well considering the differing hours of attendance at the establishments, it has now become necessary for Fletcher Jones to develop a property where its employees can use a permanent parking facility designated solely for their use. The SMARTCAR dealership property can provide this use. The small size of the SMARTCAR makes a large dealership unnecessary, so there is ample additional parking space on the subject property beyond what is require for the SMARTCAR dealership operations. The additional space can be designated as Fletcher Jones employee parking not only for the SMARTCAR operation, but for the nearby Mercedes dealership employees. The parking area will be distinctly landscaped and

ZON-5716

located so that it acts a buffer to the neighboring residents. The back portion of the property will remained zoned as Office to reassure the neighbors that the design and usage will provide such a buffer. Gates and landscaping buffers will be utilized to not only provide an adequate buffer from the commercial development, but also to create a more desirable view from Sahara, and convenient and safe parking for the employees.

All applicable requirements of the Las Vegas Municipal Code will be strictly adhered to in the plans and operation of the dealership. Fletcher Jones respectfully requests the approval of this, and the associated applications to allow the establishment of the SMARTCAR dealership.

Should you have any questions or concerns about this project, please feel free to contact my office for more information or assistance.

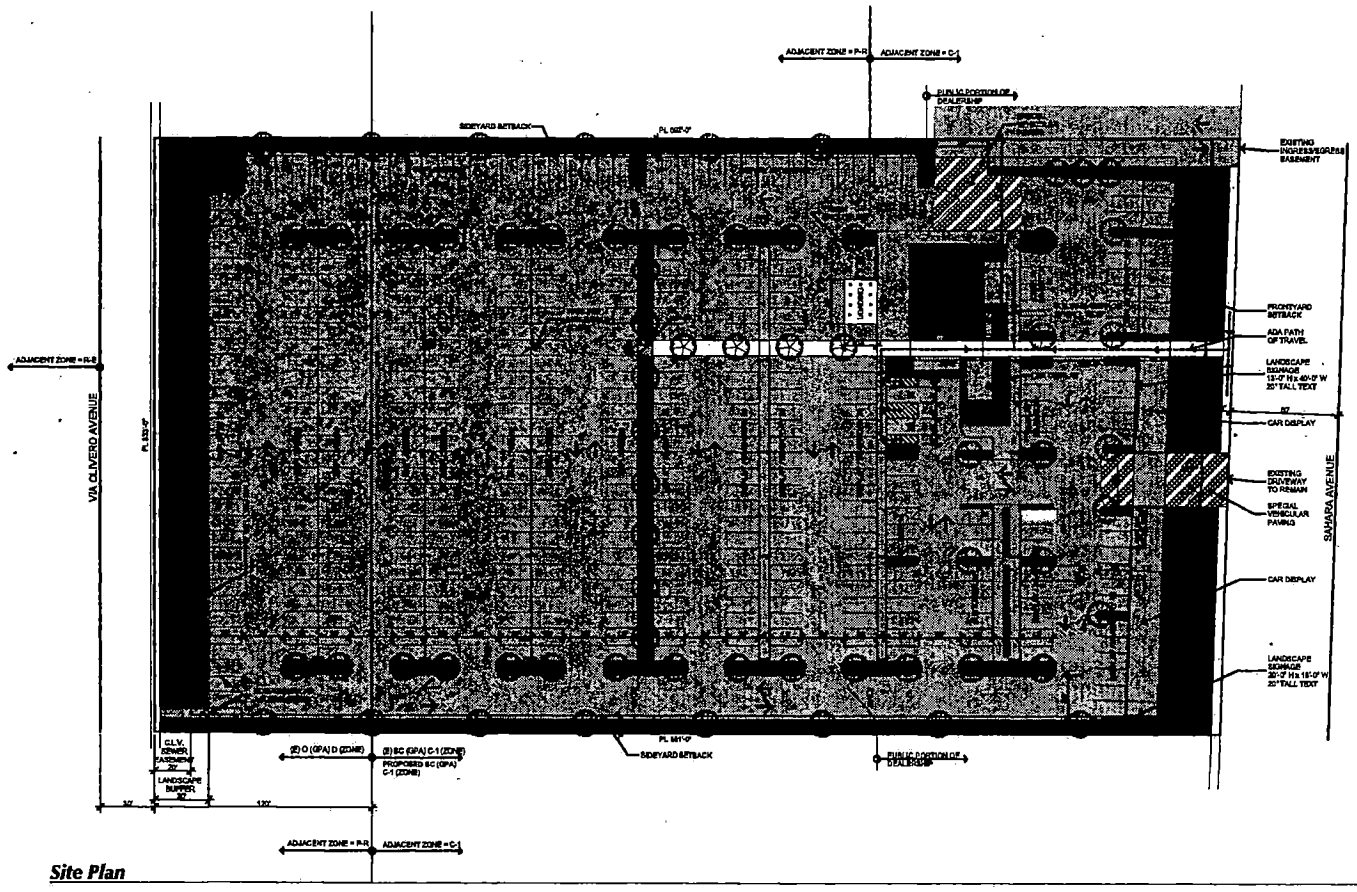
Sincerely,

CURRAN & PARRY

Bill Curran

WPC/mp
W:\Fletcher Jones\W Sahara-Mercedes Site\letters\Rezone Justification Letter.wpd

