City of Las Vegas

Agenda Item No.: 65

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:
VAR-5676 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JAMES V. KOHL - Request for a Variance TO ALLOW A 95-FOOT WIDE LOT WHERE 100 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED RESIDENTIAL LOT on a portion of 2.03 acres at the northwest corner of Four Views Street and Ruston Road (APN 125-05-602-007), R-E (Residence Estates) Zone, Ward 6 (Mack).

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

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
5. Submitted at Meeting – Neighborhood Petition with 10 signatures

MOTION:
NIGRO – APPROVED subject to condition – Motion carried with GOYNES voting NO

This is Final Action

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated that the request for a Variance to allow a 95-foot wide lot where 100 feet is required on 2.03 acres. The applicant intends to split this parcel into four pieces and build houses for himself, parents, sister, and friend. It is believed that any other configuration would cause financial and other hardship. The applicant's request appears to be similar to other approved developments in the nearby vicinity, which were granted variances of minimum lot width standards. The applicant felt that the proposal would maintain the character of the neighborhood. However, the variance approved for nearby properties is not

MINUTES – Continued:

the same Variance as described in the above justification. Those variances were granted for those properties only, based on the specific circumstances affecting that property. The City's granting of one variance to an applicant does not confer entitlement to a separate Variance on another property. Moreover, the applicant cites financial hardship as a justification for this Variance. Nevada State statutes and City code specifically prohibits the granting of a Variance based solely on a plea of financial hardship.

MR. LEOBOLD pointed out that the conventional approach is to have four square lots around a cul-de-sac. Given half-street improvements, the 20,000 square foot minimum per lot cannot be met. In an R-E (Residence Estates) zone, the cul-de-sac is not counted towards the lot area. As a result, the applicant is proposing to divide three lots off one of the streets and the remaining lot on the other street. MR. LEOBOLD also pointed out on the Site Plan a building that appeared to be a well structure. Staff had spoken with the surveying company and was advised that it is not being utilized as a community well. In conclusion, staff recommended denial.

GLENN DAVIS, 6345 S. Jones Boulevard, appeared on behalf of the applicant. He showed two parcel maps with diagrams of adjacent properties to the north and within 600 feet northeast of the proposed site, which have layouts consistent with the proposal. He emphasized that the lots on these two parcel maps are not 100 feet wide and have variances as well. The applicant is requesting that one of the proposed lots have a variance for the width and not all four proposed lots on the subject parcel. He then confirmed for CHAIRMAN TRUESDELL that the applicant concurred with staff's condition.

SABRINA ODSGAARD, 9990 N. El Capitan Way, resides adjacent on the southwest corner of the proposed lot. She added that most of the lots have large homes with open area and is located near Floyd Lamb State Park. Some of the residents have horse property and ride their horses in this area. MR. DAVIS verified for her that at one time the applicant owned a parcel north of the proposed lot but has been sold. MS. ODSGAARD then submitted a petition with signatures of residents who oppose the proposed project.

DAVE JURETT, 8750 Ruston Road, pointed out that the layout shown on the overhead is not of three lots but one lot. He purchased his home in this area because of the rural character. The subject lot was a two-acre lot with a well on it, and the intent was to have two homes. He felt that the applicant's intention was to build as many homes on the subject lot for personal gain. There is a four-acre lot on the east side of Four Views Street between Ruston Road and Log Cabin Way. Should the requested variance be approved, he felt that it would be inevitable that the same would happen to that lot and end up having a housing track in their neighborhood. He requested that the Code requirement remain the same at 100 feet and not allow the variance.

MINUTES – Continued:

MARY ELIZABETH DIXON, 9990 Four Views Street, resides directly across from the subject property. She shared the same concerns as the previous comments made by residents.

DAN MARKS, 10216 Four Views Street, resides one lot north from the subject property. He would like to see a development on the subject parcel that is consistent with the existing development. He noted that the adjacent property to his property did receive a previous Variance approval for 98 feet. He is concerned that future applicants would continue to requests smaller lot size variances and eventually end up having track homes within this neighborhood.

VICTOR MACIAS, 8707 Rocky Road, resides on a lot north of the adjacent property, agreed with MR. MARKS' comments. He explained to CHAIRMAN TRUESDELL that he was advised that the developer was no longer developing ½ acres so he was fortunate to purchase one of the acre lots.

COMMISSIONER STEINMAN asked the applicant to explain one of his statements in his justification letter to staff regarding financial hardship. JAMES KOHL showed photos to explain why he felt any other configuration would cause financial hardship. He stated that of the proposed four lots, he would like to build his home on Lot 3, his sister on Lot 2, his parents on Lot 4, and a family friend on Lot 1. All parties involved have made financial obligations in having four lots on this proposed development; if the four lots are not approved, the property value would lessen. COMMISSIONER STEINMAN replied that there would have to be some physical characteristics that caused the requested variance and financial reasons would not suffice. MR. KOKL added that he would like to keep his family together, including the family friend. Furthermore, he pointed out that there are two additional parcels within one block of the subject parcel that are identical. MR. DAVIS added that this portion of the northwest area has had a boundary line adjustment, under the direction of the city and county surveyors. As a result of the overall boundary line adjustment, there is now a lack of property northward/southward, approximately eight to nine feet decrease. COMMISSIONER STEINMAN confirmed with MR. pointed out that the subject parcel could be divided into three parcels without a variance. MR. DAVIS responded that the proposed lots would all be over 20,000 square feet, but the only request is to deviate from the minimum lot width of only five feet.

VICE CHAIRMAN NIGRO appreciated the residents' desire to protect their community, as he felt the Commission has been consistent in doing so in the past. He referenced a previous item heard at this meeting where the Commission denied the application because it was not consistent in an area similar to this subject parcel. However, he found it disturbing and unfair that residents in this area opposed the application, yet some of them have variances on their lots as well. In particular, there are two areas within walking distance that have the same type of variance request. He believed the community, as it is now, exist well together. He referenced one of the

MINUTES – Continued:

lots that have a five-foot variance and is approximately 9,000 square feet larger than the adjacent properties. His opinion is that the requested five-feet variance was not significant enough to deny this application. The mitigating factor is that an almost 30,000 square foot lot would be developed. He respectfully disagreed with the residents regarding the additional fourth lot and did not believe it would diminish the area and stated he would support the application.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

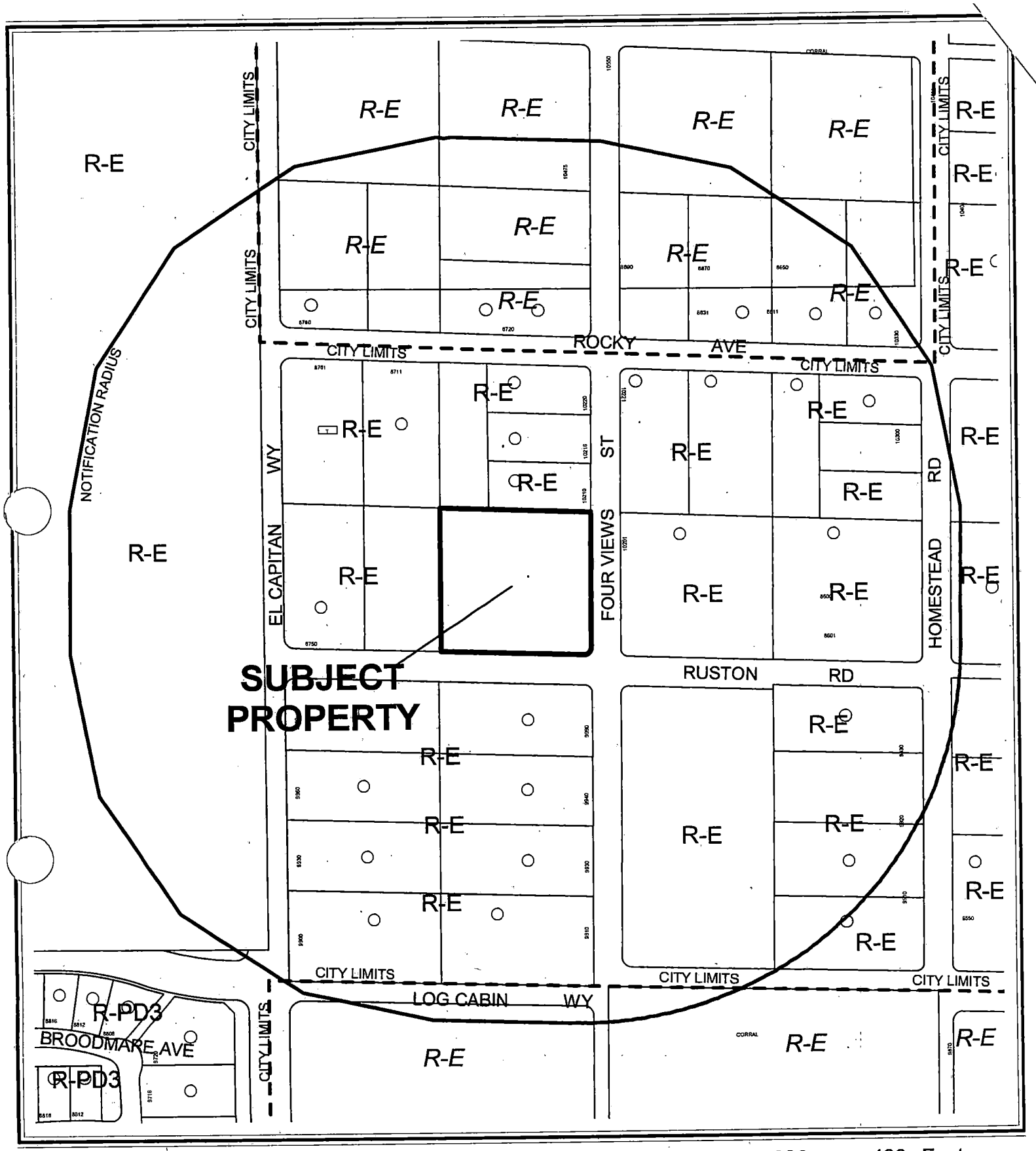
(10:14 – 10:31)

3-2072

CONDITION:

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.



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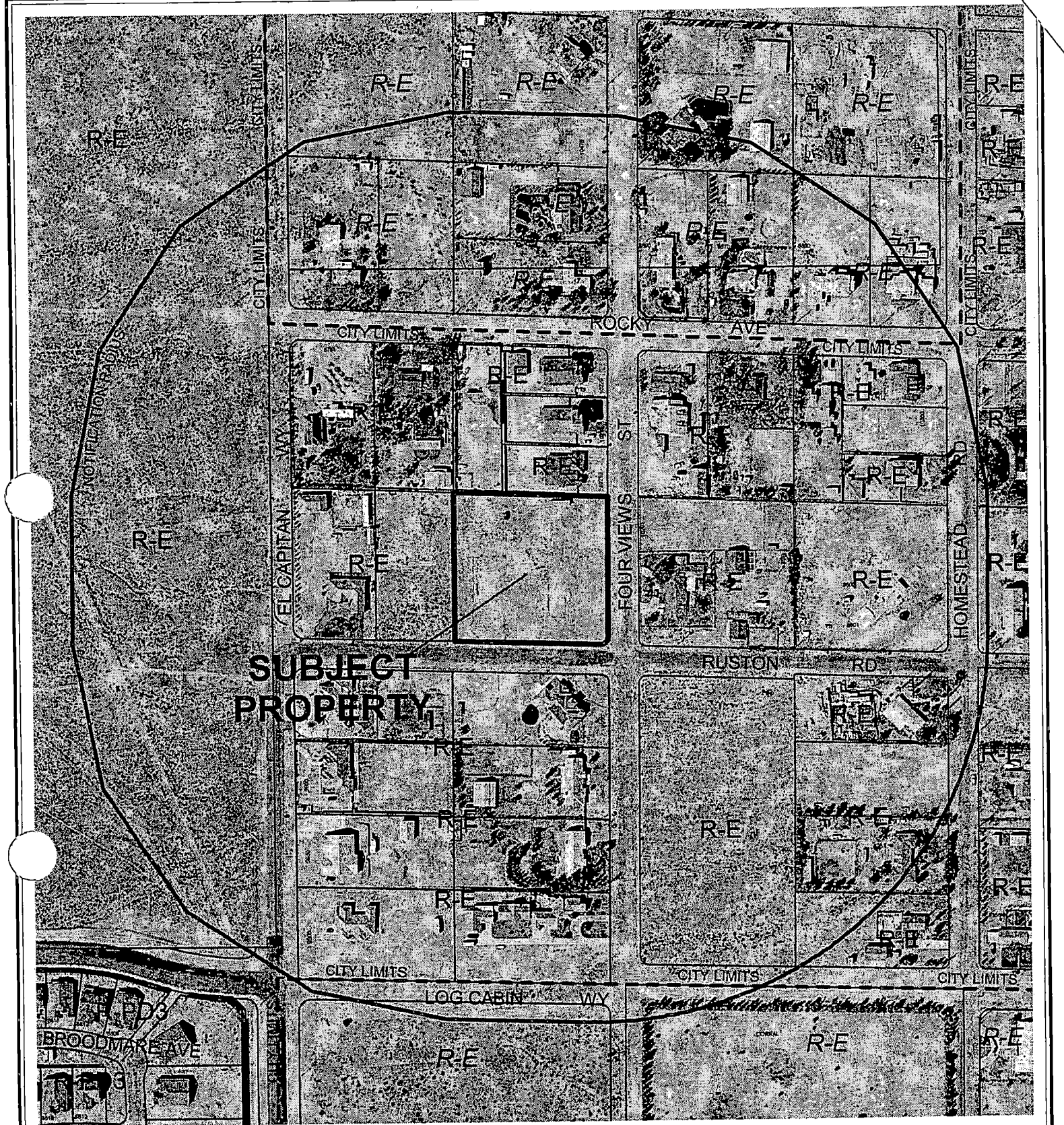
CASE: **VAR-5676**

RADIUS: 750 FT

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

N



0 200 400 Feet

CASE: **VAR-5676**

RADIUS: 750 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-5676 - APPLICANT/OWNER: JAMES V. KOHL

** CONDITIONS **

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

Planning and Development

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow a 95-foot wide lot where 100 feet is required on 2.03 acres, approximately 275 feet north of the intersection of Four Views Street and Ruston Road.

B) Applicant's Justification

The applicant intends to split this parcel into four pieces and build houses for himself, parents, sister, and friend. Any other configuration would cause financial and other hardship. A Previous Variance for reduction of the 100-foot lot width requirement have been granted in this area of the City. This Variance would maintain the character of the existing neighborhood.

BACKGROUND INFORMATION

A) Previous Actions

05/20/64 The City Council approved a petition for Annexation (A-0003-64) of 10,136 acres of property to the City. Effective date: 05/30/64. Staff recommended approval.

12/05/96 The Planning Commission approved a request for an Administrative Variance (AV-0009-96) on property located on the south side of Rocky Avenue and the west side of Four Views Street to allow lot widths of 95.44 feet, 97.32 feet and 97.81 feet where 100 feet is the minimum lot width required in an R-E (Residential Estates) zone.

B) Pre-Application Meeting

11/09/04 Basic submittal requirements for a Special Use Permit were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.03 acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	RNP (Rural Neighborhood Preservation)
North:	RNP (Rural Neighborhood Preservation)
South:	RNP (Rural Neighborhood Preservation)
East:	RNP (Rural Neighborhood Preservation)
West:	RNP (Rural Neighborhood Preservation)

D) Existing Zoning

Subject Property:	R-E (Rural-Estates)
North:	R-E (Rural-Estates)
South:	R-E (Rural-Estates)
East:	R-E (Rural-Estates)
West:	R-E (Rural-Estates)

E) General Plan Compliance

The site is designated as RNP (Rural Neighborhood Preservation) on the Centennial Hills Sector Map of the General Plan. The predominant residential life-style of these areas is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals. The requested Variance is not directly related to any General Plan policies.

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

This proposal is not located in any special plan, district, or neighborhood.

SRS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the R-E (Rural-Estates) zoning district of the subject Variance request's parcel:

Standards	Required	Requested	Compliance
Min. Lot Size	20,000 Square Feet	**Lot 1:** 20,326 SF **Lot 2:** 20,050 SF **Lot 3:** 20,000 SF **Lot 4:** 28,927 SF	Y Y Y Y
Min. Lot Width	100 Feet	**Lot 1:** 101.3 Feet **Lot 2:** 102.0 Feet **Lot 3:** 101.7 Feet **Lot 4:** 95.23 Feet	Y Y Y **N**
Min. Setbacks • Front • Side • Corner • Rear	 50 Feet 10 Feet 15 Feet 35 Feet	 N/A N/A N/A N/A	 N/A N/A N/A N/A
Max. Building Height	2 Stories / 35 Feet	N/A	N/A

Lot 4 needs a Variance from Minimum Lot Width standards of Title 19.08.04 (A). The subject deviation is 4.77 feet.

B) General Analysis and Discussion

The subject property is a four-lot residential development zoned R-E (Rural Estates). The submitted site plan shows this subdivision of one parcel into four lots appearing similar to other approved developments in the nearby vicinity, which were granted Variances of Minimum Lot Width Standards.

However, the Variance approved for nearby properties is not the same Variance as described in the above justification. Those Variances were granted for those properties only, based on the specific circumstances affecting that property. The City's granting of one Variance to an applicant does not confer entitlement to a separate Variance on another property.

Moreover, the applicant cites financial hardship as a justification for this Variance. Nevada State statutes and City code, enumerated below, specifically prohibit the granting of a Variance based solely on a plea of financial hardship.

FINDINGS

This Variance request is intended solely for the convenience and financial benefit of the property owner, and consequently there is no legal basis for approval.

There is no evidence that the property has an unusual shape, slope, or dimensions that would preclude the applicant from dividing this parcel into three lots, each with a minimum of 100 feet of lot width. Pursuant to State and City statutes and codes, this Variance request cannot be granted.

State of Nevada Statutes for Variance
Variances may be granted only when a property owner has presented convincing evidence of a hardship based on unique or extraordinary physical limitations of the subject property.

-summary of State of Nevada Revised Statutes Chapter 278

City of Las Vegas Codes for Variances
When considering the merits of a Variance request, the Planning Commission and City Council are prohibited from granting Variances for the sole reason of maximizing a property owner's profitable use of their land.

-summary of City of Las Vegas Zoning Code Title 19.18.070.B and 19.18.070.L

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

NOTICES MAILED 47

APPROVALS 0

PROTESTS 0

SRS

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5676 APN: 125-05-602-007

Name of Property Owner: James V. Kohl

Name of Applicant: Lochsa Survey, Ellen J. Davis, P.L.S.

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: James V. Kohl

Subscribed and sworn before me

This 23 day of November, 2004

[signature]

Notary Public in and for said County and State

SUSAN M. TORRES
Notary Public State of Nevada
No. 97-2267-1
My appt. exp. May 4, 2005

LOCHSA SURVEYING

GLEN J. DAVIS, P.L.S.
JESS. S HALDEMAN, S.E.
MARK L. HEDGE, P.E.
KENNETH W. (BILL) KARREN, JR., S.E.
DAVID S. PETERSON, S.E.
TED T. EGERTON, P.E.

November 29, 2004

City of Las Vegas
Planning and Development
731 S. 4th Street
Las Vegas, NV 89101

Re: Justification Letter – Variance Application
James V. Kohl , APN 125-05-602-007

Dear Sir or Madam:

This letter is intended to serve as justification to support the attached variance application for APN 125-05-602-007.

This site is located at the northwest corner of Ruston Road and Four Views Street in the City of Las Vegas. The site is 2.04 acres zoned R-E and proposed development consists of three residential lots fronting along Ruston Road and one fronting on Four Views. Each proposed lot is in excess of 20,000 sf, which satisfies the CLV R-E requirements and the proposed lot layout is consistent with existing neighboring developments. It is the intent of my client to split this parcel into 4 pieces as shown and build houses for himself, mother and father, sister and friend. Any other configuration would cause financial and other hardship.

Development within the R-E zone also requires a minimum lot width of 100'. Exhibit 'A' fully details the proposed lot dimensions of each proposed lot, with each lot having a width in excess of 100' accept one (1) which fronts on Four Views Street. The proposed width of the lot fronting on Four Views will need to be 95.23 feet wide.

Previous variances of lot width have been granted within this area of the City as evidenced by the parcel map adjacent to and directly north of this development and the map within 400 feet northeasterly of this development. All 8 lots within these two existing developments are less than 100 feet wide by up to 4.5 feet. (APN 125-05-602-008, 009, 010, 011 and 125-05-603-003, 004, 005 and 006)

We feel this request for variance maintains the intent of the CLV development guidelines and the character of the existing neighborhood. We would appreciate your consideration of this request.

Please contact me directly with any concerns or questions.

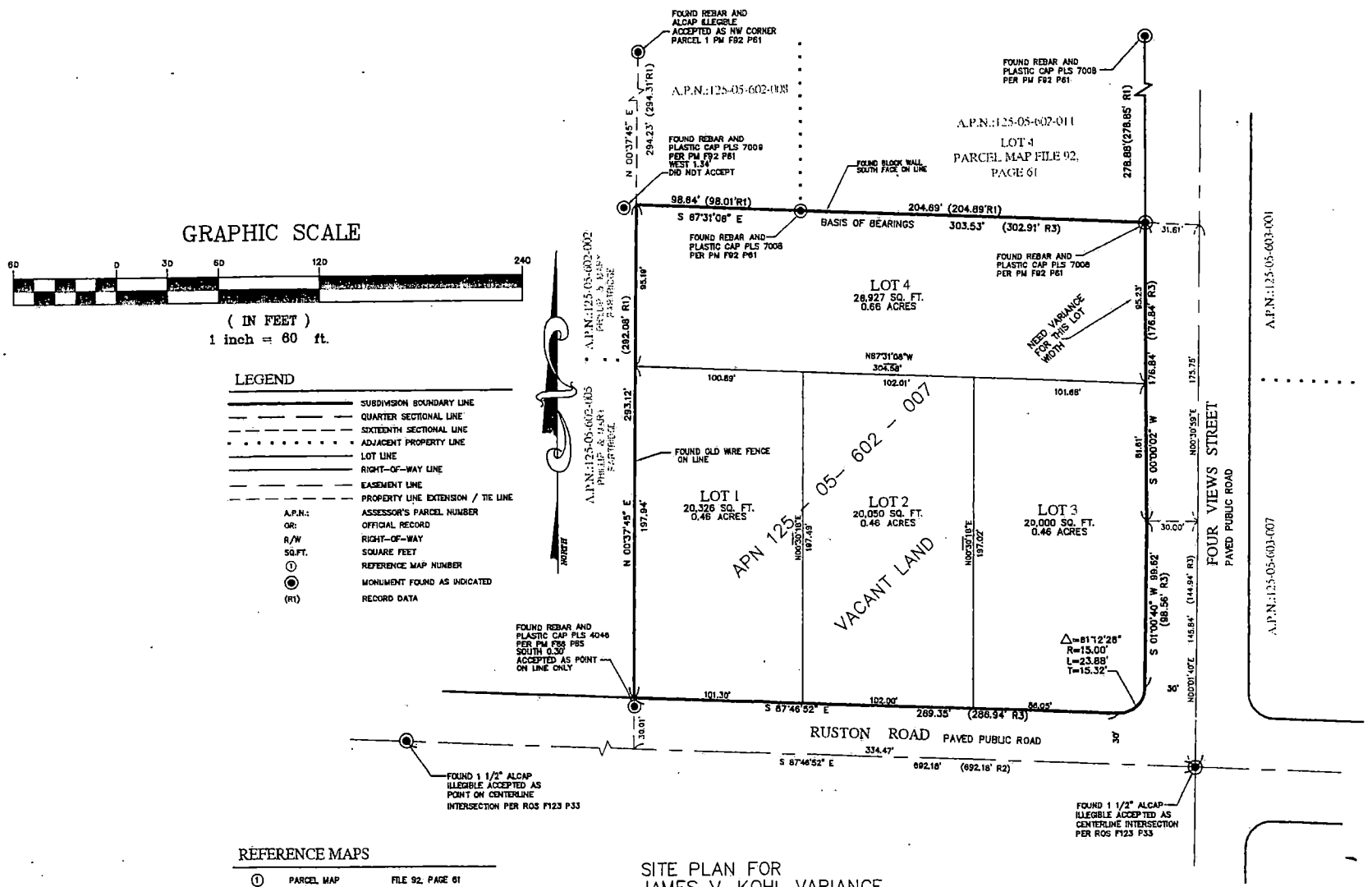
Sincerely;

Glen Davis, PLS
Principal - Lochsa Survey

Enclosure: Exhibit 'A'
J:\Survey\letters\Kohl Variance, Variance to CLV, lot width,11,29,04.doc

VAR-5076

6345 South Jones Boulevard • Suite 200 • Las Vegas, NV 89118 • Phone (702) 365-9312 • Fax (702) 365-9317



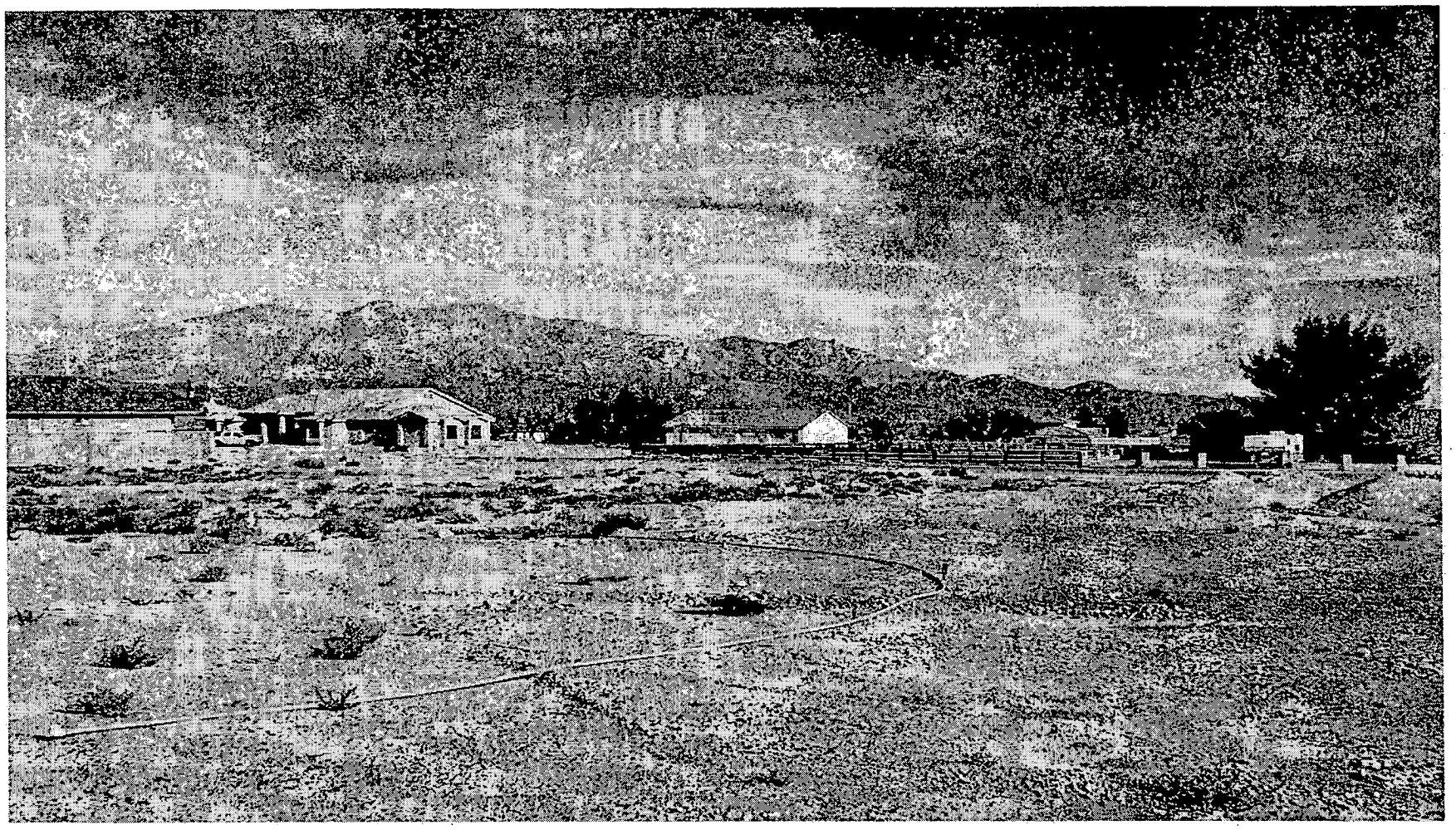
REFERENCE MAPS

①	PARCEL MAP	FILE 92, PAGE 61
②	RECORD OF SURVEY	FILE 123, PAGE 33
③	PARCEL MAP	FILE 86, PAGE 65

SITE PLAN FOR
JAMES V. KOHL VARIANCE
IN LOT WIDTH

RECEIVED
NOV 30 200

VAR-5676
01-13-05 PC



VAR-5676 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JAMES V. KOHL
NORTHWEST CORNER OF FOUR VIEWS STREET AND RUSTON ROAD
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

Neighborhood Petition in order to request a rejection
Of the variance request VAR-5676 (APN 125-05-602-007)

DAVE DURETT	8750 RUSTON RD.	
Mary Dickson	9990 Four Views Pl	Mary E Dickson
LUKE JANCSEK	9940 FOUR VIEWS ST.	Luke Jancsek (c) 300-2042
RAY ELLIOTT	9930 FOUR VIEWS ST	
CAROL STOLAR	10201 Four Views	Carol A Stolar
Sandy Redona	10221 Four Views	Sandy Redona
Chencc'marx	10216 Four Views	Chencc'm. Marx
Dan Marx	10216 Four Views	
Elvia Macias	8707 Rocky Ave.	Elvia Macias
Victor Macias	8707 Rocky Ave.	
TED NIELSON	8601 Ruston Rd	Ted Nielson
SABRINA OBSHARO	9990 N. EL CAPITAN WAY	Sabrina Obsharo

Submitted at Planning Commission

Date 01-13-05 Item # 65 (a)

City of Las Vegas

Agenda Item No.: 66

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:
SUP-5663 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CLUB RENAISSANCE PARTNERS, LLC - OWNERS: CLUB RENAISSANCE PARTNERS, LLC, ET AL - Request for a Special Use Permit TO ALLOW A PROPOSED MIXED-USE COMMERCIAL AND RESIDENTIAL DEVELOPMENT adjacent to the southeast corner of Casino Center Boulevard and Bonneville Avenue (APN 139-34-311-058 through -065), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial), Ward 1 (Moncrief).

C.C.: 02/16/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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:
EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 2/16/2005

NOTE: Chairman Truesdell disclosed that he owned property in the Downtown area that is not within the Notification area, so he would be voting on this item.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 66 [SUP-5663] and Item 67 [SDR-5662].

FLINN FAGG, Planning and Development, stated that the Special Use Permit request is to allow mixed-use development on the subject parcel. The proposed development complied with the applicable conditions for mixed-use development. Staff recommended approval.

MINUTES – Continued:

Regarding the Site Development Plan Review, the request would allow the development of a 60-story mixed-use structure with 950 residential units and 91,000 square feet of commercial space, 1,410 parking spaces within the structure. The project requires waivers from the Centennial Plan, but staff found that the waivers are consistent with the goals and objectives of the Downtown Centennial Plan. Staff recommended approval.

GREG BORGAL, 300 S. 4th Street, appeared on behalf of the applicant and accepted staff's conditions. MR. BORGAL pointed out that the proposed project does not comply with the stepback, not setback, provision of the Code at the 4th, 11th and 18th floor of the proposed project. The purpose of this requirement is to create building articulation and not end up with a solid wall along the street. The proposed building has more than adequate articulation, and the purpose of the stepback requirement has been achieved, although not strictly complied. In addition, MR. BORGAL commented on the requirement to build the structure out to the property line. He stated that this requirement would be a conflict in providing the landscape and sidewalk amenity zone that is also called for in the Downtown Centennial Plan. To resolve this conflict, the applicant provided more setbacks for the amenity zone. In addition, he added that many of the individuals involved in this project were involved in the Manhattan Project on Las Vegas Boulevard South and the County. This project consisted of 690 units with similar price points as the proposed project, and there were 13,000 requested reservations for these 690 units.

MR. BORGAL concluded by stating there is a sign on the subject parcel indicating website and contact information for interested parties. There are currently 900 reservations for the proposed 950 units. They are convinced that there is a market for this type of project and appreciated staff's favorable recommendation.

Although one was not available, COMMISSIONER STEINMAN expressed the importance of a Traffic Study that would show the flow of traffic for this proposed project. MR. BORGAL informed the Commissioner that a Traffic Study was submitted but had not been approved yet. He then addressed the flow of traffic by stating that the proposed project would have three street frontages and an alley frontage. The building frontage is on Casino Center Boulevard, and there is a facility for a drop-off point on this street. The principal access is on Bonneville Avenue to a combined underground and above ground parking structure. There is a secondary access to underground parking off the alley on Garces Avenue. In essence, the primary traffic flow would run off Bonneville Avenue, even though the building faces Casino Center Boulevard. He confirmed for COMMISSIONER STEINMAN that individuals exiting the proposed structure, they do so on Bonneville Avenue making a left or right turn. In addition, individuals using the underground parking facility would use Garces Avenue, even though the alley would provide access going in either direction. COMMISSIONER STEINMAN then asked Public Works to confirm if the access on Bonneville Avenue was an acceptable distance from the corner of

MINUTES – Continued:

Casino Center Boulevard and Bonneville Avenue. Although subject to changing, MR. BORGAL informed the Commissioner that the price points would be approximately $150,000 for a single bedroom or efficiency unit. The upper end of the standard unit at the top of the proposed project would be approximately $450,000, and the penthouse units could go up to one million dollars. He emphasized that the idea is affordability, and the Commissioner appreciated the affordability aspect for the working people.

COMMISSIONER McSWAIN complimented the applicant on a beautiful project. Given similar and upcoming projects within the City, she wondered how the City is prepared to handle the sites that are needed to erect structures such as the proposed project. She also asked MR. BORGAL if he would be attending an upcoming Planning Commission workshop on January 20th at 11:30 a.m. at the Development Services Center, as he is a common denominator on these types of projects. MR. BORGAL confirmed he would attend.

COMMISSIONER GOYNES concurred with COMMISSIONER McSWAIN'S comments, as there could be other businesses in the area that would be impacted during construction of such projects. MR. BORGAL responded that construction traffic would always be a problem in an area that is fully developed. However, the developer is aware of having efficient flow of people and materials, so he would time it where the trucks are not arriving and leaving during normal commuting hours at 8 a.m. and 5 p.m. on Bonneville Avenue and Casino Center Boulevard. He added that there are some lots available toward Main Street that are available as mustering areas and parking areas, which other developers have used during their construction process, such as the construction of the judicial building.

MR. FAGG informed the Commission that Condition 21 on Item 67 [SDR-5662] needed to be revised. He then read the revision into the record. MR. BORGAL concurred with the revised condition.

DAVID GUERRA, Public Works, apologized for the delay then addressed COMMISSIONER STEINMAN'S question regarding the Traffic Study. MR. GUERRA stated that the standard addressing the distances between the driveway and Casino Center Boulevard is #222A. With this drawing and the scale the applicant provided, it appeared that the driveway exceeded the #222A standard.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 66 [SUP-5663] and Item 67 [SDR-5662].

(10:31 – 10:46)

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 66 – SUP-5663

CONDITIONS:

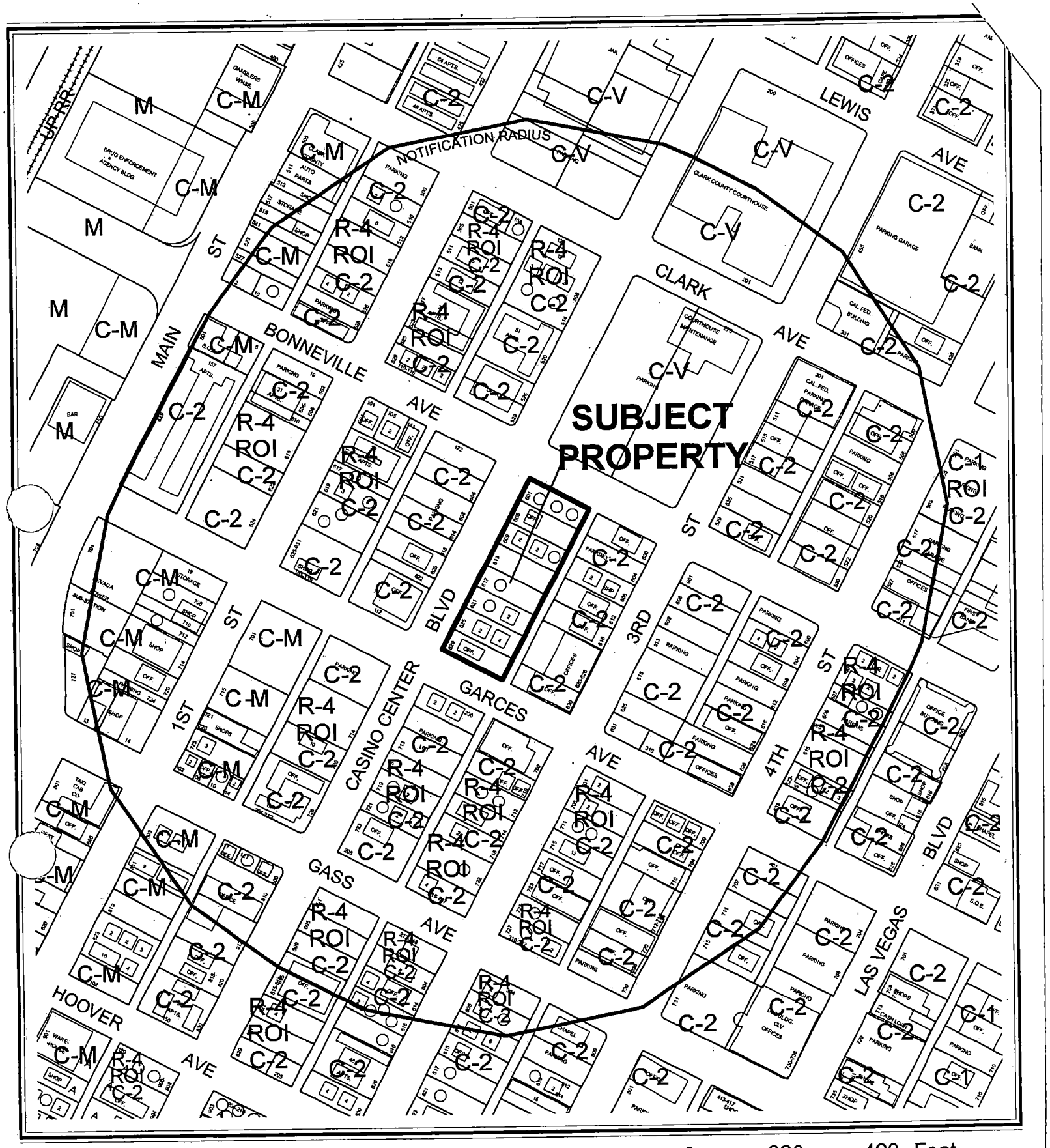
Planning and Development

1. Conformance to all minimum requirements listed in Title 19.04.050 for Mixed-Use development.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5662).

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

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



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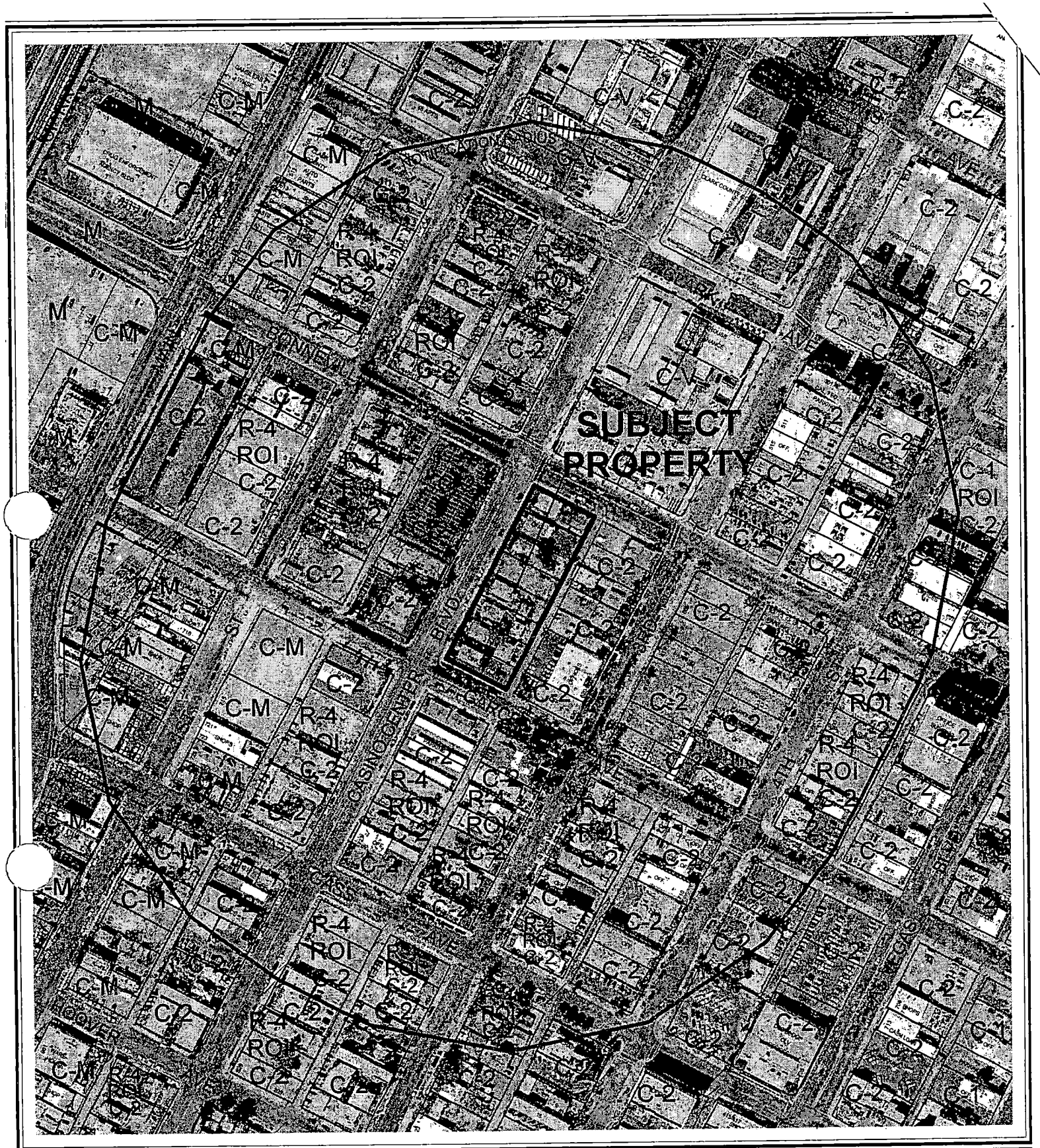
CASE: **SUP-5663**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-4 (HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) AND C-2 (GENERAL COMMERCIAL)

N



0 200 400 Feet

CASE: **SUP-5663**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-4 (HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) AND C-2 (GENERAL COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5663 - APPLICANT: CLUB RENAISSANCE PARTNERS, LLC - OWNERS:CLUB RENAISSANCE PARTNERS, LLC, ET AL

** CONDITIONS **

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

Planning and Development

1. Conformance to all minimum requirements listed in Title 19.04.050 for Mixed-Use development.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5662).

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for approval of a Special Use Permit to allow a Mixed-Use commercial and residential development adjacent to the southeast corner of Bonneville Avenue and Casino Center Boulevard. A related Site Development Plan Review (SDR-5662) will be considered concurrently.

B) Applicant's Justification

The applicant states that the project will provide "affordable luxury" to mid-income buyers wanting the convenience of living close to downtown Las Vegas, and that the retail component will provide neighborhood services for the community as well as residents of the building.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64	The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcels, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
02/24/83	The Board of Zoning Adjustment approved a Special Use Permit (U-0004-83) to allow a professional office on one of the parcels that comprise the proposed development site.
09/15/99	The City Council approved a Special Use Permit (U-0082-99) to allow a bail bonds service on a portion of the proposed development site. The Planning Commission recommended approval of the request on 08/12/99.
03/17/04	A Site Development Plan Review (SDR-3386) was Withdrawn Without Prejudice prior to consideration by the City Council. The Planning Commission recommended denial of the application on 02/17/04.
01/13/05	The Planning Commission will consider a related Site Development Plan Review (SDR-5662) to allow a mixed-use development on the subject site. Staff recommends approval of the request.

FF

B) Pre-Application Meeting

11/15/04 At the pre-application conference, issues were discussed relative to the Office District standards, streetscape requirements, building stepback requirements, and the requirement to underground the utilities in the alley. In addition, it was noted that a traffic study should be provided in order to assess the impact of the project on the existing street network, and that the applicant should coordinate the design of with the project with the Bonneville-Clark one-way couplet project.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.28

B) Existing Land Use

Subject Property:	Multifamily Residential Use
	Office Use
North:	Civic Use
South:	Multifamily Residential Use
East:	Office Use
	Parking Lot
West:	Office Use
	Multifamily Residential Use

C) Planned Land Use

Subject Property:	C (Commercial)
North:	PF (Public Facility)
South:	C (Commercial)
East:	C (Commercial)
West:	C (Commercial)

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
North:	C-V (Civic)
South:	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
East:	C-2 (General Commercial)
West:	C-2 (General Commercial)

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a C (Commercial) land use designation. The Commercial designation permits office uses, limited commercial uses, and general commercial uses. The proposed mixed-use development is consistent with the land use designation.

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

Redevelopment Plan Area

As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Commercial (C) land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Office Core District. The district is intended for professional and government offices, and supporting pedestrian-oriented uses. The proposed development is generally consistent with the Downtown Centennial Plan.

Airport Overlay District

This site is subject to the North Las Vegas Airport Overlay District. Structures may be built up to 200 feet in height; any structures over this height limit must be reviewed by the Federal Aviation Administration (FAA).

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5227, the proposed project is deemed to be a "Project of Significant Impact" for the following reasons:

1) A Final Map or Planned Unit Development of 500 units or more.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

1) The Regional Transportation Commission (RTC) has not identified any potential negative regional impacts, because of the project's proximity to arterial streets and transit services.

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of standard parking requirements. The following table details the parking figures for the development:

Uses	GFA	**Provided** Parking	
		Regular	Handicap
Multifamily Residential	950 Units		
Retail	16,600 SF		
Office	74,380 SF		
Total:		1,410	Not indicated

The amount of parking to be provided will allow one parking space per residential unit, with 460 spaces remaining for the commercial portion of the development, resulting in a ratio of approximately 1 space per 200 square feet of commercial floor area.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Mixed-Use development.

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

Standards	Code Requirement	Provided
Mixed-Use	Residential uses may be permitted in commercial districts by means of a Special Use Permit	Y
	Non-residential use shall be located at the ground level fronting the primary public right-of-way	Y
	The architecture shall highlight the difference in uses	Y

The development will comply with the minimum requirements listed in Title 19.04 for Mixed-Use structures.

B) General Analysis and Discussion

- Zoning

The majority of the parcels that comprise the development site are zoned C-2 (General Commercial), and the remainder of the parcels are zoned R-4 (High Density Residential) under a Resolution of Intent to C-2 (General Commercial). The structure will generally conform to the applicable development standards of the Downtown Centennial Plan.

- Use

Residential uses permitted by right in the R-4 (High Density) zoning district are permitted in the C-2 (General Commercial) district upon approval of a Special Use Permit. Commercial uses are permitted by right in the C-2 (General Commercial) district. The development will include a total of 950 residential units and 91,000 square feet of commercial space.

- Conditions

The design of the structure conforms to the minimum Mixed-Use development requirements listed in Title 19.04, and no additional conditions of approval are necessary.

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 design of the development adequately separates the commercial and residential components, and will not significantly impact adjacent land uses. The Centennial Plan encourages a broad diversity of uses in the downtown area, and states that integrating a successful residential community within the urban core is vital to redevelopment success.

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

   The proposed development will result in a density of 742 units per acre, which is acceptable for the downtown area, provided there is adequate public transportation in the vicinity. The site has frontage on three public rights-of-way and a public alley, which provides excellent access to the site and adequate separation from adjacent properties.

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

   Bonneville Avenue will be the principal access point for the development, with secondary access available on the public alley. On-street parking will be available on Casino Center Boulevard for patrons of the ground-floor commercial business. An internal valet area will allow sufficient area for the pick-up and drop-off of residents, and an additional drop-off area will be provided along the Casino Center frontage. The site will also have excellent access to public transportation, which will assist in reducing the number of vehicle trips generated by the development.

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

   Approval of the Special Use Permit is consistent with the General Plan, and will not compromise public health, safety, or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

NOTICES MAILED 121 – Mailed with SDR-5662

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5263 APN: 139-34-311-064

Name of Property Owner: Lynch Francis I Etal Etal

Name of Applicant: Club Renaissance Partners, LLC

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

_____ Yes _____X_____ No

If yes, please indicate the member of the City Council or Planning Commission who is invoiced 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: Francis I. Lynch

Print Name: FRANCIS I. LYNCH

Subscribed and sworn before me

This 17th day of November, 2004

Robin R. Long

Notary Public in and for said County and State

ROBIN R. LONG
Notary Public State of Nevada
No.00-60997-1
My appt. exp. Sept. 16, 2007

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP. 5663 APN: 139-34-311-058 to 063

Name of Property Owner: Club Renaissance Partners, LLC

Name of Applicant: Club Renaissance Partners, LLC

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

____ Yes __X__ No

If yes, please indicate the member of the City Council or Planning Commission who is invoiced 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: Gilles A. Pageau

Subscribed and sworn before me

This 17 day of November, 2004

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

[illegible]
NOTARY PUBLIC
STATE OF NEVADA
[illegible]

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5663 APN: 139-34-311-065

Name of Property Owner: Dawson Joseph& Verla S Fam Tr

Name of Applicant: Club Renaissance Partners, LLC

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

_____ Yes ___X___ No

If yes, please indicate the member of the City Council or Planning Commission who is invoiced 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: Joseph Dawson

Print Name: Joseph Dawson

Joseph Dawson, Trustee

Subscribed and sworn before me

This 19th day of November, 2004

Camie B. Haarala

Notary Public in and for said County and State

Weber County, Utah

Notary Public
CAMIE B HAARALA
1935 WEST 4800 SOUTH
ROY, UT 84067
My Commission Expires
SEPTEMBER 4, 2005
STATE OF UTAH

Stantec Consulting Inc.
7251 West Charleston Boulevard
Las Vegas NV 89117
Tel: (702) 258-0115 Fax: (702) 258-4956
stantec.com

Stantec

November 23, 2004
188100269

City of Las Vegas
Planning & Development
731 S 4th Street
Las Vegas, NV 89101

Reference: **Club Renaissance – Special Use Permit & Site Development Plan Review with Waivers (APN: 139-34-311-058 thru 065)**

Club Renaissance Partners, LLC is proposing to develop a 1.28-acre parcel located on the southeast corner of Casino Center Blvd. and Bonneville Avenue in the Downtown Centennial Plan area.

Club Renaissance Partners, LLC is seeking to develop a mixed-use project of approximately 950 condominiums, 48,510 square feet of retail, and 74,380 square feet of office space in a 60-story high rise building. This project will provide "affordable luxury" to mid-income buyers wanting the convenience of living close to downtown Las Vegas. The retail element will provide neighborhood services on the ground floor for the community as well as for the residents. The office element will provide office space on two floors with separate underground parking. Attached is a project Summary Data Sheet.

On behalf of our client we respectfully request a Special Use Permit to allow a mixed-use facility with a Waiver for building setbacks at the 4th, 11th and 18th floors. The design of the building provides adequate articulation and additional setbacks are unnecessary.

We are also requesting a Site Development Plan Review with a Waiver from the Downtown Centennial Plan requirement of the 70% build – to building setback. On the Casino Center Blvd side of the project we are pushing the building over to provide additional sidewalk to comply with the Downtown Centennial Plan.

SUP-52463

Reference: Club Renaissance – Special Use Permit & Site Development Plan Review and Waivers

We appreciate your consideration in this matter; if you have questions or need more information please call Katie Hand, P.E., Nathan Jones or me at 258-0115.

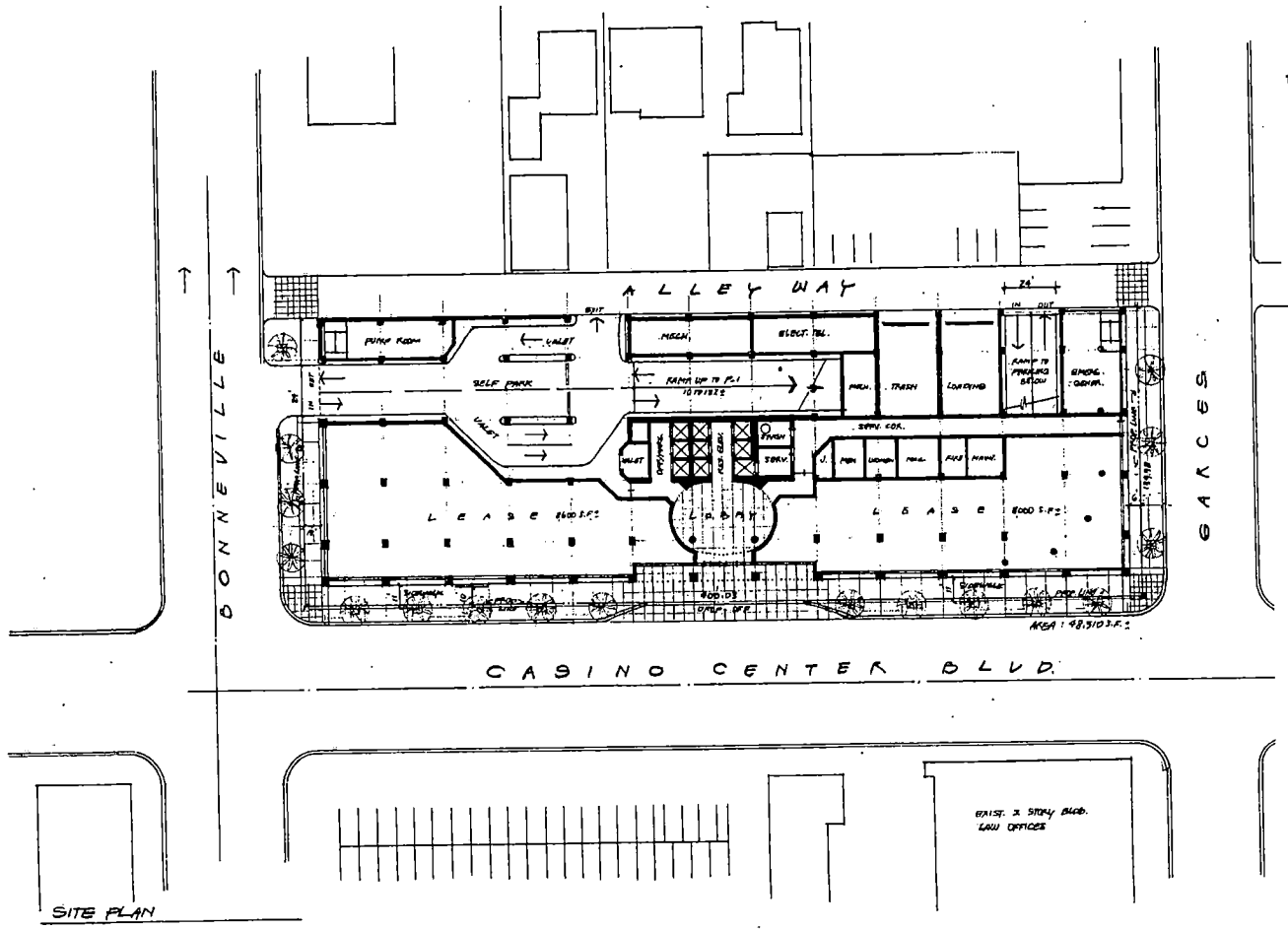
Sincerely,

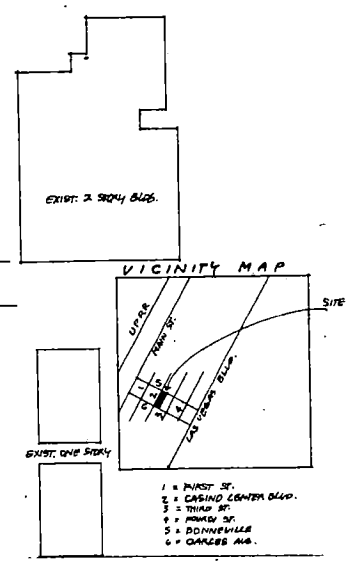
STANTEC CONSULTING INC.

Jo Pinther
Senior Engineering Coordinator
Tel: 258-0115
Fax: 258-4956
jpinther@stantec.com

Attachment: Project Summary/Data Sheet

c: Club Renaissance LLC
Greg Borgel
File





CLUB RENAISSANCE

PROJECT SUMMARY/DATA

Property Area: 55,598.109 SQ.FT. FAR 0.02481 Density 740 DU

1) BLDG. AREA		
- Low rise levels	12 floors @ 16,420 SQFT	619,140 SQFT
- Intermediate levels	14 floors @ 33,720 SQFT	472,080 SQFT
- High Rise levels	10 floors @ 31,020 SQFT	310,200 SQFT
- Penthouse levels	2 floors @ 21,020 SQFT	42,040 SQFT
- Club level	1 floor @ 29,820 SQFT	29,820 SQFT
- Mechanical level	1 floor @ 29,820 SQFT	29,820 SQFT
- Top level Pool deck/ amenities	1 floor @ 24,000 SQFT	24,000 SQFT
- Office levels	2 floors @ 37,190 SQFT	74,380 SQFT
- Ground level incl (16,600 SF Retail)	1 floor @ 48,510 SQFT	48,510 SQFT
TOTAL TOWER AREA		1,669,950 SQFT
2) PARKING		
- Eleven levels above grade		537,845 SQFT
- One level subterranean level		48,895 SQFT
TOTAL PARKING AREA		586,740 SQFT
GRAND TOTAL AREA (TOWER + PARKING)		2,256,730 SQFT
TOTAL # OF RESIDENTIAL UNITS	(950)	

PARKING ANALYSIS:

-Residential:	1 space / unit	950 spaces
- Office:	4 space/ 1000 SF	298 spaces
- Retail:	4 space/ 1000 SF	65 spaces
TOTAL PARKING REQUIRED		1313 spaces
TOTAL PARKING PROVIDED		1410

Note: Terraces not included. All areas are approximate

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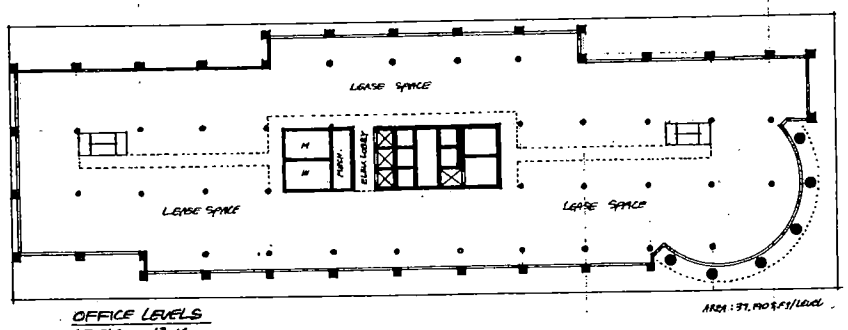
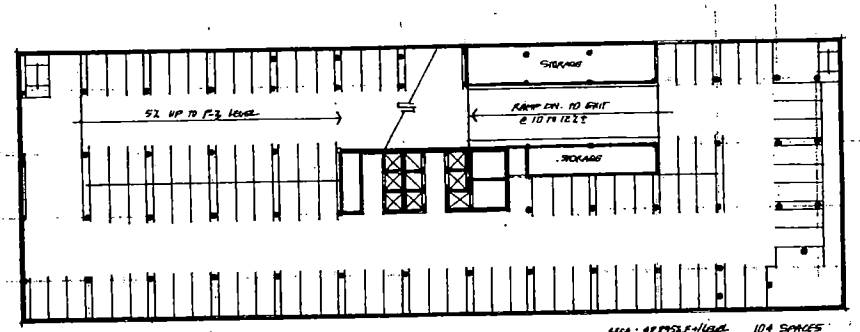
01-13-05 PC



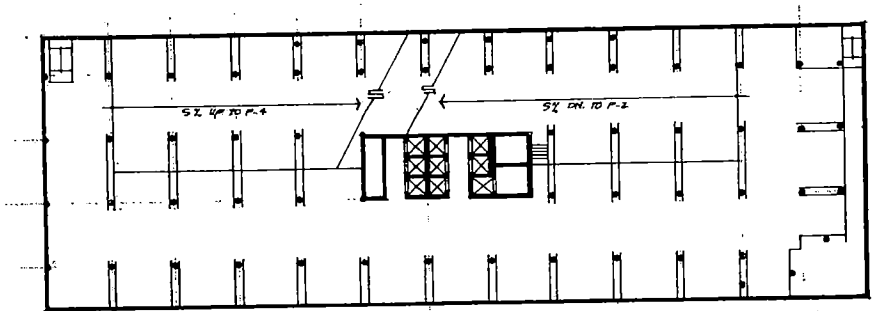
OFFICE LEVELS
LEVELS 13-19

AREA: 37,190 S.F./LEVEL



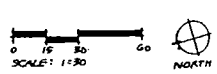
PARKING LEVEL
LEVEL P-2

AREA: 48,853 S.F./LEVEL 104 SPACES



PARKING LEVEL
LEVELS 3-12

AREA: 48,873 SF/LEVEL 119 SPACES/LEVEL



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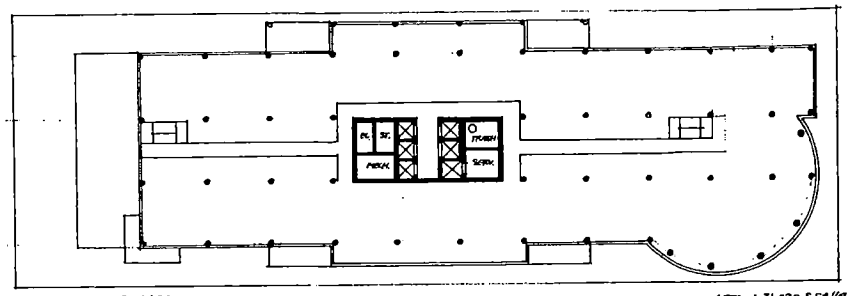
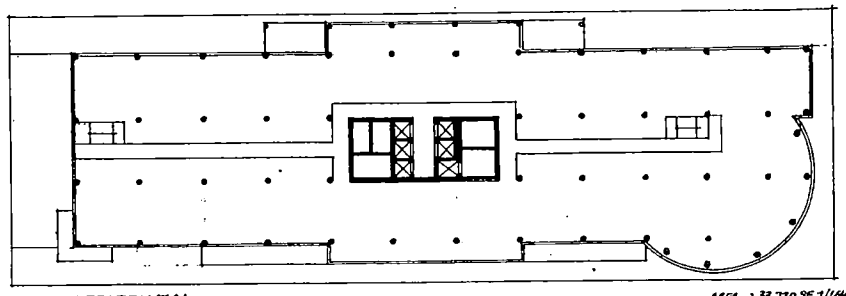


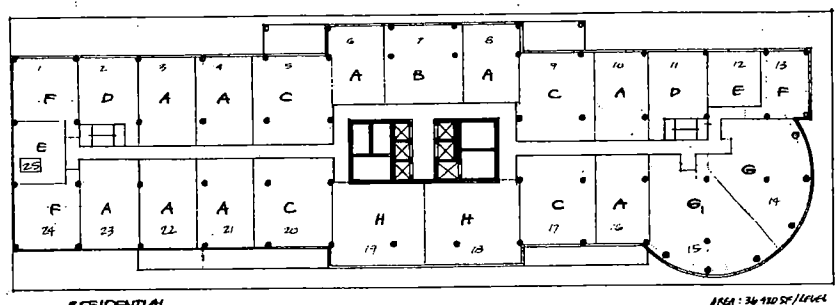
RESIDENTIAL
LEVELS 46-57

AREA : 31,020 S.F./LEVEL



RESIDENTIAL
LEVELS 32-45

AREA : 33,720 SF./LEVEL



RESIDENTIAL
LEVELS 15-31

AREA : 34,920 SF/LEVEL

TYPICAL UNIT PLAN LAYOUT

0 15 30 60
SCALE : 1:30

NORTH

UNIT MIX

38%	ONE BEDROOM	205 UNITS
22%	ONE BEDROOM / DEN	359 UNITS
30%	TWO BEDROOM & DEN	28 T UNITS
4%	THREE BEDROOM	41 UNITS
4%	THREE BEDROOM & DEN	41 UNITS
2%	PENTHOUSE	17 UNITS
100%	TOTAL UNITS	950

B : TWO BEDROOM & DEN
C : TWO BEDROOM & DEN
F : ONE BEDROOM
E : ONE BEDROOM
A : ONE BEDROOM & DEN
H : TWO BEDROOM & DEN
G : THREE BEDROOM
G1 : THREE BEDROOM & DEN

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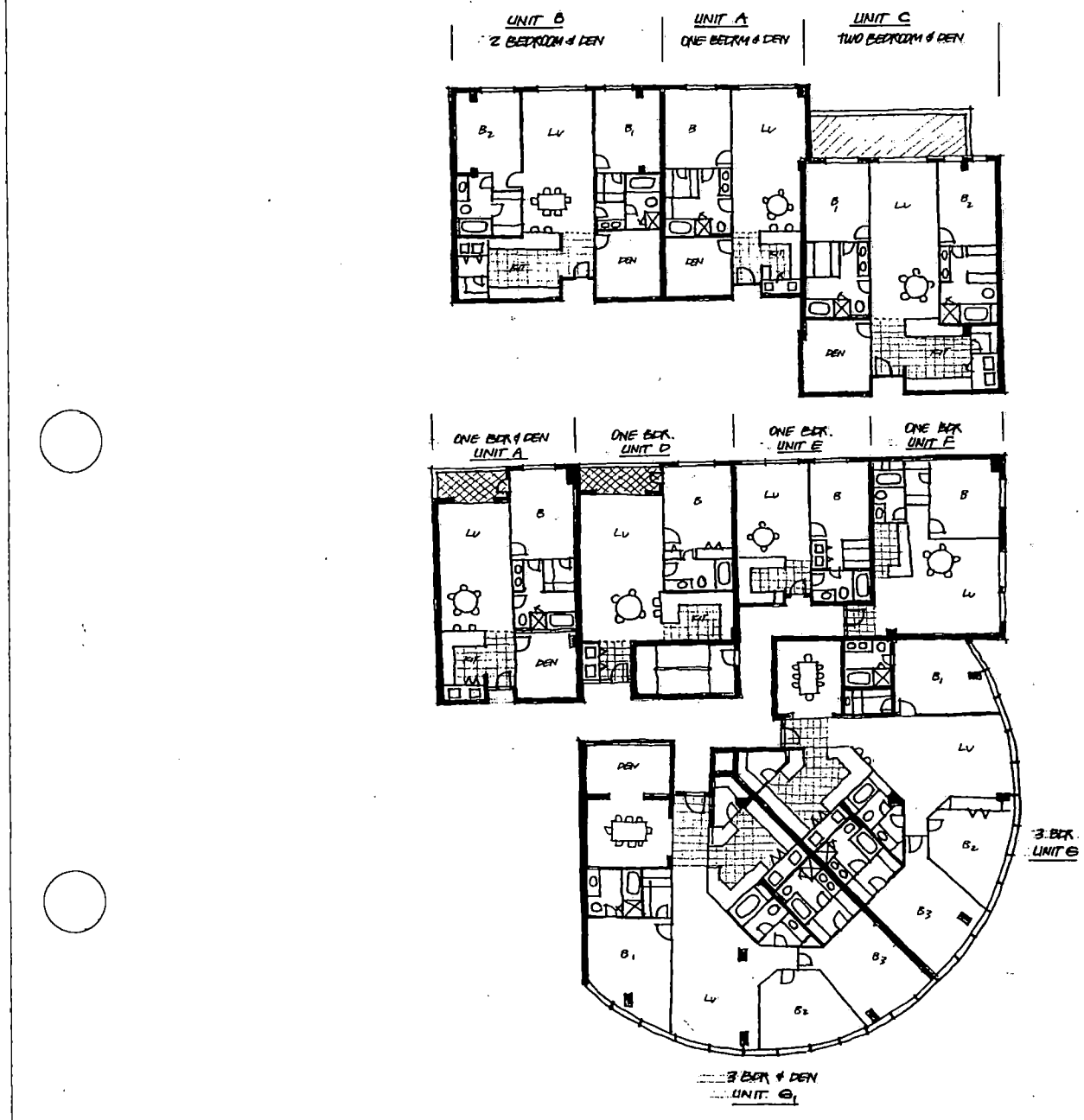

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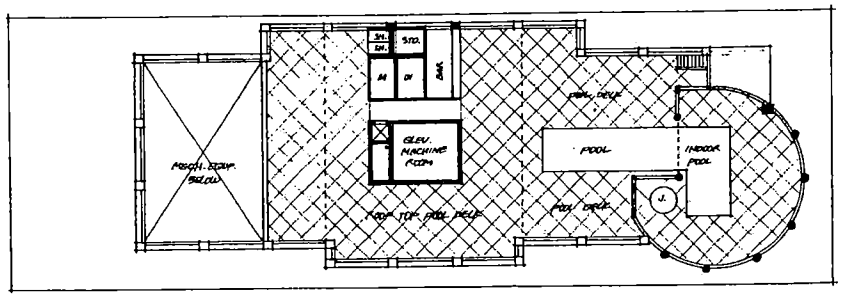
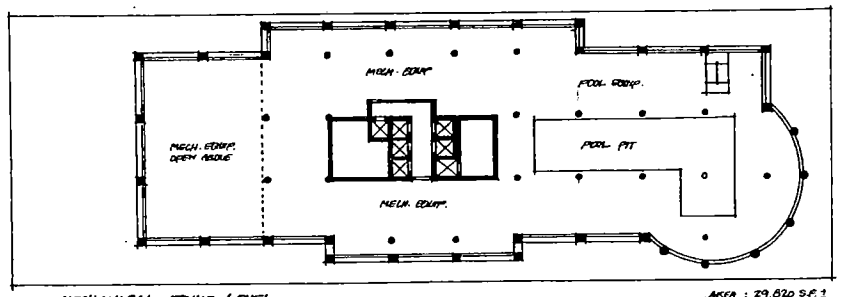
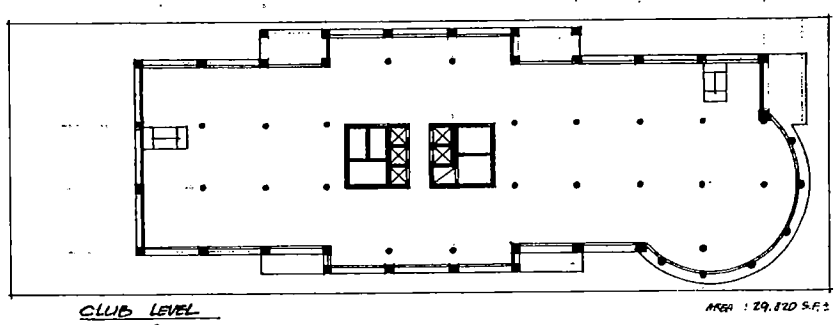


POOL DECK LEVEL
LEVEL 60



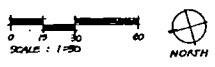
MECHANICAL EQUIP LEVEL
LEVEL 59

AREA : 29,820 S.F.±



CLUB LEVEL
LEVEL 58

AREA : 29,820 S.F.±



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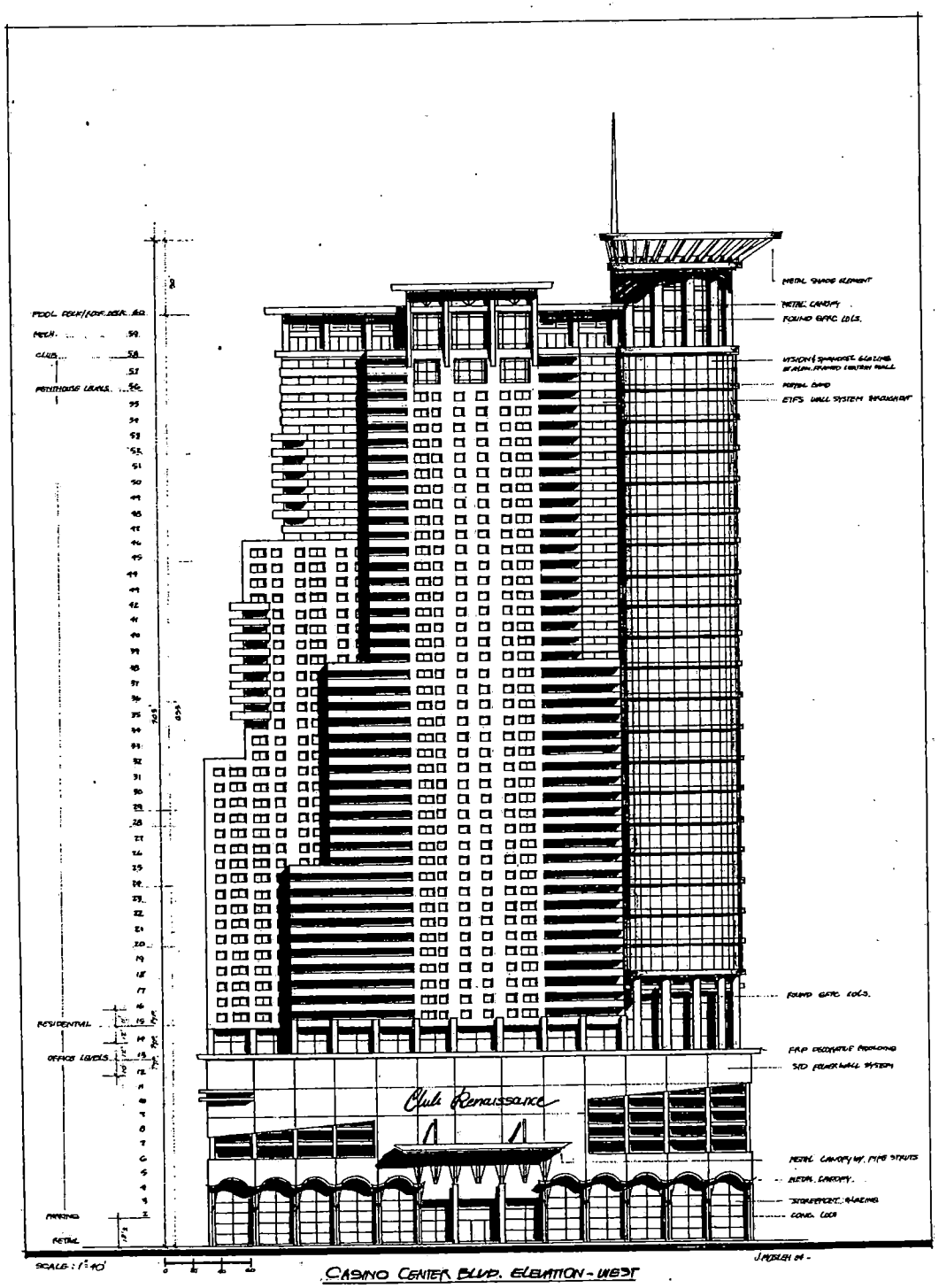

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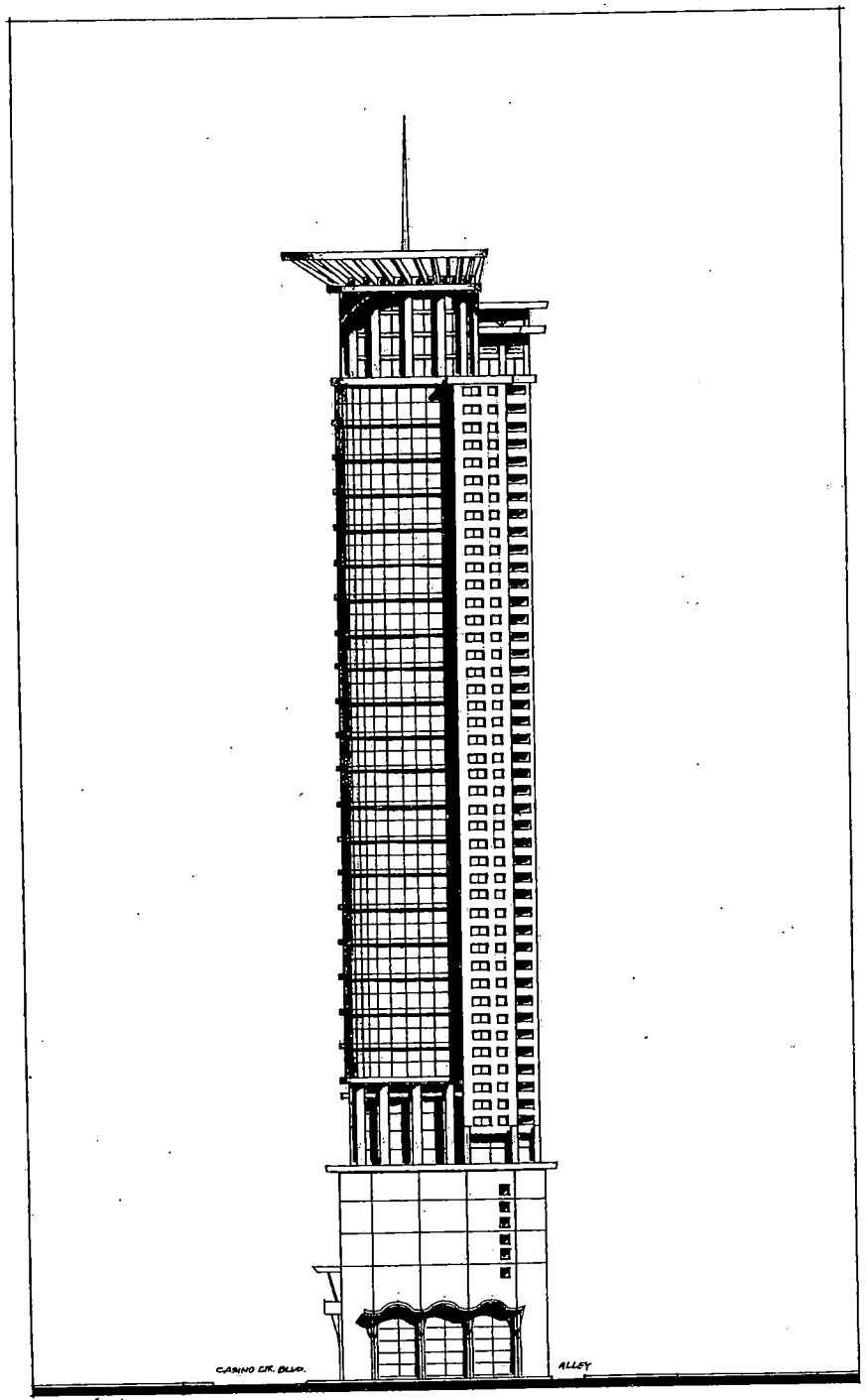

SCALE: 1"=40'

GARCES AVE. ELEVATION - SOUTH

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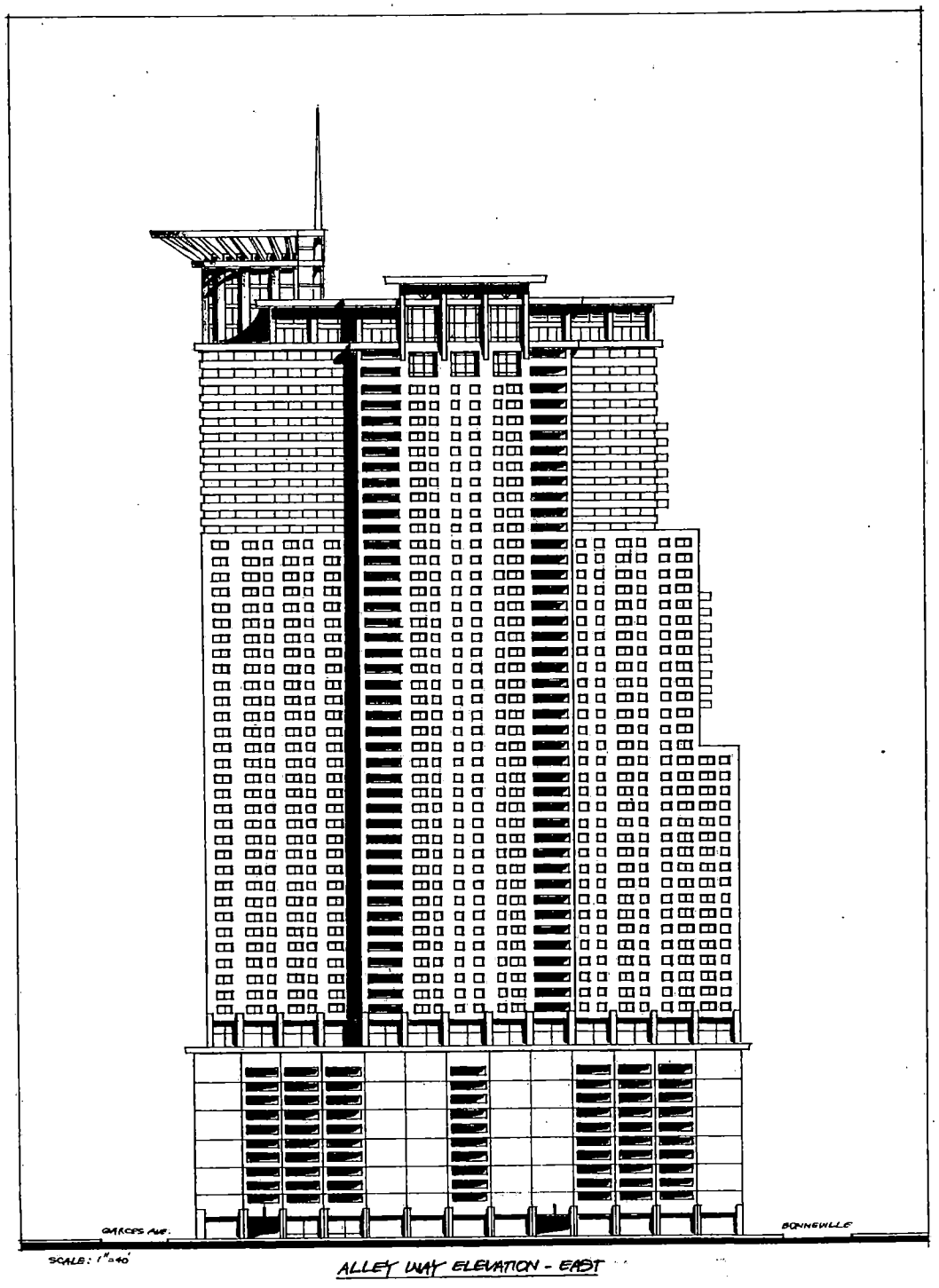

ALLEY WAY ELEVATION - EAST

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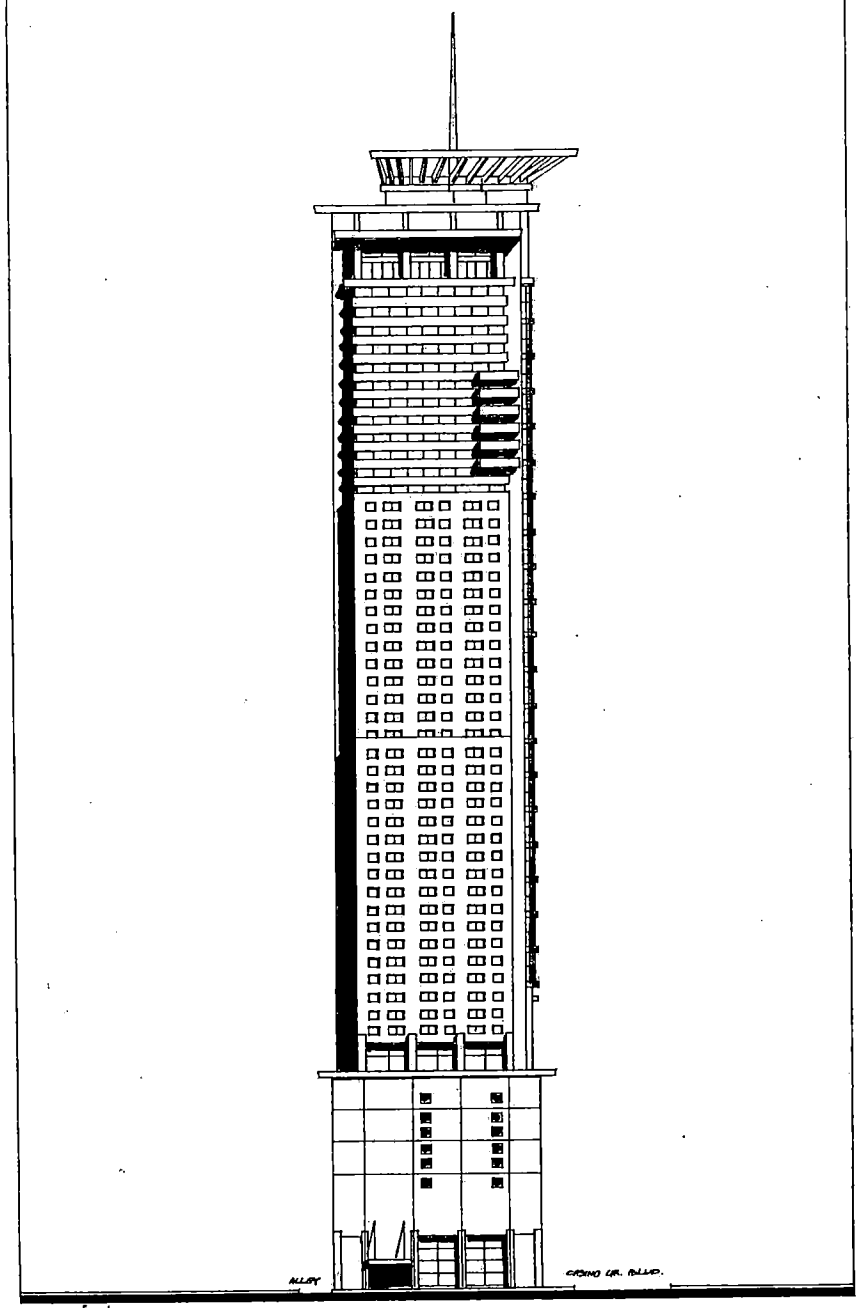

SCALE : 1"=40'

DONNEVILLE AVE. ELEVATION

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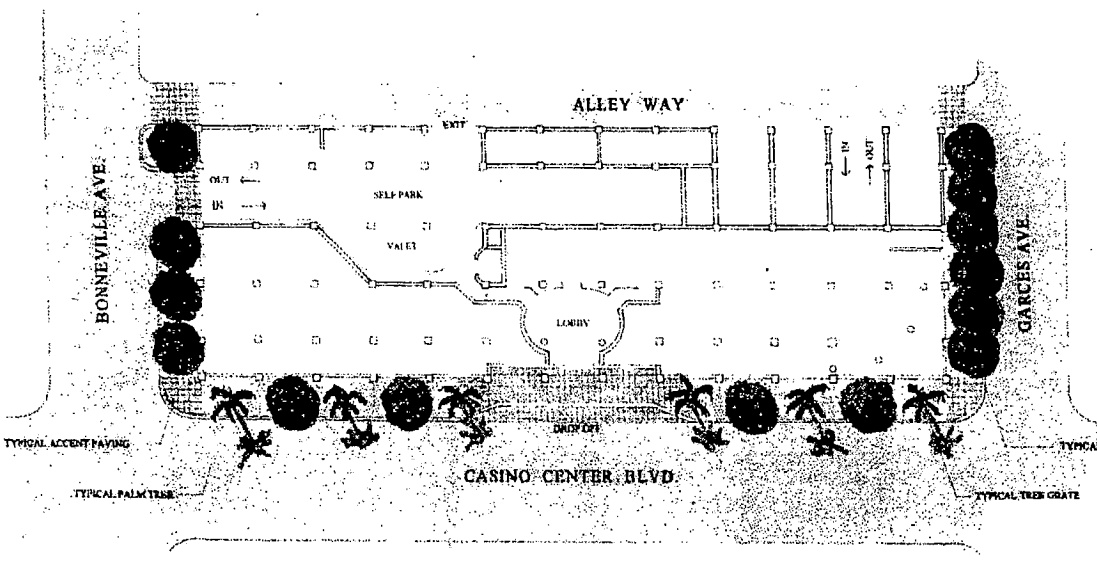

NOTE
ALL INDICATED LANDSCAPE ELEMENTS TO COMPLY WITH
CITY OF LAS VEGAS OFFICE CORE DISTRICT DESIGN STANDARDS

PRELIMINARY
LANDSCAPE PLAN

CLUB RENAISSANCE
CASINO CENTER BLVD
LAS VEGAS, NEVADA

L-1

SUP-5663
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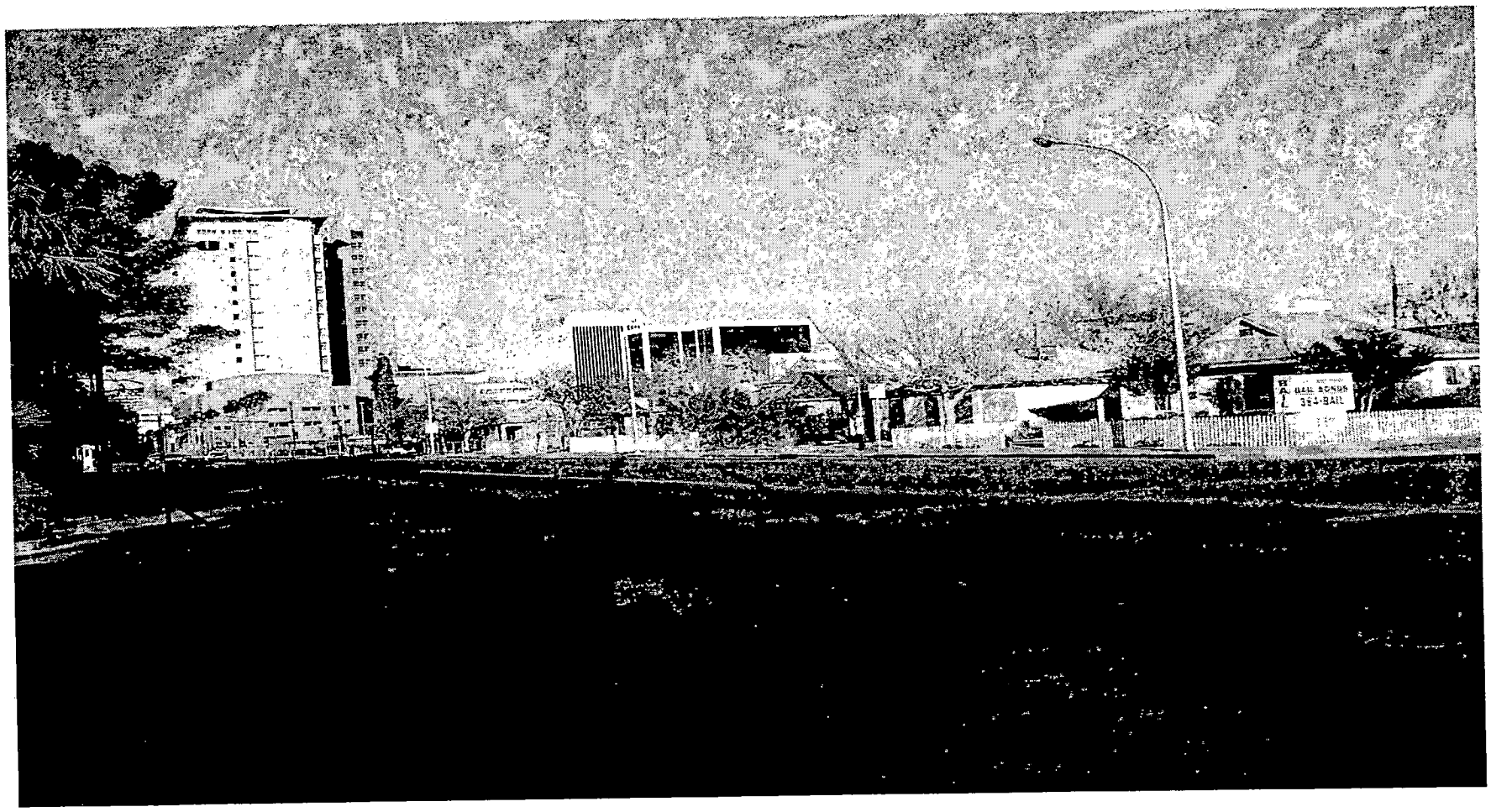
01-13-05 PC



SUP-5663 - APPLICANT: CLUB RENAISSANCE PARTNERS, LLC - OWNERS: CLUB RENAISSANCE PARTNERS, LLC, ET AL
SOUTHEAST CORNER OF CASINO CENTER BOULEVARD AND BONNEVILLE AVENUE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

City of Las Vegas

Agenda Item No.: 67

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:
SDR-5662 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CLUB RENAISSANCE PARTNERS, LLC - OWNER: CLUB RENAISSANCE PARTNERS, LLC, ET AL - Request for a Site Development Plan Review TO ALLOW A 60-STORY MIXED-USE DEVELOPMENT TO INCLUDE 950 RESIDENTIAL UNITS AND 91,000 SQUARE FEET OF COMMERCIAL SPACE AND WAIVERS OF THE CENTENNIAL PLAN BUILDING STEP-BACK AND BUILD-TO REQUIREMENTS on 1.28 acres adjacent to the southeast corner of Casino Center Boulevard and Bonneville Avenue (APN 139-34-311-058 through -065) C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General 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 APPROVAL

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

MOTION:
EVANS – APPROVED subject to conditions and amending the following condition:
21. Meet with the *Clark County School District* to discuss *the impact this site has on the district schools and to identify possible methods to mitigate the impacts.*
– UNANIMOUS

To be heard by the City Council on 2/16/2005

NOTE: Chairman Truesdell disclosed that he owned property in the Downtown area that is not within the Notification area, so he would be voting on this item.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 67 – SDR-5662

MINUTES:

See Item 66 [SUP-5663] for all related discussion on Item 66 [SUP-5663] and Item 67 [SDR-5662].

(10:31 – 10:46)

3-2899

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-5663) to allow Mixed-Use development approved by the City Council.

2. This Site Development Plan Review 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 with the site plan and building elevations, date stamped 11/24/04, except as amended by conditions herein.

4. The Waiver from the Downtown Centennial Plan building stepback requirement is hereby approved, based on the proposed façade articulation and massing of the structure.

5. The Waiver from the Downtown Centennial Plan build-to requirement is hereby approved, in order to allow sufficient area for the public sidewalks.

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to include an additional street tree on Garces Avenue in conformance to the Downtown Centennial Plan. All other streetscape treatments shall conform to the requirements of the Downtown Centennial Plan.

7. The 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.

8. The applicant shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.

CONDITIONS – Continued:

9. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.

10. Utilities and power service lines in alleys shall be located underground in accordance with Subsection DS2.1.f. of the Downtown Centennial Plan. In addition, the surfacing of the alley shall conform to the Alleyway Treatment, as described in Subsection DS2.1.g, and as depicted in Graphic 4 of the Downtown Centennial Plan.

11. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j of the Downtown Centennial Plan. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.

12. 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.

13. As per the Memorandum of Understanding between Casino Center Development, LLC (or Leonard Messina) and the LV Springs Preserve, the following cottages will need to be moved as a condition of approval:

    a. 601 S. Casino Center
    b. 609 S. Casino Center
    c. 621 S. Casino Center

    Also as a condition of approval, the following cottages shall be dismantled for usable parts in the restoration of 601, 609, and 621 S. Casino Center, and 604 S. Fourth Street:

    a. 605 S. Casino Center
    b. 617 S. Casino Center

    All work is to be supervised by Gregory Seymour, archeologist from the LV Springs Preserve.

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

CONDITIONS - Continued:

Public Works

15. Dedicate a 10 foot radius on the southeast corner of Bonneville Avenue and Casino Center Boulevard and a 10 foot radius on the northeast corner of Garces Avenue and Casino Center Boulevard prior to the issuance of any permits.

16. Coordinate with Design Section of the City Engineer's Office to ensure the proposed plan does not conflict with the proposed Bonneville/Clark Couplet.

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. Grant a Traffic Signal Chord Easement at the southeast corner of Bonneville Avenue and Casino Center Boulevard.

19. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards concurrent with development of this site. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

20. If not already constructed, the developer of this site must enter into a sewer refunding agreement that provides the full reimbursement cost for construction of the Clark Avenue sewer between Las Vegas Boulevard and Fourteenth Street. Connection to the existing 24 inch sewer in Clark Avenue and the improvements of the Clark Avenue sewer between Las Vegas Boulevard and Fourteenth Street is required prior to occupancy of this site, unless otherwise allowed by the City Engineer.

21. Meet with the School Site Coordinator from the Traffic Engineer's Office to discuss proposed plans for parent dropoff/pickup procedures and to discuss Suggested Route to School needs prior to occupancy of this site.

22. Landscape and maintain all unimproved rights-of-way adjacent to this site.

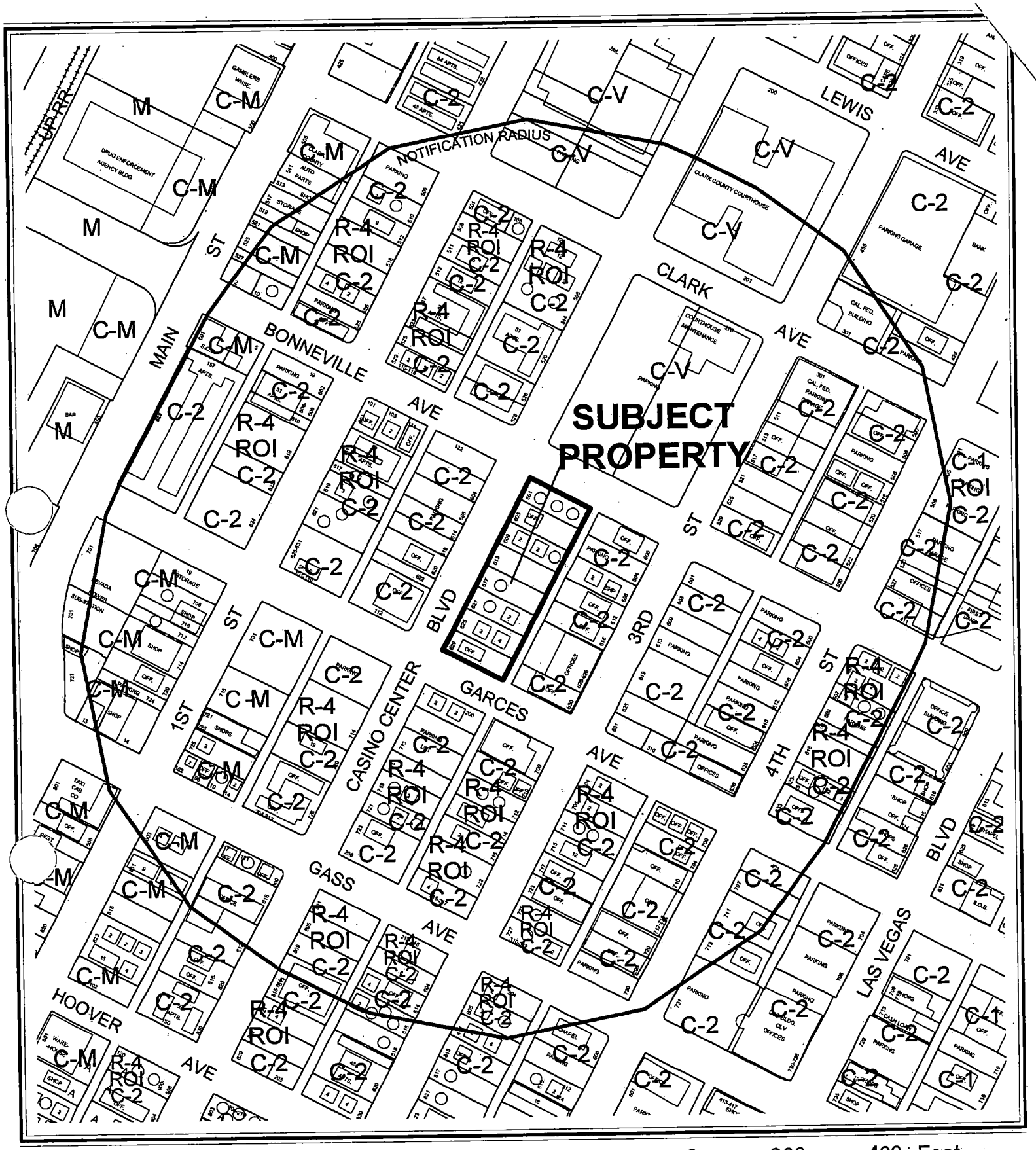
23. Submit an Encroachment Agreement for all landscaping and private improvements, located within or over the public rights-of-way adjacent to this site prior to occupancy of this site.

CONDITIONS - Continued:

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

25. 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.

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



CASE: **SDR-5662**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-4 (HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) AND C-2 (GENERAL COMMERCIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5662 - APPLICANT: CLUB RENAISSANCE PARTNERS, LLC - OWNER: CLUB RENAISSANCE PARNERS, LLC, ET AL

** CONDITIONS **

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

Planning and Development

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FF

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review for a 60-story mixed-use development to include 950 residential units and 91,000 square feet of commercial space with Waivers from the Centennial Plan build-to and stepback requirements on 1.28 acres located adjacent to the southeast corner of Bonneville Avenue and Casino Center Boulevard. A companion Special Use Permit (SUP-5663) will be considered concurrently.

B) Applicant's Justification

The applicant states that the project will provide "affordable luxury" to mid-income buyers wanting the convenience of living close to downtown Las Vegas, and that the retail component will provide neighborhood services for the community as well as residents of the building.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64	The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcels, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
02/24/83	The Board of Zoning Adjustment approved a Special Use Permit (U-0004-83) to allow a professional office on one of the parcels that comprise the proposed development site.
09/15/99	The City Council approved a Special Use Permit (U-0082-99) to allow a bail bonds service on a portion of the proposed development site. The Planning Commission recommended approval of the request on 08/12/99.
03/17/04	A Site Development Plan Review (SDR-3386) was Withdrawn Without Prejudice prior to consideration by the City Council. The Planning Commission recommended denial of the application on 02/17/04.

FF

01/13/05 The Planning Commission will consider a related Special Use Permit (SUP-5663) to allow a mixed-use development on the subject site. Staff recommends approval of the request.

B) Pre-Application Meeting

11/15/04 At the pre-application conference, issues were discussed relative to the Office District standards, streetscape requirements, building stepback requirements, and the requirement to underground the utilities in the alley. In addition, it was noted that a traffic study should be provided in order to assess the impact of the project on the existing street network, and that the applicant should coordinate the design of with the project with the Bonneville-Clark one-way couplet project.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.28

B) Existing Land Use

Subject Property:	Multifamily Residential Use
	Office Use
North:	Civic Use
South:	Multifamily Residential Use
East:	Office Use
	Parking Lot
West:	Office Use
	Multifamily Residential Use

C) Planned Land Use

Subject Property:	C (Commercial)
North:	PF (Public Facility)
South:	C (Commercial)
East:	C (Commercial)
West:	C (Commercial)

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
North:	C-V (Civic)

South:	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
East:	C-2 (General Commercial)
West:	C-2 (General Commercial)

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a C (Commercial) land use designation. The Commercial designation permits office uses, limited commercial uses, and general commercial uses. The proposed mixed-use development is consistent with the land use designation.

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

Redevelopment Plan Area

As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Commercial (C) land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Office Core District. The district is intended for professional and government offices, and supporting pedestrian-oriented uses. The proposed development is generally consistent with the Downtown Centennial Plan.

Airport Overlay District

This site is subject to the North Las Vegas Airport Overlay District. Structures may be built up to 200 feet in height; any structures over this height limit must be reviewed by the Federal Aviation Administration (FAA).

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5227, the proposed project is deemed to be a "Project of Significant Impact" for the following reasons:

1) A Final Map or Planned Unit Development of 500 units or more.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

1) The Regional Transportation Commission (RTC) has not identified any potential negative regional impacts, because of the project's proximity to arterial streets and transit services.

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

PROJECT DESCRIPTION

The project involves the relocation of the existing historic residential structures and the construction of a new 60-story mixed-use building, with 950 residential units, 16,600 square feet of retail space, and 74,380 square feet of office space. The retail space and building lobby will occupy the ground floor of the building; one level of parking will be located below grade, and an internal parking structure will occupy levels two through 12. Two floors of commercial office space will be located directly above the parking levels, and the residential units will occupy the remainder of the tower. An amenity level will be located on the top floor of the building, with a swimming pool and sun deck for residents.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Downtown Centennial Plan addresses certain site development standards, which are detailed below:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	1.28 Acres	N/A
Min. Lot Width	N/A	140 Feet	N/A
Min. Setbacks			
• Front (Bonneville)	0 Feet	10 Feet	N
• Front (Garces)	0 Feet	6 Feet	N
• Corner (Casino Center)	0 Feet	10 Feet	N
• Rear	0 Feet	0 Feet	Y
Max. Lot Coverage	Up to 100%	89%	Y
Max. Building Height	N/A	705 Feet	N/A
Building Stepback	4th, 11th, 18th Stories	None	N
Trash Enclosure	Walled/roofed	Interior	Y
Loading Zone	1	1	Y
Mech. Equipment	Screened	Screened	Y

The project will not conform to the build-to requirements stipulated by the Centennial Plan; the applicant has requested a Waiver from this requirement to provide additional sidewalk width. In addition, the structure does not provide the requisite stepbacks at the 4th, 11th and 18th stories. The project will comply with all other development standards.

A2) Residential Adjacency Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of Residential Adjacency Standards.

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area. The following table details the parking figures for the development:

Uses	GFA	Provided Parking	
		Regular	Handicap
Multifamily Residential	950 Units		
Retail	16,600 SF		
Office	74,380 SF		
Total:		1,410	Not indicated

The amount of parking to be provided will allow one parking space per residential unit, with 460 spaces remaining for the commercial portion of the development, resulting in a ratio of approximately one space per 200 square feet of commercial floor area.

The Public Works Department has noted that the Bonneville-Clark one-way couplet project may impact the right-of-way abutting the project; the applicant will need to coordinate the project and driveway location with Public Works.

A4) Landscape and Open Space Standards

The property is subject to the landscape and streetscape standards of the Downtown Centennial Plan as listed below:

Standards	**Required** Ratio	Trees	**Provided**
East/West Street Bonneville Avenue	1 Shade Tree @ 30' o.c. max. (min. 24" box)	4 Trees	4 Trees
East/West Street Garces Avenue	1 Shade Tree @ 30' o.c. max. (min. 24" box)	4 Trees	3 Trees
North/South Street Casino Center	1 Palm Tree @ 35' o.c. max. (min. 25' height)	12 Trees	10 Trees
Sidewalk	11' Sidewalk	N/A	11'

An additional tree will be required on Garces Avenue in order to conform to the Centennial Plan requirements; additional trees would also typically be required along Casino Center, but the proposed drop-off area interferes with the amenity zone.

A5) Sign Standards

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

Wall Signs: West Elevation

Standards	**Allowed**	**Provided**
Maximum Number	N/A	N/A
Maximum Area	20%/elevation	<1%
Maximum Projection	2 Feet	Not indicated
Illumination	Internal/External	Internal

The proposed wall signage will conform to the requirements of Title 19.14.

B) General Analysis and Discussion

- Zoning

The majority of the parcels that comprise the development site are zoned C-2 (General Commercial), and the remainder of the parcels are zoned R-4 (High Density Residential) under a Resolution of Intent to C-2 (General Commercial). The proposed commercial uses are allowed by right in the C-2 (General Commercial) zoning district; the residential uses are permitted upon approval of a Special Use Permit. The applicant has filed a Special Use Permit application (SUP-5663) in order to allow the mixed-use development.

The structure generally conforms to the development standards of the Downtown Centennial Plan, with the exception of the Waivers that have been filed from the building stepback requirement and the requirement to locate the building directly at the front property line.

- Site Plan

The site plan depicts the residential and office lobby at the center of the building fronting onto Casino Center Boulevard, flanked on both sides by retail space. Parking functions and all service areas will be located at the rear of the property, directly adjacent to the alley. The entrance to the upper parking levels will be from Bonneville Avenue; exits will be available on Bonneville and to the alley. One level of parking will be located below grade, which will be accessed solely from the alley. Radius dedications will be provided at the northwest and southwest corners of the parcel as required by the Public Works Department.

- Waivers

The following Waivers from the Downtown Centennial Plan requirements are requested:

1. Building Stepbacks: The Centennial Plan requires a minimum five-foot stepback at the 4th, 11th, and 18th stories of a building. Stepbacks will be provided on the north end of the building, and strong cornice line and offset will be provided between the uppermost parking level and the two office floors. While these design features do not meet the requirement specified in the Centennial Plan, they are consistent with the objectives of the plan, and provide variety to the massing of the structure. Consequently, staff recommends approval of the Waiver.
2. Build-To Line: The Centennial Plan requires that buildings be located directly at the front yard setback for a minimum of 70% of the parcel width; the proposed structure will be located anywhere from six to ten feet from the front property line. The applicant has requested a Waiver from this requirement in order to provide the minimum 11-foot deep sidewalk and landscape amenity zone adjacent to the building, as there is insufficient right-of-way for these streetscape features. As the additional setback assists the applicant in conforming to the streetscape requirements specified in the Centennial Plan, staff recommends approval of the Waiver.

- Landscape Plan

The streetscape plan depicts the required 11-foot wide sidewalk and five-foot amenity zone on all three sides of the building as required by the Centennial Plan. An additional street tree is required on the Garces Avenue frontage in order to conform to the Centennial Plan requirements.

- Elevations

The proposed elevations clearly divide the separate functional areas of the building, with a solid rectilinear base element housing the retail and parking levels, large areas of glazing on the office levels, and residentially-scaled windows and horizontal balcony elements on the residential floors of the building. A semi-circular element is provided at the southwest corner of the building, and is capped by a decorative metal shade element at the roofline.

Synthetic stucco will be the primary material used on the exterior of the building, with decorative metal columns and shade elements providing decorative contrast. The proposed base colors conform to the desert neutral palette required by the Centennial Plan, with blue-tinted glazing and maroon metal features as accent colors.

- Floor Plan

The first floor of the building is configured with retail space on both sides of a central lobby, and with parking functions located at the rear of the site. The lobby space will provide access to both the office and residential levels, but a separate bank of elevators will be provided for each of the two functions. Egress stairways will be provided on the north and south ends of the building. The two office floors will each have approximately 36,500 square feet of space, and the residential levels will have up to 25 units per floor. The uppermost floor of the building will be used for a swimming pool and sundeck, in addition to screened mechanical equipment.

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;"**

   While the proposed structure will be significantly taller than most structures in the area, its massing will address the lower-scaled buildings in the immediate area, and the development is consistent with the vision for downtown Las Vegas.

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 structure is consistent with the General Plan and Title 19, and is generally consistent with the standards of the Downtown Centennial Plan. Waivers have been requested from the building stepback and building placement requirements, but the design meets the objectives of the Centennial Plan.

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

   Bonneville Avenue will serve as the principal access point for the development, but the alley behind the property will also be utilized for any overflow. Bonneville Avenue and Casino Center Boulevard have sufficient capacity to accommodate the traffic to be generated by the development.

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

   The proposed building and landscape materials are appropriate for the area and are consistent with the City's requirements.

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 design of the elevations will give variety to the massing and fenestration of the building, while highlighting the separate functions that are housed within, and will be compatible with other development in the area.

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

   The structure will be subject to inspections, and appropriate measures will be taken to protect the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

NOTICES MAILED 121 – Mailed with SUP-5663

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-8662 APN: 139-34-311-065

Name of Property Owner: Dawson Joseph& Verla S Fam Tr

Name of Applicant: Club Renaissance Partners, LLC

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

_____ Yes __X__ No

If yes, please indicate the member of the City Council or Planning Commission who is invoiced 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: Joseph Dawson

Print Name: Joseph Dawson
Joseph Dawson, Trustee

Subscribed and sworn before me

This 19th day of November, 2004

Camie B. Haarala
Notary Public in and for said County and State
Weber County, Utah

Notary Public
CAMIE B HAARALA
1935 WEST 4800 SOUTH
ROY, UT 84067
My Commission Expires
SEPTEMBER 4, 2005
STATE OF UTAH

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5662 APN: 139-34-311-064

Name of Property Owner: Lynch Francis I Etal Etal

Name of Applicant: Club Renaissance Partners, LLC

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

_____ Yes __X__ No

If yes, please indicate the member of the City Council or Planning Commission who is invoiced 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: Francis I. Lynch

Print Name: FRANCIS I. LYNCH

Subscribed and sworn before me

This 17th day of November, 2004

Robin R. Long

Notary Public in and for said County and State

ROBIN R. LONG
Notary Public State of Nevada
No.00-60997-1
My appt. exp. Sept. 16, 2007

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5662 APN: 139-34-311-058 to 063

Name of Property Owner: Club Renaissance Partners, LLC

Name of Applicant: Club Renaissance Partners, LLC

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

_____ Yes __X__ No

If yes, please indicate the member of the City Council or Planning Commission who is invoiced 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: Gilles A. Pageau

Subscribed and sworn before me

This 17 day of November, 2004

[signature]

Notary Public in and for said County and State

CANDICE N. BROWN
NOTARY PUBLIC
STATE OF NEVADA
DATE APPOINTMENT EXPIRES:
CERTIFICATE NO:

Stantec Consulting Inc.
7251 West Charleston Boulevard
Las Vegas NV 89117
Tel: (702) 258-0115 Fax: (702) 258-4956
stantec.com

Stantec

November 23, 2004
188100269

City of Las Vegas
Planning & Development
731 S 4th Street
Las Vegas, NV 89101

Reference: Club Renaissance – Special Use Permit & Site Development Plan Review with Waivers (APN: 139-34-311-058 thru 065)

Club Renaissance Partners, LLC is proposing to develop a 1.28-acre parcel located on the southeast corner of Casino Center Blvd. and Bonneville Avenue in the Downtown Centennial Plan area.

Club Renaissance Partners, LLC is seeking to develop a mixed-use project of approximately 950 condominiums, 48,510 square feet of retail, and 74,380 square feet of office space in a 60-story high rise building. This project will provide "affordable luxury" to mid-income buyers wanting the convenience of living close to downtown Las Vegas. The retail element will provide neighborhood services on the ground floor for the community as well as for the residents. The office element will provide office space on two floors with separate underground parking. Attached is a project Summary Data Sheet.

On behalf of our client we respectfully request a Special Use Permit to allow a mixed-use facility with a Waiver for building setbacks at the 4th, 11th and 18th floors. The design of the building provides adequate articulation and additional setbacks are unnecessary.

We are also requesting a Site Development Plan Review with a Waiver from the Downtown Centennial Plan requirement of the 70% build – to building setback. On the Casino Center Blvd side of the project we are pushing the building over to provide additional sidewalk to comply with the Downtown Centennial Plan.

SDR-5062

Reference: Club Renaissance – Special Use Permit & Site Development Plan Review and Waivers

We appreciate your consideration in this matter; if you have questions or need more information please call Katie Hand, P.E., Nathan Jones or me at 258-0115.

Sincerely,

STANTEC CONSULTING INC.

Jo Pinther
Senior Engineering Coordinator
Tel: 258-0115
Fax: 258-4956
jpinther@stantec.com

Attachment: Project Summary/Data Sheet

c: Club Renaissance LLC
Greg Borgel
File

CLUB RENAISSANCE
PROJECT SUMMARY/DATA

Property Area: 55,996.199 sq. ft. FAR: 0.02481 Density: 740/AC

1. BLDG. AREA

Low rise levels	17 floors @ 36,420 SQ. FT.	619,140 SQ. FT.
Intermediate levels	14 floors @ 33,720 SQ. FT.	472,080 SQ. FT.
High rise levels	10 floors @ 31,020 SQ. FT.	310,200 SQ. FT.
Penthouse levels	2 floors @ 31,020 SQ. FT.	62,040 SQ. FT.
Club level	1 floor @ 29,820 SQ. FT.	29,820 SQ. FT.
Mechanical level	1 floor @ 29,820 SQ. FT.	29,820 SQ. FT.
Top level pool deck/amenities	1 floor @ 24,000 SQ. FT.	24,000 SQ. FT.
Office level	2 floors @ 37,190 SQ. FT.	74,380 SQ. FT.
Ground level incl. (16,600 SF Retail)	1 floor @ 48,510 SQ. FT.	48,510 SQ. FT.

TOTAL TOWER AREA ..... 1,669,990 SQ. FT.

2. PARKING

Eleven levels above grade	537,845 SQ. FT.
One level subterranean level	48,895 SQ. FT.

TOTAL PARKING AREA ..... 586,740 SQ. FT.

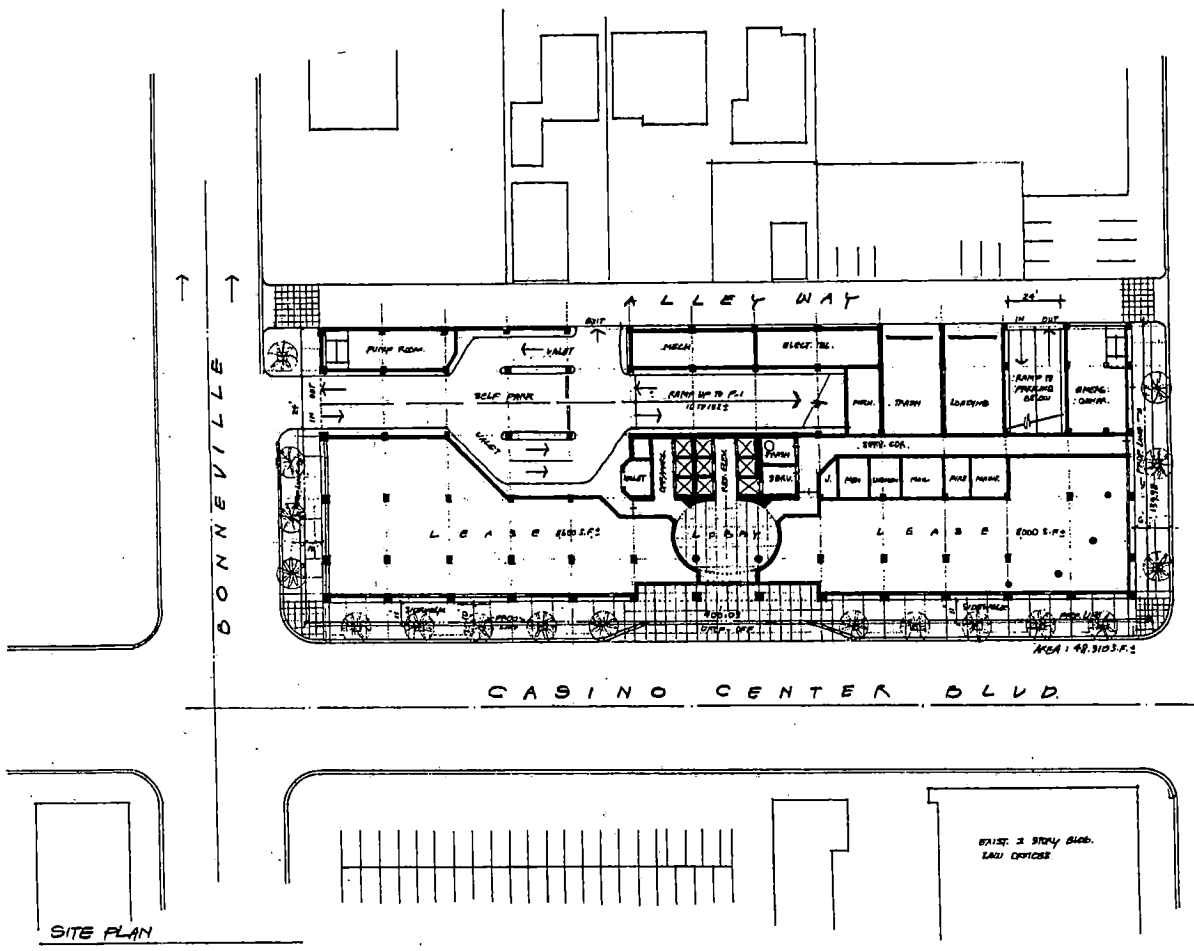
GRAND TOTAL AREA (TOWER + PARKING) ..... 2,256,730 SQ. FT.
TOTAL # OF RESIDENTIAL UNITS 950

PARKING ANALYSIS

Residential: 1 space/unit	950 spaces
Office: 4 space/1,000 SF	298 spaces
Retail: 4 space/1,000 SF	65 spaces

TOTAL PARKING REQUIRED ..... 1,313 spaces
TOTAL PARKING PROVIDED ..... 1,410 spaces

Note: Terraces not included. All areas are approximate



CLUB RENAISSANCE

CLUB RENAISSANCE

PROJECT SUMMARY/DATA

Property Area: 55,986,199 SQ.FT FAR : 0.02481 Density: 740/AC

1) BLDG. AREA

• Low rise levels	17 floors @16,420 SQFT	819,140 SQFT
• Intermediate levels	14 floors@33720SQFT	472,080 SQFT
• High Rise levels	10 floors @ 14020 SQFT	140,200 SQFT
• Penthouse levels	2 floors @ 21020 SQFT	42,040 SQFT
• Club level	1 floor @ 29,820 SQFT	29,820 SQFT
• Mechanical level	1 floor @ 29,820 SQFT	29,820 SQFT
• Top level Pool deck/ amenities	1 floor @ 24,000 SQFT	24,000 SQFT
• Office levels	2 floors @ 17,190 SQFT	34,380 SQFT
• Ground level Incl [16,400 SF Retail]	1 floor @ 48,110 SQFT	48,110 SQFT
TOTAL TOWER AREA		1,669,990 SQFT

2) PARKING

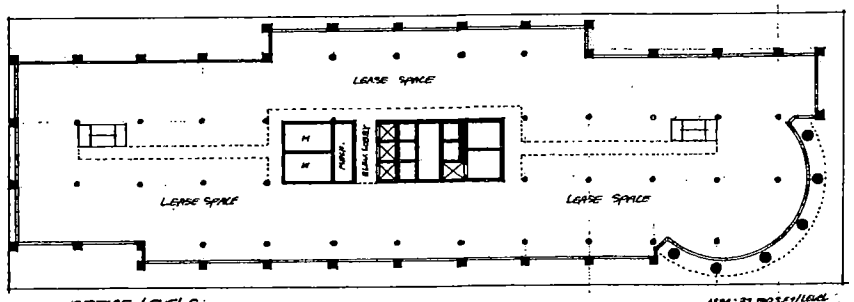
• Eleven levels above grade	537,845 SQFT
• One level subterranean level	48,895 SQFT
TOTAL PARKING AREA	586,740 SQFT
GRAND TOTAL AREA (TOWER + PARKING)	2,256,730 SQFT
TOTAL # OF RESIDENTIAL UNITS	1 950]

PARKING ANALYSIS:

-Residential:	1 space / unit	950 spaces
- Office:	4 spaces/ 1000 SF	268 spaces
- Retail:	4 spaces/ 1000 SF	65 spaces
TOTAL PARKING REQUIRED		1313 spaces
TOTAL PARKING PROVIDED		1410

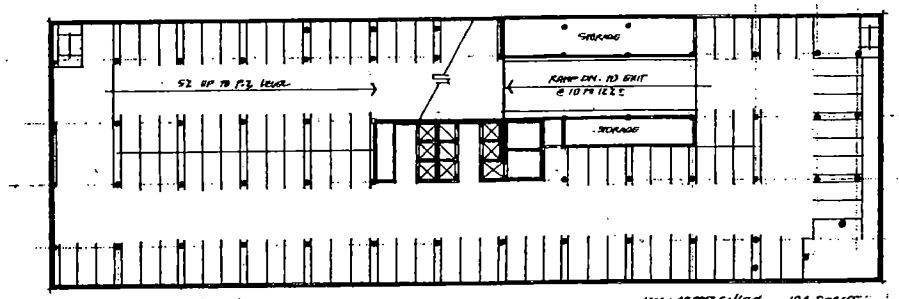
Note: Terraces not included. All areas are approximate

SUP-5663
SDR-5662
01-13-05 PC



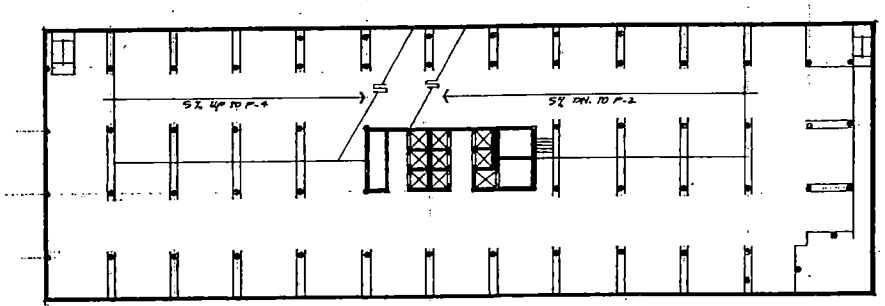
OFFICE LEVELS
LEVELS 13-14

AREA: 37,190 S.F./LEVEL



PARKING LEVEL
LEVEL P-2

AREA: 48,875 S.F./LEVEL 104 SPACES



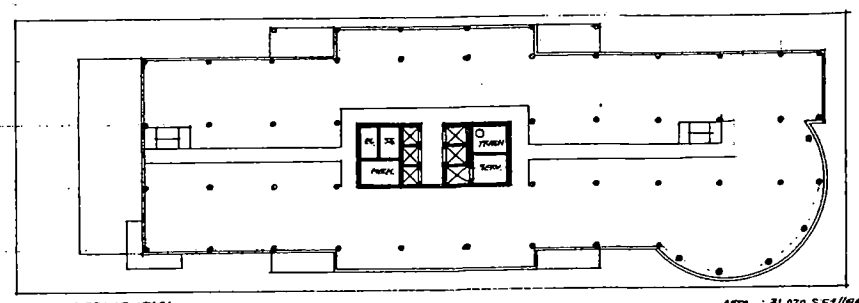
PARKING LEVEL
LEVELS 3-12

AREA: 48,875 SF/LEVEL 119 SPACES/LEVEL

0 15 30 60
SCALE: 1=30

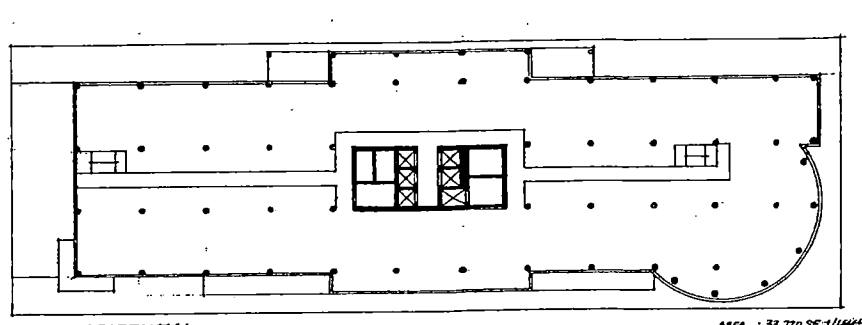
NORTH

SUP-5663
SDR-5662
01-13-05 PC



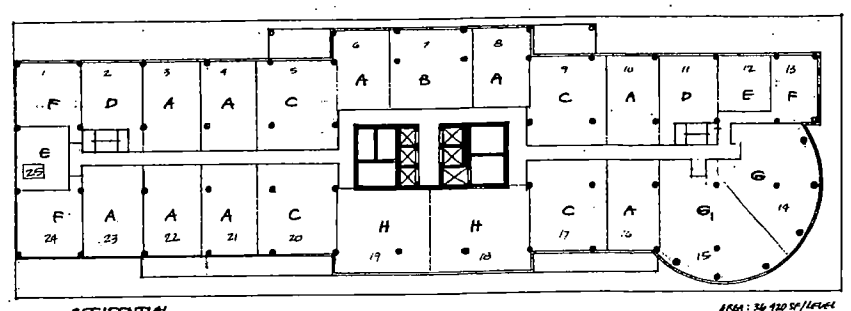
RESIDENTIAL
LEVELS 46-57

AREA : 31,020 S.F./LEVEL



RESIDENTIAL
LEVELS 32-45

AREA : 33,720 SF./LEVEL



RESIDENTIAL
LEVELS 15-31

AREA : 34,920 SF/LEVEL

TYPICAL UNIT PLAN LAYOUT

0 15 30 60
SCALE : 1"=30'

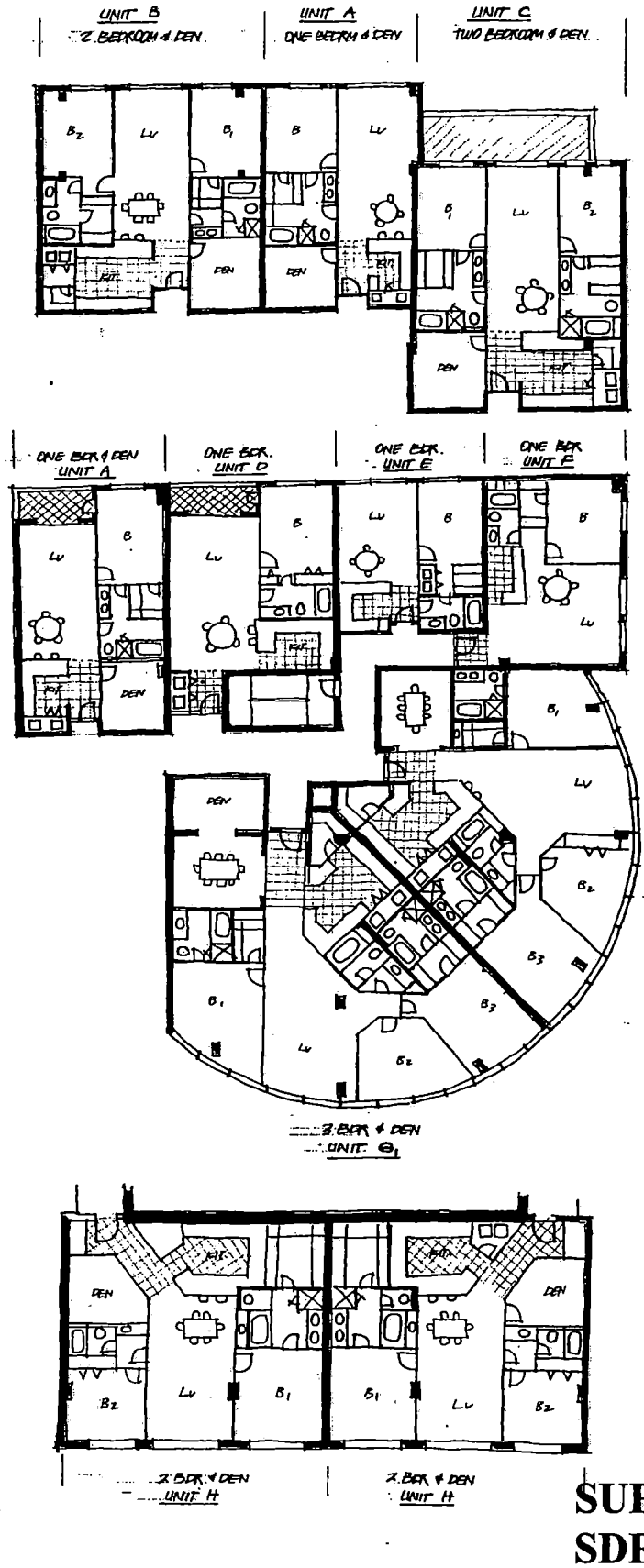
NORTH

UNIT MIX

38%	ONE BEDROOM -	205 UNITS
22%	ONE BEDROOM + DEN -	359 UNITS
30%	TWO BEDROOM + DEN -	278 UNITS
4%	THREE BEDROOM -	41 UNITS
4%	THREE BEDROOM + DEN	41 UNITS
2%	PENTHOUSE	17 UNITS
100%	TOTAL UNITS	950

B : TWO BEDROOM + DEN
C : TWO BEDROOM + DEN
F : ONE BEDROOM
E : ONE BEDROOM
A : ONE BEDROOM + DEN
H : TWO BEDROOM + DEN
G : THREE BEDROOM
G1 : THREE BEDROOM + DEN

SUP-5663
SDR-5662
01-13-05 PC



SUP-5663
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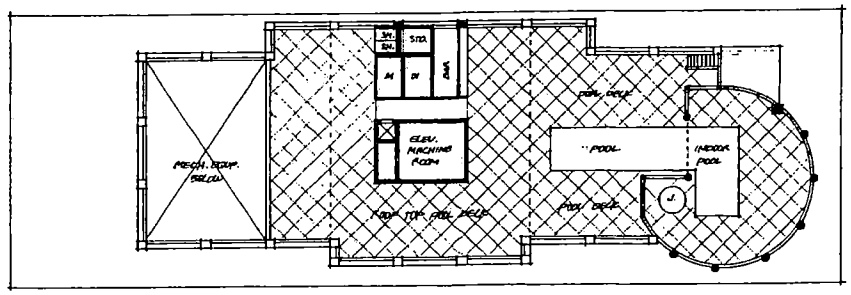
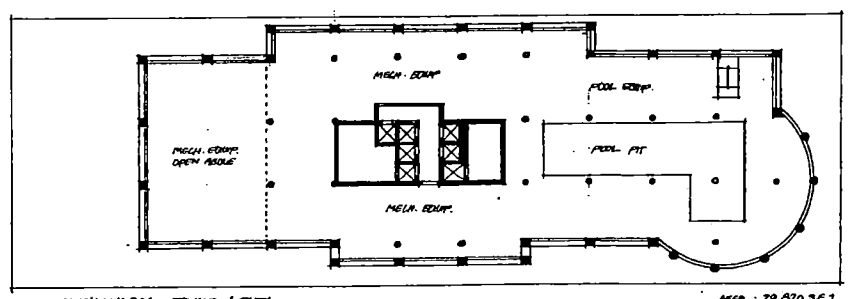
01-13-05 PC

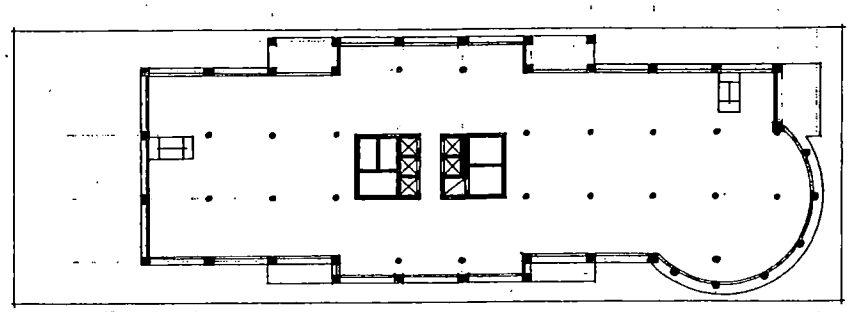


POOL DECK LEVEL
LEVEL 60



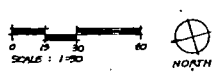
MECHANICAL EQUIP. LEVEL
LEVEL 59

AREA : 29,820 S.F.±



CLUB LEVEL
LEVEL 58

AREA : 29,820 S.F.±



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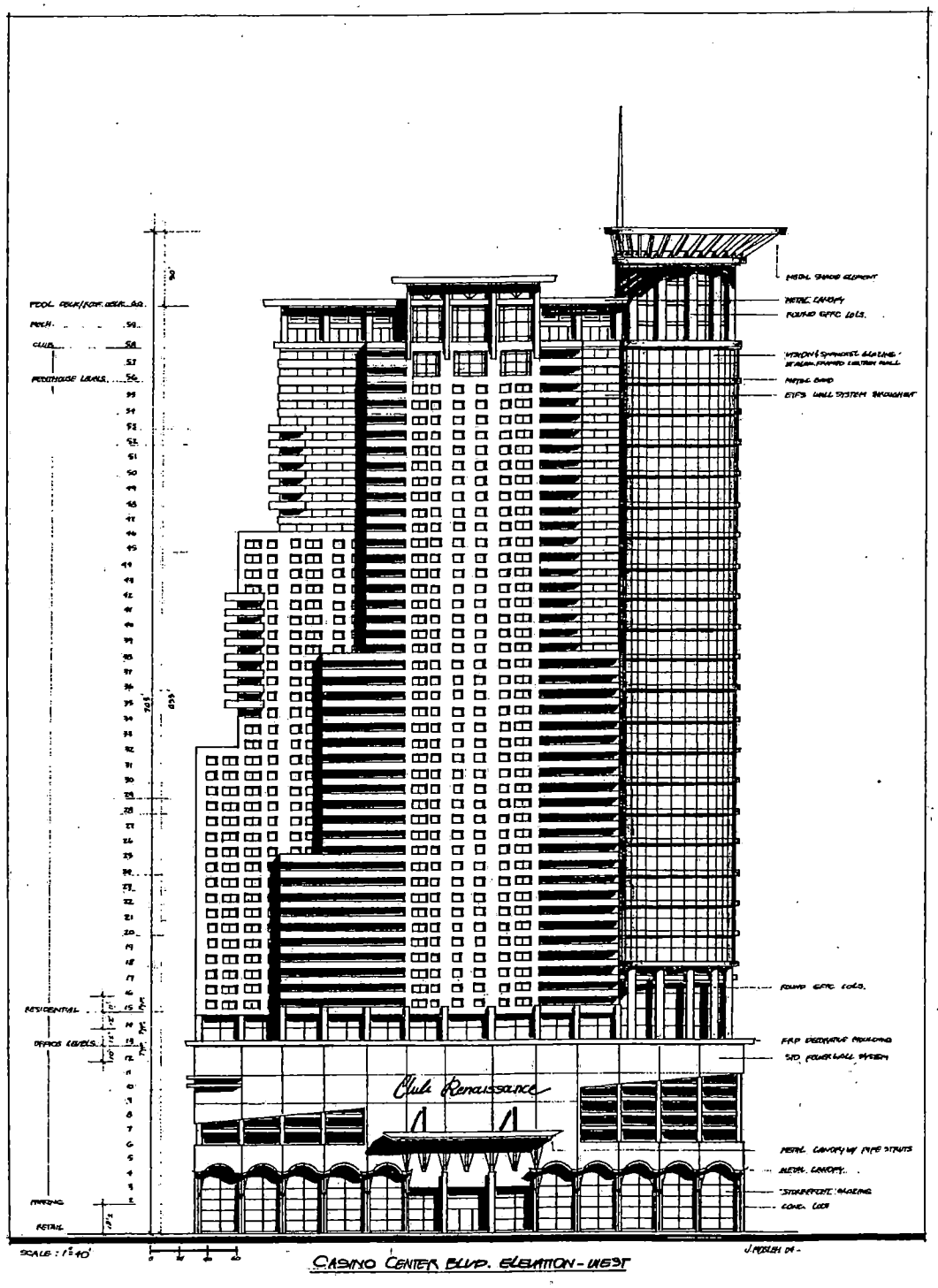
01-13-05 PC



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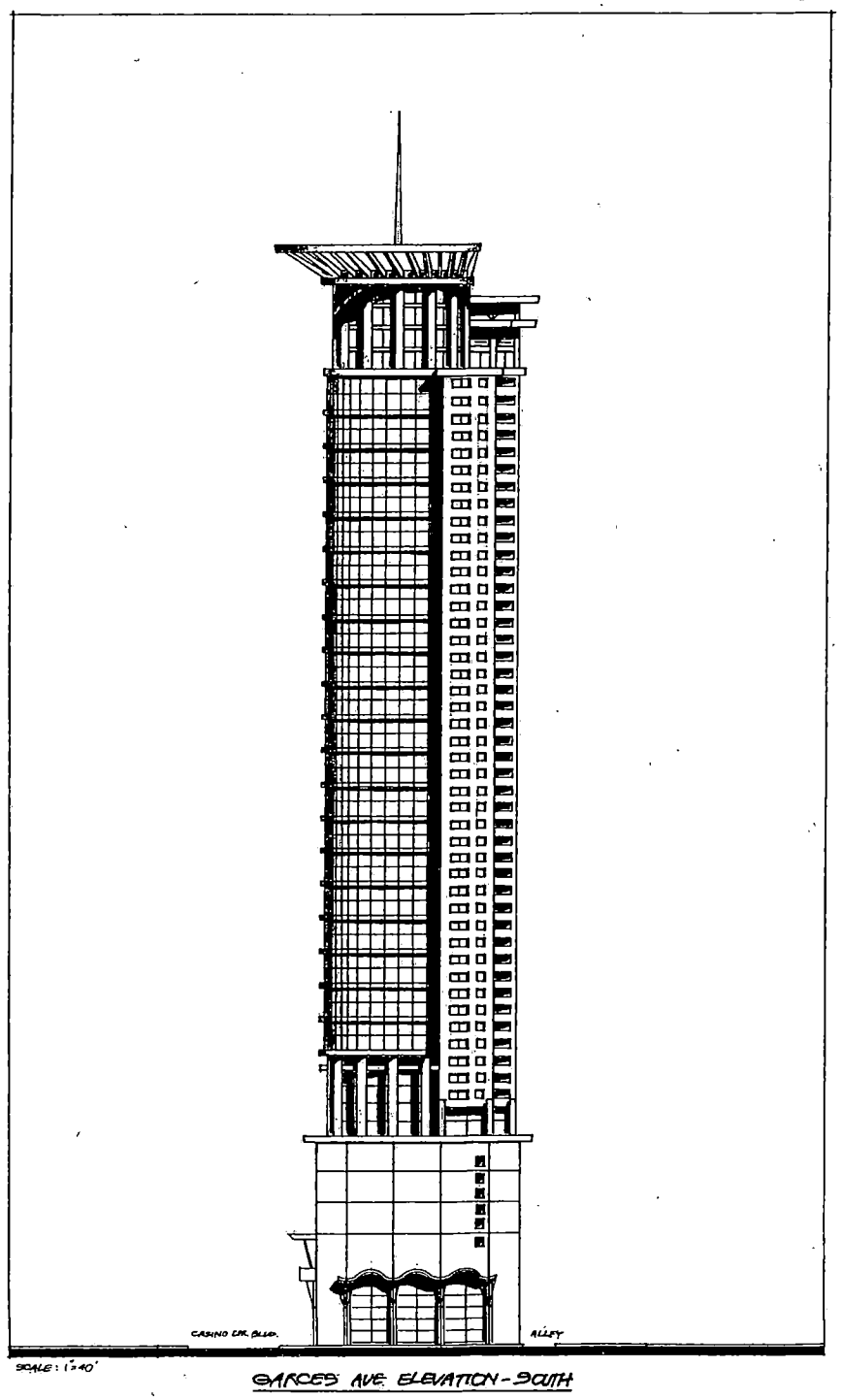
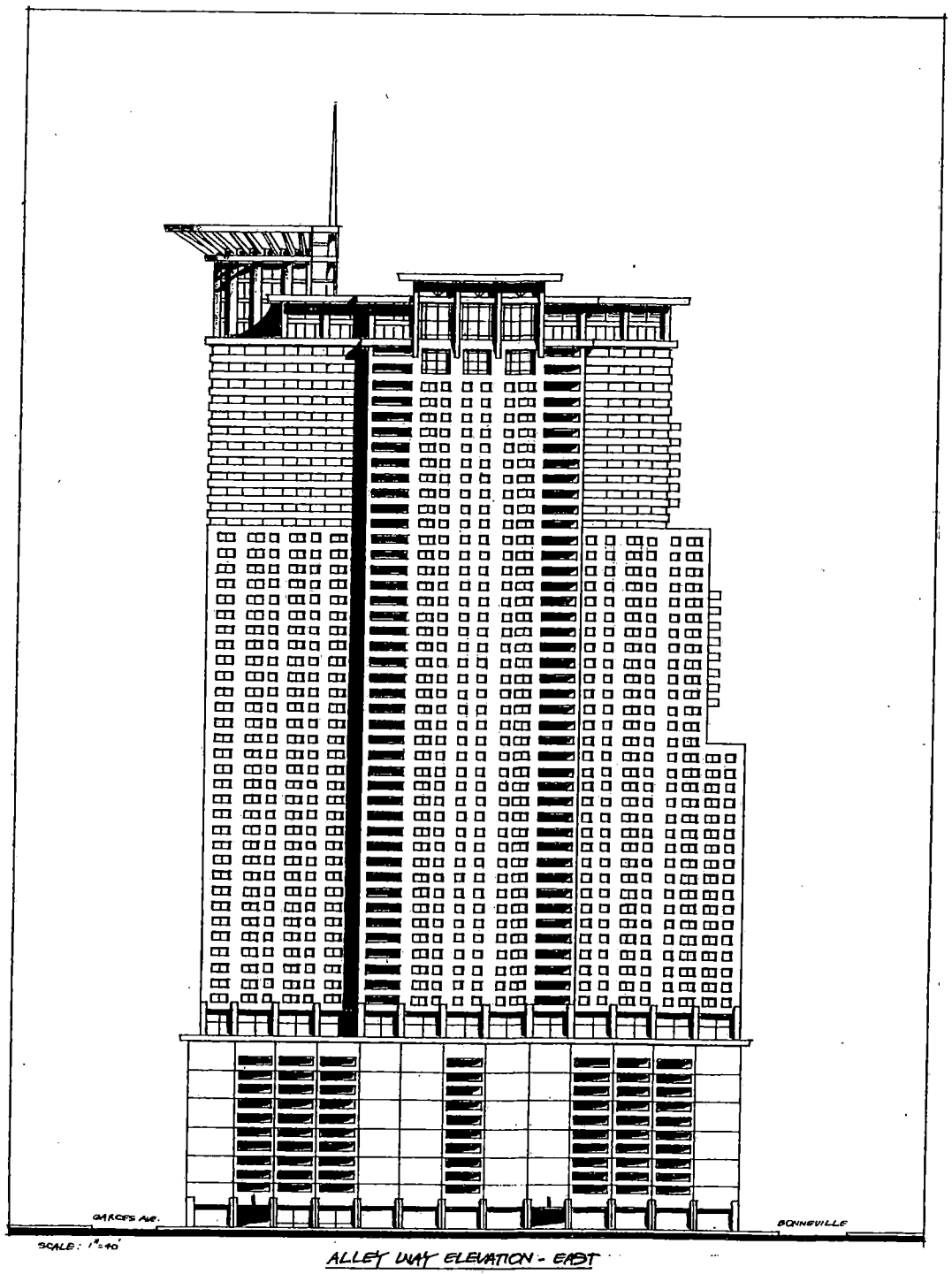
SDR-5662
01-13-05 PC



SCALE: 1"=40'

GARCES AVE. ELEVATION - SOUTH

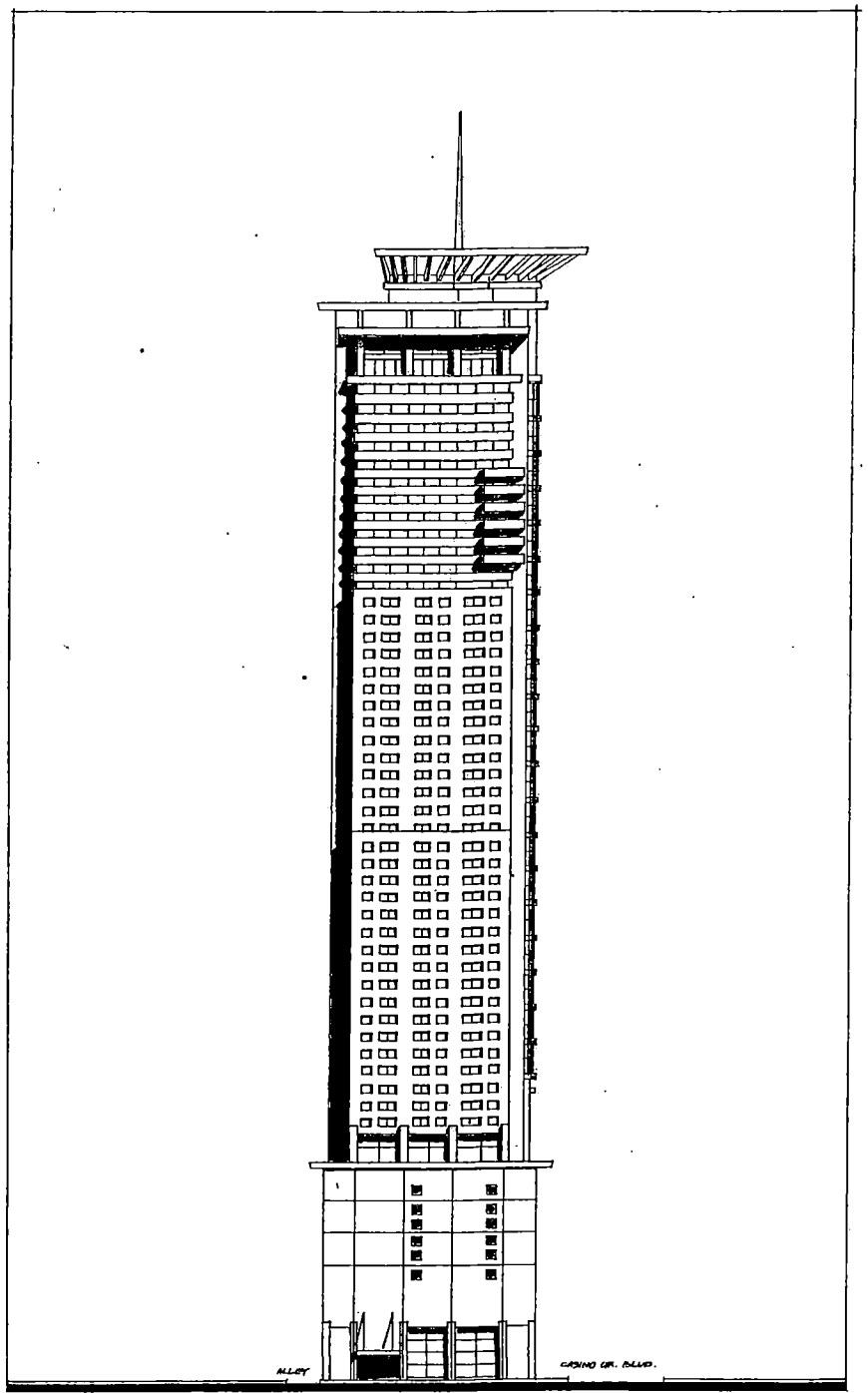
SUP-5663
SDR-5662
01-13-05 PC



SCALE: 1"=40'

ALLEY WAY ELEVATION - EAST

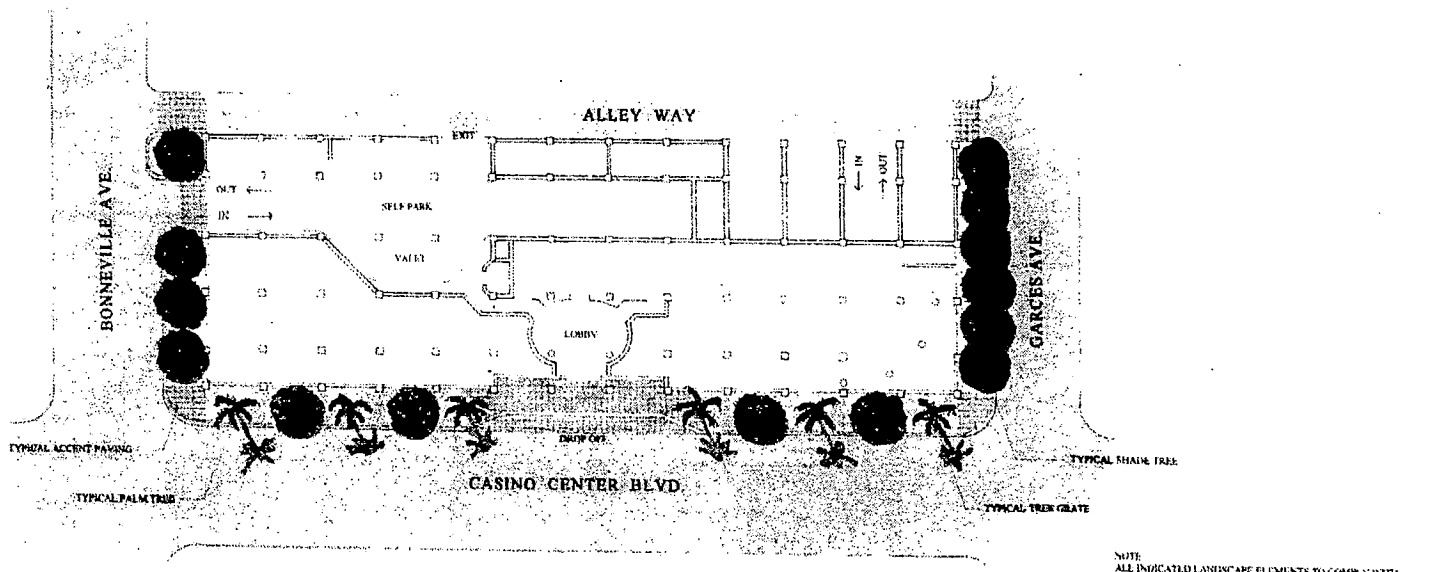
SUP-5663
SDR-5662
01-13-05 PC



SCALE: 1"=40'

BONNEVILLE AVE. ELEVATION

SUP-5663
SDR-5662
01-13-05 PC



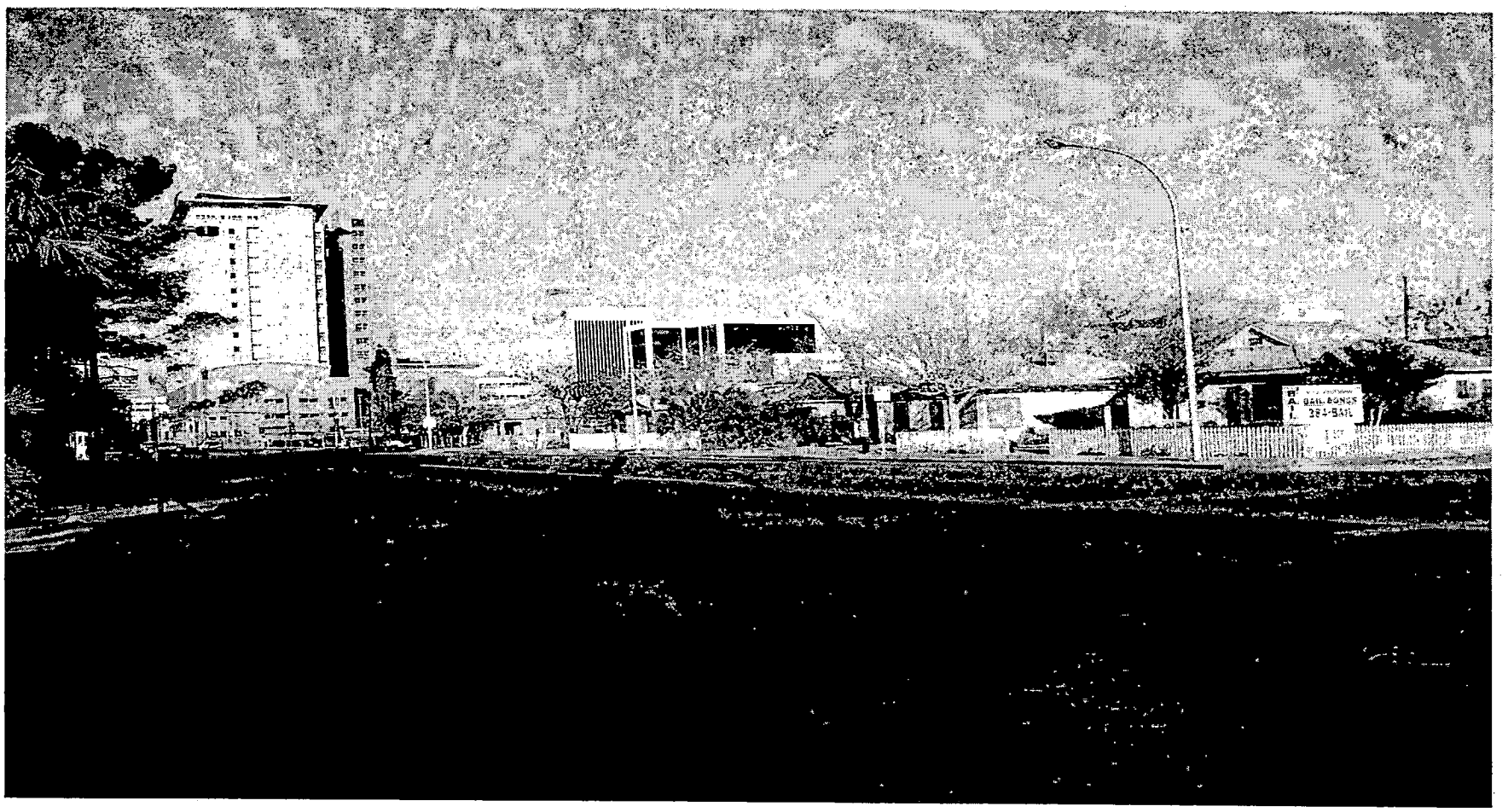
NOTE
ALL INDICATED LANDSCAPE ELEMENTS TO COMPLY WITH
CITY OF LAS VEGAS OFFICE CORE DISTRICT DESIGN STANDARDS

PRELIMINARY
LANDSCAPE PLAN

CLUB RENAISSANCE
CASINO CENTER BLVD
LAS VEGAS, NEVADA

L-1

SUP-5663
SDR-5662
01-13-05 PC



SDR-5662 - APPLICANT: CLUB RENAISSANCE PARTNERS, LLC - OWNERS: CLUB RENAISSANCE PARTNERS, LLC, ET AL
SOUTHEAST CORNER OF CASINO CENTER BOULEVARD AND BONNEVILLE AVENUE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

City of Las Vegas

Agenda Item No.: 68

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:

SUP-5684 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JACK IN THE BOX - OWNER: PPLAND LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A PROPOSED RESTAURANT WITH DRIVE-THROUGH AND A WAIVER OF THE TOWN CENTER DEVELOPMENT STANDARDS adjacent to the northwest corner of Farm Road and Durango Drive (APN 125-17-601-011), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 02/16/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	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
5. Submitted at Meeting – Protest Petition by Donna Samatulski

MOTION:
EVANS – DENIED – UNANIMOUS

This is Final Action

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 68 [SUP-5684] and Item 69 [SDR-5681].

FLINN FAGG, Planning and Development Department, explained that approval of the Special Use Permit would allow a drive thru restaurant on the subject site. Staff recommended approval of this item; however, a condition has been set regarding the hours of operation for the drive thru window and also the orientation of the menu board and speaker for that drive thru. The companion item for a Site Development Plan Review was in conformance with a previous Master Site Plan that was approved for the parcel.

MINUTES – Continued:

DAVE WARD, Jack in the Box, 100 North Barranca Avenue, appeared and agreed with all conditions. He stated the speaker board would face traffic, not the residential area and he offered to answer any questions. He appeared with SEENA HYDE, Hyde Consulting, 11654 Veneto.

DONNA SAMATULSKI, 8580 Blowing Pines Drive, stated her subdivision is the residential area that is directly behind the proposed drive thru. She submitted a petition protesting this development because of the environmental impact of the drive thru, the hours of operation, noise and bright lights. MS. SAMATULSKI stated that the residents did not want a fast food drive thru in the back yard.

SUSIE BALAZ, 8589 Blowing Pines Drive, stated she did not want a Jack in the Box in her backyard. She was concerned about opening her windows and having the odors from the restaurant come into her home where her children can smell it. Other concerns include noise from the drive thru keeping her family awake at night, additional traffic and construction issues. MS. BALAZ stated that the construction noise from the Walgreens being constructed was horrible. A wall promised by Walgreens was never built as promised. It should have been an eight-foot wall and being 5' 2", MS. BALAZ can look right over the wall. She showed photos of the wall. There is no privacy and the wall keeps nothing out. MS. BALAZ said that she actually had asphalt thrown into her back yard during the construction of the Walgreens. Not long ago, she was in her back yard one morning and construction workers were looking over the fence into her yard. The fence would not stop a car coming through or over it.

MS. BALAZ questioned the purpose of a Master Plan if it is not to be followed. She requested the board deny this application so families can be raised and senior residents can have peace and quiet.

VICTOR GALLEGOS, 8541 Blowing Pines Drive, told the Commission that this was not the proper site for a Jack in the Box. He has lived in the area for four years and has to pick up trash from the Albertsons and McDonalds that blows across the street everyday. His dream house is quickly becoming a nightmare.

SHIRLEY BORO, 8585 Blowing Pines Drive, said that many people are considering just moving out of the area. Her home was supposed to be a retirement home for her and her husband and the addition of the Jack in the Box would ruin the tranquility of her backyard. She voiced concerns over the smells, noise and traffic. She reminded everyone that when the Walgreens was being considered, the Mayor asked for assurances that a tall wall would separate the homes from the shopping center, it was never done. She stated that there are five vacant homes on that side of the street at this time and the number would only grow.

MINUTES – Continued:

JOE BORO, 8585 Blowing Pines Drive, concurred with his wife's comments. He said that he did not think any of the Commissioners would like a Jack in the Box 50 feet away from their backyard. He voiced his displeasure and frustration over the Walgreens wall and stated that he had given up on that fight. MR. BORO said that on one area of the wall, a three year old could climb the wall and fall into someone's backyard. Then the homeowner could be sued. He also pointed out that the block wall is not a retaining wall but about two feet of dirt was placed at the foot of the wall when the lot was leveled. He asked for denial of the item.

MR. WARD was very surprised at the concern voiced by the residents and said he did not usually encounter opposition over a new location. Regarding the comments made about the wall, MR. WARD thought the wall was the proper height but did acknowledge dirt has been placed against it to make it seem shorter from the Jack in the Box side. Regarding the speaker board, he reiterated the board would face traffic and face away from the residential area. He also pointed out that there would be a lot of landscaping between the drive thru lane and the wall to buffer out noise. MR. WARD also indicated that it was his understanding the area was previously zoned and approved for a drive thru in the proposed area. CHAIRMAN TRUESDELL stated that it was his recollection that the Planning Commission denied that application; however, it could have been approved by City Council.

COMMISSIONER McSWAIN stated that she does not typically support any type of commercial development when it abuts residential property as this application proposed. She felt the use was incompatible with residential. At her new residence, COMMISSIONER McSWAIN has a McDonalds nearby and she walks by it several times a week. From that experience, she could confirm the smell can be intense at times. The Commissioner also wondered about the effects the trash could have on adjacent residential. She was distressed that any type of approval may have been received for a drive thru at this location.

COMMISSIONER GOYNES asked if the only buffer between the commercial and the residential was the wall shown in the photos. MR. WARD stated it was the only buffer at this time but that Jack in the Box would have to install trees and landscaping during construction. The Commissioner asked what the measurement would be between the wall and the actual drive thru. MR. FAGG replied that there would be an eight-foot landscape buffer adjacent to the wall and then the drive thru lane and the building. COMMISSIONER STEINMAN said it would be 45 feet according to the plan in the backup.

COMMISSIONER GOYNES found the site inappropriate for the restaurant. He discussed concerns about staging the cars for the drive thru after hours. During peak, weekend times, there could be a range of customers stacked there trying to get a burger. MR. WARD reminded him

MINUTES – Continued:

that one of the conditions of approval pertained to the hours of operation for the drive thru and confirmed the restaurant would not be a 24-hour operation. COMMISSIONER GOYNES then asked about decibels of noise associated with a drive thru speaker. He could not support the item.

COMMISSIONER STEINMAN agreed. He could not understand why Jack in the Box thought this would be a good site for their restaurant. This site is difficult, it is parking challenged, the trash enclosure is in front of the building, the grease trap is in the parking lot and anyone who wants to go there would have to walk across several lanes of traffic to get into the building. He thought that having idling cars 40 to 50 feet from someone's bedroom made no sense. The noise at night from a drive thru can be very disconcerting and he would not support the item.

COMMISSIONER EVANS concurred with many of the comments made by the other Commissioners. He said that he respected the views of the neighbors and like them, would not want a Jack in the Box in his backyard. He acknowledged that some people could find the smell offensive and the proximity of the neighborhood is too close. The Commissioner could not find the project harmonious and compatible with the area. COMMISSIONER EVANS said that he did frequent Jack in the Box and enjoyed their food but would not be able to support his item after hearing the testimony of the adjacent residents.

CHAIRMAN TRUESDELL stated that this is a unique corner. If the Walgreens would have adhered to the Town Center Standards and oriented itself against the street, away from the residents, as the Standards were designed, there would not be an issue because this pad would have been significantly farther away from the homes. The developer created the problem with Walgreens and it has mushroomed to affect everything else on the site. He said that whether the use is deemed appropriate or not, the only way to fit is up against the homes.

The Chairman pointed out that during winter hours, the drive thru lights would shine into the resident's backyards as the cars make the radius into the drive thru. MR. WARD indicated that would not be a problem because the fence would block it. CHAIRMAN TRUESDELL informed him that the wall, as is, would not block that and the wall would have to be raised or the pad would have to be lowered. He explained that the dirt against the wall is part of the leveling of the site that Walgreens did.

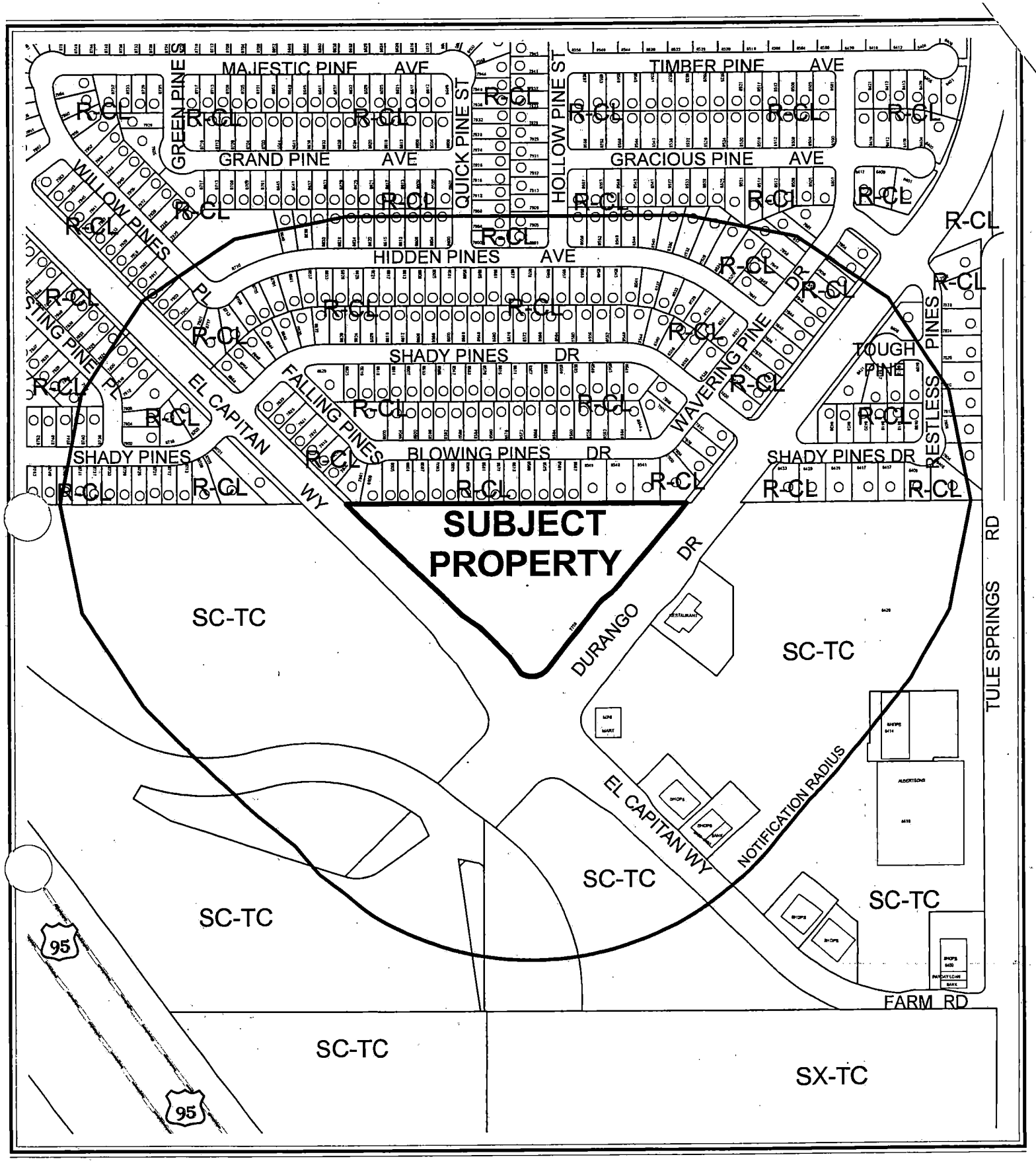
CHAIRMAN TRUESDELL suggested that placing the Jack in the Box on the other side of the Walgreens would have made more sense. CHAIRMAN TRUESDELL said the Commission was concerned about the requests Walgreens had made and how they deviated from the Town Center Standards. He agreed with the neighbors that the project against the wall creates a problem. He

MINUTES – Continued:

also noted that drivers entering the lot from Durango to the south would have to do a 180-degree turn within 10 feet of entering the property and that is a safety issue. The Chairman concluded by saying he had no problems with the type of restaurant or their food, it was a matter of technical issues that were created by Walgreens setting the threshold for the site.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 68 [SUP-5684] and Item 69 [SDR-5681].

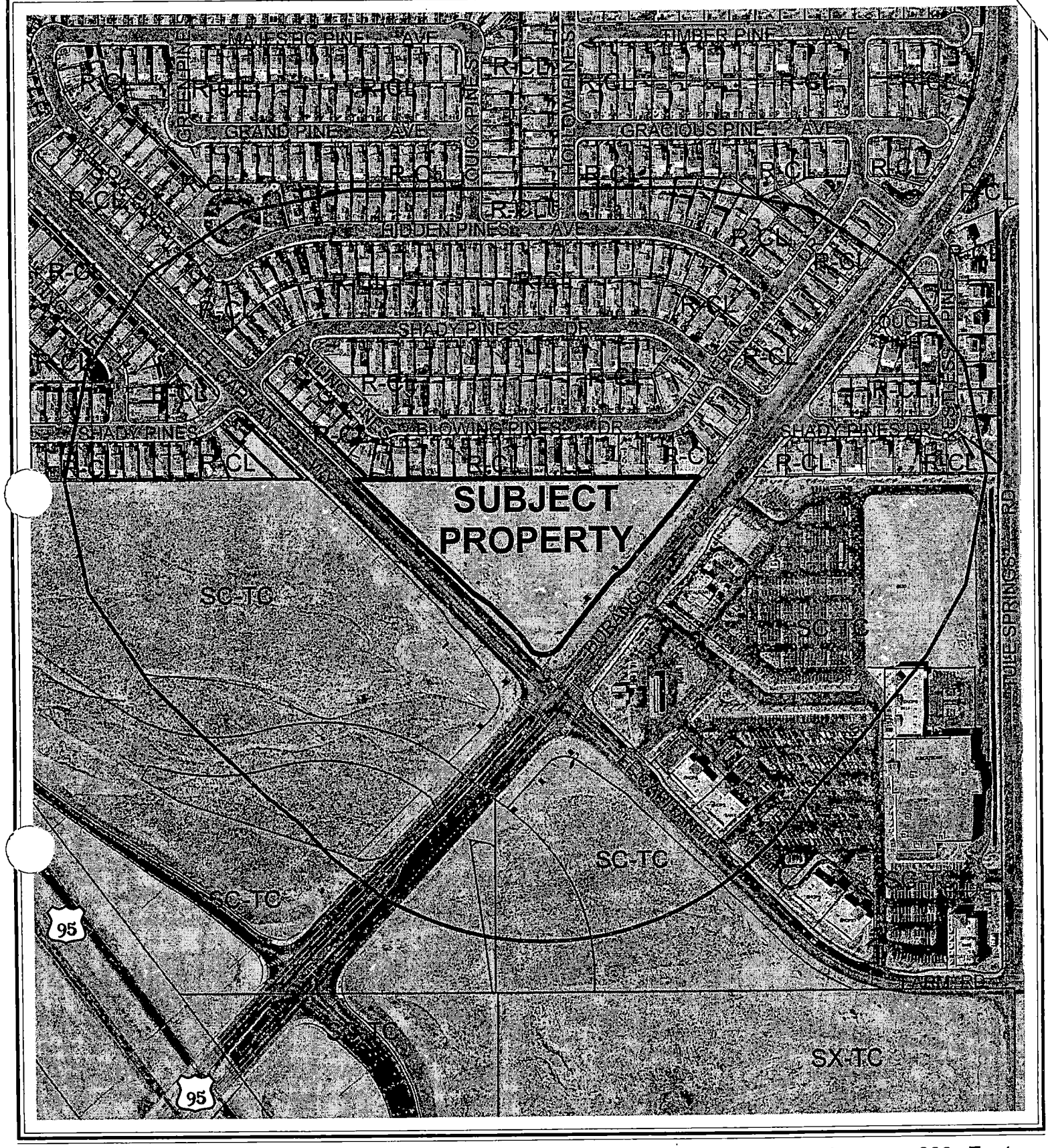
(10:45 – 11:08)



CASE: **SUP-5684**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION]



0 300 600 Feet

CASE: **SUP-5684**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5684 - APPLICANT: JACK IN THE BOX - OWNER: PPLAND LIMITED PARTNERSHIP

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-5681 and SDR-3191.

2. Trash enclosures shall be covered and screened as required by the Commercial Design Standards of Title 19. Enclosures shall be located to be a minimum of 50 feet from the residential zone to north.

3. The restaurant drive-thru use shall be limited to the business hours of 7:00 AM to Midnight. The public address system shall be directed away from the adjacent residential development to the north.

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

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a proposed Restaurant with Drive-thru on a 0.76-acre portion of the proposed 4.87-acre commercial development adjacent to the northwest corner of Durango Drive and El Capitan Way. The Restaurant with Drive-thru will be part of a 2,100 square-foot restaurant.

B) Applicant's Justification

The restaurant is compatible with the SC-TC (Service Commercial-Town Center) land use designation and its location was previously approved under SDR-3191. The architectural design of the building and landscaping meet the requirements of the Town Center Development Standards.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98	The City Council approved the rezoning of the Town Center Plan area (Z-0076-98) including this parcel. The Planning Commission recommended approval.
11/07/01	The City Council approved the current version Town Center Development Standards (TCDS) Manual through Bill No. 2001-100. The TCDS details the uses permitted within Town Center and the development standards that will accomplish the vision of Town Center.
01/07/04	The City Council approved a Site Development Plan Review (SDR-3191) and a Waiver of build-to-street standards of the Town Center Development Standards for a 23,320 square foot commercial development. The Planning Commission and staff recommended denial.
01/22/04	The Planning Commission approved a request for a Tentative Map (TMP-3272) for a two lot commercial subdivision on 4.91 acres adjacent to the northeast corner of El Capitan Way and Durango Drive. Staff recommended approval.
05/04/04	The Centennial Hills Architectural Review Committee approved a Master Signage Plan (CHR-0014-04). Staff recommended approval.

KCW

B) Pre-Application Meeting

11/09/04 During a pre-application conference with the applicant the following was discussed.

- Conformance with the conditions of approval of SDR-3191, CHR-0014-04, and TMP-3272.
- Installation and use of a public address system.
- Use of the public address system will be limited to the hours of 7AM to Midnight.
- Trash enclosure shall be no closer than 50 feet from the residential development to the north.
- A two-foot tall decorative screen wall atop a three-foot landscaped berm along Durango Drive.
- The landscaping strip along the north property line is to be 8 feet in width.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	4.91
Net Acres:	0.76

B) Existing Land Use

Subject Property:	Vacant
North:	Single Family Homes
South:	Vacant
East:	Retail Commercial
West:	Vacant

C) Planned Land Use

Subject Property:	SC-TC (Service Commercial- Town Center)
North:	PCD (Planned Community Development)
South:	SC-TC (Service Commercial- Town Center)
East:	SC-TC (Service Commercial- Town Center)
West:	SC-TC (Service Commercial- Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	R-CL (Residential –Compact Lot)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	T-C (Town Center)

KCW

E) General Plan Compliance

a. Centennial Hills Sector Plan of the General Plan

The Land Use designation of the subject site on the Town Land Use Plan Map of the Centennial Hills Sector Plan is SC-TC (Service Commercial- Town Center) Special Land Use Designation. The proposed drive-thru use is allowed in SC-TC designated areas of Town Center by approval of a Special Use Permit. The proposed use is in conformance with the General Plan.

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

Town Center Development Standards –The site is located within the boundaries of the Town Center Land Use Plan, the future land use plan for the site as described in Chapter 4 of the Centennial Hills Sector Plan. All development within Town Center is subject to the standards of the Town Center Development Standards Manual and Title 19.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Use	GFA	Ratio	**Required** Parking		**Provided** Parking	
			Regular	Handicap	Regular	Handicap
Restaurant with Drive-thru	2,100 SF.	1/100 GFA	20	1	29	2

The proposal exceeds the requirements of the parking standards in Title 19.10.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Restaurant with Drive – Thru use aside for the minimum distance of a trash enclosure to a residence.

KCW

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

Use	Code Requirement	Provided
Trash Enclosure	50 feet from residential	63.11 feet

The proposal exceeds the requirements of Title 19.08.

B) General Analysis and Discussion

- Zoning

The proposed 2,100 square-foot fast food use with a drive-thru is allowed in the SC-TC (Service Commercial- Town Center) Special Land Use District, subject to conformance with applicable requirements of the Town Center Development Standards and Title 19.

- Use

The proposed Restaurant with Drive-thru use is allowed with approval of a Special Use Permit by the City Council.

- Conditions

The conditions of an approval for a Restaurant with Drive-thru within Town Center are established on a case-by-case basis through the review of Special Use Permit and Site Development Plan Review applications.

Because of the proximity of the residential to the north the conditions of approval that will be required for this case are:

- The installation and use of a public address system is prohibited.
- The use shall be limited to the business hours of 7AM to Midnight.
- Conformance to the conditions approval for SDR-3191, CHR-0014-04, and TMP-3272.

The applicant is in agreement with the hours of operation but would like the public address restriction be waived on the condition that additional landscaping be installed along the north property line to alleviate the impact of noise generated by the use.

FINDINGS

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

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

   With compliance to the conditions of approval the drive-thru use will be harmonious and compatible with the neighboring uses.

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

   The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by the drive-thru use.

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

   Durango Drive, on the east boundary of this 0.76-acre portion of the overall site, will be developed as a Town Center Parkway Arterial (120 feet). The street will have adequate capacity to serve the proposed development.

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

   The proposed Restaurant with Drive-thru use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

NOTICES MAILED 232 – Mailed with SDR-5681

APPROVALS 0

PROTESTS 1

KCW

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5684 APN: 125-17-601-011

Name of Property Owner: PPLand Limited Partnership

Name of Applicant: Jack in the Box

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

_____Yes ___X___No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: James A. Peterson, by Power of Attorney for PPLand Limited Partnership

Subscribed and sworn before me

This 17th day of November, 2004

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

OFFICIAL SEAL
KYLE P. CONNALLY
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires: 4-10-2006

Revised 2/12/02

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

Hyde Consulting Services, L.L.C.
Design Coordination ▪ Entitlement ▪ Permit & Utility Submittals

1165 Forum Veneto Drive
Henderson, Nevada 89052
Phone: 702-372-4933
Fax: 702-614-5484

November 29, 2004

City of Las Vegas
Planning & Development Department
731 South Fourth Street
Las Vegas, NV 89101

RE: Justification Letter – APN 125-17-601-011
Site Development Plan Review & Special Use Permit

To Whom It May Concern:

This letter will serve as justification for a request of approval of a Site Development Plan Review and Special Use Permit for a Jack in the Box restaurant located on the northeast corner of Farm Road and Durango Drive.

The restaurant use is compatible with the Service Commercial-Town Center (SC-TC) land use designation and was previously approved under SDR-3191. The architectural design of the building and landscaping meet the requirements of the Town Center Development Standards.

A waiver of the Town Center Development Standards is being requested to allow for the installation of a public address system to be utilized for the restaurant drive thru. The use would be limited to the business hours of 7:00 AM to midnight. The public address system is directed away from the adjacent residential development to the north. Thirty-six inch box trees have been incorporated in to the perimeter landscaping serving as an additional buffer and noise barrier.

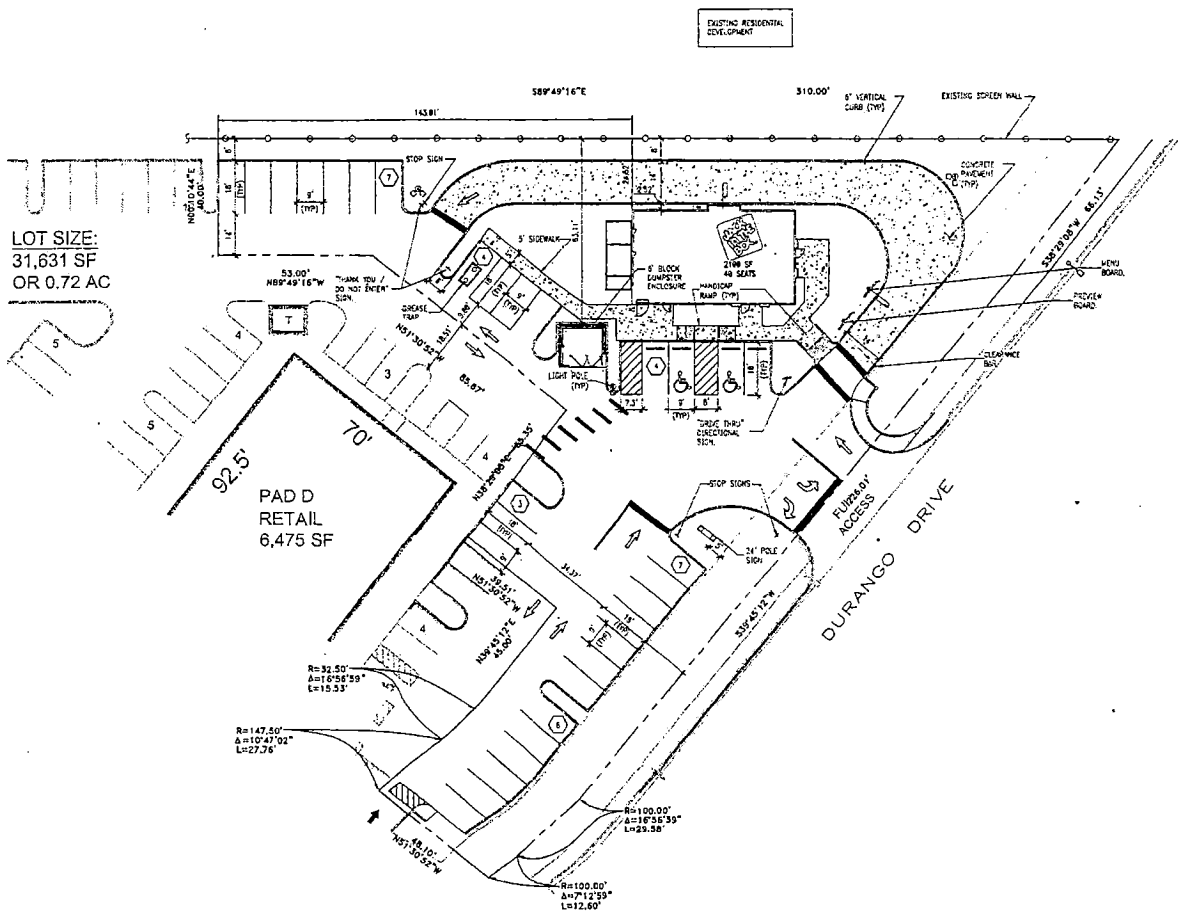
Thank you for your consideration.

Sincerely,

Seena M. Hyde

Seena M. Hyde

SUP-52684



SITE DATA

SITE AREA: 32,975 SF (.76 AC)

IMPERVIOUS	PAVEMENT/SIDEWALKS	19,844 SF	60 % } 100 %
	BUILDING	2,100 SF	6 % }
OPEN SPACE (GREEN)		11,035 SF	34 %

ZONING: SC-TC

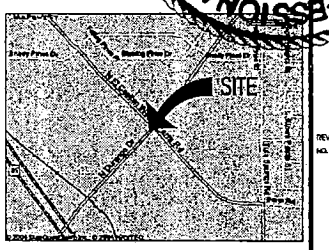
BUILDING SETBACKS (PERMITTED)
FRONT (SE)
REAR (NORTH)
SIDE (SW)

LANDSCAPE BUFFER
FRONT (SE)
REAR (NORTH)
SIDE (SW)

PARKING REQUIRED
ONE (1) SPACE FOR EA 100 SF OF GROSS FLOOR AREA = 21 SPACES

PARKING PROVIDED
REGULAR
HANDICAP
TOTAL

VICINITY MAP



INTERPLAN LLC
ARCHITECTURE
ENGINEERING
INTERIOR DESIGN
PROJECT MANAGEMENT
AA 000320
CA 6660

STATE OF NEVADA
REGISTERED PROFESSIONAL ENGINEER
KENNETH L. McCOIG
No. 9214
CIVIL
DATE OF SIGNATURE: 2/27/04

SEAL:

CONSULTANTS:

REVISIONS:
NO. DATE REMARKS

JACK IN THE BOX
7263
DURANGO DR. & FARM ROAD
LAS VEGAS, NEVADA

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PROHIBITED.

PROJECT NO: 2004.0755
DATE:

SD1.0

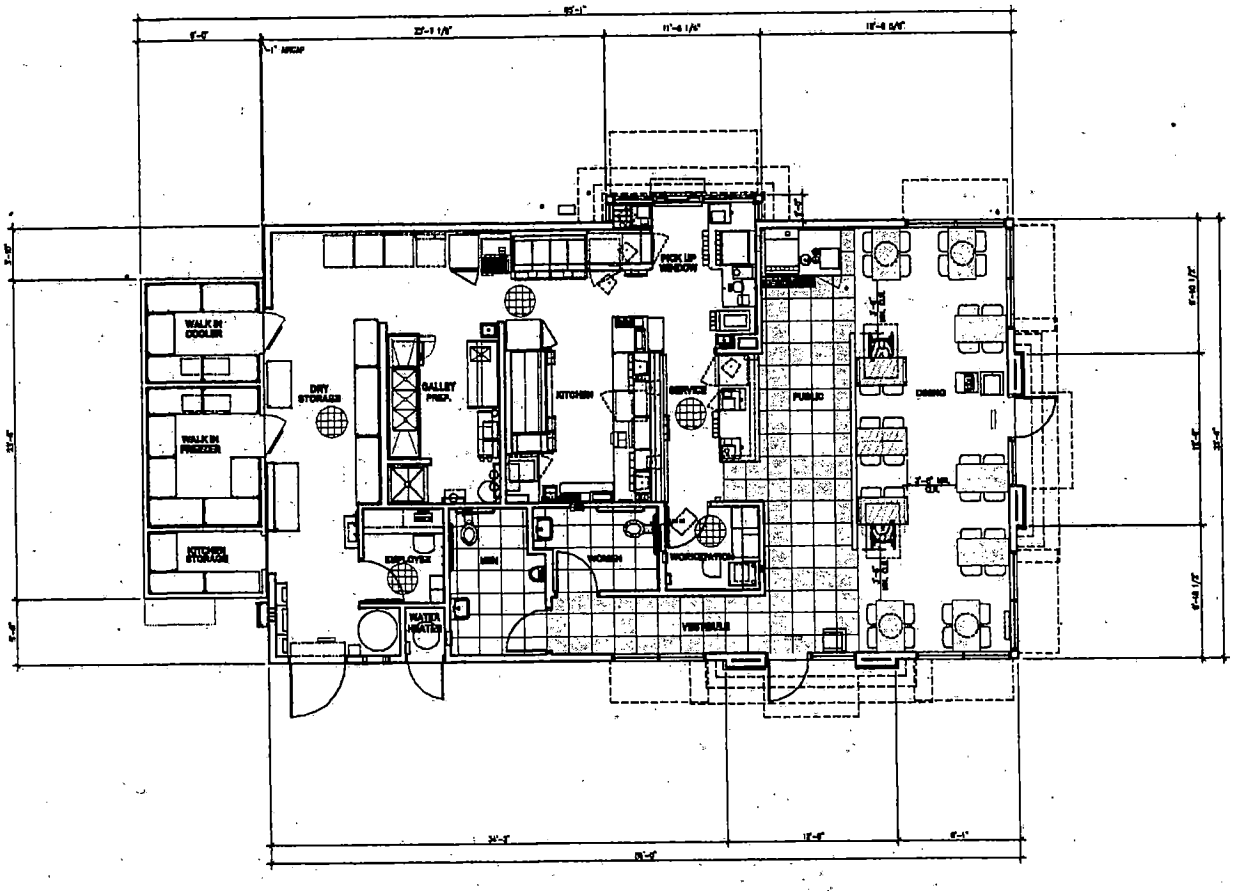
CHECKED:

SUP-5684
SDR-5681
01-13-05 PC

NORTH

DEVELOPMENT PLAN

1" = 20'



MK8EF40

KITCHEN SQ. FT. =	1008	
DINING SQ. FT. =	577	(INCL. PUBLIC)
		10 SEATING AREAS
		10 QUADS (40 SEATS)
RESTROOMS SQ. FT. =	207	(INCL. VESTIBULE)
BUILDING CONDITIONED SPACE SQ. FT. =	1830	
WALK IN/STORAGE/BUBBLE SQ. FT. =	263	
TOTAL BUILDING FOOTPRINT SQ. FT. =	2093	

OCCUPANCY CALCULATION

OCCUPANT LOAD PER 2003 IBC	
ASSEMBLY WITH OUT FIXED SEATS:	
577 SF/15 NET =	38.46
KITCHEN (COMMERCIAL):	
1005 SF/200 GROSS =	5.025
TOTAL	43.491

Architecture Engineering
6330 NASON AVENUE
SAN DIEGO, CA 92123

© 1998 Jack in the Box Inc.

issue
RELEASE: SEPT 12, 2003
P.M.(AS REQ'D)
PERMIT:
BID:
CONSTRUCTION:

revisions

DAVID BOYCE
ARCHITECT

916 US 92HWY, FIRST FLOOR
ORLANDO, FLORIDA 32810
PH 407.648.8008
FX 407.629.9124

JACK IN THE BOX
DURANGO AND FARM ROAD
LAS VEGAS, NV.

site information
MK TYPE: 8EF40
JIB #: 7353
ADDRESS:
DURANGO AND FARM
LAS VEGAS, NV.
DRAWN BY: DN
SCALE: AS INDICATED 1'-0"

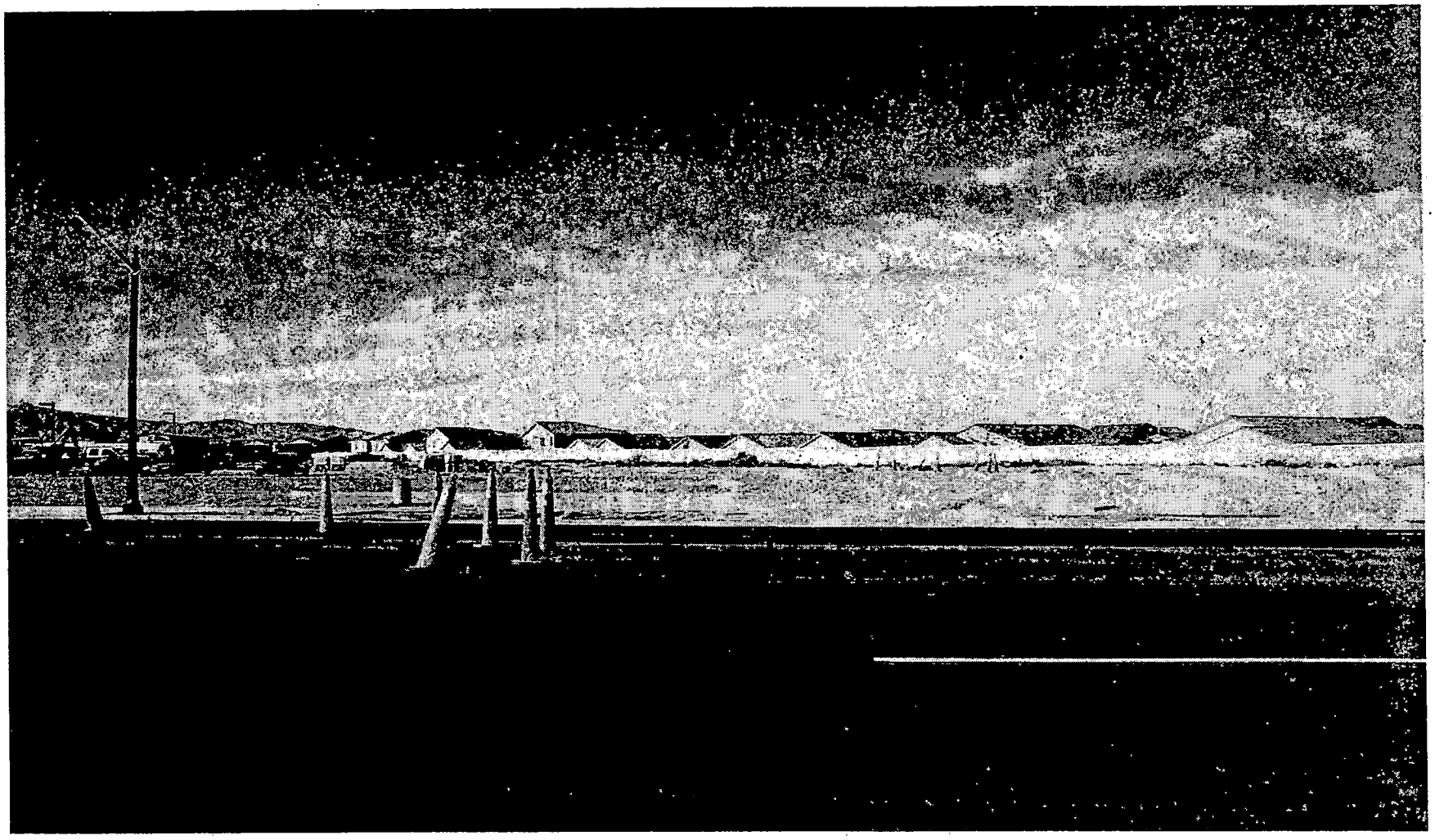
OVERALL FLOOR PLAN 40 SEATS

A1.0

PRE PROJECT #7353A.0203 BASE - MK8.29.2004

OVERALL FLOOR PLAN

SUP-5684
SDR-5681
01-13-05 PC



SUP-5684 - APPLICANT: JACK IN THE BOX - OWNER: PPLAND LIMITED PARTNERSHIP
NORTHWEST CORNER OF FARM ROAD AND DURANGO DRIVE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

Telephone Protest/ Approval Log

Meeting Date: 01/23/15 **Case Number:** SUP 5484

Date: 01/19/15
Name: Sherly Burk
Address: 9505 Blowing Pines
Dr 43
Phone: (702) 630-1955
[X] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Submitted at Planning Commission

Date 01-13-05 Item #68 @

January 11, 2005

Petition against SDR-5681:
Applicant: Jack in the Box, Drive-Through Restaurant
Owner: PPland LP
Site: 0.76 acres adjacent to the NW corner of Farm Road and Durango Drive (APN 125-17-601-011) Ward 6 (Mack)

I am opposed to the above building project as my property is adjacent to the proposed site. My reasons are as follows:

- Environmental impact of traffic through the drive-through
- Hours of operation
- Type of business: Environmental impact of cooking odors
- Close proximity to residential property
- Other sites in the area are more appropriate for this type of operation
- NOISE
- HANG OUT SPOT
- BRIGHT LIGHTS

Name: ~~RENTAL EMPTY~~ Address: 8565

Name: ~~" EMPTY~~ Address: 8549

Name: not home Address 7813 NH

Name: Theresa Yancy Address 7812 W Evening Pines

Name: not home Address 7805 NH

Name: Susy Perez Address ~~7805~~ 8589 Blowing Pines

Name: not home Address 7804 NH

Name not home Address ~~7801~~ 8544 NH

Name: Carolyn James Address 7800 Whispering Pine Dr. LVNV 89143

Name: not home Address 7841 NH

Name: not home Address 8545 NH

Name: Address 8548 BLOWING PINES. NH

Name: Irene Olivarri Address 8557

Victor Gallegos 8541 Blowing Pines Dr.
Linda Gallegos LV, NV. 89143

Continued petition against SDR-5681: Jack in the Box Drive Through Restaurant

Joe & Shirley Bold — 8585 Blowing Pines

Name: _____ Address: 8556

Name: Adrienne Hutchinson Address: 8557 Blowing Pines

Name: not home Address 8561 NH

Name: MANDY BATISTA Address 8560

Name: not home Address 8564

Name: not home Address 8569 - VACANT

Name: not home Address 8568 NH

Name: not home Address 8572 NH

Name: Jennifer Myer Address 8576

Name: not home Address 8573 NH

Name: not home Address 8576 NH

Name: Bill & Dona Samatulski Address 8580 NJ

Name: not home Address 8592 NH

not home 8620 NH

not home 8604 NH

not home 7529 FOR SALE

not home 7805

Anthony Guzman 7825 Falling pines

Jade Lydakinn' 7821 NH

not home 7812

not home 7817 NH

~~5584~~ not home 7813 NH

not home 7809 NH

not home 7805 NH

not home 61

8609

City of Las Vegas

Agenda Item No.: 69

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:
SDR-5681 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5684 - PUBLIC HEARING - APPLICANT: JACK IN THE BOX - OWNER: PPLAND LIMITED PARTNERSHIP - Request for a Site Development Plan Review FOR A PROPOSED RESTAURANT WITH DRIVE-THROUGH on 0.76 acres adjacent to the northwest corner of Farm Road and Durango Drive (APN 125-17-601-011),T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], 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	

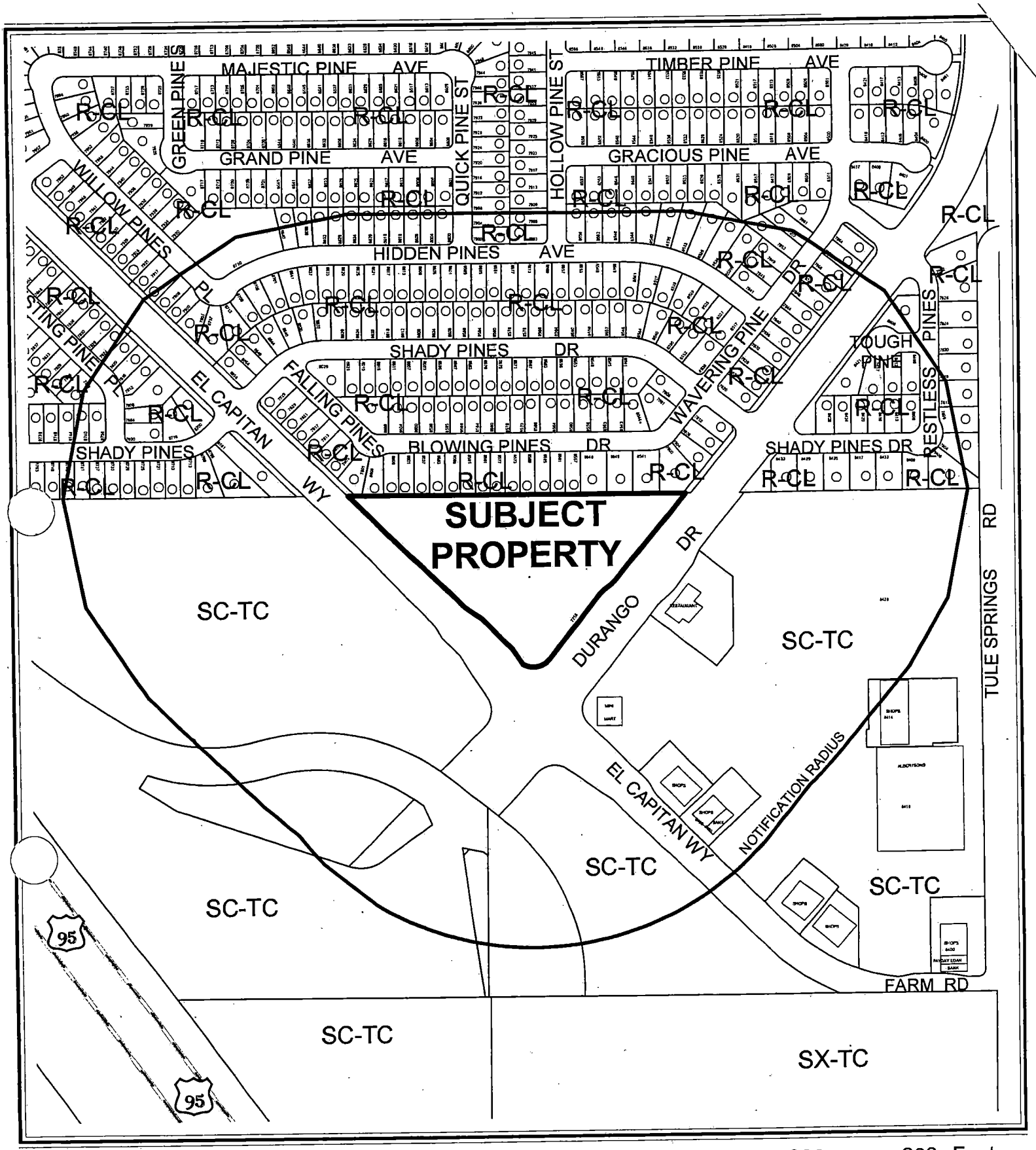
RECOMMENDATION:
Staff recommends APPROVAL

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

MOTION:
EVANS – DENIED – UNANIMOUS

This is Final Action

MINUTES:
See Item 68 [SUP-5684] for related discussion on Item 68 [SUP-5684] and Item 69 [SDR-5681].
(10:45 – 11:08)



0 300 600 Feet

CASE: **SDR-5681**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5681 - APPLICANT: JACK IN THE BOX - OWNER: PPLAND LIMITED PARTNERSHIP

** CONDITIONS **

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

Planning and Development

1. Prior to issue of building permits a revised site plan shall be submitted to the Planning and Development Department that shows a loading zone accessible to the building.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-3191 and SUP-5684.

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

4. 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.

5. 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.

6. Trash enclosures shall be covered and screened as required by the Commercial Design Standards.

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

8. 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.

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. All mechanical equipment and air conditioners shall be fully screened in views from the abutting streets.

11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

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

Public Works

15. If not already constructed by the Master Developer, construct all incomplete half-street improvements on El Capitan Way and Durango Drive adjacent to this site concurrent with development of this site. Also, construct appropriate on-site paving to provide for two way vehicular traffic through this site concurrent with development of this site.

16. If not already constructed by the Master Developer, 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.

KCW

17. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. We note that the order board must be relocated to prevent vehicles from blocking the driveway.

18. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a 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.

19. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-3191, the Durango Square (Commercial Subdivision) TMP-3272 and all other subsequent site-related actions.

KCW

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review for a proposed 2,100 square foot Restaurant with Drive-thru on a 0.76-acre portion of the proposed 4.87-acre commercial development adjacent to the northwest corner of Durango Drive and El Capitan Way.

B) Applicant's Justification

The restaurant use is compatible with the SC-TC (Service Commercial-Town Center) land use designation and its location was previously approved under SDR-3191. The architectural design of the building and landscaping meet the requirements of the Town Center Development Standards.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98	The City Council approved the rezoning of the Town Center Plan area (Z-0076-98) including this parcel. The Planning Commission recommended approval.
11/07/01	The City Council approved the current version Town Center Development Standards (TCDS) Manual through Bill No. 2001-100. The TCDS details the uses permitted within Town Center and the development standards that will accomplish the vision of Town Center.
01/07/04	The City Council approved a Site Development Plan Review (SDR-3191) and a Waiver of build-to-street standards of the Town Center Development Standards for a 23,320 square foot commercial development. The Planning Commission and staff recommended denial.
01/22/04	The Planning Commission approved a request for a Tentative Map (TMP-3272) for a two lot commercial subdivision on 4.91 acres adjacent to the northeast corner of El Capitan Way and Durango Drive. Staff recommended approval.
05/04/04	The Centennial Hills Architectural Review Committee approved a Master Signage Plan (CHR-0014-04). Staff recommended approval.

KCW

B) Pre-Application Meeting

11/09/04 During a pre-application conference with the applicant the following was discussed.

- Conformance with the conditions of approval of SDR-3191, CHR-0014-04, and TMP-3272.
- Installation and use of a public address system.
- Use of the public address system will be limited to the hours of 7AM to Midnight.
- Trash enclosure shall be no closer than 50 feet from the residential development to the north.
- A two-foot tall decorative screen wall atop a three-foot landscaped berm along Durango Drive.
- The landscaping strip along the north property line is to be 8 feet in width.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	4.91
Net Acres:	0.76

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Homes
South:	Undeveloped
East:	Retail Commercial
West:	Undeveloped

C) Planned Land Use

Subject Property:	SC-TC (Service Commercial- Town Center)
North:	PCD (Planned Community Development)
South:	SC-TC (Service Commercial- Town Center)
East:	SC-TC (Service Commercial- Town Center)
West:	SC-TC (Service Commercial- Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	R-CL (Residential –Compact Lot)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	T-C (Town Center)

KCW

E) General Plan Compliance

The Land Use designation of the subject site on the Town Land Use Plan Map of the Centennial Hills Sector Plan is SC-TC (Service Commercial- Town Center) special land use designation. The proposed drive-thru use is allowed in SC-TC designated areas of Town Center by approval of a Special Use Permit. The proposed use is in conformance with the General Plan.

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

Town Center Development Standards –The site is located within the boundaries of the Town Center Land Use Plan, the future land use plan for the site as described in Chapter 4 of the Centennial Hills Sector Plan. All development within Town Center is subject to the standards of the Town Center Development Standards Manual and Title 19.

PROJECT DESCRIPTION

The 2100 square-foot restaurant with a drive-through has direct access from Durango Drive. The drive-through encircles the restaurant beginning at the Durango street access. The drive-through lane is separated from the street by a 15 foot wide landscaped strip with 36-inch box trees 30 feet apart. An eight-foot wide landscape strip with 36-inch box trees 20 feet apart is planned along the north property line. Landscaping effectively screens the drive-through and restaurant from the street and the residential to the north. The trash enclosure is greater than 50 feet from the north property line, located next to the main drive isle along the northern portion of the overall development site. All of the parking spaces are also along the main drive isle, between the restaurant and the drive isle.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

KCW

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	0.76 Acres	Y
Min. Lot Width	100 Feet	330 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	 15 Feet 10 Feet 15 Feet 20 Feet	 52 Feet 22 Feet N/A 22 Feet	 Y Y Y Y
Max. Lot Coverage	50 %	6.37%	Y
Max. Building Height	None	Single Story/ 22.17 Feet	Y
Trash Enclosure	50 Feet from Residential	63.11 Feet	Y
Loading Zone	Yes	Not Shown	N

The proposal meets the requirements for commercial development per Title 19 except for including a loading zone on the plan. A condition of approval will be included to address the issue.

A2) Residential Adjacency Standards

The location of the building was established with the approval of SDR-3191. The proposal therefore conforms to Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Restaurant with Drive Thru	2,100 SF.	1/100 GFA	20	1	29	2

The proposal exceeds the requirements of the parking standards in Title 19.10.

A4) Landscape and Open Space Standards

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

KCW

Standards	Required Ratio	Required Trees	Provided
Number of Trees in Parking Area	1 Trees/ 6 Spaces for 31 parking spaces	6 Trees	6 Trees
Buffer: • Min. Number of Trees	1 Trees/ 20 Linear Feet for 640 feet	32 Trees	36 Trees
• Min. Zone Width along North Property Line	8 Feet		8 Feet
• Min. Zone Width along Durango	15 feet		15 Feet
• Wall height	6 Feet		Not Shown

The proposal exceeds the requirements of the Landscape, Wall, and Buffer Standards. The landscape plan shows that all trees will be 36-inch box in size instead of the 24-inch minimum size.

A5) Sign Standards

Master Signage Plan CHR-0014-04, reviewed pursuant the Town Center Development Standards, applies to the subject site.

B) General Analysis and Discussion

- Zoning

The proposed 2,100 square-foot fast food use with a drive-thru is allowed in the SC-TC (Service Commercial-Town Center) Land Use District, subject to conformance with applicable requirements of the Town Center Development Standards and Title 19.

- Site Plan

Access to the site is from Durango Drive. The proposed building is oriented toward the drive isle between the building and the other planned development to the south. The building is 22 feet from the north property line and 52 feet from the Durango Drive right-of-way. There will be 36-inch box trees and landscaping in the setback area between the building and the north property line, and between the building and the street. Setbacks and landscaping conforms to the Landscape, Wall, and Buffer Standards, Title 19, and the Town Center Development Standards.

- Waivers

The conditions of an approval for a Restaurant with Drive-thru within Town Center are established on a case-by-case basis through the review of Special Use Permit and Site Development Plan Review applications.

KCW

Because of the proximity of the residential property to the north the conditions of approval that will be required for this case are:

- The installation and use of a public address system is prohibited.
- The use shall be limited to the business hours of 7AM to Midnight.
- Conformance to the conditions approval for SDR-3191, CHR-0014-04, and TMP-3272.

The applicant is in agreement with the hours of operation but would like the public address restriction waived on the condition that additional landscaping be installed along the north property line to alleviate the impact of the noise generated by the use..

Approval of the waiver is appropriate in light of the size of the trees the applicant is proposing around the site.

- Landscape Plan

The proposed landscape plan shows a 15-foot minimum wide planter along the Durango Drive street frontage. There is an appropriate amount landscaping shown on the plan in the parking area.

There is more than sufficient number and spacing of trees within the planter along the street and the north property line.

- Elevation

The building elevations depict a one-story structure with a stucco exterior and a predominantly flat roof with a parapet and a sloped arcade above the main entries. The ends of the building are designed in a similar manner as the front elevation.

- Floor Plan

The floor plans show the typical layout of a restaurant use.

FINDINGS

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

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

   The proposed building will be a new structure on the subject site. The design of the building is compatible with development in the area, subject to meeting the requirements of the Town Center Development Standards and Title 19.

KCW

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 development is in conformance with standards.

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

   Access to the site is via a driveway from Durango Way, a Town Center Parkway (120-foot) Arterial. The access and roadway are adequate to meet the needs of the proposed development.

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

   The building and landscape materials, as proposed, are appropriate for this type of commercial use in this 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 design, architecture and aesthetic features of the proposed development are satisfactory and will not have a negative impact on this site or on surrounding areas.

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

   The proposed office building will be subject to inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 232 – Mailed with SUP-5684

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5681 APN: 125-17-601-011

Name of Property Owner: PPLand Limited Partnership

Name of Applicant: Jack in the Box

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

_____Yes _____X_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: James A. Peterson, by Power of Attorney for PPLand Limited Partnership

Subscribed and sworn before me

This 17th day of November, 2004

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

OFFICIAL SEAL
KYLE P. CONNALLY
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires: 4-10-2006

Revised 2/12/02

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

Hyde Consulting Services, L.L.C.
Design Coordination ■ Entitlement ■ Permit & Utility Submittals

1165 Forum Veneto Drive
Henderson, Nevada 89052
Phone: 702-372-4933
Fax: 702-614-5484

November 29, 2004

City of Las Vegas
Planning & Development Department
731 South Fourth Street
Las Vegas, NV 89101

RE: Justification Letter – APN 125-17-601-011
Site Development Plan Review & Special Use Permit

To Whom It May Concern:

This letter will serve as justification for a request of approval of a Site Development Plan Review and Special Use Permit for a Jack in the Box restaurant located on the northeast corner of Farm Road and Durango Drive.

The restaurant use is compatible with the Service Commercial-Town Center (SC-TC) land use designation and was previously approved under SDR-3191. The architectural design of the building and landscaping meet the requirements of the Town Center Development Standards.

A waiver of the Town Center Development Standards is being requested to allow for the installation of a public address system to be utilized for the restaurant drive thru. The use would be limited to the business hours of 7:00 AM to midnight. The public address system is directed away from the adjacent residential development to the north. Thirty-six inch box trees have been incorporated in to the perimeter landscaping serving as an additional buffer and noise barrier.

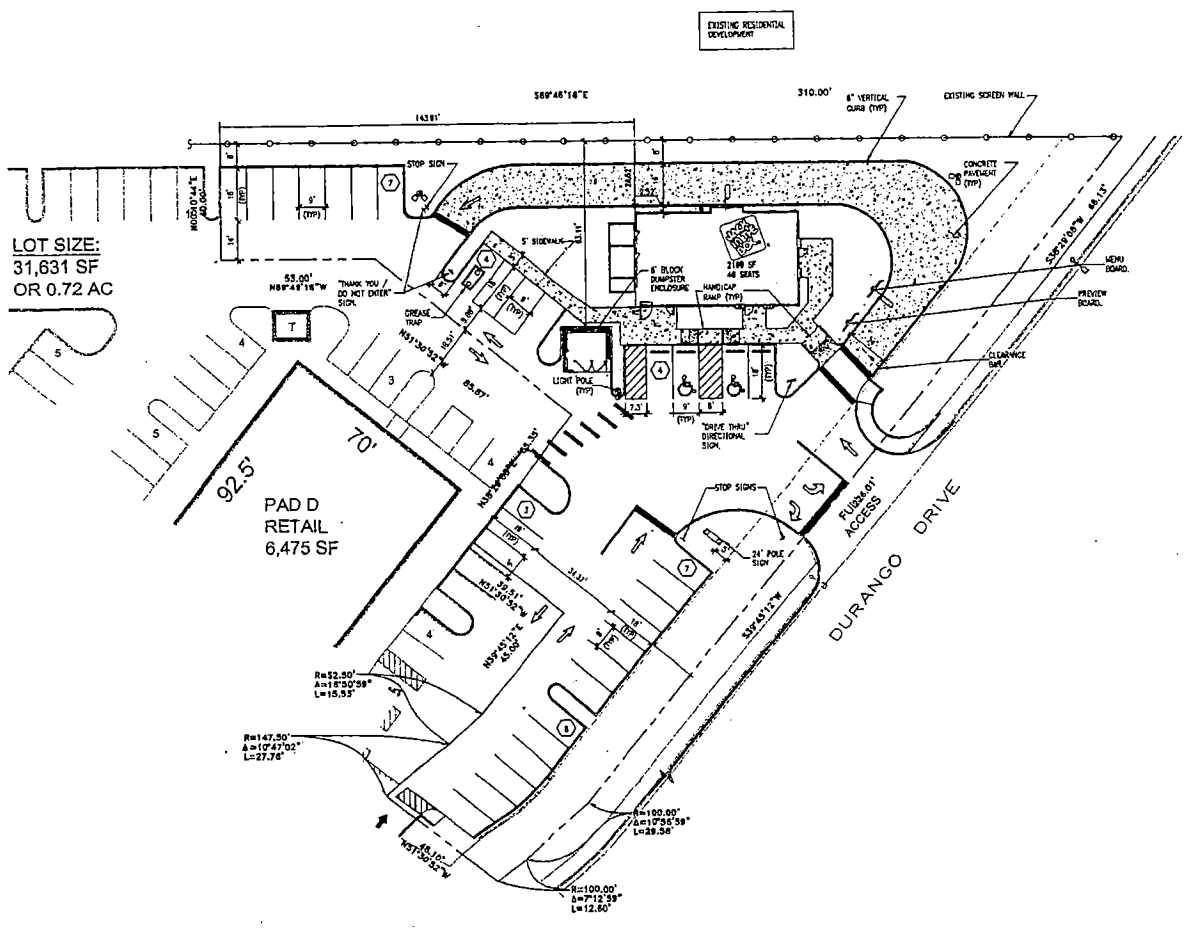
Thank you for your consideration.

Sincerely,

Seena M. Hyde

Seena M. Hyde

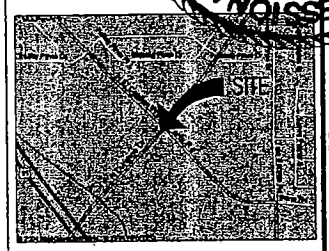
SDR-5681



SITE DATA

SITE AREA	32,078 SF	.78 AC
IMPERVIOUS (PAVEMENT/SIDEWALKS)	19,044 SF	66 % } 100 %
IMPERVIOUS (BUILDING)	2,199 SF	6 % }
OPEN SPACE (GREEN)	11,835 SF	34 %
ZONING		SC-TC
BUILDING SETBACKS		
FRONT (SE)		
REAR (NORTH)		
SIDE (SW)		
LANDSCAPE BUFFER		
FRONT (SE)		
REAR (NORTH)		
SIDE (SW)		
PARKING REQUIRED		
ONE (1) SPACE FOR EA 100 SF OF INTERIOR AREA = 22 SPACES		
PARKING PROVIDED		
REGULAR		
HANDICAP		
TOTAL		

VICINITY MAP



INTERPLAN LLC
ARCHITECTURE
ENGINEERING
INTERIOR DESIGN
PROJECT MANAGEMENT

STATE OF NEVADA
REGISTERED PROFESSIONAL ENGINEER
KENNETH M. McCOIG
No. 14680
SEAL:

REVISIONS:
NO. DATE REMARKS

JACK IN THE BOX
7263
DURANGO DR. & FARM ROAD
LAS VEGAS, NEVADA

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PROJECT NO: 2004.0755
DATE:

SD1.0

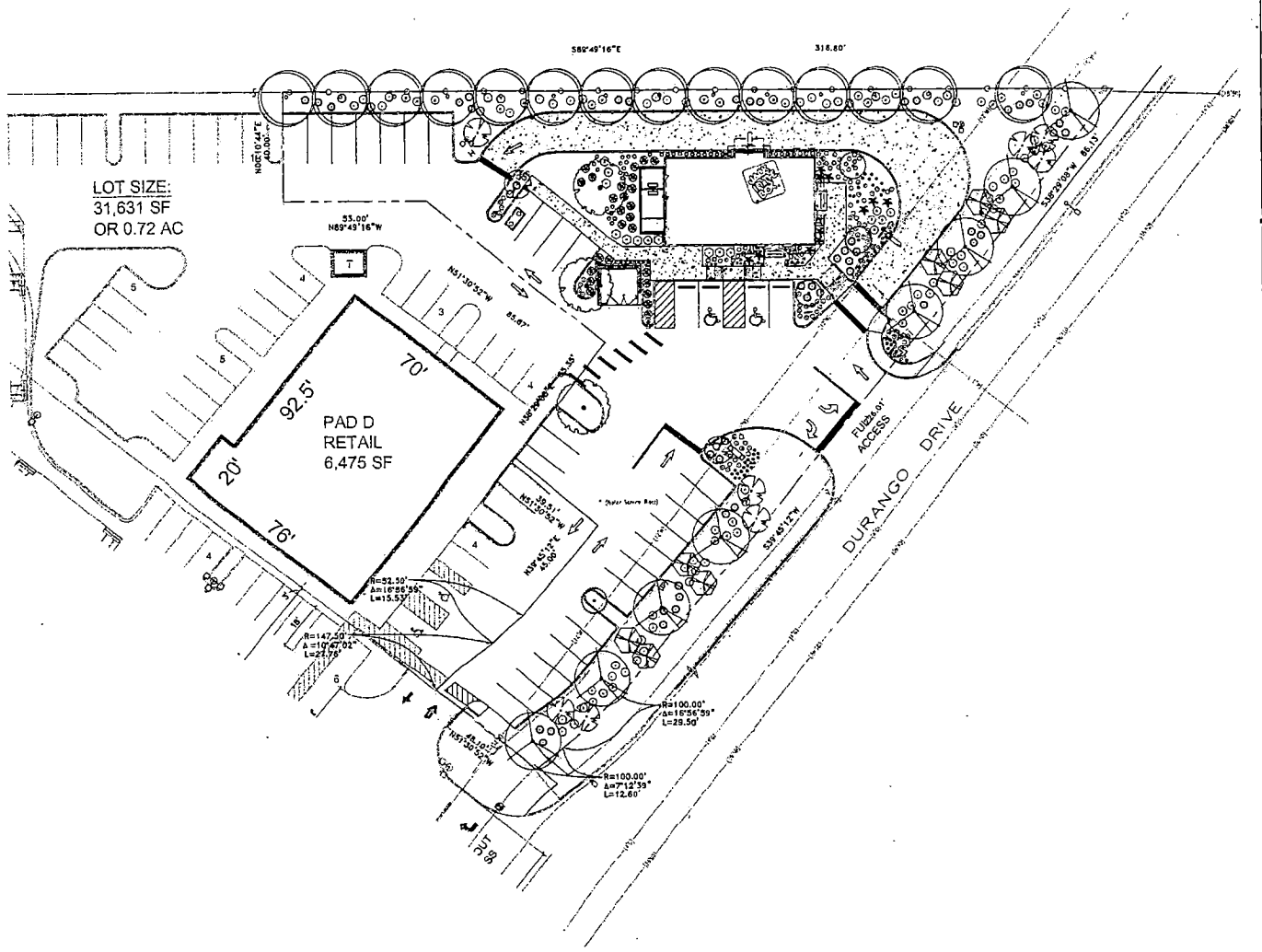
CHECKED:

SUP-5684
SDR-5681
01-13-05 PC

NORTH

DEVELOPMENT PLAN

1" = 20'



NORTH

LANDSCAPE PLAN

1" = 20'

PLANT LIST

SYMBOL	QTY.	BOTANICAL NAME (COMMON NAME)	MINIMUM SIZE / SPACING
		TREES	
	3	CHILOPSIS LINEARIS (DESERT WILLOW)	
	11	LAGERSTROEMIA INDICA (CRAPE MYRTLE)	
	8	FRAXINUS VELUTINA (RIO GRANDE ASH)	
	14	QUERCUS VIRGINIANA (LIVE OAK)	
		SHRUBS AND	
	11	DIETES BICOLOR (FORTNIGHT LILY)	3 GALLON
	46	LEUCOPHYLLUM (TEXAS RANGER)	5 GALLON
	58	EUONYMUS JAPONICUS ALFRED-VARIEGATA (GOLD SPOT EUONYMUS)	
	26	NANDINA DOMESTICA (HEAVENLY BAMBOO)	
	11	TECOMA STANS 'GOLD STAR' (YELLOWBELLS)	
	43	PENNISETUM SETACEUM RUBRUM (RED FOUNTAIN GRASS)	5 GALLON
	17	PITTOSPORUM TOBIRA 'WHEELER DWARF' (DWARF MOCK ORANGE)	3 GALLON
	26	SALVIA GREGGII (AUTUMN SAGE)	3 GALLON
	65	CHRYSACTINIA MEXICANA (DOMINICIA DAISY)	3 GALLON
	48	TULBAGHIA VIOLACEA (SOCIETY GARLIC)	1 GALLON
	34	LANTANA MONTEVIDENSIS (TRAILING YELLOW LANTANA)	1 GALLON
	14	VERBENA PERUVIANA (VERBENA)	1 GALLON
MG		MOJAVE GOLD 3"-5" SCREENED @ 6" DEPTH	QUANTITY TO BE CALCULATED BY THE CONTRACTOR

PLANT QUANTITY — 7 AZ — PLANT SYMBOL

NOTE:
WHERE GALLON REFERENCES MAY CONFLICT WITH HEIGHT/SPREAD AND CALIPER MEASUREMENTS, THE HEIGHT/SPREAD AND CALIPER MEASUREMENTS SHALL GOVERN.

SUP-5684
SDR-5681
01-13-05 PC

INTERPLAN LLC
ARCHITECTURE
ENGINEERING
INTERIOR DESIGN
PROJECT MANAGEMENT

KENNETH M. McCOIG — STATE OF NEVADA — PROFESSIONAL ENGINEER — CIVIL — NO. 9248 — EXP. 12-31-05

SEAL:

REVISIONS:
NO. DATE REMARKS

JACK IN THE BOX
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DURANGO DR. & FARM ROAD
LAS VEGAS, NEVADA

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PROJECT NO: 2004.0755
DATE: 11-22-04

L1.0

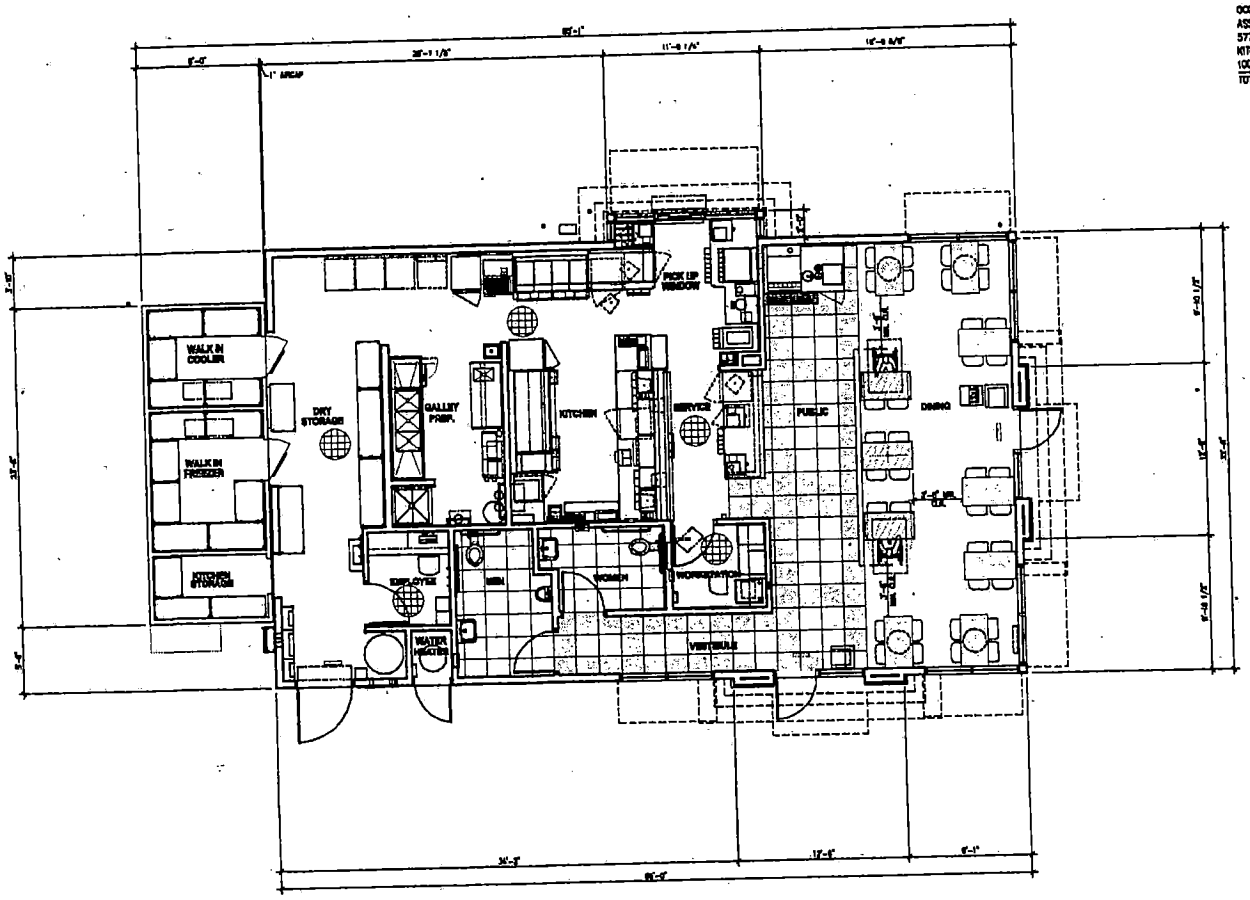
CHECKED: BZ

MK8EF40

KITCHEN SQ. FT. =	1005	
DINING SQ. FT. =	577	(INCL. PUBLIC)
		10 SEATING AREAS
		10 QUADS (40 SEATS)
RESTROOMS SQ. FT. =	207	(INCL. VESTIBULE)
BUILDING CONDITIONED SPACE SQ. FT. =	1850	
WALK IN/STORAGE/BUBBLE SQ. FT. =	243	
TOTAL BUILDING FOOTPRINT SQ. FT. =	2093	

OCCUPANCY CALCULATION

OCCUPANT LOAD PER 2003 IBC
ASSEMBLY WITH OUT FIXED SEATS:
577 SF/15 NET = 38.46
KITCHEN (COMMERCIAL):
1005 SF/200 GROSS = 5.025
TOTAL 43.491



OVERALL FLOOR PLAN

SUP-5684
SDR-5681
01-13-05 PC

architecture engineering
9330 BALBOA AVENUE
SAN DIEGO, CA 92123

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issue
RELEASED: SEPT 12, 2003
P.M.(AS ONLY):
PERMIT:
BID:
CONSTRUCTION:

revisions

DAVID BOYCE
ARCHITECT

936 LEE ROAD, FIRST FLOOR
ORLANDO, FLORIDA 32810
PH 407.647.6008
FX 407.629.9134

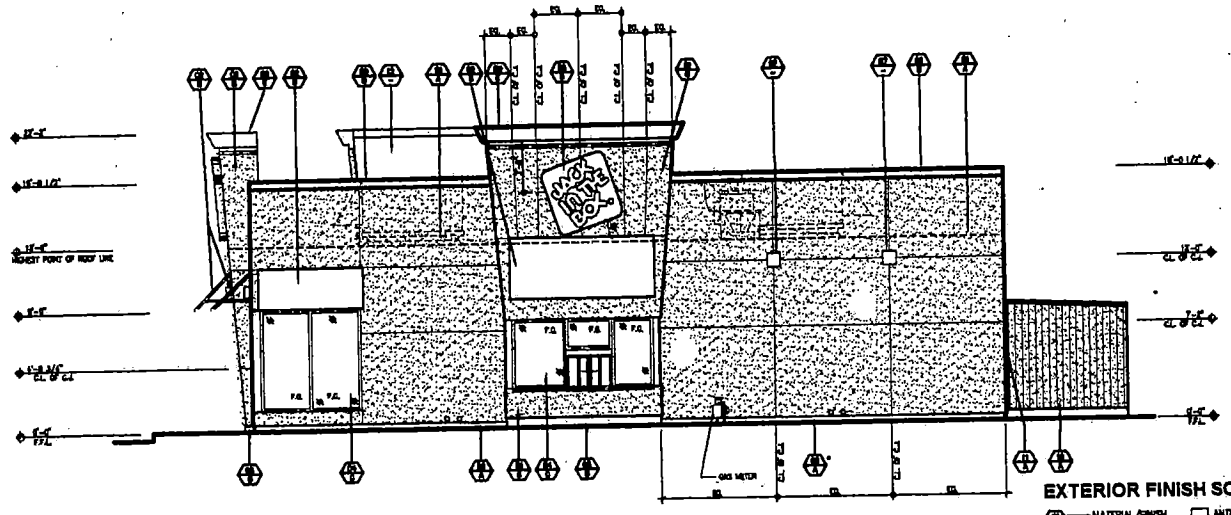
JACK IN THE BOX
DURANGO AND FARM ROAD
LAS VEGAS, NV.

site information
MK TYPE: MK8EF40
JOB #: 7253
ADDRESS:
DURANGO AND FARM
LAS VEGAS, NV.
DRAWN BY: JH
SCALE: AS NOTED 1'-0"

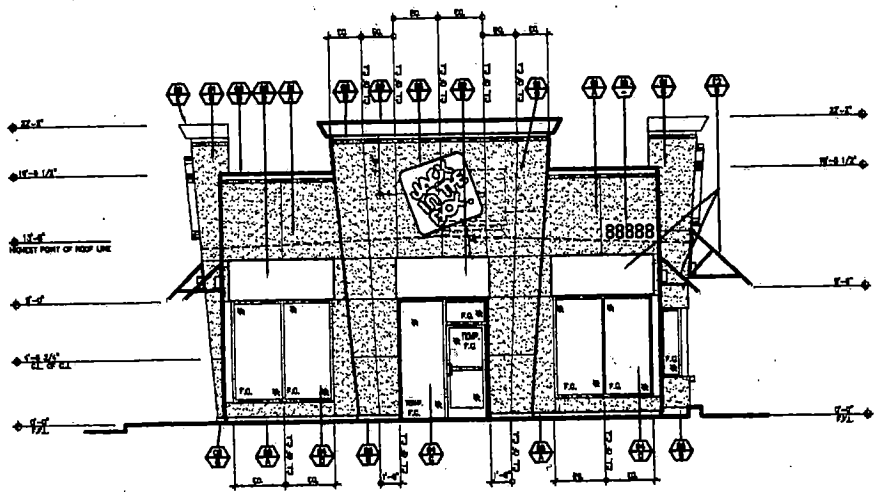
OVERALL FLOOR PLAN 40 SEATS

A1.0

PRINTED ON RECYCLED PAPER



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



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

EXTERIOR FINISH SCHEDULE

USE CHECKED BOX ONLY

MATERIAL/FINISH
COLOR

☐ ANTI-GRAFFITI PAINT: SCUFFMASTER (800) 366-3965 EXT. 185 WHERE ANTI-GRAFFITI PAINT IS REQUIRED SUBSTITUTE: SCUFFMASTER ARMOR-COAT 1200, ALIPHATIC URETHANE COATING WITH KEVLAR, COLOR TO MATCH THE BELOW REFERENCED COLORS. SMOOTH TEXTURE.