ZON-5716

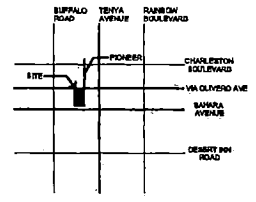


Site Plan 02

ZON-5716
SUP-5719
SDR-5717
01-13-05 PC

PROJECT INFORMATION

Jurisdiction	City of Las Vegas
Code Used	Title 19 (Las Vegas Zoning Code)
Lot Size:	211,905 s.f. (4.86 acres)
Assessor's Parcel Number	163-05-402-017
Allowable Lot Coverage	50% (105,952 s.f.)
Actual Lot Coverage	0.9% (2,020 s.f.)
Set Backs	
Front (Sahara):	20'
Rear (Via Olivero):	20'
Side:	10'
Building Height:	35'
Building Size:	2,020 s.f.
Parking Required:	
Motor Vehicle Sales (1:500)	4.04 spaces req'd
Handicapped Parking Required: 1:25 spaces	1 space req'd
Parking Provided:	
Customer:	24 spaces (3 ADA spaces)
Inventory / Display:	148 spaces
Employee:	256 spaces
Total Parking Provided	428 spaces
Parking Space Count:	
Regular	426 spaces
Compact	0 spaces
Handicap	2 spaces
Total	428 spaces



Vicinity Map 01

BAUER AND WILEY
2587 West Coast Highway, Suite 202, Newport Beach, CA 92663
Phone 949-645-9481 Fax 949-645-9759

Jay A. Bauer, FAIA
State of Nevada License #2903

Fletcher Jones Smart Car
West Sahara
Las Vegas, Nevada

Sheet Notes

Sheet Legend

RECEIVED
NOV 30 2004

Issue No.	Date	Description

Site Plan

Plotted on 11/24/04

A-01

Drawn By: Design Check: Tech Check:

ZON-5716 - APPLICANT: FLETCHER JONES MANAGEMENT CO. - OWNER: JOHN LEE AND ONG PARTNERS, L.L.C.
NORTHWEST CORNER OF SAHARA AVENUE AND PIONEER WAY
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

January 10, 2005

Las Vegas Planning Commission
731 South 4th Street – 2nd Floor
Las Vegas, NV 89101

Reference: Case No. SDR-5717 Site Development Review
Case No. ZON-5716 Rezoning
Case No. GPA-5714
Case No. SUP-5719

Dear Sirs,

This letter is in protest to the proposed zoning changes to the property referenced above. My family and I reside at 2271 S. Pioneer Way, directly behind the property affected.

I am strongly against changing the zoning to allow an automobile dealership to locate on the afore-mentioned property. We are still dealing with the current nuisance of bright lighting left on all night from the current businesses located on Sahara (which back up to Via Olivero and Pioneer Way), increased traffic on our residential streets, and car alarms going off all night at the Honda Dealership located across Sahara. I fear that these events will only increase with the addition of another car dealership in our neighborhood, taking away the charm and value of our custom homes.

I attended the meeting on Tuesday, December 14th at the Sahara West Library regarding the zoning changes. My neighbors and I made it clear that we are unhappy about the proposed car dealership.

We are still dealing with the Mercedes Dealership parking employees' cars on Via Olivero and Tenaya Way after being assured that this would not happen.

Another concern is the site plan shows a gate accessing Via Olivero. **We do not want any access allowed onto Via Olivero**, our concern being that the dealer will have employees being shuttled back and forth from this location to the Mercedes Benz Dealership, increasing traffic on our street.

A major trepidation is that once a precedent is set allowing a dealership (currently small) at this location, what is to prevent it from expanding to the back portion of the property, taking over the area they designated as employee parking. We will have a repeat of what is now occurring at the Mercedes Benz dealership with employees parking on our residential streets. The poor forecasting and planning of parking needs for the current dealership could again recur on this new property.

I have no personal animosity towards the parties requesting this zoning change, only a concern for quality of life in our family-oriented neighborhood. Please do not allow yet another car dealership in our area.

Thank you for your time and consideration.

Sincerely,

Anne Caddick

Anne Caddick
2271 S. Pioneer Way
Las Vegas, NV 89117
(702) 360-6612

cc: Janet Moncrief, Ward 1
Oscar Goodman, Mayor
Anna Williams