MATERIAL/FINISH:

01 EXTERIOR CEMENT PLASTER- SAND FLOAT FINISH - COLOR COAT: WHITE
02 PREFINISHED ALUMINUM AWNING, (BY SIGN CONTRACTOR)
03 24" x 36" S.S. FLASHING AT GREASE RECOVERY TAP IN
04 ALUMINUM STOREFRONT SYSTEM
- ☑ 1" CLEAR INSULATED GLASS
- ☐ 1" CLEAR INSULATED GLASS W/ SOLAREAN 60 COATING
- ☐ 1/4" CLEAR GLASS
- ☐ ANTI-GRAFFITI FILM

05 EXTERIOR CEMENT PLASTER FINISH COAT OVER CONCRETE CURB
06 INTERNALLY ILLUMINATED BUILDING SIGNAGE (NOT A PART OF THIS PERMIT)
07 WALL MOUNTED LIGHTING FIXTURE
08 ELECTRICAL METER
09 PREFINISHED METAL PARAPET COPING (G.F.C.I.)
10 12" HIGH BUILDING ADDRESS LETTERS (AS REQUIRED PER LOCAL JURISDICTION)
11 METAL FLASHING
12 BUILT-UP ROOFING SYSTEM
13 HOLLOW METAL DOORS AND FRAMES, MISCELLANEOUS TRIM
14 16" W x 16" H WALL LOUVER-SEE SPEC'S, SHEET SP1.2, DIVISION 10
15 CO2 FILL BOX METAL COVER
16 PRE-MANUFACTURED COOLER/FREEZER BOX.
G.C. TO PROVIDE TEX-COAT 600 TEXTURE COATING, FINE FINISH.
17 NOT USED
18 ROOF LADDER WITH SECURITY COVER

COLOR:

A SHERWIN WILLIAMS PAINT #1068 TURRET TAN
B RED
C #40 DARK BRONZE ANODIZED
D WHITE TEXT ON RED BACKGROUND
E WHITE WITH RED BAND
F COLOR/FINISH TO MATCH ADJACENT SURFACE
G BENJAMIN MOORE MOOR-O-MATIC #1020 "WOOD ACRES" SOFT GLOSS
H MIL FINISH ALUMINUM
J NOT USED
K BENJAMIN MOORE PAINT: #071 "BLACK".
L NOT USED
M STAINLESS STEEL

SUP-5684
SDR-5681
01-13-05 PC

Architecture Engineering DEPARTMENT
9330 BALBOA AVENUE
SAN DIEGO, CA 92123

© 2000 Jack in the Box Inc.

DATE
RELEASE: SEPT 13, 2004
PLAN CHK:
POWER:
BID:
CONSTRUCTION:

revisions

DAVID BOYCE
ARCHITECT

910 LEE ROAD, FIRST FLOOR
ORLANDO, FLORIDA 32810
PH 407.644.6000
FX 407.629.9724

JACK IN THE BOX
DURANGO AND FARM ROAD
LAS VEGAS, NV.

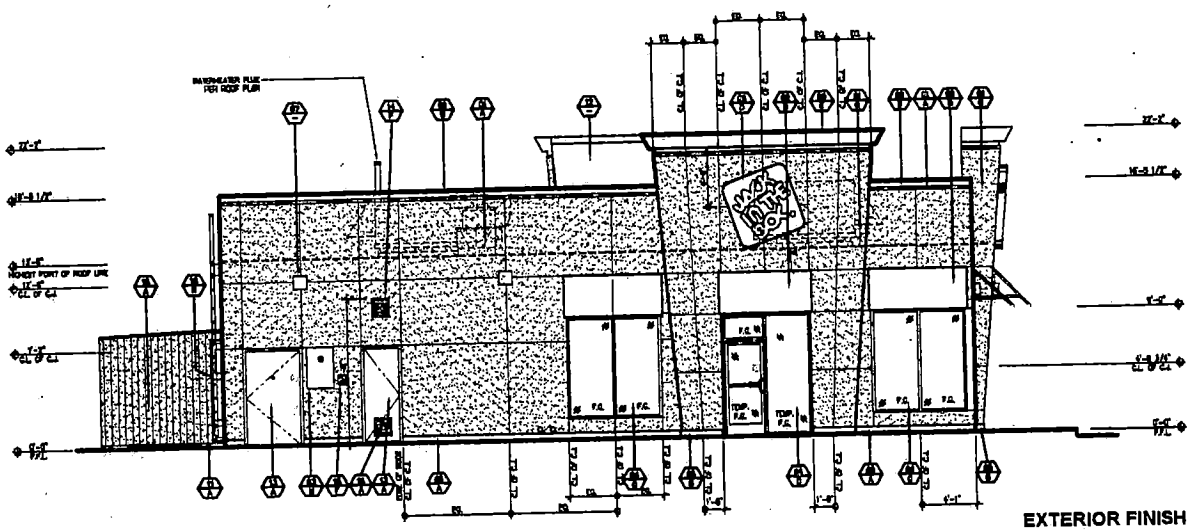
site information

MK TYPE: 99740
JIB #: 7203
ADDRESS:
DURANGO AND FARM
LAS VEGAS, NV.
DRAWN BY: TH
SCALE: AS NOTED

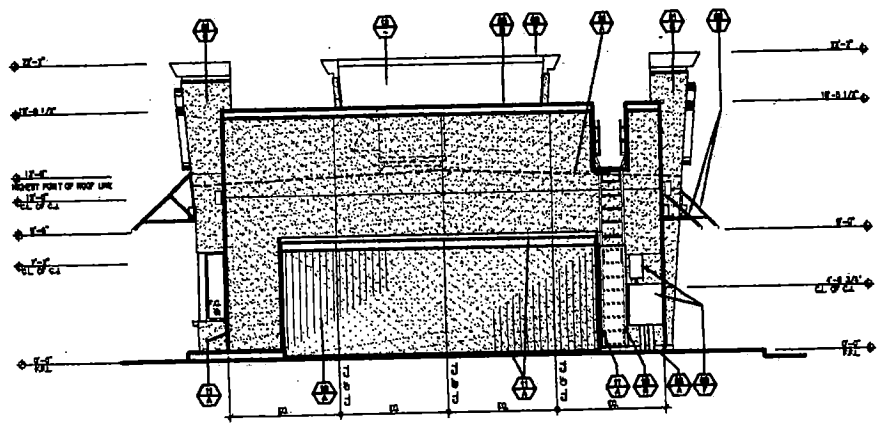
EXTERIOR ELEVATIONS

A2.0

FOR PROJECT SPECIFICATIONS SEE - SEPT 13 2004



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



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

EXTERIOR FINISH SCHEDULE

USE CHECKED BOX ONLY

MATERIAL/FINISH
COLOR

☐ ANTI-GRAFFITI PAINT: SCUFFMASTER (800) 366-3989 EXT. 185
WHERE ANTI-GRAFFITI PAINT IS REQUIRED SUBSTITUTE:
SCUFFMASTER ARMOR-COAT 1200, AUPHATIC URETHANE COATING
WITH KEVLAR, COLOR TO MATCH THE BELOW REFERENCED COLORS.
SMOOTH TEXTURE.

MATERIAL/FINISH:

01 EXTERIOR CEMENT PLASTER- SAND FLOAT FINISH - COLOR COAT: WHITE
02 PREFINISHED ALUMINUM AWNING. (BY SIGN CONTRACTOR)
03 24" x 36" S.S. FLASHING AT GREASE RECOVERY TAP IN
04 ALUMINUM STOREFRONT SYSTEM
- ☑ 1" CLEAR INSULATED GLASS
- ☐ 1" CLEAR INSULATED GLASS W/ SOLARBAN 60 COATING
- ☐ 1/4" CLEAR GLASS
- ☐ ANTI-GRAFFITI FILM

05 EXTERIOR CEMENT PLASTER FINISH COAT OVER CONCRETE CURB
06 INTERNALLY ILLUMINATED BUILDING SIGNAGE (NOT A PART OF THIS PERMIT)
07 WALL MOUNTED LIGHTING FIXTURE
08 ELECTRICAL METER
09 PREFINISHED METAL PARAPET COPING (C.F.C.I.)
10 12" HIGH BUILDING ADDRESS LETTERS (AS REQUIRED PER LOCAL JURISDICTION)
11 METAL FLASHING
12 BUILT-UP ROOFING SYSTEM
13 HOLLOW METAL DOORS AND FRAMES, MISCELLANEOUS TRIM
14 16" W x 16" H WALL LOUVER- SEE SPEC'S, SHEET SP1.2, DIVISION 10
15 CO2 FILL BOX METAL COVER
16 PRE-MANUFACTURED COOLER/FREEZER BOX.
C.C. TO PROVIDE TEX-COAT 900 TEXTURE COATING, FINE FINISH.
17 NOT USED
18 ROOF LADDER WITH SECURITY COVER

COLOR:

A SHERWIN WILLIAMS PAINT #1098 TURRET TAN
B RED
C #40 DARK BRONZE ANODIZED
D WHITE TEXT ON RED BACKGROUND
E WHITE WITH RED BAND
F COLOR/FINISH TO MATCH ADJACENT SURFACE
G BENJAMIN MOORE MOOR-O-MATIC #1020 "WOOD ACRES" SOFT GLOSS
H MIL FINISH ALUMINUM
J NOT USED
K BENJAMIN MOORE PAINT: #071 "BLACK".
L NOT USED
M STAINLESS STEEL

SUP-5684
SDR-5681
01-13-05 PC

6330 GALEDA AVENUE
SAN DIEGO, CA 92123

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Plans, drawings and specifications are the property of and the use and reuse thereof without the written consent of Jack in the Box Inc. are prohibited.

RELEASE: SEPT 13, 2004
P.M.(AS ONLY):
PERMIT:
BID:
CONSTRUCTION:

REVISIONS

DAVID BOYCE
ARCHITECT

936 LEE ROAD, FIRST FLOOR
ORLANDO, FLORIDA 32810
PH 407.644.8008
FX 407.629.9124

JACK IN THE BOX
DURANGO AND FARM ROAD
LAS VEGAS, NV.

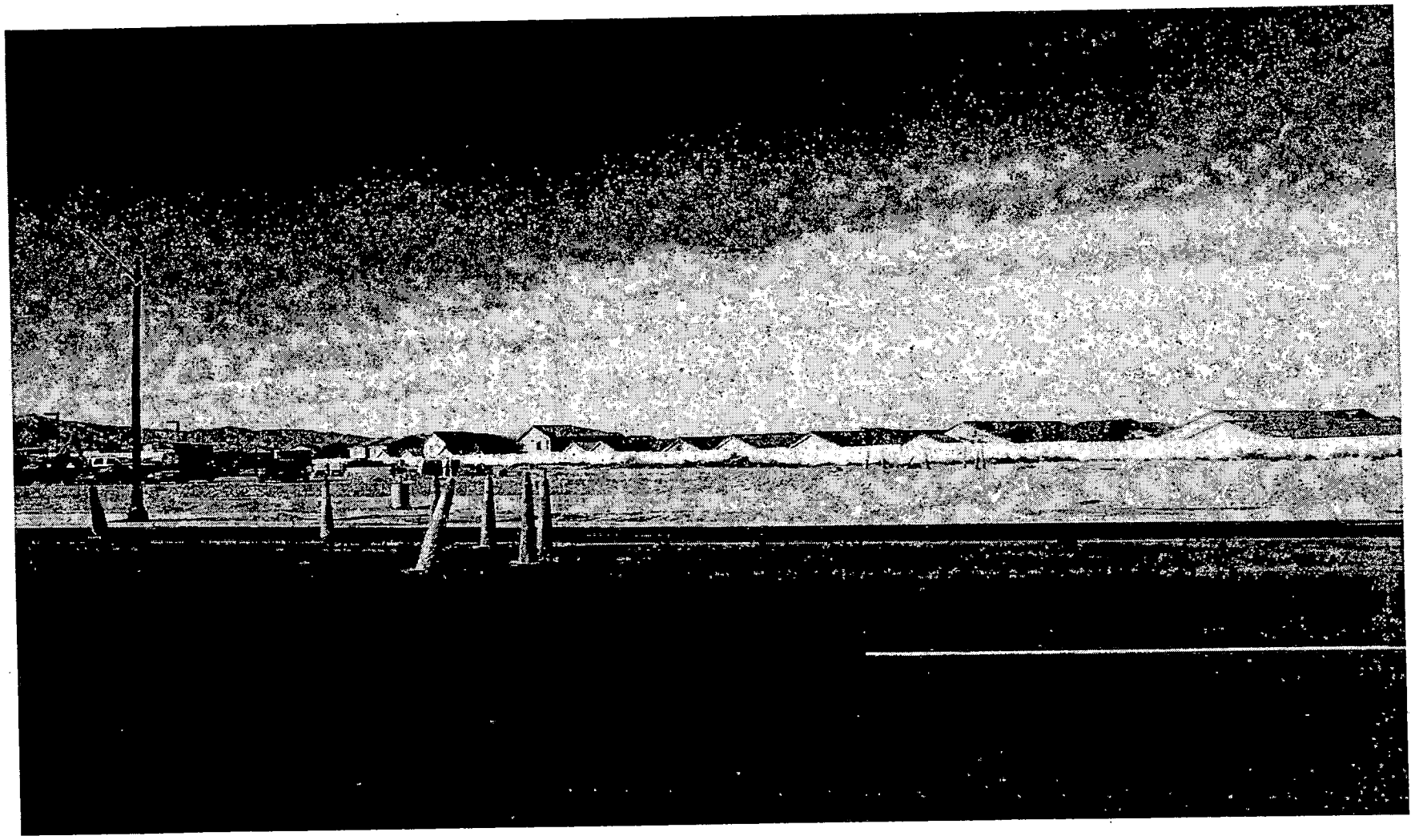
site information

MK TYPE: 90F40
JIB #: 7263
ADDRESS:
DURANGO AND FARM
LAS VEGAS, NV.
DRAWN BY: JH
SCALE: AS NOTED

EXTERIOR ELEVATIONS

A2.1

JIB PROJECT #7263(2003) SCALE - 100%



SDR-5681 - APPLICANT: JACK IN THE BOX - OWNER: PPLAND LIMITED PARTNERSHIP
NORTHWEST CORNER OF FARM ROAD AND DURANGO DRIVE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

City of Las Vegas

Agenda Item No.: 70

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:
SUP-5686 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CITYMARK DEVELOPMENT LLC - OWNER: OFFICE DISTRICT PARKING 1, INC. - Request for a Special Use Permit TO ALLOW A PROPOSED MIXED-USE COMMERCIAL AND RESIDENTIAL DEVELOPMENT AND A WAIVER TO ALLOW GROUND-FLOOR RESIDENTIAL UNITS adjacent to the northeast corner of Garces Avenue and Third Street (APN 139-34-311-095 to -102 & -105 to -110), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

C.C.: 02/16/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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
5. Submitted at meeting – Two Letters of Support submitted by Marilyn Moran
6 Submitted at meeting – Correspondence submitted by Ed Garcia from Jones & Vargas Attorneys at Law to John T. Moran

MOTION:
EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/2/2005

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 70 [SUP-5686], Item 71 [SUP-5690] and Item 72 [SDR-5692].

FLINN FAGG, Planning and Development Department, explained that the request for the Special Use Permit is to allow mixed-use development on the site. The applicant has requested a waiver to allow ground floor residential units. Based on the way the units are designed and oriented to

MINUTES – Continued:

the streets, staff found the design of the building to be consistent with the Centennial Plan and recommended approval.

Regarding the Special Use Permit to allow 13 live/work units as part of the development, MR. FAGG stated that staff found the design of those units did comply with the minimum conditions listed in Title 19.06 for live/work units.

MR. FAGG explained that Item 72 [SDR-5692] would allow a total of 342 residential units, including the 13 live/work units and 8,600 square feet of commercial space. The applicant proposes a total of 553 parking spaces in an internal parking structure and 280 of those spaces would be in a tandem configuration. Waivers were being requested from the Centennial Plan requirements for building stepbacks and "build to" requirements. Staff found the overall design of the project to be in compliance with the goals and objectives of the Centennial Plan and recommended approval. He concluded by informing the Commission that a condition needs to be added to Item 72 [SDR-5692], if the Commission approves the application. That condition pertained to meeting with the Clark County School District to determine the impact the project could have on the district schools. MR. FAGG also noted that instead of this item going forward to the City Council meeting on 2/16/2005, the applicant is requesting the item be heard at the 3/02/2005 meeting because the applicant will be out of town.

ED GARCIA, Attorney, Jones Vargas, 3773 Howard Hughes Parkway, appeared on behalf of the applicant with RICH GUSTAFSON and ALEX BEATON from Citymark Development and TONY CUTRI, the architect on the project. He agreed with all conditions, including the added condition, and requested approval. MR. GARCIA referenced a letter that was previously submitted by a neighboring property owner regarding some additional conditions that owner wanted imposed upon this project. He stated that the applicant agreed to those conditions for the most part; however, he was unsure about how to handle having the conditions added to those imposed by staff. MR. GARCIA also stated that he wanted to include some additional conditions that were requested some time ago, prior to the project being approved with the DDA with the City. He wrote a letter to the neighboring property owner, MR. MORAN, which detailed the additional conditions and submitted a copy to the City Clerk. He also read the following additional conditions into the record that he wanted included in the approval of the items.

1. The portion of the project immediately to the west of MR. MORAN'S property, shall not exceed six stories.

2. The structure immediately to the west of the MORAN'S office would be constructed with color façade compatible with their office building.

MINUTES – Continued:

3. Prior to breaking ground, the structure to the north of the MORAN'S law office would be removed. In its place, there would be a brick wall, which partially exists, that will be completed to the street entrance on 4th Street.

4. Any and all exterior landscaping at the street level would be mature trees and shrubs and the greenbelt shall extend behind MR. MORAN'S building along the exterior walls.

5. The applicant is to make reasonable efforts to prevent construction workers from parking on the available street parking.

6. Any and all ingress/egress from Garces onto the project would be buffered as much as possible and commercial vehicles would be restricted from access with the exception of waste management and emergency vehicles.

7. The applicant will submit and receive approval of a Traffic Study.

8. The applicant will receive Fire Department approval of all emergency accesses.

9. The applicant acknowledges that the MORAN'S are not responsible for any off-site or on-site improvements nor the relocation of any utilities, which are necessitated by the project.

MR. GARCIA then asked that MR. GUSTAFSON be allowed a few minutes to describe the project.

RICH GUSTAFSON stated that his company is based in San Diego and is a development firm that specializes in urban infill development and revitalization. The firm has completed various developments in downtown San Diego and is considered the pioneers in the revitalization effort there. In two of the last three years, his firm has won best-attached project awards in that area. He said that this project is subject to a DDA that the Mayor and Council approved previously. Prior to selecting Citymark, Mayoral staff and one of the Council members visited San Diego and toured some projects there to get an idea of the quality of work Citymark could provide.

MR. GUSTAFSON said his company is proud and excited about this opportunity and hopes that this development will benefit Las Vegas the way their San Diego projects have enhanced that community. He was happy that there was another approved development two parcels down from the subject site. He thanked MR. FAGG for his help and support in understanding the process of the City of Las Vegas and asked that the Commission give a few minutes to hear from MR. CUTRI.

MINUTES – Continued:

TONY CUTRI, project architect, 750 B Street, San Diego, showed the most recent drawings to the Commission. He described the project as a high-density, mixed-use, pedestrian friendly project that focuses on street edges. The firm believes that it fit into the plans the City has for redevelopment of the downtown area. MR. CUTRE explained the facades were designed to respond to the conditions of the street. Bonneville Avenue is very different from 4th Street and 3rd Street and Garces Avenue is different from all the others. While showing various elevations and the roof deck of the project, he described the architecture as modern, progressive and urban. MR. CUTRE also showed some floor plans and the streetscape. He pointed out that the units encapsulate the parking so there are no blank walls or exposed parking on the exterior.

MARILYN MORAN, 630 South 4th Street, appeared in support of the project and submitted two letters to the City Clerk for the record. She said that her, and her husband John, have met with the representatives of the project and agree on all areas covered by the submitted letters. She stated that they enjoyed working with the applicant and welcomed them into the neighborhood. The MORAN'S felt responsible for the project moving forward because of the land vacation they agreed to and the fact that they sold Citymark the property. MS. MORAN thought this would be a nice start to the downtown revitalization process.

COMMISSIONER DAVENPORT asked about how the sewer line in Bonneville Avenue could handle the capacity of this project. MARGO WHEELER, Director, Planning & Development Department, explained that her department is working with the City Manager's Office and Public Works to determine any necessary upgrades to the capacity of the utilities downtown. It is under review. COMMISSIONER DAVENPORT stated that the project at Alta Drive and Martin Luther King Boulevard was conditioned about sewer capacity and he asked if this project should be as well. MS. WHELLER replied that in that instance, the capacity deficiency was known and therefore a specific condition was applied. That situation did not apply to this site.

COMMISSIONER GOYNES stated he was concerned with construction traffic and staging because 4th Street is a one-way street, Garces Avenue is very narrow and Bonneville Avenue takes the brunt of the east/west traffic downtown. He also asked what the timetable was for the project to be completed and whether or not it would be completed in phases. MR. GUSTAFSON said that for financing purposes it would be phased. Phase One would take 18 months and if sales are successful, the applicant would begin Phase II before Phase One was completed so that they would overlap. The total time period for completion of both phases would be approximately 30 months. MR. GUSTAFSON said that his company is very familiar with traffic issues because of their work in San Diego. He stated that there is no magic solution for the problem but by using just-in-time deliveries materials are not stacked on-site.

MINUTES – Continued:

COMMISSIONER GOYNES wanted to make sure that if it did become a problem, the applicant was willing to work with the surrounding neighbors to minimize negative impact. He was concerned about inconveniencing people like the MORAN'S who the City begged to stay downtown with their businesses. The Commissioner did not want their businesses to be impacted. He also wondered what would happen if the surrounding neighbors decided to change the use of their properties. He asked if the applicant would protest neighbors building vertical. MR. GUSTAFSON said that the applicant would not because that would be the rights of the property owners.

MR. GARCIA added that the applicant has had discussions with the MORAN'S regarding traffic issues and the applicant will work with them as the project moves forward.

COMMISSIONER STEINMAN noted that within a one-hour time frame, the Commission considered approximately 1,300 new units downtown. He stated that all of that development would have a traffic impact. The Commissioner felt he should have the benefit of a Traffic Study when trying to make a determination on these large projects. People who are familiar with the downtown area have told him that it is already very crowded and these vertical developments will add to that congestion. He asked how the traffic would flow around the project, how the tandem parking spaces would work and also about the price points for the development.

MR. CUTRI replied that the ingress and egress to the project would be off of Garces Avenue. The access point would enter an above grade garage, which is encapsulated. 100 percent of the traffic would come in and go out of that point. There are 340 units in the development and the parking is calculated roughly at one space per bedroom. There is some surface parking provided for the retail component of the project as well. There are two drop off points for the development, one on 3rd Street and the other on Bonneville Avenue and there will be lobbies at both locations. MR. CUTRI explained that tandem parking is done in most of the company's urban projects. It works because the tandem spaces are assigned to the two-bedroom units. The space is shared within one household.

COMMISSIONER STEINMAN asked if the applicant expected many of the residents to be from out of town and without a vehicle. MR. GUSTAFSON indicated the parking requirement in San Diego is ½ space per bedroom but market conditions in Las Vegas have driven the applicant to provide more space than that. The Commissioner asked how the market could drive one space per bedroom if there is no market for this product in Las Vegas. MR. GUSTAFSON stated the applicant is trying to target local residents, not out-of-towners without vehicles. The applicant would prefer to sell the entire development to locals and would love to have people who work downtown purchase the homes and walk to work.

MINUTES – Continued:

MR. GUSTAFSON stated that the project would begin in the low $200,000's. The bulk of the units would be in the $200,000 to $500,000 with the penthouses at $1,000,000 and up. The pricing would be competitive with the surrounding developments of a similar nature. COMMISSIONER STEINMAN explained that the Commission is concerned with affordability for the community. MR. GUSTAFSON acknowledged his comments and replied that the lower the applicant can hold the price points, the bigger the demand for the product.

COMMISSIONER EVANS stated that this project is exactly what the Commission and City has hoped for over the past five years. He said he was comfortable with the concerns listed in the staff report. He was also happy that MS. MORAN was comfortable with the project as the MORAN'S are significant stake holders in the downtown area and felt exceptionally pleased to work with Citymark. The Commissioner commended Citymark on their excellent reputation. He wished the applicant luck. In just a few years time there will be several hundred people living in the downtown area and they will bring demand for restaurants and drycleaners etc.

Prior to the motion on Item 72 [SDR-5692], MS WHEELER made some clarifications regarding the additional conditions the applicant wanted to impose on the project. She wanted to clarify the verbiage for all conditions referencing the law office by using the property address. Regarding added condition 1, she specified a foot measurement so that the condition read: "The 100 feet of the project immediately to the west of 638 South 4th Street shall not exceed six stories." Regarding added condition 5, the City is unable to enforce it so it may not be imposed. It would have to be treated as a private understanding between the two parties. The items noted on page two of the submittal were already handled by City conditions that were contained in the staff report so adding them would be redundant. MR. GUSTAFSON stated they were in agreement with all the clarifications by MS. WHEELER.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 70 [SUP-5686], Item 71 [SUP-5690] and Item 72 [SDR-5692].

(10:45 – 11:08)

4-775

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Mixed-Use development.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 70 – SUP-5686

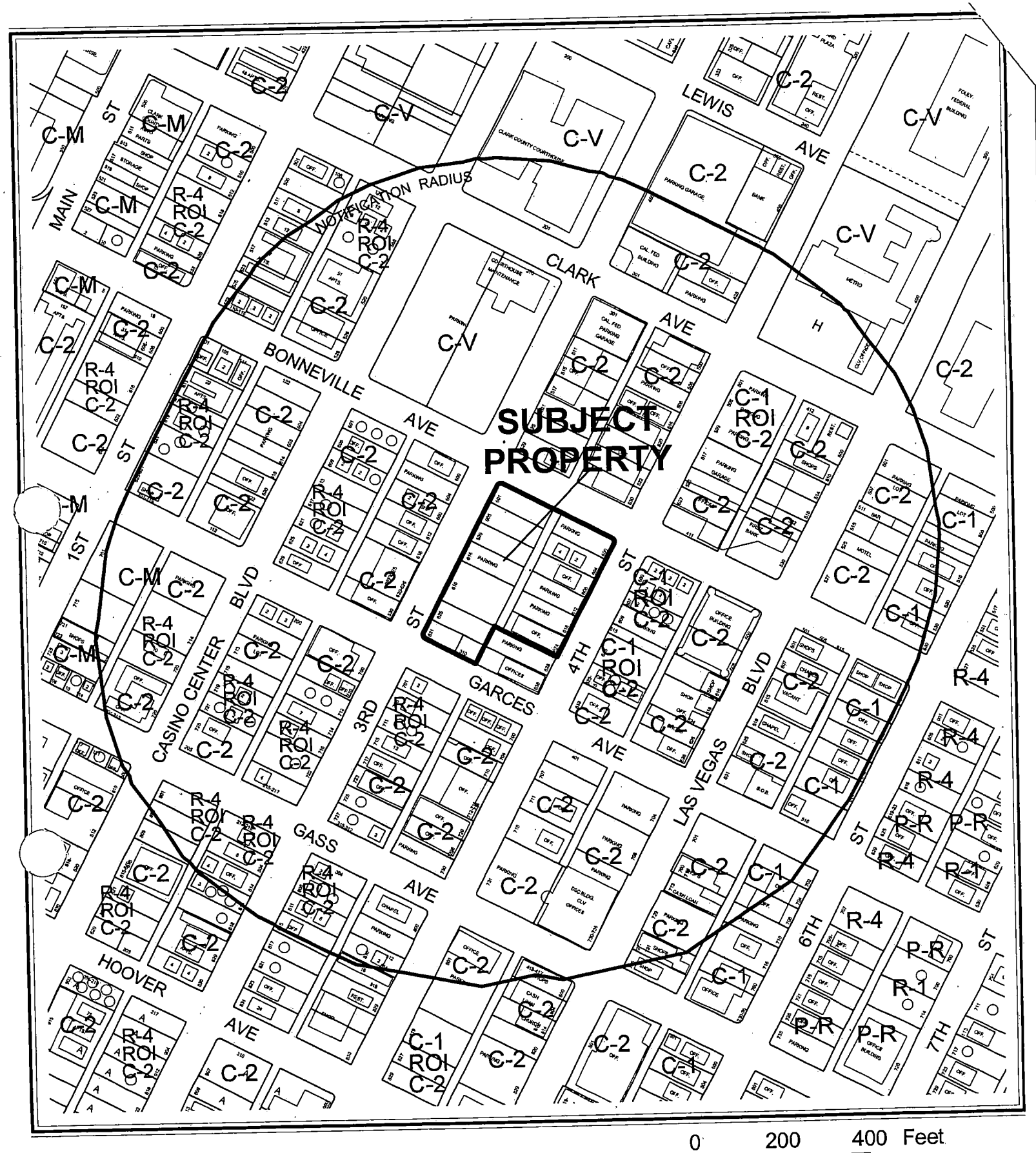
CONDITIONS – Continued:

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5692).

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

4. The Waiver from the limitation on ground-floor residential units is hereby approved, based on the proposed grade separation and configuration of the residential entry features.

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



0 200 400 Feet

CASE: **SUP-5686**

RADIUS: 750 FT

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

N

CASE: **SUP-5686**

RADIUS: 750 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5686 - APPLICANT: CITYMARK DEVELOPMENT LLC - OWNER: OFFICE DISTRICT PARKING 1, INC.

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Mixed-Use development.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5692).

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

4. The Waiver from the limitation on ground-floor residential units is hereby approved, based on the proposed grade separation and configuration of the residential entry features.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit to all a mixed-use commercial and residential development and a Waiver to allow ground-floor residential units adjacent to the northeast corner of Garces Avenue and Third Street. A related Special Use Permit (SUP-5690) and Site Development Plan Review (SDR-5692) will be considered concurrently.

B) Applicant's Justification

The applicant notes that this distinctive new development will be an asset to the area, and that the proposed low-intensity commercial uses and live/work units will be appropriate to the neighborhood.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64 The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcels, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).

10/22/75 The City Council approved a request for Plot Plan Review [Z-0100-64(7)] to allow the development of a surface parking lot on a portion of the development site. The Planning Commission recommended approval of the request on 09/23/75.

06/04/03 The City Council voted to strike a Site Development Plan Review (SDR-1586) application that would have allowed the construction of a seven-story parking structure with ground-floor retail space on a portion of the development site. The Planning Commission recommended approval of the request on 02/13/03.

01/13/05 The Planning Commission will consider companion applications for a Special Use Permit (SUP-5690) to allow live/work units in the C-2 (General Commercial) zoning district and a Site Development Plan Review (SDR-5692) in order to permit the proposed mixed-use structure.

FF

B) Pre-Application Meeting

10/26/04 At the pre-application conference, it was noted that a Waiver would be required to locate residential units on the ground floor, and that a traffic impact study should be submitted prior to review by the Planning Commission. In addition, the Centennial Plan streetscape and building placement requirements were discussed with the applicant.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.38

B) Existing Land Use

Subject Property:	Office Use Parking Lot Use
North:	Office Use
South:	Office Use Multifamily Residential Use
East:	Office Use Multifamily Residential Use Parking Lot Use
West:	Office Use Multifamily Residential Use

C) Planned Land Use

Subject Property:	C (Commercial)
North:	C (Commercial)
South:	C (Commercial)
East:	C (Commercial)
West:	C (Commercial)

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial)
South:	C-2 (General Commercial); R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
East:	C-1 (Limited Commercial) under Resolution of Intent to C-2 (General Commercial); C-2 (General Commercial)
West:	C-2 (General Commercial)

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a C (Commercial) land use designation. The Commercial designation permits office uses, limited commercial uses, and general commercial uses. The proposed mixed-use development is consistent with the land use designation.

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

Redevelopment Plan Area

As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Commercial (C) land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Office Core District. The district is intended for professional and government offices, and supporting pedestrian-oriented uses. The proposed development is generally consistent with the Downtown Centennial Plan.

Trails

While the development is not adjacent to any Transportation or Recreation Trail route identified in the General Plan, the Centennial Plan identifies an urban trail along Third Street. The urban trail is intended to be developed with grant funds or as a capital improvement project, and individual property owners are not required to install the trail elements at this time.

Airport Overlay District

This site is subject to the North Las Vegas Airport Overlay District. Structures may be built up to 200 feet in height; any structures over this height limit must be reviewed by the Federal Aviation Administration (FAA).

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of standard parking requirements. The following table details the parking figures for the development:

Uses	GFA	**Provided** Parking	
		Regular	Handicap
Multifamily Residential Units	329 Units		
Live/Work Units	13 Units		
Commercial	8,600 SF		
Total:		553	12

A total of ten parking spaces will be provided at grade for the retail uses, in addition to the on-street parking that surrounds the site. A total of 543 spaces will be available for the residential uses, with 280 of those spaces configured in a tandem parking space arrangement. While Title 19.10 allows no more than 30% of the required parking spaces to be in a tandem configuration, this standard is not automatically applied to properties within the Downtown Centennial Plan area.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Mixed-Use development.

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

Standards	**Code Requirement**	**Provided**
Mixed-Use	Residential uses may be permitted in commercial districts by means of a Special Use Permit	Y
	Non-residential use shall be located at the ground level fronting the primary public right-of-way	N
	The architecture shall highlight the difference in uses	Y

The design of the development generally conforms to the minimum requirements listed in Title 19.04 for Mixed-Use structures, with the exception of the requirement prohibiting residential uses on the ground floor of the building. The proposed development will include residential townhouse and loft units on the ground floor along the Third Street frontage of the property. The applicant has requested a Waiver from the requirement.

B) General Analysis and Discussion

- Zoning

The majority of the site is zoned C-2 (General Commercial); the remainder of the site is zoned R-4 (High Density Residential) under a Resolution of Intent to C-2 (General Commercial). The proposed structure will generally conform to the applicable setbacks and lot coverage requirements specified by the Downtown Centennial Plan; height limits and parking requirements are not automatically applied.

- Use

Within the C-2 (General Commercial) district, residential uses permitted by right in the R-4 (High Density Residential) zone are permitted in the C-2 (General Commercial) district upon approval of a Special Use Permit. Commercial uses are permitted by right; mixed-use developments and live/work units require Special Use Permit approval. The development will include a total of 342 residential units, of which 13 will be live/work units, and 8,600 square feet of commercial space.

- Conditions

The design of the structure generally conforms to the minimum Mixed-Use development requirements listed in Title 19.04, with the exception of the ground-floor residential uses as previously mentioned. The project includes townhouse units on the ground floor facing Third Street, and loft-style units on the ground floor as the southwest corner of the site. The townhouse units are designed so that the first floor of the unit is raised up above the level of the street, and each unit will have an individual entry stair and stoop. The ground-floor loft-style units will also be raised up above the level of the sidewalk. This differential in height effectively raises the units above the public sidewalk, and provides the division that is needed to separate the private living spaces from the public realm. The individual entries and stoops will assist in providing an active frontage along Third Street, as required in the Downtown Centennial Plan; consequently, staff would recommend approval of the Waiver request.

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 design of the development adequately separates the commercial and residential components, and will not be significantly impacted by the adjacent land uses. Adequate grade separation will be provided between the ground-floor residential units on the west and southwest portions of the site and the abutting public sidewalk. The Downtown Centennial Plan admonishes a wide variety of uses in the downtown area, and encourages the integration of residential units within the urban core.

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

   The proposed development will result in a residential density of 144 units per acre, which is appropriate for an urban area. The development has frontage on all four sides of the block, which provides excellent access for the commercial uses.

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

   The principal vehicular access point will be located on Garces Avenue, which has sufficient capacity to accommodate the proposed development and will not impact the flow of traffic on other streets.

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

   Approval of the Special Use Permit is consistent with the General Plan, and will not compromise public health, safety, or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

NOTICES MAILED 134 – Mailed with SUP-5690 and SDR-5692

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-52686 APN: 139-34-311-095 to -102 & -105 to -110

Name of Property Owner: Office District Parking I, Inc.

Name of Applicant: CityMark Development 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: Douglas A Selby

Print Name: Douglas A. Selby

Subscribed and sworn before me

This 3rd day of Dec, 2004

Cecili C. Green

Notary Public in and for said County and State

Notary Public-State of Nevada
COUNTY OF CLARK
CECELI C. GREEN
My Appointment Expires
March 7, 2008

Bossard
Developer
Services

November 30, 2004

Mr. Flinn Fagg
City of Las Vegas
Development Services Center
Current Planning Division
731 S. Fourth Street
Las Vegas, NV 89101

Subject: CITYMARK at 3rd and Bonneville
Justification Letter for Site Development Plan Review, Special Use Permit
For Mixed Use and Special Use Permit for Live/Work

Dear Flinn:

On behalf of our client, CITYMARK, we respectfully request approval of a Site Development Plan Review and two Use Permits for their development at 3rd and Bonneville within the City of Las Vegas. The zoning at this location is currently C-2. The Land Use within the Downtown Centennial Plan is Office District.

1. The Site Development Plan Review, if approved as submitted, would allow a waiver of the City's requirement to step back the high rise building. The building will be set back as required by City code, but the building will not step back five feet at levels 4, 11, and 18 as indicated in the Code. This building will articulate in different ways, with varying elevations and heights. The glass facades will add interest and a modern appearance that is appealing to all who pass by this distinctive new development. It should be noted that this project will be developed in phases as indicated on the Site Plan provided by Martinez and Cutri. The first phase will include 211 units and the second phase will include 122 units, for a total of 333 residential units. Phase 1 will also include parking and the pool deck. Phase 2 will include townhomes, flats as well as the warehouse.

2. The Use Permit for the Mixed Use within the C-2 District includes a waiver request to allow first floor residential, where the Code specifically identifies the first floor as commercial with no residential permitted. The residential along the first floor will contain less glass than other portions of the development and will blend with the streetscape. These townhomes will only occur on 3rd Street in the second phase of development.

3. The second Use Permit, if approved, will allow Live/Work units where the Downtown Centennial Plan does not permit them. This use is limited to the Live/Work Overlay District unless approved through this Special Use Permit process. These units will be limited to low-intensity commercial and arts-related uses. The number of employees will be limited and the

2920 N Green Valley Parkway, Suite 814 Henderson, Nevada 89014 T: 702.451.3510 F: 702.451.4988

SUP-56086

residential component of the use shall be accessory to the commercial or nonresidential component. Residents of the Live/Work units will be presumed to acknowledge the existence and operation of uses that are permitted on nearby parcels that are zoned for commercial uses.

Attached herewith is a transmittal, which describes the supporting documents for each of these applications. Please place these applications on the January 13, 2005 Planning Commission meeting. Thank you very much, Flinn, for your assistance with these applications.

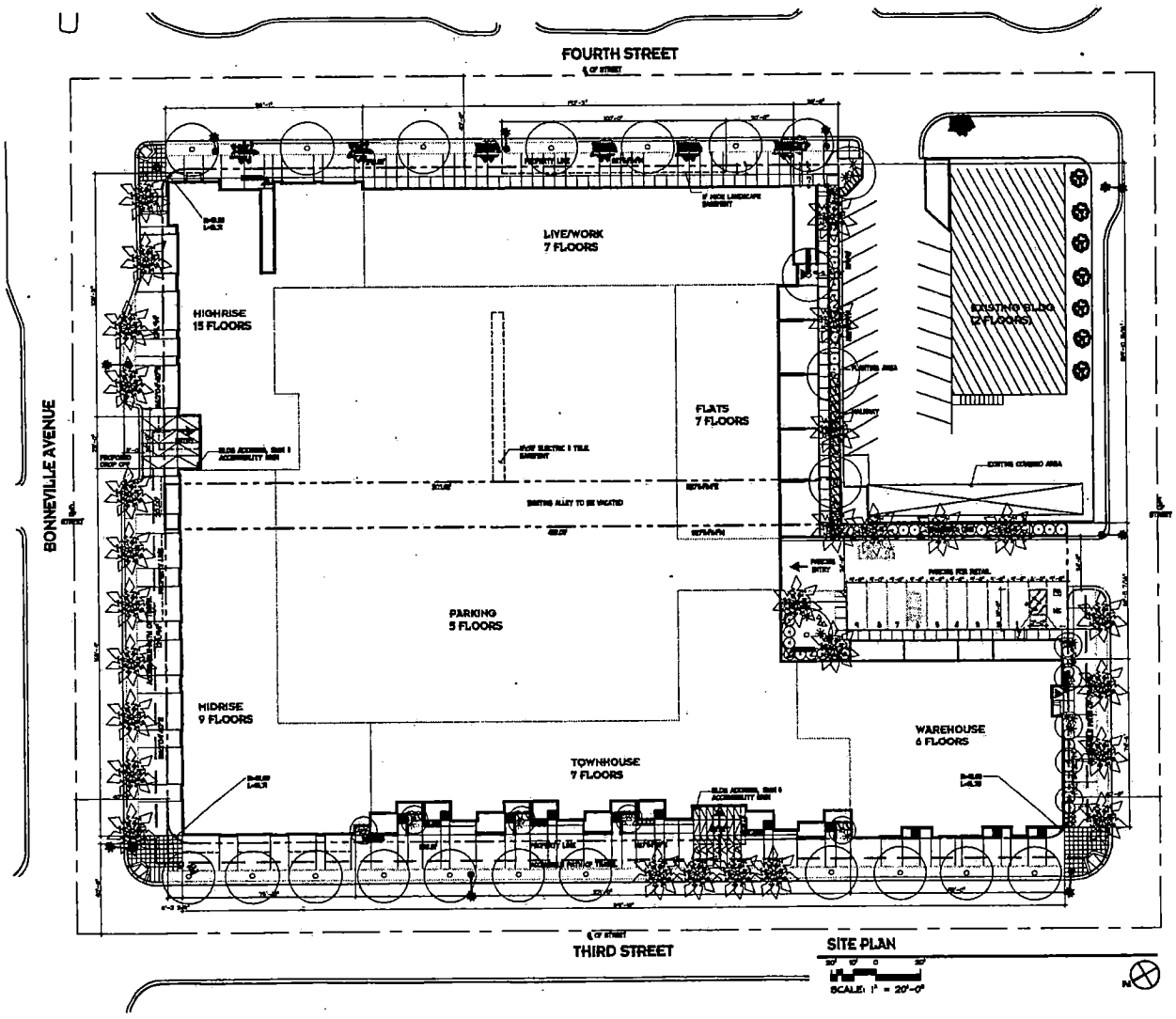
Very truly yours,

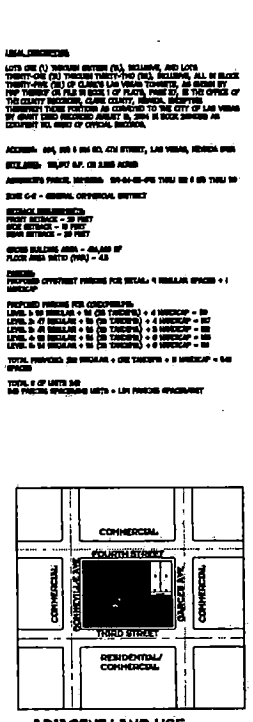
Angela Seyfarth

Diana Bossard, AICP

Cc: Mr. A. Beaton, CM
Mr. A. Cutri, MC

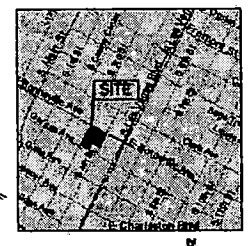
SUP-5686²





ADJACENT LAND USE

NTS



VICINITY MAP

NTS

MARTINEZ + CUTRI

CITYMARK

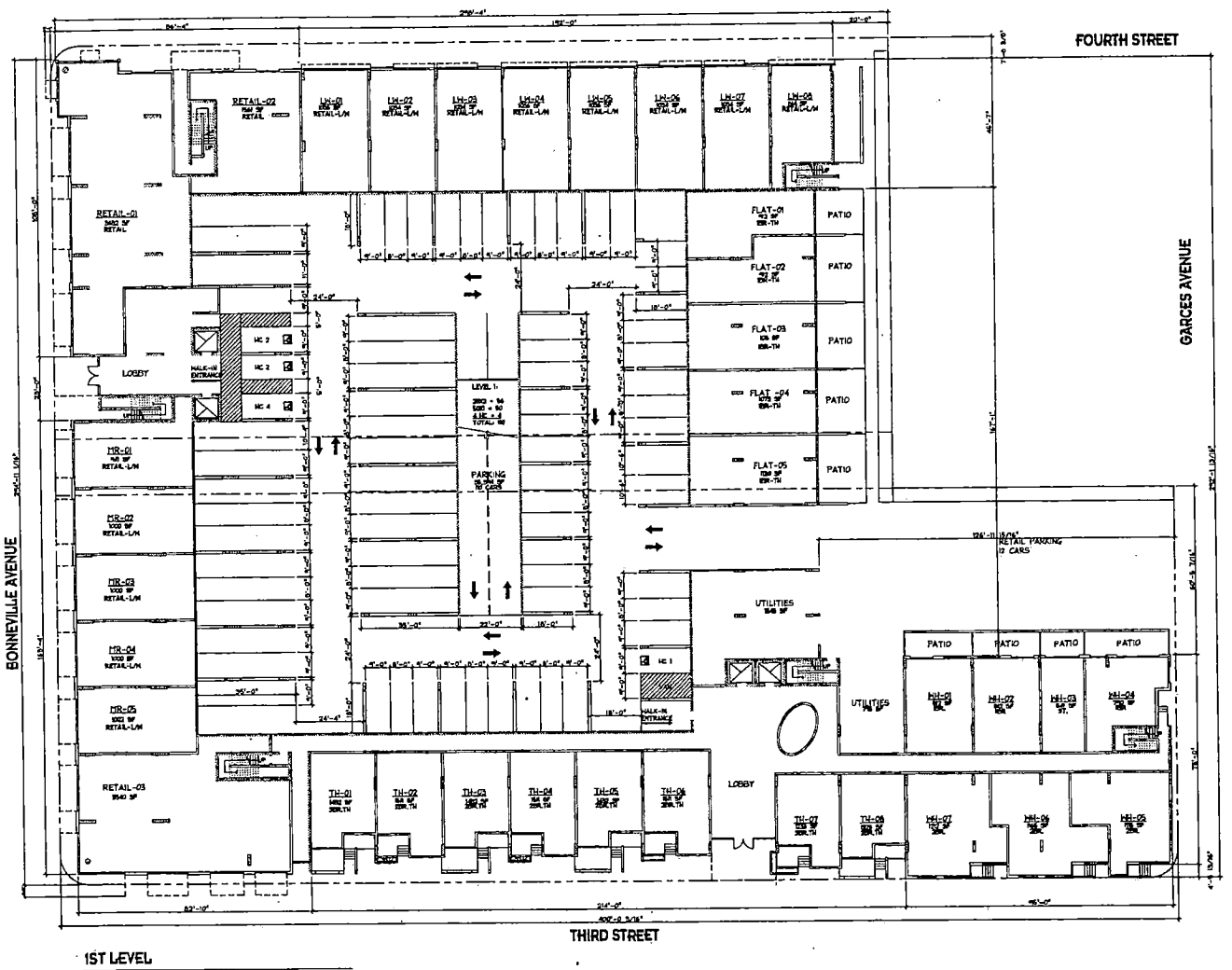
LAS VEGAS

3rd & Bonneville Lofts

SITE PLAN

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



SUP-5686
SUP-5690
SDR-5692
01-13-05 PC

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CITYMARK
LAS VEGAS
3rd & Gennerville Lofts

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DATE: 11/24/2004
SCALE:
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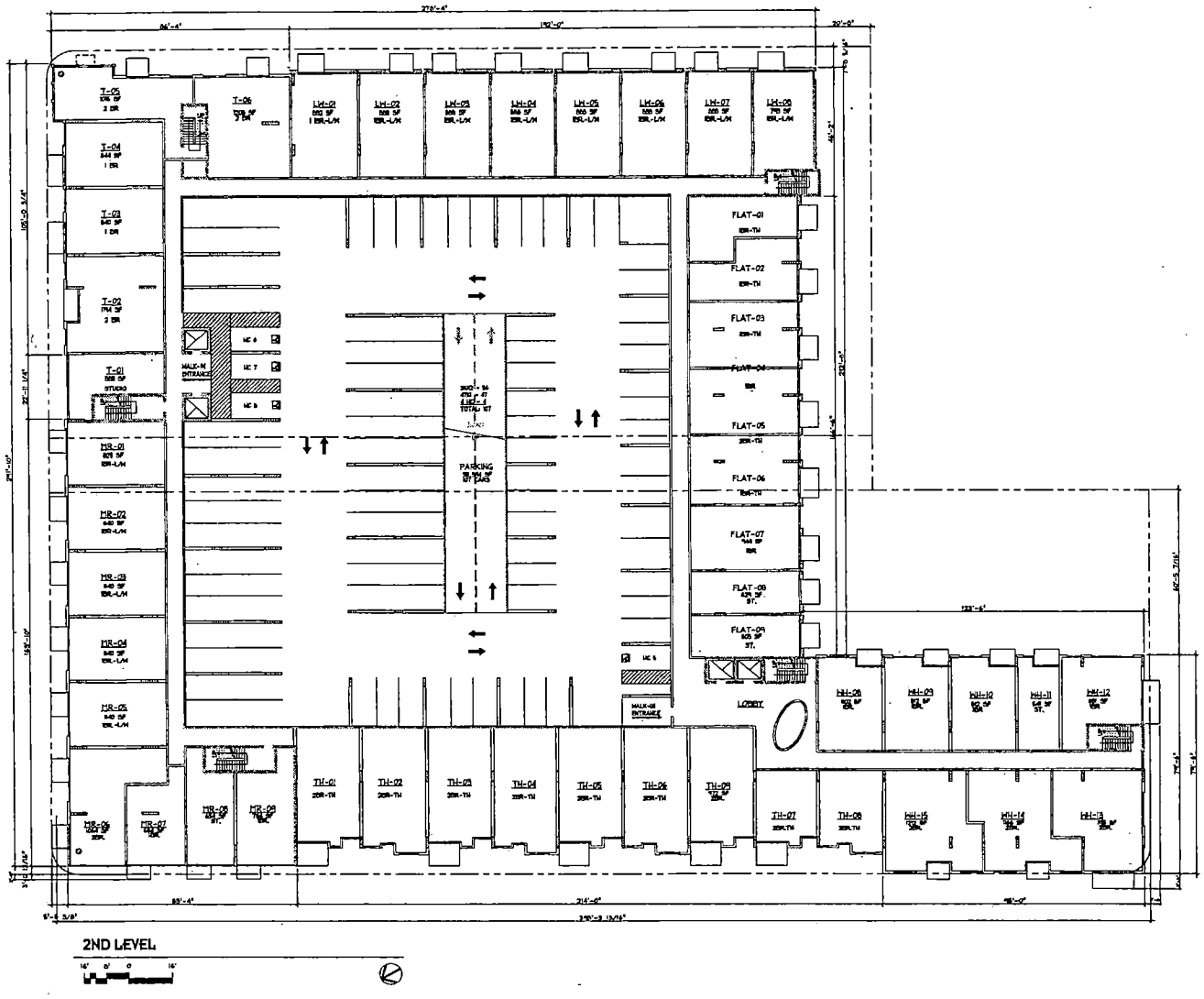
JOB NO.: 3408
SHEET No.: A2.T01
SHEET OF



2ND LEVEL

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC

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SEAL:

SHEET TITLE:
2ND LEVEL

DATE: 11/24/2004
SCALE:
DRAWN BY:
JOB No.: 0408
SHEET No.: A2.T02
SHEET OF

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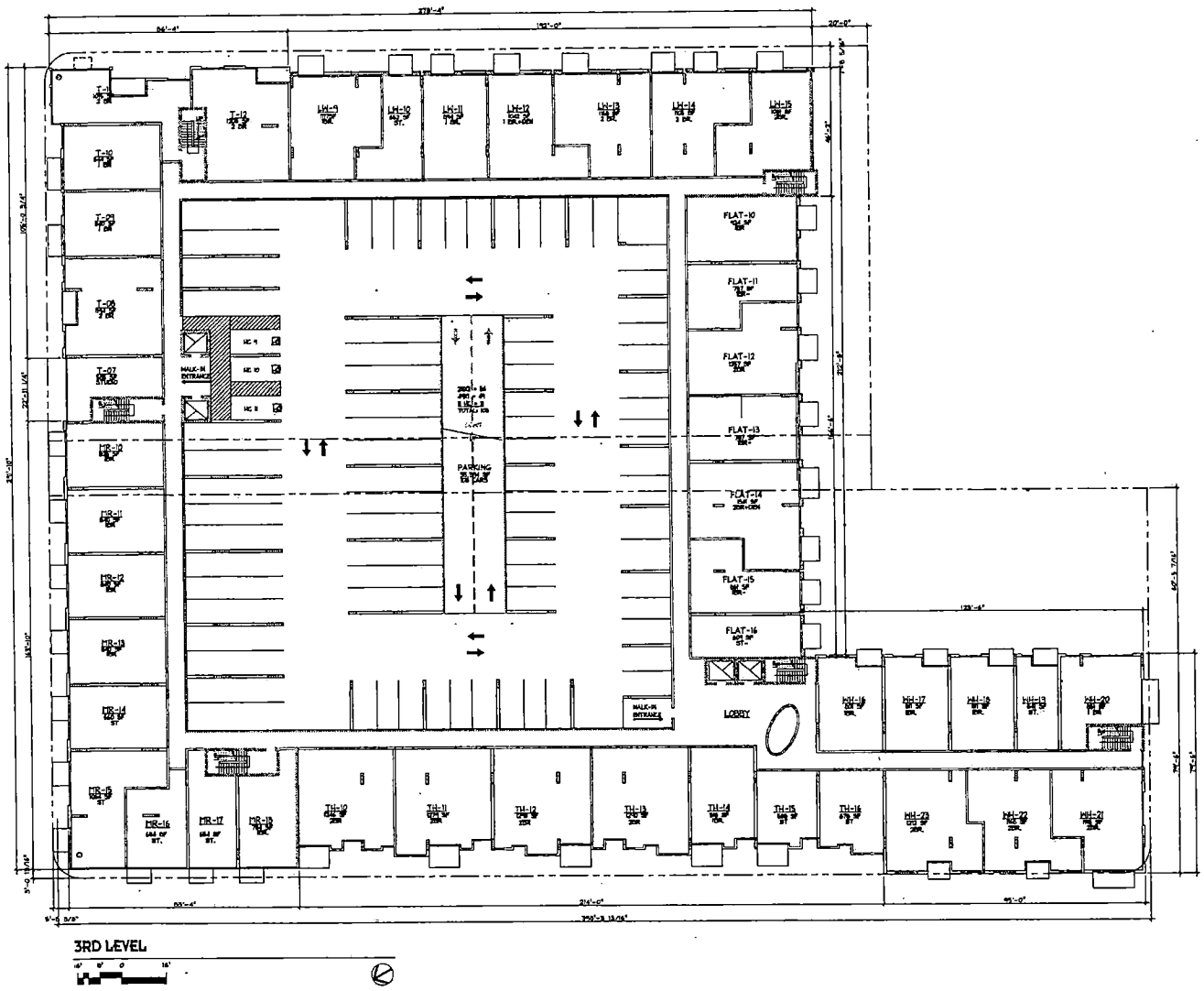

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REVISIONS:

CITYMARK
LAS VEGAS
3rd & Bonneville Lofts

SEAL:

SHEET TITLE:
3RD LEVEL

DATE: 11/24/2004
SCALE:
DRAWN BY:
JOB No. : 0408
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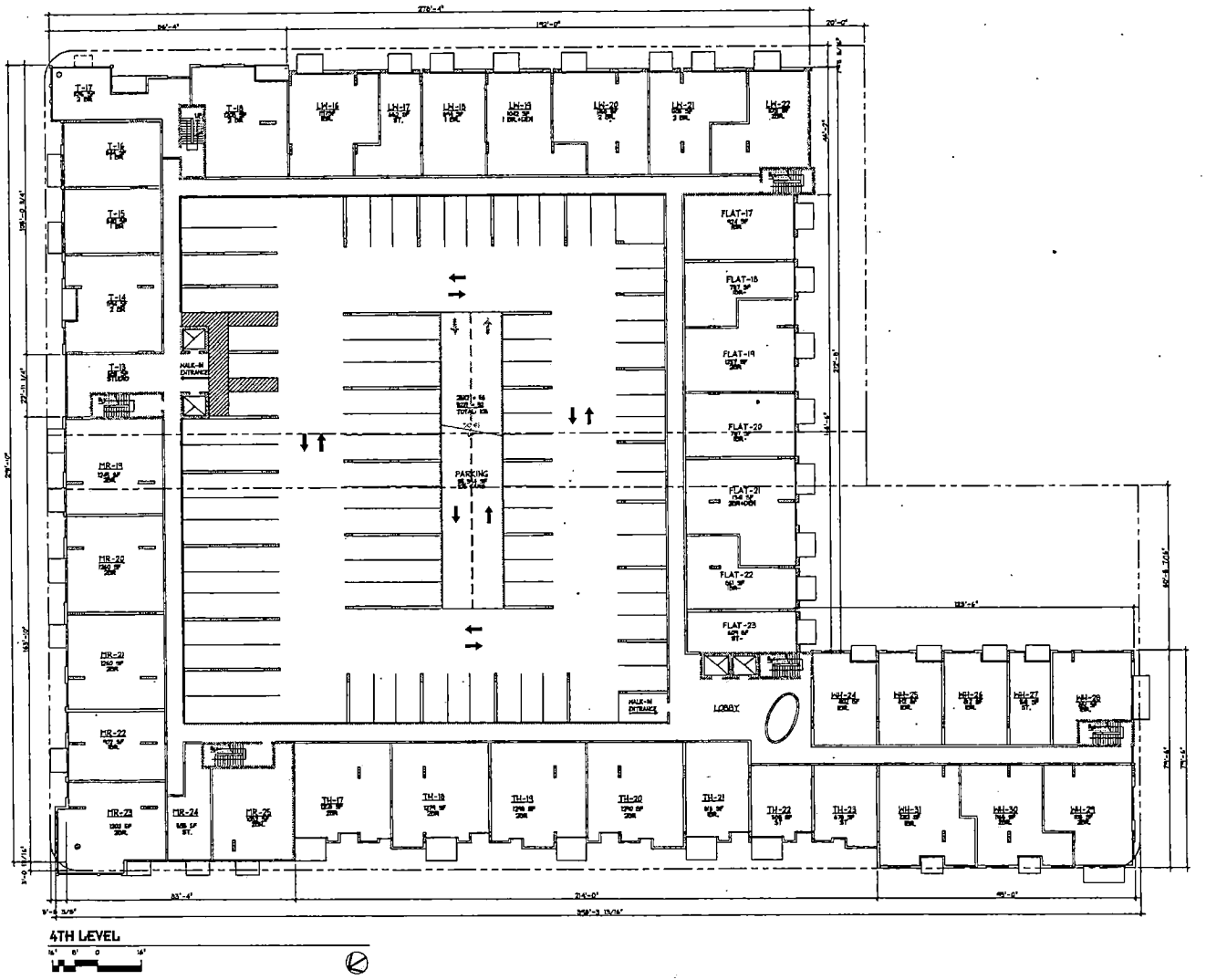
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



4TH LEVEL

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC

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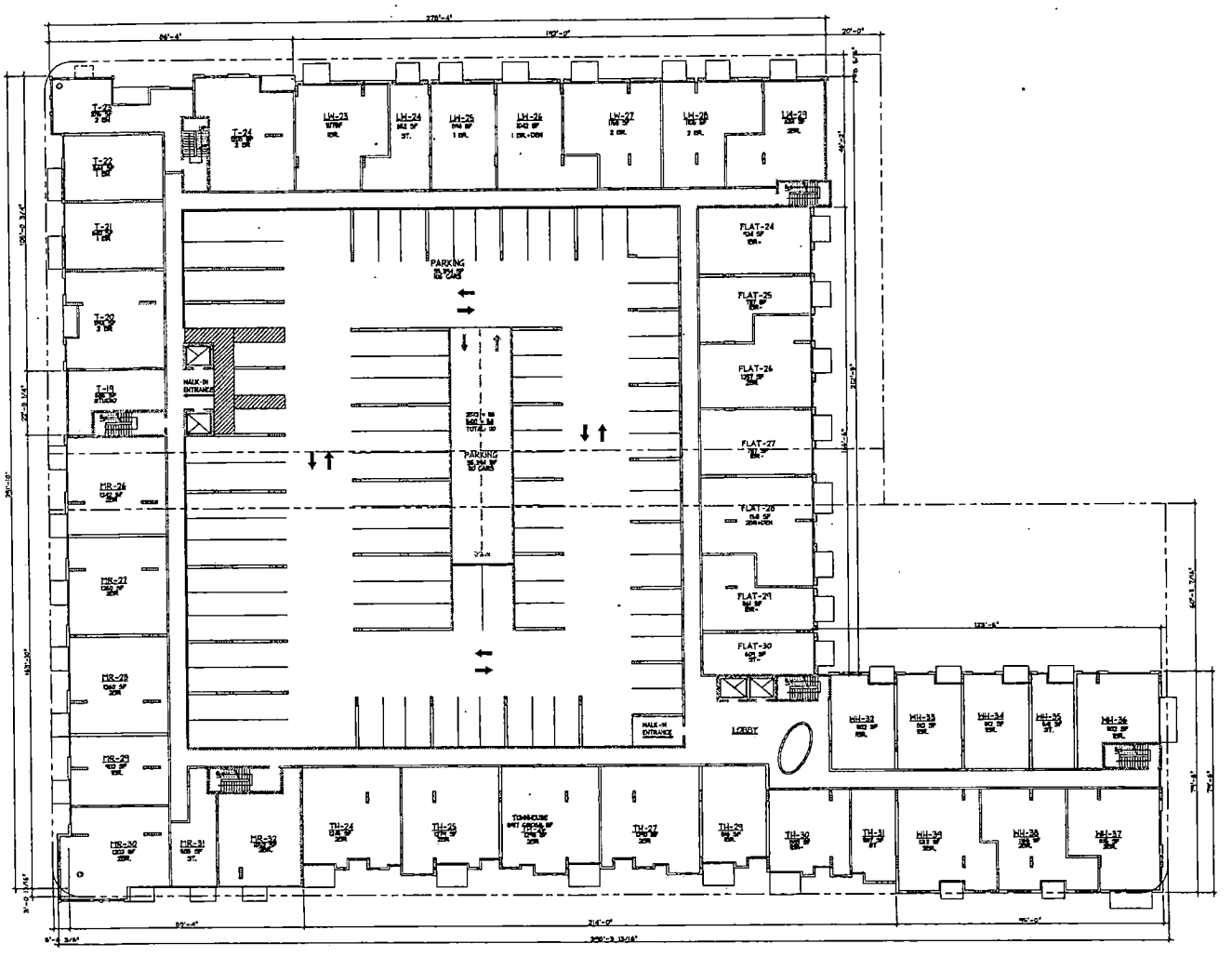

5TH LEVEL

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

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SEAL:

SHEET TITLE:
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DATE: 11/24/2004
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JOB No.: 3408
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SUP-5686
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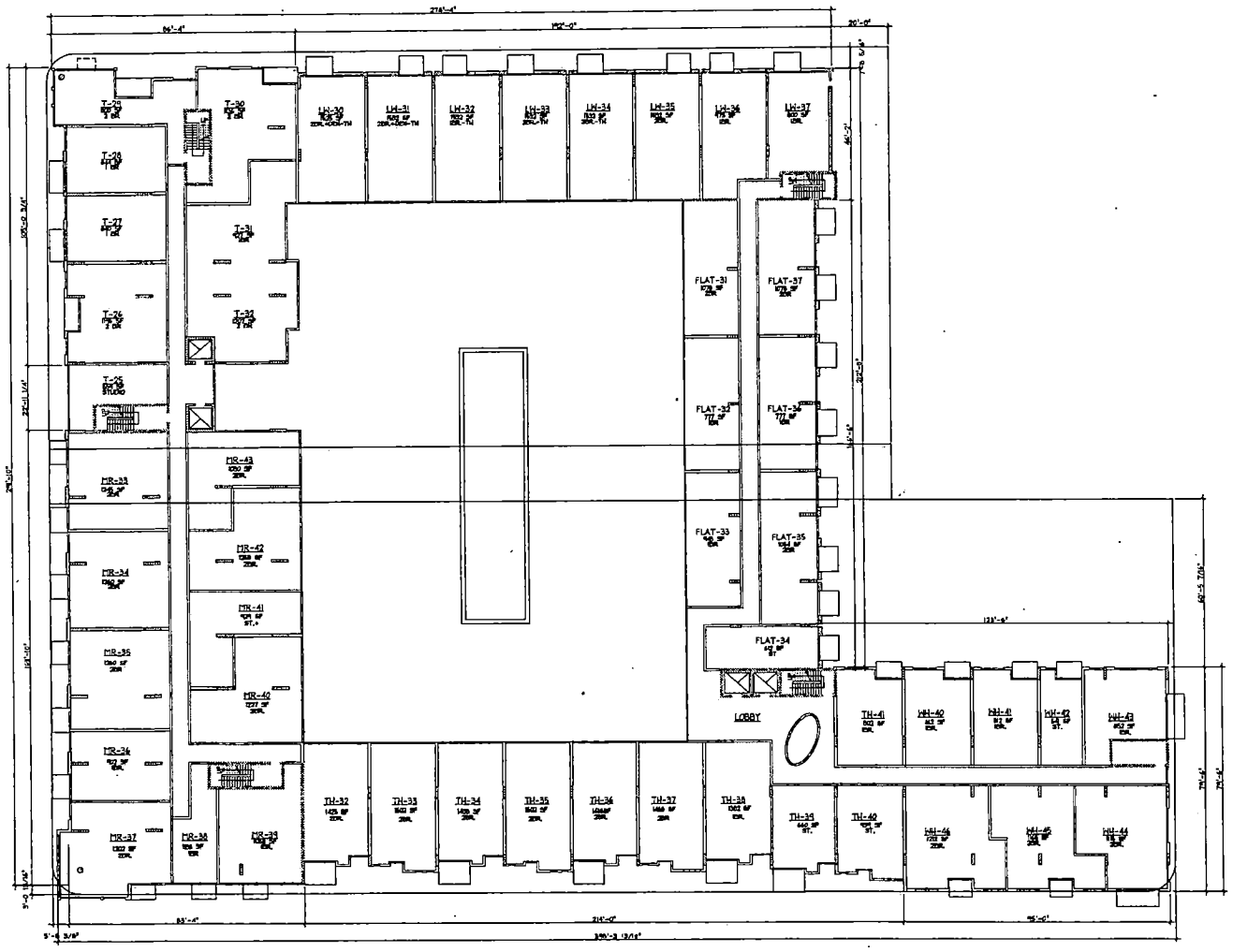
SDR-5692
01-13-05 PC



6TH LEVEL

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

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC

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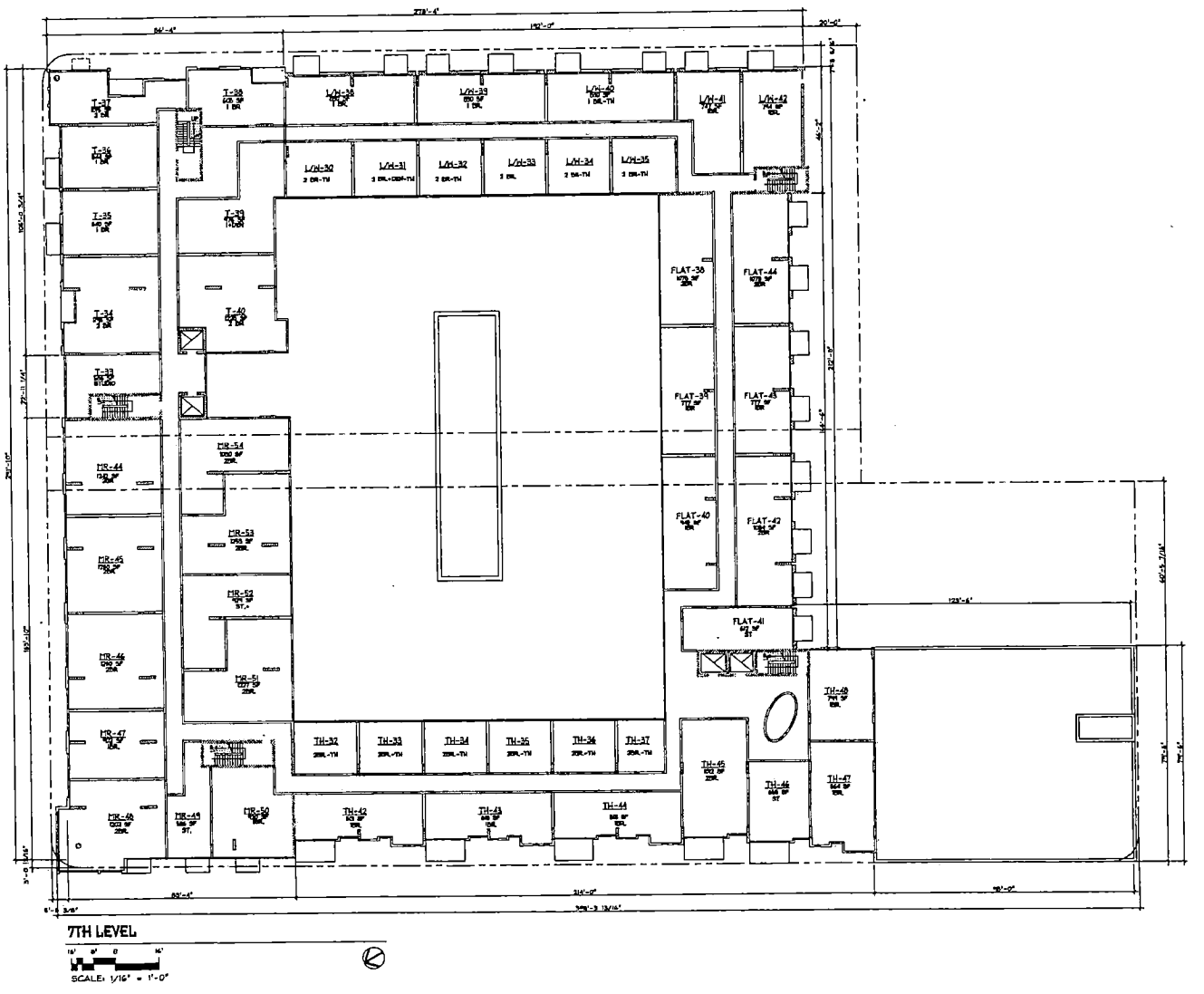

7TH LEVEL

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

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC

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SEAL:

SHEET TITLE:
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DATE: 11/24/2004
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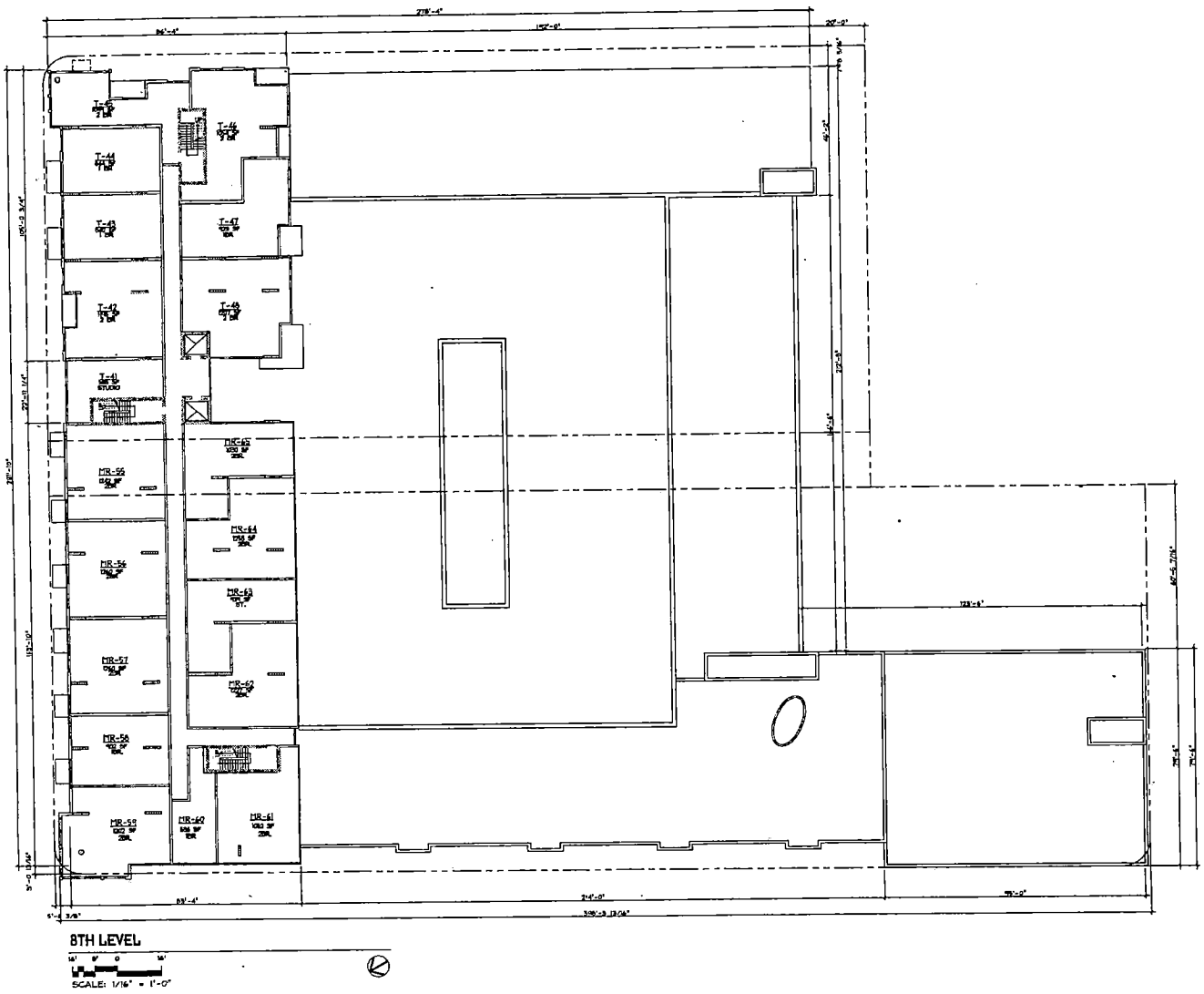

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SUP-5690
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SEAL:

SHEET TITLE:
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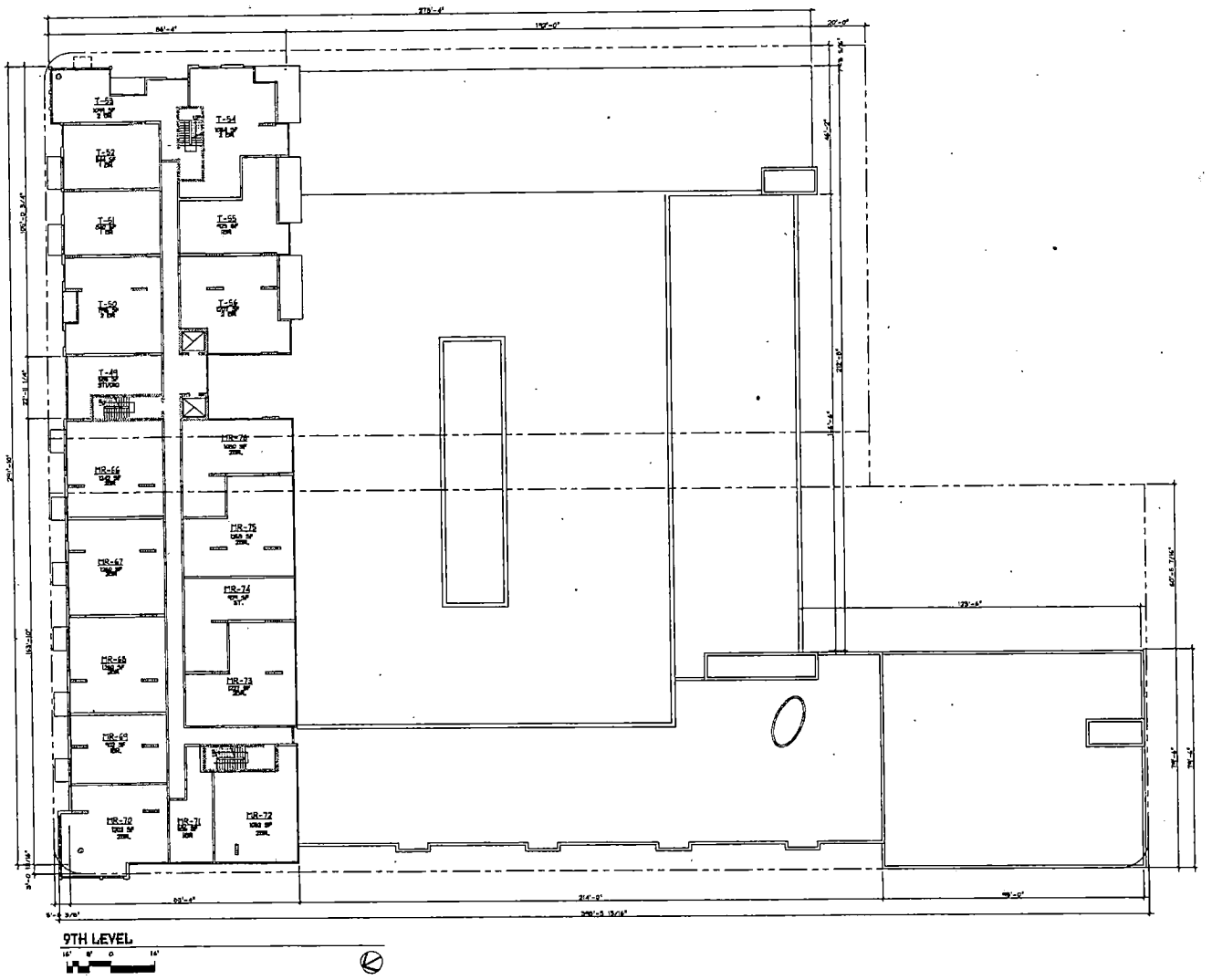

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SEAL:

SHEET TITLE:
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DATE: 11/24/2004
SCALE:
DRAWN BY:
JOB No. : 2408
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SUP-5686
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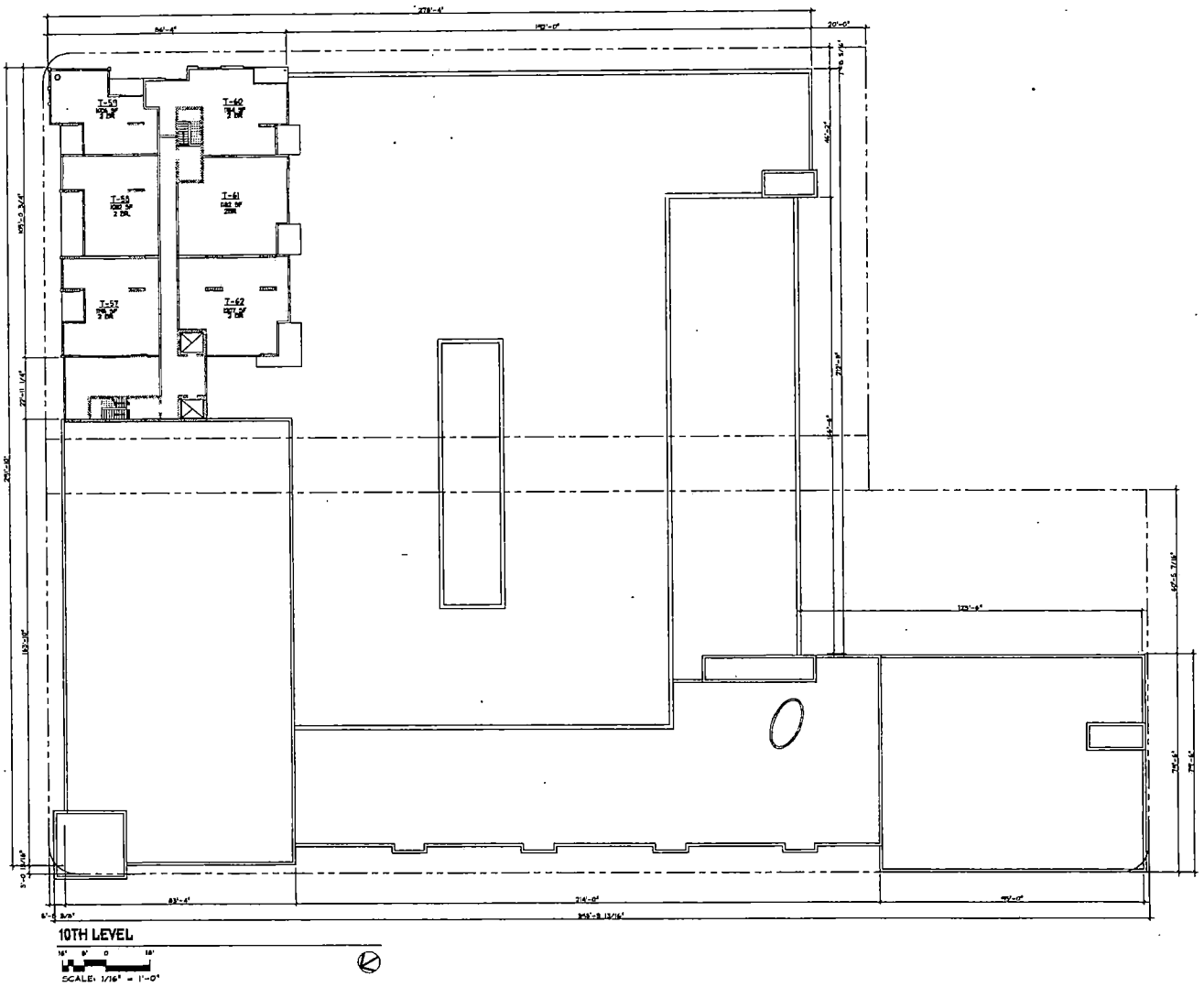

10TH LEVEL

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

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SUP-5686
SUP-5690
SDR-5692
01-13-05 PC

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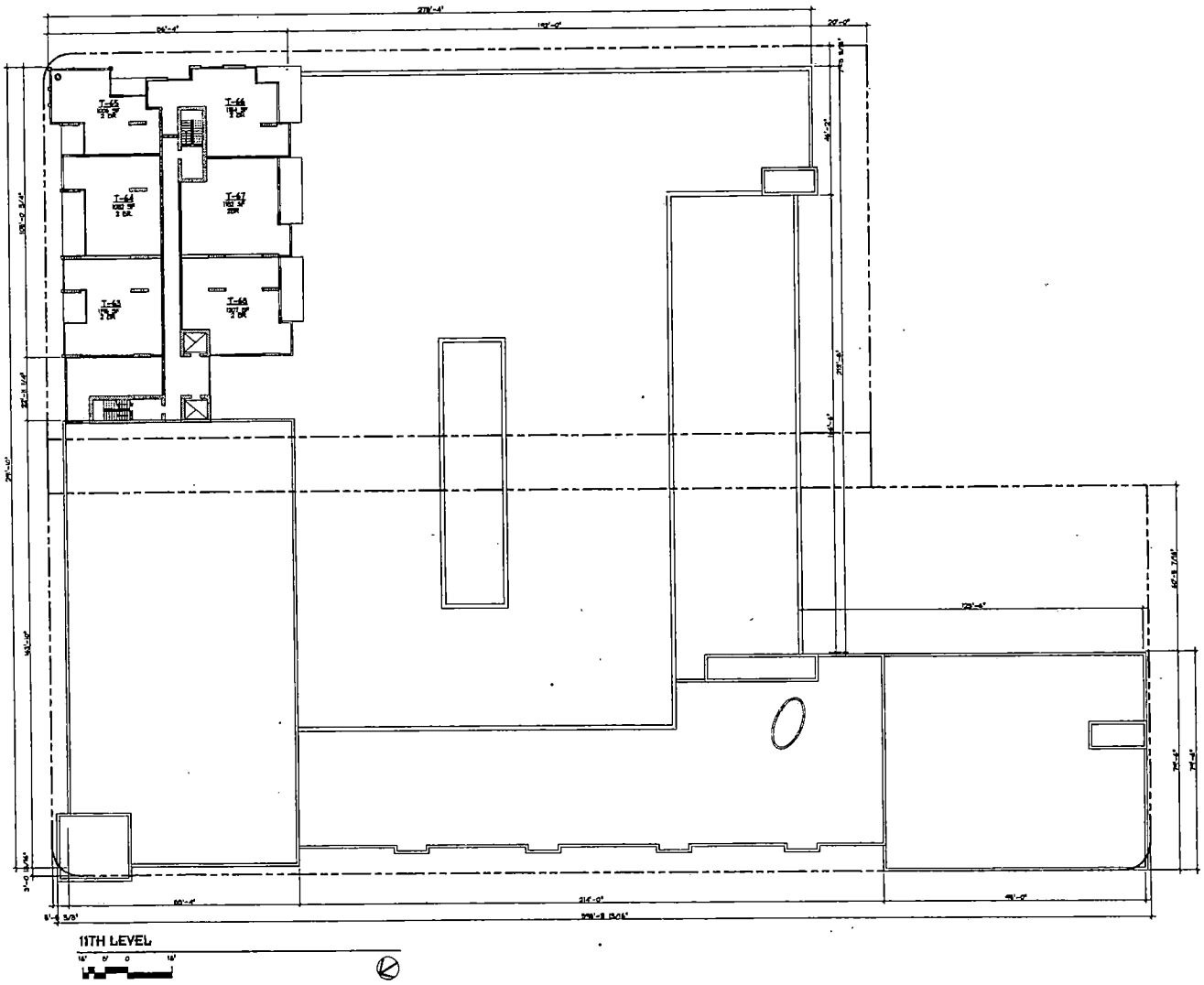

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SEAL:

SHEET TITLE:
11TH LEVEL

DATE: 11/24/2004
SCALE:
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SHEET OF

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SUP-5686
SUP-5690
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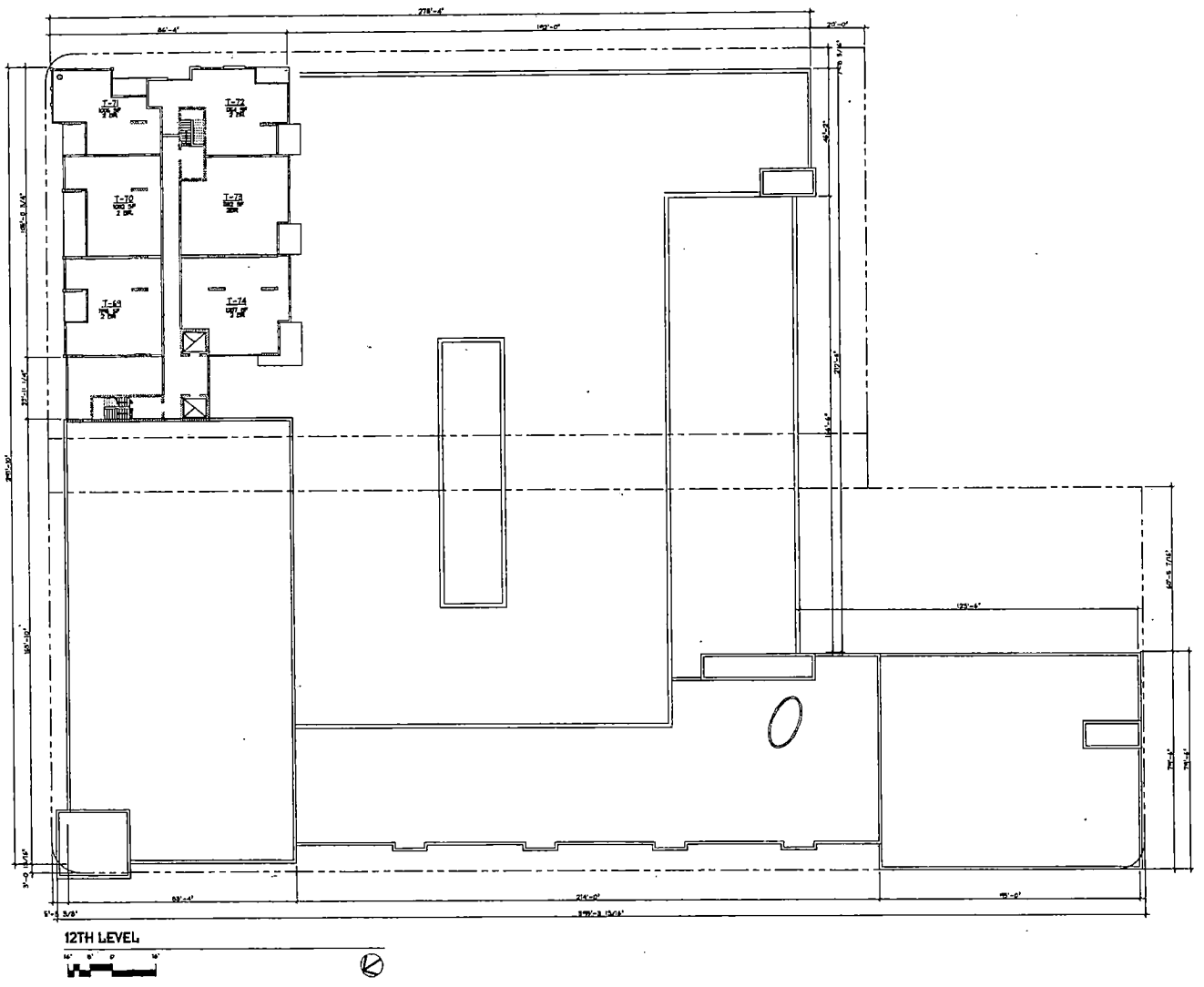

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SEAL:

SHEET TITLE:
12TH LEVEL

DATE: 11/24/2004
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SUP-5686
SUP-5690
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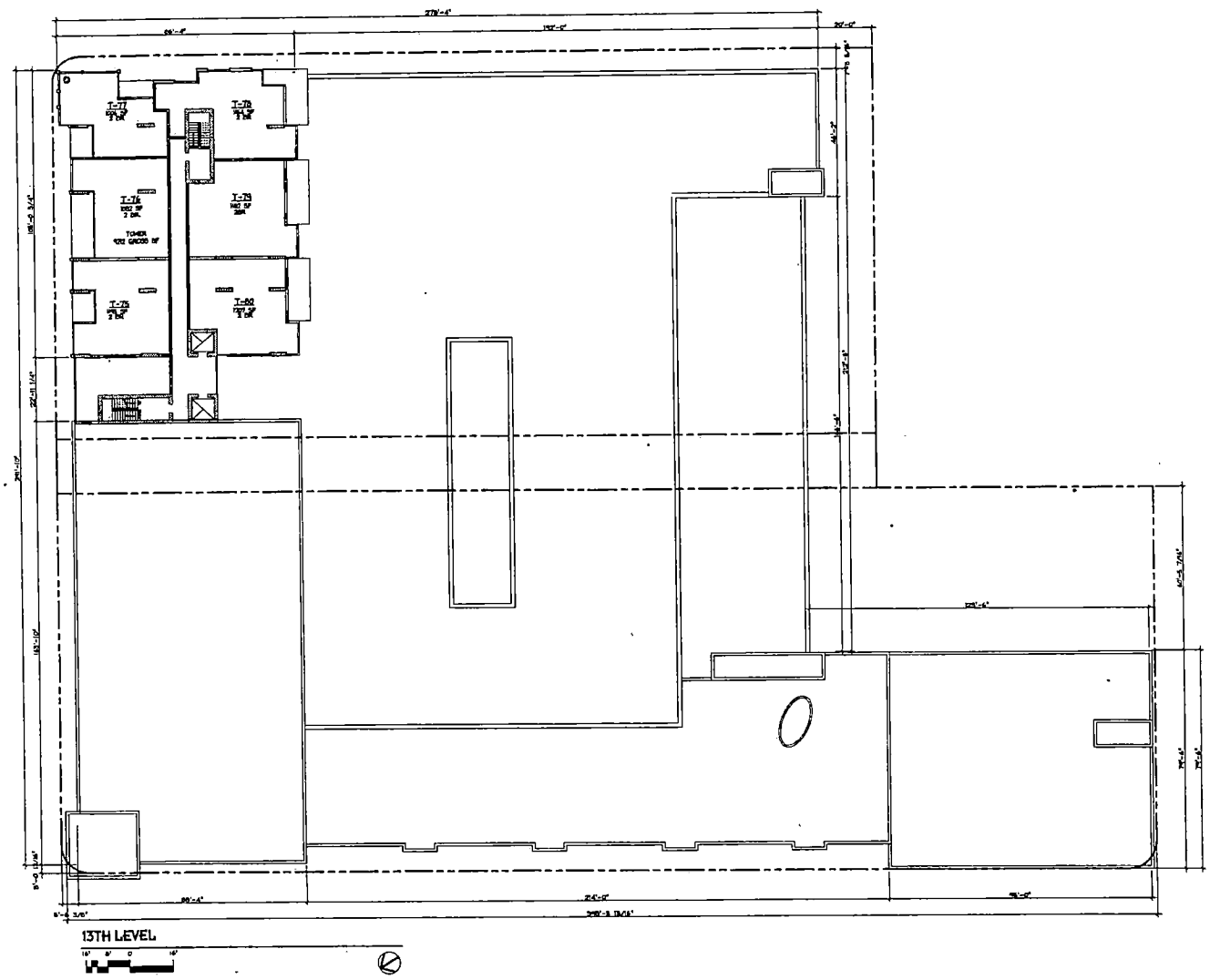
01-13-05 PC



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DATE: 11/24/2004
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SUP-5686
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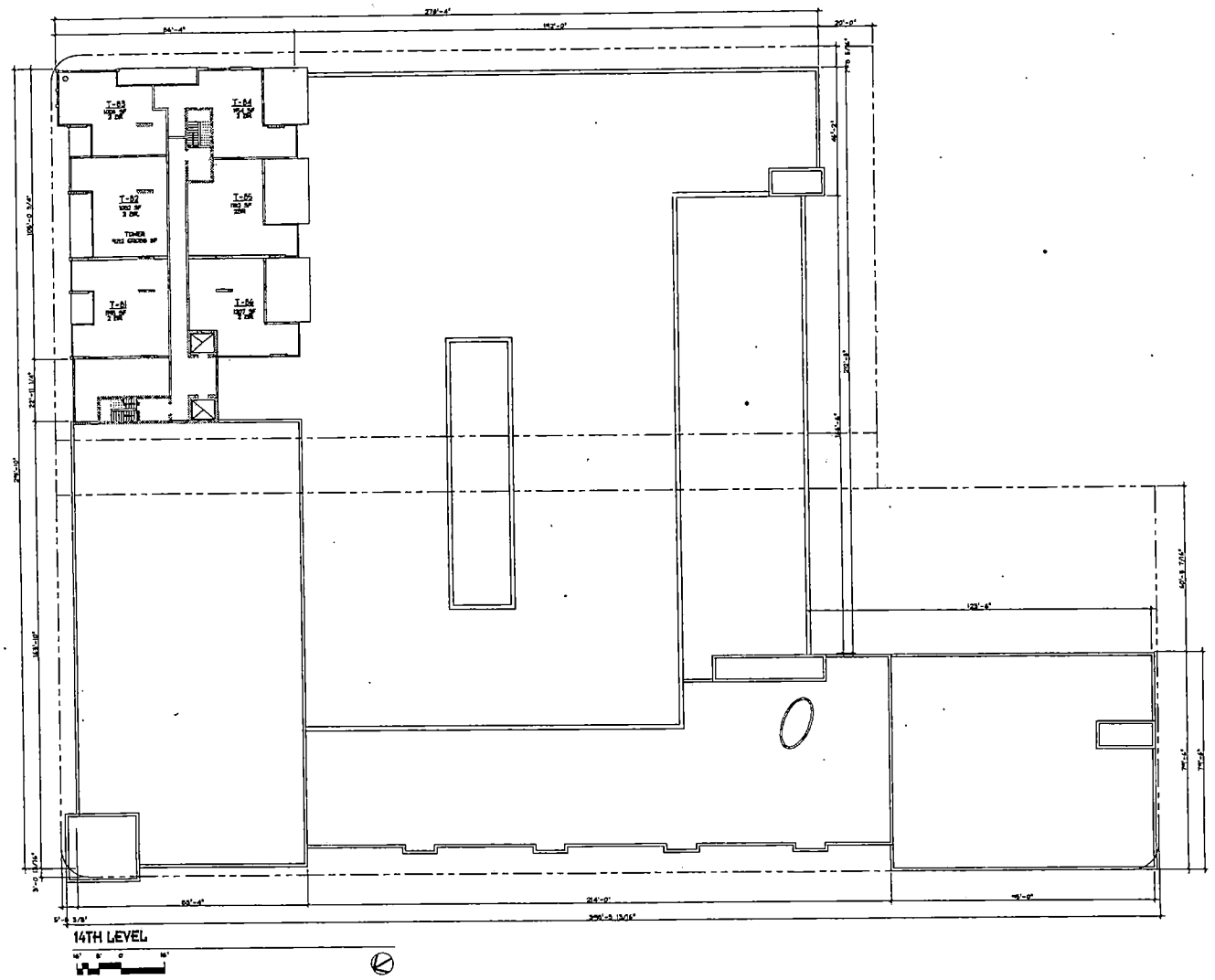
SDR-5692
01-13-05 PC



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SHEET TITLE:
14TH LEVEL

DATE: 11/24/2004
SCALE:
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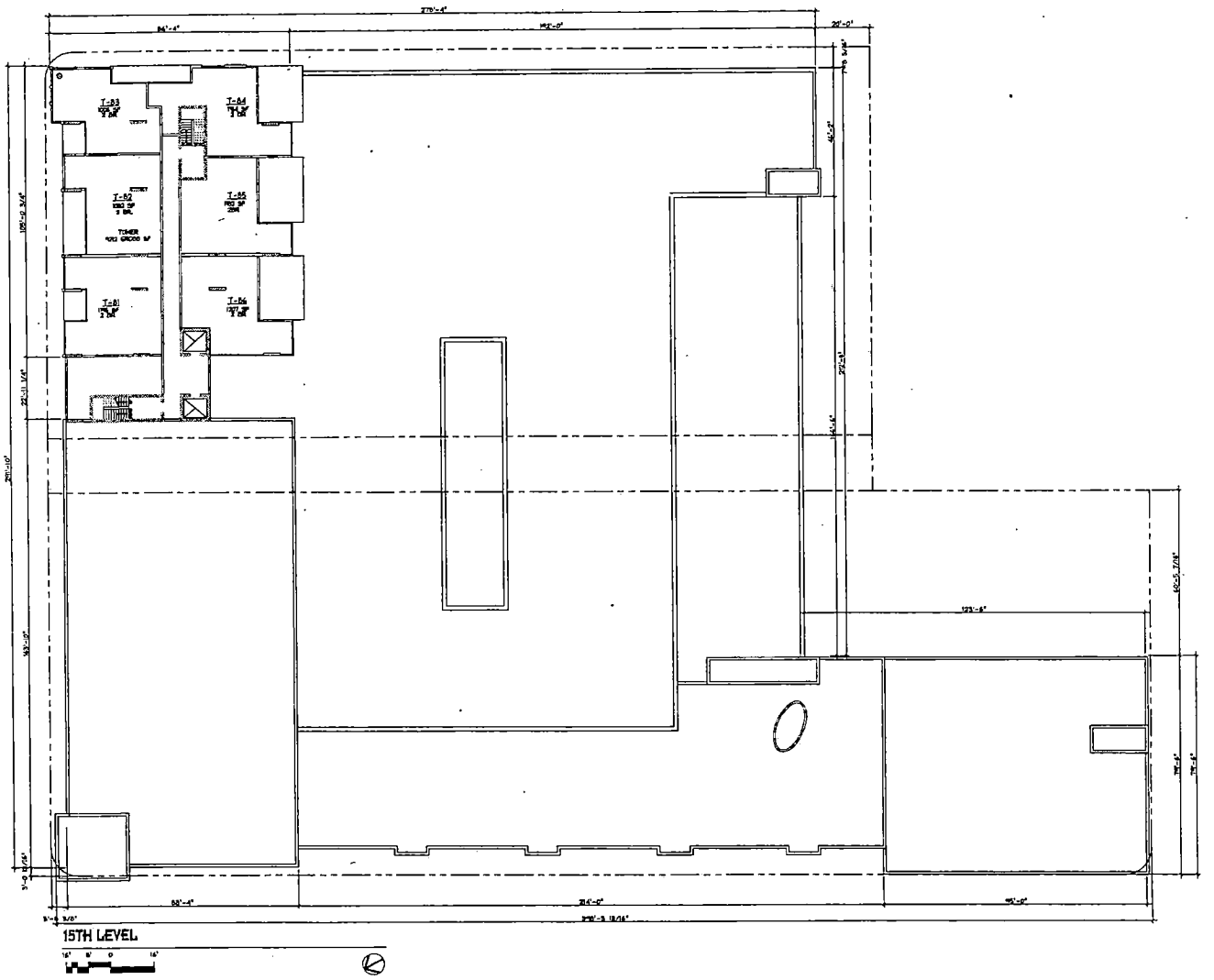
SHEET No. : A2.T14
SHEET OF

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



SUP-5686
SUP-5690
SDR-5692
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REVISIONS:

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SEAL:

SHEET TITLE:
15TH LEVEL

DATE: 11/24/2004
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SHEET No. : A2.T14
SHEET OF

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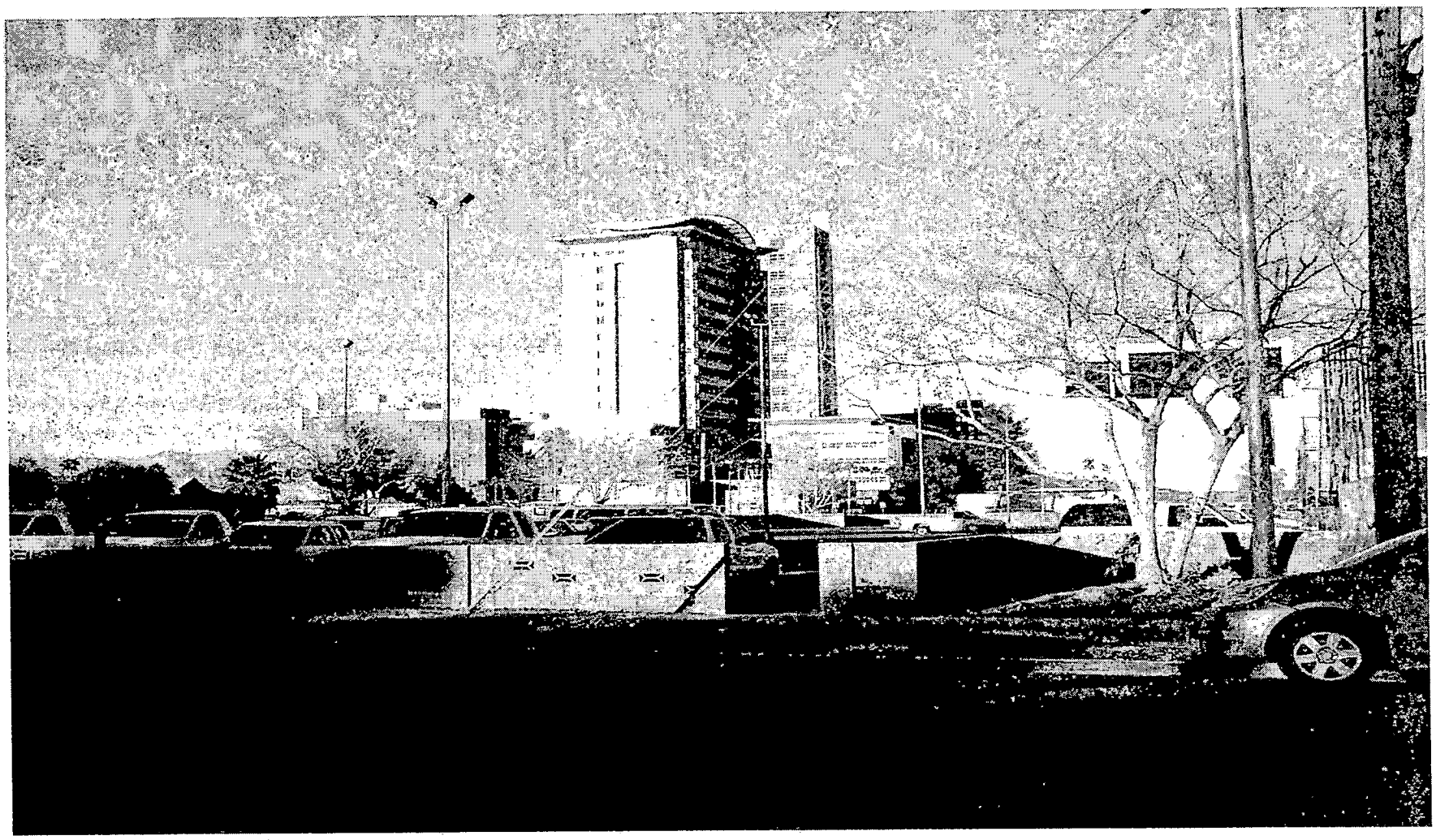

SUP-5686 - APPLICANT: CITYMARK DEVELOPMENT LLC - OWNER: OFFICE DISTRICT PARKING 1, INC.
NORTHEAST CORNER OF GARCES AVENUE AND THIRD STREET
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

MORAN & ASSOCIATES
AN ASSOCIATION OF PROFESSIONAL CORPORATIONS
ATTORNEYS AT LAW
630 SOUTH 4TH STREET
LAS VEGAS, NEVADA 89101

JOHN T. MORAN, JR.
JILL M. LYNNE
LEW BRANDON, JR.
JEFFERY A. BENDAVID
SHAWN R. HUGGINS
J. T. MORAN III
LADINE ORAVETZ

TELEPHONE (702) 384-8424
TELECOPIER (702) 384-6568
MORANLAWFIRM.COM

September 15, 2004

Rich Gustafson
President
CITYMARK
701 B Street, Suite 1100
San Diego, CA 92101

Alexander P. Beaton, Project Manager
CITYMARK
701 B Street, Suite 1100
San Diego, CA 92101

RE: CITYMARK PROJECT FOURTH STREET/BONNEVILLE

Gentlemen:

It was a pleasure having the opportunity to meet with you recently in my law offices and I sincerely appreciate you taking time to explain the merits of the project as proposed.

As I indicated to you, there are some areas of concern we have covered that can be put into the record at the City Council meeting in October. The same are as follows:

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Submitted at Planning Commission
Date 01-13-05 Item #70

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Very truly yours,

John T. Moran, Jr.

JTM/hgf

cc: Michael Buckley, Esq.

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AN ASSOCIATION OF PROFESSIONAL CORPORATIONS
ATTORNEYS AT LAW
630 SOUTH 4TH STREET
LAS VEGAS, NEVADA 89101

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J.T. MORAN III
LADINE ORAVETZ

TELEPHONE (702) 384-8424
TELECOPIER (702) 384-6568
MORANLAWFIRM.COM

September 15, 2004

Rich Gustafson
President
CITYMARK
701 B Street, Suite 1100
San Diego, CA 92101

Alexander P. Beaton, Project Manager
CITYMARK
701 B Street, Suite 1100
San Diego, CA 92101

RE: CITYMARK PROJECT FOURTH STREET/BONNEVILLE

Gentlemen:

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As I indicated to you, there are some areas of concern we have covered that can be put into the record at the City Council meeting in October. The same are as follows:

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January 4, 2005

Mr. Richard Truesdell
CHAIRMAN
City of Las Vegas Planning Commission
3810 Meadows Lane
Las Vegas, NV 89107

RE: CITYMARK PROJECT FOURTH STREET/BONNEVILLE
PLANNING COMMISSION HEARING JANUARY 13, 2005
6:00 P.M. CITY HALL
SDR-5692 SDR-5686

Dear Chairman and Fellow Planning Commission Members:

By this correspondence I wish to bring to your attention that my wife, Marilyn Moran, and myself are the owners of that certain professional office building located at the northwest corner of Garces and Fourth Street adjacent to the CityMark project. As adjacent property owners, we are concerned about the height, density and location of construction being proposed by CityMark. I enclose for your review and consideration my September 15, 2004 correspondence to CityMark's president and project manager outlining some, but not all of our concerns.

We would ask that if the Commission approves the project proposed by CityMark, that the Commission make the following conditions upon approval of same:

1. Submittal and approval of traffic impact statement.
2. No phasing of project.
3. Fire Department consent to emergency access.
4. CityMark is responsible for any and all on and off site improvements.
5. CityMark is responsible for relocation of public utilities.

As a City of Las Vegas resident, as well as a business and property owner, going back to 1947, I would appreciate your consideration of our concerns relative to the CityMark project and would appreciate you insuring that we, as longstanding City of Las Vegas residents, have the benefit of your support in insuring that we are not adversely impacted by this project.

Both my wife and myself will be present at the January 13, 2005 meeting and appreciate your help in protecting our business and property interests accordingly. I remain,

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Enclosure

cc: Todd Nigro *w/enclosure*
Laura McSwain *w/enclosure*
Byron Goynes *w/enclosure*
Steven Evans *w/enclosure*
Leo Davenport, Jr. *w/enclosure*
David Steinman *w/enclosure*
Bob Genzer, Planning Director *w/enclosure*
Margo Wheeler, Deputy Planning Director *w/enclosure*
Gary M. Leobold, Planning Supervisor *w/enclosure*

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BRIAN J. MATTER
EXECUTIVE DIRECTOR

January 13, 2005

Hand Delivered

John T. Moran, Jr.
630 South 4th Street
Las Vegas, Nevada 89101

Re: CityMark Project on Fourth Street and Bonneville

Mr. Moran:

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Submitted at Planning Commission
Date 01-13-05 Item # 70

RENO OFFICE
100 WEST LIBERTY STREET, TWELFTH FLOOR, RENO, NEVADA 89504 TEL (775) 786-5000 FAX (775) 786-1177

With respect to your January 4, 2005 letter to the City of Las Vegas Planning Commission, CityMark agrees to:

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Edward M. Garcia

EMG/ls

cc: City of Las Vegas Planning Commission

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City of Las Vegas

Agenda Item No.: 71

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:
SUP-5690 - SPECIAL USE PERMIT RELATED TO SUP-5686 - PUBLIC HEARING - APPLICANT: CITYMARK DEVELOPMENT LLC - OWNER: OFFICE DISTRICT PARKING 1, INC. - Request for a Special Use Permit TO ALLOW LIVE/WORK UNITS WITHIN A PROPOSED BUILDING adjacent to the northeast corner of Garces Avenue and Third Street (APN 139-34-311-095 to -102 & -105 to -110), C-2 (General Commercial) Zone, Ward 1 (Moncrief).

C.C.: 02/16/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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:
EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:
See Item 70 [SUP-5686] for related discussion on Item 70 [SUP-5686], Item 71 [SUP-5690] and Item 72 [SDR-5692].

(11:08 – 11:37)
4-776

CONDITIONS:
Planning and Development
1. Conformance to all minimum requirements listed in Title 19.06.130 for the Live/Work Overlay District.

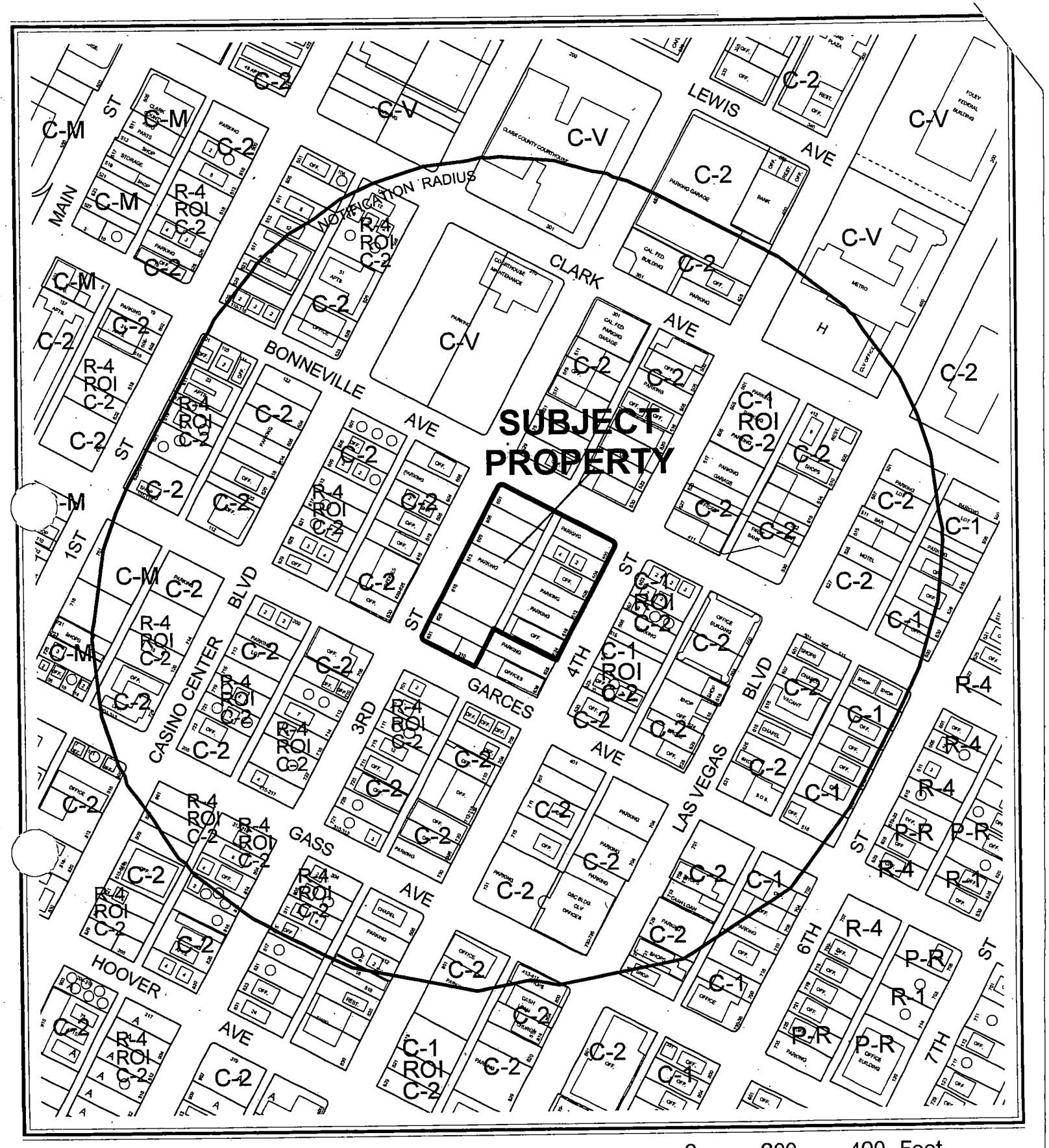
PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 71 – SUP-5690

CONDITIONS – Continued:

2. Approval of a conformance to the Conditions of Approval for Site Development Plan Review (SDR-5692).

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

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



0 200 400 Feet

CASE: **SUP-5690**

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: SUP-5690 - APPLICANT: CITYMARK DEVELOPMENT LLC - OWNER: OFFICE DISTRICT PARKING 1, INC.

** CONDITIONS **

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

Planning and Development

1. Conformance to all minimum requirements listed in Title 19.06.130 for the Live/Work Overlay District.

2. Approval of a conformance to the Conditions of Approval for Site Development Plan Review (SDR-5692).

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

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for approval of a Special Use Permit to allow Live/Work units within a proposed building adjacent to the northeast corner of Garces Avenue and Third Street. A related Special Use Permit (SUP-5686) and a Site Development Plan Review (SDR-5692) will be considered concurrently.

B) Applicant's Justification

The applicant notes that this distinctive new development will be an asset to the area, and that the proposed low-intensity commercial uses and live/work units will be appropriate to the neighborhood.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64 The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcels, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).

10/22/75 The City Council approved a request for Plot Plan Review [Z-0100-64(7)] to allow the development of a surface parking lot on a portion of the development site. The Planning Commission recommended approval of the request on 09/23/75.

06/04/03 The City Council voted to strike a Site Development Plan Review (SDR-1586) application that would have allowed the construction of a seven-story parking structure with ground-floor retail space on a portion of the development site. The Planning Commission recommended approval of the request on 02/13/03.

01/13/05 The Planning Commission will consider companion applications for a Special Use Permit (SUP-5686) to allow the mixed-use development and a Site Development Plan Review (SDR-5692) to allow the development of the site.

FF

B) Pre-Application Meeting

10/26/04 At the pre-application conference, it was noted that a Waiver would be required to locate residential units on the ground floor, and that a traffic impact study should be submitted prior to review by the Planning Commission. In addition, the Centennial Plan streetscape and building placement requirements were discussed with the applicant.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.38

B) Existing Land Use

Subject Property:	Office Use Parking Lot Use
North:	Office Use
South:	Office Use Multifamily Residential Use
East:	Office Use Multifamily Residential Use Parking Lot Use
West:	Office Use Multifamily Residential Use

C) Planned Land Use

Subject Property:	C (Commercial)
North:	C (Commercial)
South:	C (Commercial)
East:	C (Commercial)
West:	C (Commercial)

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial)
South:	C-2 (General Commercial); R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
East:	C-1 (Limited Commercial) under Resolution of Intent to C-2 (General Commercial); C-2 (General Commercial)
West:	C-2 (General Commercial)

FF

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a C (Commercial) land use designation. The Commercial designation permits office uses, limited commercial uses, and general commercial uses. The proposed mixed-use development is consistent with the land use designation.

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

Redevelopment Plan Area

As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Commercial (C) land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Office Core District. The district is intended for professional and government offices, and supporting pedestrian-oriented uses. The proposed development is generally consistent with the Downtown Centennial Plan.

Trails

While the development is not adjacent to any Transportation or Recreation Trail route identified in the General Plan, the Centennial Plan identifies an urban trail along Third Street. The urban trail is intended to be developed with grant funds or as a capital improvement project, and individual property owners are not required to install the trail elements at this time.

Airport Overlay District

This site is subject to the North Las Vegas Airport Overlay District. Structures may be built up to 200 feet in height; any structures over this height limit must be reviewed by the Federal Aviation Administration (FAA).

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of standard parking requirements. The following table details the parking figures for the development:

Uses	GFA	**Provided** Parking	
		Regular	Handicap
Multifamily Residential Units	329 Units		
Live/Work Units	13 Units		
Commercial	8,600 SF		
Total:		553	12

A total of ten parking spaces will be provided at grade for the retail uses, in addition to the on-street parking that surrounds the site. A total of 543 spaces will be available for the residential uses, with 280 of those spaces configured in a tandem parking space arrangement. While Title 19.10 allows no more than 30% of the required parking spaces to be in a tandem configuration, this standard is not automatically applied to properties within the Downtown Centennial Plan area.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed live/work units.

Pursuant to Title 19.06.130, the following Standards apply to the subject proposal:

Standards	**Required**	**Requested**	**Compliance**
Zoning	C-1, C-2, C-M, M	C-2	Y
Nonresidential Uses	Office Desktop publishing Arts activities	Office Arts Activities	Y
Residential Uses	Limited to 50% of unit area	50% of unit area	Y
Minimum Residential Facilities	Sleeping space Cooking facilities Sanitary facilities	Bedroom(s) Kitchen Bathroom(s)	Y

The development will comply with the minimum standards of the Live/Work Overlay District.

B) General Analysis and Discussion

- Zoning

The majority of the site is zoned C-2 (General Commercial); the remainder of the site is zoned R-4 (High Density Residential) under a Resolution of Intent to C-2 (General Commercial). The proposed structure will generally conform to the applicable setbacks and lot coverage requirements specified by the Downtown Centennial Plan; height limits and parking requirements are not automatically applied.

- Use

Live/Work units are permitted within the boundaries of the Live/Work Overlay District upon approval of a Special Use Permit. The development will include a total of 13 live/work units, in addition to 329 conventional condominium units.

- Conditions

The design of the structure will comply with the minimum Live/Work Overlay District requirements listed in Title 19.06, and no additional conditions of approval are necessary.

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 design of the structure places the commercial component of the live/work units on the ground floor, fronting a commercial street, with the habitable portion above on the second story. This provides adequate separation between the commercial and residential uses, and is compatible with surrounding uses. The live/work units contribute to the broad diversity of uses and housing types in the downtown area specified in the General Plan and the Downtown Centennial Plan.

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

The site occupies the majority of the block, and is physically suitable to accommodate the intensity of the proposed development. The site has frontage on four streets, which provides excellent access to the site and the commercial components contained thereon.

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

   The principal vehicular access point will be located on Garces Avenue, which has sufficient capacity to accommodate the proposed development and will not impact the flow of traffic on other streets. Patrons of the live/work spaces will most likely use the on-street parking that will be available on the streets surrounding the site.

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

   Approval of the Special Use Permit is consistent with the General Plan, and will not compromise public health, safety, or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 25

NOTICES MAILED 134 – Mailed with SUP-5686 and SDR-5692

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDP-5690 APN: 139-34-311-095 to -102 & -105 to -110

Name of Property Owner: Office District Parking I, Inc.

Name of Applicant: CityMark Development 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: Douglas A. Selby

Print Name: Douglas A. Selby

Subscribed and sworn before me

This 3 day of Dec., 20 04

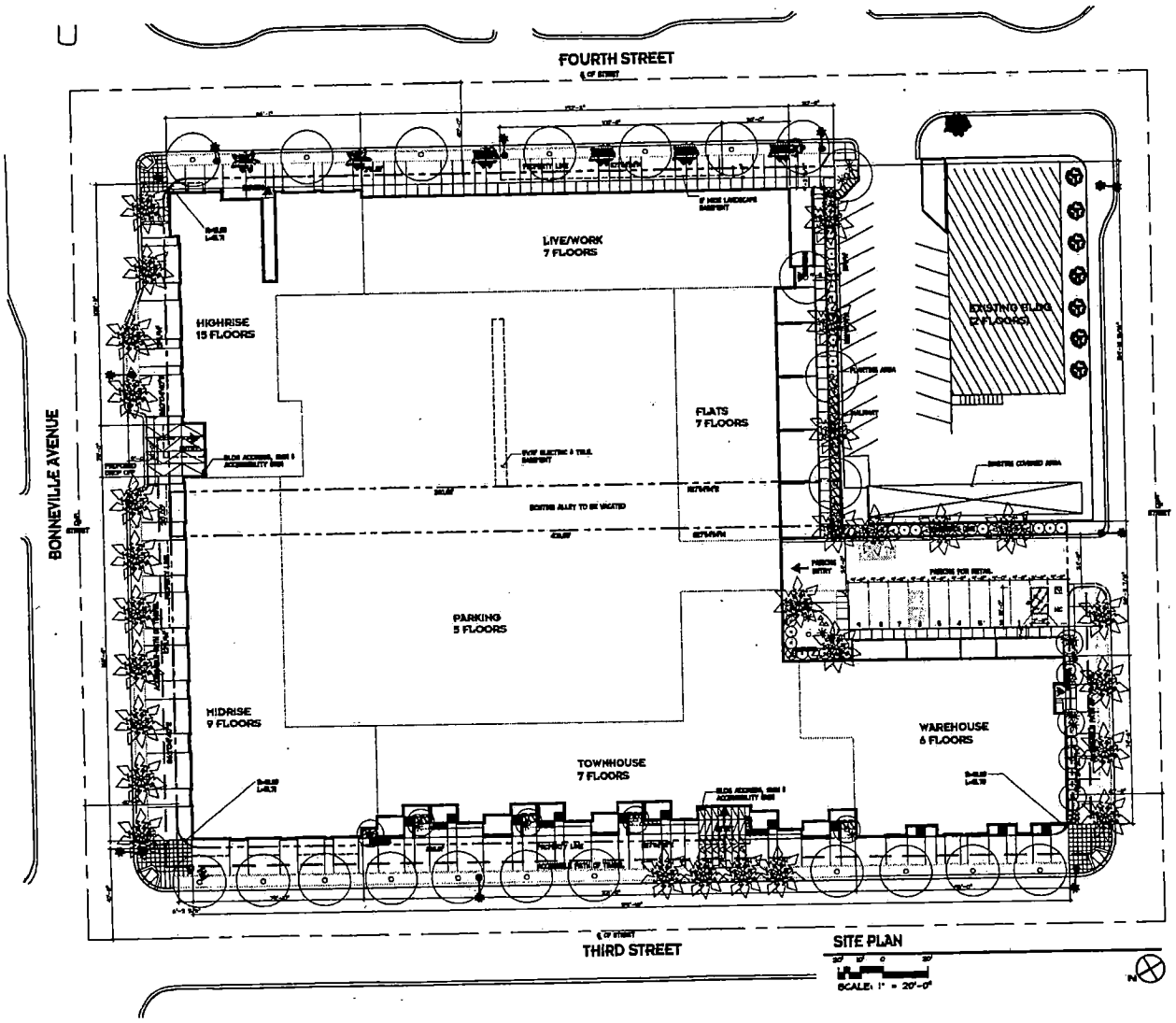
Cecelia C. Green

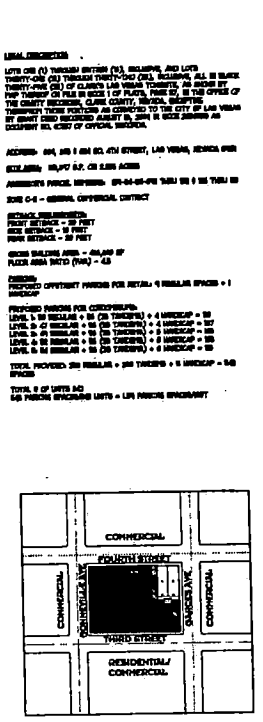
Notary Public in and for said County and State

Notary Public-State of Nevada
COUNTY OF CLARK
CECELIA C. GREEN
My Appointment Expires
March 7, 2008
96-693-1

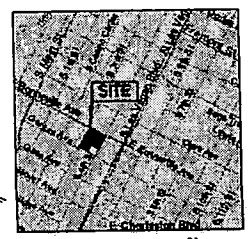
Revised 2/12/02

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





ADJACENT LAND USE



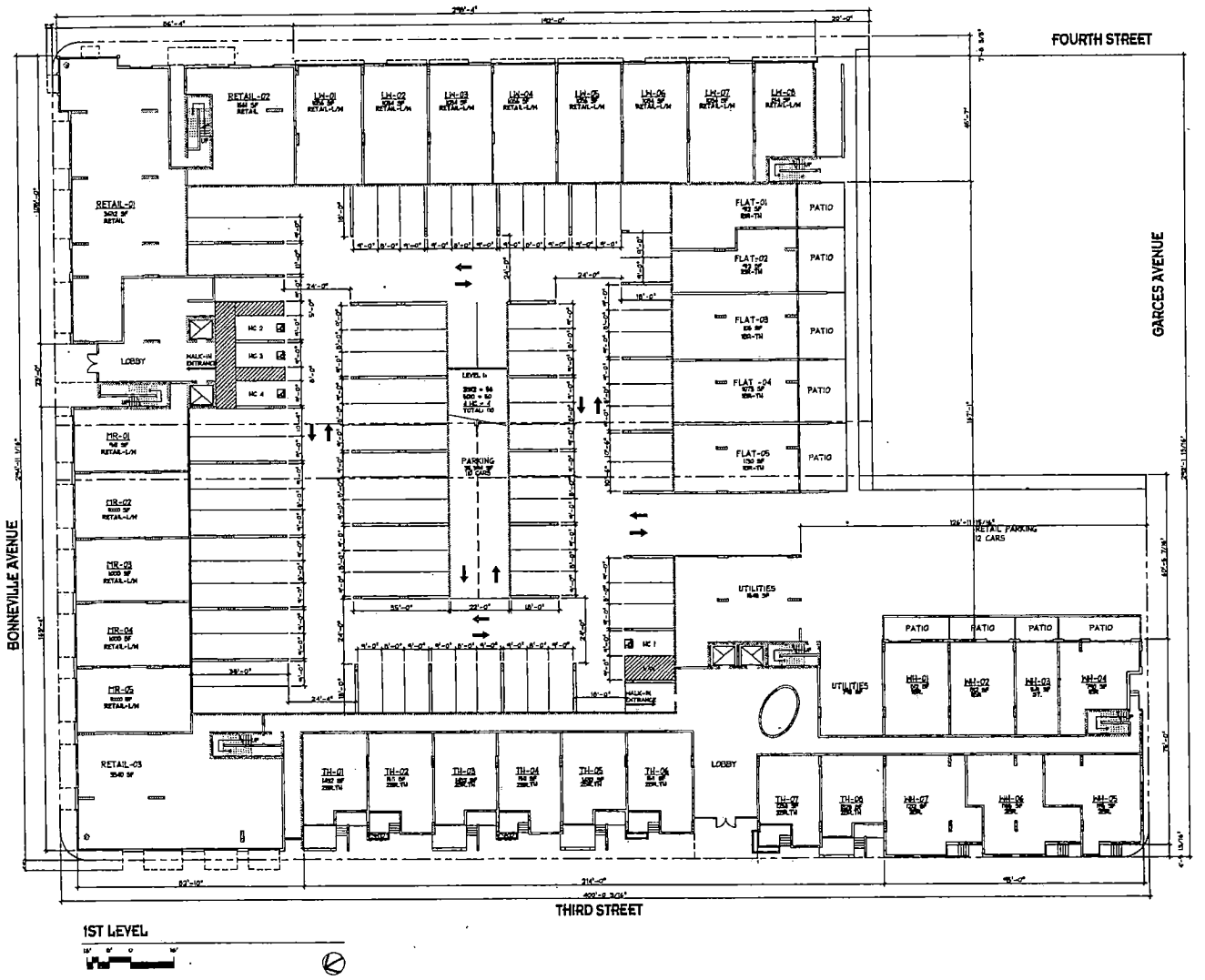
VICINITY MAP

FOR REFERENCE ONLY

SITE PLAN

A1.T01

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



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REVISIONS:

CITYMARK
LAS VEGAS
3rd & Bonneville Lofts

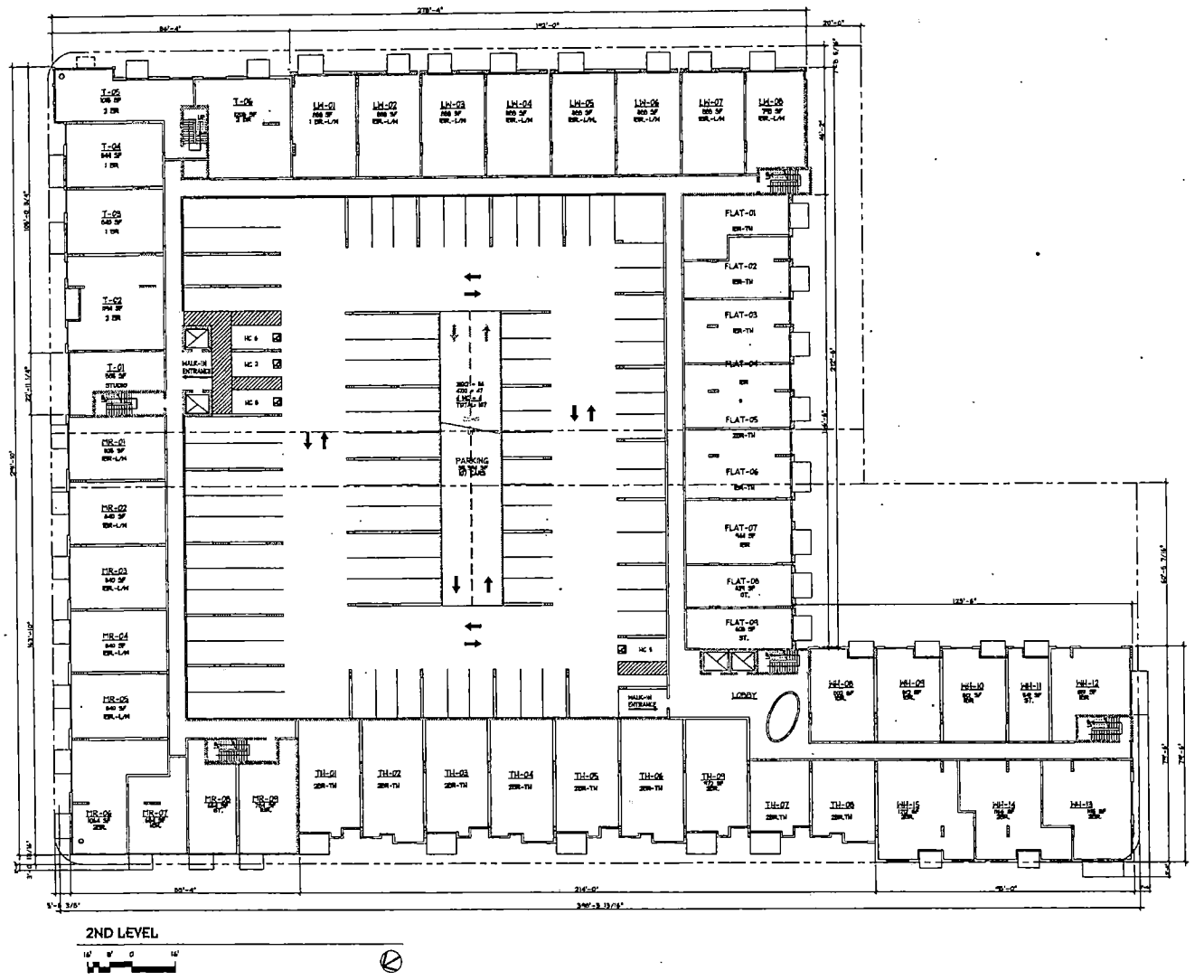
SEAL:

SHEET TITLE:
1st LEVEL

DATE: 11/24/2004
SCALE:
DRAWN BY:
JOB No.: 0408
SHEET No.: A2.T01
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



2ND LEVEL

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC

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SEAL:

SHEET TITLE:
2ND LEVEL

DATE: 11/24/2004
SCALE:
DRAWN BY:
JOB No. : 3408
SHEET No. : A2.T02
SHEET OF

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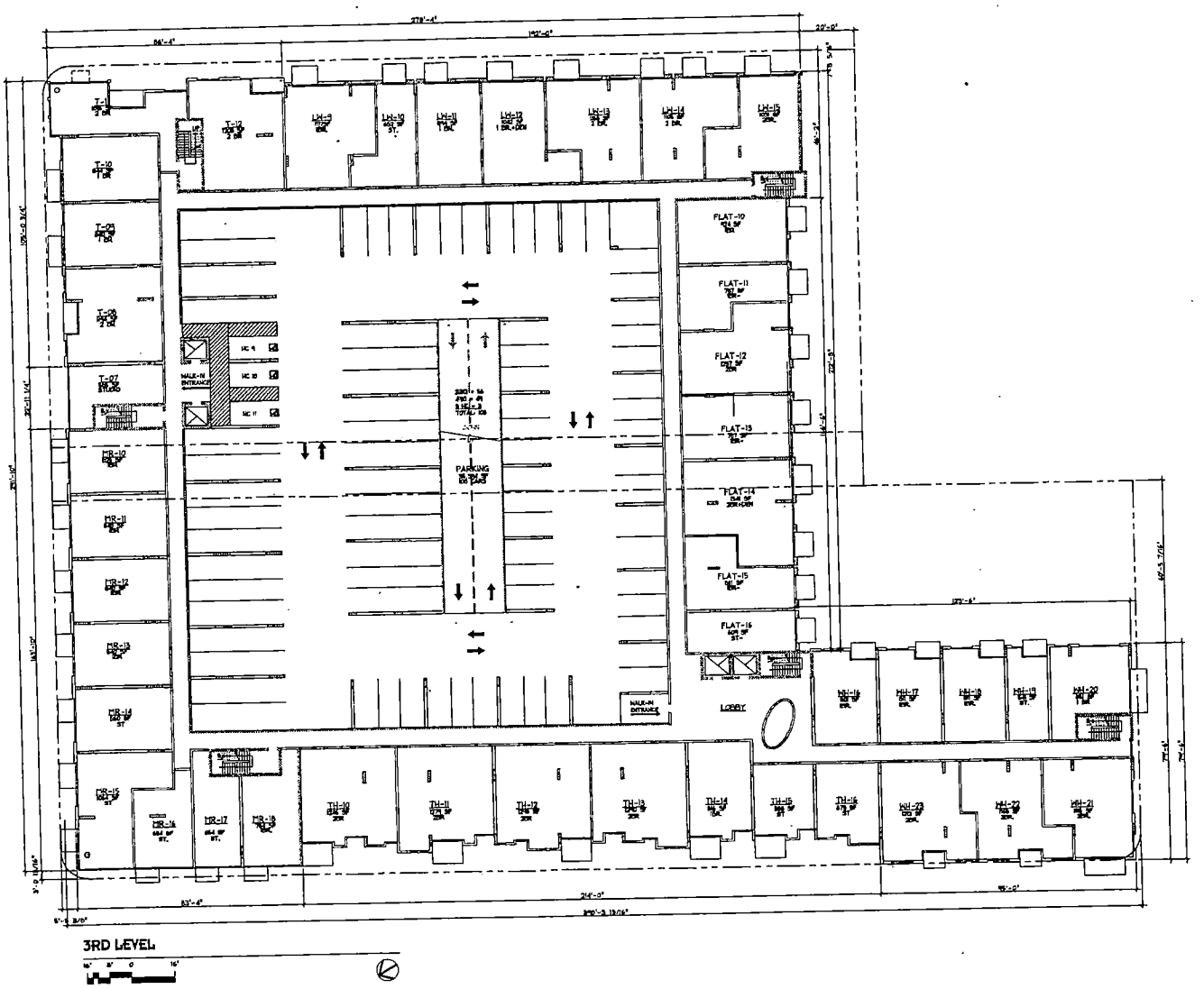

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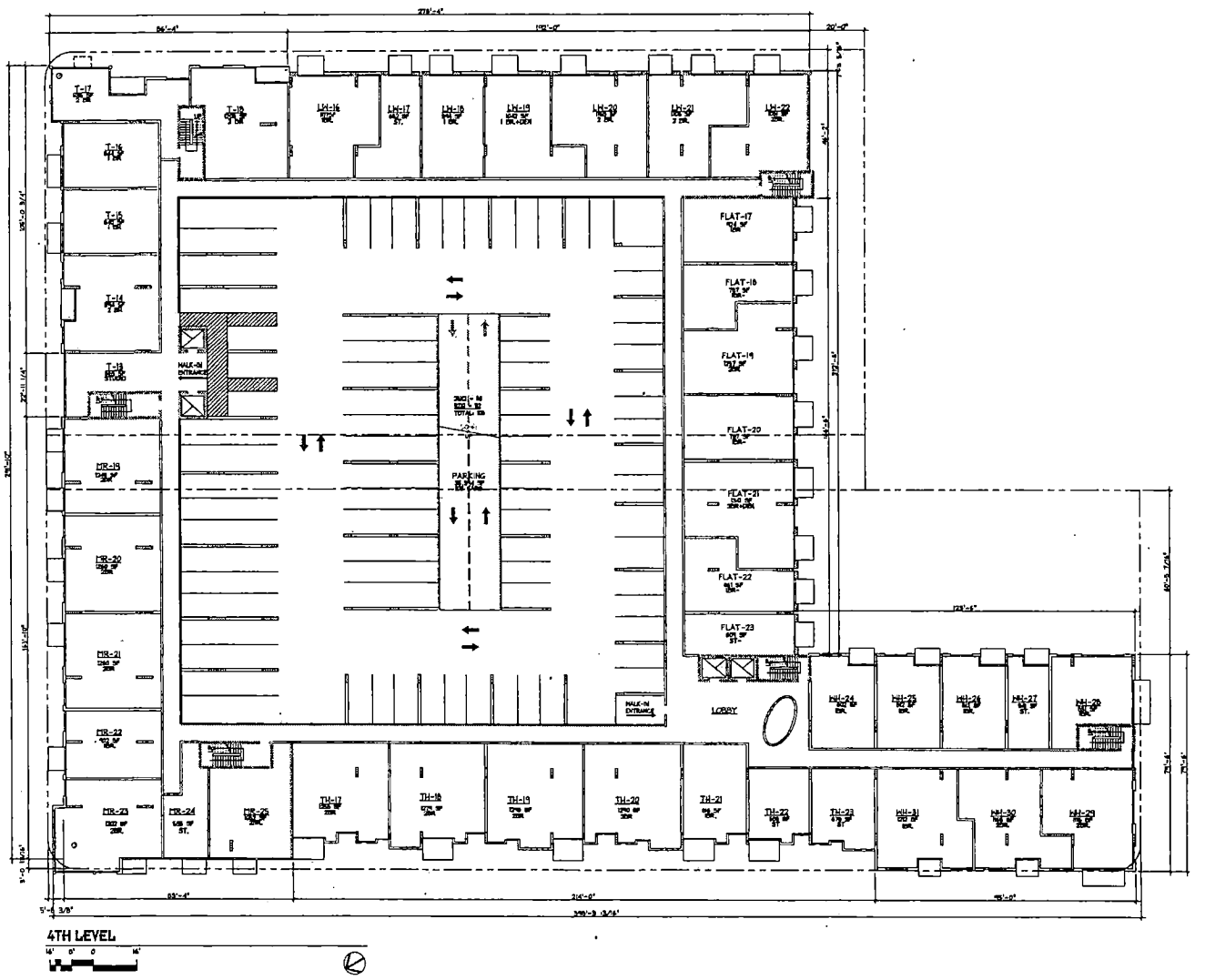
SEAL:

SHEET TITLE:
3RD LEVEL

DATE: 11/24/2004
SCALE:
DRAWN BY:
JOB No. : 8408
SHEET No. : A2.T03
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



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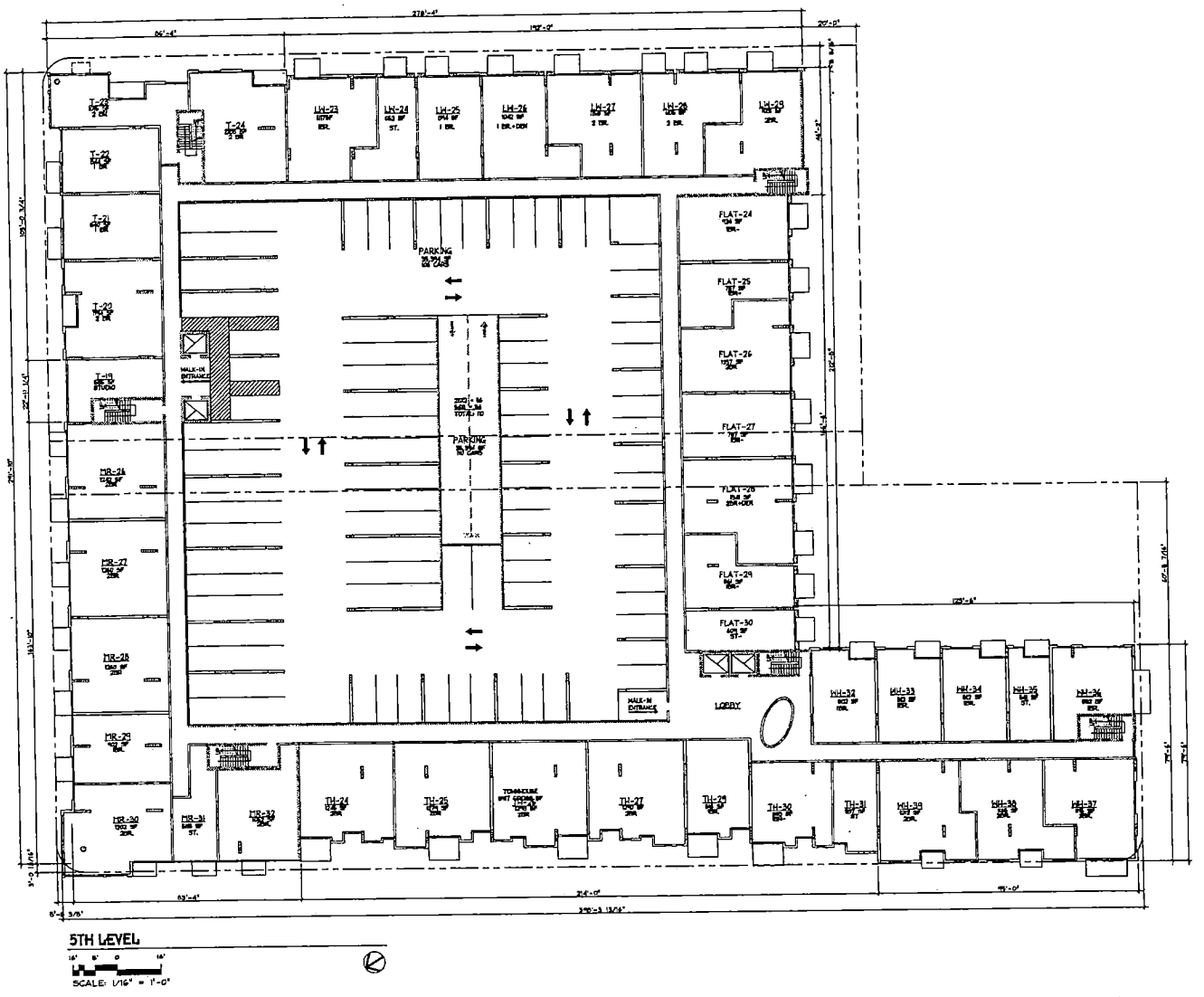
SEAL:

SHEET TITLE:
4TH LEVEL

DATE: 11/24/2004
SCALE:
DRAWN BY:
JOB No. : 2408
SHEET No. : A2.T04
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



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SCALE:

SHEET TITLE:
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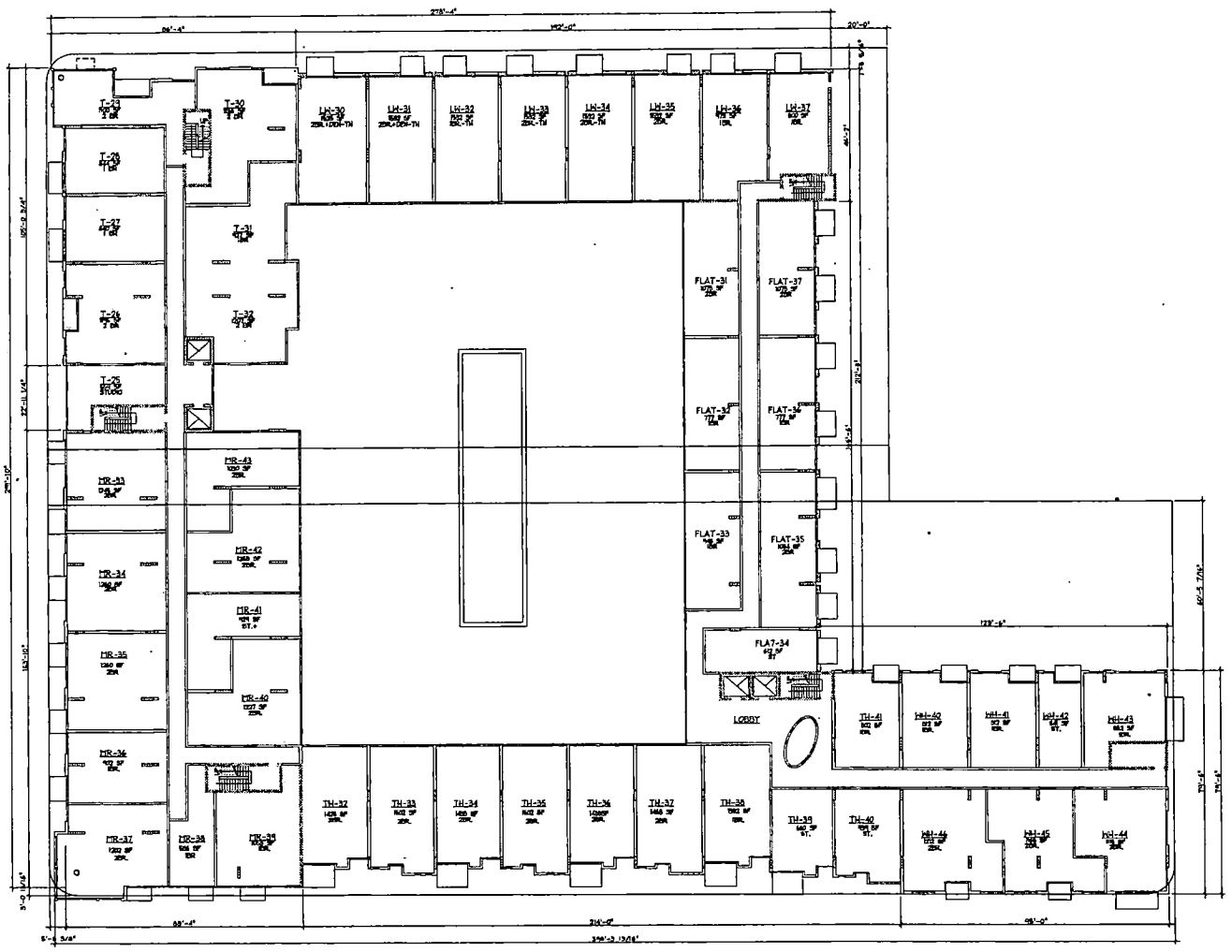
DATE: 11/24/2004
SCALE: 1/16" = 1'-0"
DRAWN BY:
JOB No.: 3406
SHEET No.: A2.T05
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



6TH LEVEL

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

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6TH LEVEL

DATE: 11/24/2004

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

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JOB No. : 2408

SHEET No. : A2.T06

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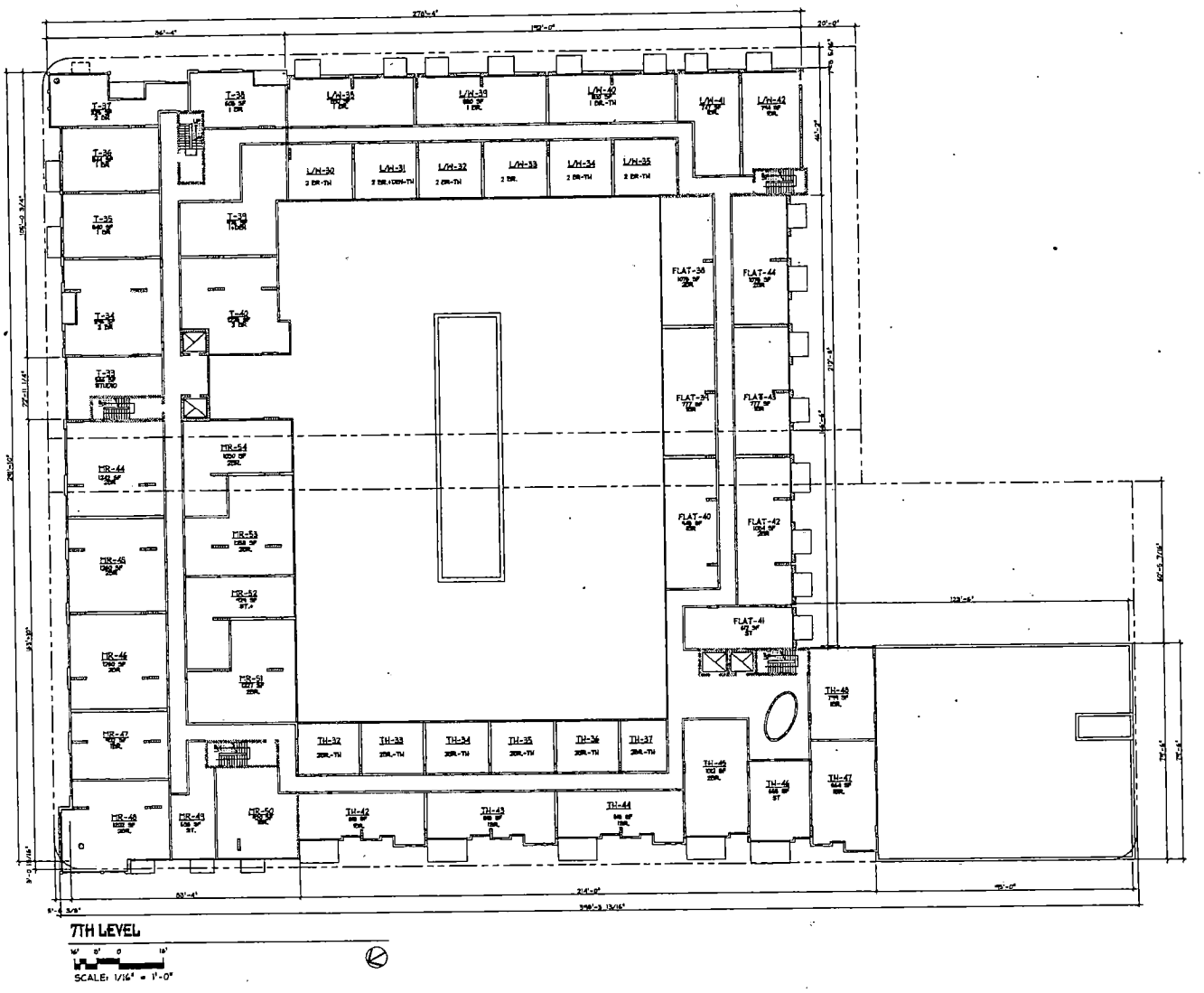
SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



SUP-5686
SUP-5690
SDR-5692
01-13-05 PC

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SEAL:

SHEET TITLE:
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DATE: 11/24/2004
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A2.T07
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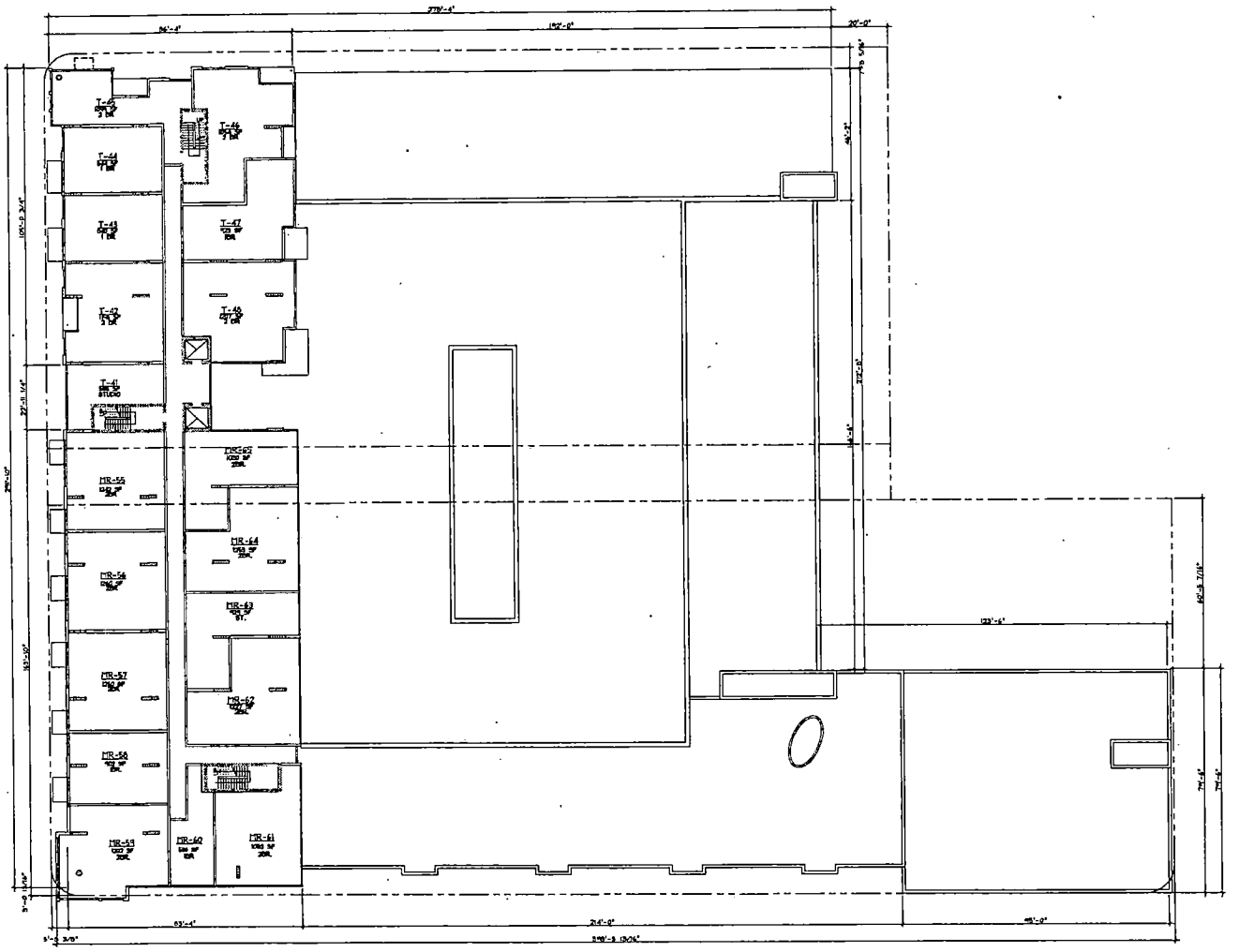

8TH LEVEL

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

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC

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SEAL:

SHEET TITLE:
8TH LEVEL

DATE: 11/24/2004
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SHEET No. : A2.T08
SHEET OF

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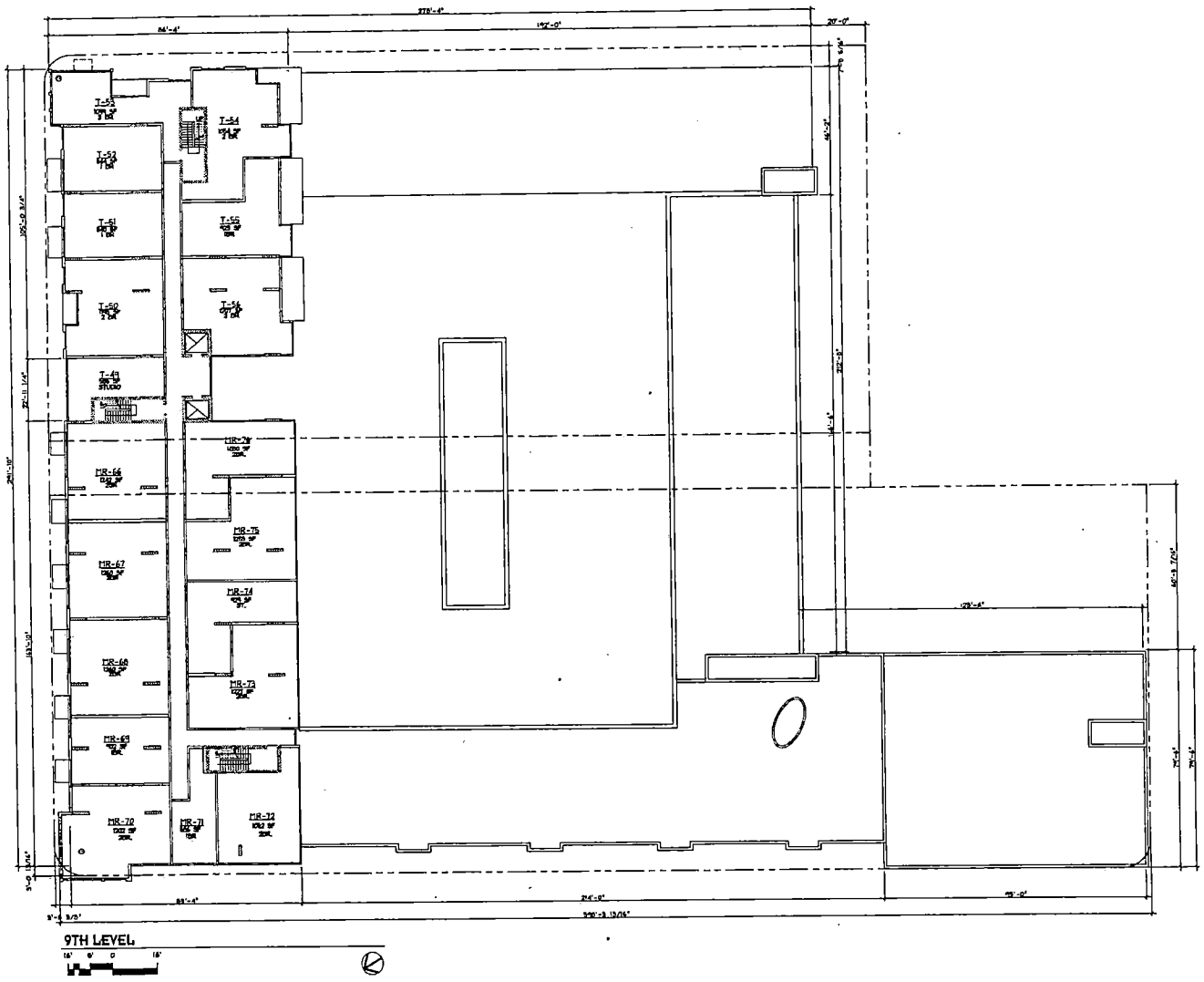

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC

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SEAL:

SHEET TITLE:
9TH LEVEL

DATE: 11/24/2004
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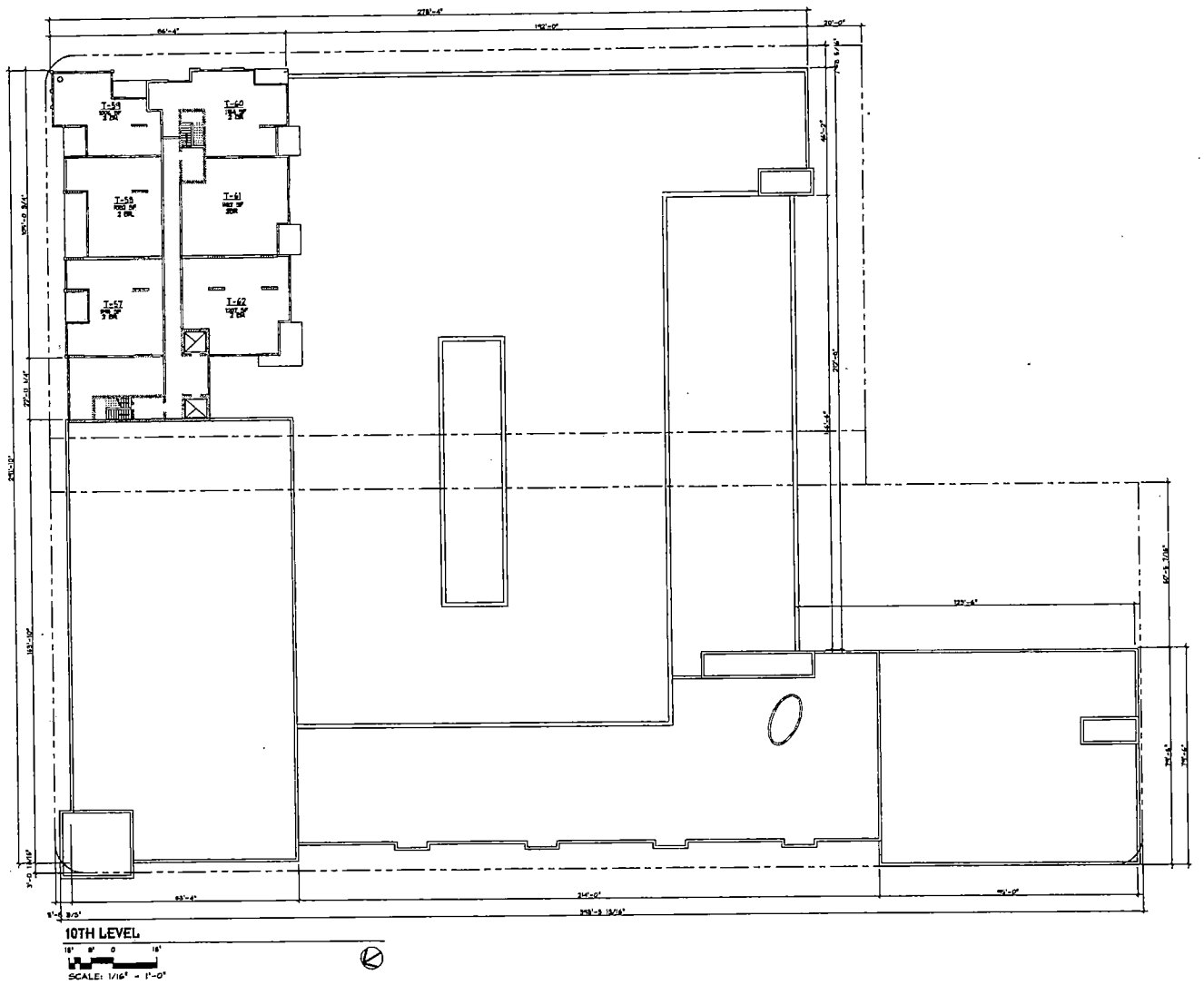

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SEAL:

SHEET TITLE:
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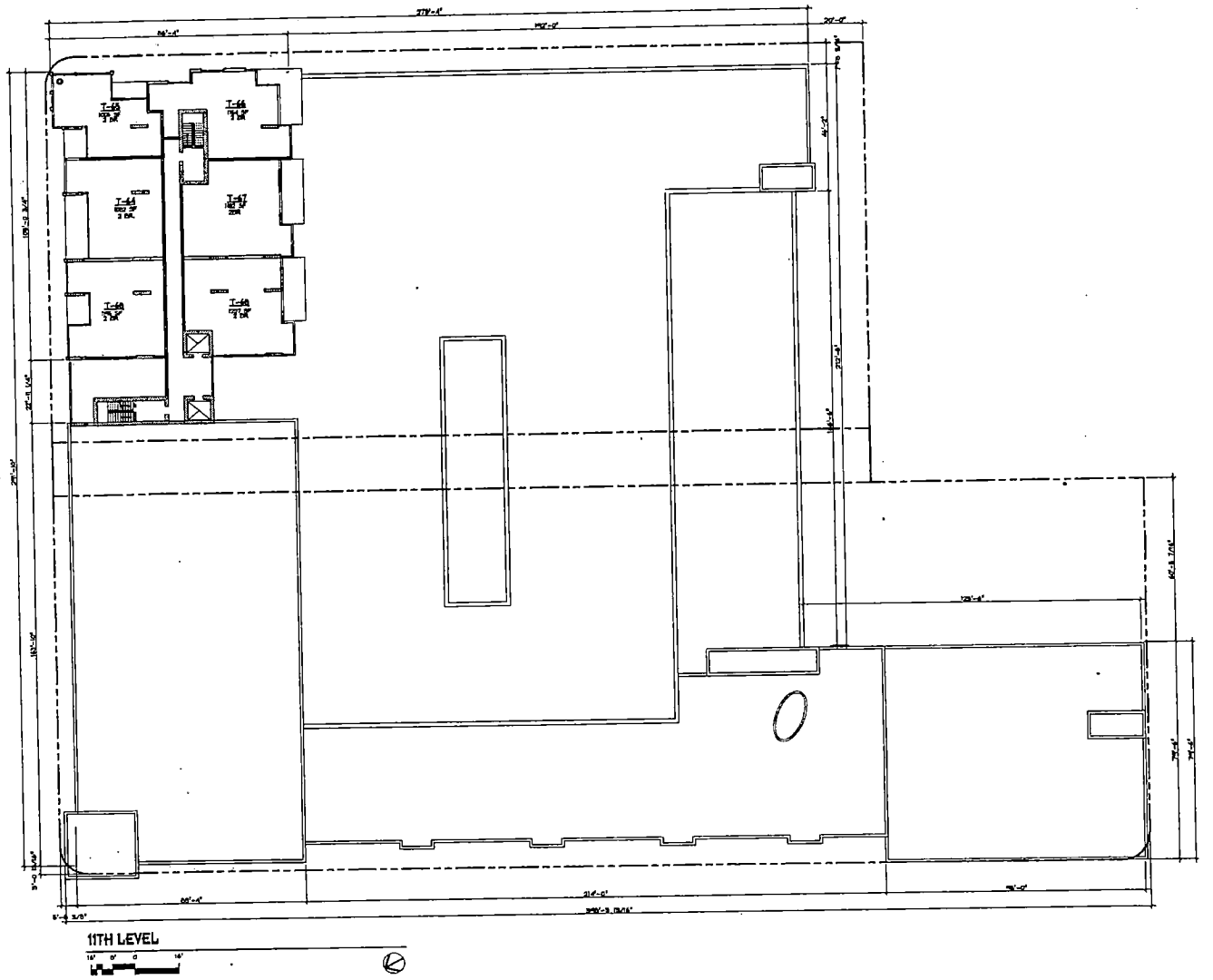
DATE: 11/24/2004
SCALE: 1/16" = 1'-0"
DRAWN BY:
JOB No.: 3408
SHEET No.: A2.T10
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



SUP-5686
SUP-5690
SDR-5692
01-13-05 PC

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SEAL:

SHEET TITLE:
11TH LEVEL

DATE: 11/24/2004
SCALE:
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JOB No.: 2408
SHEET No.: A2.T11
SHEET OF

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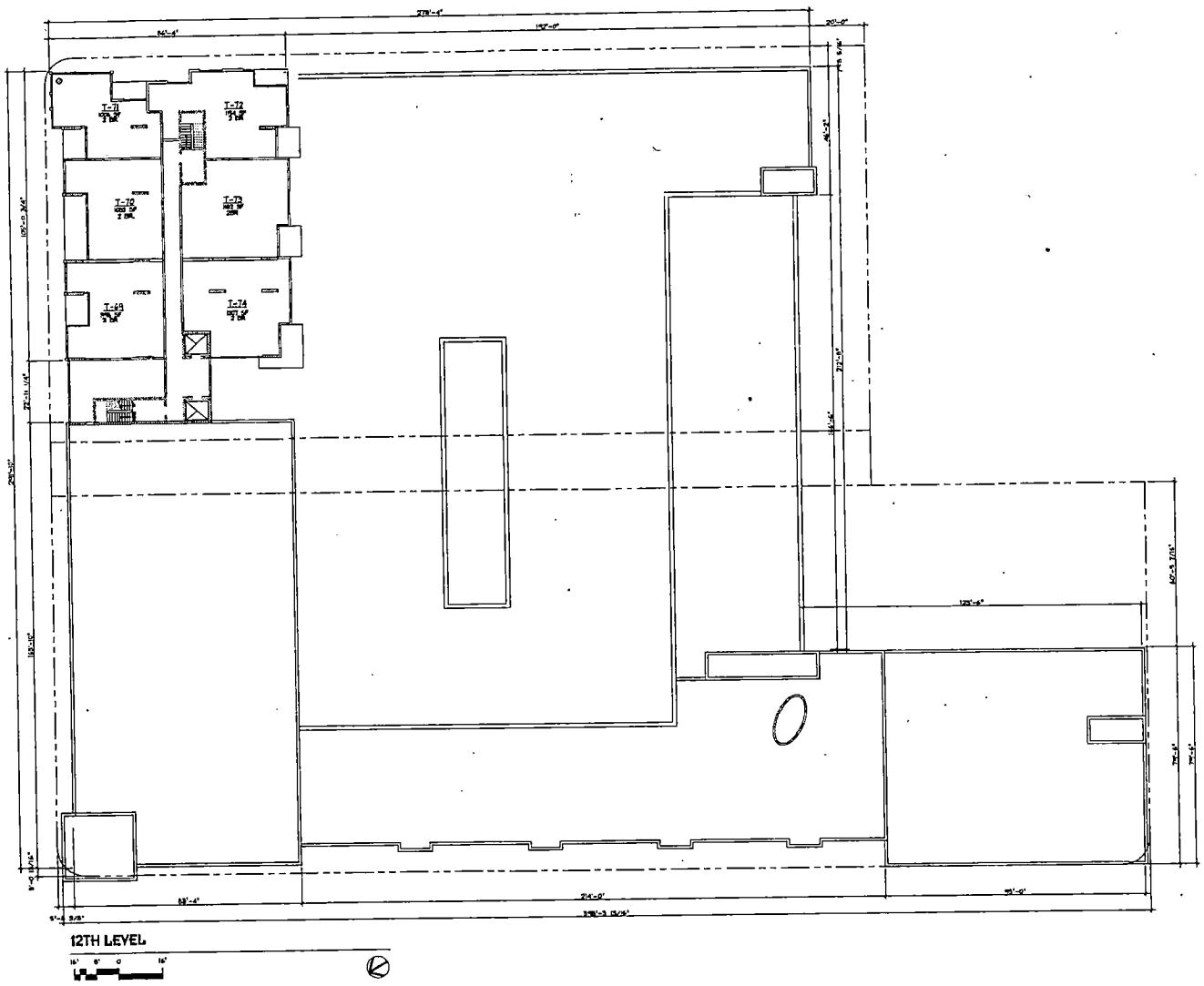

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC

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SEAL:

SHEET TITLE:
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DATE: 11/24/2004
SCALE:
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JOB No. : 3408
SHEET No. : A2.T12
SHEET OF

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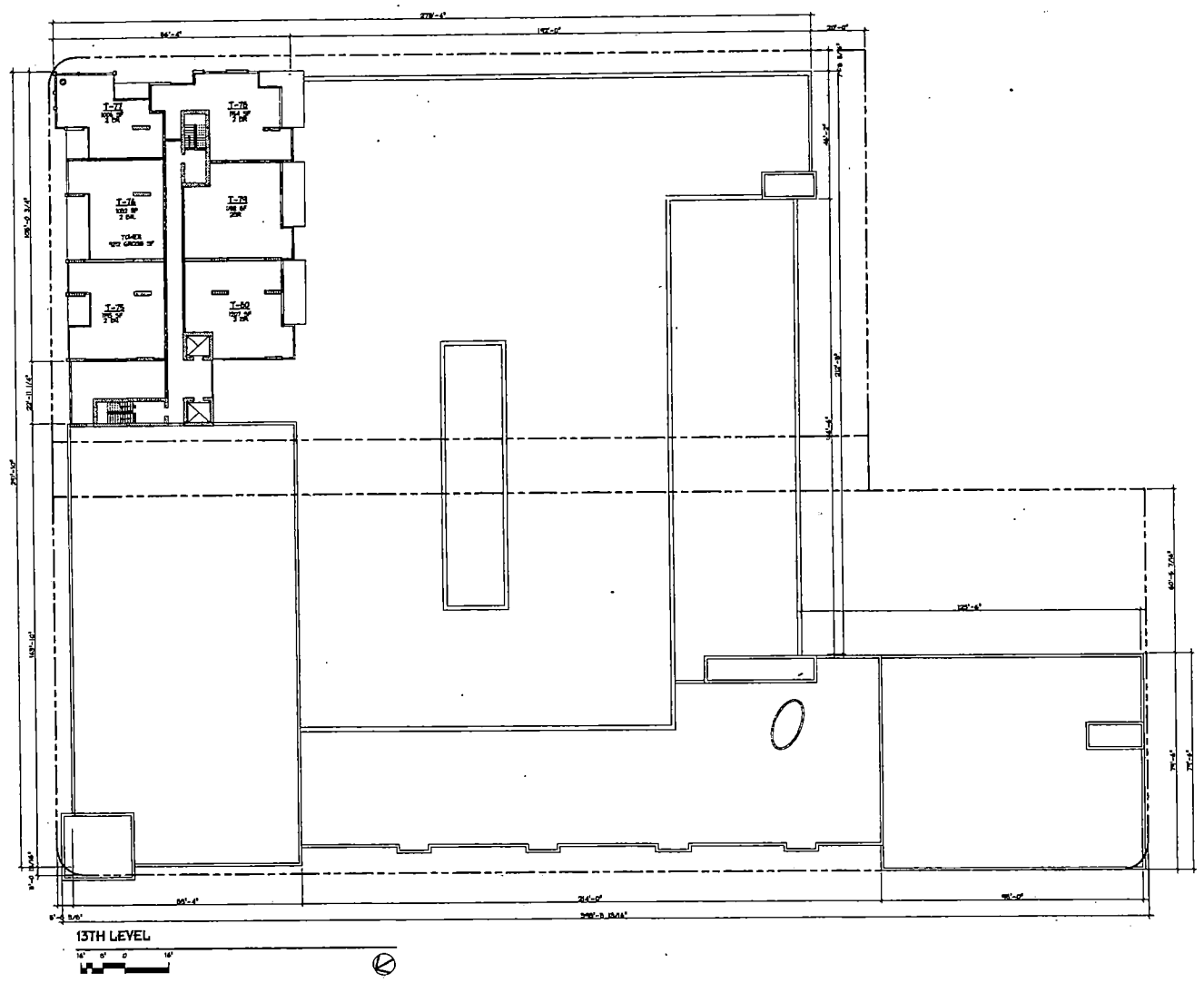

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SEAL:

SHEET TITLE:
13TH LEVEL

DATE: 11/24/2004
SCALE:
DRAWN BY:
JOB No.: 2408
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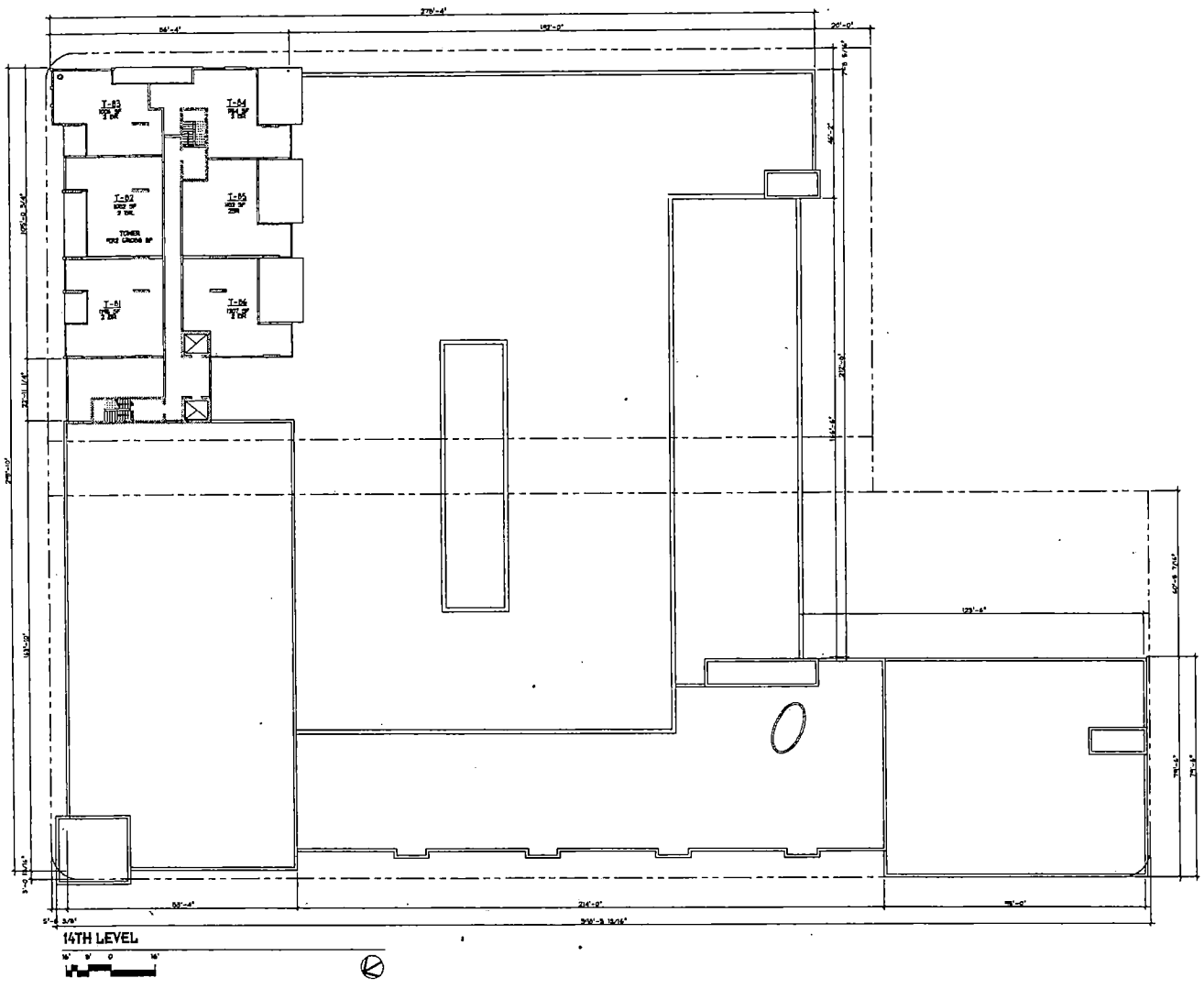
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



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14TH LEVEL

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SCALE:
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JOB No. : 2406
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SHEET OF

FOR REFERENCE ONLY

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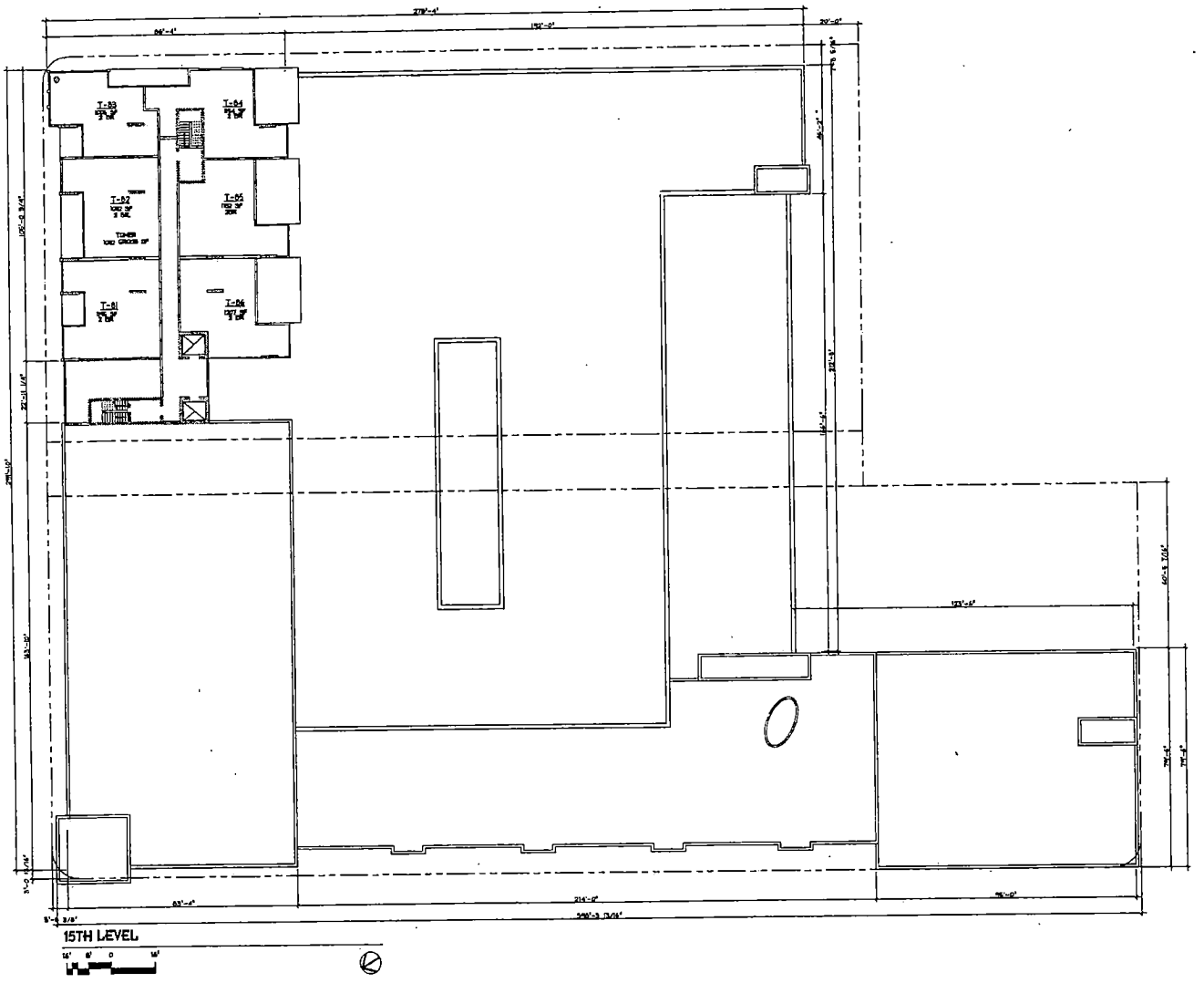
SUP-5690
SDR-5692
01-13-05 PC



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SEAL:

SHEET TITLE:
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DATE: 11/24/2004
SCALE:
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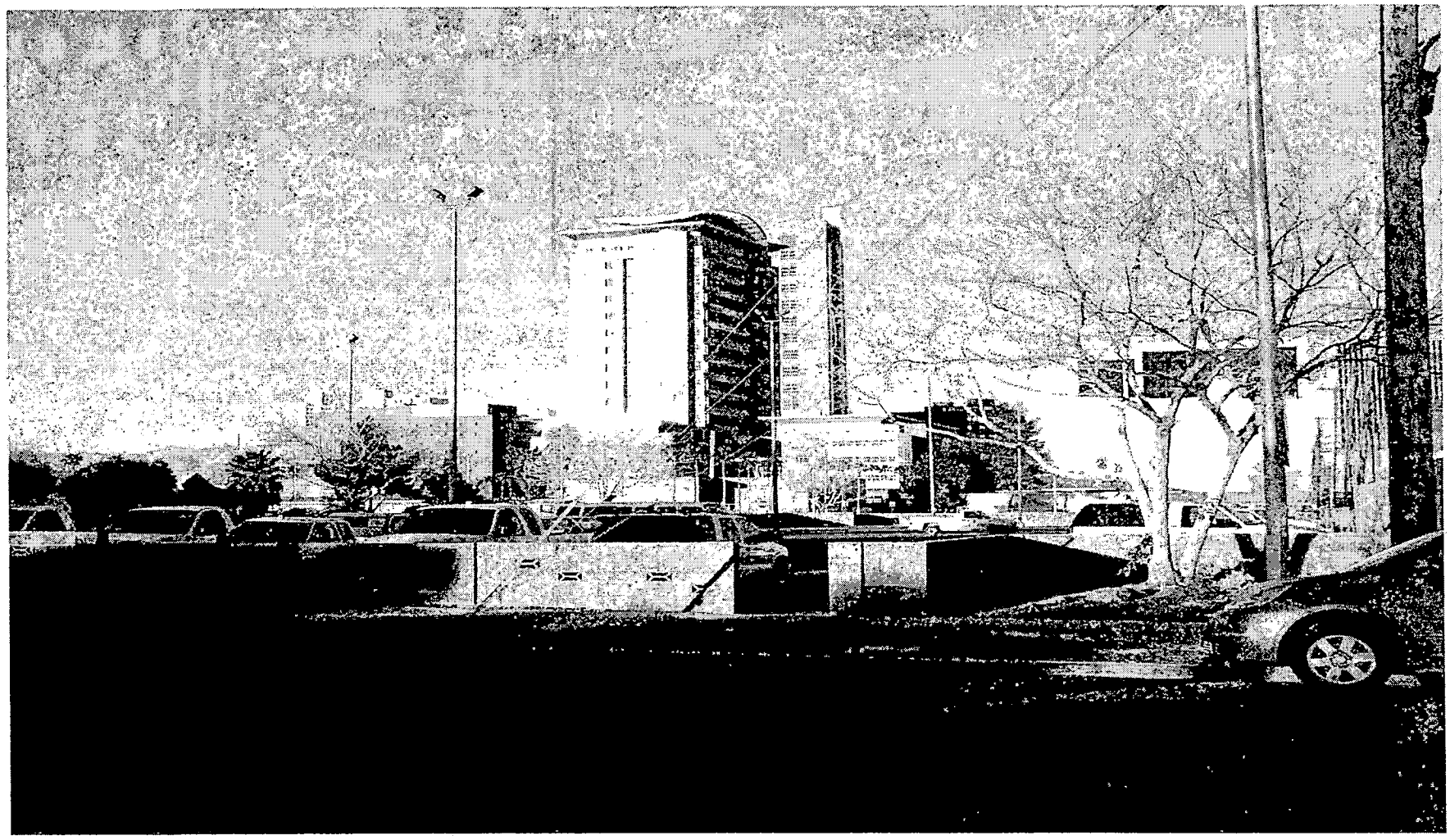
SHEET No.: A2.T14
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



SUP-5690 - APPLICANT: CITYMARK DEVELOPMENT LLC - OWNER: OFFICE DISTRICT PARKING 1, INC.
NORTHEAST CORNER OF GARCES AVENUE AND THIRD STREET
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

City of Las Vegas

Agenda Item No.: 72

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:

SDR-5692 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5686 AND SUP-5690 - PUBLIC HEARING - APPLICANT: CITYMARK DEVELOPMENT LLC - OWNER: OFFICE DISTRICT PARKING 1, INC. - Request for a Site Development Plan Review FOR A 15-STORY MIXED-USE DEVELOPMENT TO INCLUDE 342 RESIDENTIAL UNITS, 13 LIVE/WORK UNITS, AND 8,600 SQUARE FEET OF COMMERCIAL SPACE AND A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN BUILDING STEP-BACK REQUIREMENTS on 2.38 acres adjacent to the northeast corner of Garces Avenue and Third Street (APN 139-34-311-095 to -102 & -105 to -110), C-2 (General 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 APPROVAL

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

MOTION:
EVANS – APPROVED subject to conditions and adding the following conditions:

- ***Meet with the Clark County School District to discuss the impact this site has on the district schools and to identify possible methods to mitigate the impacts.***
- ***The 100 feet of the project immediately to the west of the law office at 638 South 4th Street shall not exceed six stories.***
- ***The façade of the building west of the law office at 638 South 4th Street will be constructed with colored facade compatible with the office building at 638 South 4th Street.***
- ***Prior to breaking ground, the structure north of the parking lot at 638 South 4th Street will be removed. In its place, a block wall that already partially exists will be finished to the street entrance on 4th Street.***

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 72 - SDR-5692

MOTION – Continued:

- ***Any and all exterior landscaping at the street level will be of mature trees and shrubs. The "green belt" will extend behind the building at 638 South 4th Street along the exterior walls.***
- ***Any and all ingress and egress from Garces Avenue onto the project will be buffered subject to approval of the Planning and Development Department. Commercial vehicles will be restricted from access with the exception of waste management and emergency vehicles.***

– UNANIMOUS

To be heard by City Council 3/02/2005

MINUTES:

See Item 70 [SUP-5686] for related discussion on Item 70 [SUP-5686], Item 71 [SUP-5690] and Item 72 [SDR-5692].

(11:08 – 11:37)

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-5686) to allow Mixed-Use development and a Special Use Permit (SUP-5690) to allow Live/Work units, approved by the City Council.

2. This Site Development Plan Review 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 with the site plan and building elevations, date stamped 11/30/04, except as amended by conditions herein.

4. The Waiver from the Downtown Centennial Plan building stepback requirement is hereby approved, based on the proposed façade articulation and building massing.

5. The Waiver from the Downtown Centennial Plan build-to line requirement is hereby approved, based on the requirement for the dedication of additional right-of-way.

6. A public sidewalk with a minimum width of 11 feet and a five-foot deep amenity zone directly adjacent to the curb is required along all street frontages in accordance with Graphic 7 and Graphic 8 of the Downtown Centennial Plan. The sidewalk shall include a decorative paving treatment at the intersections. All streetscape treatments shall conform

CONDITIONS – Continued:

to match the Fourth Street improvements installed by the City of Las Vegas (Subsection DS4.2).

7. Palm trees shall be installed in the public right-of-way along Third Street at a maximum spacing of 35 feet on center (30 feet on center preferred) in accordance with the Downtown Centennial Plan; the palm trees shall have a minimum height of 25 feet upon installation. Any changes to the streetscape treatment along Fourth Street shall conform to the requirements of the Downtown Centennial Plan.

8. Shade trees shall be installed in the public right-of-way along Bonneville Avenue and Garces Avenue at a maximum spacing of 30 feet on center (15-20 feet on center preferred) in accordance with the Downtown Centennial Plan; minimum tree size shall be a 24-inch box, although a 36-inch box size is preferred.

9. The surface parking lot at the south side of the development shall incorporate an eight-foot wide landscape buffer and 42" parking lot screen fence adjacent to the right-of-way line in accordance with Subsection DS3.1.g. of the Downtown Centennial Plan. The screen fence shall conform with the design shown in Graphic 5 of the Downtown Centennial Plan; exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.

10. The 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.

11. The applicant shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.

12. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j of the Downtown Centennial Plan. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.

CONDITIONS – Continued:

13. 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.

14. Any new utility or power service line provided to the site shall be placed underground from the property line to the point of on-site connection or on-site service panel location. Any existing overhead utilities in the former alley location shall be placed underground.

15. Signage for the development shall be permitted in conformance with the requirements of Title 19.14.

16. As per the Memorandum of Understanding between the City of Las Vegas and the LV Springs Preserve, the following cottage will need to be moved as a condition of approval:
    a. 604 S. Fourth St.

    Also as a condition of approval, the following cottage shall be dismantled for usable parts in the restoration of 604 S. Fourth Street, and 601, 609, and 621 S. Casino Center:

    a. 608 S. Fourth Street

    All work is to be supervised by Gregory Seymour, archeologist from the LV Springs Preserve.

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

Public Works

18. All existing alley rights-of-way in conflict with this site design must be vacated prior the issuance of any permits or recordation of a Final Map for any area overlying or abutting the public alley.

19. 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.

20. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards concurrent with development of this site. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

CONDITIONS – Continued:

21. If not already constructed, the developer of this site must enter into a sewer refunding agreement that provides the full reimbursement cost for construction of the Clark Avenue sewer between Las Vegas Boulevard and Fourteenth Street. Connection to the existing 24 inch sewer in Clark Avenue and the improvements of the Clark Avenue sewer between Las Vegas Boulevard and Fourteenth Street is required prior to occupancy of this site, unless otherwise allowed by the City Engineer.

22. Landscape and maintain all unimproved rights-of-way adjacent to this site.

23. Submit an Encroachment Agreement for all landscaping and private improvements, located within or over the public rights-of-way adjacent to this site prior to occupancy of this site.

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.

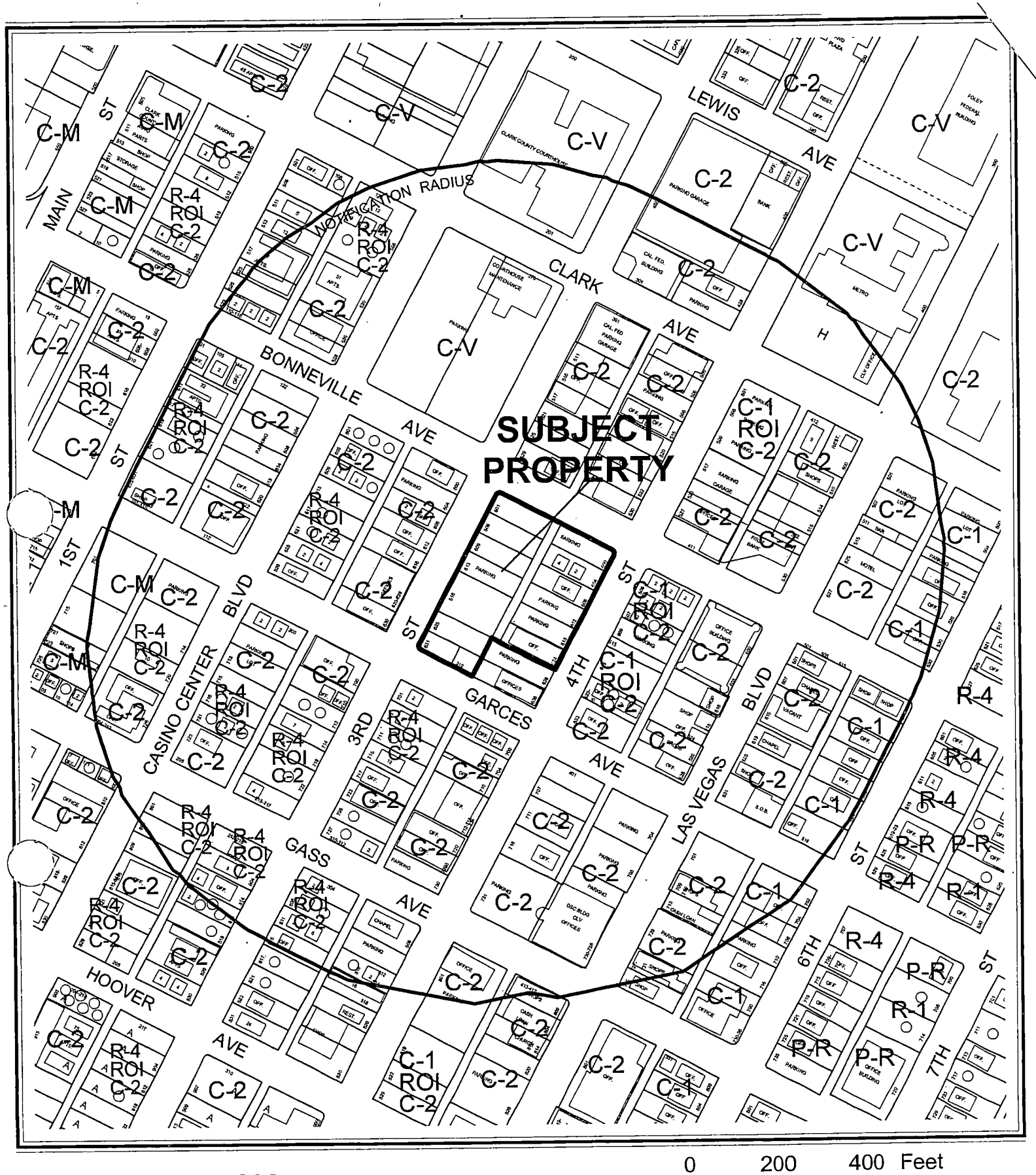
25. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic 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

CONDITIONS – Continued:

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.

26. 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.



0 200 400 Feet

CASE: **SDR-5692**

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-5692 - APPLICANT: CITYMARK DEVELOPMENT LLC - OWNER: OFFICE DISTRICT PARKING 1, INC.

** CONDITIONS **

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

Planning and Development

1. A Special Use Permit (SUP-5686) to allow Mixed-Use development and a Special Use Permit (SUP-5690) to allow Live/Work units, approved by the City Council.

2. This Site Development Plan Review 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 with the site plan and building elevations, date stamped 11/30/04, except as amended by conditions herein.

4. The Waiver from the Downtown Centennial Plan building stepback requirement is hereby approved, based on the proposed façade articulation and building massing.

5. The Waiver from the Downtown Centennial Plan build-to line requirement is hereby approved, based on the requirement for the dedication of additional right-of-way.

6. A public sidewalk with a minimum width of 11 feet and a five-foot deep amenity zone directly adjacent to the curb is required along all street frontages in accordance with Graphic 7 and Graphic 8 of the Downtown Centennial Plan. The sidewalk shall include a decorative paving treatment at the intersections. All streetscape treatments shall conform to match the Fourth Street improvements installed by the City of Las Vegas (Subsection DS4.2).

7. Palm trees shall be installed in the public right-of-way along Third Street at a maximum spacing of 35 feet on center (30 feet on center preferred) in accordance with the Downtown Centennial Plan; the palm trees shall have a minimum height of 25 feet upon installation. Any changes to the streetscape treatment along Fourth Street shall conform to the requirements of the Downtown Centennial Plan.

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9. The surface parking lot at the south side of the development shall incorporate an eight-foot wide landscape buffer and 42" parking lot screen fence adjacent to the right-of-way line in accordance with Subsection DS3.1.g. of the Downtown Centennial Plan. The screen fence shall conform with the design shown in Graphic 5 of the Downtown Centennial Plan; exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review for a 15-story mixed-use development to include 342 residential units, 13 live/work units, and 8,600 square feet of commercial space and a Waiver of the Centennial Plan building stepback and build-to requirements on 2.38 acres adjacent to the northeast corner of Garces Avence and Third Street. A related Special Use Permit (SUP-5686) to allow the mixed-use development and a Special Use Permit (SUP-5690) to allow live/work units will be considered concurrently.

B) Applicant's Justification

The applicant notes that this distinctive new development will be an asset to the area, and that the proposed low-intensity commercial uses and live/work units will be appropriate to the neighborhood.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64	The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcels, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
10/22/75	The City Council approved a request for Plot Plan Review [Z-0100-64(7)] to allow the development of a surface parking lot on a portion of the development site. The Planning Commission recommended approval of the request on 09/23/75.
06/04/03	The City Council voted to strike a Site Development Plan Review (SDR-1586) application that would have allowed the construction of a seven-story parking structure with ground-floor retail space on a portion of the development site. The Planning Commission recommended approval of the request on 02/13/03.

01/13/05 The Planning Commission will consider companion applications for a Special Use Permit (SUP-5686) to allow mixed-use development and a Special Use Permit (SUP-5690) to allow live/work units in the C-2 (General Commercial) zoning district.

B) Pre-Application Meeting

10/26/04 At the pre-application conference, it was noted that a Waiver would be required to locate residential units on the ground floor, and that a traffic impact study should be submitted prior to review by the Planning Commission. In addition, the Centennial Plan streetscape and building placement requirements were discussed with the applicant.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.38

B) Existing Land Use

Subject Property:	Office Use Parking Lot Use
North:	Office Use
South:	Office Use Multifamily Residential Use
East:	Office Use Multifamily Residential Use Parking Lot Use
West:	Office Use Multifamily Residential Use

C) Planned Land Use

Subject Property:	C (Commercial)
North:	C (Commercial)
South:	C (Commercial)
East:	C (Commercial)
West:	C (Commercial)

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial)
South:	C-2 (General Commercial); R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
East:	C-1 (Limited Commercial) under Resolution of Intent to C-2 (General Commercial); C-2 (General Commercial)
West:	C-2 (General Commercial)

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a C (Commercial) land use designation. The Commercial designation permits office uses, limited commercial uses, and general commercial uses. The proposed mixed-use development is consistent with the land use designation.

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

Redevelopment Plan Area

As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Commercial (C) land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Office Core District. The district is intended for professional and government offices, and supporting pedestrian-oriented uses. The proposed development is generally consistent with the Downtown Centennial Plan.

Trails

While the development is not adjacent to any Transportation or Recreation Trail route identified in the General Plan, the Centennial Plan identifies an urban trail along Third Street. The urban trail is intended to be developed with grant funds or as a capital improvement project, and individual property owners are not required to install the trail elements at this time.

Airport Overlay District

This site is subject to the North Las Vegas Airport Overlay District. Structures may be built up to 200 feet in height; any structures over this height limit must be reviewed by the Federal Aviation Administration (FAA).

PROJECT DESCRIPTION

The project will involve the demolition or removal of the existing buildings on the site, and the construction of a mixed-use development that will include 8,600 square feet of commercial space and a total of 342 residential units, including 13 live/work units. The development is designed to appear as six separate structures, each with a different height and architectural character, surrounding a central parking structure. Ground-floor commercial space will be available on the north side of the site fronting on Bonneville Avenue, and live/work units will face onto Fourth Street.

The project is intended to be developed in two phases; the north and east buildings (identified on the site plan as the Mid-rise, High-rise, Flats, and Live/Work buildings) will be constructed as part of Phase I, and the south and west buildings (identified as the Townhouse and Warehouse buildings) will be constructed as Phase II.

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	2.38 Acres	N/A
Min. Lot Width	N/A	280 Feet	N/A
Min. Setbacks			
• Front (Bonneville)	0 Feet	3-6 Feet	N
• Side	N/A	61 Feet	N/A
• Corner (Fourth, Third)	0 Feet	3-6 Feet	N
• Rear	0 Feet	18 Feet	Y
Max. Lot Coverage	Up to 100%	88.48%	Y
Max. Building Height	N/A	258 Feet	N/A
Building Stepback	4th, 11th, 18th Stories	None	N
Trash Enclosure	Walled/roofed	Interior	Y
Loading Zone	1	Alley	Y
Mech. Equipment	Screened	Not indicated	Not indicated

The building is not located directly at the front property line as required by the Downtown Centennial Plan; this is due to the City's requirement for radii dedications at all intersections immediately abutting the site. In addition, the building does not specifically adhere to the Centennial Plan requirement for building stepbacks at the 4th, 11th and 18th stories of the building. No information has been provided relative to the screening of mechanical equipment.

A2) Residential Adjacency Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of Residential Adjacency Standards.

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area. The following table details the parking figures for the development:

Uses	GFA	**Provided** Parking	
		Regular	Handicap
Multifamily Residential Units	329 Units		
Live/Work Units	13 Units		
Commercial	8,600 SF		
Total:		553	12

A total of ten parking spaces will be provided at grade for the retail uses, in addition to the on-street parking that surrounds the site. A total of 543 spaces will be available for the residential uses, with 280 of those spaces configured in a tandem parking space arrangement. While Title 19.10 allows no more than 30% of the required parking spaces to be in a tandem configuration, this standard is not automatically applied to properties within the Downtown Centennial Plan area.

Public Works has noted that the Bonneville-Clark one-way couplet project may impact the right-of-way abutting the project; as no driveways are proposed along Bonneville Avenue, the project will not affect traffic flow to the development's parking areas.

A4) Landscape and Open Space Standards

The property is subject to the landscape and streetscape standards of the Downtown Centennial Plan as listed below:

Standards	**Required** Ratio	Trees	**Provided**
East/West Street Bonneville Avenue	1 Shade Tree @ 30' o.c. max. (min. 24" box)	10 Shade Trees	11 Palm Trees
East/West Street Garces Avenue	1 Shade Tree @ 30' o.c. max. (min. 24" box)	4 Shade Trees	4 Palm Trees
North/South Street Third Street	1 Palm Tree @ 35' o.c. max. (min. 25' height)	13 Palm Trees	15 Shade/Palm Trees
North/South Street Fourth Street	1 Palm Tree @ 35' o.c. max. (min. 25' height)	9 Palm Trees	7 Shade Trees
Parking Lot Screening	42" screen fence/8' landscape buffer	1 tree/6 spaces	No screen fence/buffer 2 trees
Sidewalk	11' Sidewalk	N/A	11'

The landscape plan shows the correct number of trees along the public sidewalk, but does not conform to the pattern of using shade trees on the east/west streets and palm trees on the north/south streets. The surface parking lot at the south side of the site does not have the required screen fence and landscape buffer as required by the Centennial Plan. The sidewalks will meet the 11-foot minimum required width, and the five-foot amenity zone will be provided in accordance with the Centennial Plan requirements.

A5) Sign Standards

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

Wall Signs: Standards	**Allowed**	**Provided**
Maximum Number	N/A	N/A
Maximum Area	20%/elevation	<1%
Maximum Projection	2 Feet	Not indicated
Illumination	Internal/External	Not indicated

The elevations depict the use of wall signs on the north and east elevations of the building, which will generally conform to Code requirements.

B) General Analysis and Discussion

- Zoning

The majority of the site is zoned C-2 (General Commercial); the remainder of the site is zoned R-4 (High Density Residential) under a Resolution of Intent to C-2 (General Commercial). The proposed commercial uses are permitted in the C-2 (General Commercial) district by right; the live/work and residential components are permitted upon approval of Special Use Permits. Special Use Permit applications (SUP-5686 and SUP-5690) have been submitted concurrently with this Site Development Plan Review application.

The structure generally conforms to the development standards of the Downtown Centennial Plan; a Waiver has been requested from the Centennial Plan building stepback requirement, and the building is not located directly on the front property line due to the City's requirement for the dedication of additional right-of-way at each intersection.

- Site Plan

The site plan depicts commercial space and a residential lobby on the north side of the building facing Bonneville Avenue, with the commercial component of the live/work units fronting on Fourth Street. Townhouse units will be located along Third Street, with stoop-style entrances providing separation from the public sidewalk. An additional building lobby will be located on the Third Street frontage. A parking structure will be located at the center of the site; the parking structure and a surface parking lot for the commercial uses will be accessible from Garces Avenue. Loading and trash facilities will be located within the parking structure area. As noted previously, radii dedications have been requested at the three intersections that abut the site, affecting the placement of the building.

- Waivers

The following Waivers from the Downtown Centennial Plan requirements are requested:

1. Building Stepbacks: The Centennial Plan requires a minimum five-foot stepback at the 4th, 11th, and 18th stories of a building. No stepbacks will be provided; however, the building has been divided into six different sub-structures, each with its own height and façade configuration, which satisfies the objectives of the step back requirement. Consequently, staff recommends approval of the Waiver.
2. Build-To Line: The Centennial Plan requires that buildings be located directly at the front yard setback for a minimum of 70% of the parcel width; the proposed structure will be located anywhere from three to six feet from the front property line. The applicant has requested a Waiver from this requirement due to the fact that the City is requesting additional right-of-way at each intersection abutting the site. Consequently, the building must be located further back from the front property line to accommodate the additional right-of-way at each corner. As the basis for the Waiver is due to action by the City, staff recommends approval of the request.

- Landscape Plan

The streetscape plan depicts the proper number of trees and adequate sidewalk width, but the type of trees provided along each street frontage have been reversed from the requirements of the Centennial Plan. In addition, a landscape buffer and screen fence will be required to screen the surface parking lot on the south side of the site.

- Elevation

The massing of the proposed building has been broken down into six separate elements, which assists in reducing the scale of the structure. Each building element will vary in height, and will have a distinct façade configuration that assists in adding character and variety to the structure. Despite these variations, the separate elements are united by a similar rhythm and proportion of the windows and structural elements.

The materials that are proposed for the building include exposed concrete, stone veneer, cementitious panels, and cement plaster. Colors of the materials will all be within the palette of desert neutrals specified by the Centennial Plan. Laminated glass will be utilized on exterior balconies, and will provide accent color and variation to the composition of the facades.

- Floor Plan

The floor plan is configured with commercial space and a residential lobby on Bonneville Avenue, live-work spaces along Fourth Street, and Townhouses and loft units along Third Street. An additional residential lobby providing access to the upper floors of the building will be located along the Third Street frontage. The parking structure is located at the center of the site, and access will be available from the adjoining lobby areas. An amenity area for building residents will be provided on the top level of the parking structure, and will include a swimming pool and sun deck, and private terrace areas for the units that surround the space.

FF

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 mixed-use project is compatible with development that is proposed for the area.

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

   The proposed project is consistent with the General Plan, Title 19, and with most elements of the Downtown Centennial Plan. Waivers have been requested from the building stepback and build-to requirements, but the design of the structure conforms to the objectives of the Centennial Plan. The streetscape treatment will need to be modified to conform to Centennial Plan requirements.

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

   The configuration of the project utilizes Garces Avenue as the only vehicular entrance to the parking areas; the street has sufficient capacity to accommodate the traffic to be generated by the development.

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

   The proposed building materials are appropriate to the area and generally consistent with the City's requirements. The streetscape materials will need to be adjusted to conform to the City's requirements.

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 design of the elevations are appropriate to the different functions and unit types within the building, and will be compatible with other development in the downtown area.

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

   The project will be subject to inspections, and appropriate measures will be taken to protect public health, safety, and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 25

NOTICES MAILED 134 – Mailed with SUP-5690 and SUP-5686

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5692 APN: 139-34-311-095 to -102 & -106 to -110

Name of Property Owner: OFFICE DISTRICT PARKING 1, INC.

Name of Applicant: CITYMARK DEVELOPMENT 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: Douglas Selby

Print Name: DOUGLAS A. SELBY

Subscribed and sworn before me

This 22ND day of October, 2004

Beverly K. Bridges
Notary Public in and for said County and State

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

Bossard
Developer
Services

November 30, 2004

Mr. Flinn Fagg
City of Las Vegas
Development Services Center
Current Planning Division
731 S. Fourth Street
Las Vegas, NV 89101

Subject: CITYMARK at 3rd and Bonneville
Justification Letter for Site Development Plan Review, Special Use Permit
For Mixed Use and Special Use Permit for Live/Work

Dear Flinn:

On behalf of our client, CITYMARK, we respectfully request approval of a Site Development Plan Review and two Use Permits for their development at 3rd and Bonneville within the City of Las Vegas. The zoning at this location is currently C-2. The Land Use within the Downtown Centennial Plan is Office District.

1. The Site Development Plan Review, if approved as submitted, would allow a waiver of the City's requirement to step back the high rise building. The building will be set back as required by City code, but the building will not step back five feet at levels 4, 11, and 18 as indicated in the Code. This building will articulate in different ways, with varying elevations and heights. The glass facades will add interest and a modern appearance that is appealing to all who pass by this distinctive new development. It should be noted that this project will be developed in phases as indicated on the Site Plan provided by Martinez and Cutri. The first phase will include 211 units and the second phase will include 122 units, for a total of 333 residential units. Phase 1 will also include parking and the pool deck. Phase 2 will include townhomes, flats as well as the warehouse.

2. The Use Permit for the Mixed Use within the C-2 District includes a waiver request to allow first floor residential, where the Code specifically identifies the first floor as commercial with no residential permitted. The residential along the first floor will contain less glass than other portions of the development and will blend with the streetscape. These townhomes will only occur on 3rd Street in the second phase of development.

3. The second Use Permit, if approved, will allow Live/Work units where the Downtown Centennial Plan does not permit them. This use is limited to the Live/Work Overlay District unless approved through this Special Use Permit process. These units will be limited to low-intensity commercial and arts-related uses. The number of employees will be limited and the

2920 N Green Valley Parkway, Suite 814 Henderson, Nevada 89014 T: 702.451.3510 F: 702.451.4988

SDR-5692

residential component of the use shall be accessory to the commercial or nonresidential component. Residents of the Live/Work units will be presumed to acknowledge the existence and operation of uses that are permitted on nearby parcels that are zoned for commercial uses.

Attached herewith is a transmittal, which describes the supporting documents for each of these applications. Please place these applications on the January 13, 2005 Planning Commission meeting. Thank you very much, Flinn, for your assistance with these applications.

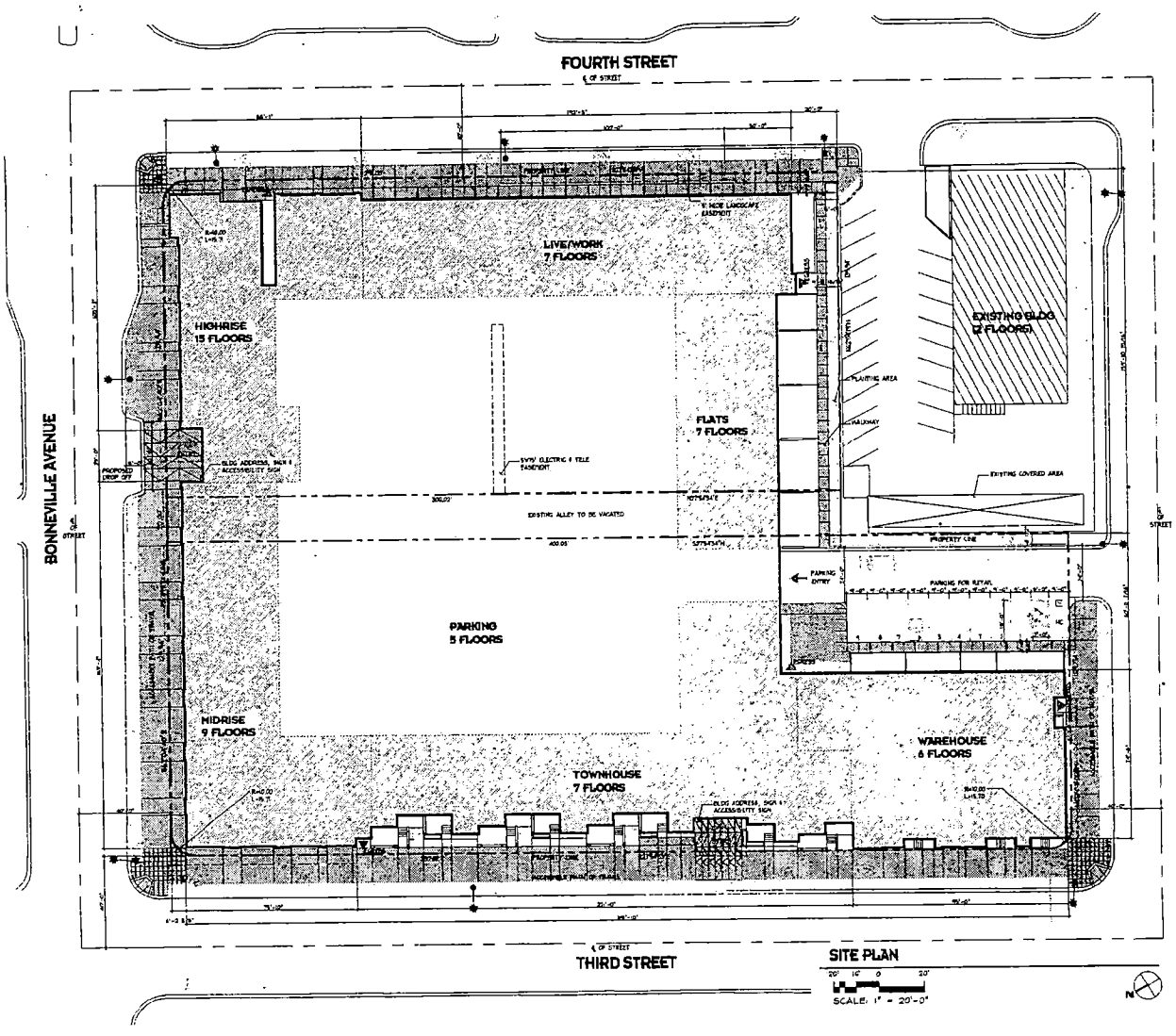
Very truly yours,

Angela Bossard

Diana Bossard, AICP

Cc: Mr. A. Beaton, CM
Mr. A. Cutri, MC

STDR-5692



LEGAL DESCRIPTION:

LOTS ONE (1) THROUGH SIXTEEN (16), INCLUSIVE, AND LOTS TWENTY-ONE (21) THROUGH THIRTY-TWO (32), INCLUSIVE, ALL IN BLOCK THIRTY-FIVE (35) OF CLARK'S LAS VEGAS TOWNSITE, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 97, IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA, EXCEPTING THEREFROM THOSE PORTIONS AS CONVEYED TO THE CITY OF LAS VEGAS BY GRANT DEED RECORDED AUGUST 18, 2004 IN BOOK 20040818 AS DOCUMENT NO. 00867 OF OFFICIAL RECORDS

ADDRESS: 604, 608 & 624 SO. 4TH STREET, LAS VEGAS, NEVADA 89101

SITE AREA: 109,847 S.F. OR 2.595 ACRES

ASSESSOR'S PARCEL NUMBERS: 139-34-510-096 THRU 102 & 108 THRU 118

ZONE C-T - GENERAL COMMERCIAL DISTRICT

SETBACK REQUIREMENTS:
FRONT SETBACK - 20 FEET
SIDE SETBACK - 10 FEET
REAR SETBACK - 20 FEET

GROSS BUILDING AREA - 466,500 SF
FLOOR AREA RATIO (FAR) - 4.5

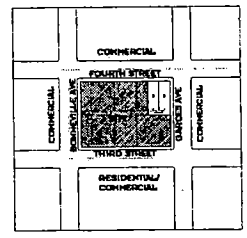
PARKING:
PROPOSED OFFSTREET PARKING FOR RETAIL: 9 REGULAR SPACES + 1 HANDICAP

PROPOSED PARKING FOR CONDOMINIUMS:
LEVEL 1: 50 REGULAR + 56 (28 TANDEMS) + 4 HANDICAP = 110
LEVEL 2: 41 REGULAR + 56 (28 TANDEMS) + 4 HANDICAP = 101
LEVEL 3: 41 REGULAR + 56 (28 TANDEMS) + 3 HANDICAP = 100
LEVEL 4: 52 REGULAR + 56 (28 TANDEMS) + 0 HANDICAP = 108
LEVEL 5: 52 REGULAR + 56 (28 TANDEMS) + 0 HANDICAP = 10

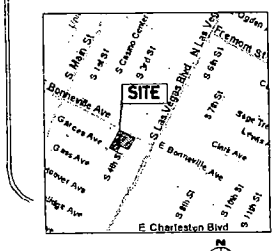
TOTAL PROVIDED: 252 REGULAR + 280 TANDEMS + 8 HANDICAP = 540 SPACES

TOTAL # OF UNITS 342
540 PARKING SPACES/342 UNITS = 1.58 PARKING SPACES/UNIT

LEGEND:
MULTI-FAMILY BLDG
PLANTING
PAVEMENT



ADJACENT LAND USE



VICINITY MAP

MARTINEZ + CUTRI
corporation
Architecture · Planning
Interiors · Urban Design
750 B Street, Suite 1700
San Diego, CA 92101-4135
Tel (619) 231-8877 Fax (619) 231-7417

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CITYMARK DEVELOPMENT
LAS VEGAS
3rd & Bonneville Lofts

FOR REFERENCE ONLY

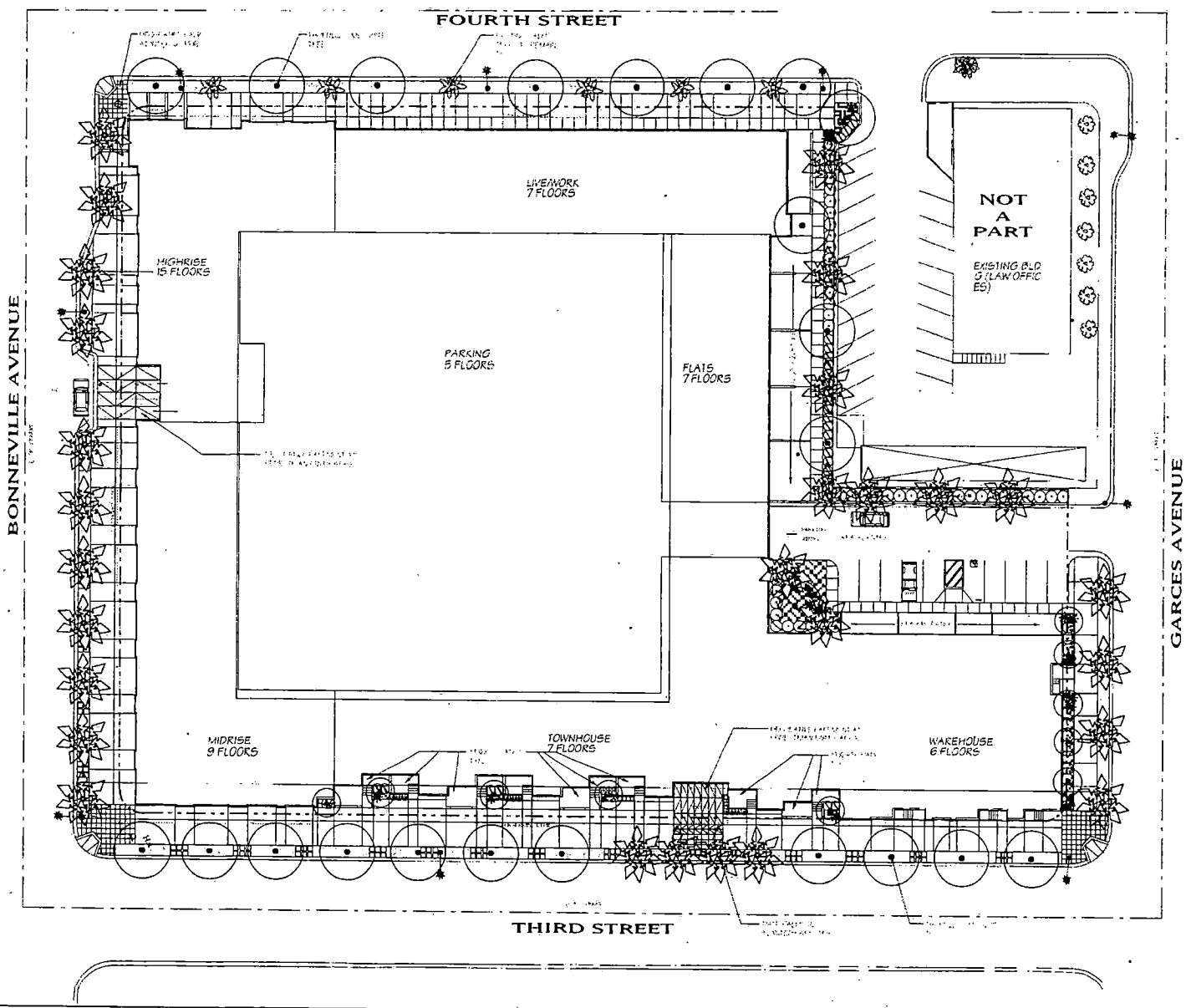
SITE PLAN

11/24/2004
1" = 20'-0"
2406
A1.T01

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC

S:\2406\Architectural\A1.00 - SiteA0 SITE.dwg, 11/23/2004 03:03:15 PM, ColorPASS-Z26.pc3

Deneen Powell Atelier, Inc.



IRRIGATION NOTES

PLANTING LEGEND

DPA
2305 EL CAJON BLVD.
SAN DIEGO, CA 92104
TEL. 619.295.9081
FAX. 619.295.9039
www.dpadesign.com

GROUND FLOOR CONCEPTUAL LANDSCAPE PLAN

3RD STREET & BONNEVILLE AVENUE
LAS VEGAS, NEVADA

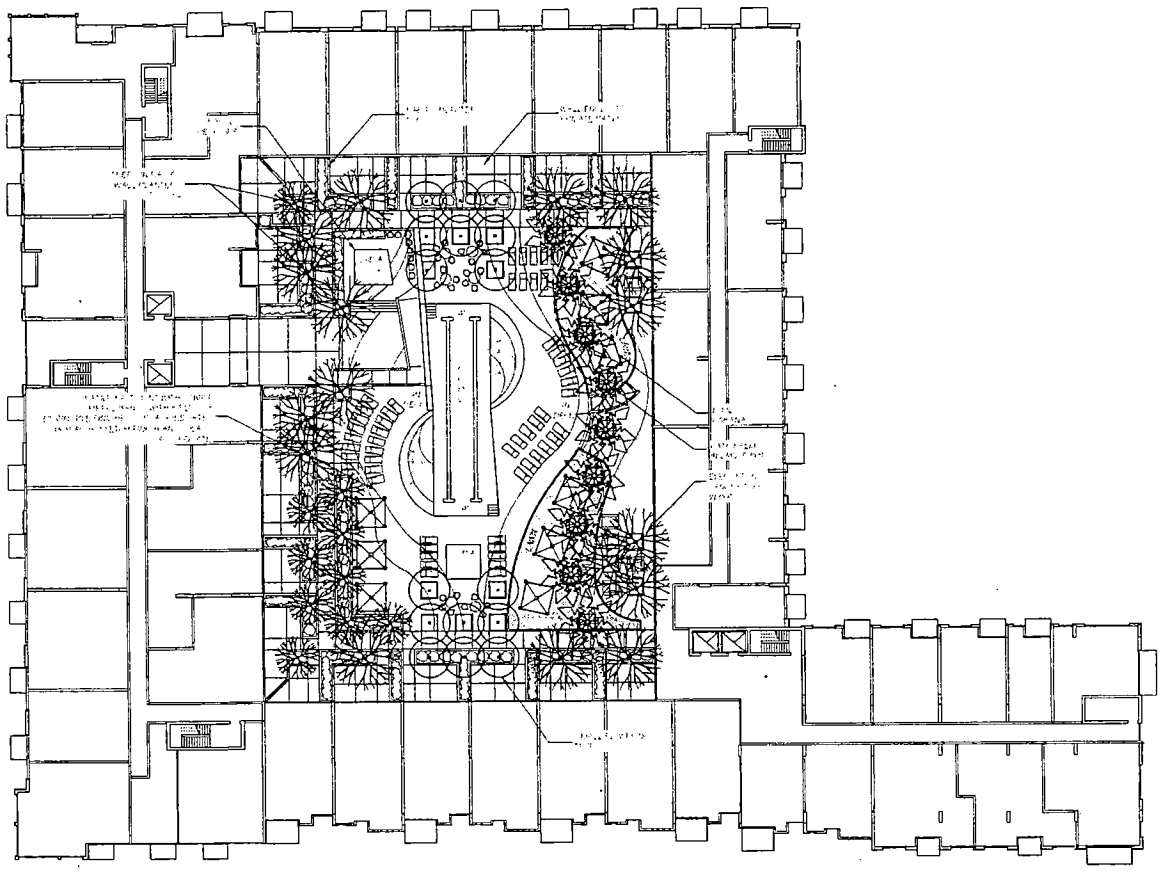
CITYMARK DEVELOPMENT

L-1

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC

Deneen Powell Atelier, Inc.

FOURTH STREET



BONNEVILLE AVENUE

THIRD STREET

REVISIONS BY

2305 EL CAJON BLVD.
SAN DIEGO, CA 92104
TEL. 619.294.9071
FAX. 619.294.9038
www.dpadesign.com

DPA

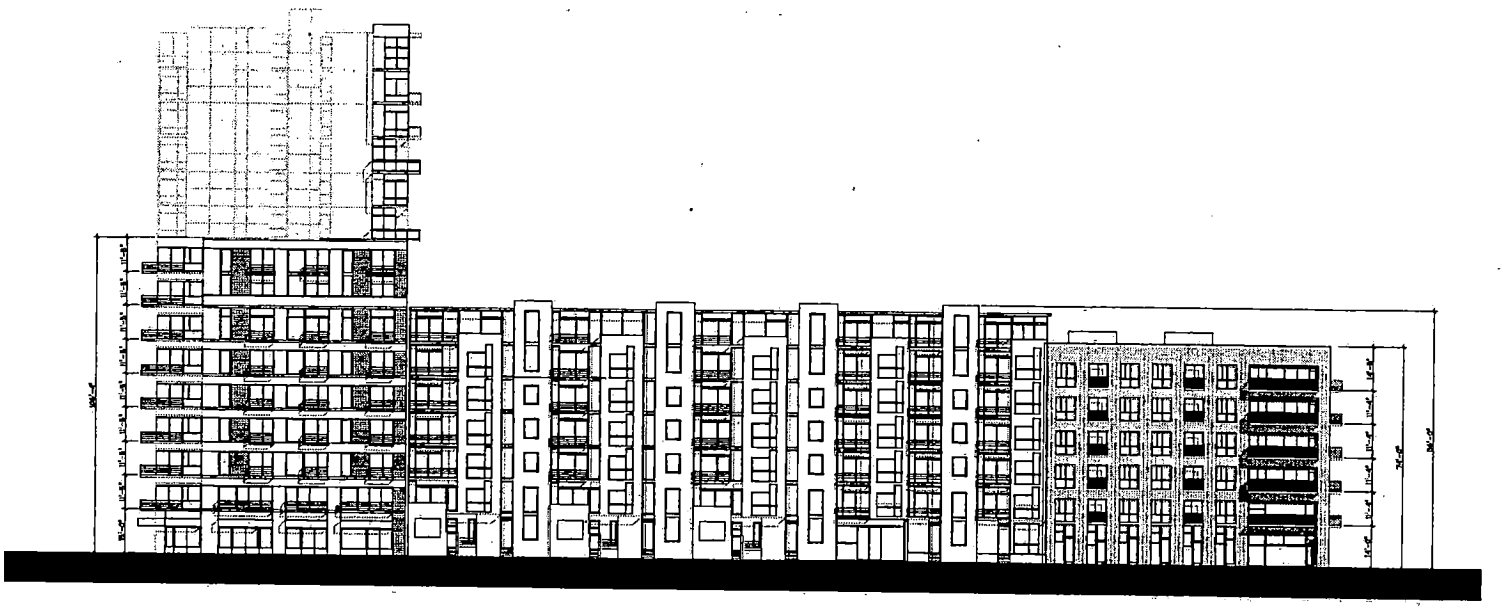
6th FLOOR COURTYARD CONCEPTUAL LANDSCAPE PLAN

3RD STREET & BONNEVILLE AVENUE
LAS VEGAS, NEVADA
CITYMARK DEVELOPMENT

DATE
SCALE
DRAWN
JOB NO.
SHEET
OF SHEETS

L-2

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



WEST ELEVATION

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

FOR REFERENCE ONLY

HARTMEZ + CUTRI
ASSOCIATES
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San Diego, CA 92101-8138
Tel (619) 231-1977 Fax (619) 525-1162

REVISIONS:

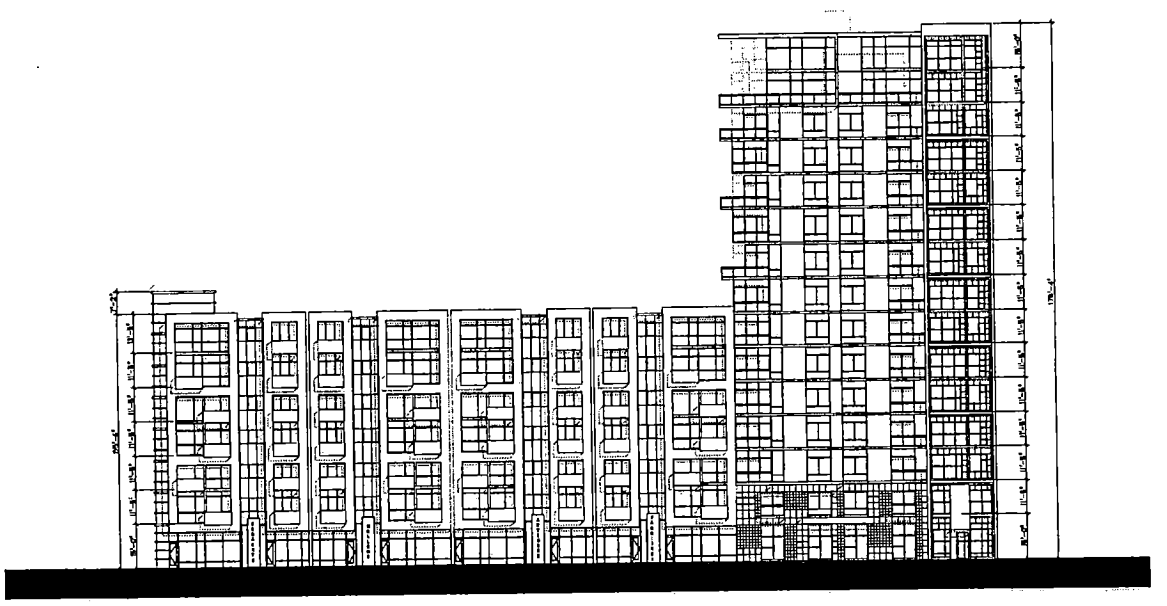
CITYMARK
LAS VEGAS
3rd & Bonneville Lofts

SEAL:

SHEET TITLE:
WEST ELEVATION

DATE: 11/24/2004
SCALE: 1/16" = 1'-0"
DRAWN BY:
JOB No.: 0405
SHEET No.: A2.T01
SHEET OF

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



EAST ELEVATION

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

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REVISIONS:

CITYMARK
LAS VEGAS
3rd & Bonneville Lofts

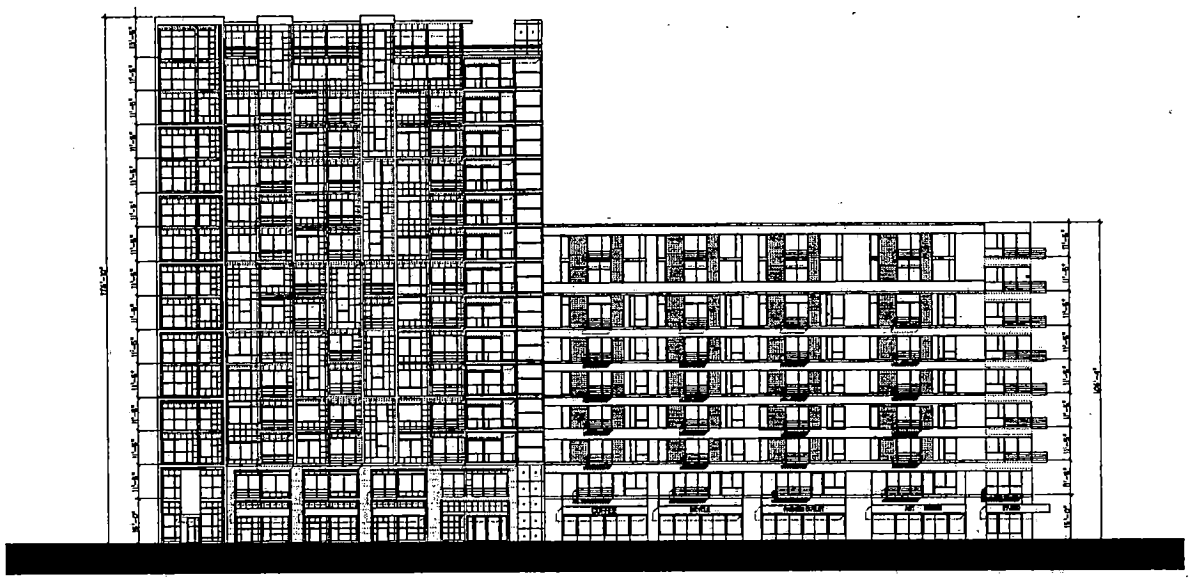
SEAL:

SHEET TITLE:
EAST ELEVATION

DATE: 11/24/2004
SCALE: 1/16" = 1'-0"
DRAWN BY:
JOB No.: 2408
SHEET No.: A2.T01
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



NORTH ELEVATION

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

HARTMANN + CUTRI
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750 B Street, Suite 1700
San Diego, CA 92101-8126
Tel (619) 557-1857 Fax (619) 233-7477

REVISIONS:

CITYPARK
LAS VEGAS
3rd & Bonneville Lofts

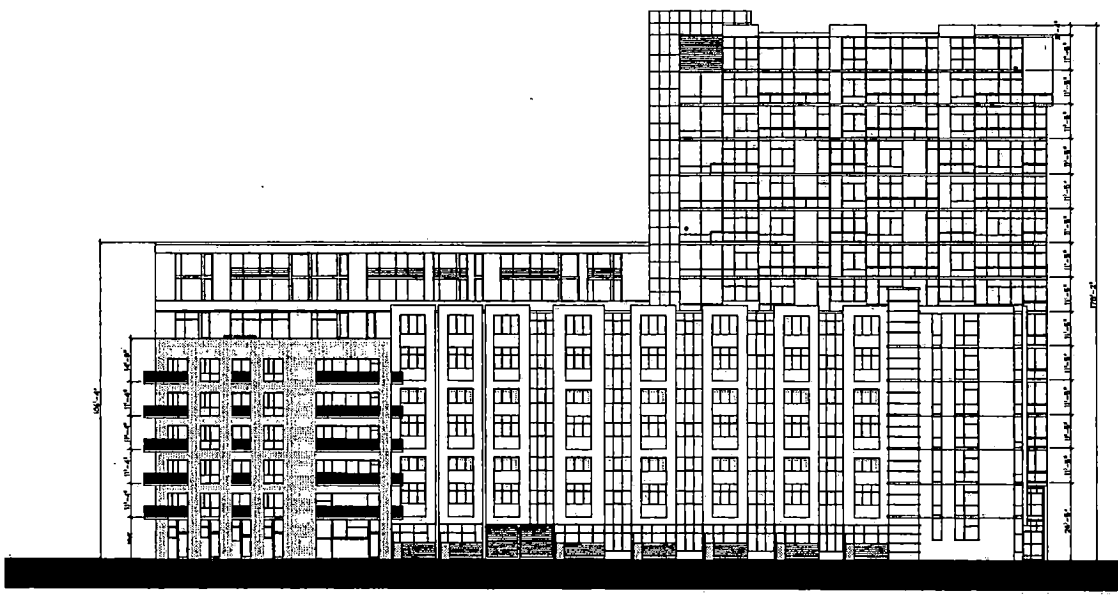
SEAL:

SHEET TITLE:
NORTH ELEVATION

DATE: 11/24/2004
SCALE: 1/16" = 1'-0"
DRAWN BY:
JOB No. : 3408
SHEET No. : A3.T01
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



SOUTH ELEVATION

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

KOMATSUBARA + CUTRI
CORPORATION
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750 B Street, Suite 1700
San Diego, CA 92101-8129
Tel (619) 232-4867 Fax (619) 233-7417

REVISIONS:

CITYMARK

LAS VEGAS

3rd & Bonneville Lofts

SEAL:

SHEET TITLE:
SOUTH ELEVATION

DATE: 11/24/2004

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

DRAWN BY:

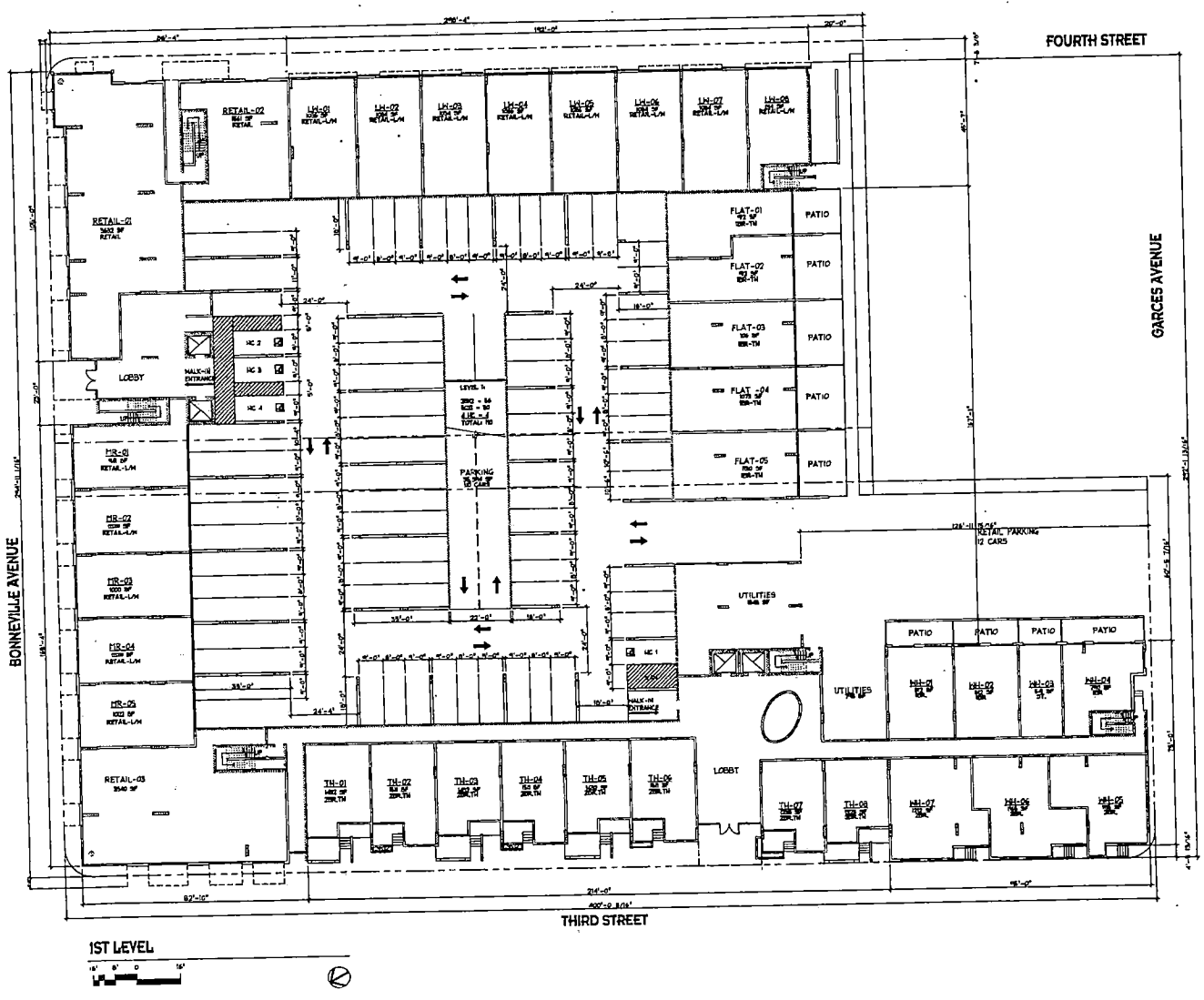
JOB No. : 0408

SHEET No. : A2.T02

SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



1ST LEVEL

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CORPORATION
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750 B Street, Suite 1700
San Diego, CA 92101-8128
Tel (619) 233-1487 Fax (619) 233-7417

REVISIONS:

CITYMARK
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3rd & Bonneville Lofts

SEAL:

SHEET TITLE:
1st LEVEL

DATE: 11/24/2004
SCALE:
DRAWN BY:
JOB No.: 2408
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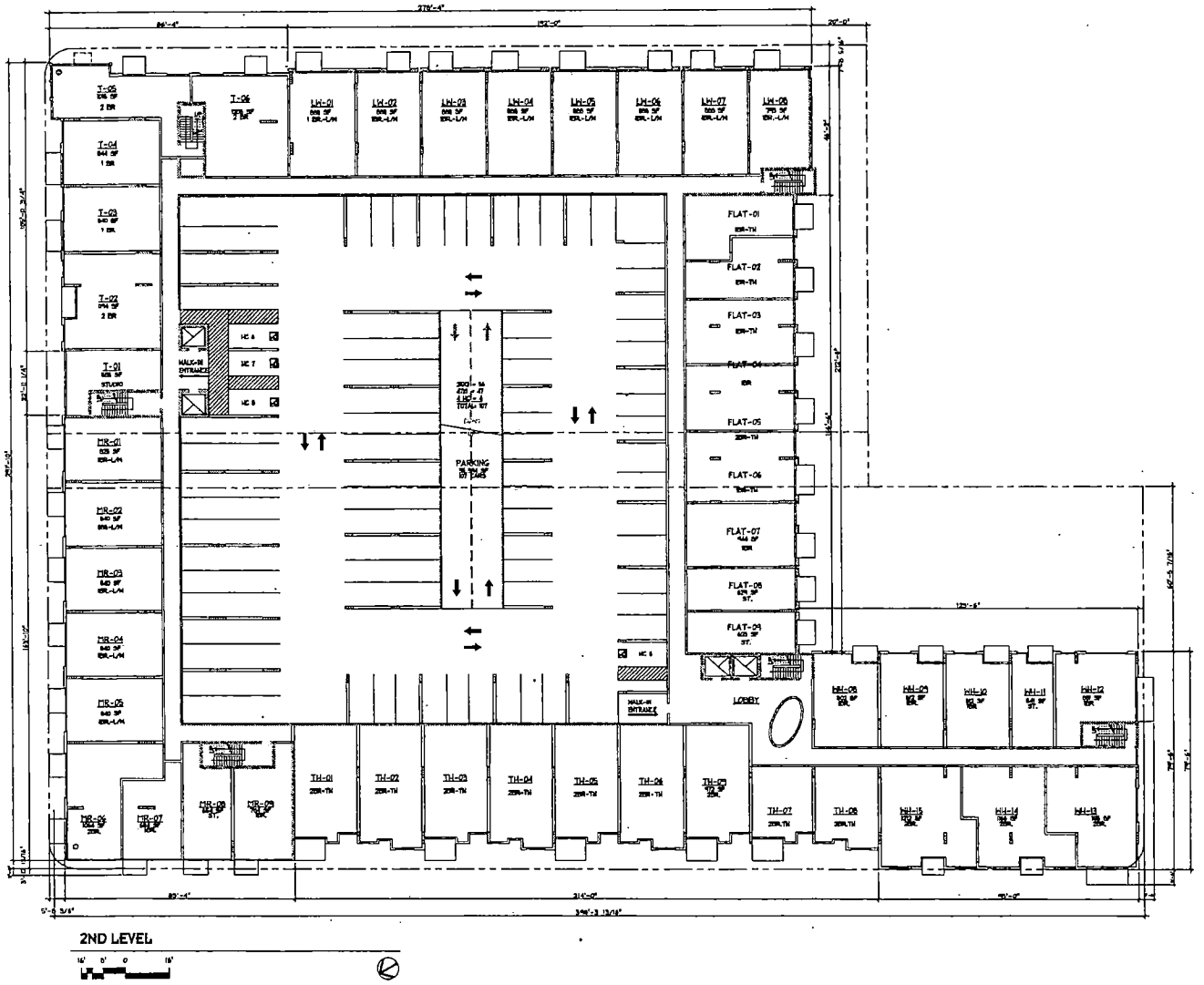
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



2ND LEVEL

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750 B Street, Suite 1700
San Diego, CA 92101-8138
Tel (619) 233-4857 Fax (619) 233-7107

REVISIONS:

CITYMARK
LAS VEGAS
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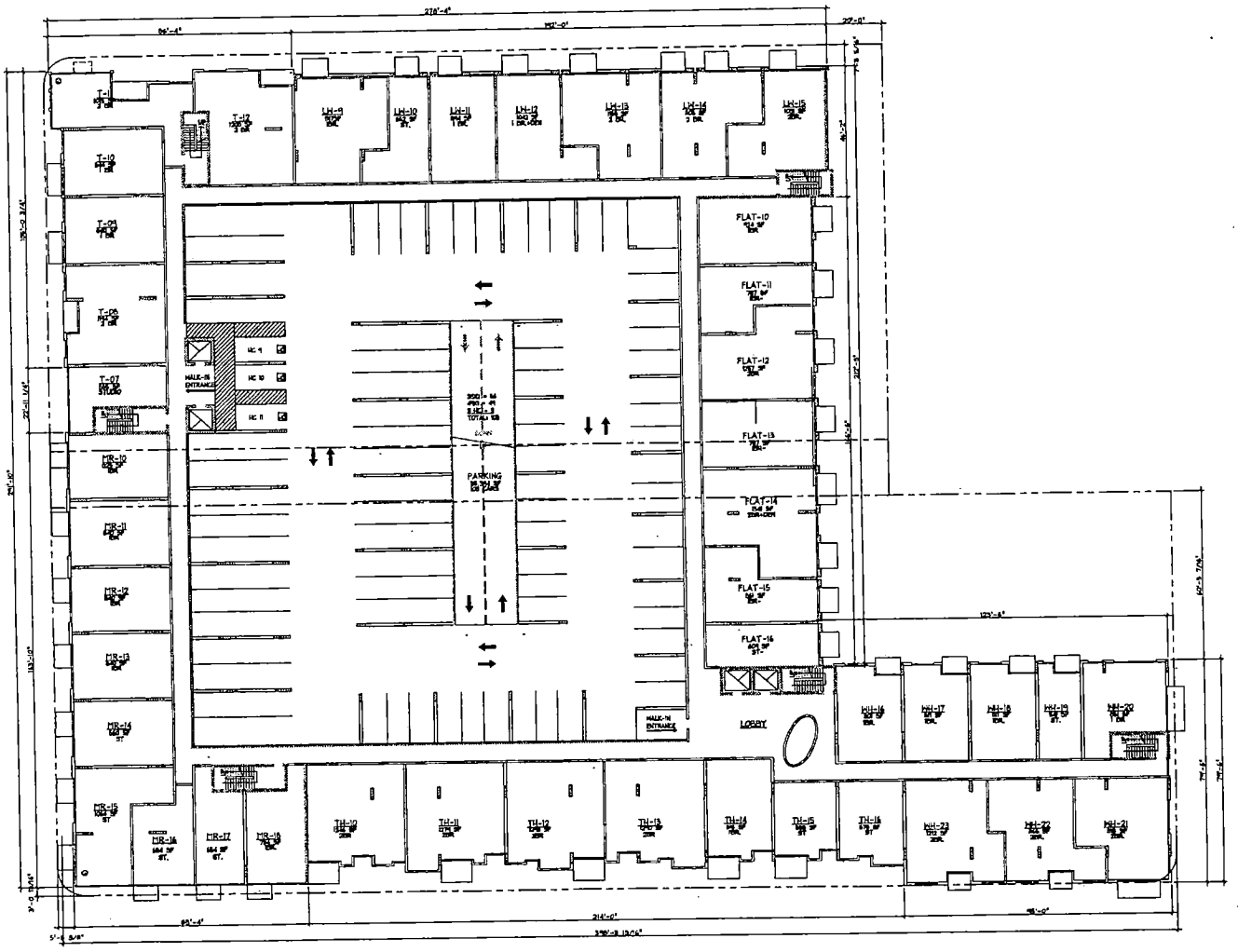
SEAL:

SHEET TITLE:
2ND LEVEL

DATE: 11/24/2004
SCALE:
DRAWN BY:
JOB No.: 2408
SHEET No.: A2.T02
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



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730 B Street, Suite 1700
San Diego, CA 92101-8126
Tel (619) 233-4857 Fax (619) 233-7812

REVISIONS:

CITYMARK DEVELOPMENT
LAS VEGAS
3rd & Bonneville Lofts

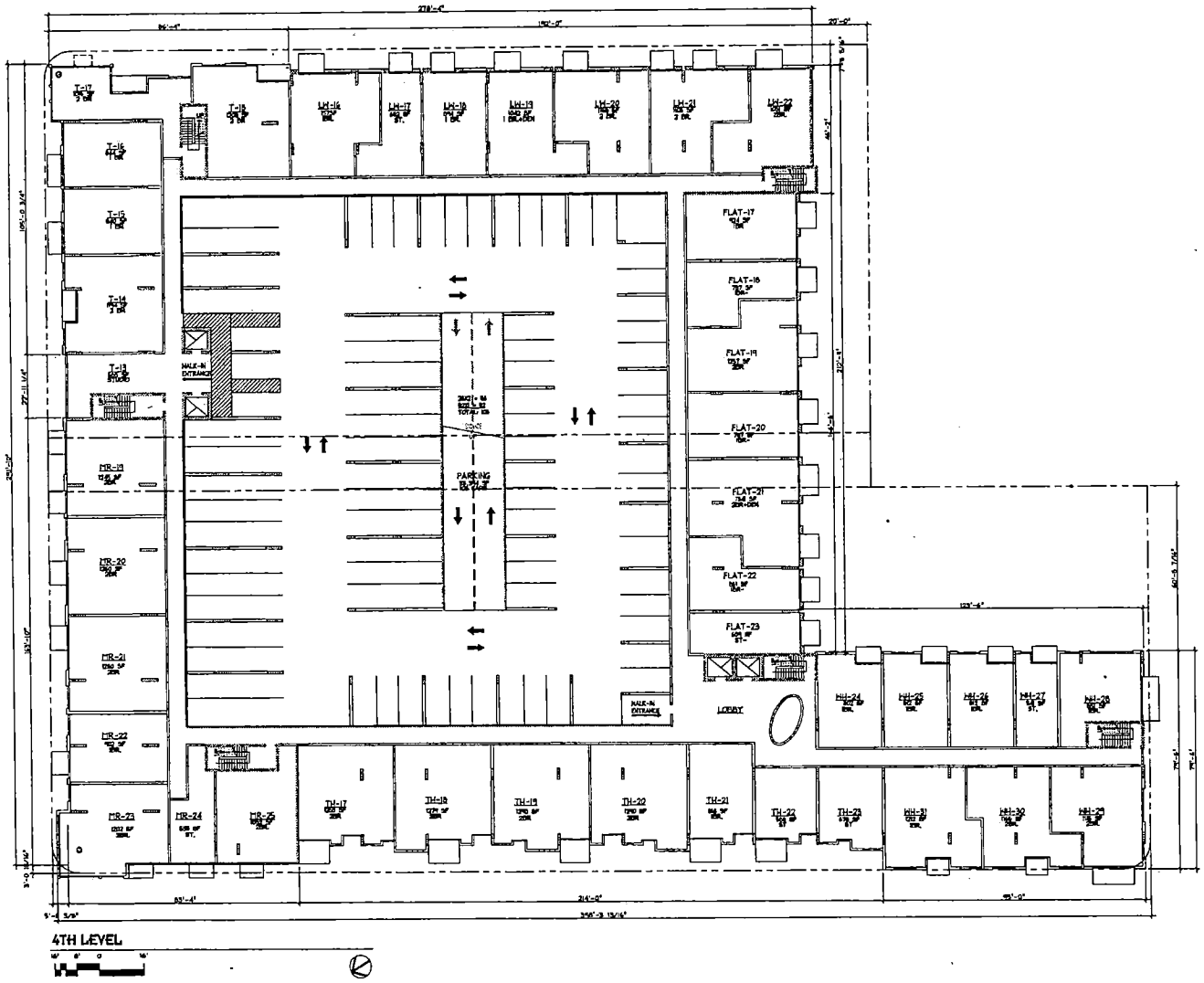
SEAL:

SHEET TITLE:
3RD LEVEL

DATE: 11/24/2004
SCALE:
DRAWN BY:
JOB No. : 3408
SHEET No. : A2.T03
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



4TH LEVEL

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REVISIONS:

CITYMARK
LAS VEGAS
3rd & Bonneville Lofts

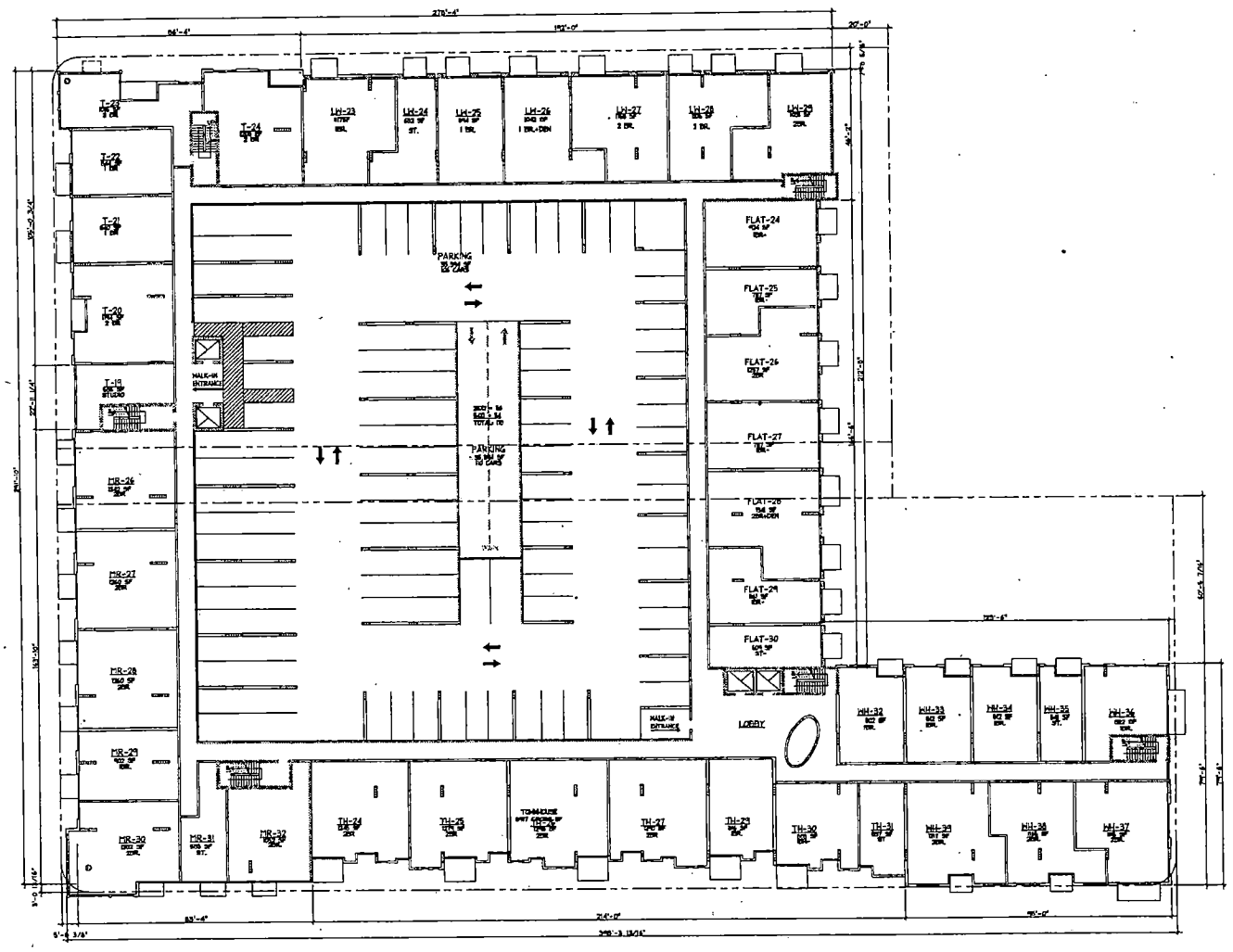
STAL:

SHEET TITLE:
4TH LEVEL

DATE: 11/24/2004
SCALE:
DRAWN BY:
JOB No. : 2408
SHEET No. : A2.T04
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



5TH LEVEL

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

MARTINEZ + CUTRI
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San Diego, CA 92101-8125
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REVISIONS:

CITYMARK

LAS VEGAS

3rd & Bonneville Lofts

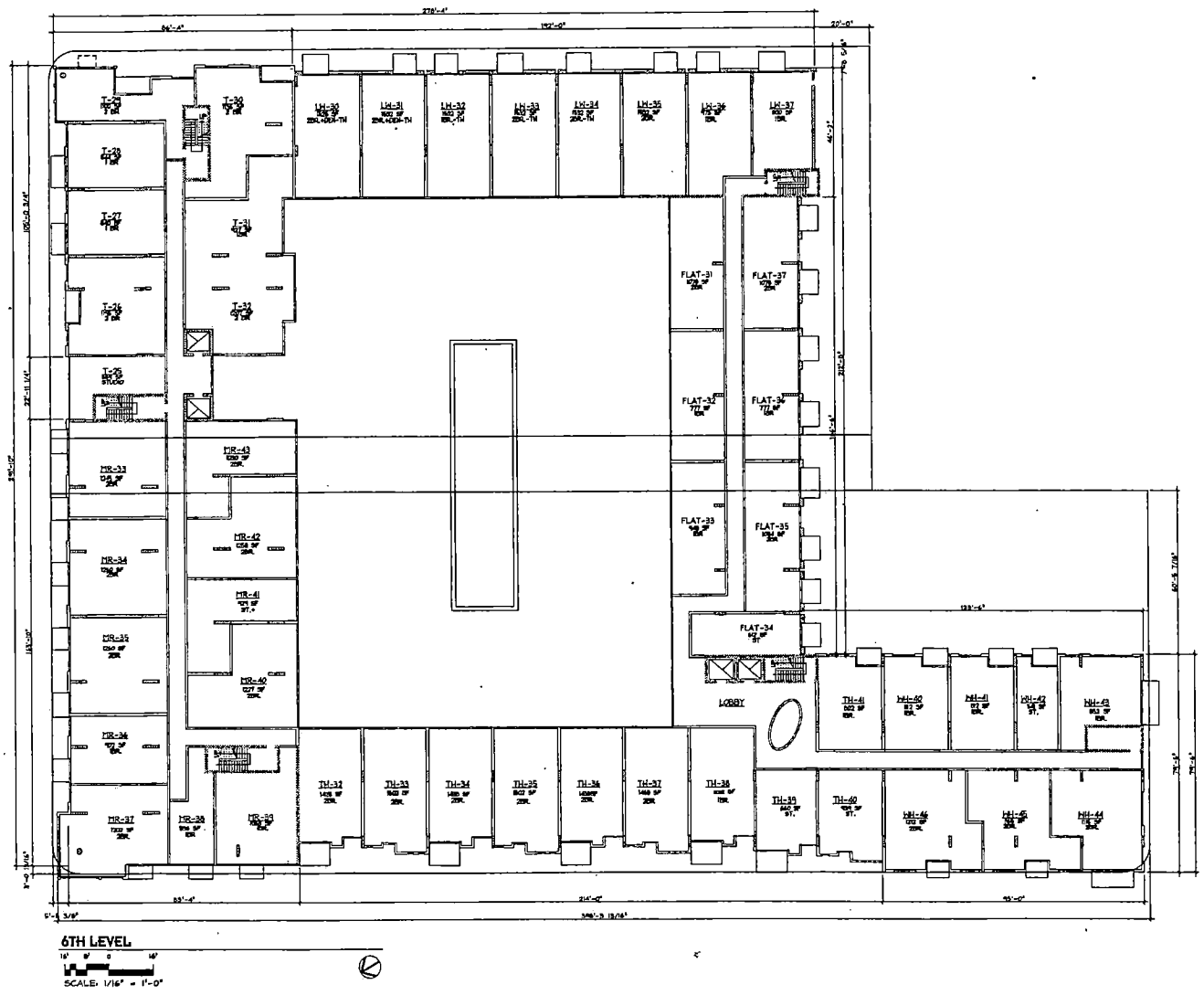
SEAL:

SHEET TITLE:
5TH LEVEL

DATE: 11/24/2004
SCALE: 1/16" = 1'-0"
DRAWN BY:
JOB No. : 2406
SHEET No. : A2.T05
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



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San Diego, CA 92101-8128
Tel (619) 233-1454 Fax (619) 233-1477

REVISIONS:

CITYMARK
DEVELOPMENT
LAS VEGAS
3rd & Bonneville Lofts

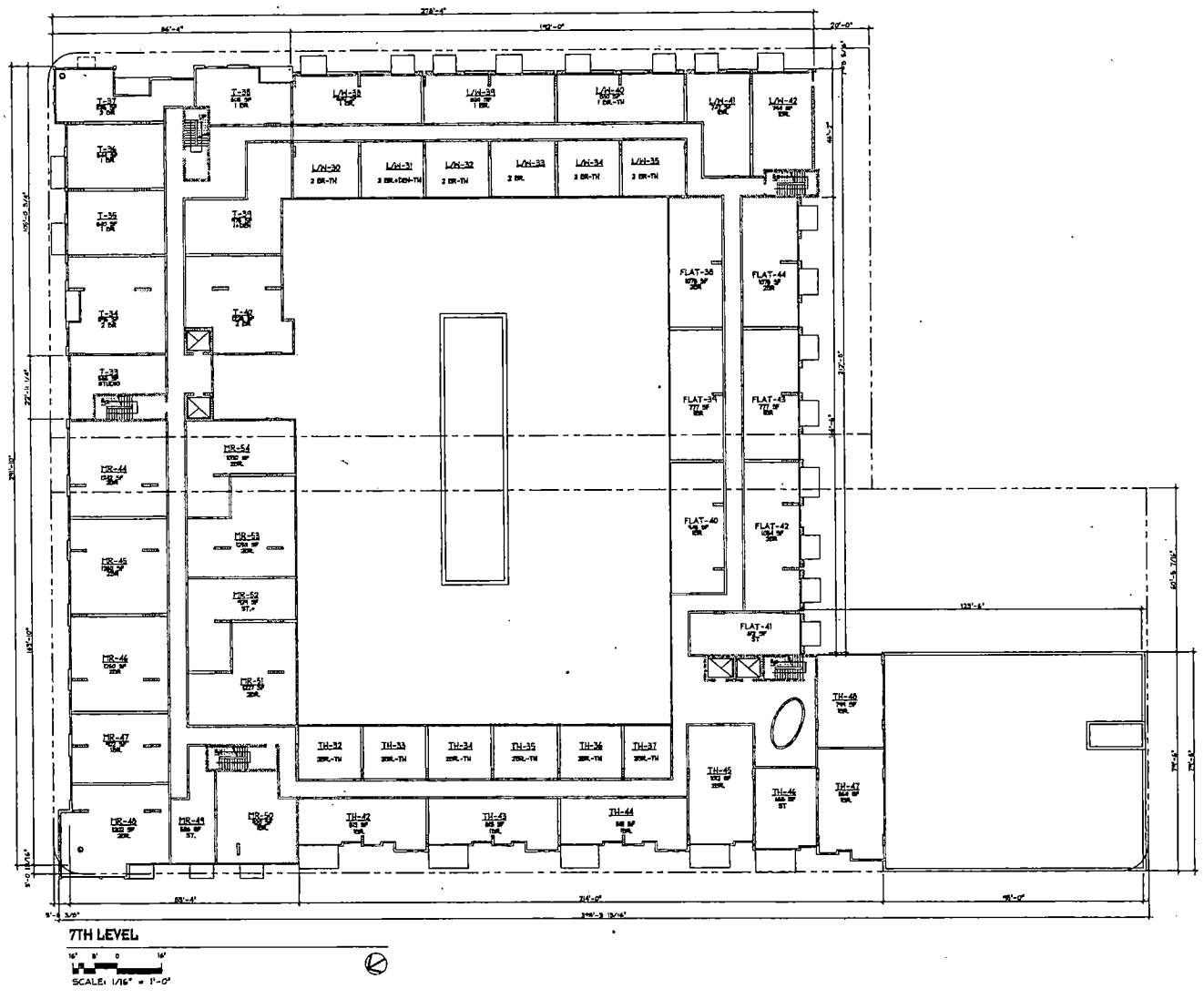
SEAL:

SHEET TITLE:
6TH LEVEL

DATE: 11/24/2004
SCALE: 1/16" = 1'-0"
DRAWN BY:
JOB No. : 3408
SHEET No. : A2.T06
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



SUP-5686
SUP-5690
SDR-5692
01-13-05 PC

HARTMEX + CLITRO
CORPORATION
Architecture • Planning
Interiors • Urban Design
750 B Street, Suite 1700
San Diego, CA 92101-8128
Tel (619) 233-1487 Fax (619) 233-7417

REVISIONS:

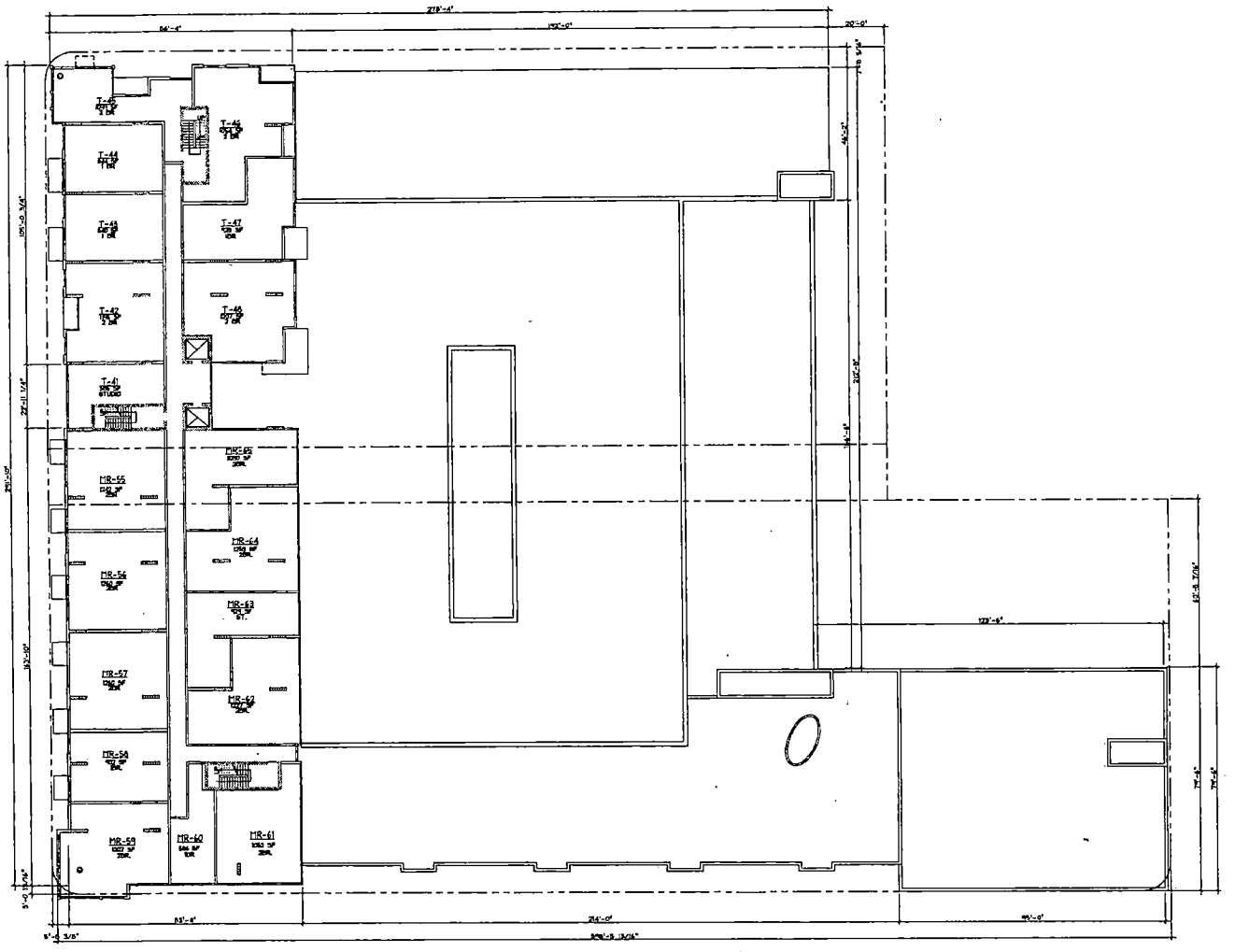
CITYMARK
LAS VEGAS
3rd & Bonneville Lofts

SEAL:

SHEET TITLE:
7TH LEVEL

DATE: 11/24/2004
SCALE: 1/16" = 1'-0"
DRAWN BY:
JOB No.: 3408
SHEET No.: A2.T07
SHEET OF

FOR REFERENCE ONLY



8TH LEVEL

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

HARTMEZ + CUTRI
ARCHITECTURE
Architecture · Planning
Interiors · Urban Design

750 B Street, Suite 1700
San Diego, CA 92101-8128
Tel (619) 232-4857 Fax (619) 232-7417

REVISIONS:

CITYMARK
LAS VEGAS
3rd & Bonneville Lofts

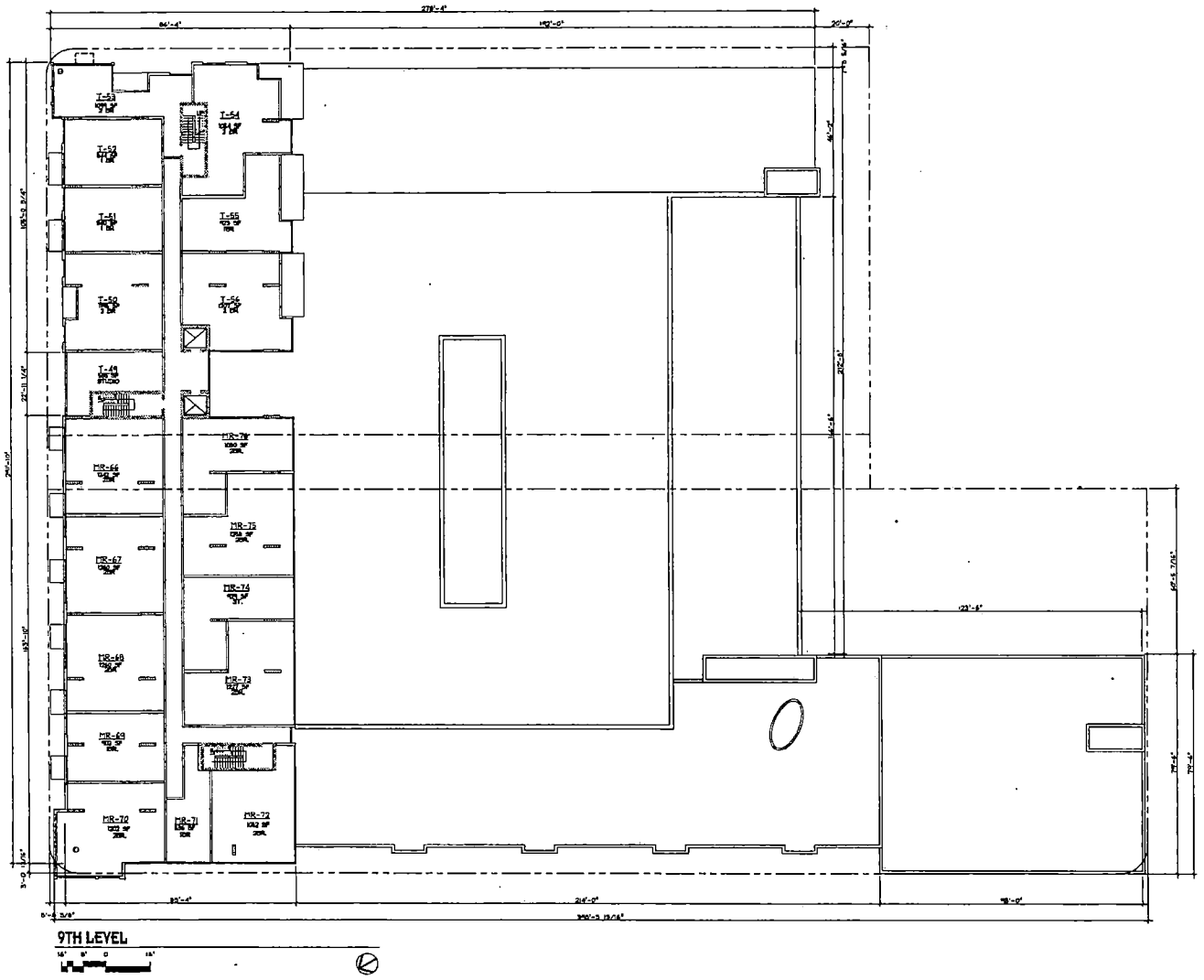
SEAL:

SHEET TITLE:
8TH LEVEL

DATE: 11/24/2004
SCALE: 1/16" = 1'-0"
DRAWN BY:
JOB No.: 3408
SHEET No.: A2.T08
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



9TH LEVEL

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC

HARTINEZ + CUTRI
corporation
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Interiors · Urban Design
750 B Street, Suite 1700
San Diego, CA 92101-8129
Tel (619) 233-6167 Fax (619) 233-7417

REVISIONS:

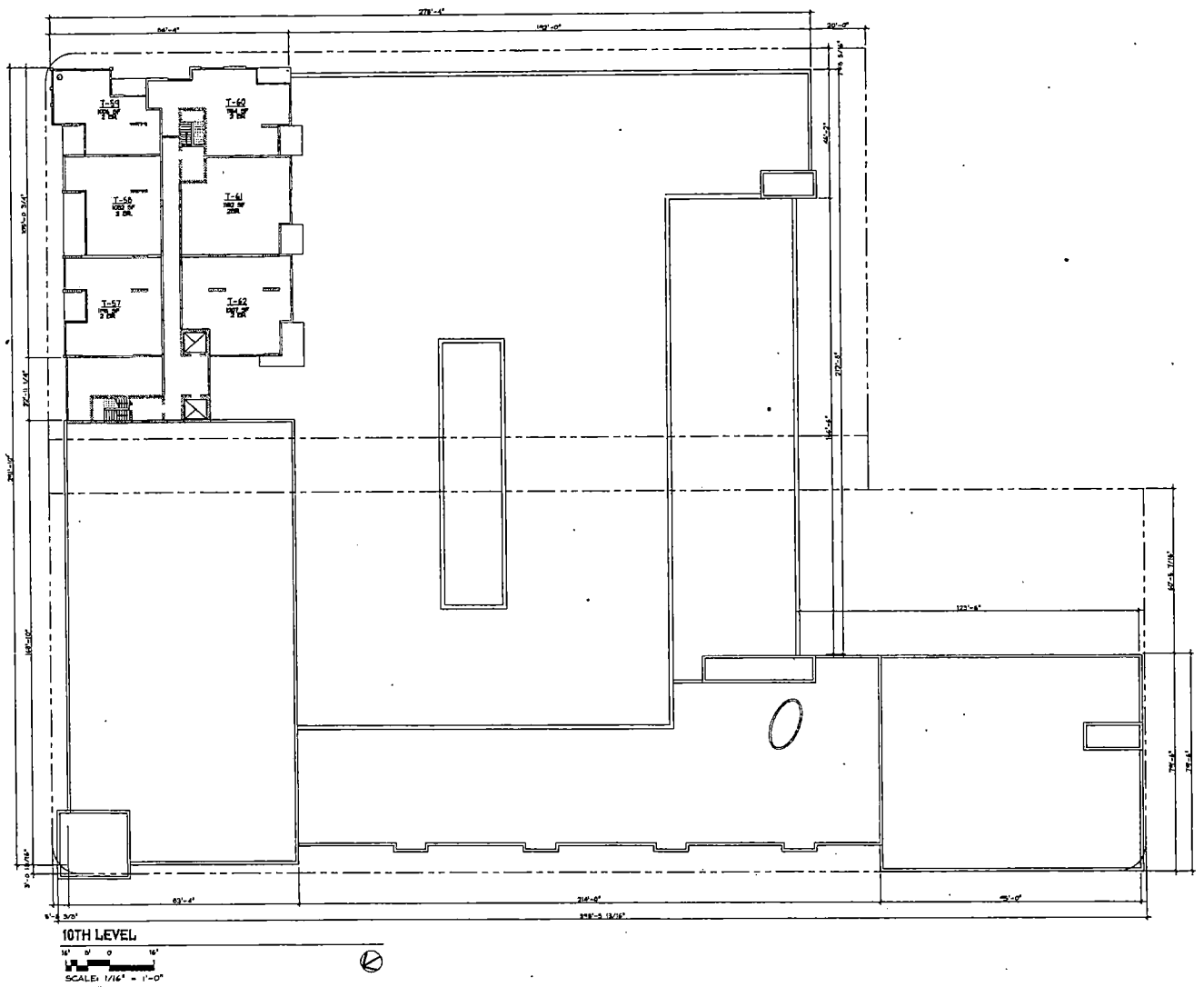
CITYMARK
LAS VEGAS
3rd & Bonneville Lofts

SEAL:

SHEET TITLE:
9TH LEVEL

DATE: 11/24/2004
SCALE:
DRAWN BY:
JOB No. : 2408
SHEET No. : A2.T09
SHEET OF

FOR REFERENCE ONLY



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San Diego, CA 92101-8123
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REVISIONS:

CITYMARK
LAS VEGAS
3rd & Bonneville Lofts

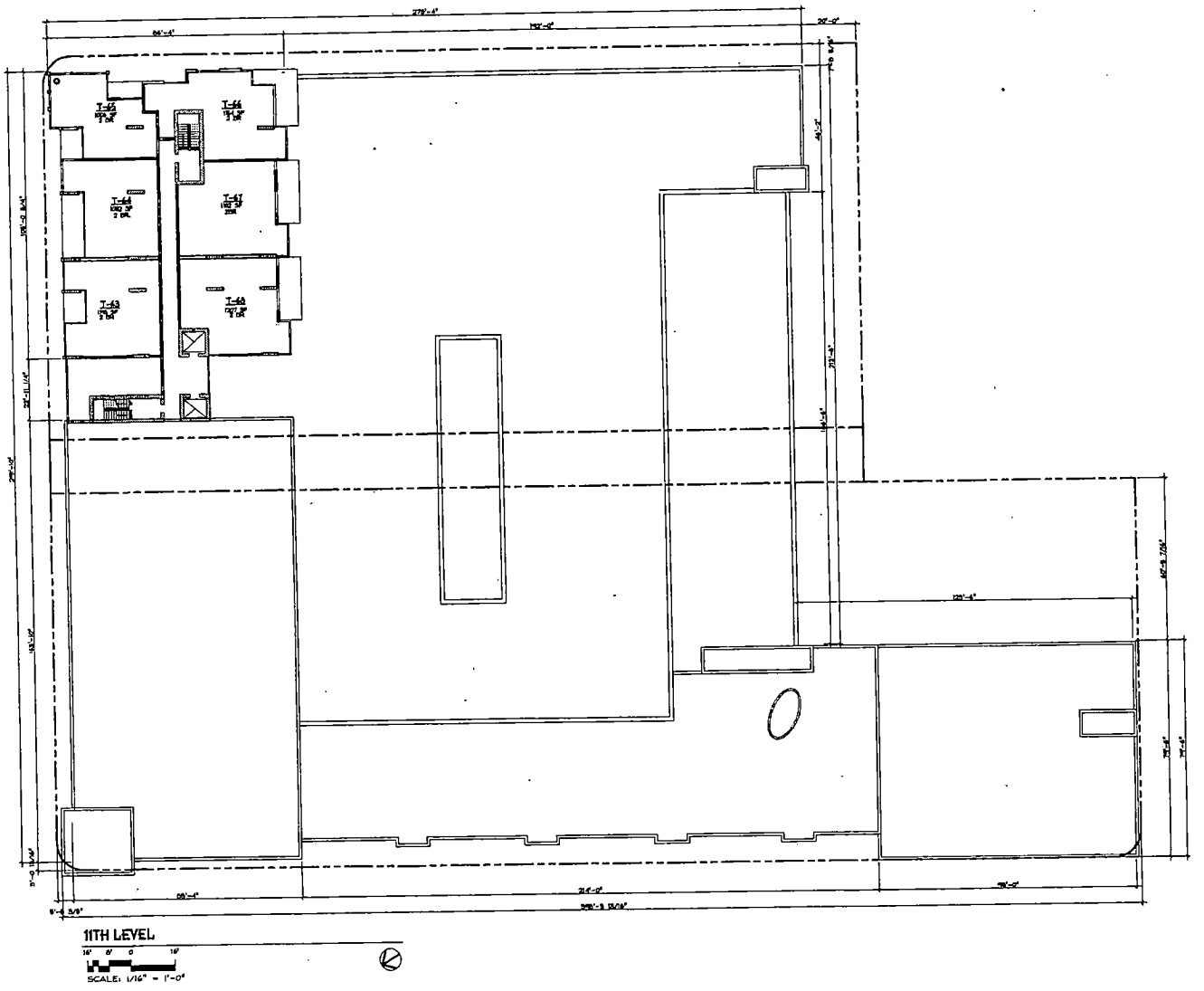
SEAL:

SHEET TITLE:
10TH LEVEL

DATE: 11/24/2004
SCALE: 1/16" = 1'-0"
DRAWN BY:
JOB No. : 0409
SHEET No. : A2.T10
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



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700 B Street, Suite 1700
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Tel [619] 235-4567 Fax [619] 235-9457

REVISIONS:

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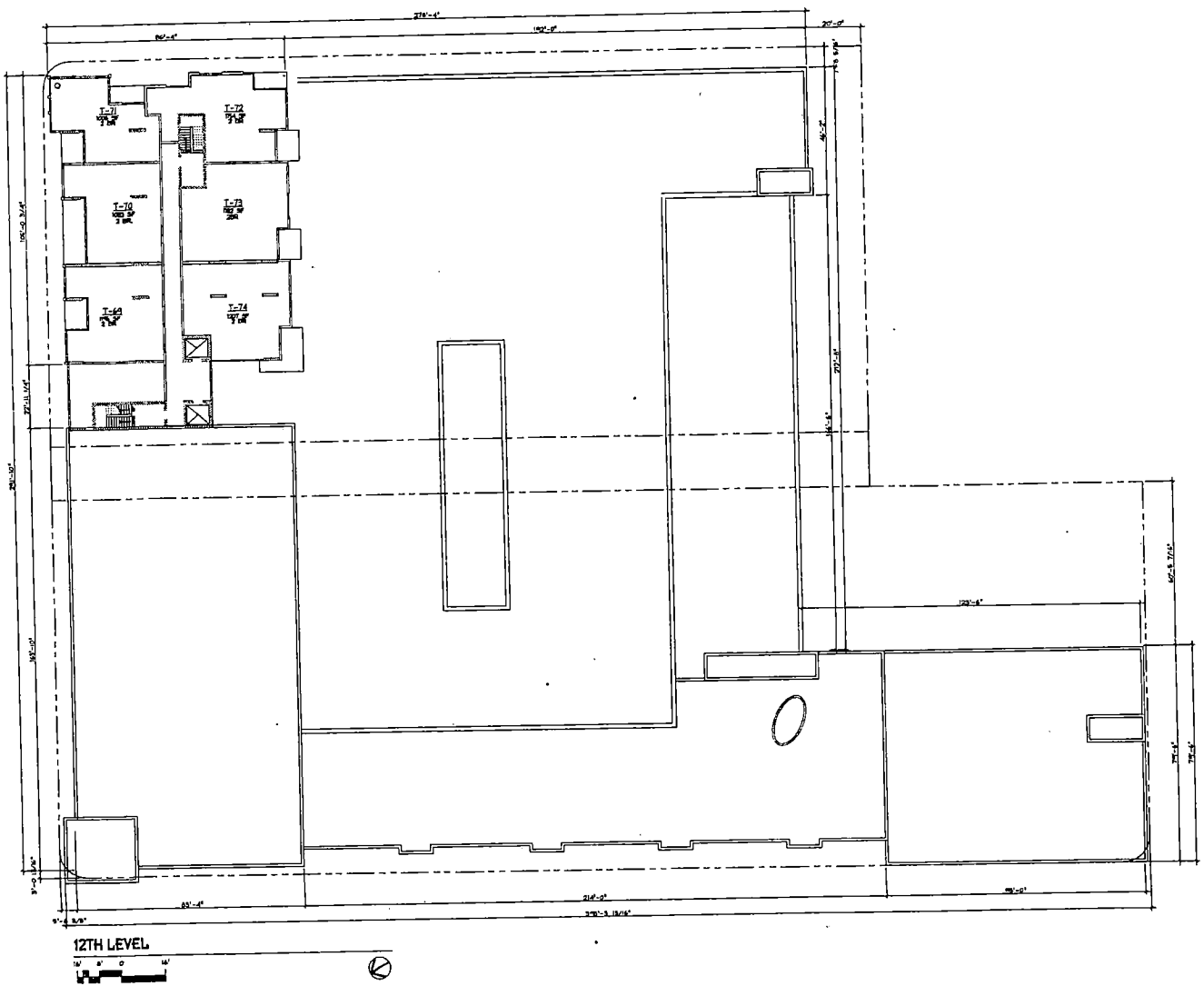
SEAL:

SHEET TITLE:
11TH LEVEL

DATE: 11/24/2004
SCALE: 1/16" = 1'-0"
DRAWN BY:
JOB No.: 3408
SHEET No.: A2.T11
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



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Tel (619) 233-1487 Fax (619) 233-7412

REVISIONS:

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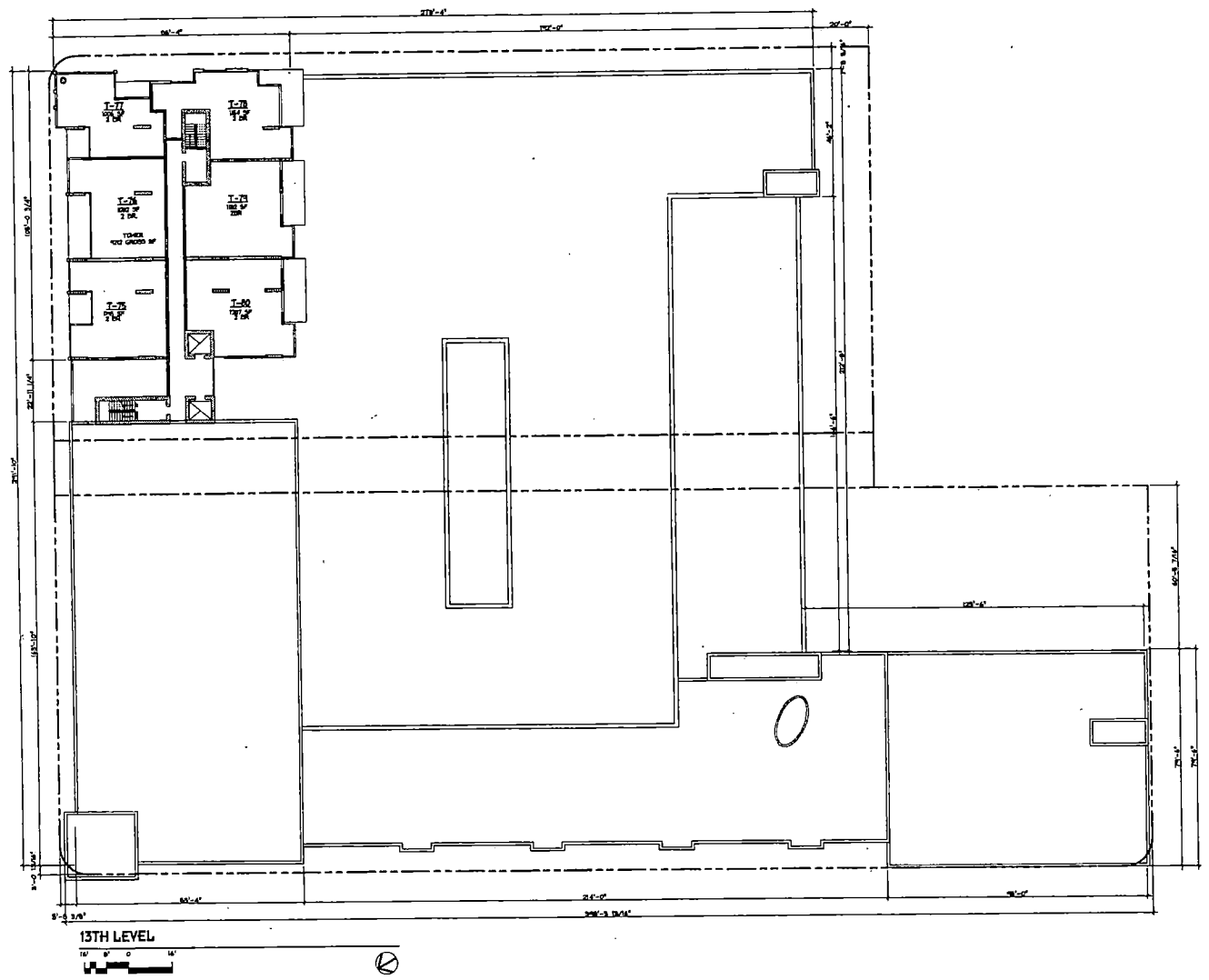
SEAL:

SHEET TITLE:
12TH LEVEL

DATE: 11/24/2004
SCALE:
DRAWN BY:
JOB No.: 2406
SHEET No.: A2.T12
SHEET OF

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



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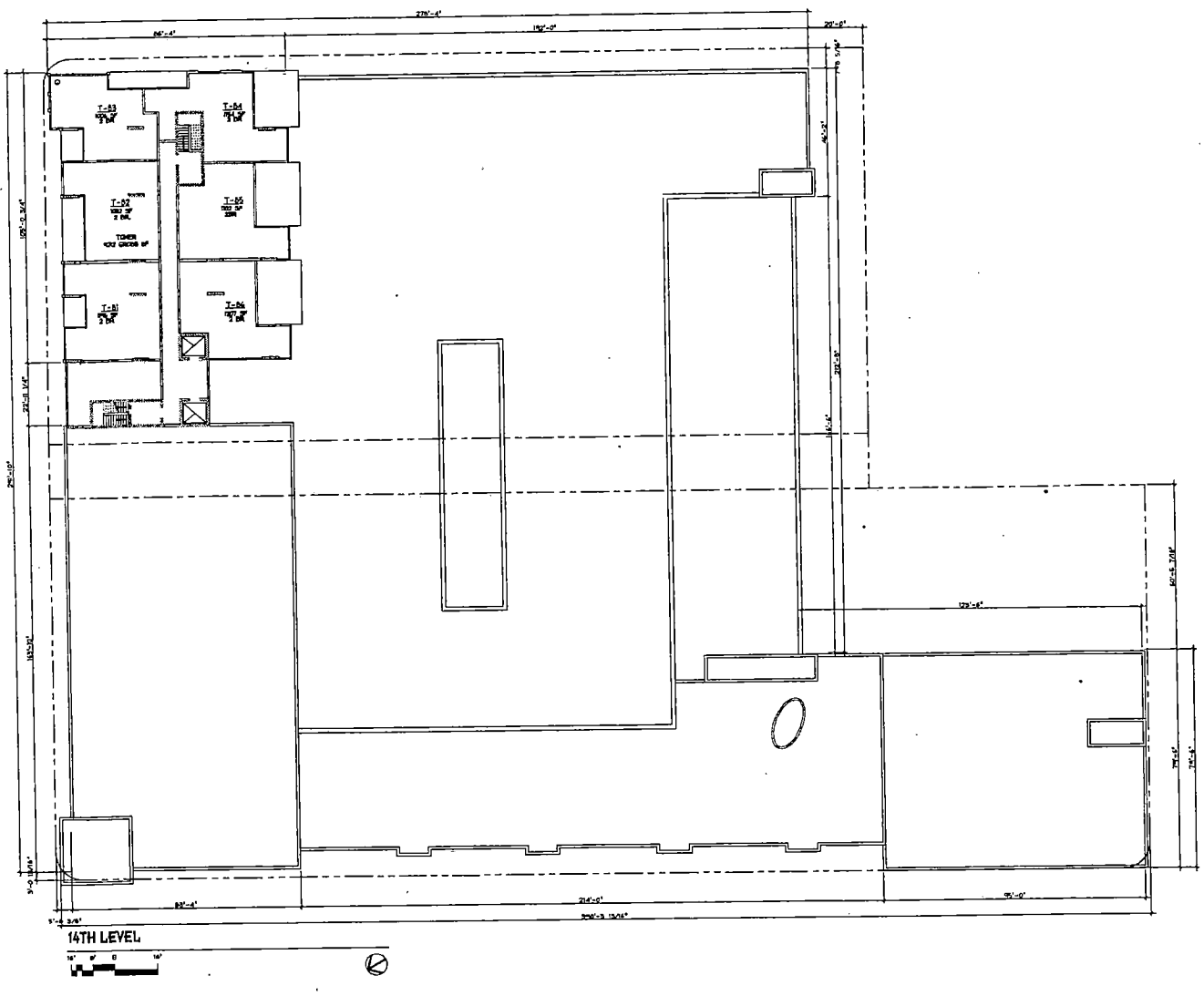
LAS VEGAS
3rd & Bonneville Lofts

SHEET TITLE
13TH LEVEL

DATE: 11/24/2004
SCALE:
DRAWN BY:
JOB No.: 2408
SHEET No.: A2.T13

FOR REFERENCE ONLY

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



SUP-5686
SUP-5690
SDR-5692
01-13-05 PC

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750 B Street, Suite 1700
San Diego, CA 92101-8126
Tel (619) 231-1820 Fax (619) 231-1747

REVISIONS:

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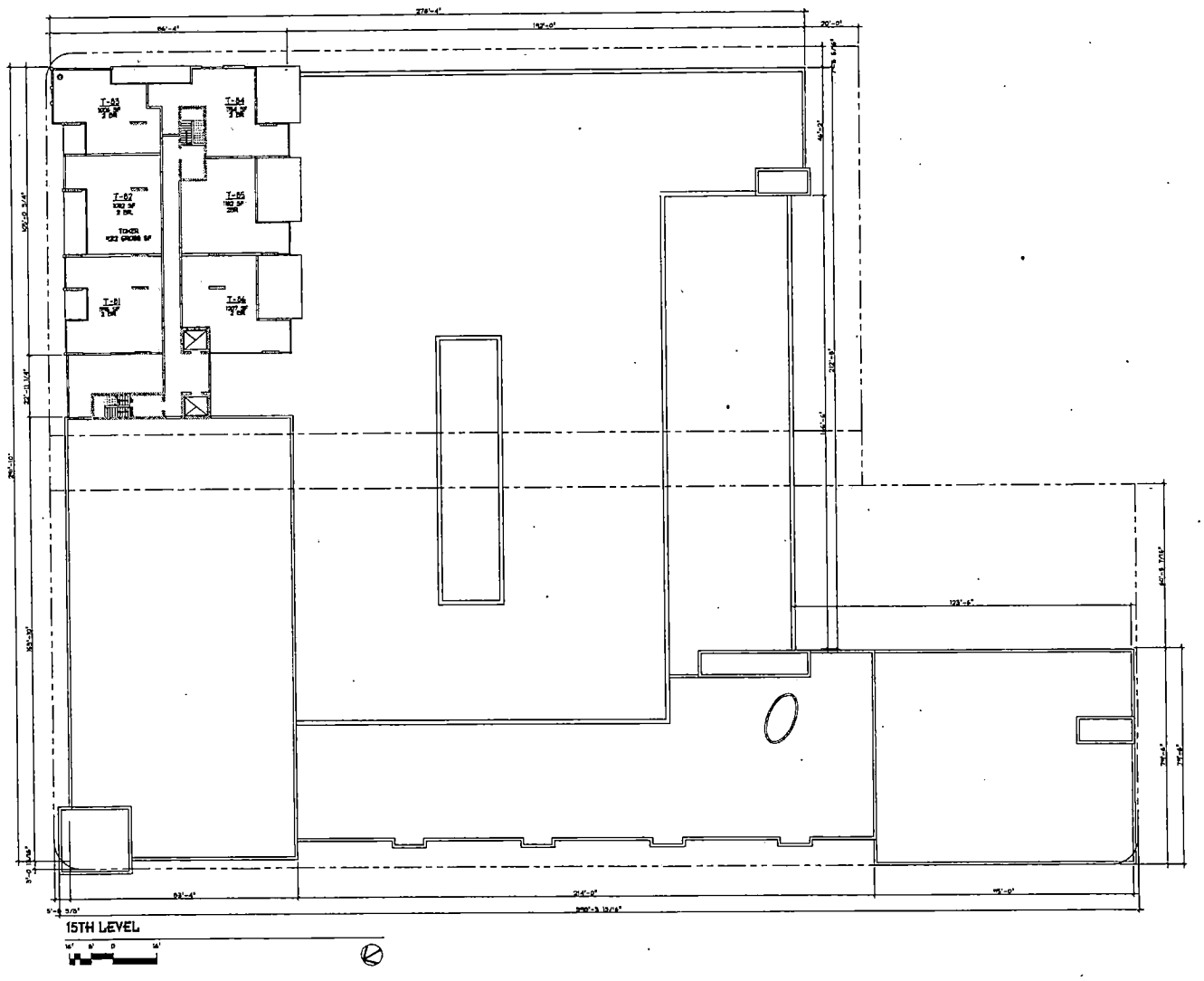
SEAL:

SHEET TITLE:
14TH LEVEL

DATE: 11/24/2004
SCALE:
DRAWN BY:
JOB No. : 2408
SHEET No. : A2.T14
SHEET OF

FOR REFERENCE ONLY



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750 B Street, Suite 1700
San Diego, CA 92101-8128
Tel (619) 235-4651 Fax (619) 235-7410

REVISIONS:

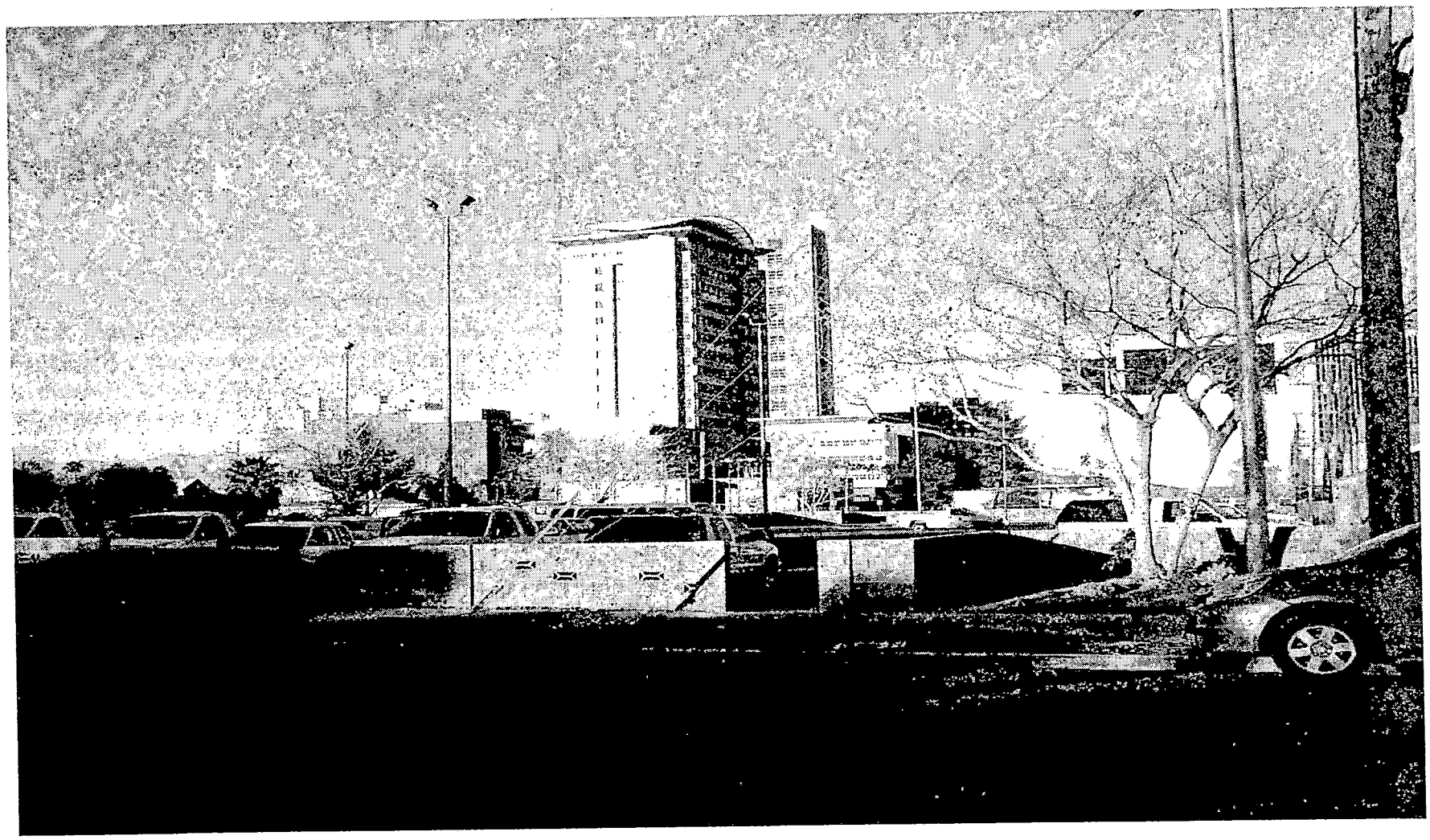
CITYMARK DEVELOPMENT
LAS VEGAS
3rd & Bonneville Lofts

SEAL:

SHEET TITLE:
15TH LEVEL

DATE: 11/24/2004
SCALE:
DRAWN BY:
JOB No.: 2405
SHEET No.: A2.T14
SHEET OF

SUP-5686
SUP-5690
SDR-5692
01-13-05 PC



SDR-5692 - APPLICANT: CITYMARK DEVELOPMENT LLC - OWNER: OFFICE DISTRICT PARKING 1, INC.
NORTHEAST CORNER OF GARCES AVENUE AND THIRD STREET
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

City of Las Vegas

Agenda Item No.: 73

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:

SUP-5687 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: KMW, LLC - Request for a Special Use Permit FOR A PROPOSED ANIMAL HOSPITAL WITHOUT OUTSIDE PENS approximately 200 feet north of the intersection of Buffalo Drive and Gowan Road (APN 138-10-201-026), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to O (Office) Zone, Ward 4 (Brown).

C.C.: 02/16/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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:
DAVENPORT – APPROVED subject to conditions and adding the following condition:

- ***The hours of operation shall be Monday to Friday 8:00 a.m. to 6:00 p.m. and Saturday from 8:00 a.m. to 4:00 p.m.***

– UNANIMOUS with TRUESDELL abstaining because his father-in-law owns a home approximately 4 houses north of this site and this project could have an effect on the values in the area

To be heard by City Council 2/16/2005

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open on Item 73 [SUP-5687] and Item 74 [SDR-5685].

FLINN FAGG, Planning and Development Department, explained that the proposed usage of an animal hospital without outside pens would be permitted in the O (Office) district, when a

MINUTES – Continued:

Special Use Permit is approved. There are conditions that must be satisfied which include windows in the area where the animals will be kept. The condition states no windows; however, the applicant is proposing glass block. Because that block is 8 inches thick, it would meet the sound requirements so staff is recommending approval.

Regarding the Site Development Plan Review, staff is asking that the 15 foot landscaping buffer that is required by Code be located in the space being shown on the plan as seven parking spaces. The proposed project exceeds parking requirements and the loss of those seven spaces would not require a parking waiver.

JOE GARCIA, SR Construction, 3579 Red Rock Street, appeared on behalf of the applicant and Cheyenne West Animal Center. He stated the applicant's concurrence with all conditions of approval for both applications.

ROBIN MANN and JOE MANN, 7533 Grenfell Drive, appeared and explained that they live immediately north of the subject site. She explained that when the property was rezoned, the proposal was for a children's medical and dental clinic. The Planning Commission and the City Council approved that project. The dental clinic was built and now the owners want to sell the rest of the land instead of building the medical center. MS. MANN felt that if the proposal had originally been for the dental center and an animal clinic, the project would not have been approved.

MS. MANN also stated that the animal hospital would affect the resale value of their home. She felt that the general population has a preconceived notion that an animal hospital is noisy and smelly. She concluded by asking the Commission if they would want an animal hospital in their backyard.

MICHAEL JOHNSON, 7539 West Gowan Road, said his property is just east of the proposed site. He asked for approval because there are no animal hospitals close by but there are a lot of animal owners in the area. MR. JOHNSON said he had worked with this animal hospital in the past and he was happy with their service.

MR. GARCIA stated that he could appreciate the concerns regarding noise and smells. During a neighborhood meeting held on November 30th, the residents were shown a building with sensible architecture that was set as far away from residential areas as possible. The building is being set as close to the adjacent office building as possible, which results in 65 and 60-foot setbacks from the property lines. There is more than adequate landscaping buffers being provided and there is not any outside kennel storage area for any animals. The noise would be contained and on that

MINUTES – Continued:

note, MR. GARCIA indicated the applicant is mitigating interior noise to below 80 decibels to protect those indoors.

COMMISSIONER McSWAIN stated that she was sensitive to the concerns of the neighbors; however, the Commission had approved a number of applications of this nature and the Site Plan showed sensitivity to the neighbors. The Commissioner felt this usage might be more benign than an office usage and she would support the item.

COMMISSIONER DAVENPORT stated he has lived with a veterinarian clinic behind him and never had a problem with it. His question pertained to the hours of operation because he thought there was some paperwork that indicated it was an emergency hospital and that implies a 24 a-day operation. MR. GARCIA informed him that it was not an emergency hospital and would conduct normal business hours.

CAROLYN LAWRENCE, 89630 West Cheyenne Avenue, appeared and stated she was the co-owner and hospital administrator for Cheyenne West Animal Hospital. She stated the hours of operation would be Monday through Friday from 8:00 a.m. to 6:00 p.m. and Saturday from 8:00 a.m. to 4:00 p.m. The hospital would be closed on Sundays. It was agreed that the hours of operation would be included as a condition of approval.

COMMISSIONER STEINMAN asked MS. LAWRENCE about waste disposal because he was concerned about the affect it could have on the neighbors. MS. LAWRENCE replied that because the facility is a hospital, medical waste such as needles and syringes are picked up by Republic Silver State on a monthly basis. As far as the animals, the waste is handled with a drain that runs behind the kennels. There is a flush system attached to it. Any excrement is deposited into the drain, which is then flushed. COMMISSIONER STEINMAN then asked why the spaces in the front of the building were not turned around. MR. GARCIA said it was irrelevant now because the spaces would be replaced by landscaping as a 15-foot buffer is required at the street front. The Commissioner was happy to hear that.

Prior to the vote on Item 74 [SDR-5685], MS. WHEELER suggested a condition be added regarding the prohibition of outside pens, runs or waiting areas because it was in the item header that way but not conditioned as such. The applicant agreed to the condition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 73 [SUP-5687] and Item 74 [SDR-5685].

(11:37 – 11:50)

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 73 - SUP-5687

CONDITIONS:

1. Conformance to Minimum Requirements of Title 19.04.050 (numbers 1, 2, 3, 5, and 6) for Animal Hospital Clinic or Shelter without Outside Pens use.

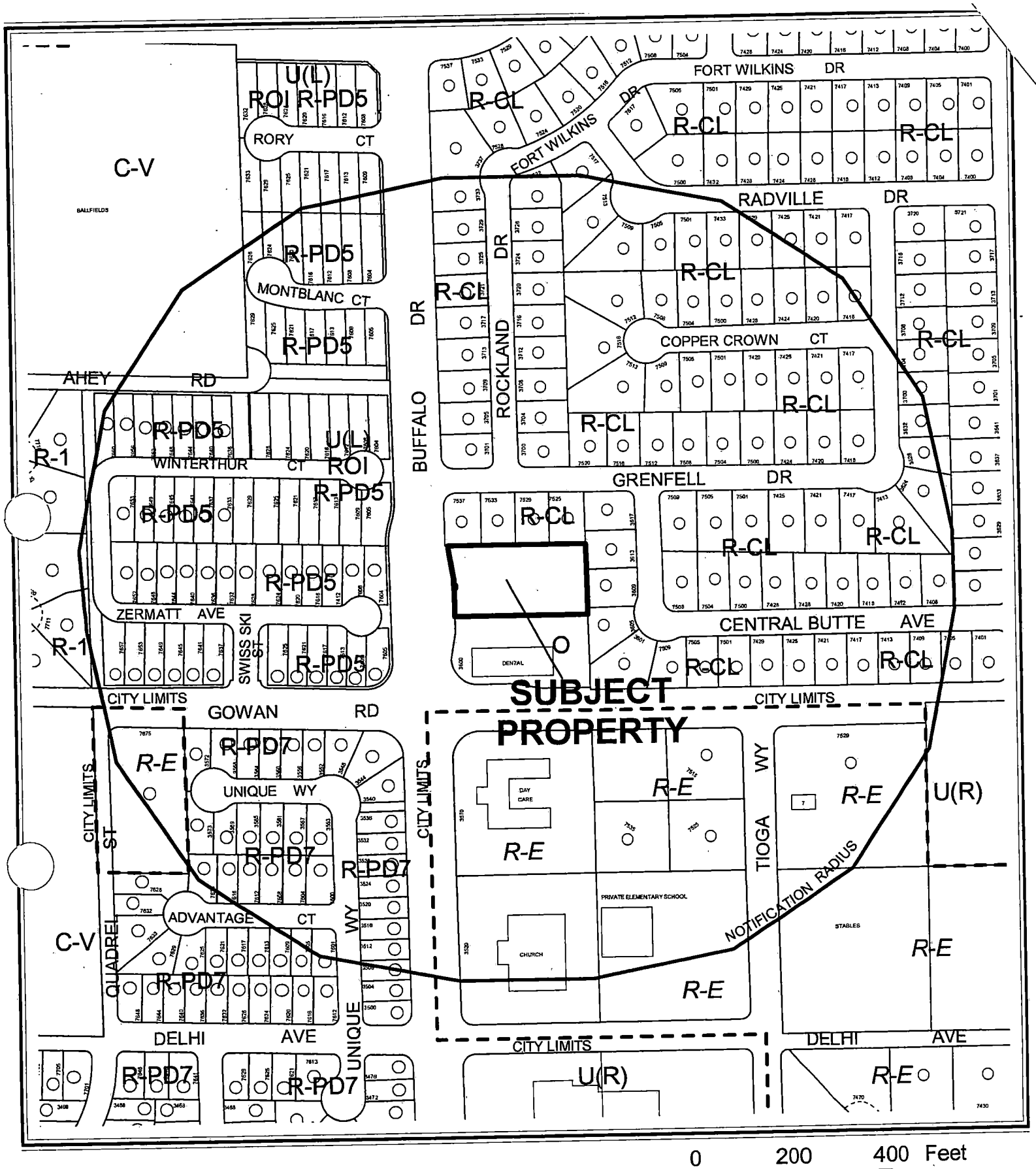
2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0073-99) and Site Development Plan Review (SDR-5685).

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

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

5. A waiver of the Title 19.04.050 Minimum Requirement number 4 for Animal Hospital Without Outside Pens, that rooms containing cages or pens are not permitted to have windows on exterior walls adjacent to residences, is hereby granted. Windows of rooms containing cages or pens on the East side of the clinic shall consist of non-opening four-inch thick glass blocks.

6. A new trash enclosure meeting all Title 19.08.045.G.4 requirements shall be added to the site.



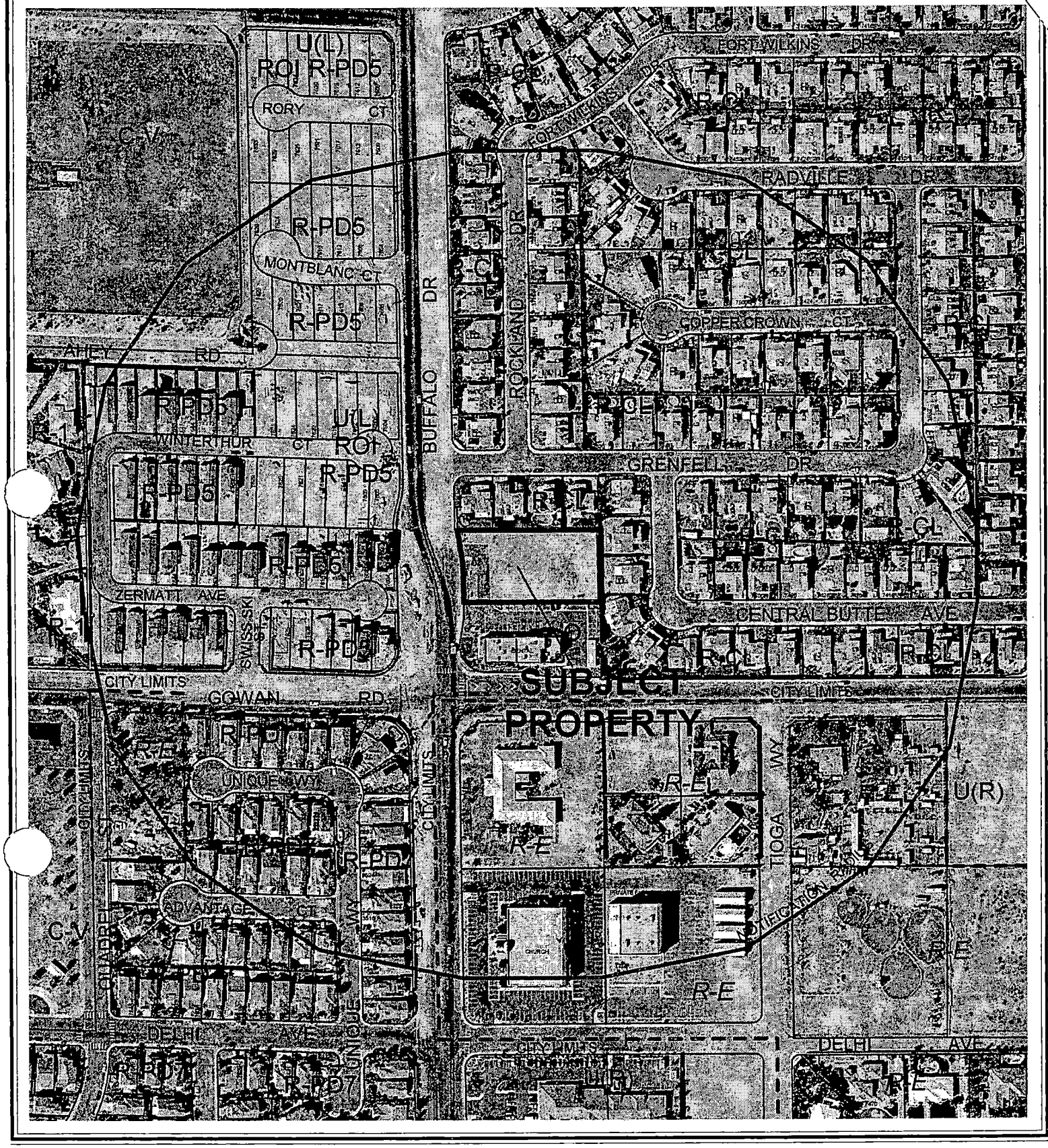
0 200 400 Feet

CASE: **SUP-5687**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO O (OFFICE)

N



0 200 400 Feet

CASE: **SUP-5687**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO O (OFFICE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5687 - APPLICANT/OWNER: KMW, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to Minimum Requirements of Title 19.04.050 (numbers 1, 2, 3, 5, and 6) for Animal Hospital Clinic or Shelter without Outside Pens use.

2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0073-99) and Site Development Plan Review (SDR-5685).

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

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6. A new trash enclosure meeting all Title 19.08.045.G.4 requirements shall be added to the site.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for an Animal Hospital Without Outside Pens approximately 200 feet north of the intersection of Buffalo Drive and Gowan Road.

B) Applicant's Justification

Applicant states: "Due to the increased demand for their services, current space constraints and a continued commitment to the Las Vegas Valley, we find it necessary to increase our size to accommodate the growth of the community and the business."

Applicant further states: "We request a waiver to allow the use of windows in the kennel areas to allow a limited amount of natural light into the kennel area on the east side of the facility. The facility is currently separated from the existing residences by an eight-foot landscape buffer and approximately 65 feet of parking and driveway. It is also our intent to use four inch thick glass block at this location if acceptable."

BACKGROUND INFORMATION

A) Previous Actions

09/19/90	The City Council approved a petition for an Annexation (A-0010-90) of 7.5 acres which included the subject parcel. Effective date: 09/29/90. Planning Commission and staff recommended approval.
12/01/99	The City Council approved a request to amend (GPA-0037-99) a portion of the Northwest Sector Plan on 2.5 acres of property located adjacent to the northeast corner of Buffalo Drive and Gowan Road, from L (Low Density Residential) to O (Office). Planning Commission and staff recommended approval.
02/02/00	The City Council approved a request to Rezone (Z-73-99) property located adjacent to the northeast corner of Buffalo Drive and Gowan Road from U (Undeveloped) [L (Low Density Residential) general plan designation] to O (Office). Planning Commission and staff recommended approval.
11/15/01	The City Council approved a request for a Site Development Plan Review [Z-0073-99(2)] for a 9,811 square foot office building on 1.95 acres (the new parcel which now abuts the south property line of the subject proposal) located adjacent to the northeast corner of the intersection of Gowan Road and Buffalo Drive. Planning Commission and staff recommended approval.

B) Pre-Application Meeting

11/09/04 A pre-application conference was held resulting in the following comments:

1. The applicant will request waivers of landscape buffer width and window placement requirements. Window placement requirements are discussed in this Special Use Permit Request, as it is a condition for the Animal Hospital use. Waivers of Landscape Buffer Width and Building Placement requirements are discussed in the companion Site Development Plan Review SDR-5685]

2. Basic submittal requirements for a Special Use Permit were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required of this application, however, the applicant invited and met with adjacent neighbors on 11/30/04 to discuss their plan and incorporate feedback.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.91

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Residential
South:	Office Buildings
East:	Single Family Residential
West:	Single Family Residential

C) Planned Land Use

Subject Property:	O (Office)
North:	L (Low Density Residential)
South:	O (Office), R-E (Residence Estates, Clark County Designation)
East:	L (Low Density Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	Undeveloped (Office) under Resolution of Intent to O (Office)
North:	R-CL (Residential Compact Lot)
South:	Office, R-E (Residence Estates, Clark County Designation)
East:	R-CL (Residential Compact Lot)
West:	R-PD5 (Residential Planned Development-5 Dwelling Units per Acre)

E) General Plan Compliance

The site is designated as O (Office) on the Centennial Hills Sector Map of the General Plan. The O (Office) land use category provides for small lot office conversions as a transition, along primary and secondary streets, from residential and commercial uses, and for large planned office areas. There are no General Plan policies directly relevant to this 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	

The proposed use is deemed a Project of Regional Significance because it concerns property within 500 feet of the City boundary with Clark County.

INTERAGENCY ISSUES

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

1) Any Special Use Permit within 500' of the City boundary with Clark County.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

1. Wastewater Collection System deem that this project will have minimal impacts.

2. Regional Transportation Commission staff has determined that this project's proximity to arterial streets and transit services obviates any potentially negative regional impacts.

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking Standards

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

Uses	Required Parking Ratio	Required Parking Regular	Required Parking Handicap	Provided Parking Regular	Provided Parking Handicap
Animal Hospital Without Outside Pens	One space for every two on-duty employees	5 spaces			
	One space per doctor	4 space			
	One space per examination room	6 spaces			
	Total	15 spaces	1 space	26 spaces	2 spaces

This proposal exceeds Title 19.10 parking requirements.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Animal Hospital use, and there are no similar approved uses within the notification distance.

Pursuant to Title 19.08.045.G.4, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Trash Enclosure	Away from street and enclosed by walls (see below)	Not Indicated

The applicant has indicated a trash enclosure or refuse collection area on the submitted site plan, but not on the elevations submitted with the companion Site Development Plan Review SDR-5685. Condition of Approval number 7 for a trash enclosure which meets the City's current Code requirements has been added above.

Title 19.08.045.G.4 calls for trash enclosures being located away from the street front and screened from view from rights-of-way, sidewalks, and abutting properties through the use of landscaping and screening. Also, trash enclosures shall be enclosed by walls a minimum of six feet in height, finished in the same manner as the main structures within the development and shall follow the same design theme and use similar materials to those used in the main structures. All such enclosures shall have solid metal gates, and shall have a roof.

B) General Analysis and Discussion

- Zoning

The subject property is zoned Undeveloped (Office) under Resolution of Intent to O (Office). The City Council approved the request to Rezone (Z-73-99) on February 2, 2000, with a Resolution of Intent (Condition #1) set to expire on February 2, 2002. The Resolution of Intent has not expired as yet. There have been no requests for Extensions of Time for this property.

The Animal Hospital Without Outside Pens use is permitted in the O (Office) zoning district with the approval of a Special Use Permit, subject to meeting the requirements listed below under Conditions.

- Use

The proposed Animal Hospital Without Outside Pens will be housed in a new one story building, which is the subject of the companion Site Development Plan Review SDR 5685. The Animal Hospital Without Outside Pens use allows for no more than 25% of the floor area may be used for the boarding of animals. This Animal Hospital boards animals with only 12% of its floor area. This use is subject to other operational standards listed under Conditions below.

- Specific Conditions of Approval Pertaining to this Use

Minimum Requirements under Title 19.04.050 for Animal Hospital Without Outside Pens:

1. The use shall have access to a collector street or larger.

2. Animals shall be confined within an enclosed building at all times.

3. The building shall be designed to provide complete sound barriers and odor protection for adjacent properties.

5. Noise levels must comply with the applicable provisions of LVMC Title 7.

6. No more than 25% of the floor area may be used for the boarding of animals.

Minimum requirement number 4 for the Animal Hospital Without Outside Pens use requires that "Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls adjacent to residences." In this instance, the use of windows in the kennel area of the clinic is proposed so that natural light may enter the east side of the facility.

A waiver of minimum requirement number 4 is justifiable because the facility will be separated from the existing residences by an eight-foot block wall, an eight-foot landscape buffer and approximately 65 feet of parking and driveway. Furthermore, the applicant intends, and Condition of Approval number 6 above requires, the use of non-opening four-inch thick glass block on the east side of the building. As a result, adjacent residents will experience no sound emanating from inside the animal hospital.

FINDINGS

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

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

   Title 19.04.050 conditions for an Animal Hospital Without Outside Pens are met. Therefore, 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.

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

   The site is physically suitable for the type of land use proposed.

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

   Access is provided via a driveway from Gowan Drive, an 80-foot Secondary Collector Street on the City's Master Plan of Streets and Highways. These street facilities are adequate in size to meet the requirements of the proposed use.

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

   This proposed Animal Hospital Without Outside Pens use is consistent with and will not compromise the public health, safety, and welfare or the overall objectives of the General Plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 181 – Mailed with SDR-5685

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-52687 APN: 13810201026

Name of Property Owner: Cheyenne West Animal Hospital

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: _____

Print Name: H. R. Ensinger

Subscribed and sworn before me

This 30th day of November, 2004

Laura Simpson
Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
LAURA SIMPSON
My Appointment Expires
No: 00-62914-1 May 13, 2008

November 22, 2004

City of Las Vegas
Planning & Development Department
731 South Fourth Street
Las Vegas, Nevada 89101

Re: Cheyenne West Animal Hospital - A.P.N. #13810201026
Justification Letter

To Whom It May Concern:

On behalf of Cheyenne West Animal Hospital, SR Construction is requesting approval of the attached application and special use permit for the construction of an Animal Hospital on the above-referenced parcel, consisting of one single story (~9,150sf) facility on approximately 0.91 acres.

Cheyenne West Animal Hospital has been providing veterinary care to the Northwest Las Vegas Valley area since 1999. Dr. Brian Hewitt, DVM and Dr. Annette Shaver, DVM have been providing veterinary medicine in the Las Vegas Valley for over fifteen years. Due to the increased demand for their services, current space constraints and a continued commitment to the Las Vegas Valley they find it necessary to increase their size to accommodate the growth of the community and the business. At this time we anticipate approximately (12) on-duty employees to support three doctors. This facility hopes to see approximately (60) patients per day and will only be providing kennel space to accommodate (16) dogs. As you will notice on our site plan we have provided approximately 50% more parking and landscaping than is required by code.

In an effort to become a good neighbor and incorporate feedback from the surrounding neighborhood we have scheduled a meeting with the local residents to discuss our plan. This meeting is currently scheduled for Tuesday, November 30, at 7:00PM.

As this parcel is currently zoned (U(O)), we are hereby submitting this project for planning commission approval, as well as requesting a special use permit in accordance with Las Vegas Zoning Code 19.04.050 (B). Additionally, we are requesting two waivers of standards for this project:

SR CONSTRUCTION
www.srconstructionlv.com

3579 Red Rock Street
Las Vegas, Nevada 89103
Nevada License #33080A

702 877.6111
702 258.6326 FAX
E-Mail: srconstructionlv.com

The first waiver requested is for the 6' landscape requirement on the South side of the facility. We would like to incorporate a means of egress on the South elevation of the building with a five foot wide sidewalk to accommodate this exit. This addition would require us to reduce the landscape buffer from 6' to 5' for approximately 50% of the South West side of the building. A 10' landscape buffer would be provided for the South East side of the building provided this waiver is acceptable.

The Second waiver requested is to allow the use of windows in the kennel area, (19.04.050 (B) Item #4) "Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls adjacent to residences". Our intent is to allow a limited amount of natural light into the kennel area which is on the East side of the facility. The facility is currently separated from the existing residences by an 8' landscape buffer and approximately 65' of parking and driveway. It is also our intent to use 4" thick glass block at this location if acceptable.

We do feel that this will be a welcome addition to the neighborhood and appreciate your consideration of this submittal. If you need additional information, please contact me at 877-6111.

Sincerely,

Joseph M. Garcia
Vice President

This request is supported by Cheyenne West Animal Hospital.

Dr. Brian Hewitt, DVM

cc: Dr. Annette Shaver, DVM
Carolyn Lawrence
File

Justification Letter for Emergency Animal Hospital in:
701 East Charleston Blvd. Las Vegas, NV 89104

November 22, 2004

City of Las Vegas Department of Planning and Development
Office of Business Development
400 Stewart Ave.
Las Vegas, NV 89101

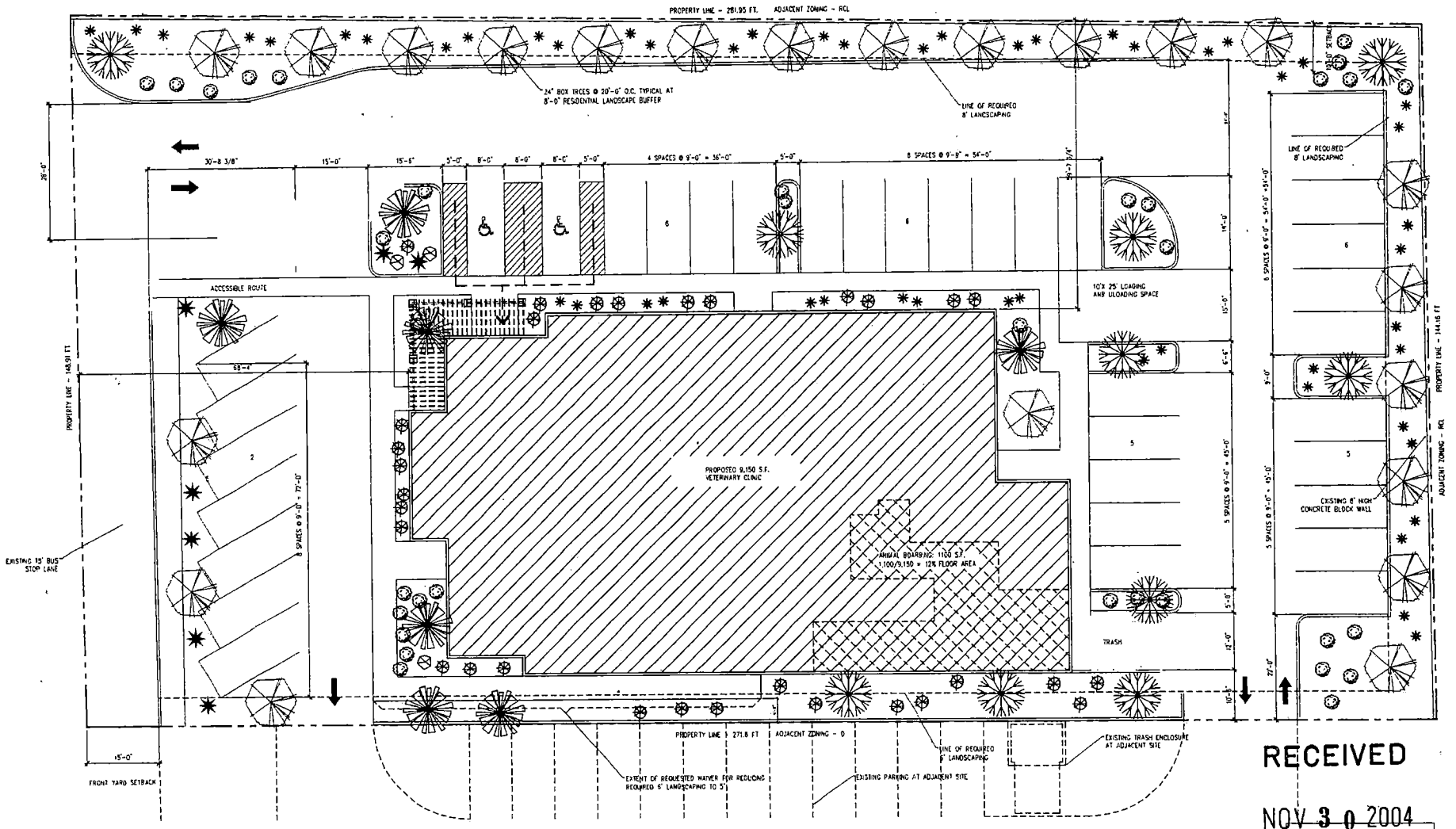
To whom it may concern:

Dr. Raoufinia and I, Dr. Omid Tabatabai, plan to open a 24-hour emergency animal hospital in the location above to serve the Las Vegas area. It will be one of the only emergency animal hospitals with a veterinarian on site 24 hours a day, 7 days a week.

At this moment, the entire city of Las Vegas has 2 emergency animal hospitals with doctors on call. Due to population increase and the number of pets in the vicinity, the demand for emergency animal hospitals are increasing. We shall be able to serve the animals that are in need of treatment during weekends, holidays, and night times. This animal hospital will provide quality jobs for up to eleven people and will have one surgery room, two treatment rooms and 3 exam rooms.

Sincerely yours,

Dr. Tabatabai D.V.M
Dr. Raoufinia D.V.M PhD.



SITE INFORMATION: APN: 138102201028

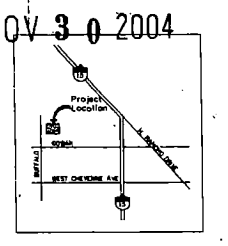
SPACES REQUIRED: ONE SPACE PER DOCTOR (3), ONE SPACE FOR EVERY TWO ON-DUTY EMPLOYEES (12), AND ONE SPACE PER EXAM ROOM (7); 22 SPACES REQUIRED. 35 SPACES PROVIDED: 2 HANDICAP SPACES REQUIRED - 2 PROVIDED

SITE AREA: 41,292 S.F. (.948 ACRES); BUILDING AREA: 9,150 (23% SITE COVERAGE)

LANDSCAPE NOTES

1. ALL PLANTERS TO RECEIVE 1/2" DECOMPOSED GRANITE GROUND COVER
2. COMPLETE AUTOMATIC DRIP IRRIGATION SYSTEM TO ACCOMMODATE ALL PLANTING

24" Box SHOESTRING ACACIA
24" BOX MESQUITE
24" BOX CHAMAEROPS HUMILIS
5 GALLON LEUCOPHYLLUM 'GREEN CLOUD'
5 GALLON YUCCA RECURVIFOLIA
5 GALLON REGAL MIST
1 GALLON LANTANA
200 - 300#GRANITE BOULDERS



SITE PLAN
SCALE : 1" = 10'-0"

SUP-5687
SDR-5685
01-13-05 PC

RECEIVED
NOV 30 2004

Drawings as instruments of Service are the Sole Property of the Architect and are not to be Published in Whole or in Part without the Written Consent of Purvis Architects. Drawings and Specifications Remain the Sole Property of the Owner. Protection Claims of the Drawings and Specifications Retained by the Client, May be Used Only for the Use and for Occupancy by Project for which They were Prepared and are not for the Construction of any Other Project. ©AC 03.1705

CONSULTANT

SITE PLAN

WEST CHEYENNE ANIMAL CLINIC
W. CHEYENNE AND BUFFALO
LAS VEGAS, NEVADA

PURVIS ARCHITECTS
architecture planning
6325 Mc Leod Drive Suite
Las Vegas, Nevada 8912
Tel 702.876.9490 Fax 702.876.96
e-mail doug@purvisarch.co

REV.	DATE	DESCRIPTION

SHEET
AS.1

SUP-5687 - APPLICANT/OWNER: KMW, LLC
APPROXIMATELY 200 FEET NORTH OF THE INTERSECTION OF BUFFALO DRIVE AND GOWAN ROAD
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

City of Las Vegas

Agenda Item No.: 74

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:

SDR-5685 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5687 - PUBLIC HEARING - APPLICANT/OWNER: KMW, LLC - Request for a Site Development Plan Review FOR A 9,150 SQUARE-FOOT ANIMAL HOSPITAL WITHOUT OUTSIDE PENS AND WAIVERS OF THE LANDSCAPE BUFFER WIDTH AND BUILDING PLACEMENT STANDARDS on 0.91 acres approximately 200 feet north of the intersection of Buffalo Drive and Gowan Road (APN 138-10-201-026), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to O(Office) Zone, Ward 4 (Brown).

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:

DAVENPORT – APPROVED subject to conditions and adding the following condition:

- ***No exterior pens, runs or waiting areas shall be allowed.***

– UNANIMOUS with TRUESDELL abstaining because his father-in-law owns a home approximately 4 houses north of this site and this project could have a effect on the values in the area

To be heard by City Council 2/16/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 73 [SUP-5687] and Item 74 [SDR-5685].

(11:37 – 11:50)

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 74 - SDR-5685

CONDITIONS:

Planning and Development

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

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

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

4. A Waiver of the landscape buffer width on the west half of the south side of the building, from six feet to five feet is hereby granted.

5. A Waiver of the Building Placement Standard (19.08.045.C.4.c) is hereby granted, provided that the seven parking spaces depicted at the front of the property shall be replaced by landscaping.

6. The site 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 signage which conforms to Title 19.14 Sign Standards for the O (Office) Zone.

7. A new trash enclosure meeting all Title 19.08.045.G.4 requirements shall be added to the site.

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.]

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

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

11. 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 no more than 15% of the total landscaped area as turf.

CONDITIONS – Continued:

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

14. 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.

15. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements.

(a) The plan is to include a listing of all infrastructure improvements along with assignment of maintenance responsibility to a common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components.

(b) 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.

(c) The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met and the City of Las Vegas is then required to provide for said maintenance.

(d) The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

Public Works

16. Construct all incomplete half-street improvements on Buffalo Drive adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

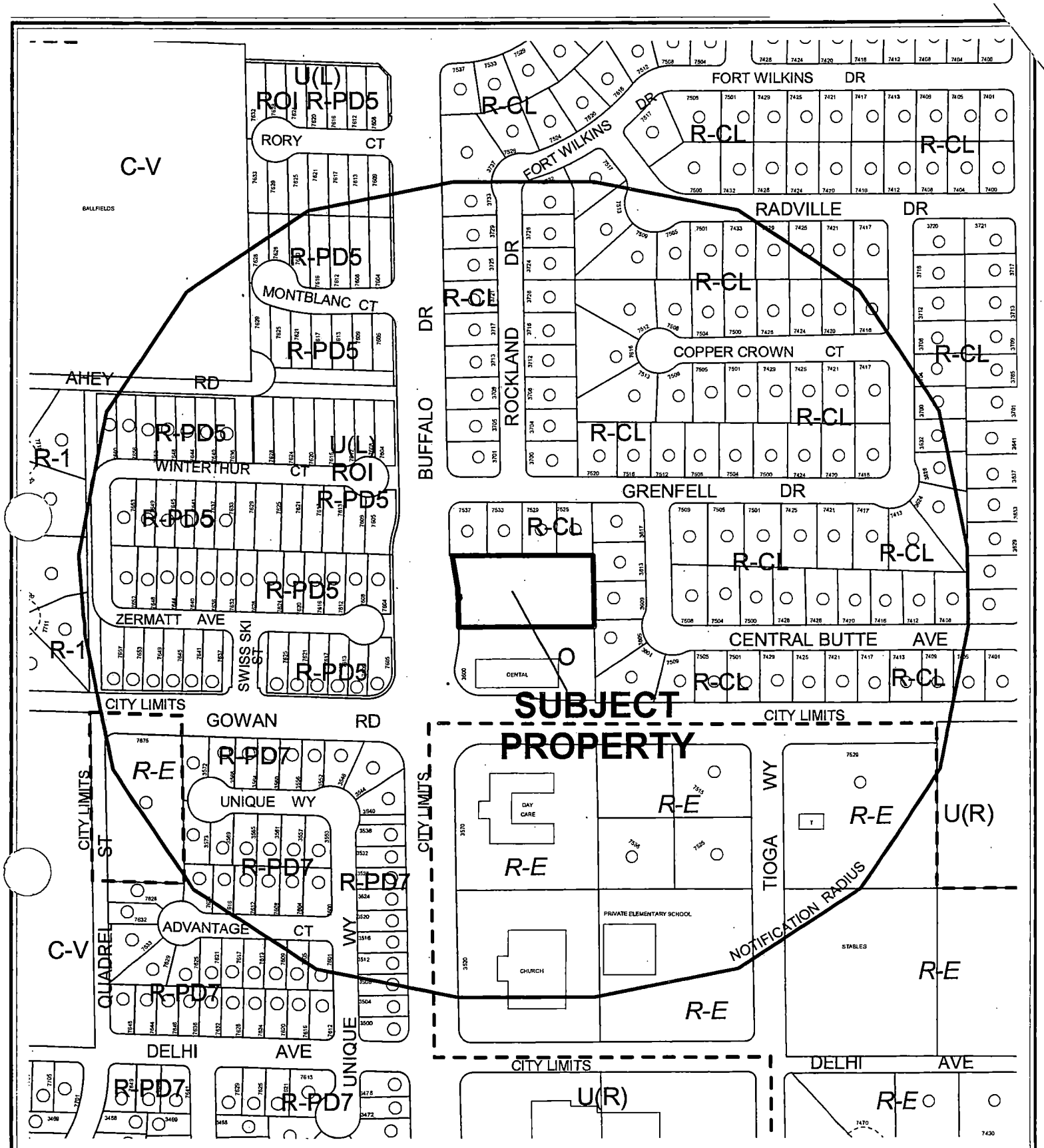
CONDITIONS – Continued:

17. 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.

18. The proposed driveway accessing Buffalo Drive may not encroach into the existing bus storage lane and shall be designed, located and constructed in accordance with Standard Drawing #222A.

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

20. A Drainage Plan and Technical Drainage Study Update 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.



0 200 400 Feet

CASE: **SDR-5685**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO O (OFFICE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5685 - APPLICANT/OWNER: KMW,LLC

** CONDITIONS **

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

Planning and Development

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

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

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

4. A Waiver of the landscape buffer width on the west half of the south side of the building, from six feet to five feet is hereby granted.

5. A Waiver of the Building Placement Standard (19.08.045.C.4.c) is hereby granted, provided that the seven parking spaces depicted at the front of the property shall be replaced by landscaping.

6. The site 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 signage which conforms to Title 19.14 Sign Standards for the O (Office) Zone.

7. A new trash enclosure meeting all Title 19.08.045.G.4 requirements shall be added to the site.

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.]

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

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

11. 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 no more than 15% of the total landscaped area as turf.

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

14. 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.

15. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements.

    (a) The plan is to include a listing of all infrastructure improvements along with assignment of maintenance responsibility to a common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components.

    (b) 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.

    (c) The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met and the City of Las Vegas is then required to provide for said maintenance.

    (d) The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

Public Works

16. Construct all incomplete half-street improvements on Buffalo Drive adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

17. 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.

18. The proposed driveway accessing Buffalo Drive may not encroach into the existing bus storage lane and shall be designed, located and constructed in accordance with Standard Drawing #222A.

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

20. A Drainage Plan and Technical Drainage Study Update 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.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 9,150 square foot Animal Hospital without Outside Pens and Waivers of the landscape buffer width and building placement standards on 0.91 acres approximately 200 feet north of the intersection of Buffalo Drive and Gowan Road

B) Applicant's Justification

Applicant states: "The waiver of landscape buffer width from six feet to five feet is to incorporate a means of egress on the south elevation of the building. The other waiver, to allow the use of windows in the kennel areas is to allow a limited amount of natural light into the kennel area on the east side of the facility. The facility is currently separated from the existing residences by an eight-foot landscape buffer and approximately 65 feet of parking and driveway. It is also our intent to use four inch thick glass block at this location if acceptable."

BACKGROUND INFORMATION

A) Previous Actions

09/19/90	The City Council approved a petition for an Annexation (A-0010-90) of 7.5 acres which included the subject parcel. Effective date: 09/29/90. Planning Commission and staff recommended approval.
12/01/99	The City Council approved a request to amend (GPA-0037-99) a portion of the Northwest Sector Plan on 2.5 acres of property located adjacent to the northeast corner of Buffalo Drive and Gowan Road, from L (Low Density Residential) to O (Office). Planning Commission and staff recommended approval.
02/02/00	The City Council approved a request to Rezone (Z-73-99) 2.5 acres of property located adjacent to the northeast corner of Buffalo Drive and Gowan Road from U (Undeveloped) [L (Low Density Residential) general plan designation] to O (Office). Planning Commission and staff recommended approval.
11/15/01	The City Council approved a request for a Site Development Plan Review [Z-0073-99(2)] for a 9,811 square foot office building on 1.95 acres (the new parcel which now abuts the south property line of the subject proposal) located adjacent to the northeast corner of the intersection of Gowan Road and Buffalo Drive. Planning Commission and staff recommended approval.

B) Pre-Application Meeting

11/09/04 A pre-application conference was held resulting in the following comments:

1. The applicant will request waivers of landscape buffer width and window placement requirements. Waivers of Landscape Buffer Width and Building Placement Requirements are discussed in this Site Development Plan Review. Window placement requirements are discussed in the companion Special Use Permit request (SUP-5687), as it is a condition for the Animal Hospital use.

2. Basic submittal requirements for a Special Use Permit were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required of this application, however, the applicant met with adjacent neighbors on 11/30/04 to discuss their plan and incorporate feedback.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.91

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Residential
South:	Office Buildings
East:	Single Family Residential
West:	Single Family Residential

C) Planned Land Use

Subject Property:	O (Office)
North:	L (Low Density Residential)
South:	O (Office), R-E (Residence Estates, Clark County Designation)
East:	L (Low Density Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	Undeveloped (Office) under Resolution of Intent to O (Office)
North:	R-CL (Residential Compact Lot)
South:	Office, R-E (Residence Estates, Clark County Designation)
East:	R-CL (Residential Compact Lot)
West:	R-PD5 (Residential Planned Development-5 Dwelling Units per Acre)

E) General Plan Compliance

The site is designated as O (Office) on the Centennial Hills Sector Map of the General Plan. The O (Office) land use category provides for small lot office conversions as a transition, along primary and secondary streets, from residential and commercial uses, and for large planned office areas. There are no General Plan policies directly relevant to this request.

PROJECT DESCRIPTION

The submitted site plan indicates access to the site will be from Buffalo Drive. The proposed 9,150 square-foot, one-story animal hospital is located on the southern portion of the site, 10 ½ feet from the property line. The site plan indicates that this area is enclosed by existing decorative block wall on the north and east property lines, and landscaping on all four sides. The site plan depicts parking located on the north, east (rear) and west (front) sides of the building. The building elevations depict stucco and cultured stone exteriors with concrete tile roof and precast stone trim.

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	39,517 Square Feet	N/A
Min. Lot Width	100 Feet	149 Feet	Y
Min. Setbacks			
• Front	25 Feet	68 Feet	Y
• Side	10 Feet	59 Feet, 8" (north)	Y
		10 Feet, 6" (south)	Y
• Corner	15 Feet	N/A	N/A
• Rear	15 Feet	65 Feet	Y
Max. Lot Coverage	30 %	23 %	Y
Max. Building Height	2 Stories or 35 Feet, whichever is less	1 Story / 24 Feet	Y
Mechanical Equipment	Screened	Screened	Y
Trash Enclosure	Away from street, enclosed by walls	Not Indicated	N

The applicant has indicated a trash enclosure or refuse collection area on the submitted site plan, but not on the elevations submitted with the companion Site Development Plan Review SDR-5685. Condition of Approval number 5 for a trash enclosure which meets the City's current Code requirements has been added above.

Title 19.08.045.G.4 calls for trash enclosures being located away from the street front and screened from view from rights-of-way, sidewalks, and abutting properties through the use of landscaping and screening. Also, trash enclosures shall be enclosed by walls a minimum of six feet in height, finished in the same manner as the main structures within the development and shall follow the same design theme and use similar materials to those used in the main structures. All such enclosures shall have solid metal gates, and shall have a roof.

A2) Residential Adjacency Standards

Pursuant to Title 19.08.060.B, the following Residential Adjacency Standards apply to the subject proposal:

a) Proximity slope. At 16 feet high the proposed building meets the proximity slope requirement of Title 19.08.060.B.

b) Building setback. The proposal exceeds the 15 foot rear yard and 10 foot side yard setback requirements. Actual setbacks for this proposal are 65 feet rear yard and 59 feet, 8 inches side yard.

A3) Parking Standards

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

Uses	**Required** Ratio	**Required** Parking		**Provided** Parking	
		Regular	Handicap	Regular	Handicap
Animal Hospital Without Outside Pens	One space for every two on-duty employees	5 spaces			
	One space per doctor	4 space			
	One space per examination room	6 spaces			
	Total	15 spaces	1 space	26 spaces	2 spaces

This proposal exceeds Title 19.10 parking requirements.

A4) Landscape Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 Spaces	9 Trees	11 Trees
Buffer: • Min. Trees	1 Trees / 20 Linear Feet	21 Trees	28 Trees
• Min. Zone Width	8 Feet		8 Feet
• Wall height	8 Feet		8 Feet

The proposal exceeds the Title 19.12, Landscape Standards for commercially-zoned properties.

A5) Sign Standards

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

Freestanding Signs: [None Indicated]

Standards	Allowed	Provided
Maximum Number	1 / Street frontage 1 total	None Indicated
Maximum Area	75 SF.	None Indicated
Maximum Height	16 Feet	None Indicated
Minimum Setback	5 Feet	None Indicated
Illumination	Internal	None Indicated

Monument Signs: [None Indicated]

Standards	Allowed	Provided
Maximum Number	1 / Street frontage 1 total	None Indicated
Maximum Area	75 SF /sign	None Indicated
Maximum Height	10 Feet	None Indicated
Minimum Setback	5 Feet	None Indicated
Illumination	Internal	None Indicated

Wall Signs: [None Indicated]

Standards	Allowed	Provided
Maximum Number	1 / Street frontage 1 total	None Indicated
Maximum Area	10% of front elevation	None Indicated
Maximum Projection	1 Foot	None Indicated
Illumination	Internal	None Indicated

This proposal does not indicate signage on its elevations or site plan. Condition of Approval number 6 is included above, which requires that the site 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 signage which conforms to Title 19.14 Sign Standards for the O (Office) Zone.

B) General Analysis and Discussion

- Zoning

The subject property is zoned Undeveloped (Office) under Resolution of Intent to O (Office). The City Council approved the request to Rezone (Z-73-99) on February 2, 2000, with a Resolution of Intent (Condition #1) set to expire on February 2, 2002. The Resolution of Intent has not expired as yet. There have been no requests for Extensions of Time for this property.

- Site Plan

The submitted site plan indicates access to the site will be from Buffalo Drive. The proposed 9,150 square foot building is located on the southern portion of the site, 10 ½ feet from the property line. The site plan indicates that this area is enclosed by existing decorative block wall on the north and east property lines, and landscaping on all four sides. The site plan depicts parking located on the north, east (rear) and west (front) sides of the building. Even with the removal of seven parking spaces from the front (west) side of the site, this Animal Hospital will have 12 more parking spaces than is required.

- Waivers

The applicant is requesting a Waiver of landscape buffer to allow a five-foot width along half of the building's south perimeter, to allow for egress paths. Staff has added Condition of Approval number 4 above, which grants this Waiver.

Staff has granted a Waiver of the Building Placement Standard (19.08.045.C.4.c) that buildings for stand alone projects be located at the front of the site at the minimum setback line. In this O (Office) zone, the building placement line would be 25 Feet from the front property line.

The proposed building will be located 68 feet from the minimum setback line. This placement accommodates a 15-foot bus turn-out lane and a five-foot wide sidewalk. Another 15 feet is dedicated as a cross-access driveway that accesses the adjacent office building to the south. The building may be placed as depicted on condition that the seven parking spaces proposed to be placed at the front of the property be replaced by landscaping. Staff has added Condition of Approval number 5 above, which grants this Waiver.

- Landscape Plan

The landscaping provided compliments the existing landscaping on site. The applicant intends to use Mondell Pine, Modesto Ash, Mexican Palm, and a variety of shrubs, which were used around the previously approved auto dealership site.

- Elevation

The submitted elevations depict one single-story rectangle-shaped building at 24 feet in height. The building elevations depict earth tone stucco and cultured stone exteriors with concrete tile roofing and precast stone trim. This building's elevation renderings indicate the façade articulation called for in Title 19.08 (Development Standards).

- Floor Plan

The floor plan of the Animal Hospital indicates six examination rooms, 16 kennels, surgery room, dental room, X-ray room, intensive care room, recovery room, grooming room, file room, adoption room, file room, four offices, a dog waiting room, a cat waiting room, a pharmacy, a lounge area, a library/conference area, retail area, and four restrooms; totaling 9,150 square feet.

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 Animal Hospital will be compatible with the adjacent residential neighborhoods and office developments.

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;"**

   Staff finds the proposed Animal Hospital will be consistent with Title 19, applicable City plans, policies and standards with implementation of the conditions presented below regarding the landscape plan, mechanical screening, exterior lighting, and signage standards.

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

   The abutting street network will be adequate for the traffic generated by the proposed Animal Hospital. Access to the site is from Buffalo Drive, a 100-foot wide Primary Arterial street on the Master Plan of Streets and Highways.

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

   The design and materials used for the proposed Animal Hospital are similar to the surrounding commercial uses nearby. The applicant is requesting a waiver of landscape buffer to allow a five-foot width along half of the building's south perimeter, to allow for egress paths. The visual impact of this waiver will be negligible. The provided landscaping compliments the existing landscaping on surrounding sites. The applicant intends to use Shoestring Acacia, Mesquite, Chamaerops Humulis, and a variety of shrubs.

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;"**

   Building elevations for the proposed Animal Hospital are attractive and will be compatible with the adjacent office building on the parcel south of this site.

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

   The proposed Animal Hospital will be subject to inspections for occupancy and therefore will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 181 – Mailed with SUP-5687

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5485 APN: 13810201026

Name of Property Owner: Cheyenne West Animal Hospital

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: _____

Print Name: H. R. Ensinger

Subscribed and sworn before me

This 30th day of November, 2004

Laura Simpson

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
LAURA SIMPSON
My Appointment Expires
No: 00-62914-1 Mar. 13, 2008

November 22, 2004

City of Las Vegas
Planning & Development Department
731 South Fourth Street
Las Vegas, Nevada 89101

Re: Cheyenne West Animal Hospital - A.P.N. #13810201026
Justification Letter

To Whom It May Concern:

On behalf of Cheyenne West Animal Hospital, SR Construction is requesting approval of the attached application and special use permit for the construction of an Animal Hospital on the above-referenced parcel, consisting of one single story (~9,150sf) facility on approximately 0.91 acres.

Cheyenne West Animal Hospital has been providing veterinary care to the Northwest Las Vegas Valley area since 1999. Dr. Brian Hewitt, DVM and Dr. Annette Shaver, DVM have been providing veterinary medicine in the Las Vegas Valley for over fifteen years. Due to the increased demand for their services, current space constraints and a continued commitment to the Las Vegas Valley they find it necessary to increase their size to accommodate the growth of the community and the business. At this time we anticipate approximately (12) on-duty employees to support three doctors. This facility hopes to see approximately (60) patients per day and will only be providing kennel space to accommodate (16) dogs. As you will notice on our site plan we have provided approximately 50% more parking and landscaping than is required by code.

In an effort to become a good neighbor and incorporate feedback from the surrounding neighborhood we have scheduled a meeting with the local residents to discuss our plan. This meeting is currently scheduled for Tuesday, November 30, at 7:00PM.

As this parcel is currently zoned (U(O)), we are hereby submitting this project for planning commission approval, as well as requesting a special use permit in accordance with Las Vegas Zoning Code 19.04.050 (B). Additionally, we are requesting two waivers of standards for this project:

SR CONSTRUCTION
www.srconstructionlv.com

3579 Red Rock Street
Las Vegas, Nevada 89103
Nevada License #33080A

702 877.6111
702 258.6326 FAX
E-Mail: srconstructionlv.com

The first waiver requested is for the 6' landscape requirement on the South side of the facility. We would like to incorporate a means of egress on the South elevation of the building with a five foot wide sidewalk to accommodate this exit. This addition would require us to reduce the landscape buffer from 6' to 5' for approximately 50% of the South West side of the building. A 10' landscape buffer would be provided for the South East side of the building provided this waiver is acceptable.

The Second waiver requested is to allow the use of windows in the kennel area, (19.04.050 (B) Item #4) "Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls adjacent to residences" . Our intent is to allow a limited amount of natural light into the kennel area which is on the East side of the facility. The facility is currently separated from the existing residences by an 8' landscape buffer and approximately 65' of parking and driveway. It is also our intent to use 4" thick glass block at this location if acceptable.

We do feel that this will be a welcome addition to the neighborhood and appreciate your consideration of this submittal. If you need additional information, please contact me at 877-6111.

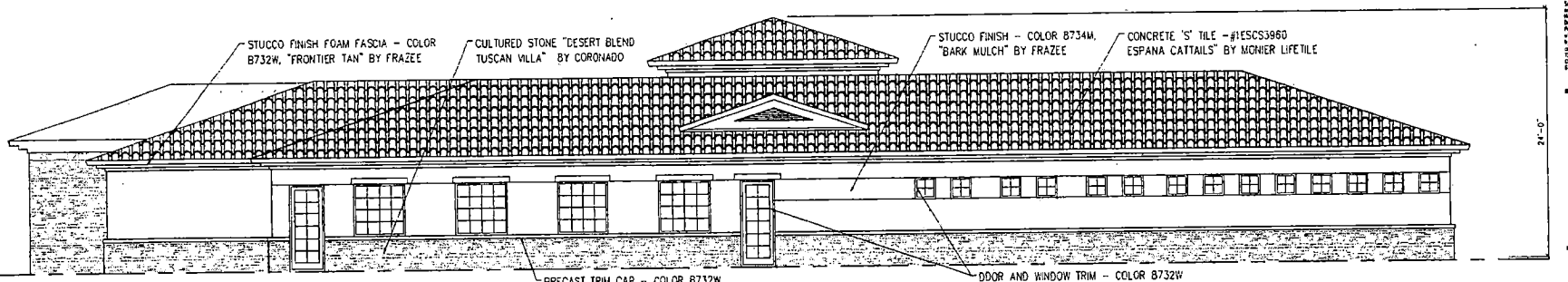
Sincerely,

Joseph M. Garcia
Vice President

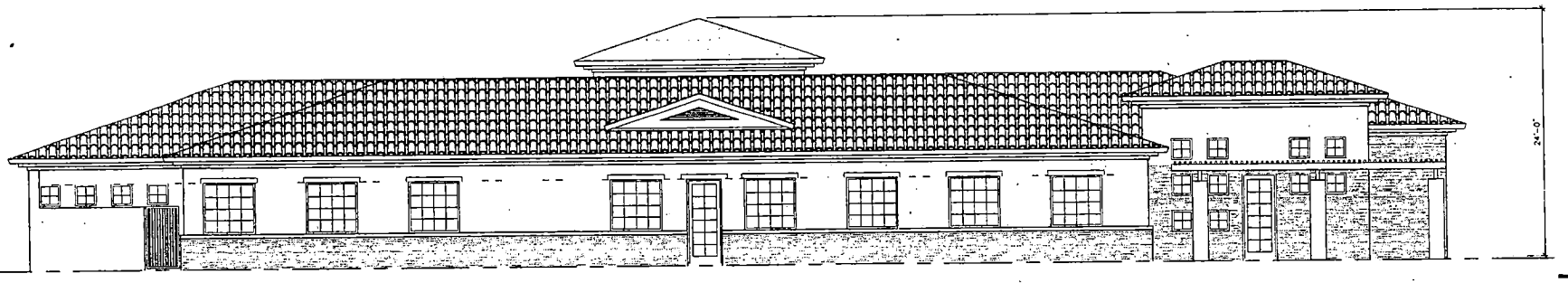
This request is supported by Cheyenne West Animal Hospital.

Dr. Brian Hewitt, DVM

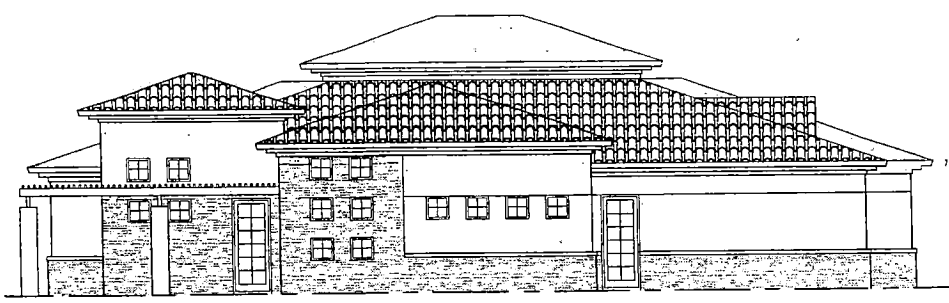
cc: Dr. Annette Shaver, DVM
Carolyn Lawrence
File



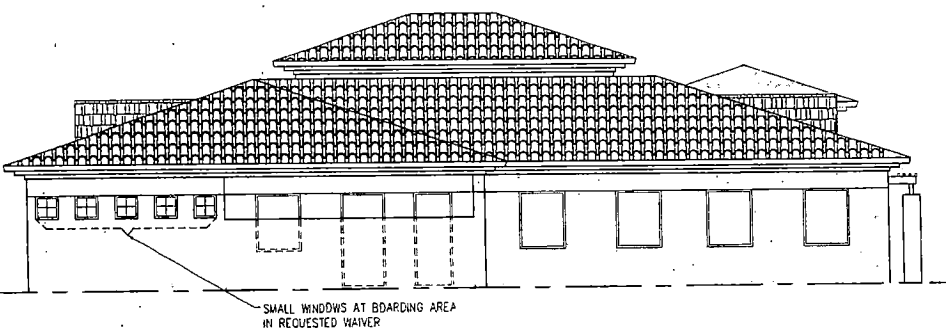
SOUTH ELEVATION (1)
SCALE : 3/16" = 1'-0"



NORTH ELEVATION (2)
SCALE : 3/16" = 1'-0"



WEST ELEVATION (4)
SCALE : 3/16" = 1'-0"



EAST ELEVATION (3)
SCALE : 3/16" = 1'-0"

RECEIVED
NOV 30 2004

~~SUP-5687~~
SDR-5685
01-13-05 PC

Drawings as Instruments of Service are the Sole Property of the Architect, and any Use or Reproduction in Whole or in Part without the Written Consent of Purvis Architects. Drawings and Specifications Remain the Sole Property of the Architect Particularly, Copies of the Drawings and Specifications Released by the Owner are for Use Only for the Site and for Occupancy the Project for Which They were Prepared and Not for the Construction of any Other Project, AIA 573/90.

CONSULTANT

EXTERIOR ELEVATIONS

WEST CHEYENNE ANIMAL CLINIC
W. CHEYENNE AND BUFFALO
LAS VEGAS, NEVADA

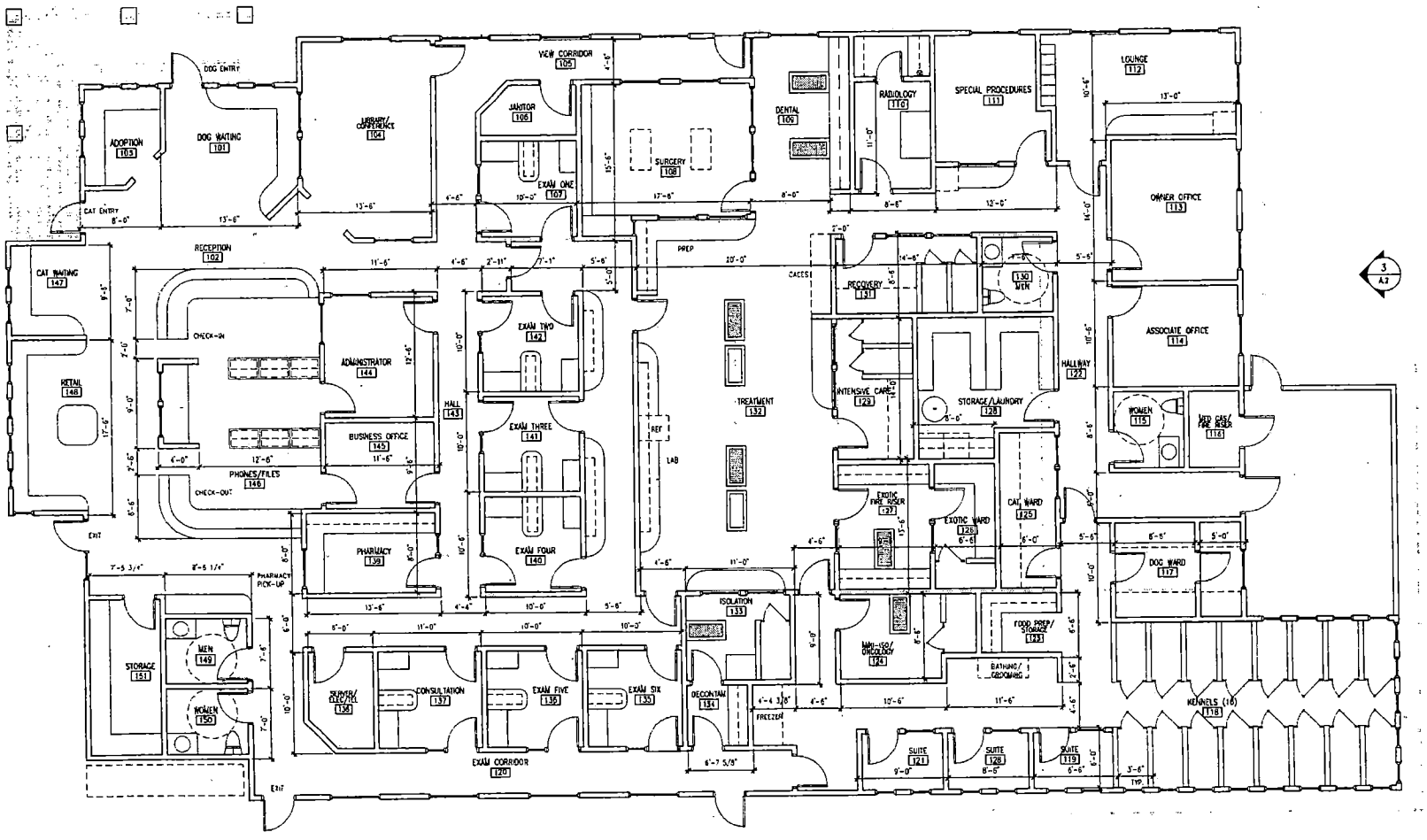
PURVIS ARCHITECTS
architecture planning
6913 McLeod Drive Suite
Las Vegas, Nevada 8912
Tel 702.876.9490 Fax 702.876.946
e-mail doug@purvisarch.com

REV.	DATE	DESCRIPTION

SHEET
A.2

Drawings as Instruments of Service are the Sole Property of the Architect and may Not be Reproduced in Whole or in Part, Without the Written Consent of Purvis Architects. Drawings and Specifications Remain the Sole Property of the Design Professional. Copies of the Drawing and Specifications Retained by the Client May Be Used Only for the Use and for Locations the Project, for which They were Prepared and not for the Benefit of Contractor at any Other Project. (uc 833.736)

CONSULTANT



FLOOR PLAN

SCALE : 2/16"=1'-0"

RECEIVED

NOV 30

SUP-5687
SDR-5685
01-13-05 PC

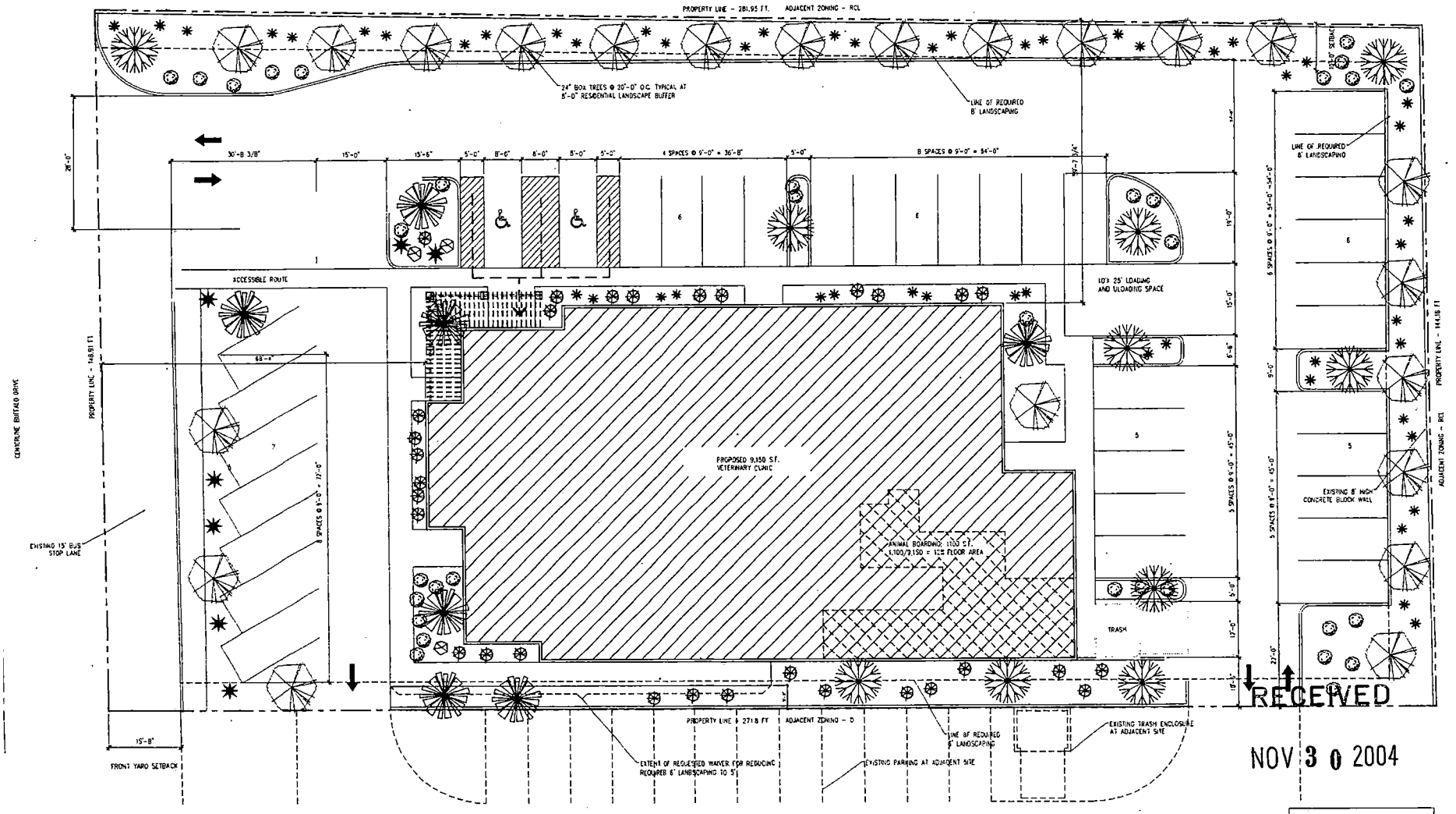
FLOOR PLAN

WEST CHEYENNE ANIMAL CLINIC
W. CHEYENNE AND BUFFALO
LAS VEGAS, NEVADA

PURVIS ARCHITECTS
architecture planning
6325 McLeod Drive Suite 8902
Las Vegas, Nevada
Tel 702.896.9690 Fax 702.876.965
e-mail doug@purvisarch.com

REV.	DATE	DESCRIPTION

SHEET
A.1



SITE INFORMATION: APN: 138102010?6

SPACES REQUIRED: ONE SPACE PER DOCTOR (3), ONE SPACE FOR EVERY TWO ON-DUTY EMPLOYEES (12), AND ONE SPACE PER EXAM ROOM (7): 22 SPACES REQUIRED. 35 SPACES PROVIDED: 2 HANDICAP SPACES REQUIRED - 2 PROVIDED

SITE AREA: 41,297 S.F. (.948 ACRES): BUILDING AREA: 9,150 (23% SITE COVERAGE)

LANDSCAPE NOTES

1 ALL PLANTERS TO RECEIVE 1/2" DECOMPOSED GRANITE GROUND COVER

2 COMPLETE AUTOMATIC DRIP IRRIGATION SYSTEM TO ACCOMMODATE ALL PLANTING

24" BOX SHEESTRING ACACIA

24" BOX MESQUITE

24" BOX CHAMAEROPS HUMILIS

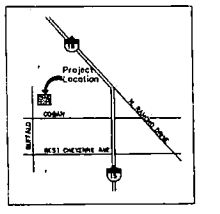
5 GALLON LEUCOPHYLLUM 'GREEN CLOUD'

5 GALLON YUCCA RECURVIFOLIA

5 GALLON REGAL MIST

1 GALLON LANTANA

20G - 30G GRANITE BOULDERS



VICINITY MAP

NTS

NORTH

SITE PLAN

SCALE : 1" = 10'-0"

NORTH

SUP-5687
SDR-5685
01-13-05 PC

RECEIVED
NOV 30 2004

Drawings as Instruments of Service are the Sole Property of the Architect, and any Use or Publication in Whole or in Part, without His Written Consent is Strictly Prohibited. Drawings and Specifications Remain the Sole Property of the Design Professional. Details of the Drawings and Specifications Related to the Client May be Used Only for the Site and for Completing the Project for Which They were Prepared and not for Use, Construction of any Other Project. NAC 623.180.

CONSULTANT

SITE PLAN

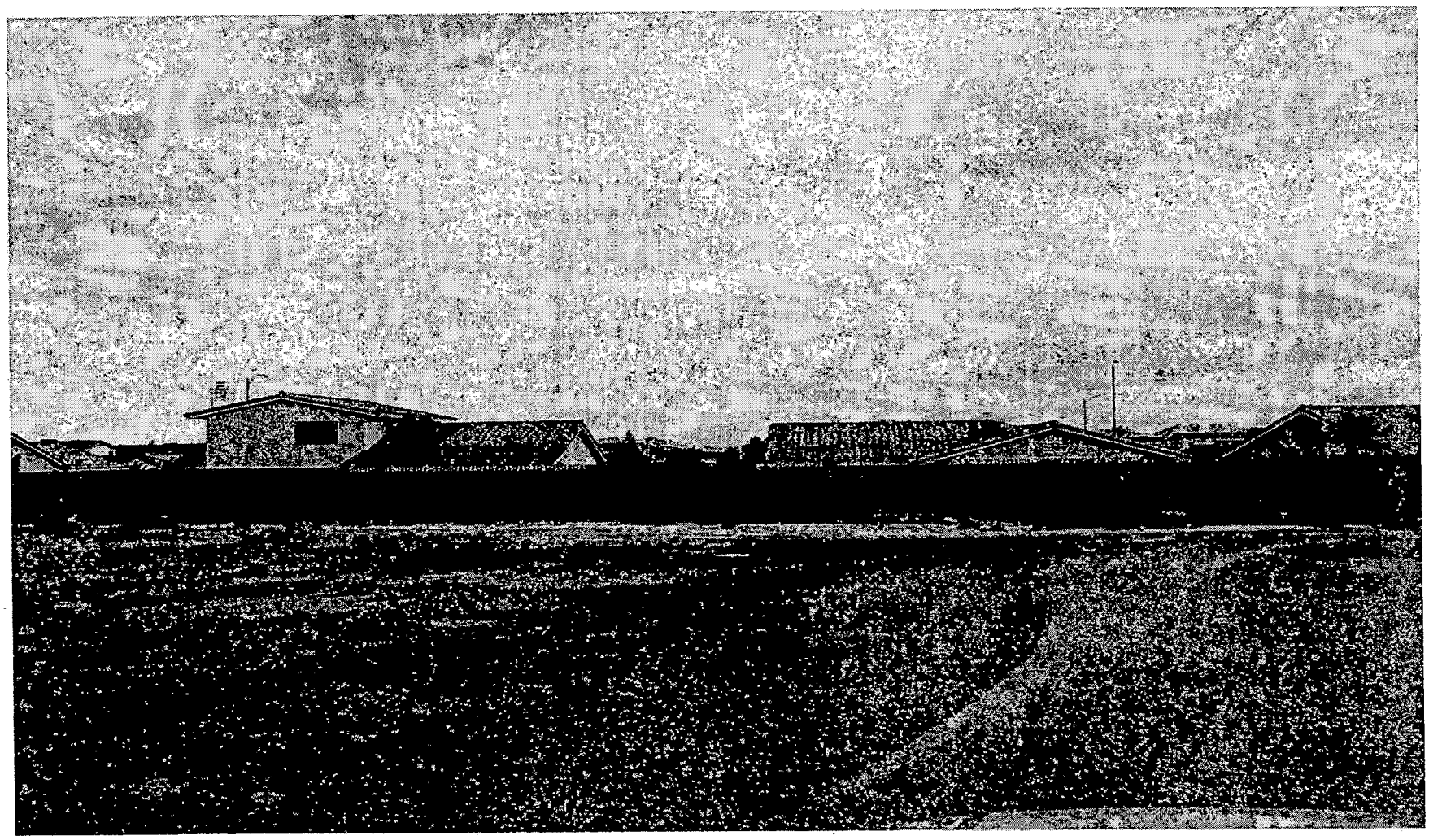
WEST CHEYENNE ANIMAL CLINIC
W. CHEYENNE AND BUFFALO
LAS VEGAS, NEVADA

PURVIS ARCHITECTS
architecture planning
6325 McLeod Drive Suite
Las Vegas, Nevada 891
Tel 702.876.9490 Fax 702.876.96
e-mail doug@purvisarch.com

REV.	DATE	DESCRIPTION

SHEET

AS.1



SDR-5685 - APPLICANT/OWNER: KMW, LLC
APPROXIMATELY 200 FEET NORTH OF THE INTERSECTION OF BUFFALO DRIVE AND GOWAN ROAD
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

City of Las Vegas

Agenda Item No.: 75

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:
SUP-5627 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHEK LINE ENTERPRISES, INC. - OWNER: DECATUR CROSSING CENTER, LLC. - Request for a Special Use Permit FOR A PROPOSED AUTO TITLE LOAN AND A WAIVER OF THE 200-FOOT DISTANCE SEPARATION REQUIREMENT FROM A RESIDENTIAL USE at 282 South Decatur (APN 138-36-516-004), C-1 (Limited Commercial) Zone [SC (Service Commercial) General Plan Designation], Ward 1 (Moncrief).

C.C.: 02/16/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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:
DAVENPORT – APPROVED subject to staff conditions and adding the following condition:

- **There shall be no storage of repossessed cars or sale of like cars on the premises.**

– Motion carried with EVANS voting NO

To be heard by City Council on 2/16/2005

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, indicated the use is permitted with the approval of the Special Use Permit subject to meeting a number of conditions. In this case, the auto title does not comply with the separation distance requirement. There are two separate multi-family residential properties that this site would fall within 200 feet of. MR. LEOBOLD pointed out that there is a check cashing facility on the site and this auto-title loan would be

MINUTES – Continued:

added to that. Under the current ordinance, the existing check cashing usage would not have been allowable if proposed today based on the 90-foot proximity to residential. Intensifying the existing use by adding an auto title loan would be contrary to the intent of the ordinance. The hardship is self-imposed and staff recommended denial.

JOHN LELEU, Attorney, Kummer Kaempfer Bonner and Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He said the request would augment a currently existing business. He agreed with all conditions and requested approval.

COMMISSIONER McSWAIN stated that the lot has an irregular shape and she assumed the reason the applicant did not meet the 200 foot minimum separation distance was because of the tail of the property heading west. She questioned what the red outline on the map denoted. MR. LEOBOLD indicated it was the commercial subdivision boundary but for the purpose of the Code, the distance is measured to the parcel boundary. The Commissioner stated she has been very supportive of the distance separation since one was established but in this particular case, there is an existing check cashing business there. She confirmed with ATTORNEY LELEU that the store will continue to offer services as a UPS store.

COMMISSIONER McSWAIN asked if there were different requirements for check cashing businesses compared to auto title loan. ATTORNEY LELEU stated that there is a different business license and that the State looks at the uses differently as well. MARGO WHEELER, Director, Planning and Development Department explained that the auto title loan usage is more intense then the check cashing usage.

COMMISSIONER McSWAIN confirmed with MS. WHEELER that the distance separation requirement was implemented because there were multiple locations concentrated in a geographical area. The Commissioner stated she would be inclined to support the application.

COMMISSIONER DAVENPORT stated that in conversations with the applicant, it was mentioned that the repossession or sales of any car would not take place on the premises. He asked if there would be a problem adding a condition stating such. ATTORNEY LELEU said that was no problem.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:50 – 11:57)

City of Las Vegas

Agenda Item No.: 75

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 75 - SUP-5627

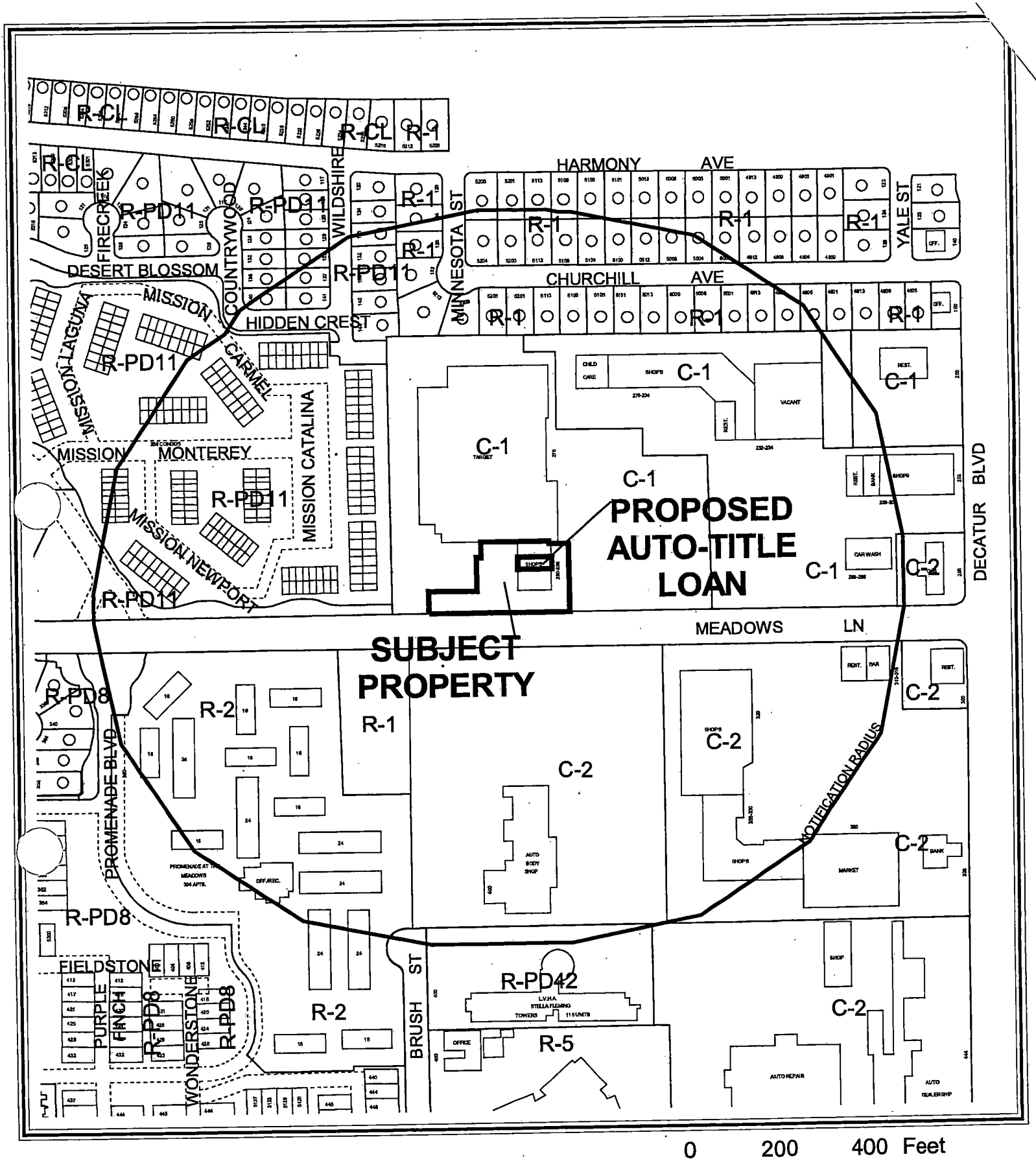
CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

3. Conformance to all minimum requirements under Title 19.04.050B for the Financial Institution, Specified use with the exception of the 200-foot minimum separation distance requirement from residential property.



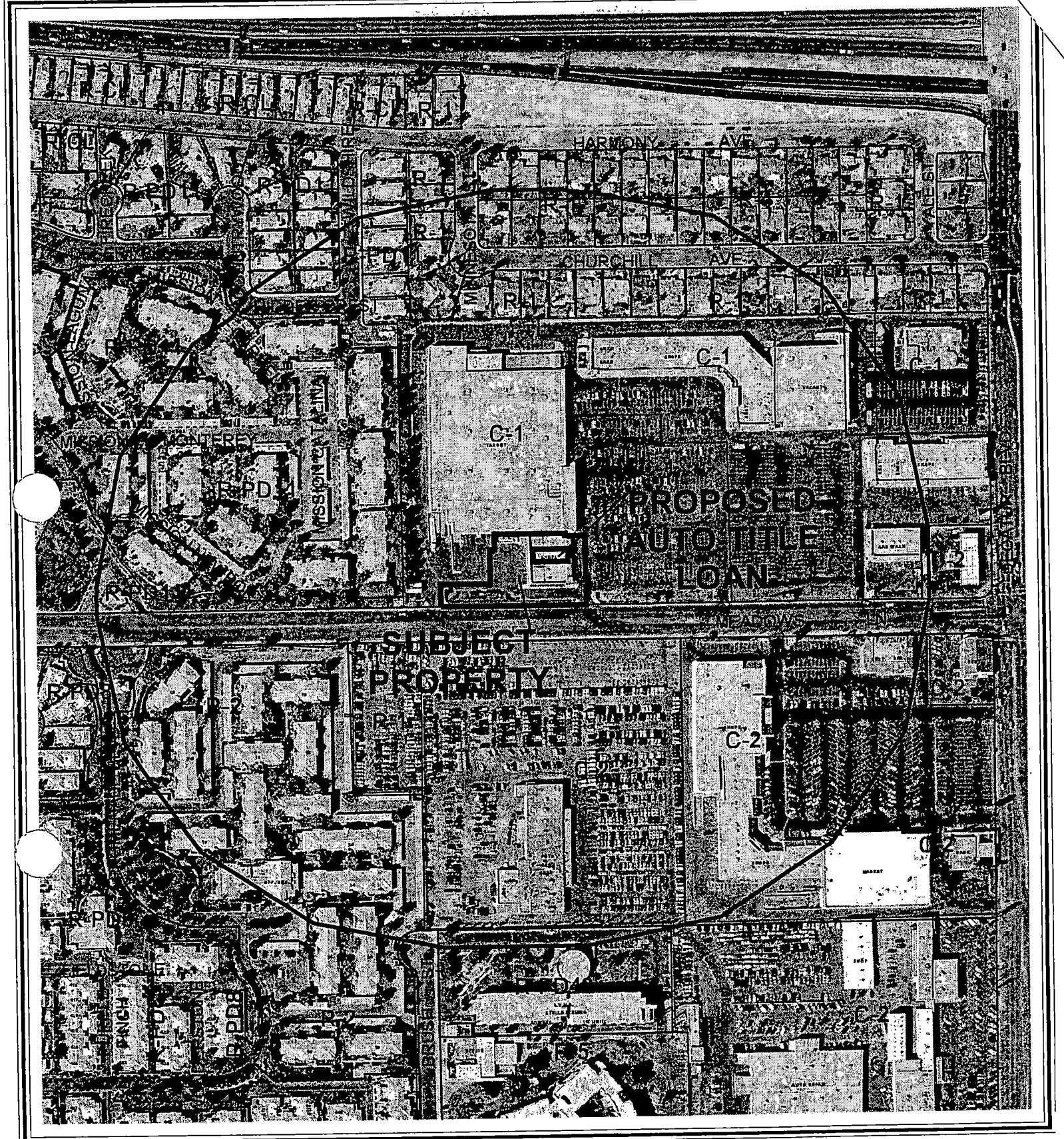
0 200 400 Feet

CASE: **SUP-5627**

RADIUS: 750 FT

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

N



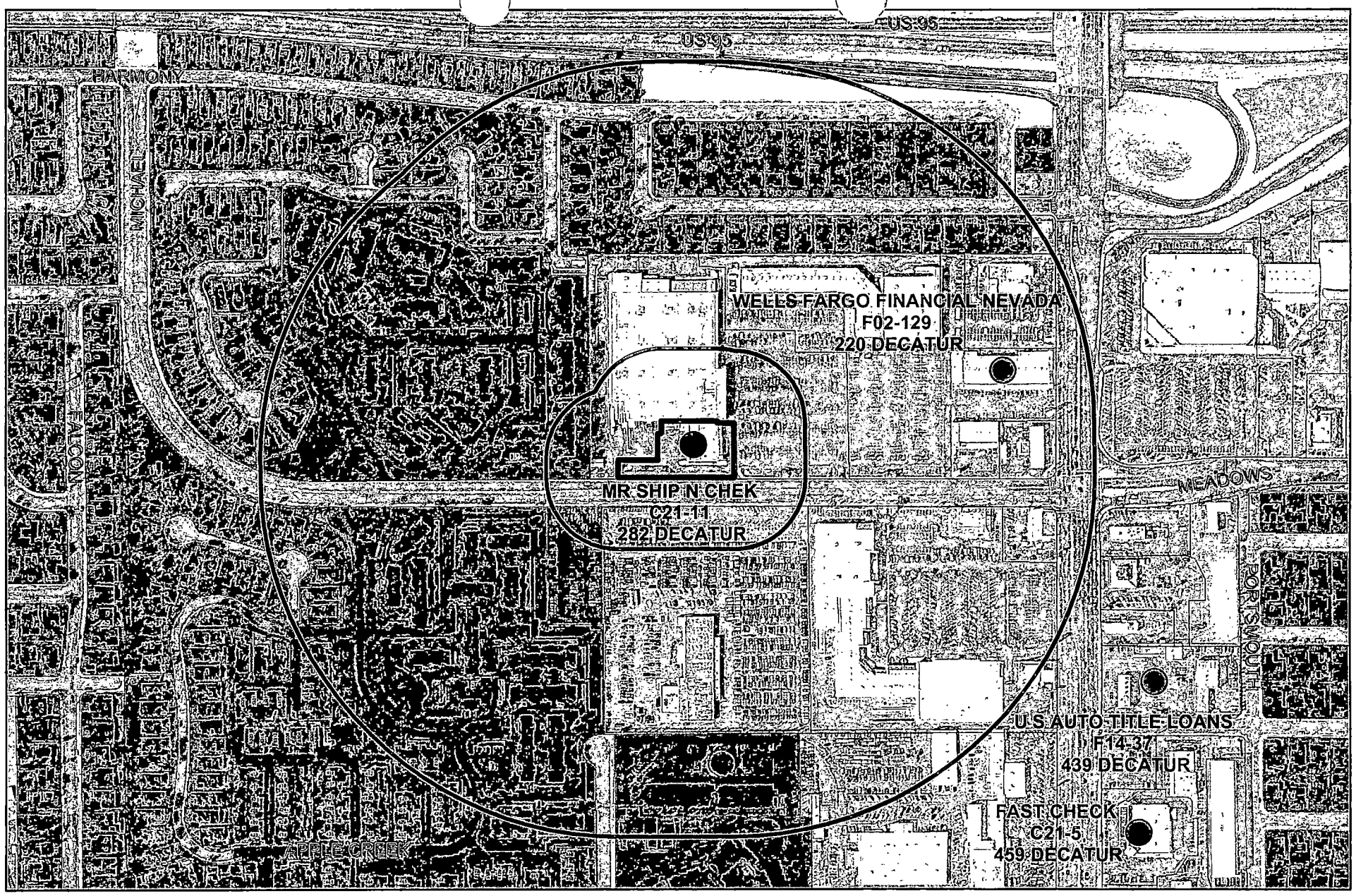
0 200 400 Feet

CASE: **SUP-5627**

RADIUS: 750 FT

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

N



SUP-5627 **Financial Business Locations**

- Financial Institution, Specified *(Check Cashing Service)*
- Financial Institution, Specified *(Check Cashing Service with Gross)*
- Finance Company
- Automobile Title Loan
- Subject Property
- Residential Property
- Buffer
- N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5627 - APPLICANT: CHEK LINE ENTERPRISES, INC. - OWNER: DECATUR CROSSING CENTER, LLC.

** CONDITIONS **

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

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

3. Conformance to all minimum requirements under Title 19.04.050B for the Financial Institution, Specified use with the exception of the 200-foot minimum separation distance requirement from residential property.

SRS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Auto Title Loan and a waiver of the 200-foot distance separation requirement from a residential use, at 282 South Decatur Boulevard.

B) Applicant's Justification

The applicant states that the actual distance between the proposed Auto Title Loan use and residential property is more than 200 feet. The addition of the Auto Title Loan use will not have a detrimental impact on the surrounding area because the business is currently operating in a very large commercial shopping center and this use merely augments the Financial Institution, Specified (Check Cashing) services available to its customers.

BACKGROUND INFORMATION

A) Previous Actions

11/24/81 The City Council approved a Site Development Plan Review (Z-0058-78) for a shopping center expansion, which includes the subject retail space. The Planning Commission recommended approval.

B) Pre-Application Meeting

09/01/04 A pre-application conference was held, resulting in the following comments:

1. Applicant was informed of the need to request a waiver of the minimum distance separation requirement from a residentially zoned property. [This was complied with in the submittal.]

2. Basic submittal requirements for a Special Use Permit were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.87 acres

B) Existing Land Use

Subject Property:	Service Commercial
North:	Service Commercial
South:	General Commercial
East:	Service Commercial
West:	Condominiums, Park/Open Space

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	GC (General Commercial)
East:	SC (Service Commercial)
West:	MLA (Medium-Low Attached Density Residential

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	C-2 (General Commercial)
East:	C-1 (Limited Commercial)
West:	R-PD11 (Residential Planned Development, 11 Units per Acre)

E) General Plan Compliance

This site is designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. The SC (Service Commercial) land use category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons.

The existing C-1 (Limited Commercial) Zoning designation is in conformance with the General Plan. And allows AutoTitle Loans by Special Use Permit.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

This use will be located within an approved retail commercial center and will not require additional parking.

A2) Minimum Distance Separation Requirements

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

Use	Code Requirement	Provided	Compliant
Financial Institution, Specified (Auto Title Loan)	200 feet from any parcel used or zoned for residential use	81 feet from multi-family residential to the west; 90 feet from multi family residential to the southwest.	**No**
Financial Institution, Specified (Auto Title Loan)	1,000 feet from any other specified financial institution, auto tile loan or auto pawn use	1,300 and 1,500 feet from a similar use (auto title loan and check cashing)	Yes

The proposed Auto Title Loan use does not meet the Minimum Distance Separation Requirements from two multi-family residential properties. Approval of a Waiver of this minimum distance is necessary to allow this use to proceed.

A3) Development Standards

Standards	Code Requirement	Provided
Financial Institution, Specified	The building or portion thereof that is dedicated to the use shall have a minimum size of 1,500 square feet.	1,554 square feet

At 1,554 square feet, the proposed Auto Title Loan meets the minimum 1,500 square-foot space size requirement.

B) General Analysis and Discussion

- Zoning

The Auto Title Loan use is permitted in C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit, subject to meeting certain requirements.

- Use

The proposed Financial Institution, Specified will be located in a tenant space located in an approved retail commercial building. The use is subject to operational standards as listed under conditions below.

- Conditions

Title 19.04.050 (Special Use Permits) lists the following conditions for an Auto Title Loan.

1. The use shall comply with all applicable requirements of LVMC Title 6.

2. The building design and color scheme shall be subject to review by the Department to ensure
that it will be harmonious and compatible with the surrounding area.

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

4. Window signs shall not:
a. Cover more than twenty percent (20%) of the area of all exterior windows;
b. Include flashing lights or neon lighting; or
c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.

6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

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

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

FINDINGS

The proposed Auto Title Loan fails to comply with Condition number 7 of Title 19.04 regarding minimum separation distances. The use is located within the 200-foot minimum separation distance from two separate multi-family residential properties, measured by the property line standard listed above. Yet, the applicant contends that the distance between this proposed use and residential properties is *more* than 200 feet, measured from the business's front-door to residential structures, and that this is justification for waiving Title 19.04 standards.

Also, the applicant asserts that this proposed Auto Title Loan Use merely augments the existing Financial Institution, Specified (Check Cashing) services available to its customers. However, under the ordinance for Financial Institution, Specified use, adopted by City Council on 04/21/04, the existing use would not be allowable if it were proposed today. Intensifying the existing use by adding another Financial Institution, Specified service is contrary to the intent of the minimum separation distance requirement.

There is no compelling reason to deviate from the City Zoning Code, and denial is recommended.

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 land use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan due to proximity to residential uses. The recommendation for this request is Denial.

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

   The site is physically suitable for the type of land use proposed.

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

Access is provided via two drives from Meadows Lane, a Secondary (80-foot) Collector on the Master Plan of Streets and Highways. The street facilities are adequate in size to meet the requirements of the proposed use.

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

   City Council has deemed that an Auto Title Loan use compromises the public welfare when it is located within 200 feet (property line to property line) of residential properties. This proposed Financial Institution, Specified would be located within 90 feet of residential uses, and is consequently inconsistent with the public welfare called for in the General Plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

NOTICES MAILED 160

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5627 APN: 138-36-516-004

Name of Property Owner: DECATUR CROSSING CENTER, LLC.

Name of Applicant: CHEK LINE ENTERPRISES, INC dba TITLE LOANS

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

_____Yes __✓__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Albert Cohen, Manager
Decatur Crossing Center LLC,
a Nevada limited Liab. Company

Subscribed and sworn before me

This 29th day of October, 2004

_____
Notary Public in and for said County and State

CAROLINA BAZZICHI
Commission # 1433071
Notary Public - California
Los Angeles County
My Comm. Expires Jul 31, 2007

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW
WWW.KKBR.COM

3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89109-0907
Tel: 702.792.7000
Fax: 702.796.7181

8600 Technology Way
Suite 104
Reno, NV 89521-5941
Tel: 775.852.3900
Fax: 775.852.3982

LAS VEGAS OFFICE

JONATHAN P. LELEU
jleleu@kkbr.com

November 10, 2004

VIA HAND DELIVERY TO:

Clark County Planning & Development
731 South Fourth Street
Las Vegas, NV

Re: Justification Letter - Special Use Permit for Title Loan
282 S. Decatur

To Whom It May Concern:

This office represents the applicant regarding the above-referenced Special Use Permit application. The application seeks a Special Use Permit to allow an existing check-cashing business to add auto title loans as a facet of its business activity (the "Business"). The applicant will not require any additional office space to provide the auto title loan service to its customers.. There are no other auto title loan uses, auto pawn uses or specified financial institution uses within 1,000 feet of the business.

The applicant is also seeking a waiver of the 200 foot minimum distance separation from any property zoned for residential use. The actual distance between the Business and the residential use exceeds 200 feet; however, the code requires the measurement between property lines of fee interest parcels. Additionally, the addition of the auto title loan use will not have a detrimental impact on the surrounding area because the business is currently operating in a very large commercial shopping center and this use merely augments the services available to its customers.

The applicant is required to seek a waiver from the 1,000 foot separation requirement because there is a Wells Fargo (finance company) within this distance.

Thank you for your consideration. Should you have any questions or concerns, please do not hesitate to contact me at any time.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Jonathan P. Leleu

JPL/blw

LAW FIRMS WORLDWIDE MERITAS

143640_1

SUP-5627 12483.2

EXISTING TENANT SITE
FOR
MR. SHIP N' CHEK
DECATUR CROSSING CENTER

ZONNED R-1

ZONNED R-PD11

ZONNED C-1

TARGET

RETAIL

RETAIL

ZONNED C-1

RETAIL

RETAIL

ZONNED C-1

RETAIL

MEADOWS LANE

ZONNED C-1

ZONNED C-2

MEADOWS LANE

OVERALL EXISTING SITE PLAN

NORTH

PROJECT LOCATION
282 S. DECATUR BLVD. - LAS VEGAS
DECATUR CROSSING CENTER

VICINITY MAP N.T.S.

SUP-5627
01-13-05 PC

PROJECT INFORMATION

MR. SHIP N' CHEK/CHEKLINE ENT.
282 S. DECATUR
LAS VEGAS, NV. 89102

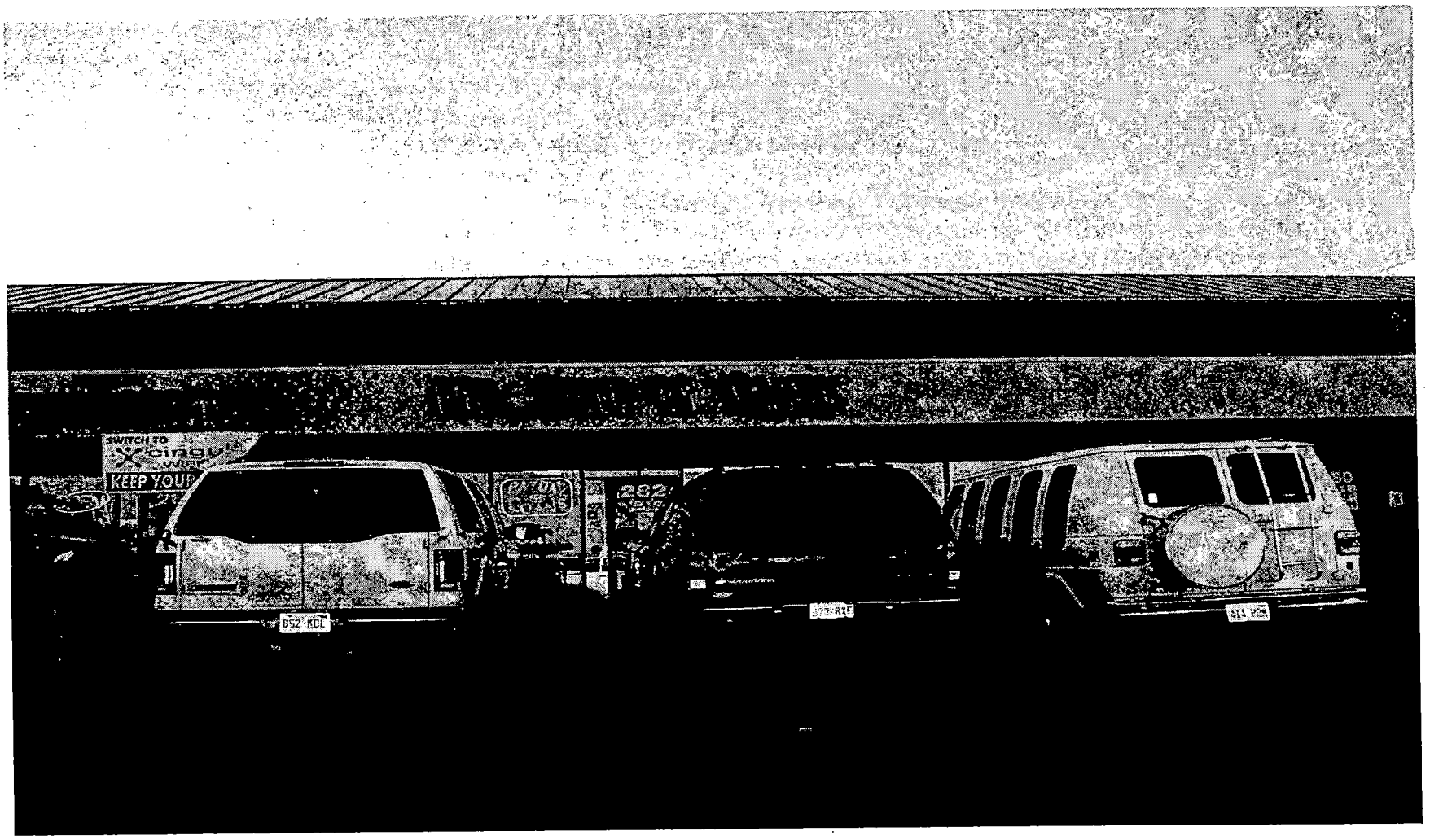
MR. SHIP N' CHEK
OWNER
LAS VEGAS, NV. 89112

Date: 11/01/04
Scale: As Shown
Job No.: 01104SC
Revision:

Sheet Title / Location
COVER SHEET

Sheet Numb
S-1

This drawing is the sole property of the Issuer of Plans



SUP-5627 - APPLICANT: CHEK LINE ENTERPRISES, INC. - OWNER: DECATUR CROSSING CENTER, LLC.
282 SOUTH DECATUR
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

City of Las Vegas

Agenda Item No.: 76

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:
SUP-5650 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: THOMAS GOULAS - OWNER: CRAIG MARKETPLACE, L.L.C. - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR at 7121 West Craig Road, Suite #101 (APN 138-03-715-004), C-1 (Limited Commercial) Zone [SC (Service Commercial) General Plan Designation], Ward 6 (Mack).

C.C.: 02/16/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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:
EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council 2/16/2005

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that the application is for an existing restaurant. The applicant would like to offer beer and wine to the customers eating meals in the establishment. There are no protected uses known to be in the minimum separation distance. The use is allowed in C-1, this is permitted with an approved Special Use Permit.

JOANNA ACHILLEOS appeared on behalf of the applicant, agreed to all conditions and requested approval. She stated the restaurant serves the best Greek food in town and the customers have been asking when they could purchase wine with their meals.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 76 - SUP-5650

MINUTES – Continued:
CHAIRMAN TRUESDELL declared the Public Hearing closed.
(11:57 – 12:00)
4-2753

CONDITIONS:
Planning and Development

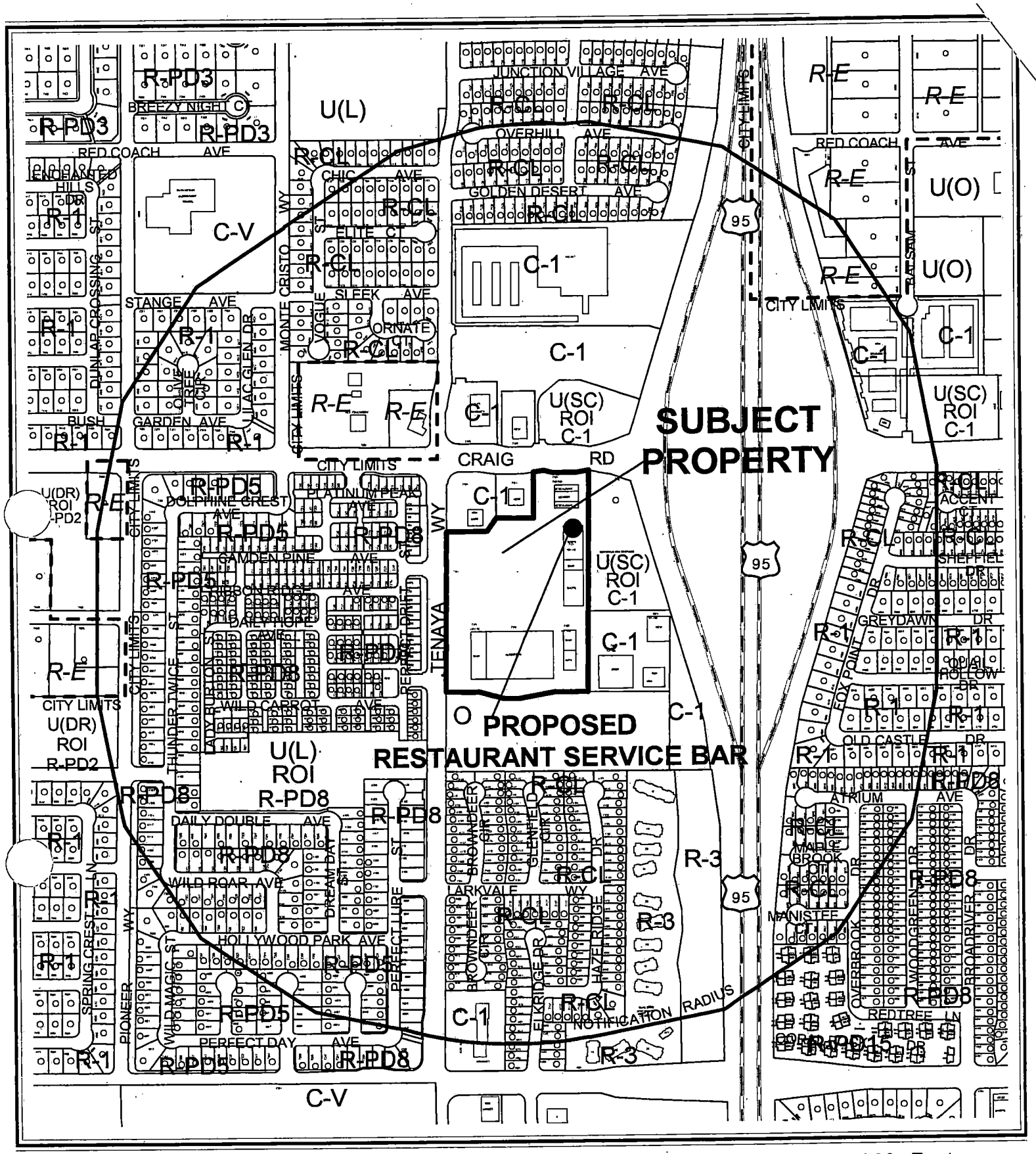
1. Conformance to all Minimum Requirements under Title 19.04 for the Restaurant Service Bar use.

2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.



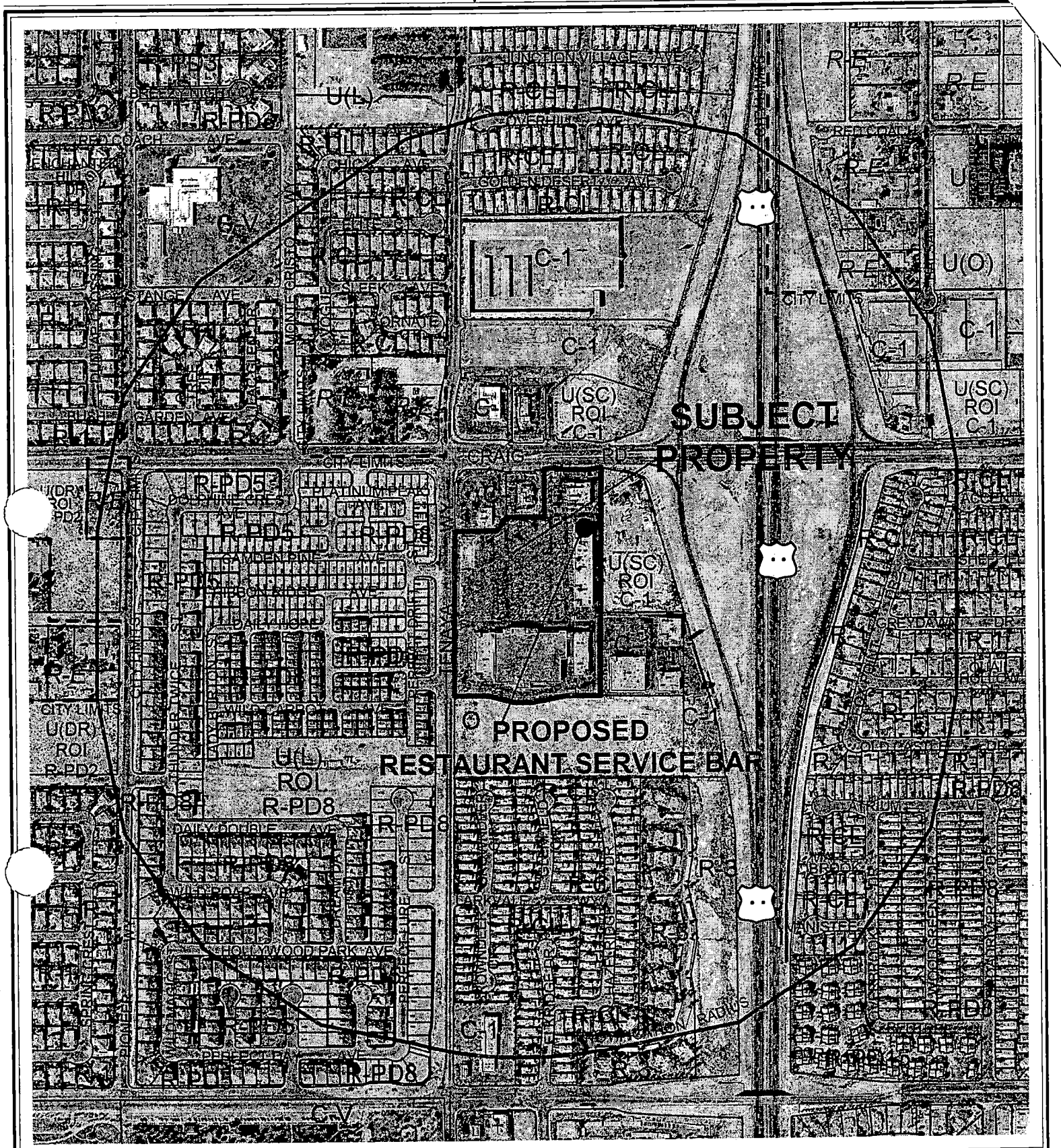
0 400 800 Feet

CASE: **SUP-5650**

RADIUS: 1500 FT

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

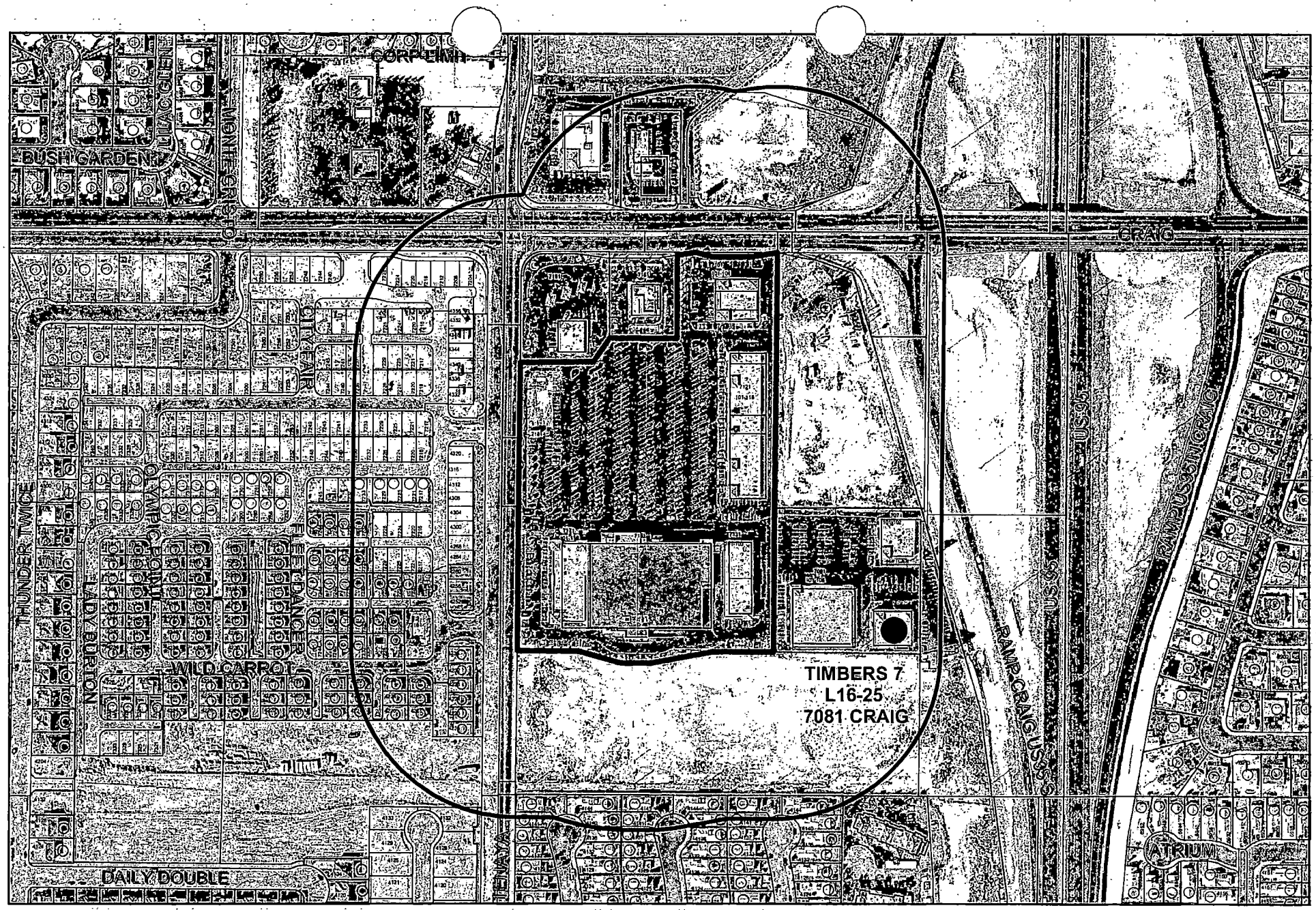
N



CASE: **SUP-5650**

RADIUS: 1500 FT

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



SUP-5650

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: SUP-5650 - APPLICANT: THOMAS GOULAS - OWNER: CRAIG MARKETPLACE, L.L.C.

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04 for the Restaurant Service Bar use.

2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Special Use Permit for a Restaurant Service Bar for an existing restaurant located at 7121 W. Craig Road, Suite 101.

B) Applicant's Justification

The applicant states that it was requests by his customers for beer or wine to accompany their meals that have prompted his request for alcoholic beverages to be served with their meals. The owner plans to serve beer and wine only.

BACKGROUND INFORMATION

A) Previous Actions

01/19/00	The City Council approved a Rezoning (Z-0071-99) from U (Undeveloped) Zone to C-1 (Limited Commercial) for this pad site as part of a larger request. The Planning Commission recommended denial on 12/02/99.
03/01/00	The City Council approved a Site Development Plan Review [Z-0071-99(1)] for a 156,603 square-foot retail center and a 90,200 square-foot office development on this site as part of a larger request.
04/26/01	The Planning Commission approved a Site Development Plan Review [Z-0071-99(4)] for the subject 7,019 square-foot retail pad building.
05/15/02	The City Council approved a Special Use Permit for a Restaurant Service Bar (U-0016-02) within the same commercial development. The Planning Commission and staff recommended approval.
07/03/02	The City Council approved a Variance (V-0031-02) to allow 817 parking spaces for an existing commercial center, where 887 parking spaces are required. The Planning Commission recommended approval on 05/23/02.
03/19/03	The City Council approved a Special Use Permit for a Restaurant Service Bar (SUP-1557) for the subject location. The Planning Commission and staff recommended approval.

KCW

B) Pre-Application Meeting

01/13/05 The elements of a Special Use Permit application were discussed at a pre-application conference with the applicant.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area
Net Acres: 11.57

B) Existing Land Use

Subject Property:	Shopping Center
North:	Commercial and Undeveloped
South:	Undeveloped
East:	Construction Storage
West:	Single Family Development

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	C-1 (Limited Commercial) U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
South:	O (Office)
East:	C-1 (Limited Commercial) U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
West:	R-PD8 (Residential Planned Development – 8 Units per Acre)

KCW

E) General Plan Compliance

This site is located on the Centennial Hills Inter Local Land Use Plan of the Centennial Hills Sector Plan of the General Plan. The Centennial Hills Sector Plan designates this site as SC (Service Commercial). This land use category allows low to medium intensity retail, office, and other commercial uses that serve primarily local area patrons and that do not include more intense general commercial characteristics. A Restaurant Service Bar is a permitted use within the C-1 (Limited Commercial) zoning district, the zoning equivalent of SC, with approval of a Special Use Permit, which therefore is consistent with the SC (Service Commercial) General Plan 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	

No special plans, districts, zones, or studies are related to the subject request.

INTERAGENCY ISSUES

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

1) Any Special Use Permit within 500 feet of a corporate boundary.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. There have not been any comments received or recommendations for mitigation measures.

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

ANALYSIS

A) Zoning Code Compliance

Minimum Distance Separation Requirements

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

KCW

Use	Code Requirement	Provided
Restaurant Service Bar	400 feet from churches, synagogues, schools, childcare facilities, or city parks	No protected uses are known to be within the minimum separation distance.

The proposal meets the minimum separation requirements of Title 19 for a Restaurant Service Bar.

B) General Analysis and Discussion

The Las Vegas Zoning Code Title 19.20 defines a Restaurant Service Bar as an area wherein alcoholic beverage drinks are prepared for service only at tables in a restaurant and for consumption only in connection with a meal served on the premises, and where customers are not permitted to purchase alcoholic beverage drinks directly from the bar or for off-premise consumption. The applicant plans to offer beer and wine to his customers to be served with their meal.

- Zoning

Section 19.04.050 of the City of Las Vegas Zoning Code requires the sale of on-premise liquor served from a Restaurant Service Bar to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City park as measured from property line to property line. In this case, no protected uses are known to be within the minimum separation distance.

- Use

The proposed Restaurant Service Bar use is allowed in C-1 zoned areas such as this location with the approval of a Special Use Permit that is subject to conditions.

- Conditions

The restaurant is surrounded by commercial uses in the Commercial Center and the proposed Restaurant Service Bar use is compatible with the existing uses and the future land uses as projected in the General Plan. Therefore the standard conditions of approval for the Restaurant Service Bar should apply.

1. Conformance to all Minimum Requirements under Title 19.04.050 for Restaurant Service Bar use.

2. This Special Use Permit shall expire one year from the date of final approval, unless it

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

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

The use as proposed appears to conform to these conditions.

FINDINGS

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

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

   The restaurant is surrounded by commercial uses in the Craig Marketplace Commercial center. The proposed Restaurant Service Bar use is compatible with the existing uses and the future land uses as projected in the General Plan.

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

   The proposed Restaurant Service Bar will be located within an existing restaurant in a building that is part of a commercial development and will not change the physical characteristics of the site.

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

   Craig Road is designated as a Primary Arterial (100-foot) on the Master Plan of Streets and Highways and will be adequate for the traffic generated by this proposed Restaurant Service Bar.

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

   The business will be subject to regular inspection by City staff for licenses and permits. This will help to ensure the sale will not compromise the public health, safety and welfare.

KCW

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 803

APPROVALS 0

PROTESTS 0

KCW

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-565D APN: 138-03-715-004

Name of Property Owner: CRAIG MARKETPLACE, LLC

Name of Applicant: Thomas or ATHANASIOS GOULAS

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 ROSELINSKY

Subscribed and sworn before me

This 23rd day of November, 2004

_____

Notary Public in and for said County and State

JENNIFER L. ROBERTS
Notary Public State of Nevada
No. 97-4318-1
My appt. exp. Sept. 23, 2005

HONEY TREE Café-Restaurant

7121 W. CRAIG SUITE 101
LAS VEGAS NEVADA 89129

DEAR CITY PLANNING OFFICE,
WE HAVE A SUCCESSFUL GREEK RESTAURANT, AND OUR PATRONS SAY TO US, "WHY ATHANASIOS, WHY CANNOT WE HAVE A GLASS OF WINE WITH THIS WONDERFUL MEAL"
SO MANY CUSTOMERS ASK US LIKE THIS, SO NOW WE ASK YOU... MAY WE HAVE A PERMIT TO SERVE BEER & WINE AT OUR RESTAURANT?
IF REQUIRED, PLEASE GRANT US A WAIVER OF DISTANCE REQUIREMENTS FROM A TAVERN.

THANK YOU SO MUCH,
THOMAS & ATHANASIOS GOULAS

SUP-5650

ROOM FINISH SCHEDULE

ROOM NOS.	ROOM NAME	FLOOR	BASE	WALLS	TRIM	CEILING/ HEIGHT	NOTES
100	BAKING	C. TILE	C. TILE	PAINT	PAINT	OPEN/EXPOSED	
101	CASHIER	C. TILE	C. TILE	PAINT	PAINT	OPEN/EXPOSED	
102	DINING	C. TILE	C. TILE	PAINT	PAINT	OPEN/EXPOSED	
103	MEN'S ROOM	C. TILE	C. TILE	C. TILE/ GYP.BD.	C. TILE	PTD. GYP. BD./ 8' A.F.F.	
104	WOMEN'S ROOM	C. TILE	C. TILE	C. TILE/ GYP.BD.	C. TILE	PTD. GYP. BD./ 8' A.F.F.	
105	OFFICE	C. TILE	C. TILE	PAINT	PAINT	1.67'-0" / 9' A.F.F.	
106	JAN. CLOSET	C. TILE	C. TILE	F.R.P.	PAINT	1.67'-0"/ 9' A.F.F.	VAPE CTD. GYP. BD. C.T.C. TILE
107	DISH WASHING	C. TILE	C. TILE	F.R.P.	PAINT	1.67'-0"/ 9' A.F.F.	VAPE CTD. GYP. BD. C.T.C. TILE
108	PREP-AREA	C. TILE	C. TILE	F.R.P.	PAINT	1.67'-0"/ 9' A.F.F.	VAPE CTD. GYP. BD. C.T.C. TILE
109	COOK LINE	C. TILE	C. TILE	F.R.P.	PAINT	1.67'-0"/ 9' A.F.F.	VAPE CTD. GYP. BD. C.T.C. TILE
110	TAKE STATION	C. TILE	C. TILE	F.R.P.	PAINT	1.67'-0"/ 9' A.F.F.	VAPE CTD. GYP. BD. C.T.C. TILE
111	DRY-GOODS STORAGE	C. TILE	C. TILE	PAINTED	PAINT	1.67'-0"/ 9' A.F.F.	VAPE CTD. GYP. BD. C.T.C. TILE

DOOR SCHEDULE

DOOR NO.	DOOR SIZE	DOOR TYPE	DOOR MAT'L	DOOR FINISH	FRAME MAT'L	FRAME FINISH	HDWR SET	NOTES
100	EXIST.		ALUM.GLASS	PRE-FIN.	ALUM.	PRE-FIN.	EXIST.	EXIST. DOOR
101	3'-0" X 6'-8" X 1-3/4"	A	S.C. WOOD	PAINT	M.S.	PAINT	HW-1	PROVIDE SIGNAGE "EXIT"
102	3'-0" X 6'-8" X 1-3/4"	A	S.C. WOOD	PAINT	M.S.	PAINT	HW-1	PROVIDE SIGNAGE "EXIT"
103	EXIST.		S.C. WOOD	PAINT	EXIST.	PAINT	EXIST.	RELOCATED EXIST. DOOR
104	3'-0" X 6'-8" X 1-3/4"	A	S.C. WOOD	PAINTED	M.S.	PAINT	HW-2	
105	EXIST.		EXIST.	PAINT	EXIST.	PAINT	EXIST.	EXIST. DOOR
106	2'-6" X 6'-8" X 1-3/4"	C	S.C. WOOD	PAINT	M.S.	PAINT	HW-3	PROVIDE 50%th LOUVER
107	3'-0" X 6'-8" X 1-3/4"	B	S.C. WOOD	PAINT	M.S.	PAINT	HW-1	
108	3'-0" X 6'-8" X 1-3/4"	D	SOUND WALL	PAINT	M.S.	PAINT		DBL. ACTING HINGE

HARDWARE SETS:

ITEM:	SPEC.	ACCEPTABLE SUBSTITUTE
HINGES	MAGER	BOMMER, STANLEY, MCKINNEY
LOCKS	SCHLAGE	TALE, SARGENT
CLOSERS	LCN	NO SUBSTITUTION
EXIT DEVICES	VON DUPRIN	PRECISION, SARGENT
FLAT GOODS	ROCKWOOD	ANY BHMA MEMBER

HW5-1

ITEMS:	MODEL NUMBER:	STYLE/FINISH
3 HINGES	BA191 4-1/2" X 4-1/2" NRP	US31D
1 CLOSER	410-H-CUSH	ALUM.
1 PUSH/PULL	TO BE SELECTED	POLISHED CHROME
1 KICK PLATE	4020XBG ADAPTER	US32D
1 WALL BUMPER	409	US32D

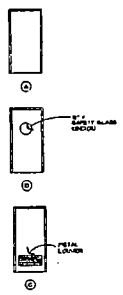
HW5-3

ITEMS:	MODEL NUMBER:	STYLE/FINISH
3 HINGES	BA191 4-1/2" X 4-1/2" NRP	US32D
1 LOCKSET	AL36 FD	SATURN4S26D
1 KICK PLATE	4020XBG ADAPTER	US32D
1 WALL BUMPER	409	US32D

HW5-3

ITEMS:	MODEL NUMBER:	STYLE/FINISH
3 HINGES	BA191 4-1/2" X 4-1/2" NRP	US32D
1 CLOSER	410-H-CUSH	ALUM.
1 LOCKSET	AL36FD	SATURN4S26D
1 KICK PLATE	4020XBG ADAPTER	US32D
1 WALL BUMPER	409	US32D

DOOR TYPES:



PLUMBING FIXTURE SCHEDULE

WALL HUNG LAVATORY MANUFACTURED BY CRANE MODEL NO. 1-320 "WESTMONT" VITREOUS CHINA WITH TWO SOAP DEPRESSIONS AND CONCEALED HANGER. SINGLE LEVER FAUCET TO BE CHROME MANUFACTURED BY DELTA MODEL NO. 520-MPU WITH 3/8" SUPPLIES, P-TRAP, AND LOOSE KEY STOPS.

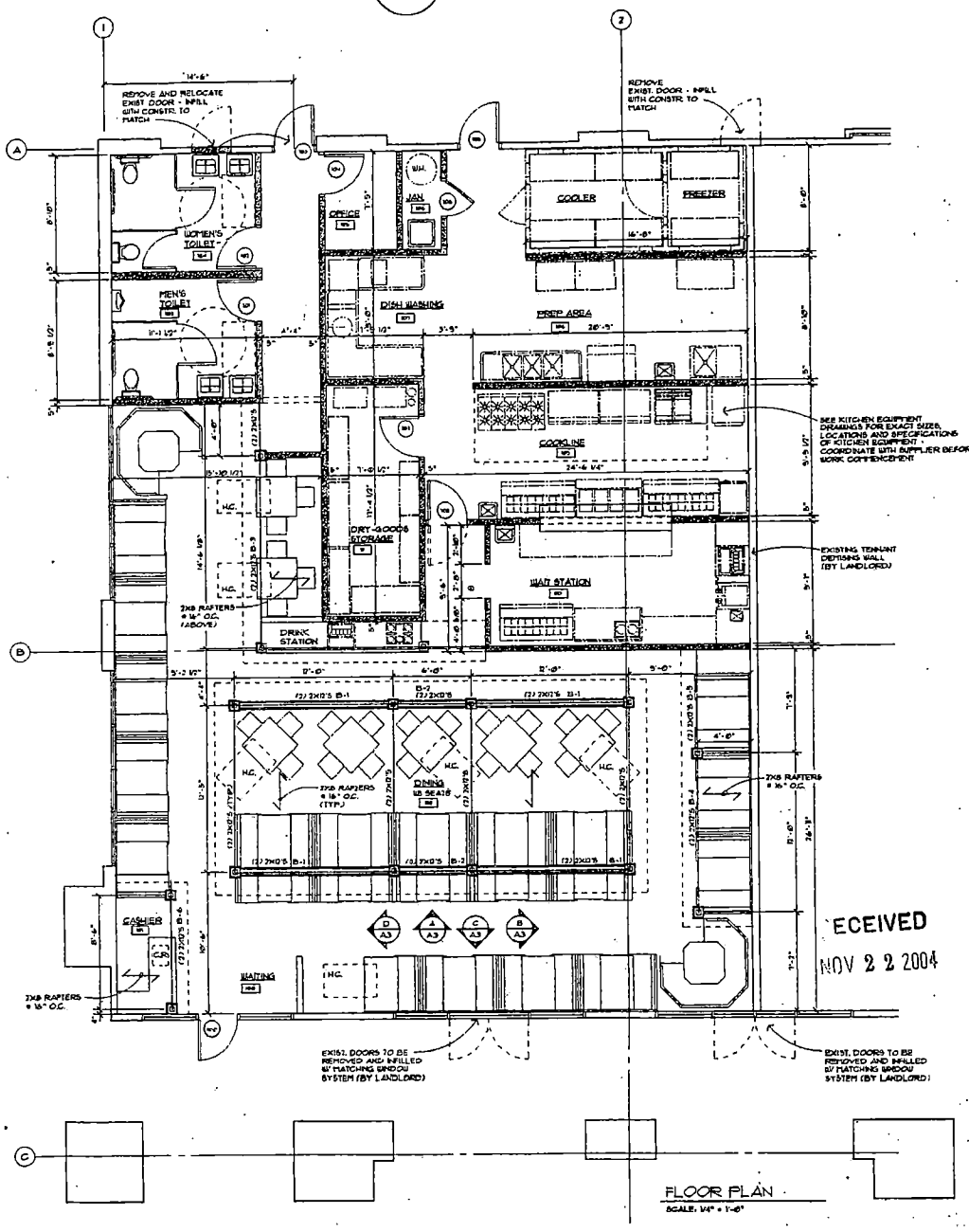
WATER CLOSET MANUFACTURED BY CRANE MODEL NO. 3-183 "GALAXY" VITREOUS CHINA ELONGATED RIM BOWL AND TANK WITH 3/8" SUPPLY AND LOOSE KEY STOP. SEAT TO BE SOLID WHITE PLASTIC WITH OPEN FRONT AND RAISED HANDICAP HARDWARE. SEE DETAILS (THIS SHEET) FOR PROPER HEIGHTS AND CLEARANCES.

SERVICE SINK MANUFACTURED BY FIAT MODEL NO. MSB 2424 WITH SERVICE FAUCET MODEL NUMBER 850-AA WITH 3/8" FLEXIBLE HOSE AND HOSE BRACKET

URINAL MANUFACTURED BY CRANE MODEL NO. 7-187 "CROTHWELL" WALL MOUNTED WHITE VITREOUS CHINA, 3/4" TOP SPUD, 7" I.P.S. FEMALE OUTLET FLUSH VALVE TO BE MANUFACTURED BY SLOAN MODEL NO. 186-11 "ROYAL"

BATHROOM ACCESSORIES

TOILET COMPARTMENTS:	MANUFACTURED BY BOBRICK "DESIGNER SERIES" "1041 FLOOR ANCHORED COLOR: #18 DRESDEN BLUE
TOILET PAPER DISPENSER:	DUAL ROLL, STAINLESS STEEL FINISH BY BOBRICK OR APPROVED EQUAL
PAPER TOWEL DISPENSER:	500 C-FOLD CAPACITY, STAINLESS STEEL FINISH SURFACE MTD. BY BOBRICK OR APP'D EQUAL
GRAB BARS:	BOBRICK B-6206-36 AND B-6206-42
MIRRORS:	18" X 18" WITH SAFETY BACKING 18" X 36" WITH SAFETY BACKING



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

RECEIVED
NOV 2 2 2004

ISSUED:
OWNER APPROVAL 02/05/02
CONSTR. 02/19/02
REVISED 03/18/02 04/05/02

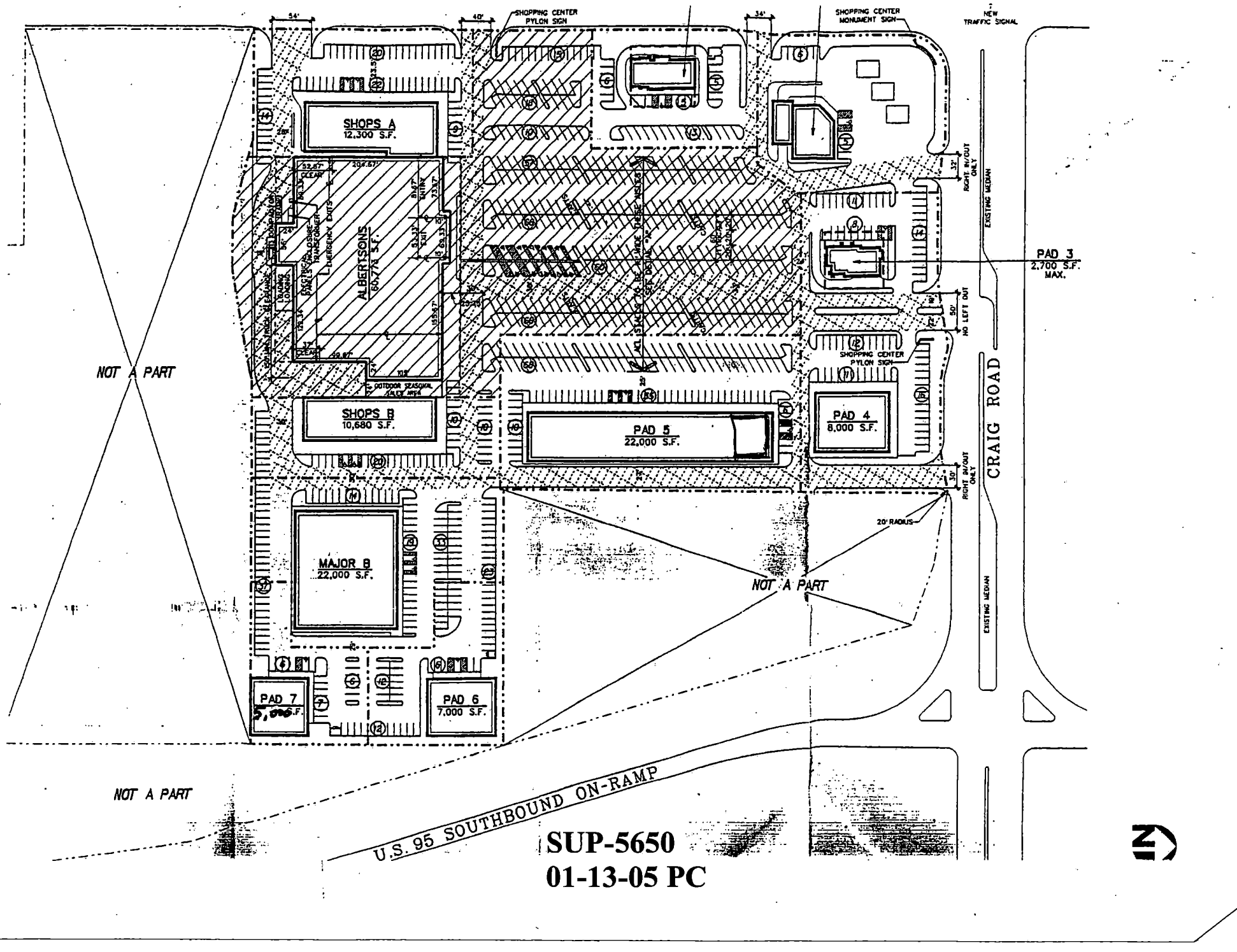
HOFFMAN DESIGN INC.
24519 WILLOWBROOK NOVI MI 48375
248 442-9689

SHEET TITLE: FLOOR PLAN

PROJECT: HONEY TREE CAFE
LAS VEGAS, NEVADA

DRAWN: SMH
CHECKED:
APPROVED:
DATE:
DO NOT SCALE PRINTS USE FIGURED DIMENSIONS ONLY
JOB NO. 2209
SHEET A.1

SUP-5650
01-13-05 PC



SUP-5650
01-13-05 PC

SUP-5650 - APPLICANT: THOMAS GOULAS - OWNER: CRAIG MARKETPLACE, L.L.C.
7121 WEST CRAIG ROAD, SUITE #101
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

City of Las Vegas

Agenda Item No.: 77

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:
SUP-5659 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ZDZISLAW PELKA - OWNERS: MASAO ISHIHAMA AND ASAKO ISHIHAMA REVOCABLE TRUST - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-SALE) at 5900 West Charleston Boulevard, Suite #4 (APN 138-36-406-006), C-1 (Limited Commercial) Zone [PROPOSED: SC (Service Commercial) General Plan Designation], Ward 1 (Moncrief).

C.C.: 02/16/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	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 with EVANS not voting

To be heard by City Council 2/16/2005

MINUTES
CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that the Special Use Permit would add to an existing grocery store at the subject location. A liquor establishment off-premise consumption is a permitted use within the zoning district with approval of the Use Permit. The nearest liquor establishment use in located within 400 feet of the proposed use. There are no separation requirements and there are no protected uses within the 400-foot radius. The sales use would be ancillary to the grocery sales use and there are commercial uses similar to this along Charleston Boulevard. This use would be appropriate for the location.

MINUTES – Continued:

JOANNA KOLAKOSKA, 5900 West Charleston Boulevard, appeared with JIM LAFAVE and NANAN YORK, Kajioka and Associates, 810 Casino Center Boulevard, appeared on behalf of the owners and agreed to all conditions.

KEVIN DAVIS, 5600 Del Rey Avenue, appeared and stated he was the president of the PTA for the elementary school in the area. MR. DAVIS explained that the section between Decatur Boulevard and Jones Boulevard is struggling with redevelopment. His wishes for redevelopment involve four items. First, the power lines should come down. The second item would be an increase in landscaping. Third, he would like to see all the billboards from the area removed. Finally, he would like to see alcohol establishments shut down. He acknowledged the power lines are difficult to relocate, the landscaping is being handled by the City. Regarding billboards and alcohol establishments, MR. DAVIS said he and his daughter did some research and found 11 liquor stores and 9 billboards in the area. He asked that the Commission deny this application because the area is sensitive and needs the help of the board. Adding another liquor store would not help the community.

MR. LAFAVE rebutted by saying this request was not for an open bar establishment but for an existing ethnic grocery store to be able to sell imported beer and wine from Poland. The patrons of the store have requested these products. The alcohol would not be consumed on premises.

COMMISSIONER McSWAIN confirmed with MR. LAFAVE that the existing use is a market and that it is a market environment, not one of a liquor store. Regarding the comments of MR. DAVIS, the Commissioner said that in her opinion, the board has acted responsibly in decisions affecting the area. She did recollect that any billboard application for this area had moved forward to Council with a recommendation of denial. COMMISSIONER McSWAIN indicated she would not support any billboards along Charleston Boulevard or Sahara Avenue, particularly in this area.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(12:00 – 12:08)

4-2901

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04 for the Restaurant Service Bar use.

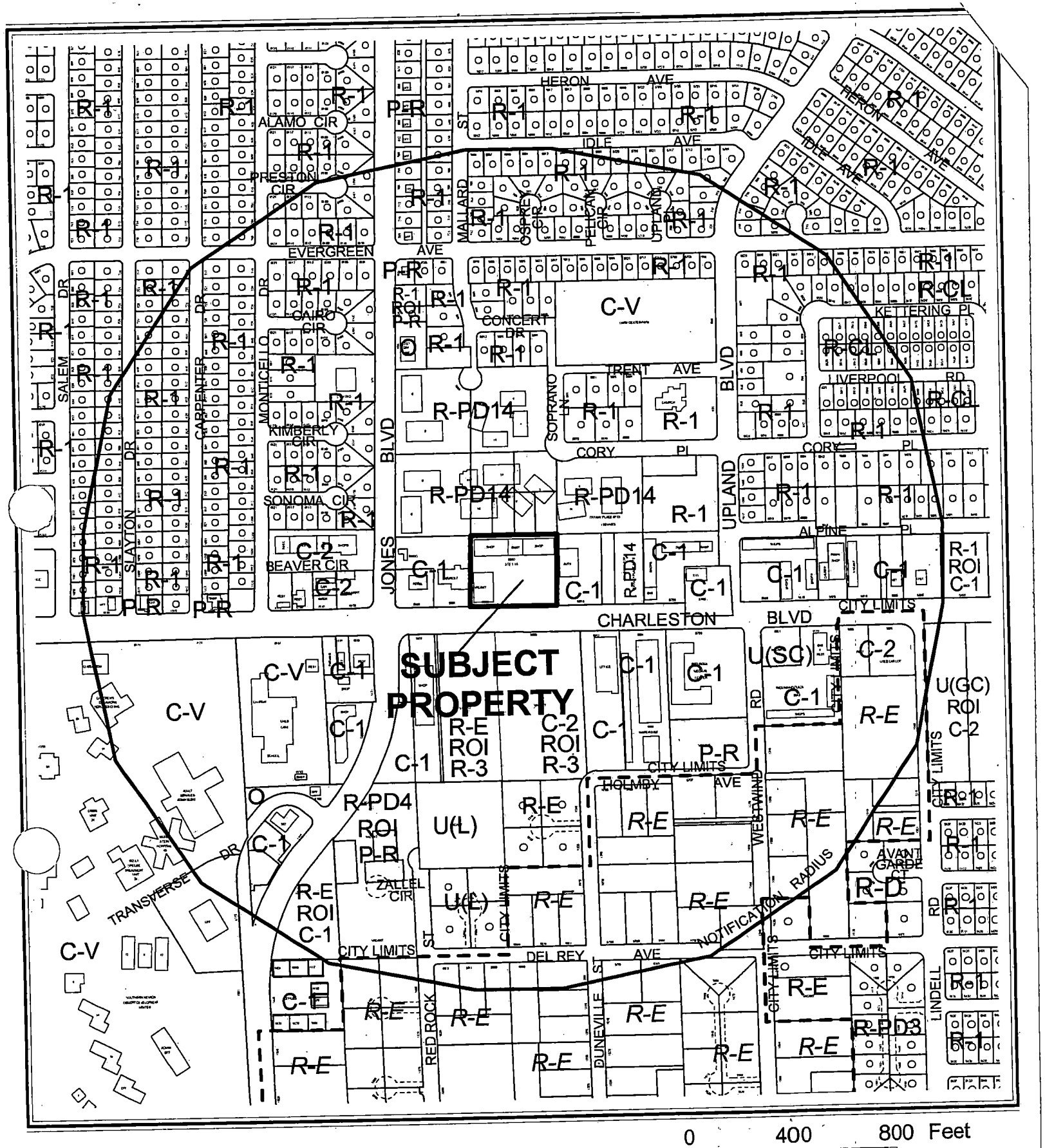
CONDITIONS – Continued:

2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

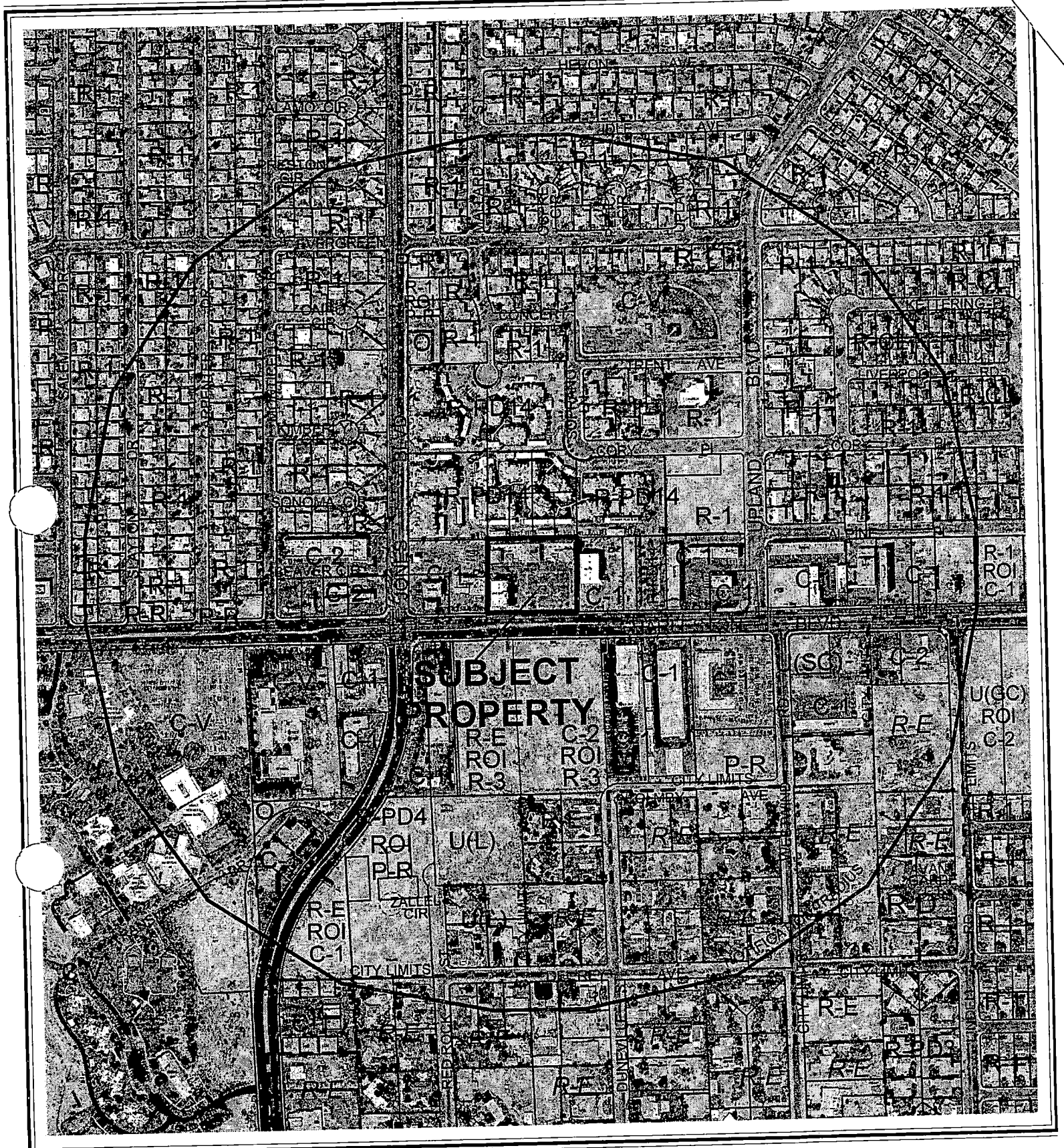
5. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.



CASE: **SUP-5659**

RADIUS: 1500 FT

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



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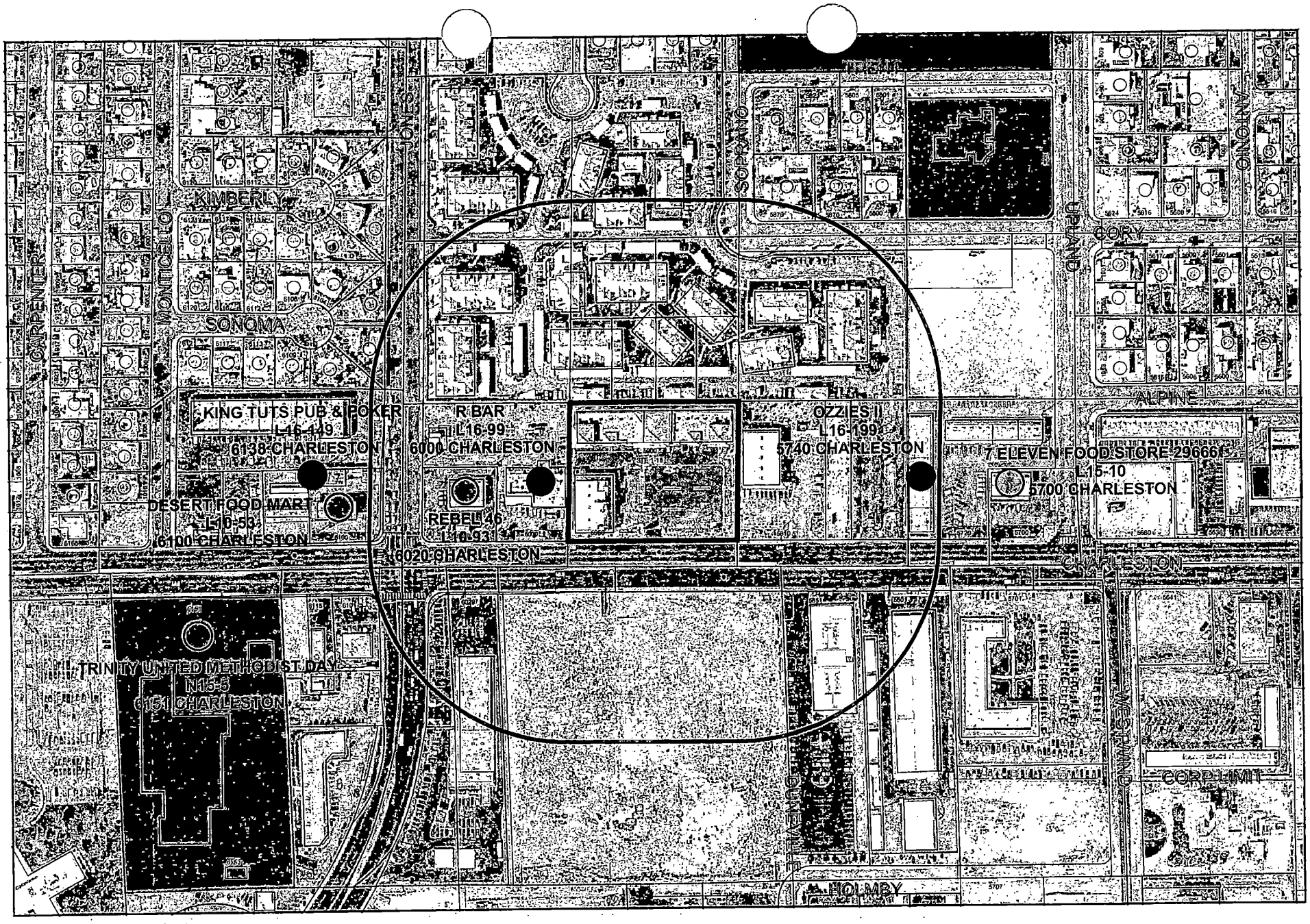
CASE: **SUP-5659**

RADIUS: 1500 FT

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

N



SUP-5659
Package Liquor Sales

Business Licenses

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

RELIGIOUS
PARKS
SCHOOLS

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: SUP-5659 - APPLICANT: ZDZISLAW PELKA - OWNERS: MASAO ISHIHAMA AND ASAKO ISHIHAMA REVOCABLE TRUST

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off Premise Consumption) use.

2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.

6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Special Use Permit for a Liquor Establishment (Off Premise Consumption) within an existing grocery store at 5900 W. Charleston Boulevard Suite 4.

B) Applicant's Justification

The applicant justifies this request by stating that the requested liquor sales within their Polish delicatessen store will provide imported liquor from Poland as requested by their patrons.

BACKGROUND INFORMATION

A) Previous Actions

03/02/66 The City Council approved a Rezoning from R-1 (Single Family Residential) and R-4 (High Density Residential) to C-1 (Limited Commercial) on this site as part of a larger request (Z-0006-66). The Planning Commission and staff recommended.

01/09/97 The Planning Commission approved a Site Development Plan Review [Z-0006-66 (38)] for a proposed 19,900 square foot shopping center on this site. (No building permits were obtained). Staff recommended approval.

10/28/99 The Planning Commission approved a Site Development Plan Review [Z-0006-66 (42)] for a proposed 24,160 square foot one-story retail center on this site. Staff recommended approval.

B) Pre-Application Meeting

11/17/04 During a pre-application conference with the applicant the following was discussed.

i. There are three existing Special Use Permits for the same parcel number
    1. Two them are not related
    2. One, U-0166-01, was for a Restaurant Service Bar
ii. There are two Taverns and one similar liquor use within 400 feet.
iii. There are no protected uses within 400 feet.

KCW

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.12

B) Existing Land Use

Subject Property:	Retail Commercial
North:	Multi-Family Residential (Apartments)
South:	Undeveloped
East:	Auto Parts Store
West:	Tavern and Restaurant

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	R-PD14 (Residential Planned Development – 14 Units per Acre)
South:	R-E (Residence Estates) under Resolution of Intent to R-3 (Medium Density Residential) C-2 (General Commercial)
East:	C-1 (Limited Commercial)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

The subject property is designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. A Liquor Establishment (Off Premise Consumption) is a permitted use within the C-1 (Limited Commercial) zoning district, the zoning equivalent of SC, with approval of a Special Use Permit, which therefore is consistent with the SC (Service Commercial) General Plan designation.

KCW

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

No special districts, zones, or studies are related to the subject site.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Use	Code Requirement	Provided
Liquor Establishment (Off Premise Consumption)	400 feet from churches, synagogues, schools, childcare facilities, or city parks	No protected uses are known to be within the minimum separation distance.

The proposal meets the separation requirements of Title 19 for a Liquor Establishment (Off Premise Consumption) use.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-1 (Limited Commercial). A Liquor Establishment (Off Premise Consumption) is a permitted use within this zoning district with the approval of a Special Use Permit.

- Use

This project will be a 1,155 square-foot tenant improvement within an existing building. The building is part of a 17,215 square-foot overall retail development. No exterior work specific to this use will be performed, ensuring compatibility with the overall retail center and surrounding development.

The nearest existing Liquor Establishment (a Restaurant with a Service Bar) use is located within 400-feet of the proposed use. There are no separation requirements between similar uses and there are no protected uses within a 400-foot separation. The liquor sales will be ancillary to the grocery use; commercial uses similar to those along Charleston Boulevard will be at the location. The proposed Liquor use will therefore be appropriate for this location.

- Conditions

The following conditions are stipulated for the Liquor Establishment (Off-Premise Consumption) use within a C-1 zoning district. The conditions with asterisks are non-waivable:

* 1. Except as otherwise provided in this Chapter, no liquor establishment (on-sale/off-sale/on-off-sale) use (hereinafter "liquor establishment") shall be located within four hundred feet of any church, synagogue, school, childcare facility licensed for more than twelve children, or city park.

* 2. Except as otherwise provided in Subsection (3) below, the distances referred to in Subsection 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed liquor establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

a. Any leasehold parcel; or

b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Subsection 1.

* 3. In the case of a liquor establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:

a. From the nearest property line of the existing use to the nearest portion of the structure in which the liquor establishment will be located, without regard to intervening obstacles; or

b. In the case of a proposed liquor establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the liquor establishment will be located, without regard to intervening obstacles.

* 4. All businesses, which sell alcoholic beverages, shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

The application as proposed appears to meet all the applicable conditions of Title 19.04.050.

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 use will be an accessory use to an existing grocery store. It will be surrounded by other commercial and retail businesses of a similar physical character that are permitted in the C-1 (Limited Commercial) zoning district and compatible with the General Plan in this area.

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

   The existing parking area and suite floor area are adequate to accommodate the proposed Liquor Establishment (Off Premise Consumption) use.

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

   Access to this site is from a driveway from Charleston Boulevard, which is designated as a Primary Arterial (120-foot) on the Master Plan of Streets and Highways. This street will be adequate in size and capacity to accommodate the proposed Liquor Establishment (Off Premise Consumption) use.

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

KCW

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

NOTICES MAILED 444

APPROVALS 0

PROTESTS 1

KCW

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5659 APN: 138-32-406-006

Name of Property Owner: Masao Ishihama & Akiko Ishihama Revocable Trust

Name of Applicant: ZDZISLAW PELKA

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: Masao Ishihama

Print Name: MASAO ISHIHAMA

Subscribed and sworn before me

This 16th day of November, 2004

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Nye
JACQUELINE G. VALDEZ
Appt. No. 99-53783-1
My Appt. Expires March 15, 2007

Polish Deli
5900 West Charleston Boulevard
Las Vegas, NV 89146

11-16-04

Dear Sir,

We have been in business since Sept 2001 servicing Las Vegas. Polish Deli is an ethnic location where people can purchase imported Polish food and Polish deli meats. This is an important part of our culture for the Polish people who have been here for some time and recent immigrants. It is also tradition at Polish dinners to have Polish beer and wine.

We do not want to be a liquor store, that is not our purpose. We simply want to offer our Polish customers an important item that is missing from the traditional Polish dinner. All Polish beer and wine is to be consumed off premise at the homes of our customers. Attached to this letter is a list of 132 customers who have signed to request that Polish Deli be allowed to sell Polish beer and wine.

We invite you to visit our store anytime. We look forward to your consideration of this special permit. The success of our store adds diversity and supports the local Polish community of Las Vegas.

Thank you for your time.

Joanna and Zdzislaw Pelka

SUP-5659

TIFFANY PLACE APARTMENTS

E-BAR BAR & RESTAURANT

W. CHARLESTON BLVD.

AUTO ZONE

PARKING ANALYSIS

Existing Building: 17215 S.F.

Proposed Building: 6912 S.F.

Total: 24127 S.F.

Total Number of Parking Required: 97

Number of Parking provided: 120

architect

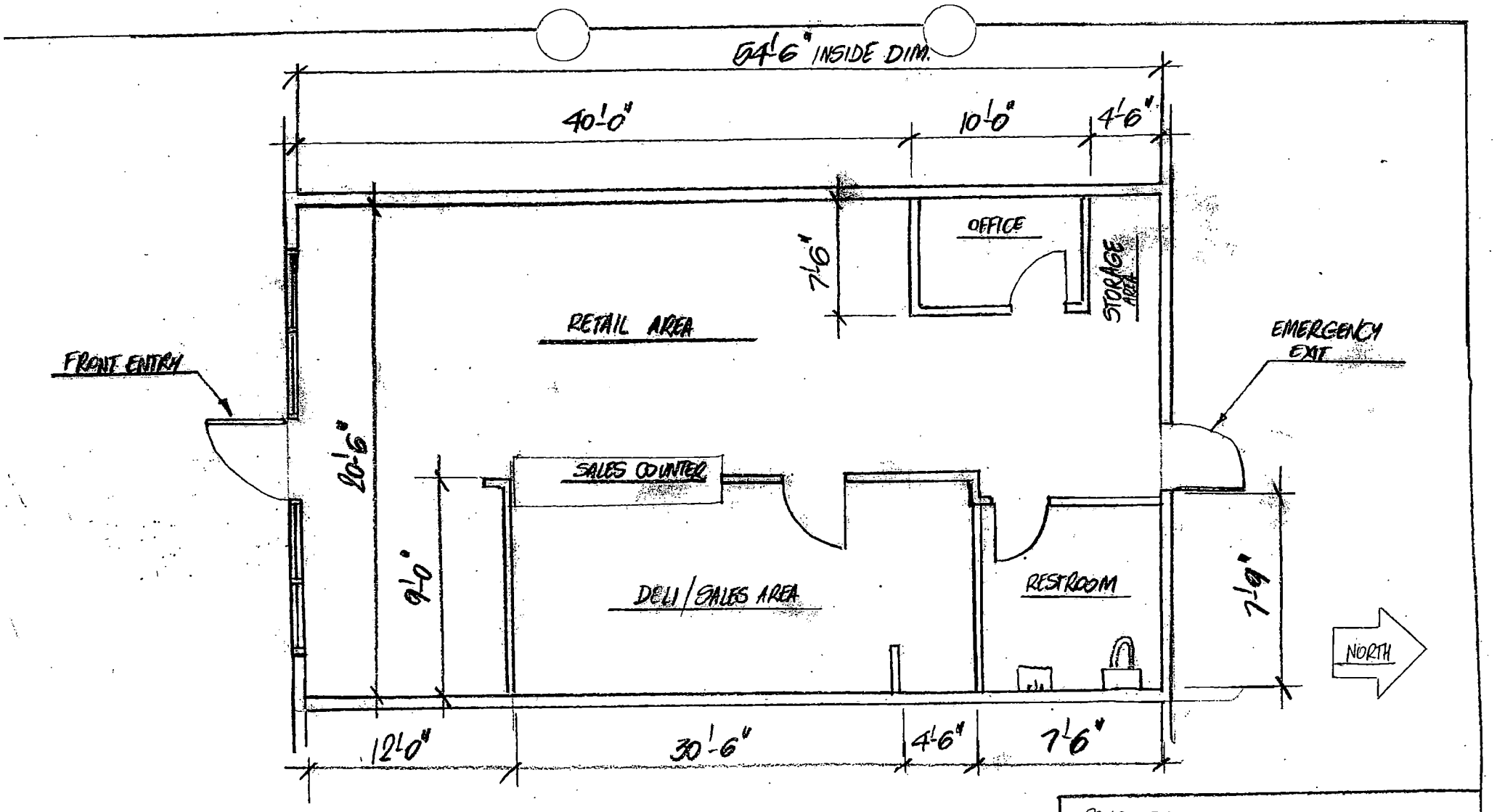
Shell Retail Building 'B' for
Charleston Marketplace

NOVAD CONSTRUCTION
Las Vegas, Nevada

SITE PLAN & LANDSCAPE PLAN

A1.1

SUP-5659
01-13-05 PC

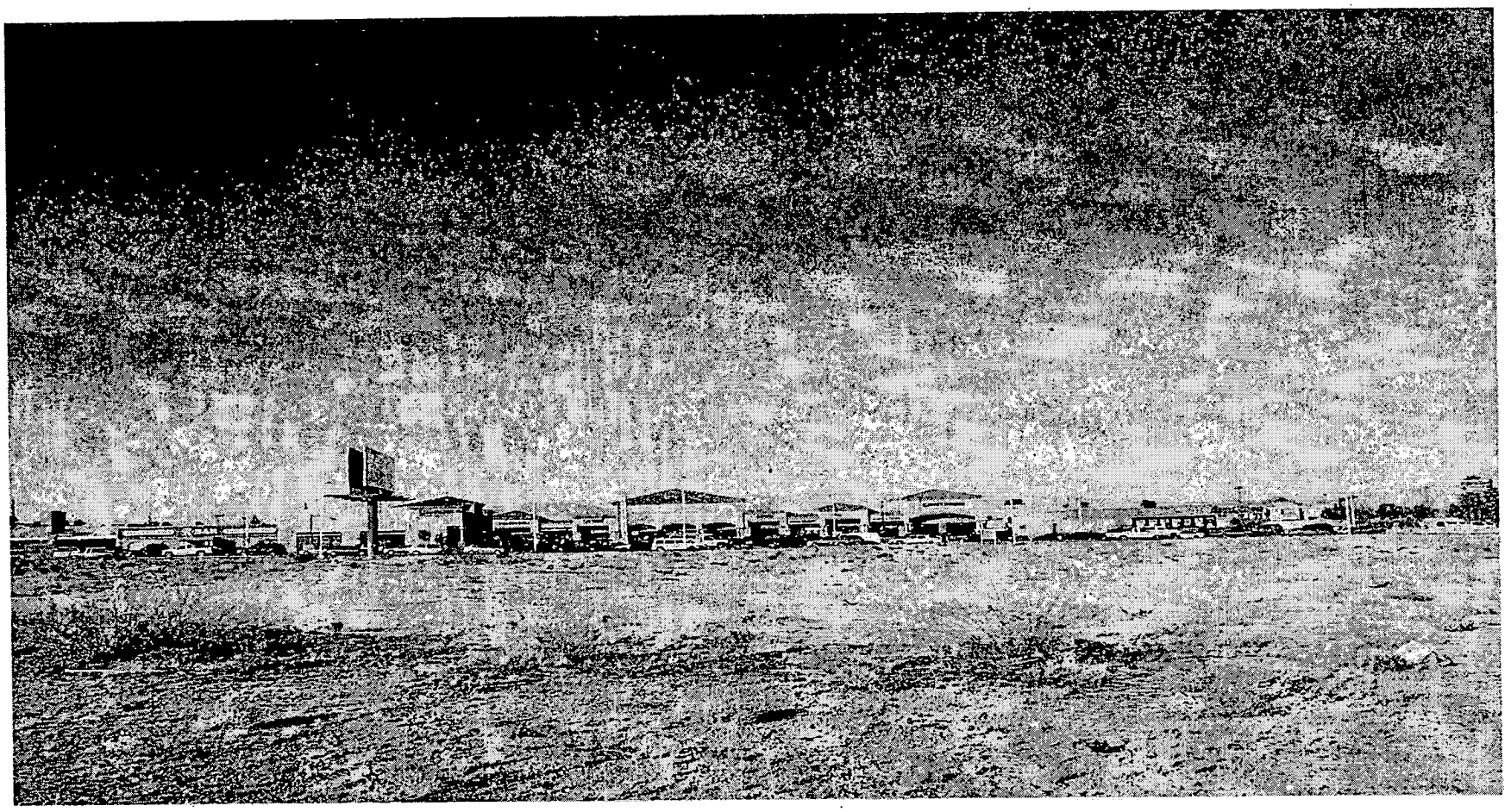


EXISTING DELI FLOOR PLAN

N.T.S.

POLISH DELI MARKET			
5900 WEST CHARLESTON ; SUITE 4			
DATE: 11/17/04	SCALE: N.T.S.	DRAWN: E.P.	1 OF 1

SUP-5659
01-13-05 PC



SUP-5659 - APPLICANT: ZDZISLAW PELKA - OWNERS: MASAO ISHIHAMA AND ASAKO ISHIHAMA REVOCABLE TRUST
5900 WEST CHARLESTON BOULEVARD, SUITE #4
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

Telephone Protest/ Approval Log

Meeting Date: 01/13/04 **Case Number:** SUP 5659

Date: 12/20/04
Name: Amelia Coulston
Address: 5200 Alpine Place #22 L.V. NV. 89107
Phone: (702) 258-0936 232-0441
☒ **PROTEST** ☐ **APPROVE**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

Date:
Name:
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☐ **PROTEST** ☐ **APPROVE**

City of Las Vegas

Agenda Item No.: 78

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:
SUP-5664 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SAMUEL M MARTINEZ - OWNER: THE CHARLESTON CENTER, LLC - Request for a Special Use Permit for a PROPOSED LIQUOR ESTABLISHMENT (RESTAURANT SERVICE BAR) in conjunction with an existing restaurant at 5000 W Charleston Boulevard, Unit D (APN 138-36-804-003), C-1 (General Commercial) Zone, Ward 1 (Moncrief).

C.C.: 02/16/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	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.

GARY LEOBOLD, Planning and Development Department, explained that the applicant would like to offer beer and wine to customers with their meals. This use is allowed in the C-1 zone subject to conditions. The restaurant is surrounded by other commercial uses and the request is compatible to staff.

MIGUEL MANZO appeared to translate for the applicant, SAMUEL MARTINEZ. MR. MANZO explained that the applicant has had many customers asking to buy beer or wine with their meals. The applicant believed not serving drinks was causing him to lose customers. The applicant agreed with all conditions.

MINUTES – Continued:
COMMISSIONER McSWAIN said that she did not believe it was possible to competitively run a restaurant without being able to offer beer and wine with meals.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(12:08 – 12:10)
4-3344

CONDITIONS:
Planning and Development

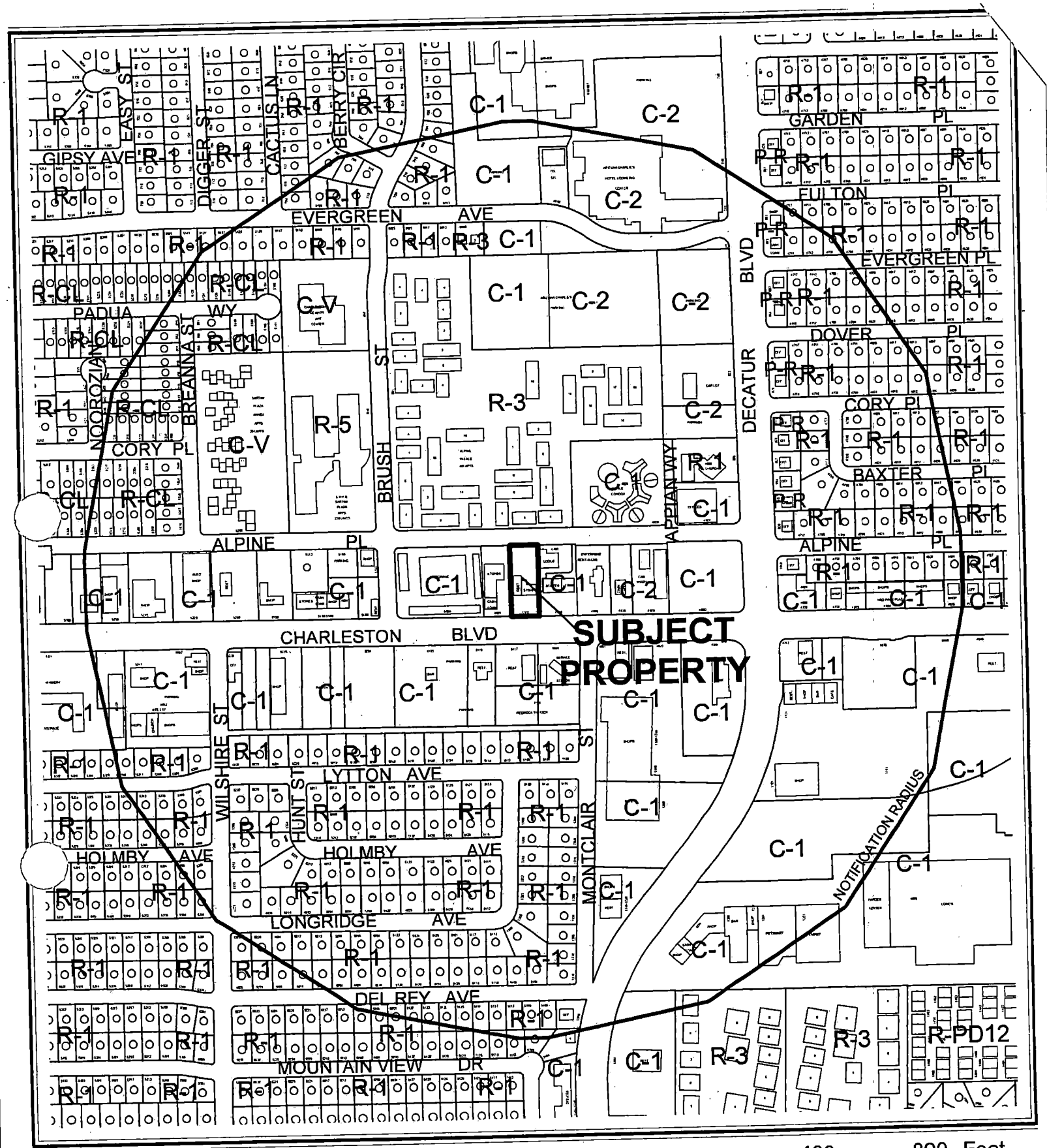
1. Conformance to all Minimum Requirements under Title 19.04 for the Restaurant Service Bar use.

2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

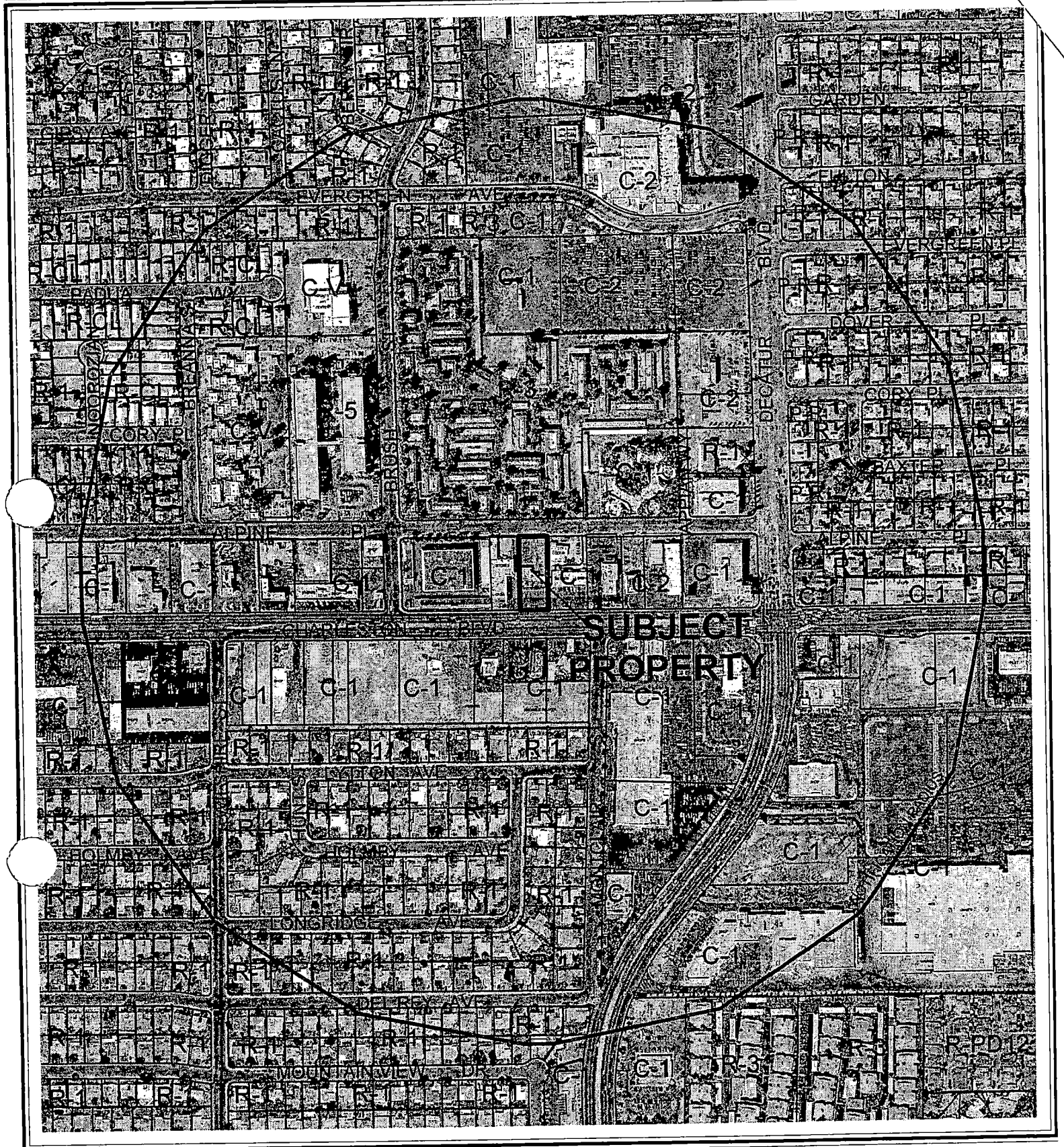
5. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.



CASE: **SUP-5664**

RADIUS: 1500 FT

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



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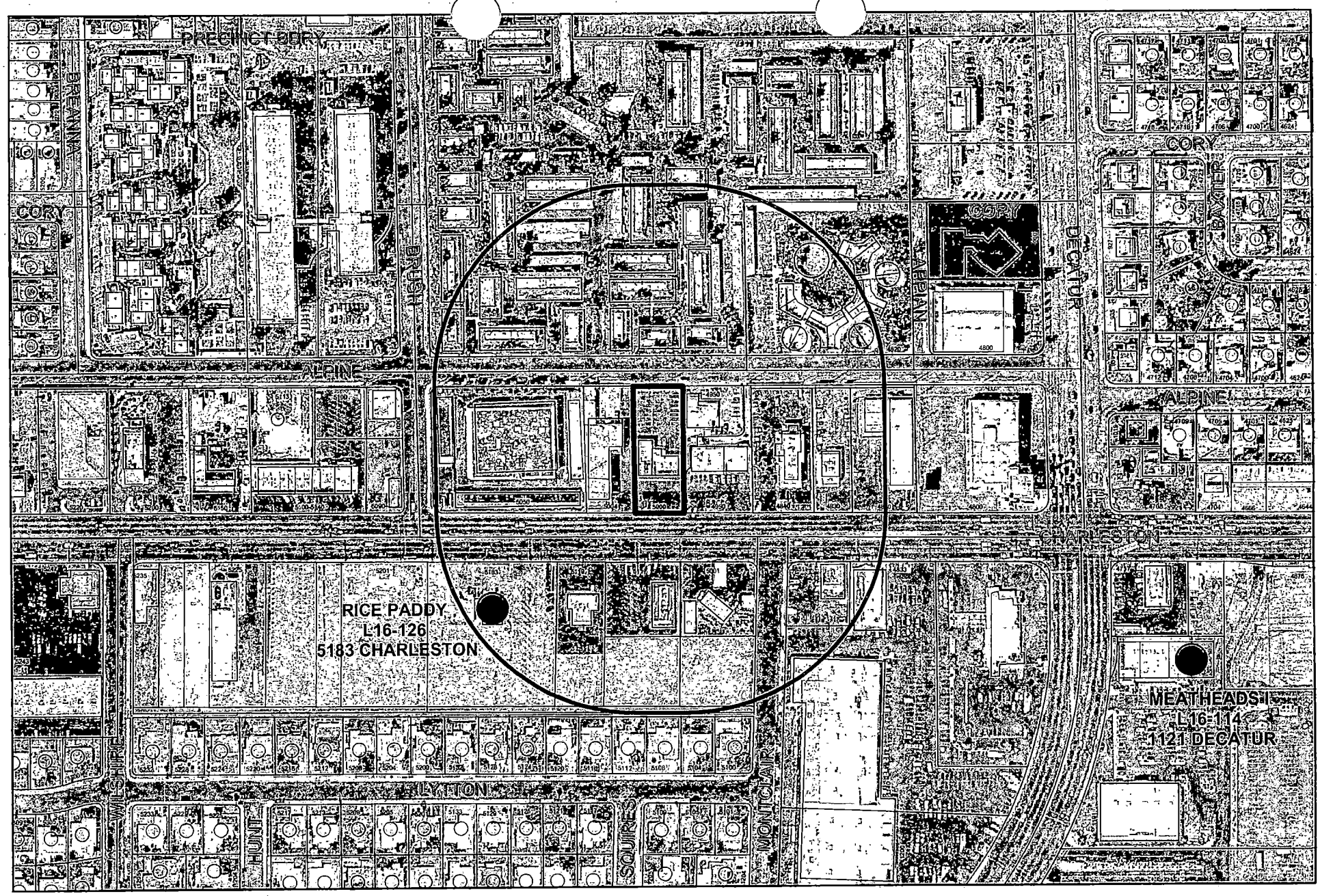
CASE: **SUP-5664**

RADIUS: 1500 FT

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

N



SUP-5664

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: SUP-5664 - APPLICANT: SAMUEL M MARTINEZ - OWNER: THE CHARLESTON CENTER, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04 for the Restaurant Service Bar use.

2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Special Use Permit for a Restaurant Service Bar for an existing restaurant located at 5000 W. Charleston Boulevard, Suite D.

B) Applicant's Justification

According to the applicant it is customary for patrons of his type of restaurant to order beer or wine to accompany their meal due to the flavors and seasonings used in the preparation of the food. The applicant states that he has done a thorough survey of the area and has not found any churches, synagogues, or any other house of worship within 400 feet of the proposed restaurant.

BACKGROUND INFORMATION

A) Previous Actions

There are no previous applications on record that pertains to this request for a Restaurant Service Bar.

B) Pre-Application Meeting

10/21/04 During a pre-application conference with the applicant the following was discussed.

- On premises beer and wine sales.
- No hard liquor sales.
- Applicant is responsible for identifying and churches, synagogues, or any other house of worship within 400 feet of the subject sites property line.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.58

KCW

B) Existing Land Use

Subject Property:	Commercial
North:	Multi-family
South:	Commercial
East:	Commercial
West:	Commercial

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject property is designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. This land use category allows low to medium intensity retail, office, and other commercial uses that serve primarily local area patrons and that do not include more intense general commercial characteristics. A Restaurant Service Bar is a permitted use within the C-1 (Limited Commercial) zoning district, the zoning equivalent of SC, with approval of a Special Use Permit. The use therefore is consistent with the SC (Service Commercial) General Plan 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

No special districts, zones, or studies are related to the subject request.

KCW

ANALYSIS

A) Zoning Code Compliance

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

Use	Code Requirement	Provided
Restaurant Service Bar	400 feet from churches, synagogues, schools, childcare facilities, or city parks	No protected uses are known to be within the minimum separation distance.

The proposal meets the separation requirements of Title 19 for a Restaurant Service Bar.

B) General Analysis and Discussion

The Las Vegas Zoning Code Title 19.20 defines a Restaurant Service Bar as a bar wherein alcoholic beverage drinks are prepared for service only at tables in a restaurant and for consumption only in connection with a meal served on the premises, and where customers are not permitted to purchase alcoholic beverage drinks directly from the bar or for off-premise consumption. The applicant plans to offer beer and wine to his customers to be served with their meal.

- Zoning

Section 19.04.050 of the City of Las Vegas Zoning Code requires the sale of on-premise liquor served from a Restaurant Service Bar to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City park as measured from property line to property line. In this case, no protected uses are known to be within the minimum separation distance.

- Use

The proposed Restaurant Service Bar use is allowed in C-1 zoned areas with the approval of a Special Use Permit that is subject to conditions.

- Conditions

The restaurant is surrounded by commercial uses and the proposed Restaurant Service Bar use is compatible with the existing uses and the future land uses as projected in the General Plan. Therefore the standard conditions of approval for the Restaurant Service Bar should apply.

KCW

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar use.

2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

The application as proposed appears to conform to these conditions.

FINDINGS

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

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

   The restaurant is surrounded by commercial uses like many any others up and down Charleston Boulevard. The proposed Restaurant Service Bar use is compatible with the existing uses and the future land uses as projected in the General Plan.

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

   The proposed Restaurant Service Bar will be located within an existing restaurant in a commercial building that is part of a commercial development and will not change the physical characteristics of the site.

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

   Access to this site is from a driveway from Charleston Boulevard, which is designated as a Primary Arterial (120-foot Right-of-Way) on the Master Plan of Streets and Highways. This street will be adequate in size and capacity to accommodate the proposed use.

KCW

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

   The business will be subject to regular inspection by City staff for licenses and permits. This will help to ensure the sale will not compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 372

APPROVALS 0

PROTESTS 1

KCW

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP.5664 APN: 1383680 4003

Name of Property Owner: David Kohanbash

Name of Applicant: SAMUEL M. HARTINEZ

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

_____ Yes ___X___ No

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

City Official: N/A

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: David Kohanbash

Subscribed and sworn before me

This 11 day of October, 2004

Gerald Herz

Notary Public in and for said County and State

GERALD R. HERZ
Commission # 1380999
Notary Public - California
Los Angeles County
My Comm. Expires Oct 19, 2006

Camino Real Mexican Grill
5000 W. Charleston Ave., Suite D
Las Vegas, NV 89146

Development Services Center
Planning & Development Department
731 S. Fourth St
Las Vegas, NV 89101

Dear Sirs:

This letter is submitted as justification for my requesting a permit for the sale of On Premise Beer and Wine Sales (No hard liquor).

I am submitting this request due to the fact that the specialty of my establishment is serving sea foods prepared in a typical Mexican style. It is customary for patrons who prefer this type of food to order beer or wine to accompany their meal due to the piquant flavors and seasonings used in their preparation.

I have done a through survey of the area and have not been able to find any Churches, Synagogues, or any other House of Worship within the nearest 400 feet of my establishment.

The premises were previously licensed to allow the sale of beer and wine for on premise consumption. Also there are establishments across the street west of Camino Real Mexican Grill which sell Beer and Liquor for on-premise consumption.

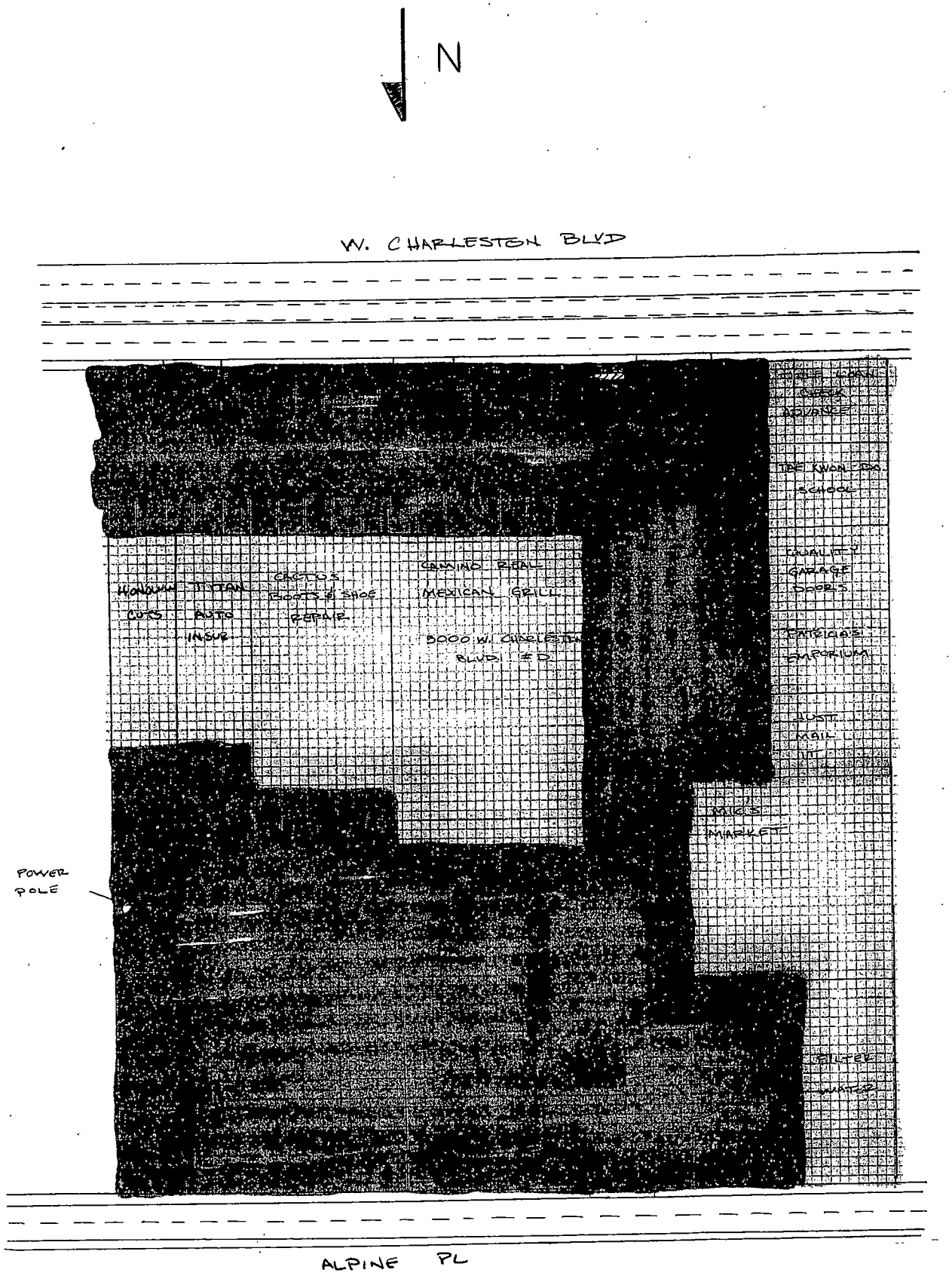
This request is based on the expectation that this permit will result in increased food sales, and in response to my customers expressed desire to include beer and or wine with their meals.

Thank you for your consideration to my request.

Samuel M. Martinez
Owner
November 16, 2004

APN #138-36-804-003
Restaurant License # R09-94887

SUP-5464



SUP-5664
01-13-05 PC

RECEIVED
NOV 24 2004

WINDOW SCH.

① $4^{8} \times 7^{8}$

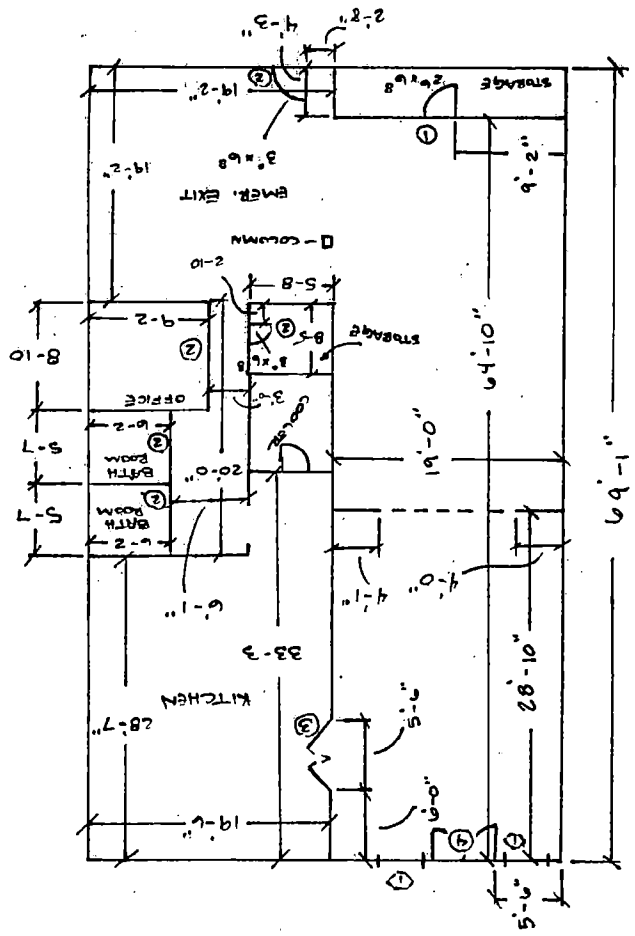
DOOR SCH.

① $2^{6} \times 6^{8}$

② $3^{0} \times 6^{8}$

③ $2^{8} \times 6^{8}$

④ $2^{10} \times 6^{8}$



N

SUP-5664
01-13-05 PC

RECEIVED
NOV 24 2004

SUP-5664 - APPLICANT: SAMUEL M MARTINEZ - OWNER: THE CHARLESTON CENTER, LLC
5000 W CHARLESTON BOULEVARD, UNIT D
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

Telephone Protest/ Approval Log

Meeting Date: 01/13/05 **Case Number:** SUP 5664

Date: 12/30/04
Name: Amelia Coulston
Address: 5200 Alpine Place #22. L.V. NV. 89107
Phone: (702) 258-0936 232-0441
[X] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

City of Las Vegas

Agenda Item No.: 79

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:
SUP-5666 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: OMID TABATABAI, DVM - OWNER: DELIA FRANCO - Request for a Special Use Permit FOR A PROPOSED ANIMAL CLINIC at 701 East Charleston Avenue (APN 139-34-410-237), C-1 (Limited Commercial) Zone [C (Downtown - Commercial) General Plan Designation], Ward 5 (Weekly).

C.C.: 02/16/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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.

FLINN FAGG, Planning and Development Department, stated that the application is for an emergency animal clinic facility. This use is allowed with approval of a Special Use Permit.

OMID TABATABAI appeared and agreed with all conditions. COMMISSIONER DAVENPORT confirmed that facility would be a 24-hour facility.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(12:10 – 12:12)

4-3466

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 79 - SUP-5666

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Animal Clinic use.

2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0005-66), and the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area.

3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

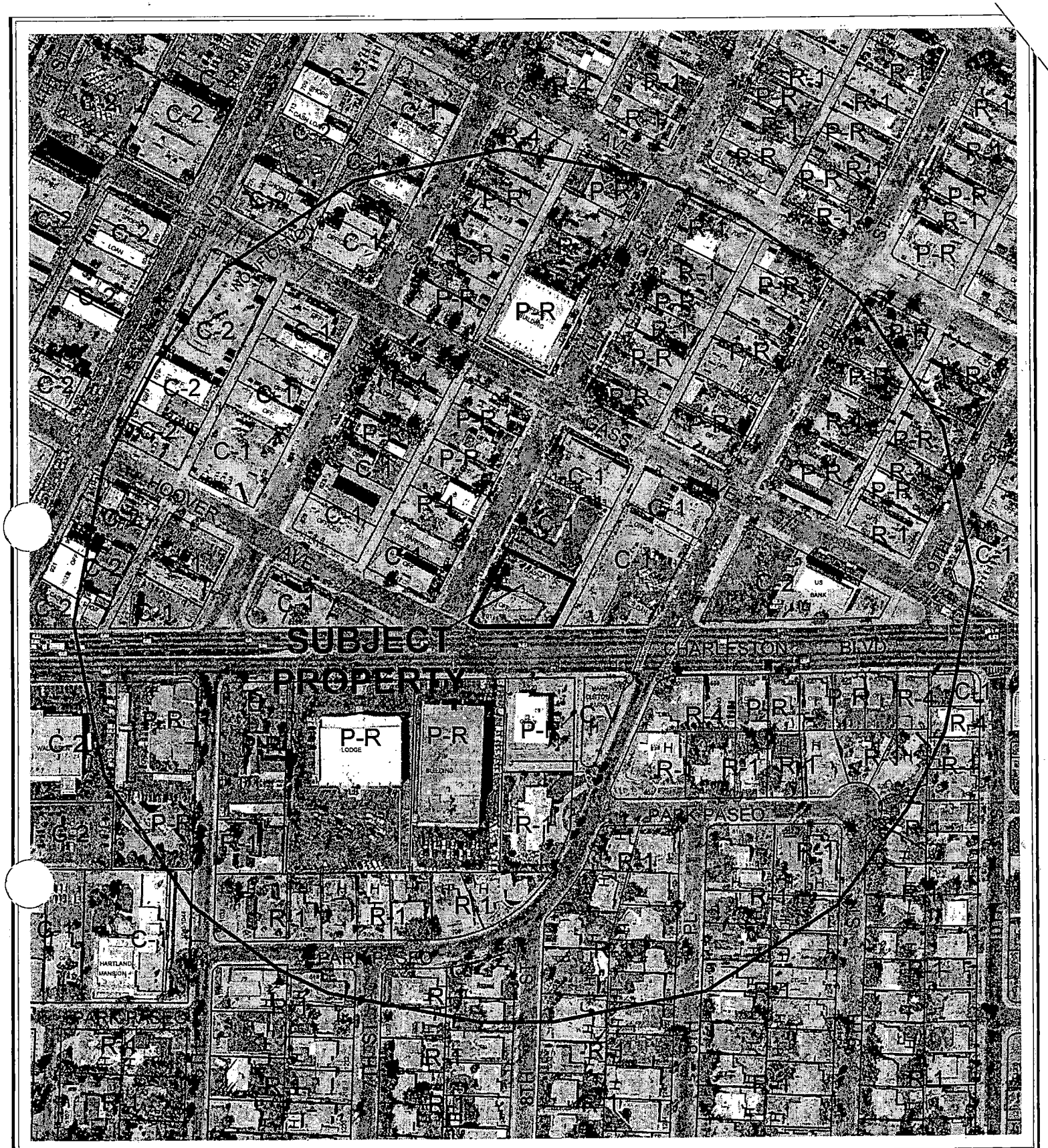
4. A new trash enclosure meeting Title 19.08.045.G.4 requirements shall be added to the site. If an existing refuse collection area is onsite, it shall be upgraded to meet Title 19.08.045.G.4 requirements.

Public Works

5. Dedicate a ten-foot radius on the northeast corner of Charleston Boulevard and 7th Street prior to the issuance of a Certificate of Occupancy. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents prior to the issuance of a Certificate of Occupancy. This condition shall not be enforced if the applicant provides proof of existing signage or other permanent improvements within the area requested for dedication.

6. 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 prior to the issuance of a Certificate of Occupancy.

7. The two existing parking stalls located at the southeast corner of the site that back onto the alley shall not be utilized.



0 200 400 Feet

CASE: **SUP-5666**

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: SUP-5666 - APPLICANT: OMID TABATABAI, DVM - OWNER: DELIA FRANCO

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Animal Clinic use.

2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0005-66), and the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area.

3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

4. A new trash enclosure meeting Title 19.08.045.G.4 requirements shall be added to the site. If an existing refuse collection area is onsite, it shall be upgraded to meet Title 19.08.045.G.4 requirements.

Public Works

5. Dedicate a ten-foot radius on the northeast corner of Charleston Boulevard and 7th Street prior to the issuance of a Certificate of Occupancy. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents prior to the issuance of a Certificate of Occupancy. This condition shall not be enforced if the applicant provides proof of existing signage or other permanent improvements within the area requested for dedication.

6. 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 prior to the issuance of a Certificate of Occupancy.

7. The two existing parking stalls located at the southeast corner of the site that back onto the alley shall not be utilized.

SRS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a proposed Special Use Permit for an Animal Clinic at 701 East Charleston Avenue.

B) Applicant's Justification

The applicant has justified the request by stating: "At this moment, the entire city of Las Vegas has only two emergency animal hospitals with doctors on call. Due to population increase and number of pets in the vicinity, the demand for emergency animal hospitals are increasing. We shall be able to serve the animals that are in need of treatment during weekends, holidays, and night times. This animal hospital will provide quality jobs for up to eleven people."

BACKGROUND INFORMATION

A) Previous Actions

05/12/77	City Council approved a request for a rezoning (Z-0005-66) from R-1 (Single Family Residential) to P-R (Professional Office and Parking).
03/05/86	City Council adopted the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area (Ordinance #3218), which through a series of amendments incorporated the subject property and its current land use designation. Planning Commission and staff recommended approval.

B) Pre-Application Meeting

Elements of a Special Use Permit application were discussed. Applicant was asked to include a parking analysis in the application. A parking analysis was included with the submitted application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.47

B) Existing Land Use

Subject Property:	Offices
North:	Offices
South:	Offices, Non-Profit Organization
East:	Offices
West:	Offices, Service Commercial

C) Planned Land Use

Subject Property:	C (Downtown Commercial)
North:	C (Downtown Commercial)
South:	C (Downtown Commercial)
East:	C (Downtown Commercial)
West:	C (Downtown 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) and R-4 (Apartment Residence)

E) General Plan Compliance

The subject parcel is designated C (Downtown Commercial) on the Downtown Redevelopment Plan of the Southeast Sector Map of the General Plan. The C (Downtown Commercial) designation allows SC (Service Commercial) uses, so the current C-1 (Limited Commercial) zoning and the proposed use (Animal Clinic), which is allowed in a C-1 district by approval of a Special Use Permit, comply with the General Plan designation.

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

Downtown Redevelopment Plan Area
The subject property is part of the Downtown Las Vegas Redevelopment Plan Area. The Redevelopment Plan calls for the upgrading of the quality of life in the Redevelopment Area, through the diversification of the economic base, stimulation of new commercial expansion, and economic growth. This Special Use Permit for a needed Animal Clinic will help these objectives.

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	Required			Provided	
	Ratio	Parking		Parking	
		Regular	Handicap	Regular	Handicap
Animal Clinic	One space for every two on-duty employees One space per doctor One space per examination room	2 spaces 1 space 3 spaces			
	Total	6 spaces	1 space	18 space	1 space

This proposal exceeds Title 19.10 parking requirements. Public Works has included a Condition of Approval above requiring that two existing parking stalls not be utilized. These spaces are located at the southeast corner of the site that back onto the alley.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Animal Clinic use and there are no similar approved uses within the notification distance.

Pursuant to Title 19.08.045.G.4, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Trash Enclosure	Away from street and enclosed by walls (see below)	Not Indicated

The applicant has not indicated a trash enclosure or refuse collection area on the submitted site plan. A Condition of Approval for a trash enclosure which meets the City's current code requirements has been added above.

Title 19.08.045.G.4 calls for trash enclosures being located away from the street front and screened from view from rights-of-way, sidewalks, and abutting properties through the use of landscaping and screening. Also, trash enclosures shall be enclosed by walls a minimum of six feet in height, finished in the same manner as the main structures within the development and shall follow the same design theme and use similar materials to those used in the main structures. All such enclosures shall have solid metal gates, and shall have a roof.

B) General Analysis and Discussion

- Zoning

The Animal Clinic use is permitted in C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit, subject to meeting the requirements listed below under Conditions.

- Use

The proposed Animal Clinic will be housed in an existing former medical office/urgent care building. The use is subject to operational standards as listed under Conditions below.

- Conditions

Title 19.04.050 (Special Use Permits) lists the following conditions for an Animal Clinic.

1. The use shall have access to a collector street or larger.

2. Animals shall be confined within an enclosed building at all times.

3. The building shall be designed to provide complete sound barriers and odor protection for adjacent properties.

4. Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls adjacent to residences.

5. Noise levels must comply with the applicable provisions of LVMC Title 7.

6. No more than 25% of the floor area may be used for the boarding of animals.

FINDINGS

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

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

   Title 19.04.050 conditions for an Animal Clinic are met. Therefore, 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.

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

   The site is physically suitable for the type of land use proposed.

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

   Access is provided via two drives; one from Charleston Boulevard, a Primary Arterial Street, and one from 7th Street, a Frontage Street which flows into Charleston Boulevard within 200 feet of the driveway. These street facilities are adequate in size to meet the requirements of the proposed use.

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

   This proposed Animal Clinic is consistent with and will not compromise the public health, safety, and welfare or the overall objectives of the General Plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 131

APPROVALS 0

PROTESTS 0

SRS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-5666 APN: 139-34-410-237

Name of Property Owner: Delia A. Franco

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: _____

AFF. 8,358

Signature of Property Owner/Authorized Agent: Delia A. Franco Laboy

Print Name: DELIA FRANCO

Subscribed and sworn before me

This 5 day of NOV., 2004

PUERTO RICO

Notary Public in and for said County and State

MANUEL ANTONIO ALVAREZ GALÉ
ABOGADO - NOTARIO

Justification Letter for Emergency Animal Hospital in:
701 East Charleston Blvd. Las Vegas, NV 89104

November 22, 2004

City of Las Vegas Department of Planning and Development
Office of Business Development
400 Stewart Ave.
Las Vegas, NV 89101

To whom it may concern:

Dr. Raoufinia and I, Dr. Omid Tabatabai, plan to open a 24-hour emergency animal hospital in the location above to serve the Las Vegas area. It will be one of the only emergency animal hospitals with a veterinarian on site 24 hours a day, 7 days a week.

At this moment, the entire city of Las Vegas has 2 emergency animal hospitals with doctors on call. Due to population increase and the number of pets in the vicinity, the demand for emergency animal hospitals are increasing. We shall be able to serve the animals that are in need of treatment during weekends, holidays, and night times. This animal hospital will provide quality jobs for up to eleven people and will have one surgery room, two treatment rooms and 3 exam rooms.

Sincerely yours,

Dr. Tabatabai D.V.M
Dr. Raoufinia D.V.M PhD.

SUP-5066

CODE ANALYSIS - TENANT IMPROVEMENT

OCCUPANCY - GROUP B (MEDICAL)
TYPE OF CONSTRUCTION - V-N
FIRE SPRINKLERS - NONE
HEIGHT - ACTUAL = 12' ALLOWABLE = 40'
STORIES - ACTUAL = 1 ALLOWABLE = 2
AREA - ACTUAL = 4100 SF ALLOWABLE = 8,400 SF
OCCUPANT LOAD = 4100 / 100 = 41 PERSONS
EXITS - REQUIRED = 2 PROVIDED = 2

TOILET FIXTURES (TABLE A-29-A - UBC)
4,100 SF / 200 = 21 PERSONS
MALE = 1 WC + 1 LAV FEMALE = 1 WC + 1 LAV
EMPLOYEE UNISEX = 1 WC + 1 LAV.
ACCESSIBLE WASHROOM = 1 WC + 1 LAV
TOTAL FIXTURES = 4 WC + 4 LAV. + 1 DRINK FOUNTAIN

NOTE: EXISTING SIDEWALK AND PARKING LOT AT SAME ELEVATION

EXISTING CONC BLOCK WALL
EXISTING PARKING STRIPING
EXISTING PARKING LOT
EXISTING DRIVEWAY
9'-0"
5'-0" MIN ACCESS AISLE
HC PARKING
NEW STRIPING FOR HC
EX. CONC SIDEWALK
EX. 1:48 SLOPE
EXIST PLANTING STRIP
EXIST PLANTING STRIP
BARRIER FREE THRESHOLD TO MEET EXIST. WALK - APPROX. 1/2" GRADE DIFF.
EXISTING GRASS AREA
EXISTING SINGLE STORY BUILDING
EXISTING DRIVEWAY
EXISTING LANDSCAPING
NEW CONC WALK & STEPS
NEW 1 1/2" ϕ PIPE HANDRAIL
EXISTING SIDEWALK
EXISTING LANDSCAPING
EXISTING RETAINING WALL
EXISTING CURB
EXISTING GRASS AREA
EXISTING SIDEWALK
7TH STREET
CHARLESTON BOULEVARD
NORTH

EXISTING SITE PLAN
1/8" = 1'-0"

SUP-5666
01-13-05 PC

SITE PLAN

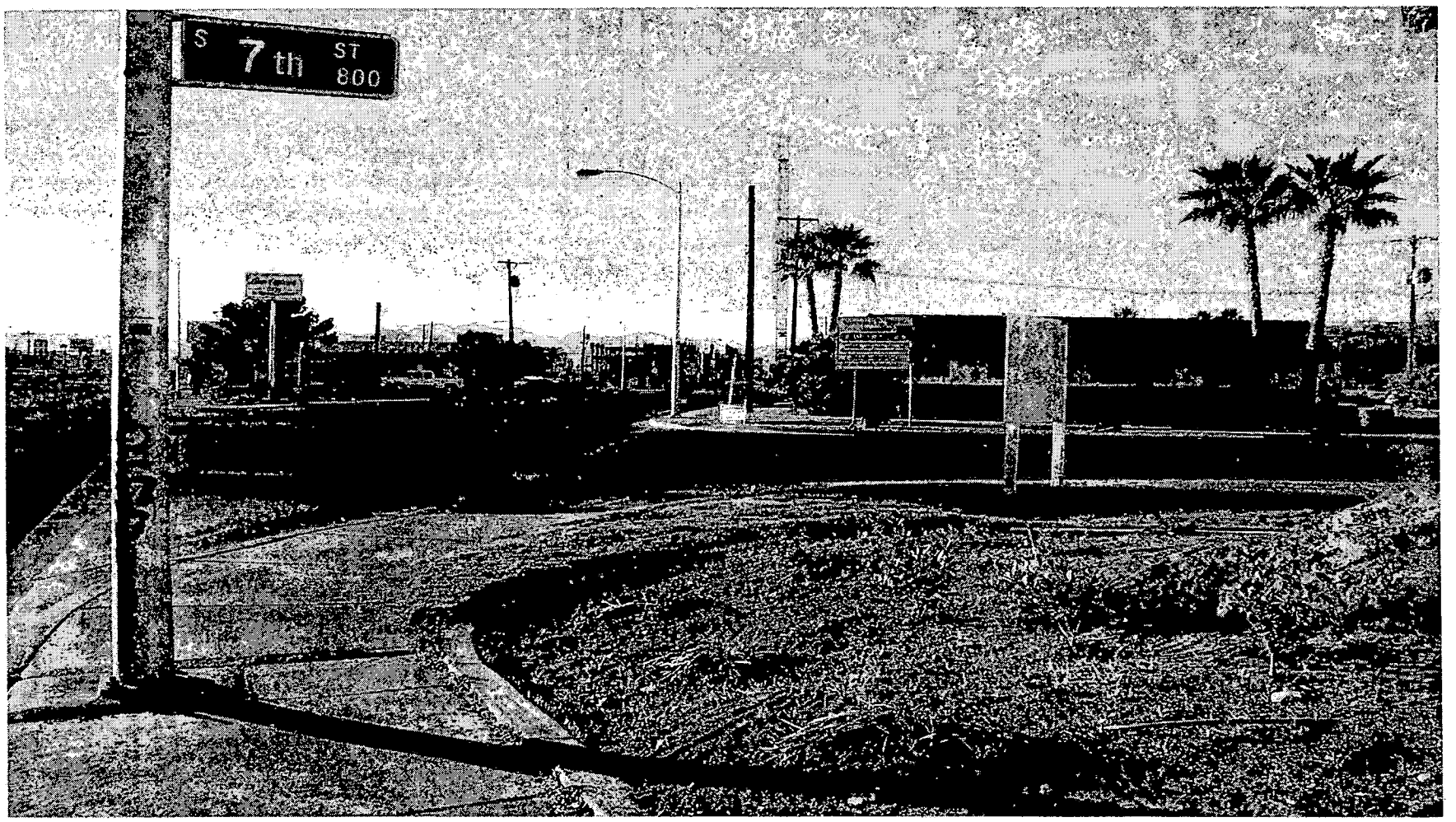
Tenant Improvements for
Alfredo A. Ortiz, M.D.
Endocrinology Associates of Nevada
7th & Charleston Boulevard
Las Vegas, Nevada 89128

Bradford J. Jarnicki, Architect Ltd.
Architecture - Planning
Henderson, Nevada (702) 896-4061

BRADFORD J. JARNICKI REGISTERED ARCHITECT STATE OF NEVADA

E. JARNICKI
APRIL 4, 1996
1/8"=1'-0"

C1



SUP-5666 - APPLICANT: OMID TABATABAI, DVM - OWNER: DELIA FRANCO
701 EAST CHARLESTON AVENUE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

City of Las Vegas

Agenda Item No.: 80

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:

SUP-5688 - SPECIAL USE PERMIT - PUBLIC HEARING - OWNER: A.J. GILBERT - APPLICANT: EDWARD KAKOSIAN - Request for a Special Use Permit FOR A PROPOSED MOTOR VEHICLE SALES (USED) USE AND A WAIVER FROM THE MINIMUM SITE AREA REQUIREMENT TO ALLOW TWO PARCELS TO BE USED TO MEET THE REQUIREMENT at 2201 Industrial Road (APN 162-04-803-008 and 009), C-M (Commercial/Industrial) Zone, Ward 1 (Moncrief).

C.C.: 02/16/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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.

GARY LEOBOLD, Planning and Development Department, explained that the request was for a Special Use Permit for motor vehicle sales stems from the fact that it is a conditional use in the CM zone but the applicant is unable to meet a condition regarding a minimum site area of 25,000 square feet. There are two lots in question and each has buildings on them. The car sales activity would straddle the two lots in the middle. There is more than 25,000 square feet available but it is distributed between the two lots. The applicant was encouraged to consider an administrative joining of the two lots but the owner is not amenable to that because he might want to sell one lot

MINUTES – Continued:
in the future. Because of this, the request has a condition stating that the permit is only active as long as both lots are used for the use.

He continued that there is a shop but it is not actively used as a sales area. He suggested that the applicant could give more information on that structure.

EDWARD KAKOSIAN, 2201 Industrial Road, appeared and agreed to all conditions. CHAIRMAN TRUESDELL confirmed with MR. KAKOSIAN that he understood that the permit, if approved, would only be valid while the use was on both properties. If one of the lots were to be sold, the permit would be void.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(12:12 – 12:15)

4-3583

CONDITIONS:

Planning and Development

1. The Motor Vehicle Sales (Used) use shall occur on a minimum of 25,000 square feet, thereby requiring the two parcels to remain connected as long as this use in conducted on the site.

2. Conformance to all Minimum Requirements under Title 19.04.050 for the Motor Vehicle Sales (Used) use.

3. The applicant shall revise the site plan to show one van accessible handicap space that is compliance with the standards prior to the approval of a business license for the Motor Vehicle Sales (Used) use.

4. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

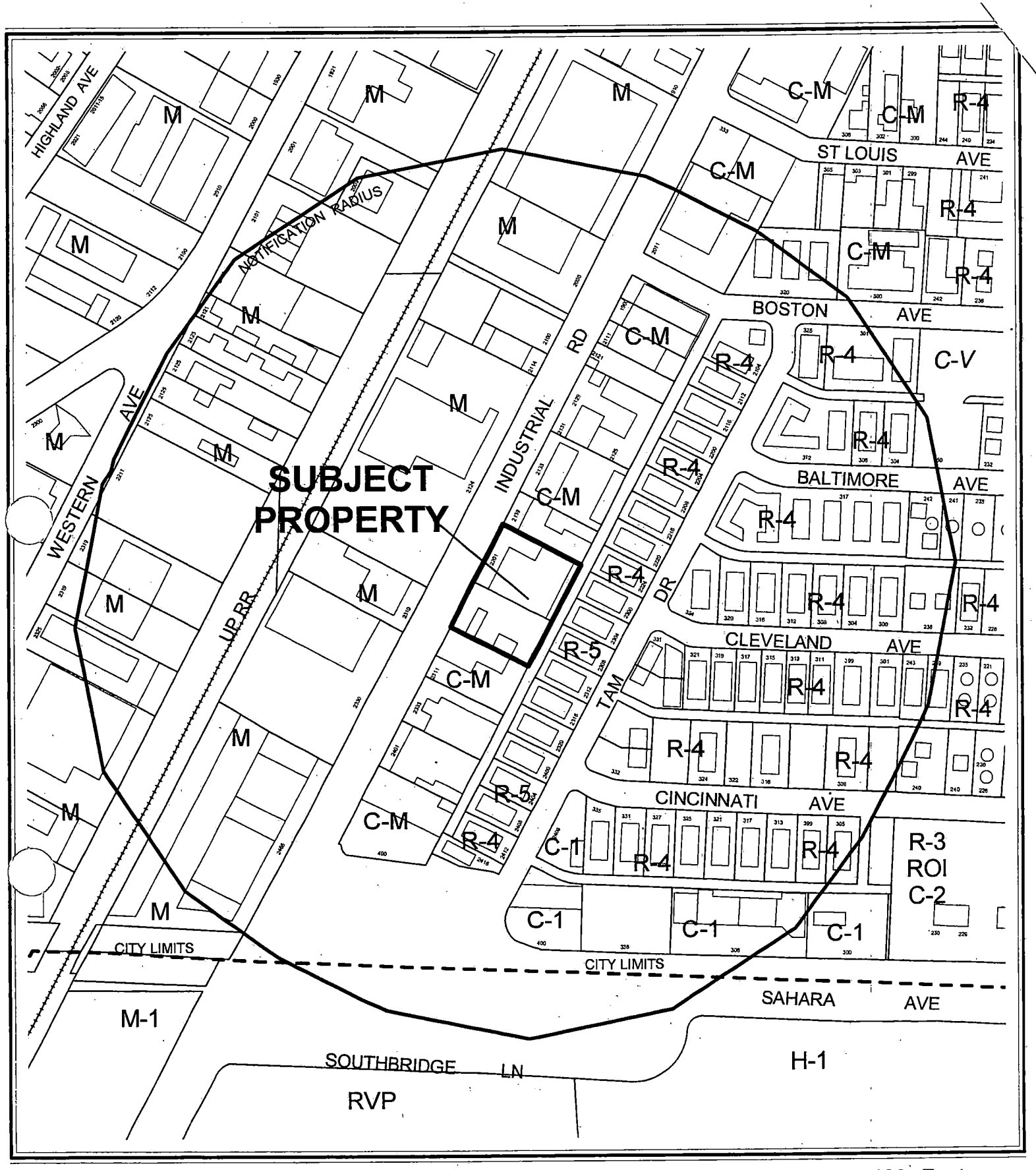
5. Vehicles displayed, stored or sold, or exchanged from the subject property shall have been manufactured within the last five (5) model years of the display, storage, sale or exchange date. Customer and employee vehicles, classic or collector vehicles (defined as any motor vehicle, including trucks, that are at least twenty (20) model years old, or any motor vehicle of a defunct make), or any vehicle displayed inside the building shall be exempt from this limitation.

CONDITIONS – Continued:

6. No temporary special events signs such as banners, pennants, inflatable objects (other than small balloons), streamers, flags, strobe lights or other similar attention gaining items or devices shall be displayed upon the subject property or on any vehicle displayed for sale in the parking lot of the subject property.

7. The used car dealership shall not operate on Sundays.

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



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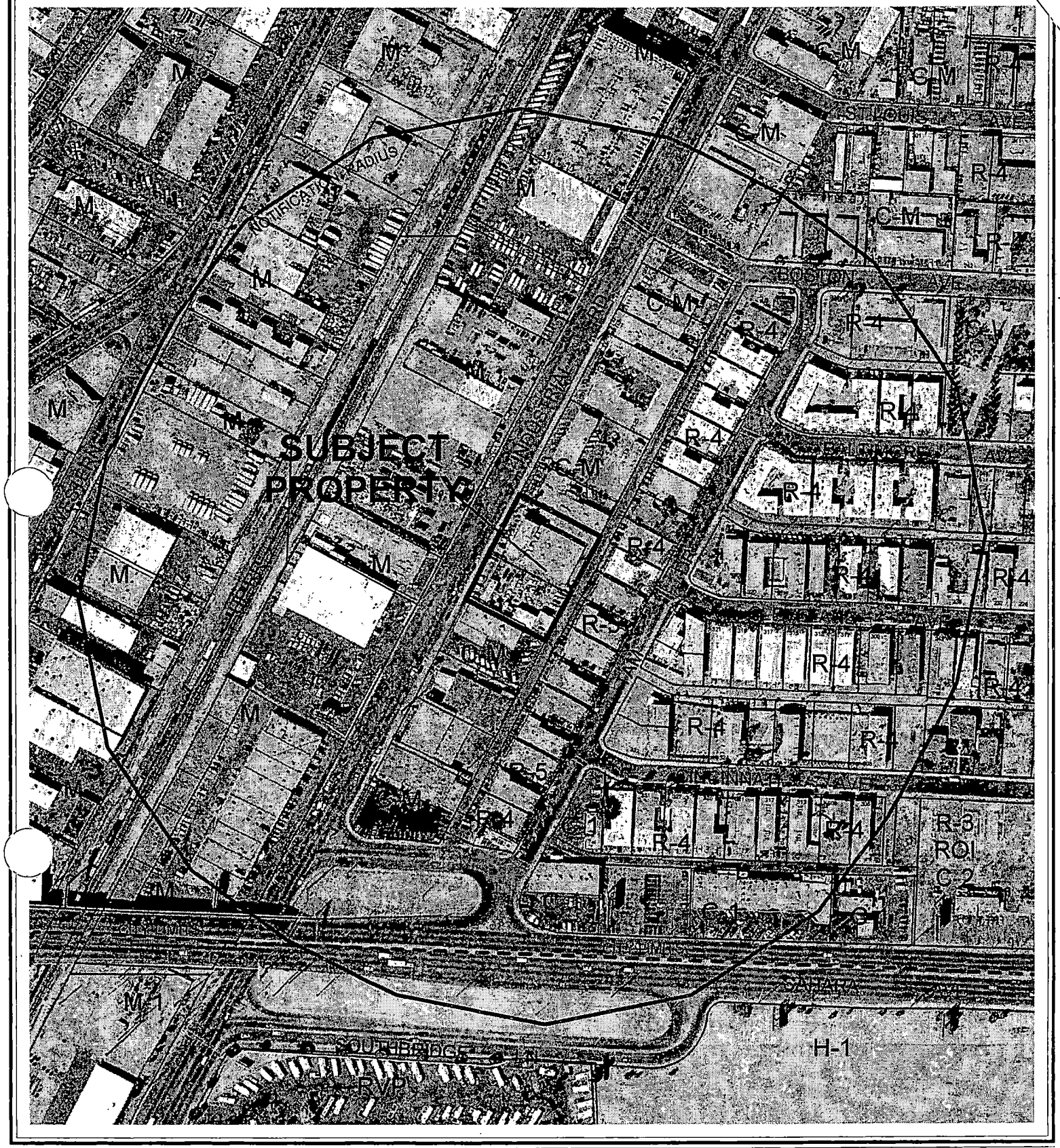
CASE: **SUP-5688**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

N



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CASE: **SUP-5688**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-5688 - OWNER: A.J. GILBERT - APPLICANT: EDWARD KAKOSIAN

** CONDITIONS **

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

Planning and Development

1. The Motor Vehicle Sales (Used) use shall occur on a minimum of 25,000 square feet, thereby requiring the two parcels to remain connected as long as this use in conducted on the site.

2. Conformance to all Minimum Requirements under Title 19.04.050 for the Motor Vehicle Sales (Used) use.

3. The applicant shall revise the site plan to show one van accessible handicap space that is compliance with the standards prior to the approval of a business license for the Motor Vehicle Sales (Used) use.

4. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

5. Vehicles displayed, stored or sold, or exchanged from the subject property shall have been manufactured within the last five (5) model years of the display, storage, sale or exchange date. Customer and employee vehicles, classic or collector vehicles (defined as any motor vehicle, including trucks, that are at least twenty (20) model years old, or any motor vehicle of a defunct make), or any vehicle displayed inside the building shall be exempt from this limitation.

6. No temporary special events signs such as banners, pennants, inflatable objects (other than small balloons), streamers, flags, strobe lights or other similar attention gaining items or devices shall be displayed upon the subject property or on any vehicle displayed for sale in the parking lot of the subject property.

7. The used car dealership shall not operate on Sundays.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit for Motor Vehicle Sales (Used) use and a waiver from the minimum site area requirement to allow two parcels to be used to meet the requirement, on 0.93 acres at 2201 Industrial Road.

B) Applicant's Justification

The applicant's justification letter indicates the nature of the business is to buy and sell used cars, mostly from insurance auctions with light damage and have the cars repaired and prepared for sale at an auction or retail.

BACKGROUND INFORMATION

A) Previous Actions

There is no available zoning case history on this site.

B) Pre-Application Meeting

11/16/04 The applicant was advised of the requirements for a Special Use Permit application.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	0.93
Net Acres:	0.62

B) Existing Land Use

Subject Property:	Shops, Offices and Storage
North:	Shop
South:	Shop
East:	Apartments
West:	Office and Warehouse

MP

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	C-M (Commercial/Industrial)
North:	C-M (Commercial/Industrial)
South:	C-M (Commercial/Industrial)
East:	R-4 (High Density Residential) and R-5 (Apartment)
West:	M (Industrial)

E) General Plan Compliance

The site is located in the Redevelopment Plan Area of the General Plan and is designated as Industrial. The existing C-M (Commercial/Industrial) zoning is in conformance with the General Plan designation.

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

This site is located in the Las Vegas Redevelopment Plan area. There are no requirements within this plans that would affect the proposed Motor Vehicle Sales (Used) use.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

MP

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Motor Vehicle Sales (Used)	5,211 SF.	One space for each 500 square feet of enclosed gross floor area	11	1	11	0

The proposed Motor Vehicle Sales (Used) use requires 11 parking spaces, including one handicap accessible space. The submitted site plan depicts 11 spaces will be provided; however, the handicap accessible space does not meet the design standards of the Code. A condition has been added requiring the applicant to revised the plan to show one van accessible handicap space that is compliance with the standards.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Motor Vehicle Sales (Used) use, and there are no similar approved uses within the 750-foot notification distance.

B) General Analysis and Discussion

- Zoning

The proposed Motor Vehicle Sales (Used) use is allowed as a conditional use in the C-M (Commercial/Industrial) zoning district subject to meeting certain standards. The submitted site plan depicts an area of 27,174 square feet will be used for the Motor Vehicle Sales (Used) use; however, this square footage is achieved by using two different parcels. In the event one of the parcels is sold and not used for the requested use, the 25,000 square-foot minimum site area required by Title 19 would not be met. This deficiency therefore required the applicant to file this Special Use Permit application. A condition has been added requiring the use to occur on a minimum of 25,000 square feet, thereby requiring the two parcels to remain connected as long as this use in conducted on the site.

- Use

Motor Vehicle Sales (Used) is defined in Title 19 as a facility or area used primarily for the display of used automobiles, motorcycles, and motor scooters. The term also includes service bays and auto body shops that are incidental and accessory to the sales use.

- Conditions

Pursuant to Title 19.04.040, the following conditions are placed on the Motor Vehicle Sales (Used) use. If any of these conditions are unable to be fulfilled, a Special Use Permit is required.

1. The minimum site area shall be twenty-five thousand square feet.
2. The installation and use of an outside public address or bell system is prohibited.
3. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
5. Openings in service bays shall not face public rights-of way and shall be designed to minimize the visual intrusion into adjoining properties.
6. Accessory automobile rental is permitted.

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 Motor Vehicle Sales (Used) use will be located on two lots that already contains automotive related businesses and is surrounded by land uses are industrial in character.

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

   With the implementation of a condition requiring the Motor Vehicle Sales (Used) use to occur on a site with a minimum area of 25,000 square feet, thereby requiring the two parcels to remain connected as long as this use in conducted on the site, the subject site is physically suitable for this use.

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

MP

The proposed used car lot will be served by a driveway from Industrial Road, designated as a Secondary (80-foot) Collector on the Master Plan of Streets and Highways. This roadway will be adequate to meet the demand of the uses on the site.

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

The businesses on the subject site are routinely inspected for compliance to applicable codes; therefore, the public health, safety, and general welfare will be safeguarded

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 64

APPROVALS 0

PROTESTS 0

MP

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-7688 APN: _____

Name of Property Owner: A.J. Gilbert

Name of Applicant: Edward Kalousian

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: A.J. Gilbert

Print Name: A.J. GILBERT

Subscribed and sworn before me

This 29 day of November, 2004

Keely Nelson

Notary Public in and for said County and State

Clark County Nevada.

KEELY NELSON
Notary Public State of Nevada
No. 03-84578-1
My appt. exp. Sept. 15, 2007

ELITE AUTO DEALER INC.
Edward Kakosian

To whom it may concern: My name is Edward Kakosian and Im an owner of Elite Auto Dealer Inc at 1500 E Tropicana #141 Las Vegas NV 89119. I would like to transfer my license to the city at 2201 Industrial Rd Las Vegas NV 89102.

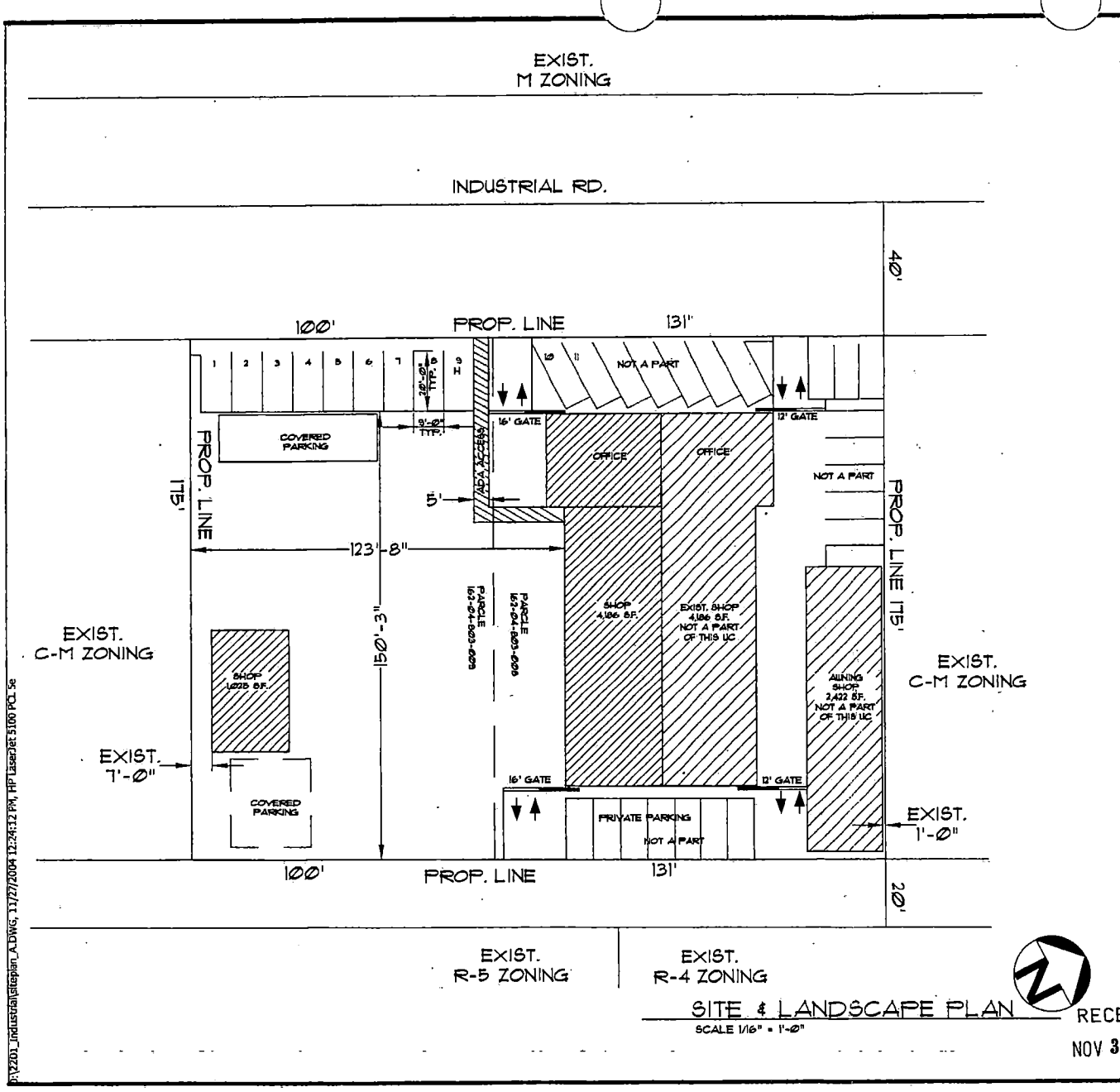
Im submitting all the required paper work for a special use permit, which would allow me to conduct business form 2201 Industrial rd LV NV 89102. The nature of my business is to buy and sell used cars, mostly from insurance auctions with light damages and have the cars repaired and get them ready for sale at an auction or retail. I believe I have meet minimal requirements for a limited auto dealer license with all the paperwork I am providing .

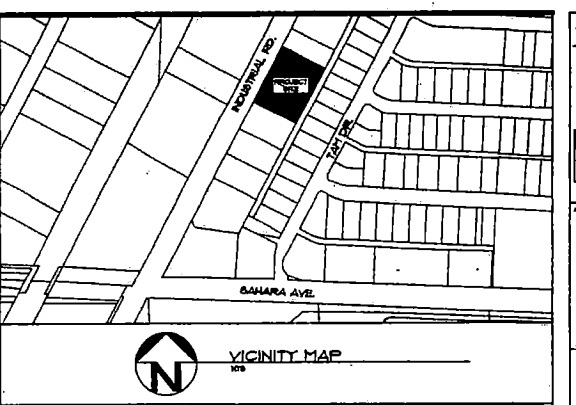
If there are any questions please contact me at 702 429 6901 Edward Kakosian.

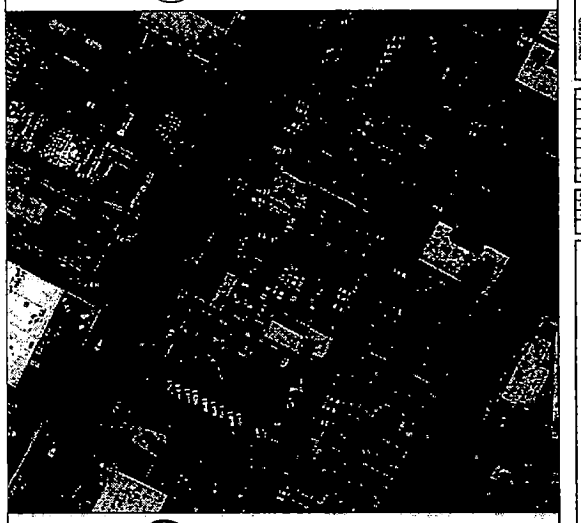
Would greatly appreciate your favorable consideration on this request.

Ekakosian

SUP-5688







PROJECT DATA

ADDRESS:
2201 INDUSTRIAL RD
LAS VEGAS, 89102

REQUESTED USE: USED CAR DEALERSHIP

PARCELS:
162-04-803-009 (0.40 ACRE)
PART OF 162-04-803-008 (0.50 ACRE)

USED LOT AREA = 27,174 SF (0.62 ACRE)

ENCLOSED GROSS FLOOR AREA (GFA) = 5,211 SF

PARKING REQUIREMENTS PER
ONE SPACE FOR EACH 500 SF OF ENCLOSED GFA

REQUIRED PARKING 11 SPACES
11 SPACES PROVIDED

RECEIVED
NOV 30 2004

ARCHITECT:
MAJED A. KHATER, AIA

USE PERMIT APPLICATION FOR
2201 INDUSTRIAL RD
LAS VEGAS, NV 89102

SITE PLAN & PROJECT DATA

1

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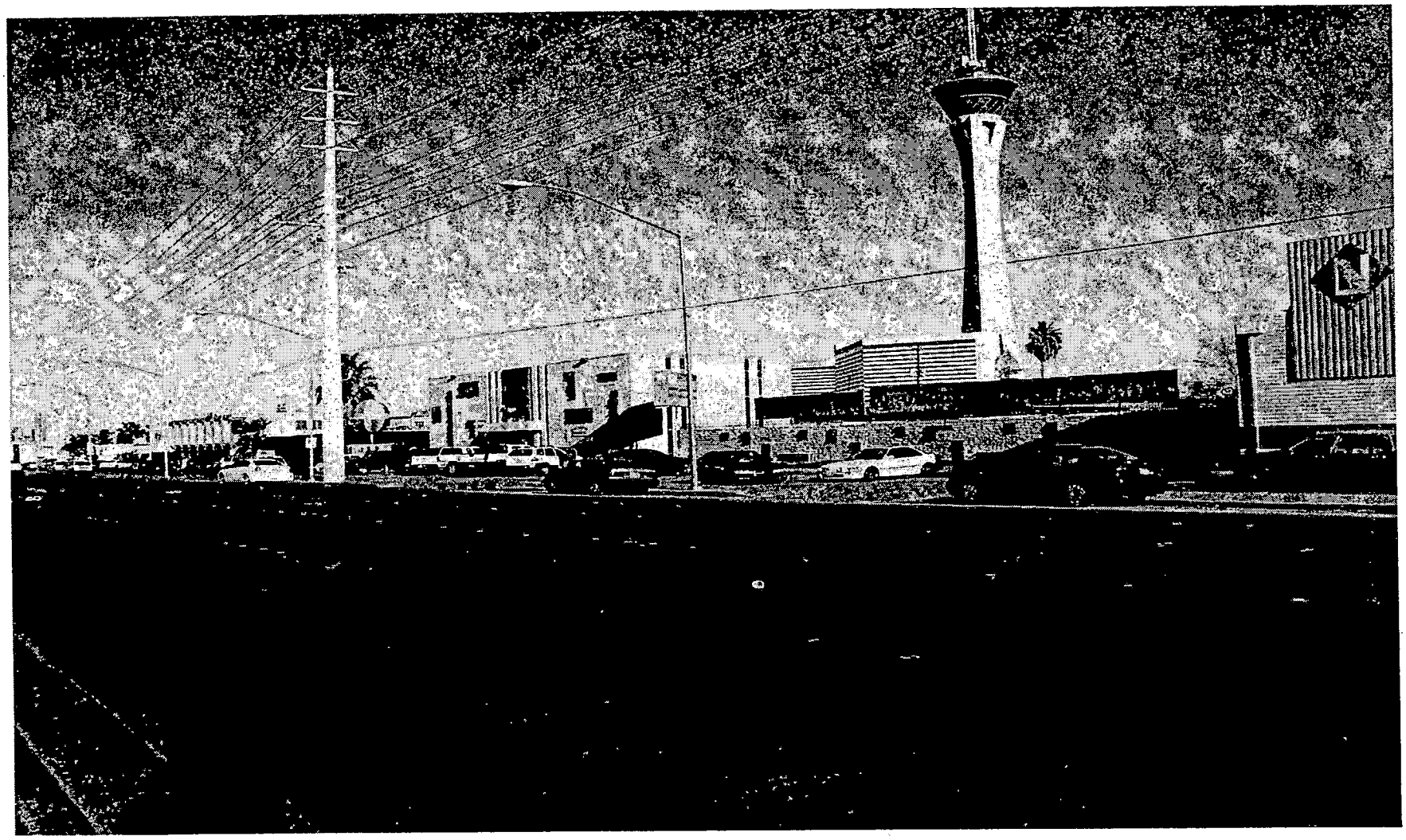
SUP-5688
01-13-05 PC



SUP-5688 - OWNER: A.J. GILBERT - APPLICANT: EDWARD KAKOSIAN
2201 INDUSTRIAL ROAD
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

City of Las Vegas

Agenda Item No.: 81

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:
SDR-5660 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: CHARLESTON/CASINO CENTER, LLC - Request for a Site Development Plan Review FOR A 20-STORY MIXED-USE DEVELOPMENT TO INCLUDE 98 RESIDENTIAL UNITS AND 5,300 SQUARE FEET OF COMMERCIAL SPACE AND A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE REQUIREMENTS on 0.76 acres adjacent to the northeast corner of Charleston Boulevard and Casino Center Boulevard (APN 139-34-410-047),C-2 (General 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 APPROVAL

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

MOTION:
EVANS – APPROVED subject to conditions and amending the following condition:
19. *Meet* with the Clark County School District to *discuss* the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
– UNANIMOUS with TRUESDELL abstaining because he owns property directly south of the subject site.

To be heard by City Council 2/16/2005

NOTE: CHAIRMAN TRUESDELL disclosed that although the property he owns is outside the notification area for this project, because of the character and scale of the project, he felt he should abstain in an abundance of caution.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 81 - SDR-5660

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

FLINN FAGG, Planning and Development Department, explained the Site Plan was for a mixed-use development including 98 residential units and 5,300 square-feet of commercial space. A total of 156 parking spaces would be provided within the structure and 60 spaces would be in a tandem configuration. The project requires a waiver of the streetscape standards to fit the constrained right-of-way existing on Charleston Boulevard. Staff recommended approval of the waivers because the applicant met the requirement as closely as possible and provided the pedestrian environment that is suggested by the Downtown Centennial Plan.

GREG BORGEL, 300 South 4th Street, appeared on behalf of the applicant and thanked staff for their recommendation. MR. BORGEL explained that the applicant is requesting a waiver to the building stepback rule at the 4th, 11th, and 18th floors because the rule was not precisely adhered to. The applicant does have a stepback at the 7th floor and staff has determined there is considerable building articulation, which is the purpose of the stepback requirement.

MR. BORGEL also indicated that the build to line and streetscape requirements have not been precisely met because of the unusual site shape. There are street width constraints on Charleston Boulevard, which have forced the applicant to accommodate those requirements as best as possible. The applicant has come very close to meeting the requirements. He concluded by stating the price points of the project are estimated to be from $250,000 to $500,000 per unit.

COMMISSIONER STEINMAN asked MR. BORGEL why Casino Center Boulevard was shown on the plan with duel ingress/egress lanes side by side to each other. MR. BORGEL clarified for the Commissioner how the duel lanes would work well on the site. COMMISSIONER STEINMAN disagreed and thought the lanes would result in conflict at that point until the residents learn how the lanes are intended to work. MR. BORGEL replied that the left turns the Commissioner felt would cause the conflict would most likely be prohibited. COMMISSIONER STEINMAN pointed out that if he had a Traffic Study to review, he might have had that information.

COMMISSIONER EVANS stated the project is a great looking building and commended MR. BORGEL on the façade on the south side, which is described as having a Frank Gary look. The Commissioner found the back up report to be lacking a color rendering of the project so he could not determine the materials being used. MR. BORGEL explained that there is minimal metal used in the balcony presentations. The primary building materials would essentially be glass and concrete. MR. BORGEL commended JOHN LOCHMAN from JMA Architecture for his design work on the project.

MINUTES – Continued:

MR. BORGEL noted that Condition 19 was much lengthier than that which was originally presented to the applicant. He asked if the verbiage could be amended back to the shorter verbiage. MR. BORGEL feared the building permit would be held up by the school district with the current language. DAVID GUERRA, Department of Public Works explained that it would be fine to amend the language as requested so that it was consistent with the conditions being added onto other high-rise developments. The amendment was incorporated into the motion.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(12:15 – 12:25)

5-95

CONDITIONS:

Planning and Development

1. This Site Development Plan Review 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. All development shall be in conformance with the site plan and building elevations, date stamped 11/24/04, except as amended by conditions herein.

3. The Waiver from the Downtown Centennial Plan building stepback requirement is hereby approved, based on the proposed façade articulation and height variation of the building elements.

4. The Waiver from the Downtown Centennial Plan build-to line requirement is hereby approved, based on the provision of additional area for a public sidewalk.

5. The Waiver from the Downtown Centennial Plan streetscape requirement for 11-foot wide sidewalks and a five-foot amenity zone is hereby approved, due to the constraints of the public right-of-way. All other streetscape elements shall conform to the Downtown Centennial Plan requirements, and shall match the Fourth Street improvements installed by the City of Las Vegas.

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

7. The applicant shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial

CONDITIONS – Continued:

Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j of the Downtown Centennial Plan. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.

9. 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.

10. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.

11. Utilities and power service lines in alleys shall be located underground in accordance with Subsection DS2.1.f. of the Downtown Centennial Plan. In addition, the surfacing of the alley shall conform to the Alleyway Treatment, as described in Subsection DS2.1.g, and as depicted in Graphic 4 of the Downtown Centennial Plan.

12. Sign and record a Covenant Running with Land agreement for the possible future installation and/or relocation of half-street improvements in accordance with Downtown Centennial Standards for all improvements not required to be constructed at this time as a result of the requested Waiver. Such Covenant Running with Land agreement shall record prior to the issuance of any permits (or the recordation of a Final Map for this site).

13. Signage for the development shall be permitted in conformance to the Arts District requirements of Downtown Centennial Plan.

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

Public Works

15. Dedicate a 10-foot radius on the northeast corner of Casino Center Boulevard and Charleston Boulevard prior to the issuance of any permits.

CONDITIONS – Continued:

16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards concurrent with development of this site.

17. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. We note that the proposed driveway accessing the public alley does not meet separation design standards and must be eliminated, relocated, or be restricted to egress only.

18. Coordinate with the Collection System Planning Section of the Department of Public Works to determine an appropriate location for public sewer connection to this site, prior to the issuance of any permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

19. Coordinate with the Clark County School District to determine the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts, prior to the issuance of any permits or the recordation of any maps subdividing this site. Additional public rights-of-way and public street improvements may be required to facilitate such mitigation.

20. Landscape and maintain all unimproved rights-of-way adjacent to this site.

21. Submit an Encroachment Agreement for all landscaping and private improvements, located within the public rights-of-way adjacent to this site prior to occupancy of this site.

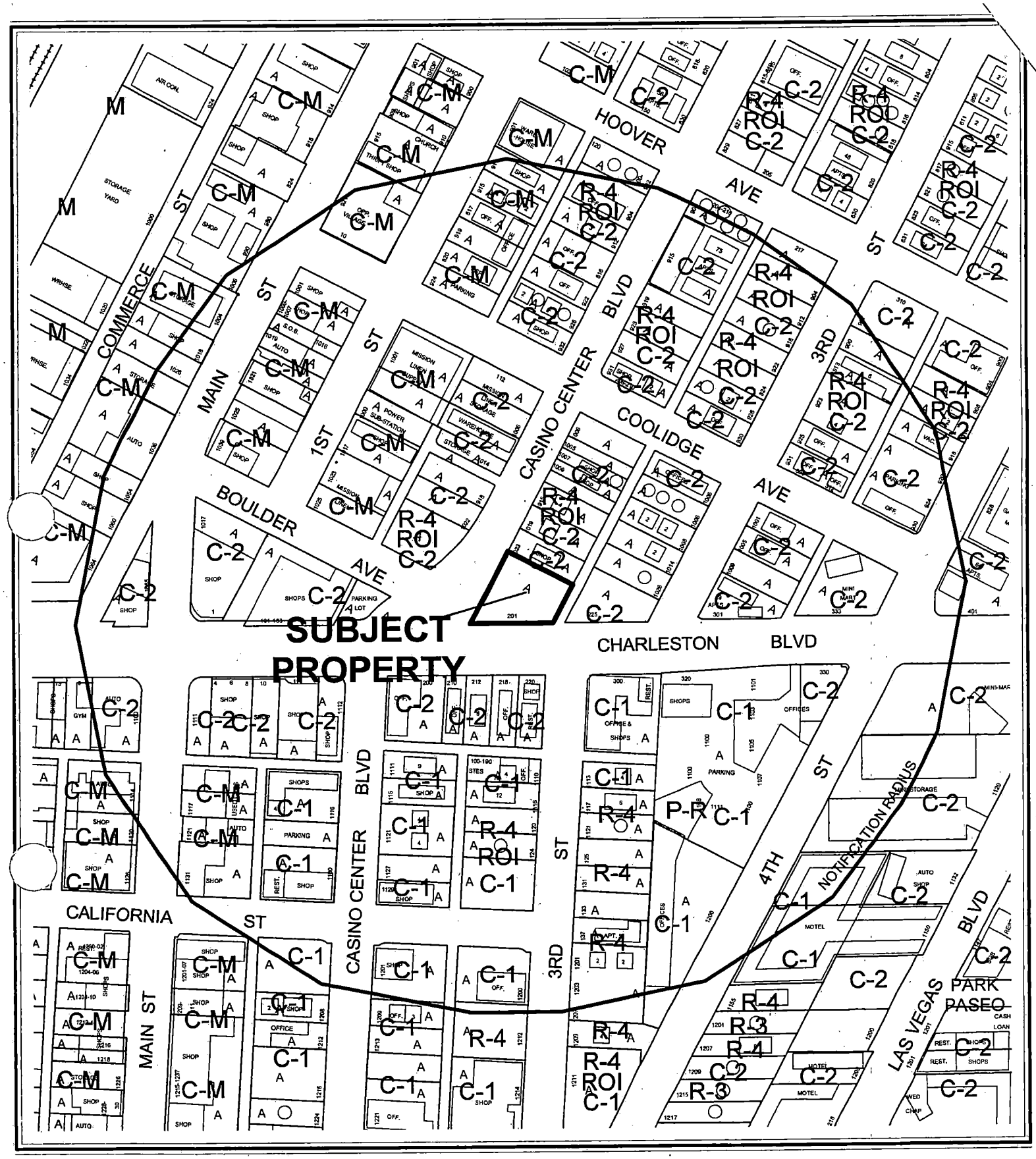
22. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and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

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

CONDITIONS – Continued:

#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. 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.



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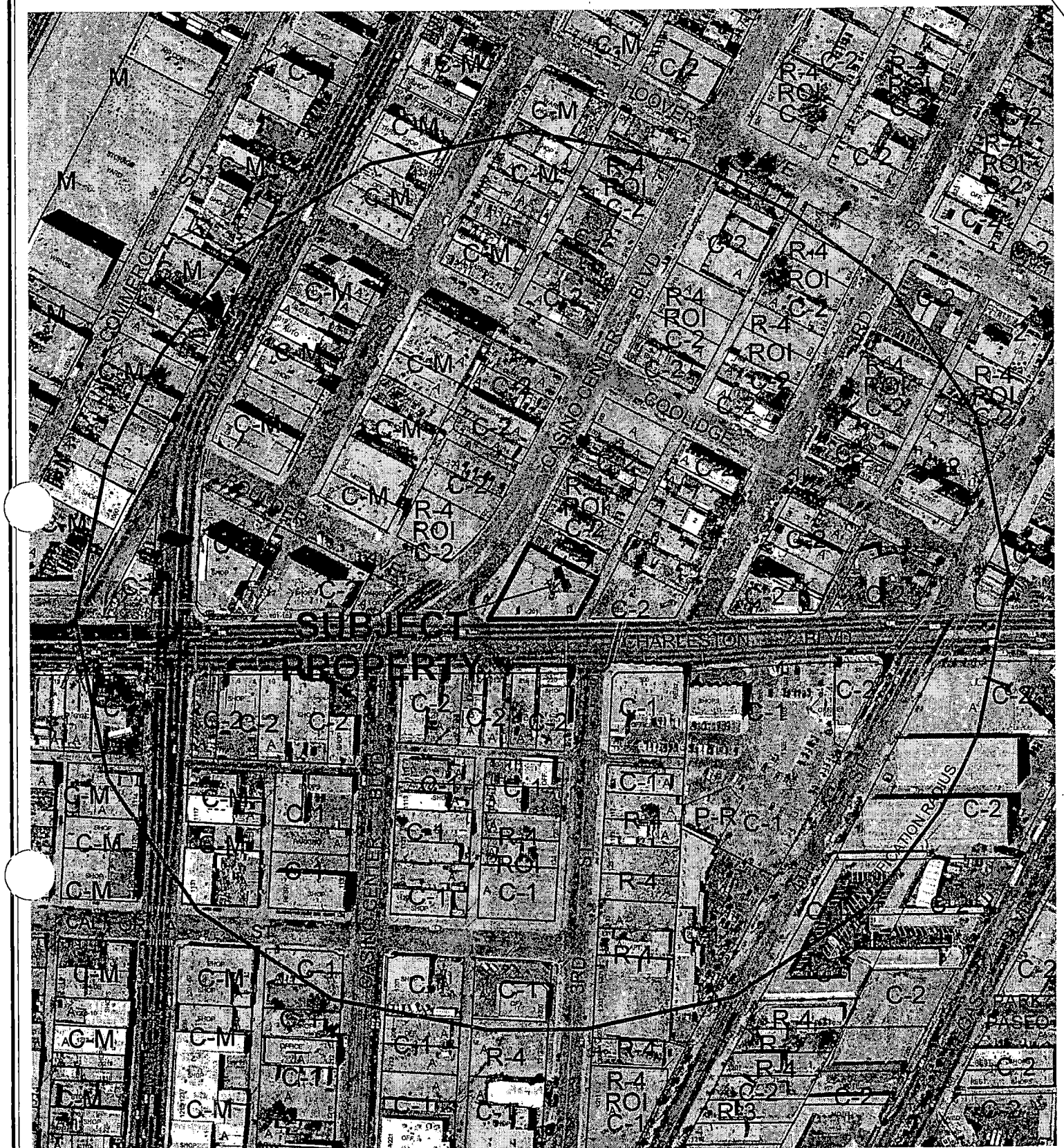
CASE: **SDR-5660**

RADIUS: 750 FT

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

N



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CASE: **SDR-5660**

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-5660 - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: CHARLESTON/CASINO CENTER, LLC

** CONDITIONS **

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

Planning and Development

1. This Site Development Plan Review 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. All development shall be in conformance with the site plan and building elevations, date stamped 11/24/04, except as amended by conditions herein.

3. The Waiver from the Downtown Centennial Plan building stepback requirement is hereby approved, based on the proposed façade articulation and height variation of the building elements.

4. The Waiver from the Downtown Centennial Plan build-to line requirement is hereby approved, based on the provision of additional area for a public sidewalk.

5. The Waiver from the Downtown Centennial Plan streetscape requirement for 11-foot wide sidewalks and a five-foot amenity zone is hereby approved, due to the constraints of the public right-of-way. All other streetscape elements shall conform to the Downtown Centennial Plan requirements, and shall match the Fourth Street improvements installed by the City of Las Vegas.

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

7. The applicant shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.

FF

8. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j of the Downtown Centennial Plan. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.

9. 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.

10. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.

11. Utilities and power service lines in alleys shall be located underground in accordance with Subsection DS2.1.f. of the Downtown Centennial Plan. In addition, the surfacing of the alley shall conform to the Alleyway Treatment, as described in Subsection DS2.1.g, and as depicted in Graphic 4 of the Downtown Centennial Plan.

12. Sign and record a Covenant Running with Land agreement for the possible future installation and/or relocation of half-street improvements in accordance with Downtown Centennial Standards for all improvements not required to be constructed at this time as a result of the requested Waiver. Such Covenant Running with Land agreement shall record prior to the issuance of any permits (or the recordation of a Final Map for this site).

13. Signage for the development shall be permitted in conformance to the Arts District requirements of Downtown Centennial Plan.

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

Public Works

15. Dedicate a 10-foot radius on the northeast corner of Casino Center Boulevard and Charleston Boulevard prior to the issuance of any permits.

16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Plan Standards concurrent with development of this site.

17. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. We note that the proposed driveway accessing the public alley does not meet separation design standards and must be eliminated, relocated, or be restricted to egress only.

FF

18. Coordinate with the Collection System Planning Section of the Department of Public Works to determine an appropriate location for public sewer connection to this site, prior to the issuance of any permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

19. Coordinate with the Clark County School District to determine the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts, prior to the issuance of any permits or the recordation of any maps subdividing this site. Additional public rights-of-way and public street improvements may be required to facilitate such mitigation.

20. Landscape and maintain all unimproved rights-of-way adjacent to this site.

21. Submit an Encroachment Agreement for all landscaping and private improvements, located within the public rights-of-way adjacent to this site prior to occupancy of this site.

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

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.

FF

24. 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.

FF

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review for a proposed mixed-use development, to include 98 residential units and 5,300 square feet of commercial space on 0.39 acres adjacent to the northeast corner of Charleston Boulevard and Casino Center Boulevard.

B) Applicant's Justification

The applicant states that the project is in compliance with the General Plan and the Redevelopment Plan, and will be an asset to the neighborhood.

BACKGROUND INFORMATION

A) Previous Actions

12/16/64 The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcel, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).

B) Pre-Application Meeting

11/17/04 At the pre-application conference, the streetscape standards for the Downtown Centennial Plan area were discussed, as well as the alleyway treatment and other design standards. Public Works noted that a traffic study may be required, and that a radius dedication would be required at the southwest corner of the site.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.39

FF

B) Existing Land Use

Subject Property:	Undeveloped Off-Premise Sign
North:	Retail Use
South:	Retail Use Office Use Restaurant Use
East:	Undeveloped
West:	Parking Lot Use Restaurant Use Undeveloped

C) Planned Land Use

Subject Property:	C (Commercial)
North:	MXU (Mixed-Use)
South:	C (Commercial)
East:	C (Commercial)
West:	C (Commercial)

D) Existing Zoning

Subject Property:	C-2 (General Commercial)
North:	C-2 (General Commercial)
South:	C-2 (General Commercial)
East:	C-2 (General Commercial)
West:	C-2 (General Commercial); R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a C (Commercial) land use designation. The Commercial designation permits office uses, limited commercial uses, and general commercial uses. The proposed mixed-use development is consistent with the land use designation.

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

FF

Redevelopment Plan Area

As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a C (Commercial) land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Arts District. The district is intended to accommodate a variety of commercial, residential, and arts-related uses within a dense, urban environment. The proposed project is consistent with the goals and objectives of the Downtown Centennial Plan.

Trails

While the development is not adjacent to any Transportation or Recreation Trail route identified in the General Plan, the Centennial Plan identifies urban trails along Third Street and Charleston Boulevard. The urban trails are intended to be developed with grant funds or as capital improvement projects, and individual property owners are not required to install the trail elements at this time.

PROJECT DESCRIPTION

The project involves the removal of the existing billboard on the site, and the construction of a new 20-story mixed-use structure. The building will include a total of 98 loft-style units, with 5,300 square feet of commercial space on the first three levels of the structure. Parking will occupy Levels 2 through 6 of the building; residential units will occupy Levels 7 through 20. A pool deck and fitness club will occupy the rooftop terrace. A total of 156 parking spaces will be provided within the structure.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The downtown centennial Plan addresses certain site development standards, which are detailed below:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A Feet	0.39 Acres	Y
Min. Lot Width	N/A	121 Feet	N/A
Min. Setbacks • Front • Side • Corner • Rear	 0 Feet N/A 0 Feet 0 Feet	 0 Feet 0 Feet 4 Feet 0 Feet	 Y N/A N Y
Max. Lot Coverage	Up to 100%	86%	Y
Max. Building Height	N/A	280 Feet	N/A
Trash Enclosure	Walled and roofed	Interior	Y
Loading Zone	1 Space	1 Space	Y
Mech. Equipment	Screened	Screened	Y

The structure will comply with all development standards listed in the Downtown Centennial Plan, with the exception of the corner side yard setback. The Centennial Plan requires 70% of the building to be located directly at the property line adjacent to the sidewalk; the proposed structure will be located four feet behind the property line in order to provide additional space for the construction of a wider sidewalk.

A2) Residential Adjacency Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of Residential Adjacency Standards.

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due it its being located within the boundaries of the Downtown Centennial Plan area. The following table details the parking figures for the development:

Uses	GFA	Provided Parking	
		Regular	Handicap
Multifamily Residential Units	98 Units		
Commercial	5,300 SF		
Total:		150	6

A total of 156 parking spaces will be provided on the site. The first level of the building will include a separate parking area with 11 parking spaces for the commercial uses; the remainder of the parking will be available for the residential occupants. A total of 60 of the residential spaces will be within a tandem parking

configuration. While Title 19.10 allows no more than 30% of the required parking spaces to be in a tandem configuration, this standard is not automatically applied to properties within the Downtown Centennial Plan area.

A4) Landscape and Open Space Standards

The property is subject to the landscape and streetscape standards of the Downtown Centennial Plan as listed below:

Standards	**Required** Ratio	Trees	**Provided**
East/West Street Charleston Boulevard	1 Shade Tree @ 30' o.c. max. (min. 24" box)	5 Shade Trees	5 Shade Trees
North/South Street Casino Center Boulevard	1 Palm Tree @ 35' o.c. max. (min. 25' height)	5 Palm Trees	5 Palm Trees 5 Shade Trees
Sidewalk	11' Sidewalk	N/A	9'-10'

The streetscape plan shows a nine-foot wide sidewalk along Charleston Boulevard, including the amenity zone for the street trees, and a ten-foot sidewalk along Casino Center Boulevard. The Downtown Centennial Plan requires an 11-foot wide sidewalk and a separate five-foot wide amenity zone.

A5) Sign Standards

No information has been provided relative to the proposed signage for the building. Signage shall be subject to the requirements listed in the Downtown Centennial Plan relative to the Arts District.

B) General Analysis and Discussion

- Zoning

The subject property is zoned C-2 (General Commercial); however, development standards and uses for the property are dictated by the Downtown Centennial Plan. The Arts District section of the Centennial Plan allows mixed-use developments by right, and no Special Use Permit is required. The structure will generally conform to the development standards listed in the Centennial Plan, with the exception of the building setback along Charleston Boulevard, for which a Waiver has been requested.

- Site Plan

The site plan depicts a commercial space at the front of the building, with access from both Charleston Boulevard and Casino Center Boulevard. A parking area for the commercial space is located immediately behind, and has access from both Casino Center Boulevard and the public

alley. The residential lobby and entrance to the residential portion of the parking structure are located at the northwest corner of the site; both take access from Casino Center Boulevard. A loading space and trash functions will be located within the building.

- Waivers

The following Waivers from the Downtown Centennial Plan requirements are requested:

1. Building Stepbacks: The Centennial Plan requires a minimum five-foot stepback at the 4th, 11th, and 18th stories of a building. The only stepback to be provided is at the seventh story of the building; however, there is adequate articulation to the façade elements to satisfy the design requirements of the Downtown Centennial Plan. Consequently, staff recommends approval of the Waiver.
2. Build-To Line: The Centennial Plan requires that buildings be located directly at the front yard setback for a minimum of 70% of the parcel width; the proposed structure will be located anywhere four feet from the front property line on Charleston Boulevard. The applicant has requested a Waiver from this requirement in order to provide a wider sidewalk area along Charleston Boulevard. As this will increase safety and enhance the pedestrian environment, staff recommends approval of the Waiver.
3. Streetscape: The Centennial Plan requires an 11-foot wide sidewalk and a five-foot wide amenity zone in the public right-of-way; due to the constrained right-way-area, a nine-foot sidewalk will be provided along Charleston Boulevard and a ten-foot sidewalk will be provided along Casino Center Boulevard. Due to these constraints, staff recommends approval of the Waiver.

- Landscape Plan

The landscape plan depicts the installation of shade trees along Charleston Boulevard and palm trees along Casino Center Boulevard as required by the Centennial Plan. Additional shade trees will be installed along Casino Center where there is adequate landscape area, as permitted by the Centennial Plan. Accent paving will be provided at the entrance to the public alley and at the driveway entrances to the structure; the accent paving will need to conform to the specifications listed in the Centennial Plan.

- Elevations

The elevations clearly define each function of the building through fenestration and materials, with a solid base at the parking levels and generous glazing on the residential levels. A semi-circular element is located at the intersection of the two streets, and rises the full height of the building. The south façade of the residential levels takes on a somewhat undulating form, which contrasts with the solidity of the base element, and provides the variety to the massing of the building.

FF

- Floor Plan

The floor plan depicts a commercial space at the front of the building facing Charleston Boulevard, with the commercial parking area located within the structure immediately behind the commercial space. The residential lobby will be separate from the commercial space, and will have access from Casino Center Boulevard. The ramp to the upper levels of the parking structure will be located at the rear of the property, and will also have access from Casino Center Boulevard. Trash facilities and mechanical equipment will be located within the structure at the ground floor, and will have access from the public alley.

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 uses are compatible with other adjacent development in the area. While the proposed structure will be taller than other buildings in the immediate vicinity, it is consistent with other development that is proposed or underway in the downtown 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 development is consistent with the General Plan, Title 19, and is generally consistent with the Downtown Centennial Plan. Waivers have been requested from the building stepback and build-to requirements, but the design of the structure conforms to the objectives of the Centennial Plan. The applicant has also requested a Waiver from the Centennial Plan streetscape requirements due to the right-of-way constraints.

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

   The site has been designed so that the principal driveways are on Casino Center Boulevard instead of Charleston Boulevard, thereby reducing impacts to the flow of traffic on Charleston. The site also has access to the public alley behind the building, which will be utilized as a secondary means of egress and for service-related functions.

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

   The proposed building materials and landscape materials are appropriate for the area and for the City.

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 design of the elevations are appropriate to the different functions and unit types within the building, and will be compatible with other development in the downtown area.

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

   The project will be subject to inspections, and appropriate measures will be taken to protect public health, safety, and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 109

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5660 APN: 139-34-410-047

Name of Property Owner: Charleston Casino Center L.L.C.

Name of Applicant: JMA Architecture Studio

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: Leonard Edelman

Subscribed and sworn before me

This 19 day of NOVEMBER, 2004

Sharon J Herman

Notary Public in and for said County and State

NOTARY PUBLIC STATE OF NEVADA
Sharon J Herman
My Commission DD112301
Expires May 16, 2006

JMA ARCHITECTURE STUDIOS

November 24, 2004

City of Las Vegas
Current Planning Division
Development Services Center
731 South 4th Street
Las Vegas, NV 89101

RE: **Charleston and Casino Center Condominiums**
JUSTIFICATION LETTER
JMA No. 200401243

APN: 139-34-410-047

Dear Sir or Madam:

We are requesting a Site Development Plan Review and Waiver of Design Standard for the development of a mixed use project consisting of a 20 story, 98 unit condominium tower; 3,420 square feet of associated amenity spaces for the condo including a fitness club and lounge, 2,800 square feet of commercial retail space accessible to the general public, 2,500 square of café/gallery space open to the general public, and 156 parking spaces in a structured parking garage. This mixed use development will be located at the northeast corner of Charleston and Casino Center in the downtown redevelopment area. The General Plan designation is General Commercial and the site is zoned C-2.

The Waiver of Design Standard is requested for the landscape requirements on street frontage as described in Title 19, where a five foot landscape strip with trees and an eleven foot wide sidewalk are required along Charleston Boulevard. Because of the very small and oddly shaped site, we are unable to accommodate this requirement. However, we propose to provide a ten foot wide sidewalk (average width) adjacent to the back of curb, with 36" box trees at 30 feet on center located at the back of curb in tree grates. This will accomplish the desired street look and shade opportunities while allowing enough sidewalk width for pedestrians.

Sincerely

John Lopeman, AIA
Vice President

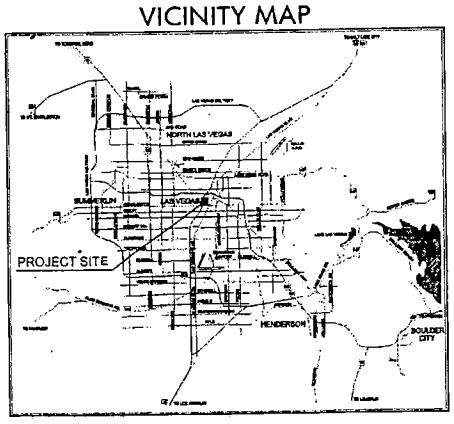
SDR-5060

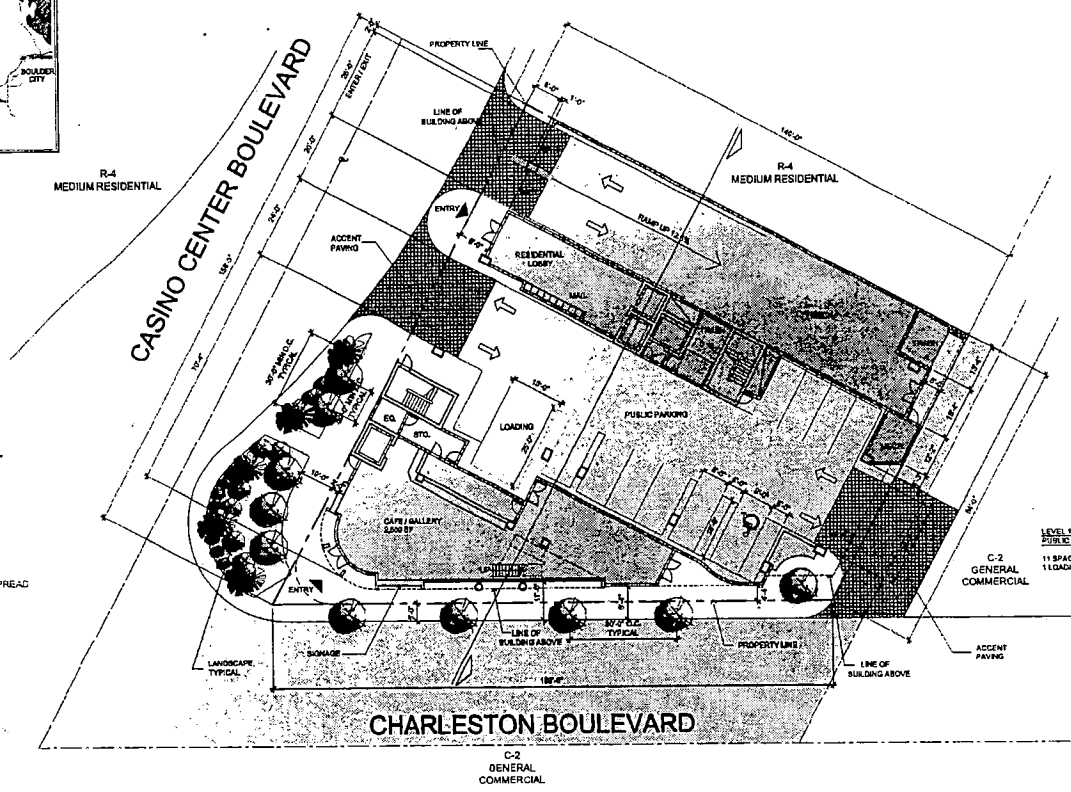
Thomas J. Schoeman, AIA
President

Edward A. Vance, AIA
Executive
Vice President

10150 COVINGTON CROSS DRIVE LAS VEGAS, NEVADA 89144 (702) 731 2033 Facsimile (702) 731 2039

VICINITY MAP





LANDSCAPING DATA

LANDSCAPE AREA	1,348 SF
HARSCAPE AREA	3,175 SF
TOTAL LANDSCAPE AREA	4,52* SF / 104 ACRES
LANDSCAPE COVERAGE	14 %

PLANTING LEGEND

SYMBOL	BOTANICAL COMON NAME	SIZE
	WASHINGTONIA ROBUSTA MEXICAN FAN PALM	25 FT
	ULMUS PARVIFOLIAN DRAKE ELM	5 " CAL/ 14 FT. / 8 SPREAD
	CAESALPINA GILLIESII YELOW BIRD OF PARADISE	5 GALLON
	PATSIA JAPONICA JAPANESE ARALIA	5 GALLON

SITE ZONING

PARCEL #	139-34-410-047
JURISDICTION :	CITY OF LAS VEGAS

SITE DATA:

SITE AREA GROSS:	0.76 ACRES
SITE AREA NET:	0.39 ACRES
CURRENT ZONING:	C-2 (GENERAL COMMERCIAL)
PROPOSED ZONING:	C-2
BUILDING COVERAGE:	88 %
F.A.R. :	765.58 %
DENSITY:	98 UNITS

BUILDING AREAS:

1 BEDROOM RESIDENTIAL CONDOS (UNDER 1000 SF) 41 UNITS	32,040 SF
2 BEDROOM RESIDENTIAL CONDOS (OVER 1000 SF) 57 UNITS	77,780 SF
CONDO AMENITIES	3,420 SF
CAFE / GALLERY	2,500 SF
OFFICE / RETAIL	2,800 SF

PARKING ANALYSIS

PARKING PROVIDED:

PARKING STRUCTURE	6 LEVEL
ASSIGNED PARKING FOR 36 CONDO / LOFT UNITS (2 SPACES PER UNIT)	72 SPACES (60 TANDEM)
OPEN PARKING FOR 62 CONDO UNITS	73 SPACES
TOTAL RESIDENTS' PARKING	**145 SPACES**
PUBLIC PARKING (1-ST LEVEL)	11 SPACES
TOTAL PARKING PROVIDED	**156 SPACES**
INCLUDING:	
COMPACT PARKING	**4 SPACES**
HANDICAP PARKING (5 RES. & 1 PUBLIC)	**6 SPACES**
ADDITIONAL PARKING	
LOADING PARKING	**1 SPACE**

SITE DEVELOPMENT PLAN REVIEW

Charleston / Casino Center Condominiums

City of Las Vegas
LAS VEGAS, NEVADA

SITE/ GROUND/ LANDSCAPE PLAN

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

SDR-5660
01-13-05 PC

JMA ARCHITECTURE STUDIOS

Project # 200401122

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2839 *** WWW.JMAARCH.COM

NORTH

Date: NOVEMBER 23, 2004

DR-00

JMA ARCHITECTURE STUDIOS

CONCEPTUAL RENDERING

Charleston // Casino Center Condominiums

City of Las Vegas
LAS VEGAS, NEVADA

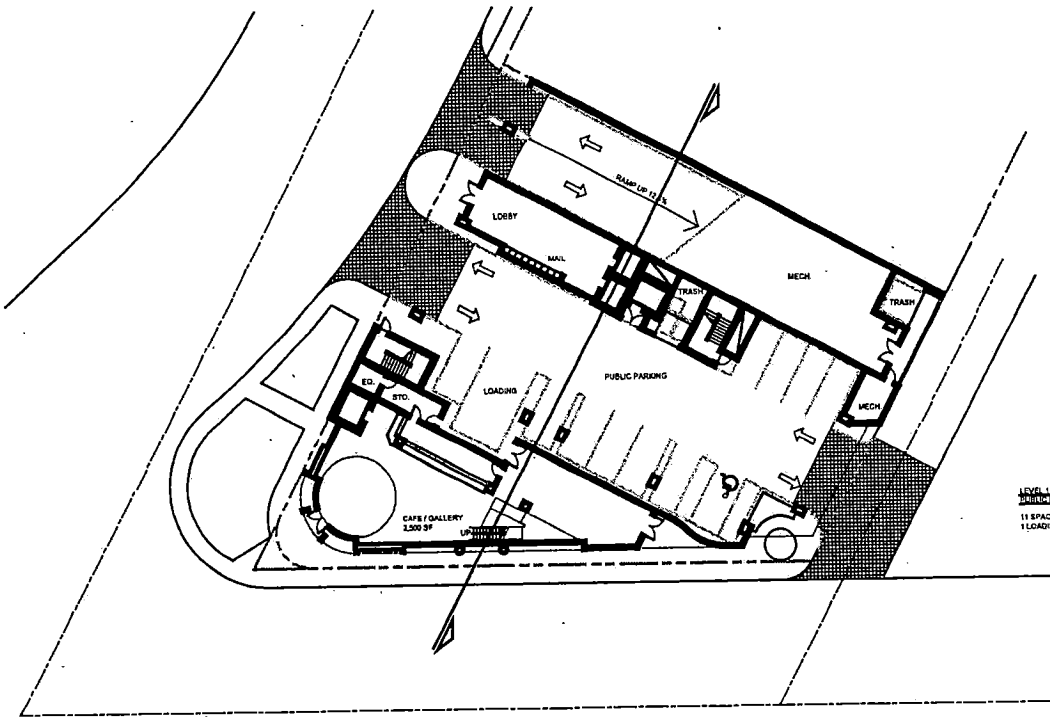
Project # 2004901.122
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

Date: NOVEMBER 22, 2004

DR

SDR-5660
01-13-05 PC

JMA ARCHITECTURE [redacted]S



SITE DEVELOPMENT PLAN REVIEW

LEVEL 1 FLOOR PLAN

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

Charleston / Casino Center Condominiums

City of Las Vegas

LAS VEGAS, NEVADA

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

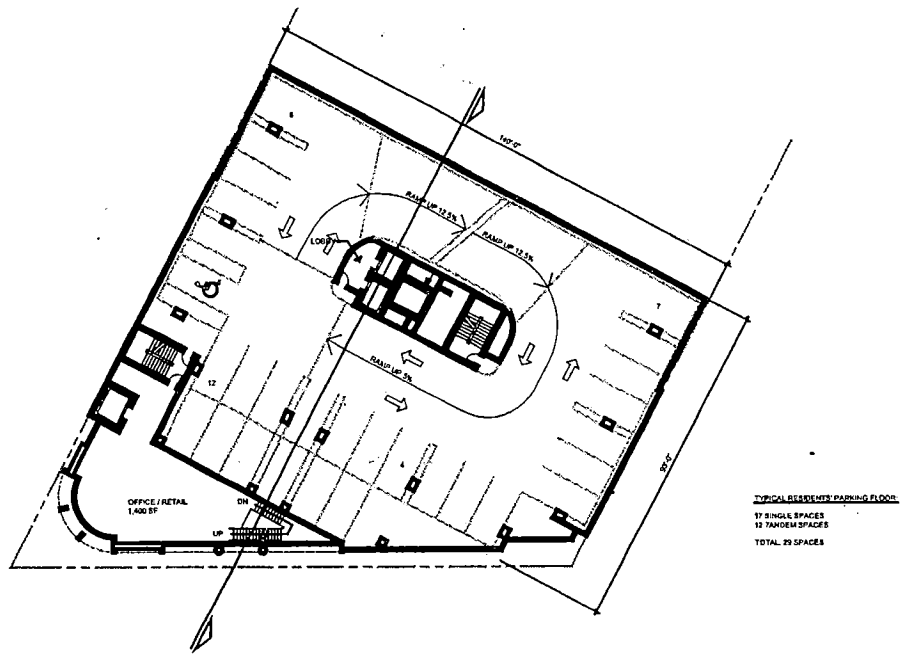
Project # 200401901.122

DATE: NOVEMBER 30, 2004

NORTH

SDR-5660
01-13-05 PC

JMA ARCHITECTURE [redacted]S



TYPICAL RESIDENTS' PARKING FLOOR:

17 SINGLE SPACES
12 TANDEM SPACES

TOTAL: 29 SPACES

SITE DEVELOPMENT PLAN REVIEW

LEVEL 2 FLOOR PLAN

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

Charleston / Casino Center Condominiums

City of Las Vegas

LAS VEGAS, NEVADA

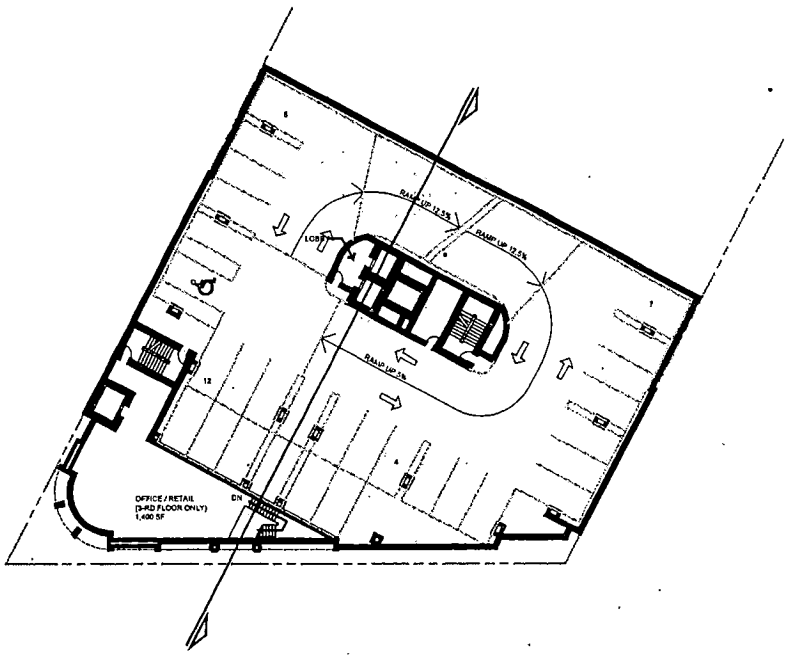
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

Project # 200401901.122
DATE: NOVEMBER 30, 2004

NORTH

SDR-5660
01-13-05 PC

JMA ARCHITECTURE [redacted]S



LEVELS 3-5 FLOOR PLAN

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

SITE DEVELOPMENT PLAN REVIEW

Charleston / Casino Center Condominiums

City of Las Vegas

LAS VEGAS, NEVADA

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

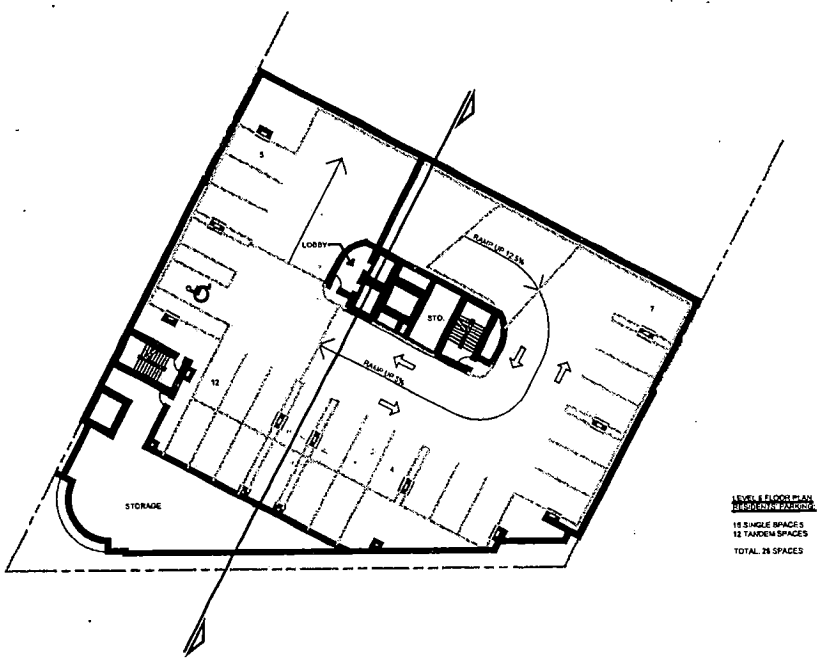
Project # 200401901.122

DATE: NOVEMBER 30, 2004

NORTH

SDR-5660
01-13-05 PC

JMA ARCHITECTURE [redacted]S



LEVEL 6 FLOOR PLAN
16 SINGLE SPACES
12 TANDEM SPACES
TOTAL: 28 SPACES

SITE DEVELOPMENT PLAN REVIEW

LEVEL 6 FLOOR PLAN

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

SDR-5660
01-13-05 PC

Charleston / Casino Center Condominiums

City of Las Vegas

LAS VEGAS, NEVADA

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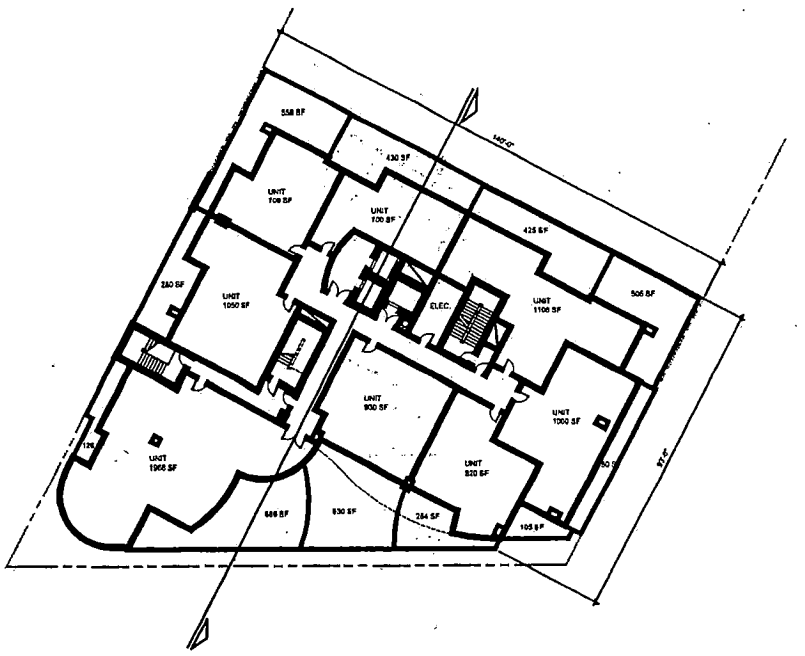
Project # 200401901.122
DATE: NOVEBMER 30, 2004

NORTH

JMA ARCHITECTURE [redacted]S



SITE DEVELOPMENT PLAN REVIEW

LEVEL 7 FLOOR PLAN

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

Charleston / Casino Center Condominiums

City of Las Vegas

LAS VEGAS, NEVADA

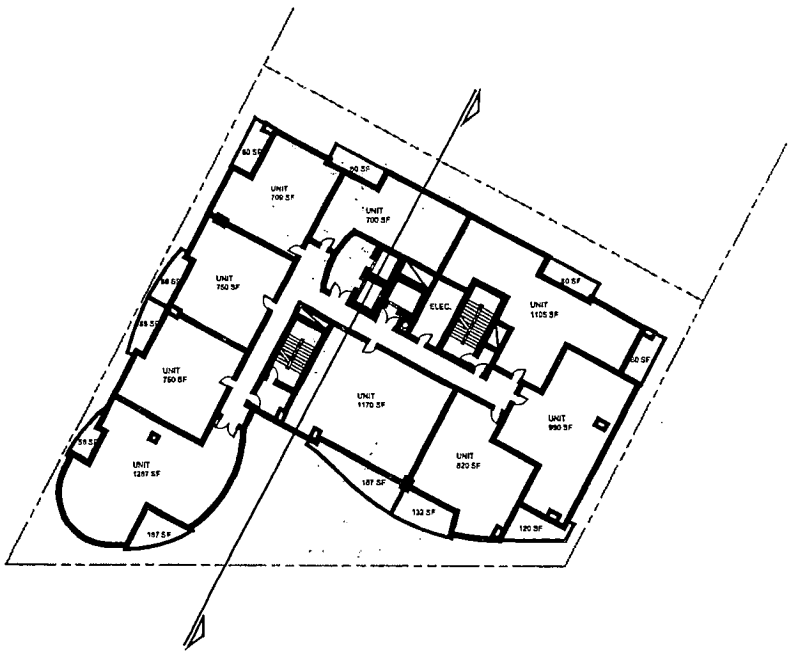
10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

Project # 200401901.122
DATE: NOVEMBER 30, 2004

NORTH

SDR-5660
01-13-05 PC

JMA ARCHITECTURE [redacted]S



SITE DEVELOPMENT PLAN REVIEW

LEVELS 8-13 FLOOR PLAN

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

Charleston / Casino Center Condominiums

City of Las Vegas

LAS VEGAS, NEVADA

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
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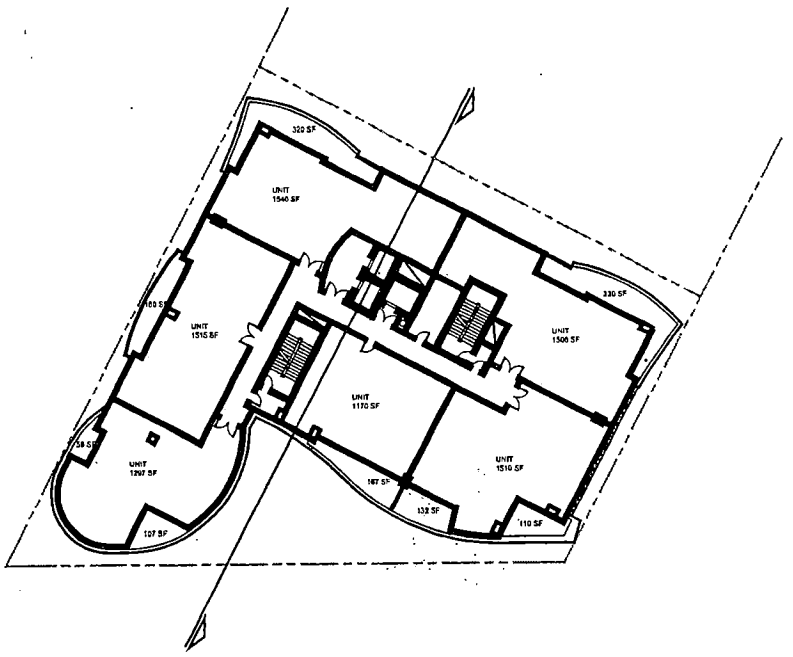
JMA ARCHITECTURE [redacted]S



LEVELS 14-19 FLOOR PLAN

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

SITE DEVELOPMENT PLAN REVIEW

Charleston / Casino Center Condominiums

City of Las Vegas

LAS VEGAS, NEVADA

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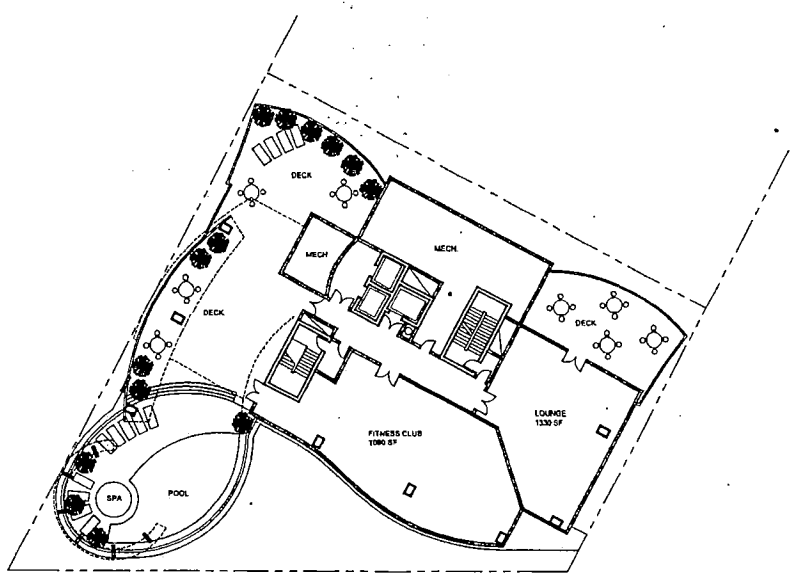
Project # 200401901.122

DATE: NOVEMBER 30, 2004

NORTH

SDR-5660
01-13-05 PC

JMA ARCHITECTURE STUDIOS



SITE DEVELOPMENT PLAN REVIEW

LEVEL 20 FLOOR PLAN

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

Charleston / Casino Center Condominiums

City of Las Vegas

LAS VEGAS, NEVADA

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
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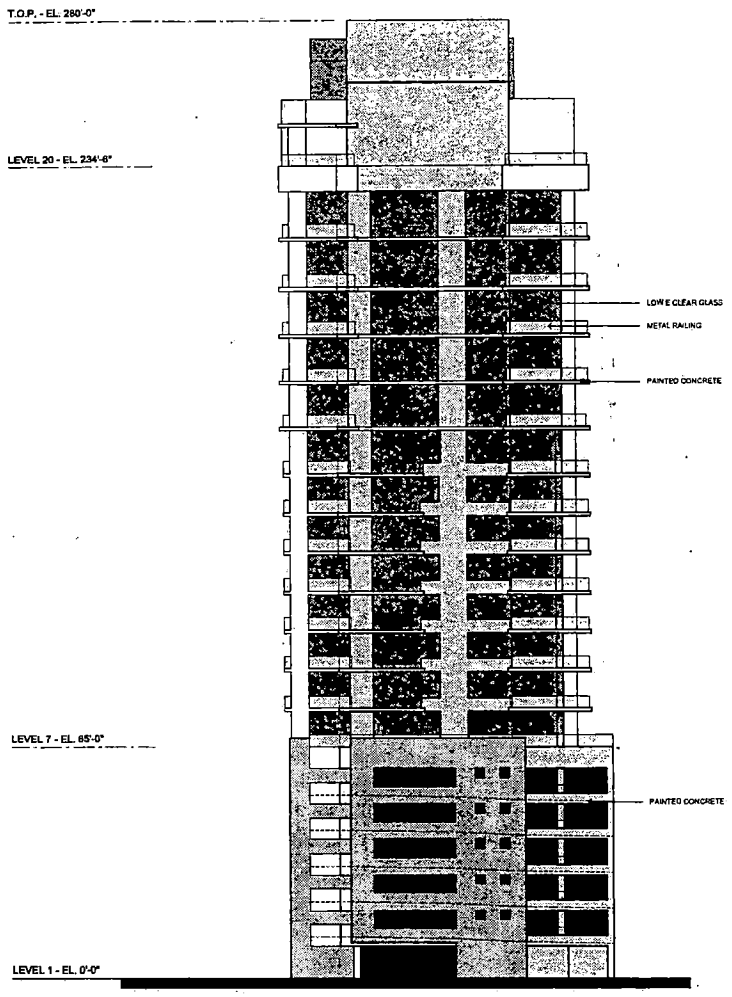
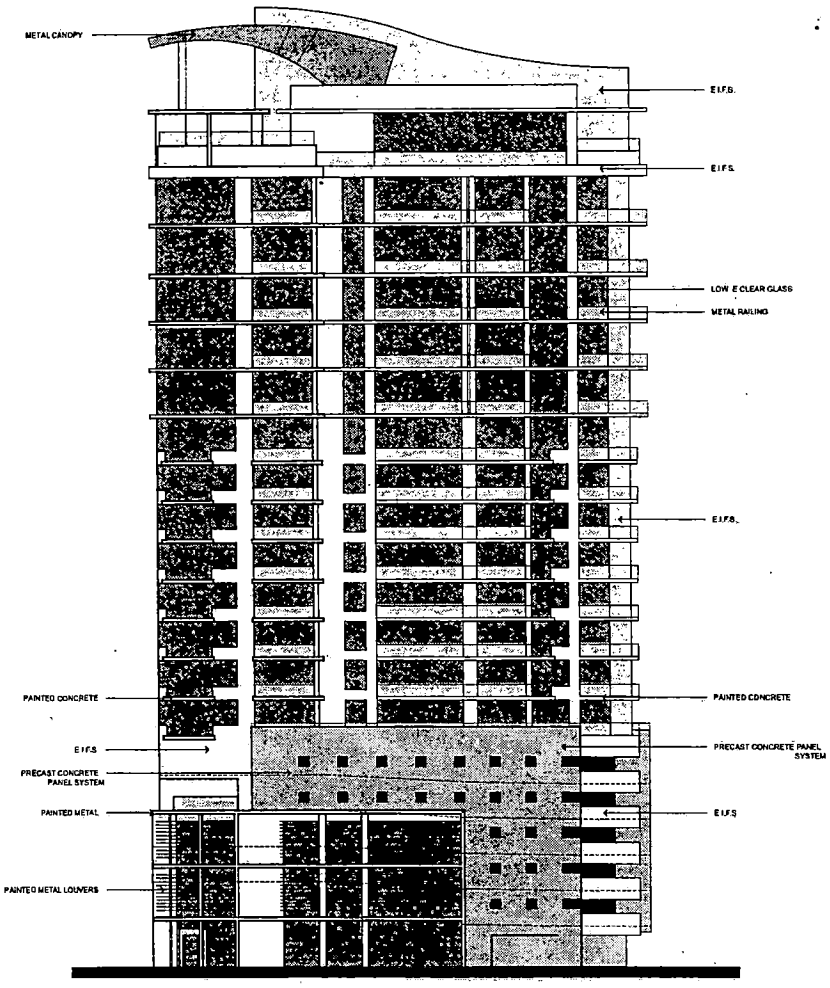
Project # 200401901.122
DATE: NOVEMBER 30, 2004

NORTH

SDR-5660
01-13-05 PC



EAST ELEVATION



SOUTH ELEVATION

SITE DEVELOPMENT PLAN REVIEW

Charleston / Casino Center Condominiums

City of Las Vegas
LAS VEGAS, NEVADA

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

JMA ARCHITECTURE STUDIOS

Project # 200401122

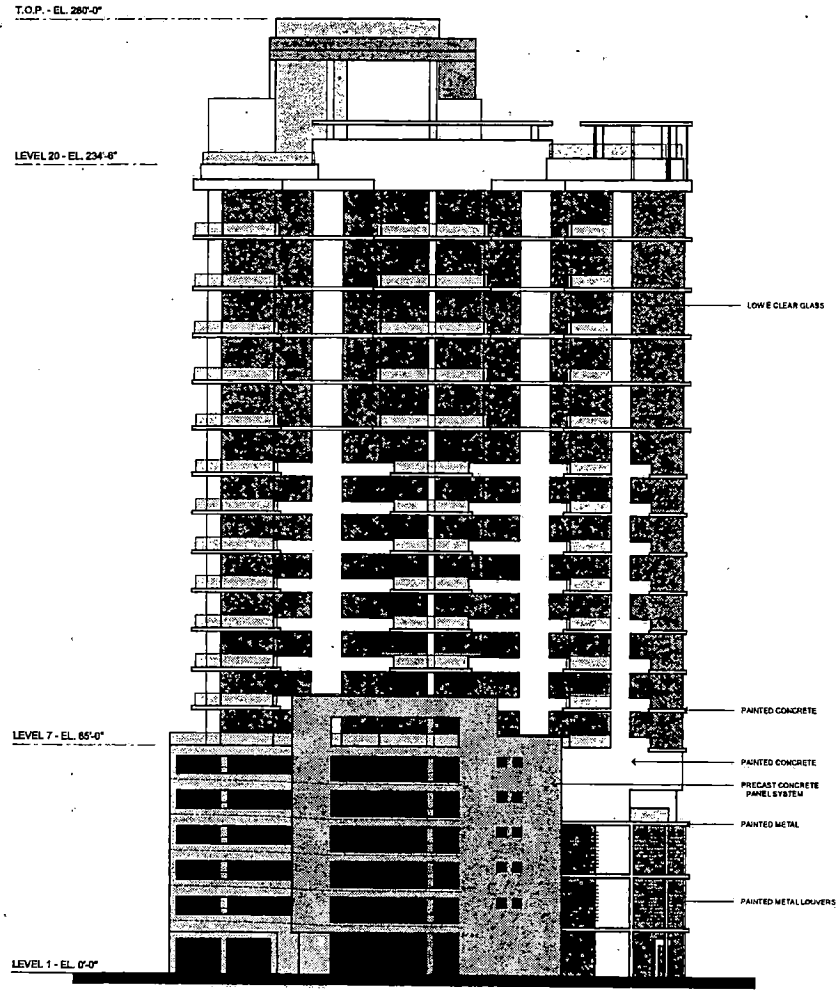
NORTH

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89114
PHONE: (702) 731-2033 *** FAX: (702) 731-2039 *** WWW.JMAARCH.COM

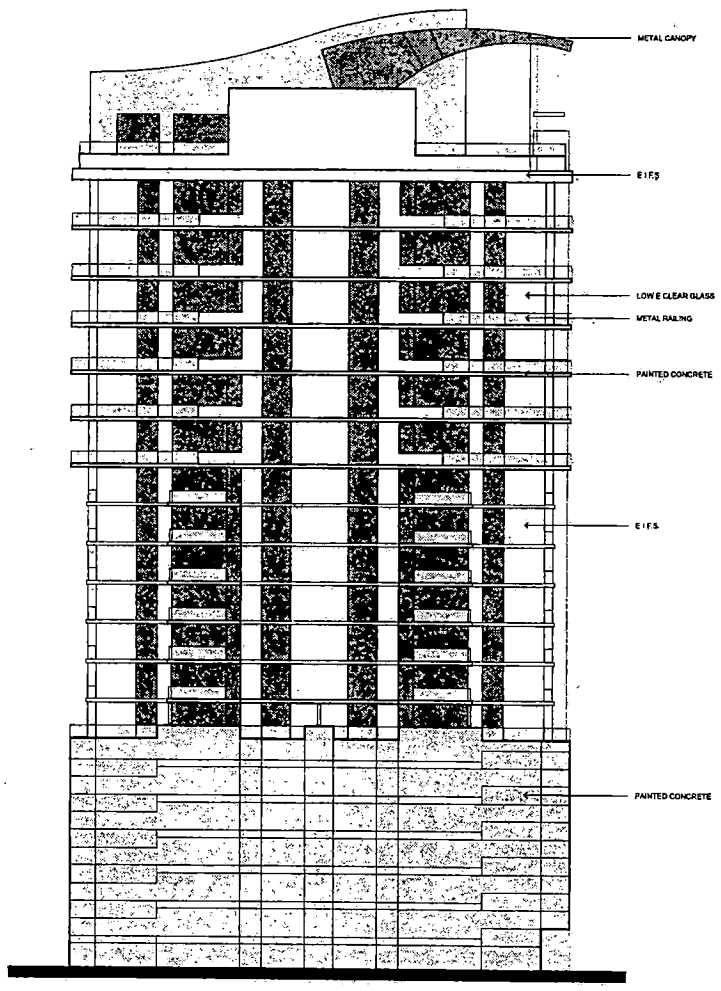
Date: NOVEMBER 23, 2004

DR-09

SDR-5660
01-13-05 PC



WEST ELEVATION



NORTH ELEVATION

SITE DEVELOPMENT PLAN REVIEW

Charleston / Casino Center Condominiums

City of Las Vegas
LAS VEGAS, NEVADA

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

JMA ARCHITECTURE STUDIOS

Project # 200401122

10150 COVINGTON CROSS DRIVE *** LAS VEGAS, NV 89144
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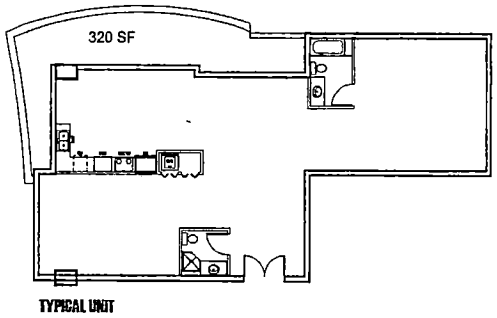
NORTH

Date: NOVEMBER 23, 2004

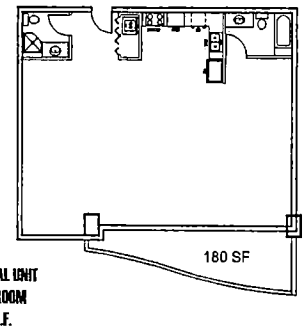
DR-10

SDR-5660
01-13-05 PC

JMA ARCHITECTURE STUDIOS



TYPICAL UNIT
2 BEDROOM WITH DEN
1,540 S.F.



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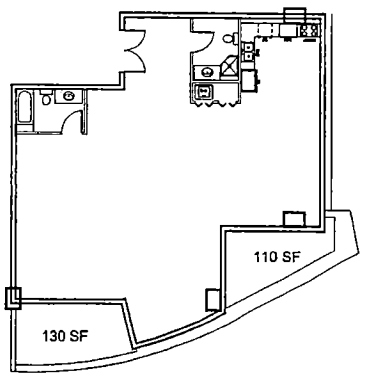
2 BEDROOM
1,170 S.F.



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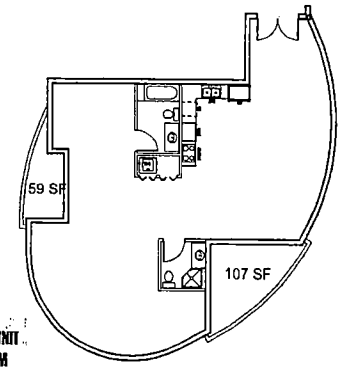
2 BEDROOM
1,510 S.F.



TYPICAL UNIT
2 BEDROOM
1,267 S.F.

SITE DEVELOPMENT PLAN REVIEW

UNIT PLANS

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

Charleston / Casino Center Condominiums

City of Las Vegas

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Project # 200401901.122
DATE: NOVEMBER 30, 2004

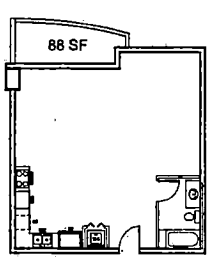
LAS VEGAS, NEVADA

NORTH

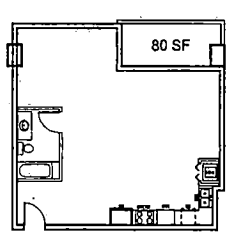
DRIVE

SDR-5660
01-13-05 PC

JMA ARCHITECTURE STUDIOS



TYPICAL UNIT
1 BEDROOM
760 S.F.



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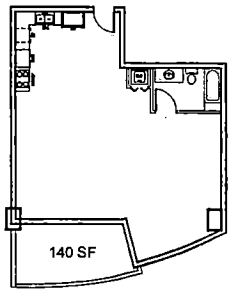
1 BEDROOM
709 S.F.



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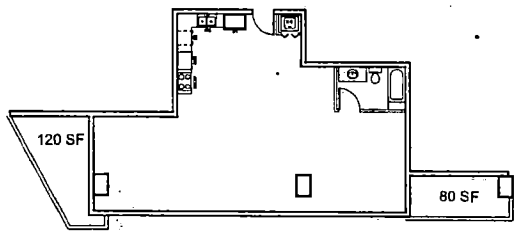
1 BEDROOM
820 S.F.



TYPICAL UNIT
1 BEDROOM
880 S.F.

SITE DEVELOPMENT PLAN REVIEW

UNIT PLANS

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

Charleston / Casino Center Condominiums

City of Las Vegas

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Project # 200401901.122
DATE: NOVEMBER 30, 2004

NORTH

SDR-5660
01-13-05 PC

SDR-5660 - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: CHARLESTON/CASINO CENTER, LLC
NORTHEAST CORNER OF CHARLESTON BOULEVARD AND CASINO CENTER BOULEVARD
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

City of Las Vegas

Agenda Item No.: 82

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:

SDR-5711 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: SANSONE DEVELOPMENT - OWNER: BUREAU OF LAND MANAGEMENT - Request for a Site Development Plan Review FOR A 40,125 SQUARE-FOOT COMMERCIAL DEVELOPMENT AND WAIVERS OF THE BUILD TO LINE, FRONT LANDSCAPING, AND FRONT, SIDE AND REAR SETBACK STANDARDS on 4.18 acres adjacent to the southwest corner of Lake Mead Boulevard and Rock Springs Drive (APN 138-22-701-005), U (Undeveloped) [PF (Public Facilities) General Plan Designation] Under Resolution Intent to C-1 (Limited Commercial) Zone, Ward 4 (Brown).

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	

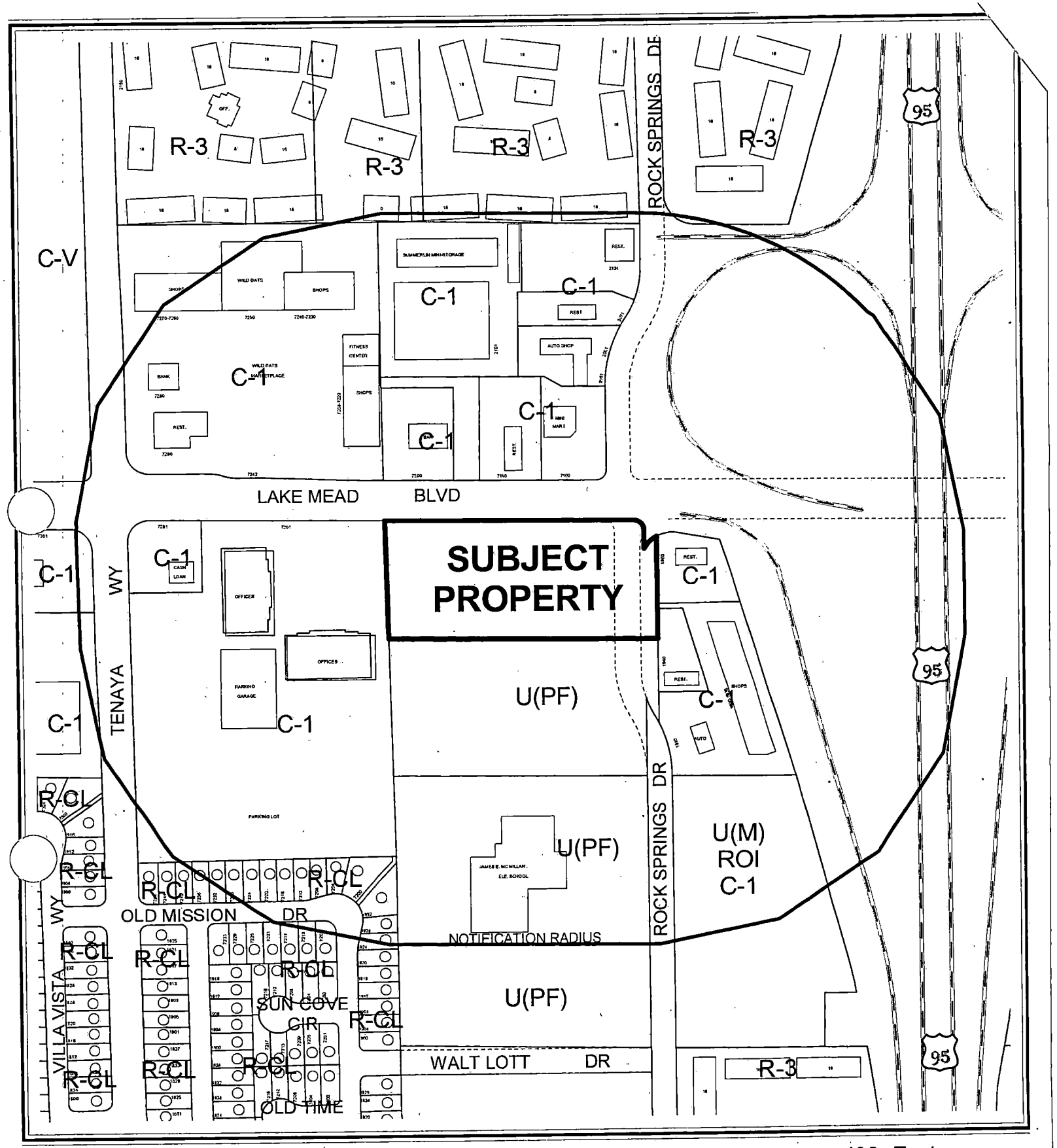
RECOMMENDATION:
Staff recommends DENIAL

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

MOTION:
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.

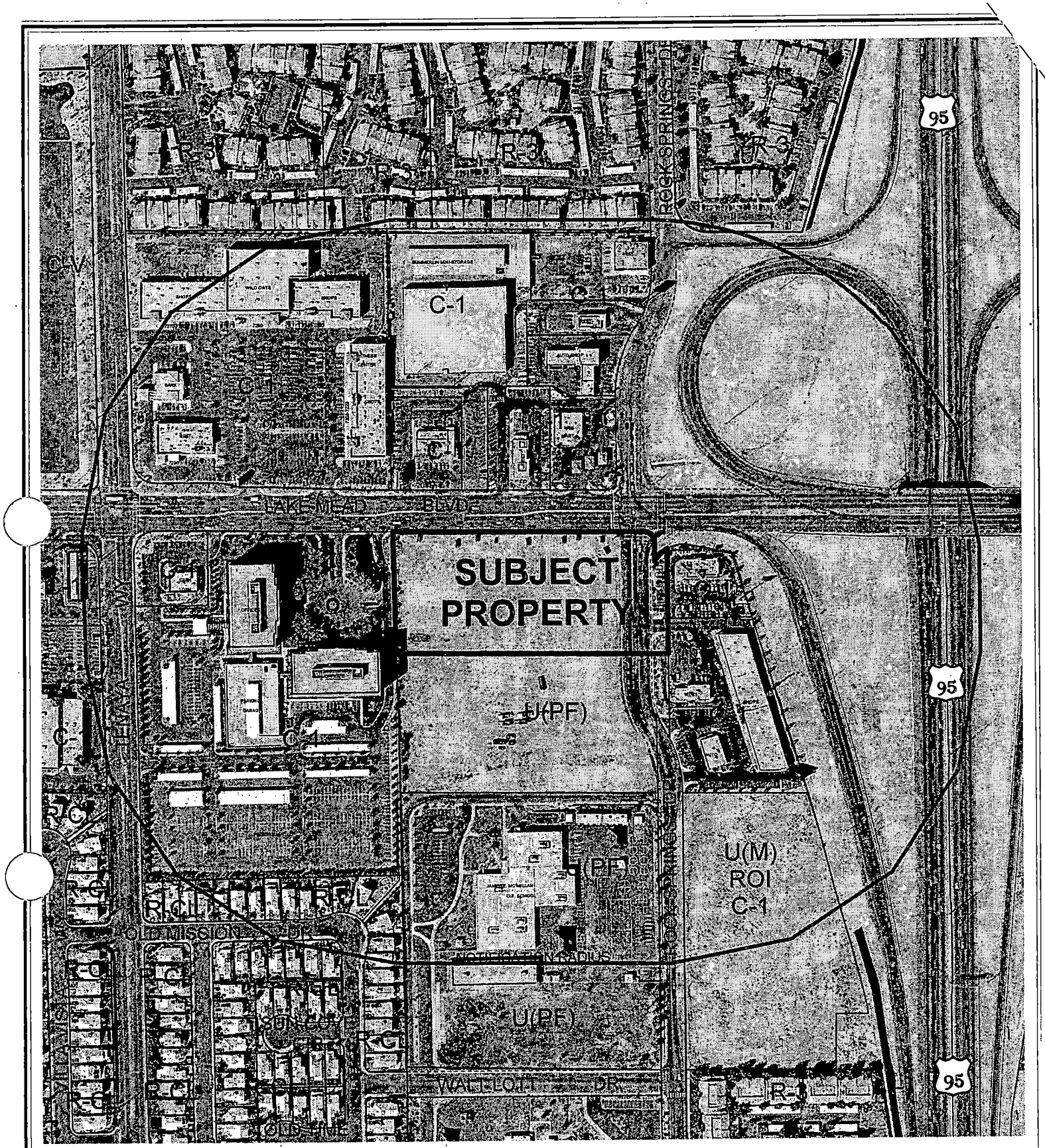
(6:05 – 6:08)



CASE: **SDR-5711**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [PF (PUBLIC FACILITIES) GENERAL PLAN DESIGNATION]
UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



0 200 400 Feet

CASE: **SDR-5711**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [PF (PUBLIC FACILITIES) GENERAL PLAN DESIGNATION]
UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-5711 - APPLICANT:SANSONE DEVELOPMENT - OWNER: BUREAU OF LAND MANAGEMENT

** CONDITIONS **

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

Planning and Development

1. The site plan shall be revised to depict two additional loading spaces as required by Title 19.10.020 of the Zoning Code.

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 submitted site plan and building elevations, except as amended by conditions herein.

4. The site plan shall be revised so the longest side of the structure currently located along the south property line is located at the front of the property on Lake Mead Boulevard, with the parking located to the rear of the site in accordance with Title 19.08.045. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit.

5. The landscape plan shall be revised to provide minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within eight foot wide planters along the south and west property lines. The use of turf shall be limited to 12.5% of all landscape areas on the site.

6. The landscape plan shall be revised to provide minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within 15 foot wide planters along the north and east property lines. The use of turf shall be limited to 12.5% of all landscape areas on the site.

7. The required landscaping and a permanent underground sprinkler system shall be installed as required and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

AR

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

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Any on-site trash enclosure shall be walled and roofed in accordance with the requirements of Title 19.08.045, and an illustration of the enclosure shall be shown on the site plan.

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

12. All City code requirements and design standards of all City departments must be satisfied.

Public Works

13. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right 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.

14. 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.

15. In accordance with the intent of a commercial subdivision, all pad sites comprising this overall site shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.

16. 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.

17. Obtain an Encroachment Agreement for all landscaping and private improvements in the public right-of-way.

AR

18. 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.

19. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5206 and all other subsequent site-related actions.

AR

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 40,125 square-foot commercial development and waivers of the build-to line, front landscaping, and rear setback standards on 4.18 acres adjacent to the southwest corner of Lake Mead Boulevard and Rock Springs Drive.

B) Applicant's Justification

The applicant believes this request is justified based on the existing zoning and development in the area.

BACKGROUND INFORMATION

A) Previous Actions

11/17/04 The City Council approved a request to amend the General Plan designation of the subject site from PF (Public Facilities) to SF (Service Commercial) (GPA-5205). The Planning Commission and staff recommended approval.

11/17/04 The City Council approved a rezoning of the subject site from U (Undeveloped) [Pf (Public Facilities) General Plan Designation] to C-1 (Limited Commercial) (ZON-5206). The Planning Commission and staff recommended approval.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.18

B) Existing Land Use

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

AR

C) Planned Land Use

Subject Property:	PF (Public Facilities)
North:	SC (Service Commercial)
South:	PF (Public Facilities)
East:	SC (Service Commercial)
West:	SC (Service Commercial)

D) Existing Zoning

Subject Property:	U (Undeveloped) [PF (Public Facilities) General Plan Designation]
North:	C-1 (Limited Commercial)
South:	U (Undeveloped) [PF (Public Facilities) General Plan Designation]
East:	C-1 (Limited Commercial)
West:	C-1 (Limited Commercial)

E) General Plan Compliance

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

PROJECT DESCRIPTION

The applicant proposes to construct two retail buildings 40,159 square feet in the southwest portion of the subject site. The new buildings will include 7,050 square feet of restaurant, with the rest of the floor area being used for retail. A 52-foot wide driveway provides access to Lake Mead Boulevard and a 33-foot wide driveway to Rock Springs Drive. The exterior of the buildings will feature smooth stucco finish walls and painted metal canopies above a storefront window system. Landscaping is provided in 12-foot wide planters with 36-inch box trees spaced at 20 feet on center along the north and east property lines. Five-foot wide landscape islands, each containing two 36-inch box trees, are shown in the parking lot. Landscaping is also shown in planter areas adjacent to the building.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

AR

Standards	Required	Provided	Compliance
Min. Lot Size	N/A		N/A
Min. Lot Width	100 Feet	542 Feet	Y
Min. Setbacks • Front • Side • Rear	 20 Feet 10 Feet 20 Feet	 16.5 Feet 5 Feet 5 Feet	 N N N
Max. Lot Coverage	50 %	26 %	Y
Max. Building Height	N/A		N/A
Trash Enclosure	Walled and roofed	Not indicated	Not indicated
Loading Zone	3	1	N
Mech. Equipment	Screened	Yes	Y

The applicant is seeking a waiver of the front, side and rear setback requirements. Staff has included the provision of a walled and roofed trash enclosure and the provision of two additional loading spaces as conditions of approval.

A2) 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	40,159 SF.	1/250 GFA	161 spaces	6 spaces	212 spaces	7 spaces

Because the applicant did not provide information regarding the types of restaurants and the amount of public seating, staff has based the parking requirements solely on retail uses. Parking deficiencies which may require a variance to resolve may occur if more parking-intense uses, such as restaurants, are proposed

A4) Landscape and Open Space Standards

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

AR

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	37 Trees	40 Trees
Buffer: • Min. Trees	1 Tree/30 Linear Feet	50 Trees	56 Trees
• Min. Zone Width	15 Feet along north and east property lines. 8 Feet along south and west property lines		11 Feet along north property line; 12 Feet along east property line; 0 Feet along south and west property lines

The applicant is requesting a reduction in width of all property line planters. This request demonstrates the potential over-building of the site by not being able to conform to landscape requirements, and denial is recommended.

B) General Analysis and Discussion

- Zoning

The subject property is zoned C-1 (Limited Commercial); the proposed retail and restaurant uses are in conformance with the uses permitted in that district. The proposed structure complies with the setbacks, height, and lot coverage requirements.

- Site Plan

The applicant is seeking a waiver of the front, side and rear setback requirements. A condition of approval will require the provision of a walled and roofed trash enclosure and the provision of two additional loading spaces.

- Waivers

Waivers have been requested as follows:

1. *Building placement.* Title 19.08.045 requires that buildings be located at the front setback line, with parking located to the side or the rear. The building along the south property line does not comply with this requirement. As the location of this building can be easily moved to the front of the property with little additional impact to the existing parking situation, denial of this Waiver is recommended..

2. *Perimeter Buffer*. Title 19.12 of the Zoning Code requires a 15-foot wide planter along the north and east property lines of this site because they are both adjacent to public streets. The submitted site plan depicts 11 feet along the north property line, with 12 feet along the east property line. The Zoning Code also requires eight-foot wide planters along the south and west property lines. The submitted site plan indicates that portions of both the south and west property lines will have areas that have no adjacent planters. This request demonstrates the potential over-building of the site by not being able to conform to landscape requirements, and denial is recommended.

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;"**

   Staff finds the building could be redesigned in such a manner as to comply with the building placement standards of Title 19.08.045, which requires that buildings be located at the front setback line, with parking located to the side or the rear. The building along the south property line does not comply with this requirement. As the location of this building can be easily moved to the front of the property with little additional impact to the existing parking situation, denial of this Waiver is recommended.

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 site could be redesigned in such a manner as to comply with the perimeter buffer requirements of Title 19.12 of the Zoning Code which requires a 15-foot wide planter along the north and east property lines of this site because they are both adjacent to public streets. The submitted site plan depicts 11 feet along the north property line, with 12 feet along the east property line. The Zoning Code also requires eight-foot wide planters along the south and west property lines. The submitted site plan indicates that portions of both the south and west property lines will have areas that have no adjacent planters. This request demonstrates the potential over-building of the site by not being able to conform to landscape requirements, and denial is recommended.

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

The subject site has access to Lake Mead Boulevard, designated as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways and Rock Springs Drive, an 80-foot street. Lake Mead Boulevard and Rock Springs Drive will be adequate to meet the requirements of the proposed commercial building.

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

   Building materials are appropriate for the proposed building, and except for the deficiencies discussed above in the landscape standards, the landscape materials proposed are also appropriate for the area.

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

   The exterior of the buildings will feature smooth stucco finish walls and painted metal canopies above a storefront window system. The building should be visually compatible with other buildings in the area.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 40

APPROVALS 0

PROTESTS 0

AR

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5711 APN: 138-22-701-005

Name of Property Owner: BLM

Name of Applicant: SanSone Development

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

____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Judy A. Dry for BLM

Print Name: Judy A. Dry

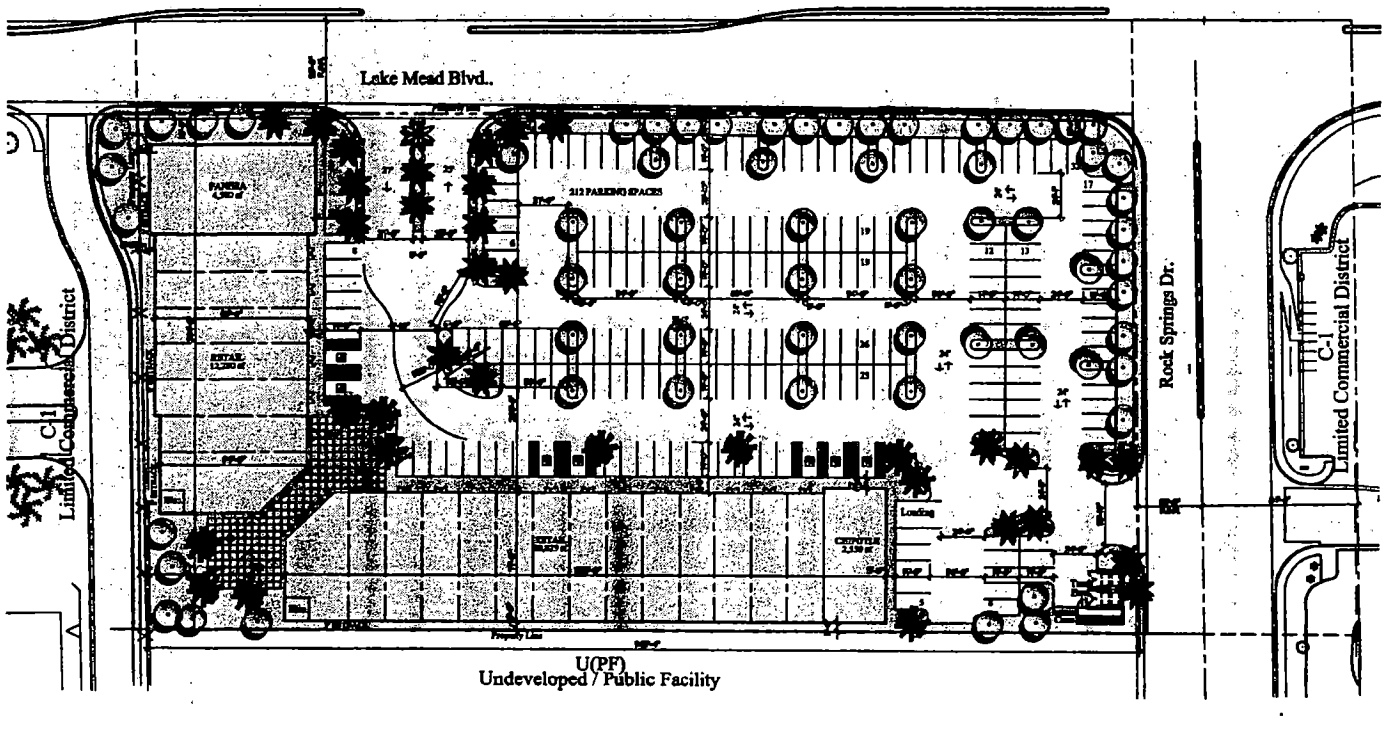
Subscribed and sworn before me

This 7th day of September 2004

Carol A. McDermott

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
CAROL A. McDERMOTT
No: 94-4995-1
My Appointment Expires Sept. 8, 2006



SITE INFORMATION

APN: 138-22-701-055

C-1 Limited Commercial

PARCEL AREA

Gross Area:	182,205 sf	4.18 acres
Net Area:	155,017 sf	3.55 acres

BUILDING AREA

Retail	33,109 gsf
Cafe Deli	7,050 gsf
Total	40,159 gsf
FAR	4.4

PARKING REQUIREMENTS

Code Required:

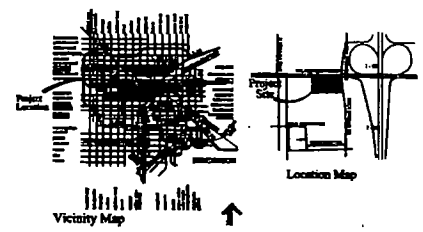
Retail:	Required:	1 per 250 sf	161 Spaces
	Provided:		165 Spaces
Cafe Deli:	Required:	1 per 150 sf	47 Spaces
	Provided:		47 Spaces
HC:	Required:	201-300 sf	7 Spaces
	Provided:		7 Spaces

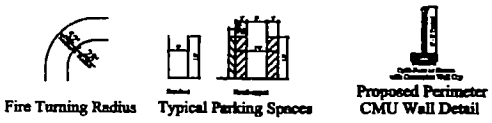
Setbacks:

F.T.:	15'-5"
Side:	5'-0"
Rear:	5'-0"

LOT COVERAGE

Provided: 40,159 / 155,017 X 100 = 26 %





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This Drawing is Conceptual in Nature and no Guarantee of its accuracy is implied.The Owner/Architect Reserves the Right to make Design Modifications without notice.All Colors, Dimensions, Sizes and Architectural Features are Conceptual and subject to Change.

North 0 60 120

SITE PLAN

Project No. 104423 November 30, 2004

SANSONE

LAKE MEAD ROCK SPRINGS

Las Vegas, Nevada

Perlman Architects

SDR-5711
01-13-05 PC

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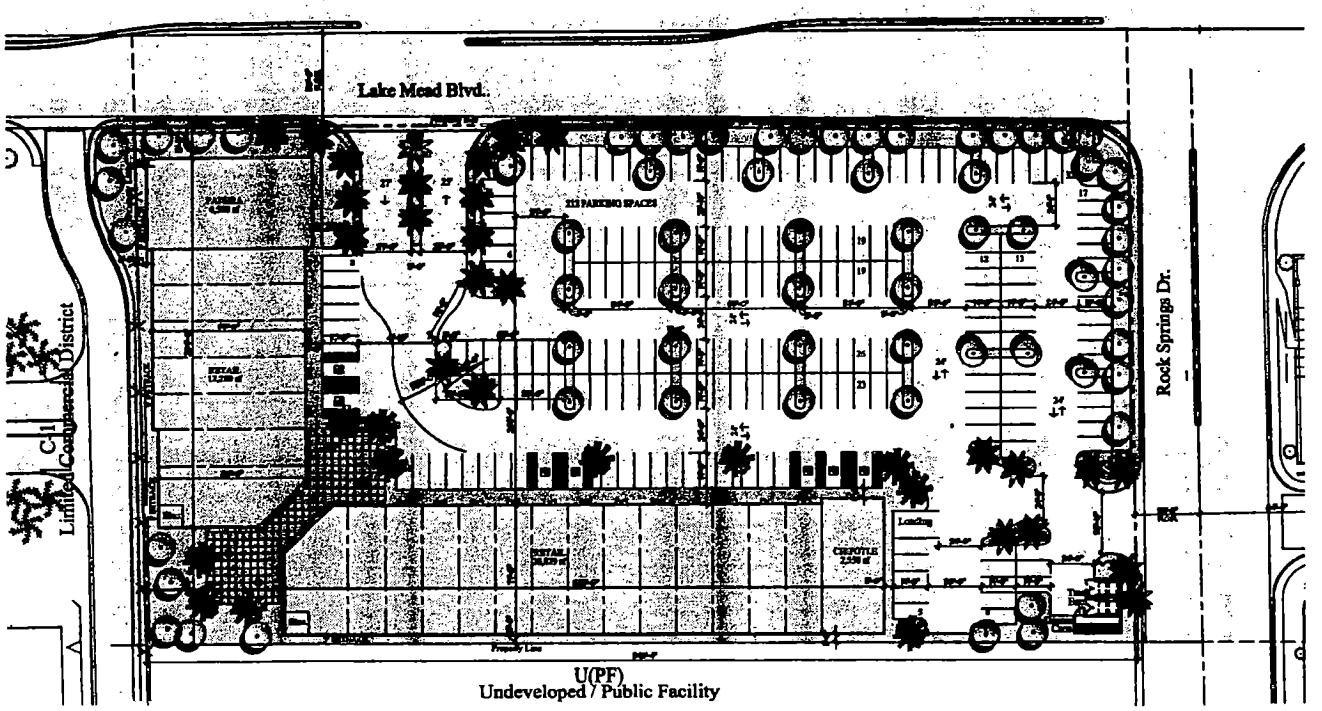
NOV 30 2004



TREE / PLANT SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
	25	24" Box	20'-30' On Center	Date Palm	Phoenix Dactylifera
	11	24" Box	20'-30' On Center	Legacy/Texas Indian	Cuppressyrilla
	44	36" Box	20'-30' On Center	Swan Hill Olive	Olea Europaea
		N/A	N/A	Xeroscape / Turf	

LANDSCAPING PER TITLE 19 REQUIREMENTS

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North 0 60 120

LANDSCAPE PALN

Project No. 104423 November 30, 2004

SANSONE

LAKE MEAD ROCK SPRINGS

Las Vegas, Nevada

Perlman Architects

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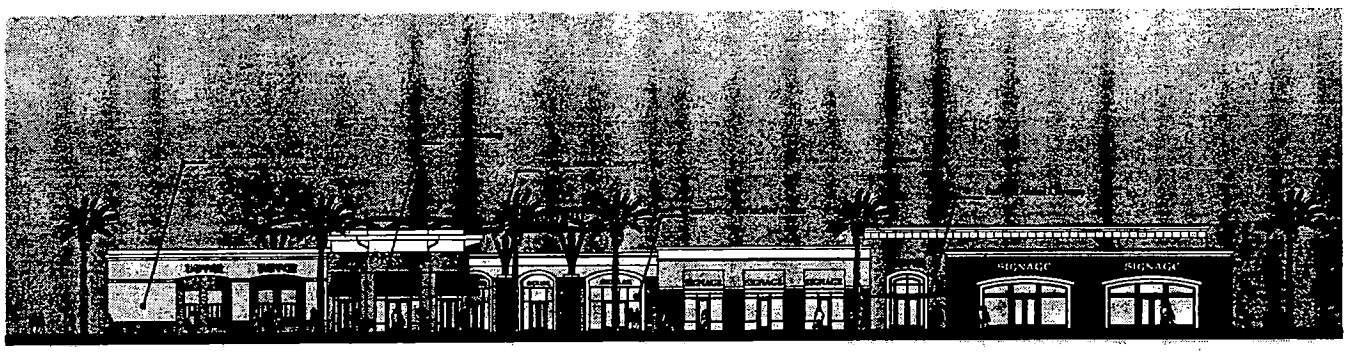
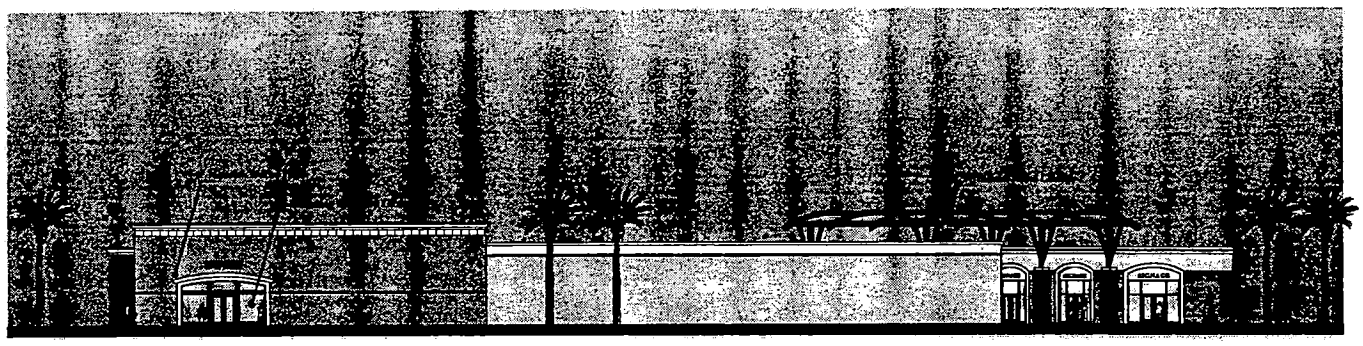
SDR-5711
01-13-05 PC



EAST ELEVATION



WEST ELEVATION

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EAST & WEST ELEVATION

0 30 60

PROJECT NO. 104423 NOVEMBER 30, 2004

SANSONE

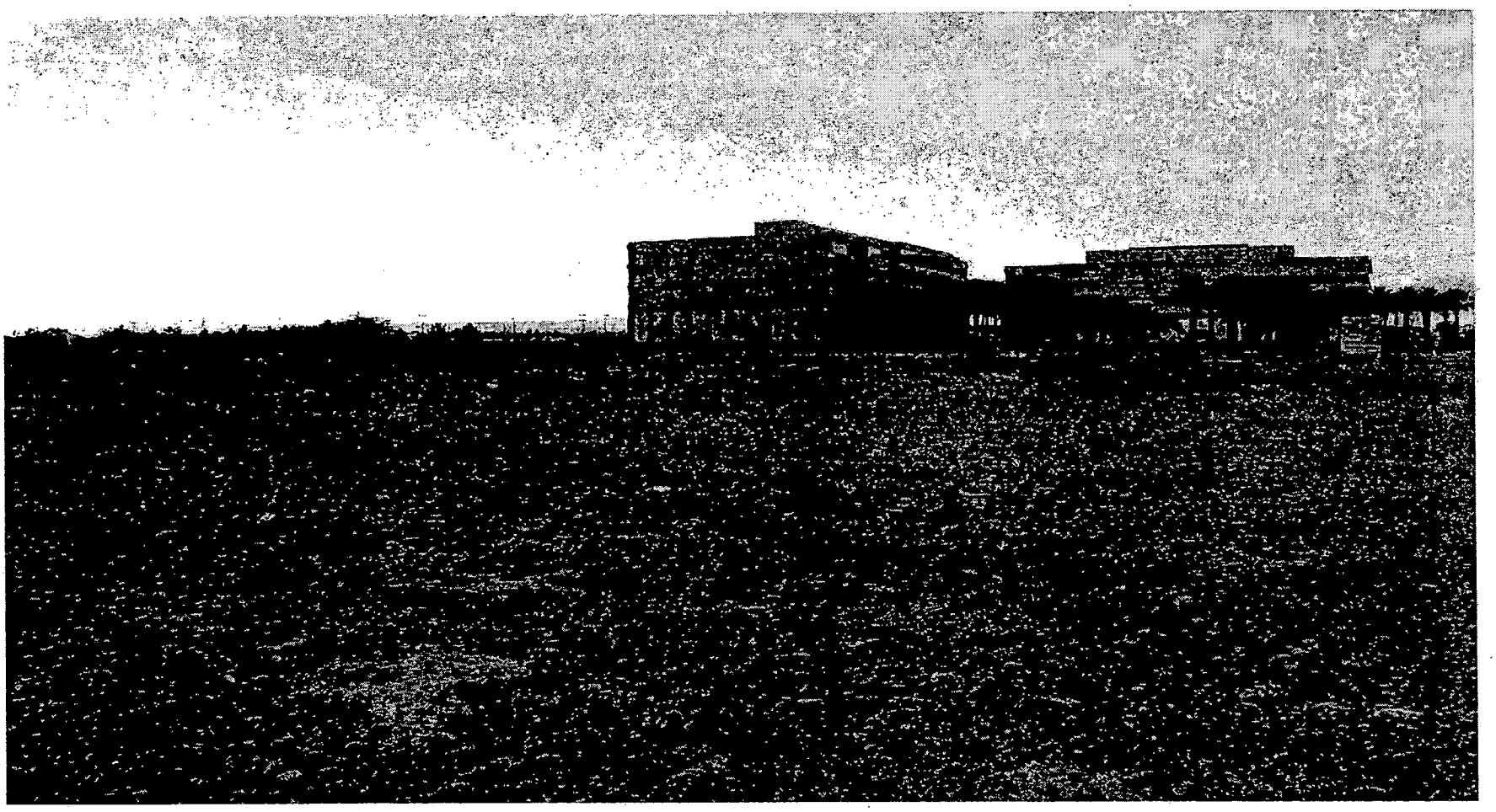
LAKE MEAD & ROCK SPRING

Las Vegas, Nevada

Perlman Architects

SDR-5711
01-13-05 PC

RECEIVED
NOV 30 2004



SDR-5711 - APPLICANT: SANSONE DEVELOPMENT - OWNER: BUREAU OF LAND MANAGEMENT
SOUTHWEST CORNER OF LAKE MEAD BOULEVARD AND ROCK SPRINGS DRIVE
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

City of Las Vegas

Agenda Item No.: 83

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:
MSP-5696 - MASTER SIGN PLAN - PUBLIC HEARING - APPLICANT: EN ENGINEERING INC. - OWNER: MARY BARTSAS 13, LLC - Request for a Master Sign plan FOR A PROPOSED COMMERCIAL DEVELOPMENT at the northwest corner of Craig Road and Jones Boulevard (APN 138-02-601-004), R-E (Residential Estate) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Mack).

P.C. FINAL ACTION

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.

FLINN FAGG, Planning & Development Department, explained that the Master Sign Plan would allow two, 40-foot tall, pylon signs, five monument signs, wall and window signage, menu boards and directional signage for a commercial development. The proposed signage is in compliance with requirements of Title 19.14 and staff recommended approval.

CHRIS MONN, EN Engineering, 245 East Warm Springs Road, appeared on behalf of the applicant and accepted all conditions.

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 83 - MSP-5696

MINUTES – Continued:
CHAIRMAN TRUESDELL declared the Public Hearing closed.
(12:25 – 12:27)
5-412

CONDITIONS:
Planning and Development

1. Conformance to the sign elevations and documentation as submitted in conjunction with this request, date stamped 11/30/04, except as amended by conditions herein.

2. All signage shall have proper permits obtained through the Building and Safety Department.

3. The pylon signs shall be limited to 40 feet in height in accordance with the drawing on Page 13 of the Master Sign Plan document. The table on Page 6 of the document shall be corrected accordingly.

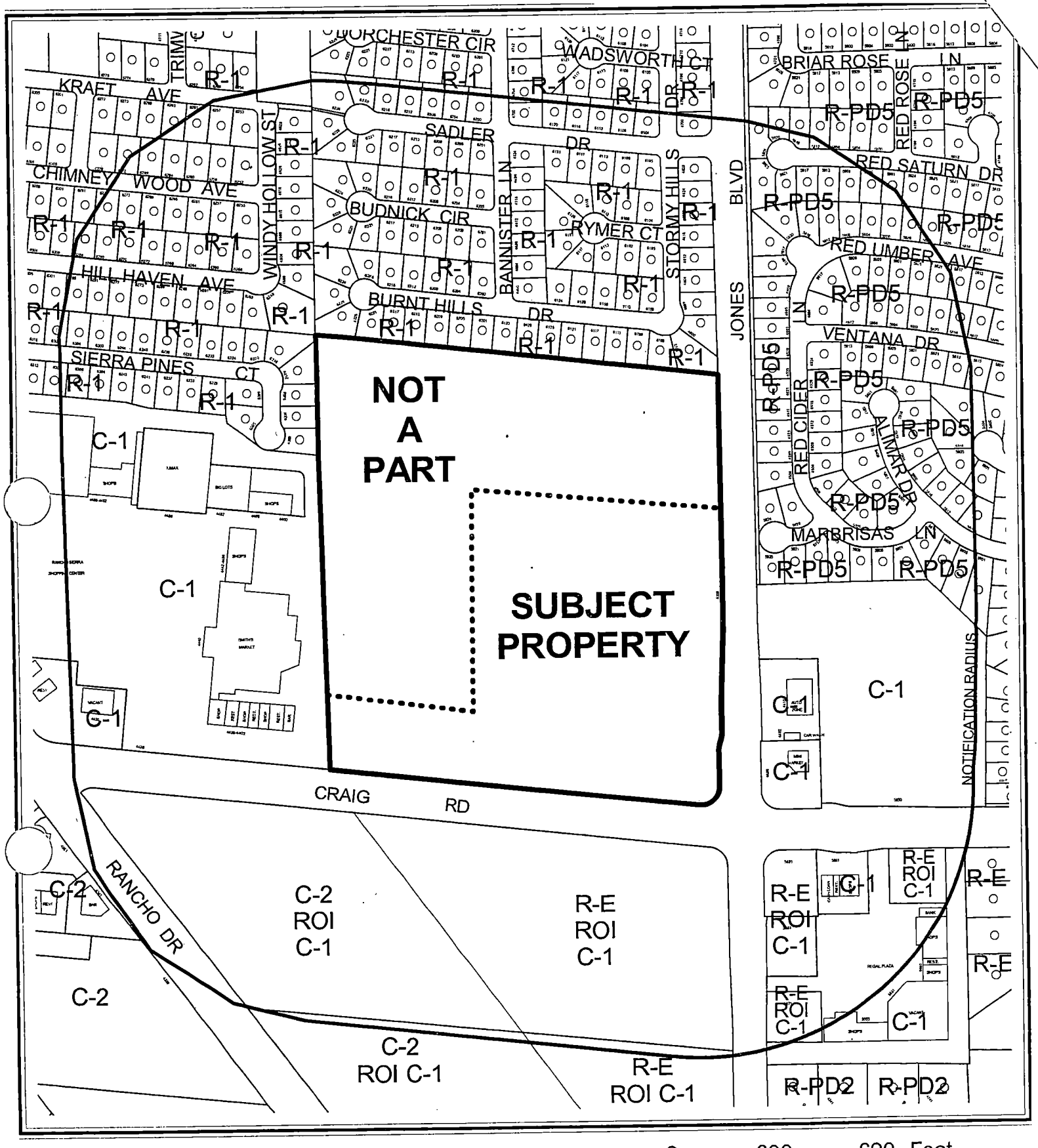
4. Fast-food menu boards shall be permitted in accordance with the requirements of Title 19.14.060(F).

5. Any future amendments to the Master Sign Plan which are in compliance with the requirements of Title 19.14 for the subject zoning district may be reviewed and approved administratively by the Planning and Development Department.

Public Works

6. Signs shall not be located within the public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

7. Site development to comply with all applicable conditions of approval for the Lowe's Plaza at Craig and Jones commercial subdivision (TMP-5698) and all other applicable site-related actions.

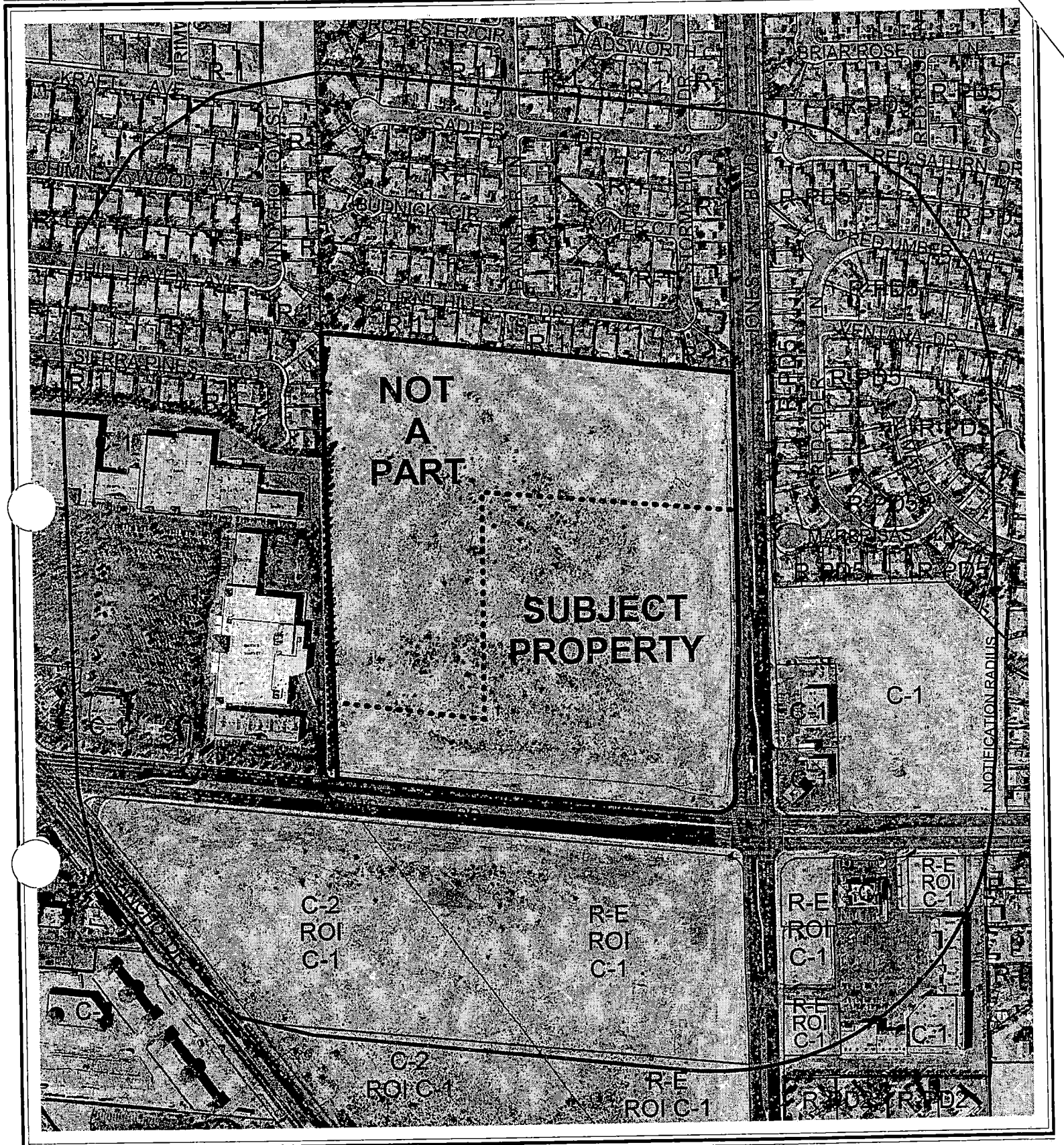


CASE: **MSP-5696**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



CASE: **MSP-5696**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MSP-5696 - APPLICANT: EN ENGINEERING INC. - OWNER: MARY BARTSAS 13, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to the sign elevations and documentation as submitted in conjunction with this request, date stamped 11/30/04, except as amended by conditions herein.

2. All signage shall have proper permits obtained through the Building and Safety Department.

3. The pylon signs shall be limited to 40 feet in height in accordance with the drawing on Page 13 of the Master Sign Plan document. The table on Page 6 of the document shall be corrected accordingly.

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5. Any future amendments to the Master Sign Plan which are in compliance with the requirements of Title 19.14 for the subject zoning district may be reviewed and approved administratively by the Planning and Development Department.

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6. Signs shall not be located within the public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

7. Site development to comply with all applicable conditions of approval for the Lowe's Plaza at Craig and Jones commercial subdivision (TMP-5698) and all other applicable site-related actions.

FF

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Master Sign Plan for a proposed commercial development at the northwest corner of Craig Road and Jones Boulevard.

B) Applicant's Justification

The applicant states that the sign plan conforms to the underlying zoning standards, and will meet the setbacks from residential properties as required by the City's regulations.

BACKGROUND INFORMATION

A) Previous Actions

12/18/02 The City Council approved a General Plan Amendment (GPA-0035-02) to designate the subject property as SC (Service Commercial). Also approved on that date was a Rezoning (Z-0081-02) from R-E (Residence Estates) to C-1 (Limited Commercial) on a larger 34.43 acre site. The Resolution of Intent expires on March 13, 2005. The Planning Commission recommended approval of both applications.

10/20/04 The City Council approved a Site Development Plan Review (SDR-4995) to allow the construction of a 204,193 square foot commercial center and a Special Use Permit (SUP-4996) to allow a home improvement warehouse. The Planning Commission recommended approval of both requests on 09/23/04.

01/13/05 The Planning Commission is scheduled to review a Tentative Map (TMP-5698) for a one-lot commercial subdivision on the subject property.

B) Pre-Application Meeting

11/15/04 At the pre-application conference, issues were discussed relative to the provisions for a consolidated sign, the separation requirements between freestanding signs, and the Residential Protection Standards.

FF

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped Single-Family Residential Use
South:	Undeveloped
East:	Single-Family Residential Use Convenience Store/Gas Station Use Undeveloped
West:	Commercial Shopping Center Use Single-Family Residential Use

B) Existing Zoning

Subject Property:	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
North:	R-1 (Single-Family Residential)
South:	R-3 (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
East:	C-1 (Limited Commercial) R-PD5 (Residential Planned Development – 5 Units Per Acre)
West:	C-1 (Limited Commercial) R-1 (Single-Family Residential)

C) General Plan Compliance

The Centennial Hills Sector Map of the General Plan designates the parcel as SC (Service Commercial). The Service Commercial category allows low- to medium-intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. The commercial center use is in compliance with the General Plan.

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

The site is not located within any special districts or zones.

MASTER SIGN PLAN REQUIREMENTS FOR ON-PREMISE SIGNAGE		
THRESHOLD	**YES**	**NO**
Non-Residential project with a site larger than 15 acres	**X**	
To establish requirements/limitations for signs in a specific development	**X**	

A Master Sign Plan is required as the parcel is larger than 15 acres in size.

ANALYSIS

A) Zoning Code Compliance

The following signage is proposed for the site:

- (2) 40-foot high pylon signs
- (5) 10-foot high monument signs
- Wall signage
- Window signage
- Menu boards
- Directional signs

A discussion of the compliance of the signage with the regulations contained in Title 19.14 follows below.

A1) Residential Protection Standards

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

a) Maximum Height. The freestanding signs will comply with the maximum height permitted based on the distance from the nearest single-family residence.

b) Minimum Setback. The freestanding signs will comply with the minimum required setback.

c) Illumination. The freestanding signs will be located further than 200 feet from the nearest single-family property, and are not subject to the illumination restrictions.

A2) Sign Standards

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

Freestanding Signs: Pylon Sign #1 & #2

Standards	**Allowed**	**Provided**
Maximum Number	1/200' Frontage 11 Total (all freestanding signs)	2 Total
Maximum Area	2 SF/Lineal Foot (cumulative) Jones: 1,730 SF Craig: 2,400 SF	Jones: 410 SF Craig: 565 SF
Maximum Height	40 Feet	40 Feet
Minimum Setback	5 Feet	6 Feet
Minimum Separation	100 Feet	200 Feet
Illumination	Internal, external, animated, electronic	Internal

Monument Signs: Monument Signs #1 through #5

Standards	**Allowed**	**Provided**
Maximum Number	1/200' Frontage 11 Total (all freestanding signs)	5 total
Maximum Area	75 SF/sign	52 SF/sign
Maximum Height	10 Feet	10 Feet
Minimum Setback	5 Feet	5 Feet
Minimum Separation	100 Feet	200 Feet
Illumination	Direct/Internal	Internal

Wall Signs: Lowe's

Standards	**Allowed**	**Provided**
Maximum Number	N/A	N/A
Maximum Area	20%/elevation	South elevation: 2% East elevation: 5%
Maximum Projection	2 Feet	10"
Illumination	Internal/External	Internal

Wall Signs: All other tenants

Standards	Allowed	Provided
Maximum Number	N/A	N/A
Maximum Area	20%/elevation	20%/elevation
Maximum Projection	2 Feet	10"
Illumination	Internal/External	Internal

Menu Boards:

Standards	Allowed	Provided
Maximum Number	2/drive-through lane	Not indicated
Maximum Area	60 SF	60 SF
Maximum Height	7 Feet	Not indicated
Illumination	Direct/internal	Not indicated

All of the proposed sign types generally conform with the requirements of Title 19.14. The Master Sign Plan document does not place any limit on the number, height, or illumination of fast-food menu boards.

B) General Analysis and Discussion

The overall Master Sign Plan document permits less signage than would typically be allowed by Code, and generally guarantees that the signage will be consistent throughout the commercial complex.

The drawing on page 13 of the Master Sign Plan document indicates that the pylon signs will be limited to 40 feet in height; the verbiage on page 6 indicates that the pylon signs may be up to 55 feet in height. A condition has been imposed to limit the signs to 40 feet in accordance with Title 19.14. The monument signs conform to the height, area and setback limitations imposed by the Code. Both the pylon and monument signs conform to the design standards listed in Title 19.14.020(N), which requires that the signs utilize similar colors, materials, and architectural details as the principal building.

The wall signage will also conform to the requirements listed in Title 19.14 relative to the C-1 (Limited Commercial) zoning district. The Master Sign Plan document specifically limits the signage for individual tenants to 20% of the tenant space, with a three-foot height limit for lettering and a four-foot height limit for logos. The window signage will be limited to 20% of the window area, which is more restrictive than the City's requirements, and no text is permitted to exceed six inches in height.

The Master Sign Plan document notes that fast-food menu boards are permitted, but does not place any limit on the number, height, or illumination of fast-food menu boards. A condition has been added that adopts the same requirements as contained in Title 19.14.060(F).

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 275

APPROVALS 0

PROTESTS 0

FF

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: MSP-5696 APN: 138 02 601 004

Name of Property Owner: Mary Bartsas 13, LLC

Name of Applicant: EN Engineering Inc.

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

_____ Yes _____X____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Mary Bartsas 13, LLC

Signature of Property Owner/Authorized Agent: BY: [signature]

Print Name: Mary Bartsas, Manager

Subscribed and sworn before me

This 13th day of August, 2004

[signature]

Notary Public in and for said County and State

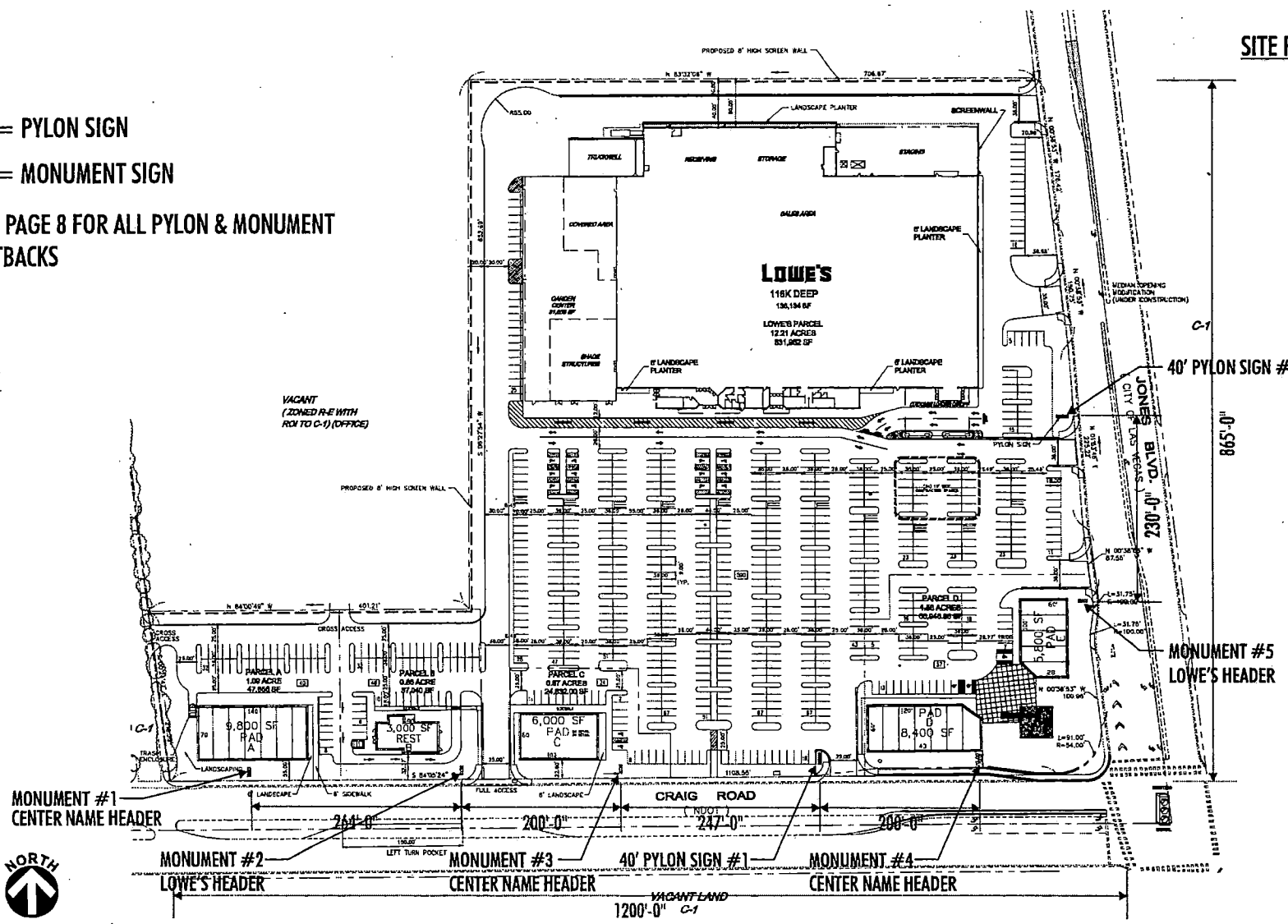
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARGARET A. MESSINGER
No: 94-0231-1
My Appointment Expires July 28, 2006

SITE PLAN

= PYLON SIGN

= MONUMENT SIGN

NOTE: SEE PAGE 8 FOR ALL PYLON & MONUMENT SETBACKS



PLEASE NOTE: ALL SIGNS REPRESENTED IN THIS SITE PLAN ARE ON ONE PARCEL, HOWEVER AT THE PRESENT MOMENT THE SITE IS BEING SUBDIVIDED (COMMERCIAL SUBDIVISION MAP) WHICH WILL HAVE ADDITIONAL PARCELS AND WILL ALLOW ONE MONUMENT PER PARCEL AS IS SHOWN ABOVE (THE SUBDIVISION LINES AS YET ARE NOT DEPICTED ABOVE)

AD/S ARCHITECTURAL DESIGN & SIGNS

November 29, 2004 SCALE: 1"=150'-0"

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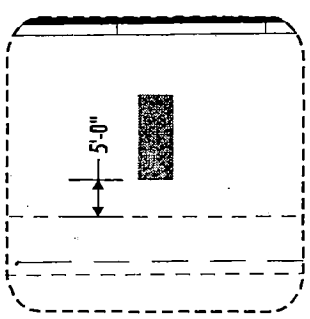
MSP-5696
01-13-05 PC

SITE PLAN
SETBACK DETAILS



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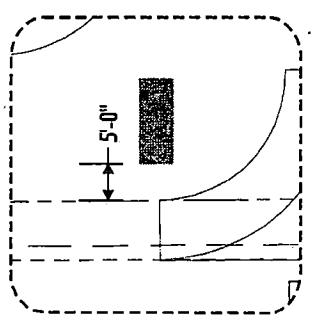

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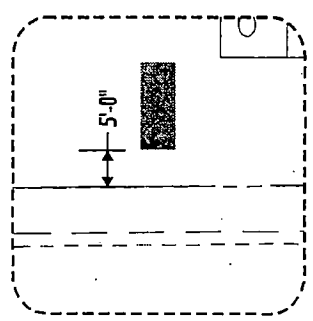

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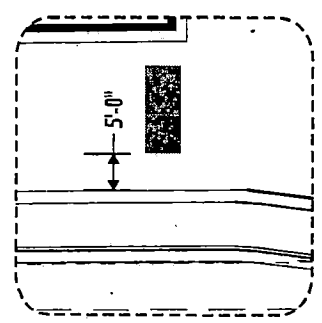

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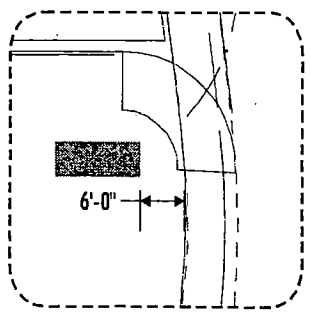

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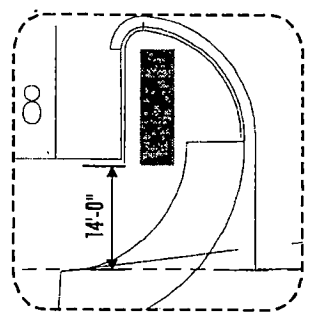

PYLON SIGN #1
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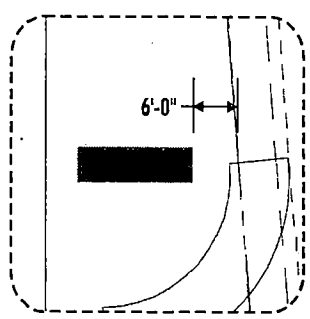


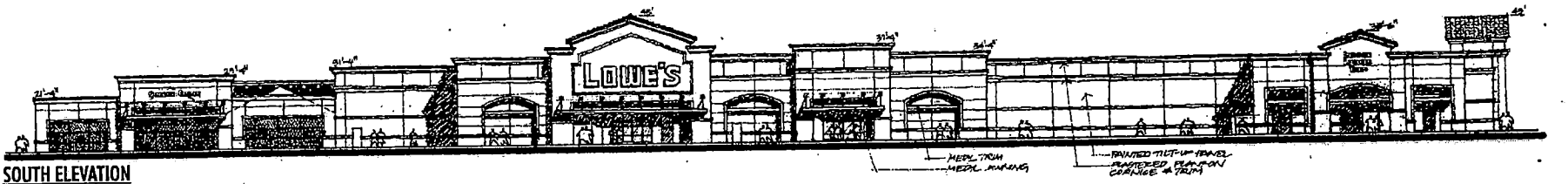
PYLON SIGN #2
SCALE: 1"=20'-0"

November 29, 2004

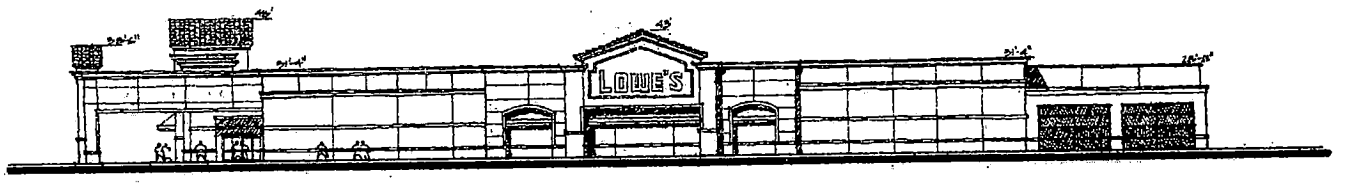
RECEIVED
NOV 30 2004

MSP-5696
01-13-05 PC

LOWE'S ELEVATIONS



SOUTH ELEVATION
SCALE: 1"=50'-0"

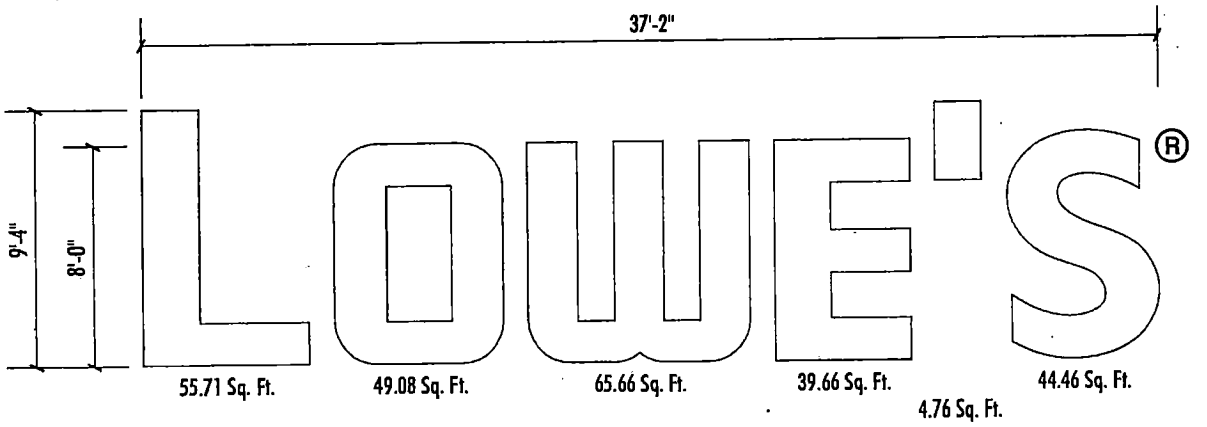


EAST ELEVATION
SCALE: 1"=50'-0"

November 29, 2004

RECEIVED
NOV 30 2004
MSP-5696
01-13-05 PC

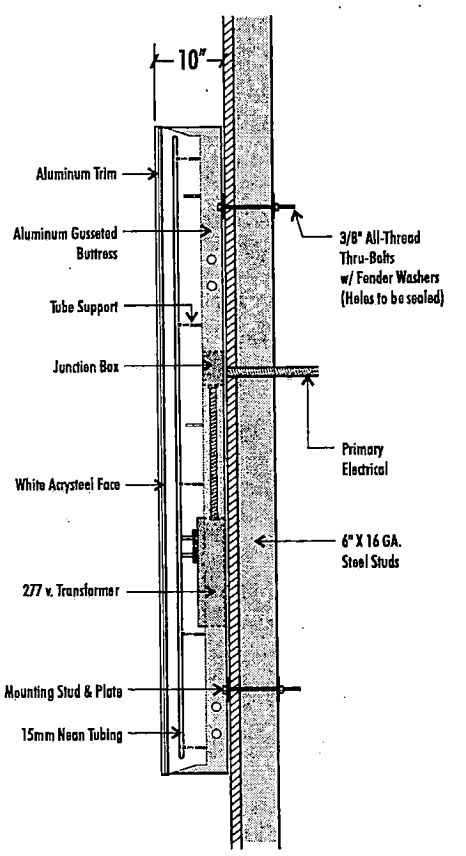
LOWE'S LETTER DETAILS



INTERNALLY ILLUMINATED SELF CONTAINED CHANNEL LETTERS
SCALE: 3/16"=1'-0"

QTY: ONE (1) SET
AREA = 259.33 SQ. FT.

SPECIFICATIONS:
- .080 ALUMINUM BACKS, .080" ALUMINUM RETURNS 10" DEEP WITH BAFFLES TO SEPARATE NEON FROM TRANSFORMERS AND WIRING
- RETURNS PAINTED WHITE ACRYLIC URETHANE ENAMEL INTERIOR AND EXTERIOR
- FACES TO BE 3/16" WHITE ACRYLIC WITH 2" WHITE JEWELITE TRIMCAP
- INTERNAL ILLUMINATION WITH 15mm 6500 WHITE NEON WITH ELECTRODES INTO GLASS HOUSINGS.
- 60ma SELF-CONTAINED TRANSFORMERS
- ALL WIRING TO BE UL APPROVED WITH 277 VOLT DISCONNECT SWITCH ON EACH LETTER



ALL COMPONENTS TO BE U.L. APPROVED

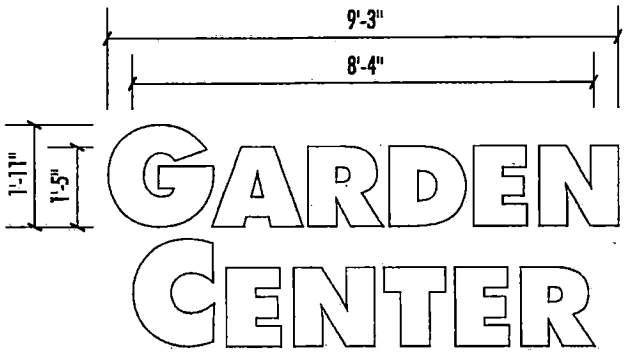
AD/S ARCHITECTURAL DESIGN & SIGNS

November 29, 2004

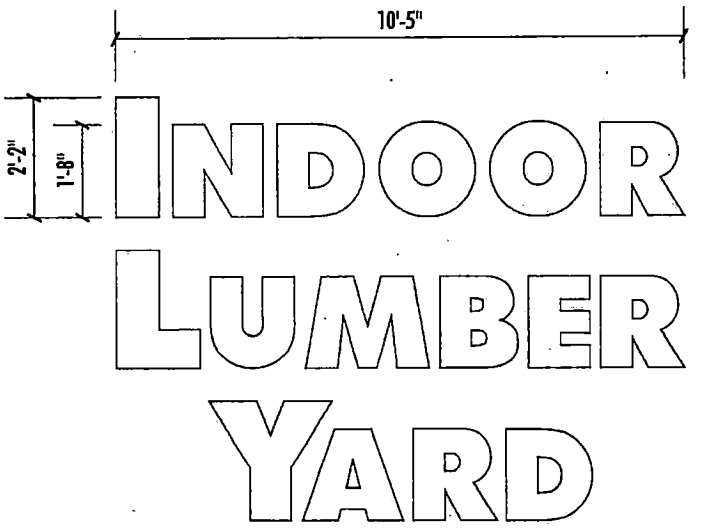
RECEIVED
NOV 30 2004

MSP-5696
01-13-05 PC

LOWE'S LETTER DETAILS



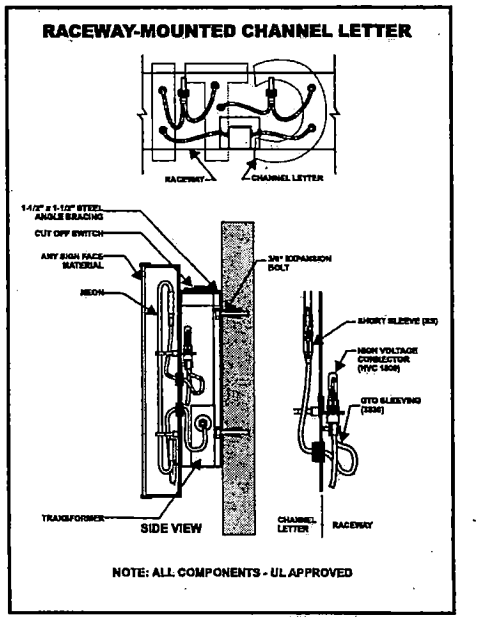
ILLUMINATED CHANNEL LETTERS — QTY: ONE (1) SET
SCALE: 1/4"=1'-0" — AREA = 24.95 SQ. FT.



ILLUMINATED CHANNEL LETTERS — QTY: ONE (1) SET
SCALE: 1/4"=1'-0" — AREA = 45.17 SQ. FT.

SPECIFICATIONS:

- .080 ALUMINUM BACKS, .063" ALUMINUM RETURNS 5" DEEP
- RETURNS PAINTED WHITE ACRYLIC URETHANE ENAMEL INTERIOR AND EXTERIOR
- FACES TO BE 3/16" WHITE ACRYLIC WITH 1" WHITE JEWELITE TRIMCAP
- INTERNAL ILLUMINATION WITH 13mm 6500 WHITE NEON WITH ELECTRODES INTO GLASS HOUSINGS.
- 60ma TRANSFORMERS WITH WIRING LOCATED IN CONTINUOUS ALUMINUM RACEWAYS.
- ALL WIRING TO BE UL APPROVED WITH 277 VOLT DISCONNECT SWITCH ON END OF EACH RACEWAY



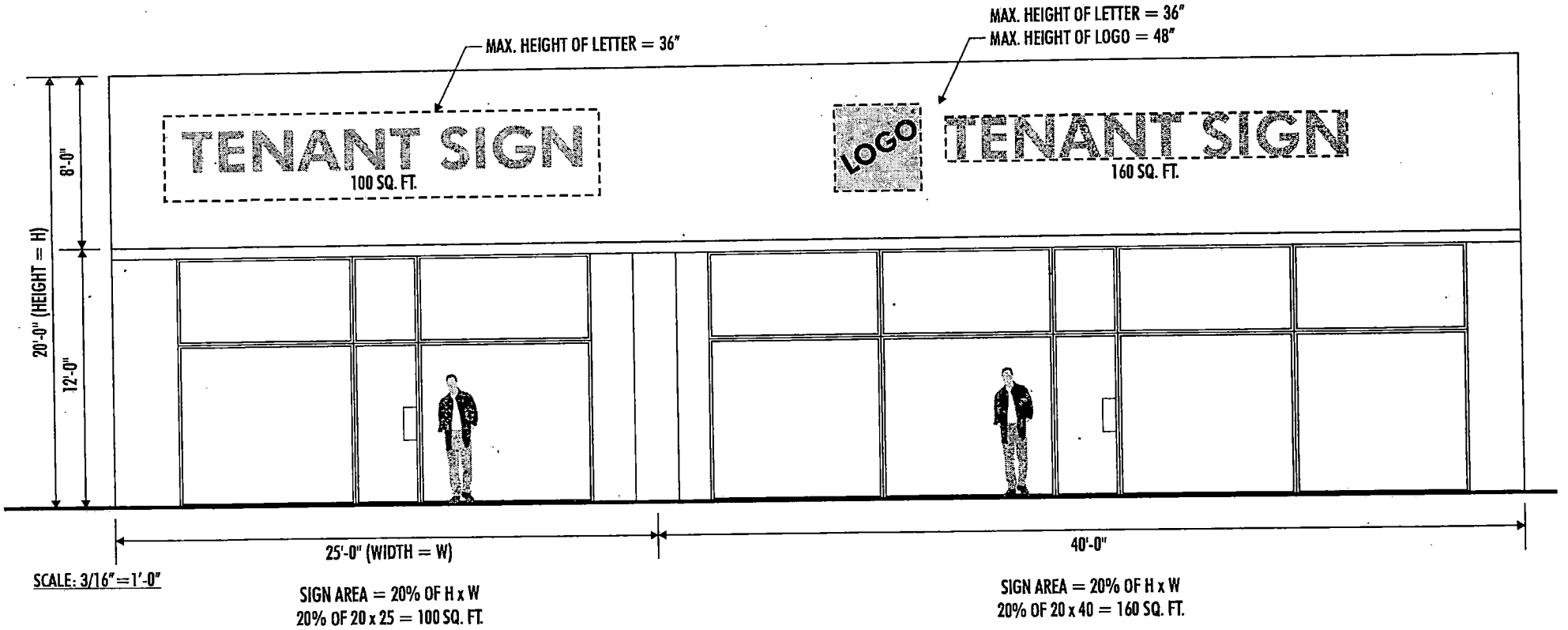
AD/S ARCHITECTURAL DESIGN & SIGNS

November 29, 2004

RECEIVED
NOV 30 2004

MSP-5696
01-13-05 PC

TYPICAL INLINE TENANT AND PAD TENANT
ALLOWABLE SIGN AREA



SCALE: 3/16"=1'-0"

SIGN AREA = 20% OF H x W
20% OF 20 x 25 = 100 SQ. FT.

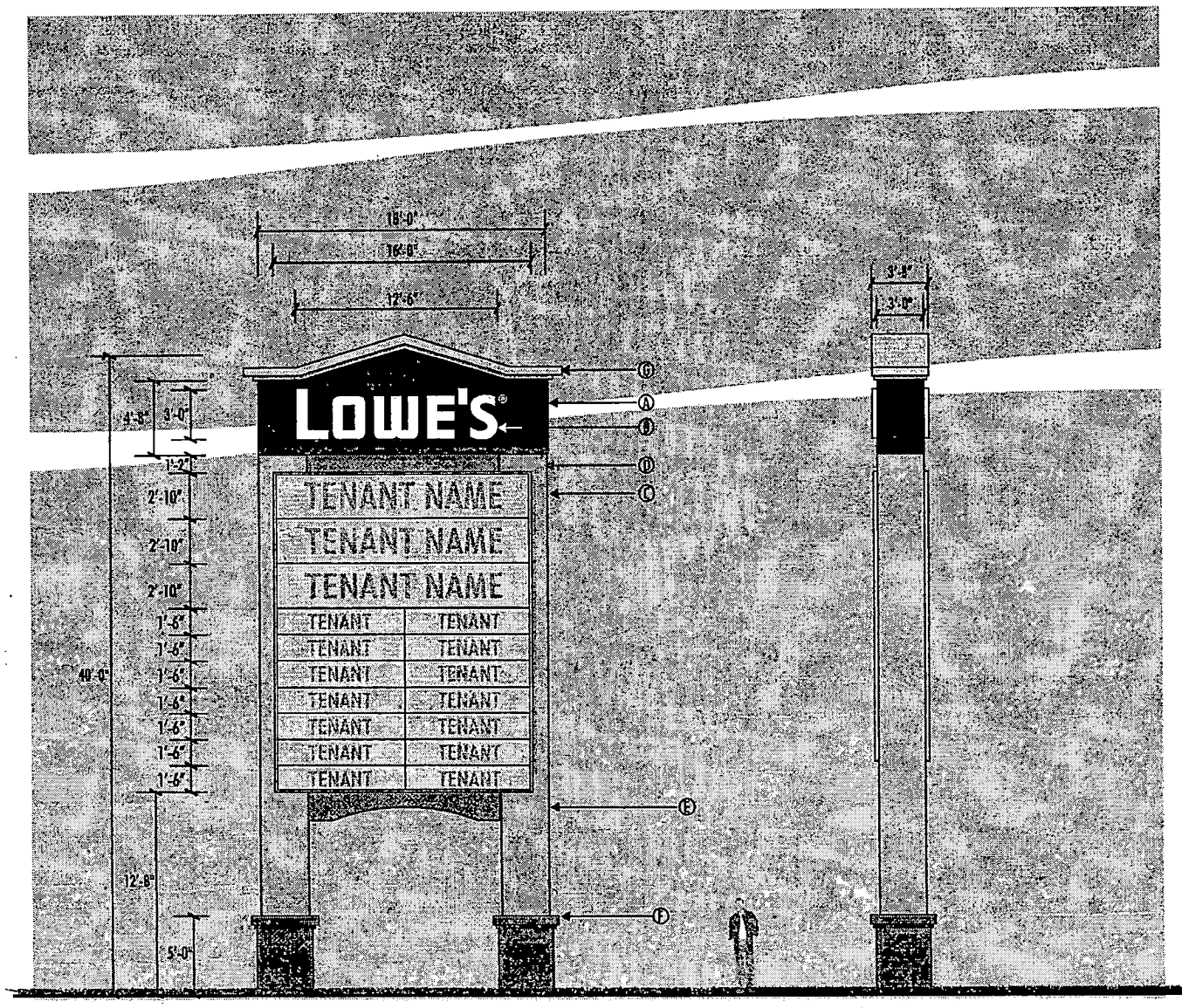
SIGN AREA = 20% OF H x W
20% OF 20 x 40 = 160 SQ. FT.

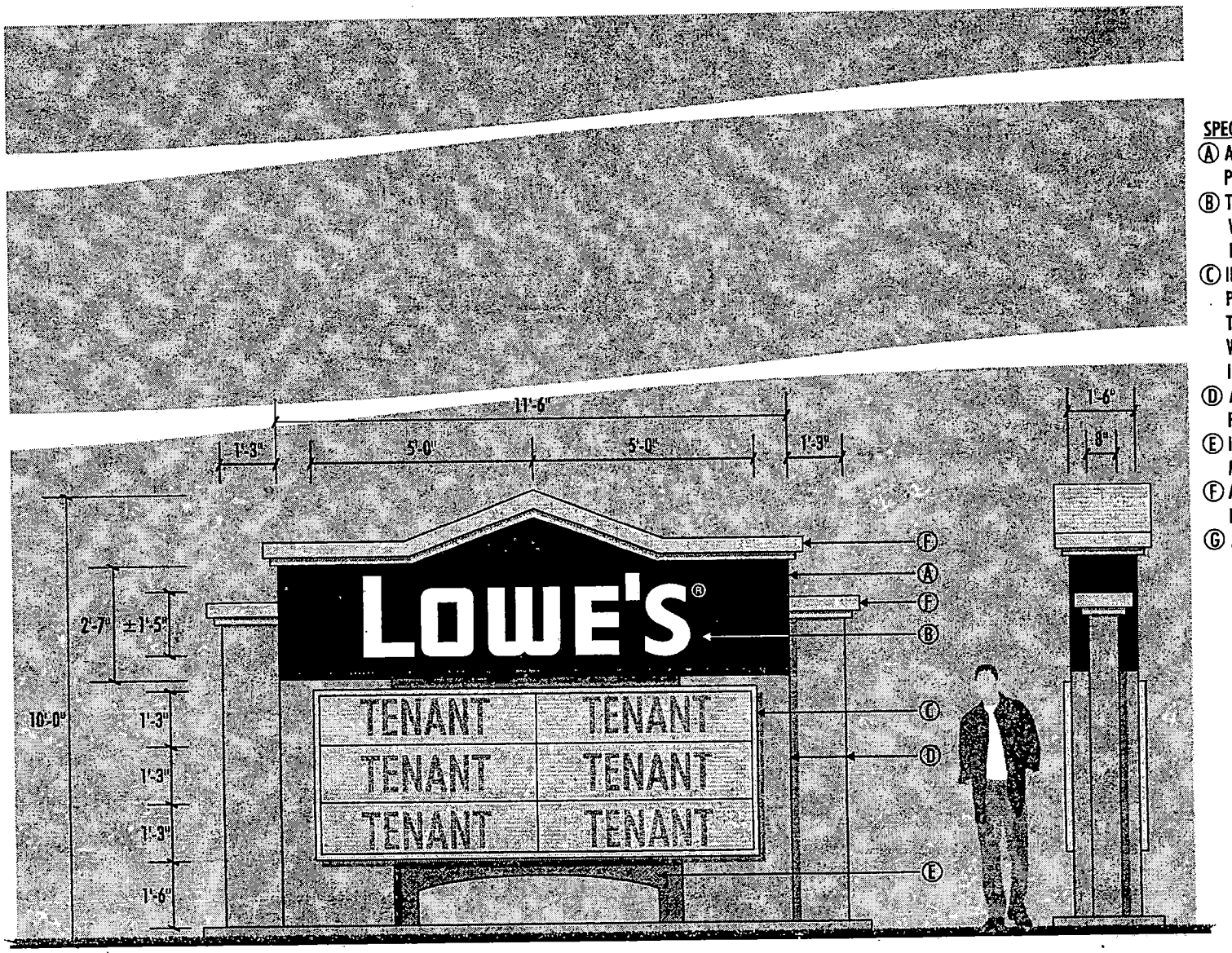
AD/S ARCHITECTURAL DESIGN & SIGNS

November 29, 2004

RECEIVED
NOV 30 2004

MSP-5696
01-13-05 PC


16'-0"
15'-0"
12'-6"
3'-4"
3'-0"
LOWE'S
TENANT NAME
TENANT NAME
TENANT NAME
TENANT
TENANT
TENANT



SCALE: 3/8"=1'-0" November 29, 2004

MONUMENT SIGN WITH LOWE'S

(MONUMENT #2 & #5)

SPECIFICATIONS:

Ⓐ ALUMINUM CABINET PAINTED TO MATCH PMS BLUE #280C.

Ⓑ TENANT COPY TO BE ROUTED AND BACKED UP WITH WHITE ACRYLIC. ILLUMINATION TO BE FLUORESCENT LAMPS.

Ⓒ INTERNALLY ILLUMINATED TENANT CABINET PAINTED TO MATCH PROJECT COLORS. TENANT PANELS HAVE OPAQUE VINYL OVERLAY WITH SHOW THRU COPY. ILLUMINATION TO BE FLUORESCENT LAMPS.

Ⓓ ALUMINUM POLE COVER PAINTED TO MATCH PROJECT COLORS.

Ⓔ INSET ALUMINUM ENHANCEMENT PAINTED TO MATCH PROJECT COLORS.

Ⓕ ALUMINUM BASE PAINTED TO MATCH PROJECT COLORS.

Ⓖ ALUMINUM CANOPY PAINTED TO MATCH PROJECT COLORS.

QTY: TWO (2)

SIGN AREA = 51.71 SQ. FT.

AD/S ARCHITECTURAL DESIGN & SIGNS

RECEIVED
NOV 30 2004

MSP-5696
01-13-05 PC

MONUMENT SIGN WITH CENTER NAME

(MONUMENT #1, #3 & #4)

SPECIFICATIONS:

Ⓐ ALUMINUM CABINET PAINTED TO MATCH PMS BLUE #280C.

Ⓑ TENANT COPY TO BE ROUTED AND BACKED UP WITH WHITE ACRYLIC. ILLUMINATION TO BE FLUORESCENT LAMPS.

Ⓒ INTERNALLY ILLUMINATED TENANT CABINET PAINTED TO MATCH PROJECT COLORS. TENANT PANELS HAVE OPAQUE VINYL OVERLAY WITH SHOW THRU COPY. ILLUMINATION TO BE FLUORESCENT LAMPS.

Ⓓ ALUMINUM POLE COVER PAINTED TO MATCH PROJECT COLORS.

Ⓔ INSET ALUMINUM ENHANCEMENT PAINTED TO MATCH PROJECT COLORS.

Ⓕ ALUMINUM BASE PAINTED TO MATCH PROJECT COLORS.

Ⓖ ALUMINUM CANOPY PAINTED TO MATCH PROJECT COLORS.

QTY: THREE (3)

SIGN AREA = 51.71 SQ. FT.

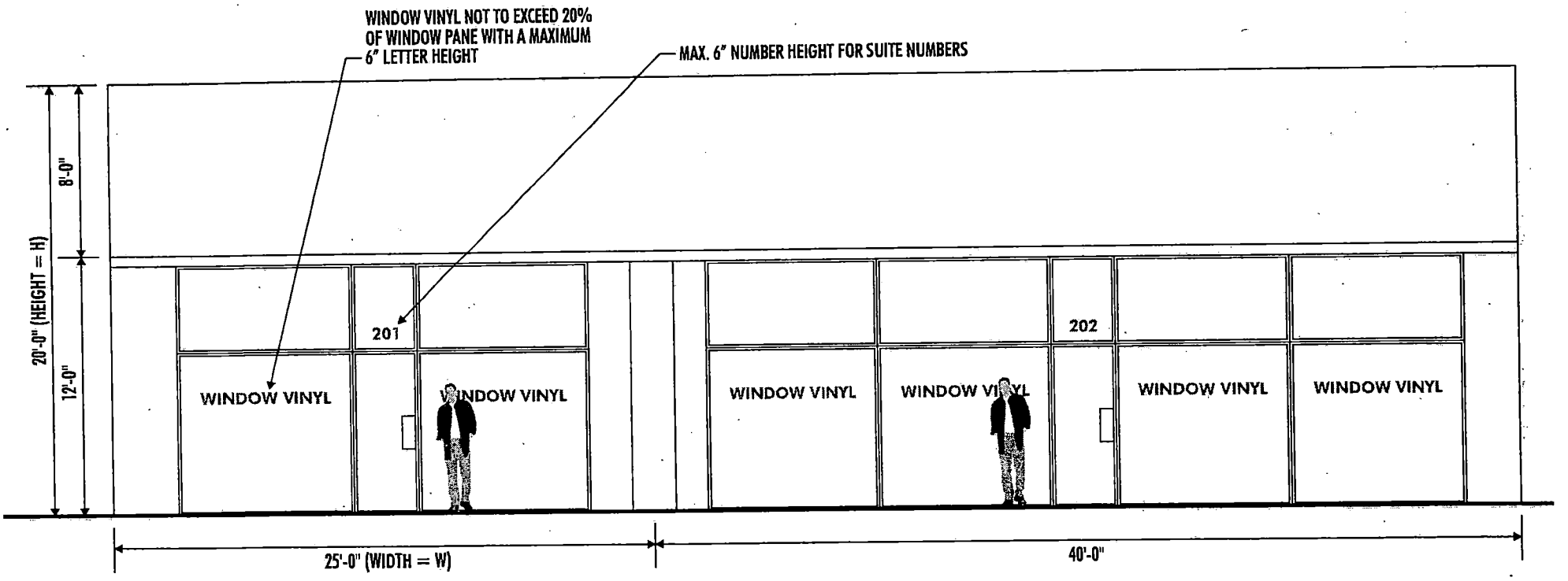
AD/S ARCHITECTURAL DESIGN & SIGNS

SCALE: 3/8" = 1'-0" November 29, 2004

RECEIVED
NOV 3 0 2004

MSP-5696
01-13-05 PC

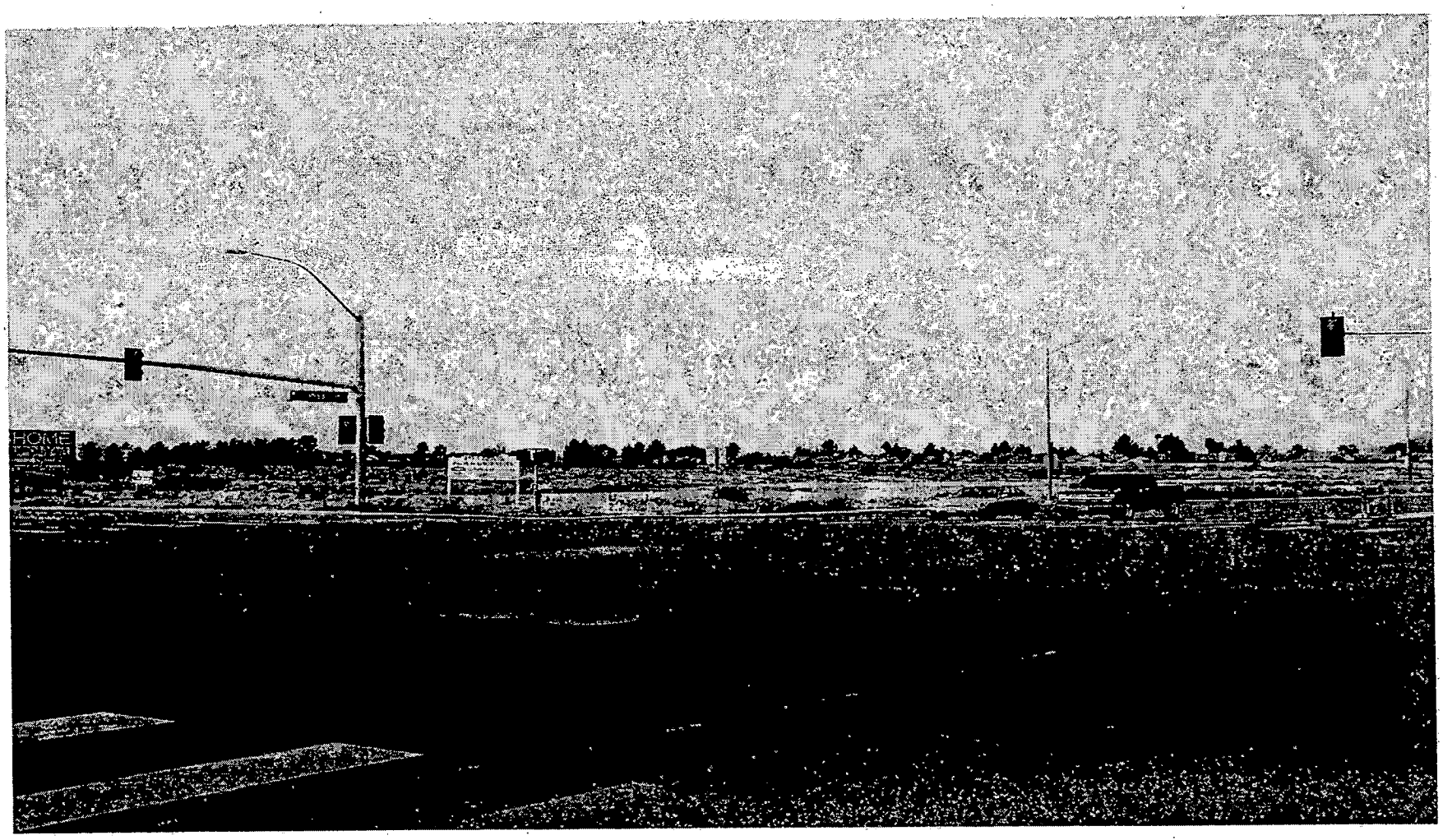
WINDOW VINYL



November 29, 2004

RECEIVED
NOV 3 0 2004

MSP-5696
01-13-05 PC



MSP-5696 - APPLICANT: EN ENGINEERING INC. - OWNER: MARY BARTSAS 13, LLC
NORTHWEST CORNER OF CRAIG ROAD AND JONES BOULEVARD
JANUARY 13, 2005 PLANNING COMMISSION

12/23/04

City of Las Vegas

Agenda Item No.: 84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:
ABEYANCE - DIR-5620 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS – Election of the 2005 Planning Commission Officers.

P.C. FINAL ACTION

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

RECOMMENDATION:
Staff has NO RECOMMENDATION

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

MOTION:
McSWAIN – APPROVED the appointment of TODD NIGRO as Chairman and RIC TRUESDELL as Vice Chairman effective 1/27/2005 – UNANIMOUS

MINUTES:
COMMISSIONER GOYNES suggested having no change in the Commission Officers; however, COMMISSIONER McSWAIN motioned otherwise.

(12:27 – 12:28)

City of Las Vegas

Agenda Item No.: 85

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:
TXT-5760 - TEXT AMENDMENT - PUBLIC HEARING - CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.08.060(A), "Applicability," to require the application of Residential Adjacency Standards to properties within the Las Vegas Redevelopment Area.

THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM

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

To be forwarded to City Council in Ordinance form.

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

MARGO WHEELER, Director, Planning & Development Department, explained the amendment would eliminate references to the City's redevelopment area as part of any development standards. Redevelopment area adoption is based upon findings of blight and has financial implications base on state law. It is not relevant to development standards so staff suggests removing the sections of the Code that link development standards to the redevelopment project area.

MINUTES – Continued:

MS. WHEELER further explained that staff did not feel the issue of whether a property is within the redevelopment project area should not dictate what the development standards are. The development standards are a function of the zoning Code.

CHAIRMAN TRUESDELL stated that he understood the purpose of the amendment was to clean up some language issues; however, he hoped it would not result in affording a shortcut to developers. MS. WHEELER assured him that the amendment would eliminate shortcuts.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(12:28 – 12:31)

5-502

CONDITIONS:

1. Title 19.04.050(B), "Minimum Requirements," is hereby amended as follows:

SENIOR CITIZEN APARTMENTS [C-1]

5. For any development that, in accordance with LVMC 19.08.045, is allowed to exceed the maximum lot coverage provisions set forth in that Section, all landscape buffer requirements shall be met. In addition~~, for any development that is not located within the Downtown Las Vegas Redevelopment Area, as established by Ordinance No. 3218 and amended from time to time,~~ the minimum setback requirements for the C-1 District shall be met.

2. Title 19.08.060(A), "Applicability," is hereby amended as follows:

3. ~~The following property is not subject to the residential adjacency standards set forth in this Subchapter:~~

a. ~~Property located within the boundaries of the Downtown Overlay District, as described by ordinance.~~

b. ~~Property located within the boundaries of the Las Vegas Redevelopment Area, as described by ordinance.~~

CONDITIONS – Continued:

Property within the boundaries of the Downtown Overlay District, as described by ordinance, is not subject to the residential adjacency standards set forth in this Subchapter.

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-5760 - CITY OF LAS VEGAS

** CONDITIONS **

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

1. Title 19.04.050(B), "Minimum Requirements," is hereby amended as follows:

SENIOR CITIZEN APARTMENTS [C-1]

5. For any development that, in accordance with LVMC 19.08.045, is allowed to exceed the maximum lot coverage provisions set forth in that Section, all landscape buffer requirements shall be met. In addition~~, for any development that is not located within the Downtown Las Vegas Redevelopment Area, as established by Ordinance No. 3218 and amended from time to time,~~ the minimum setback requirements for the C-1 District shall be met.

2. Title 19.08.060(A), "Applicability," is hereby amended as follows:

3. ~~The following property is not subject to the residential adjacency standards set forth in this Subchapter:~~

~~**a.** Property located within the boundaries of the Downtown Overlay District, as described by ordinance.~~

~~**b.** Property located within the boundaries of the Las Vegas Redevelopment Area, as described by ordinance.~~

Property within the boundaries of the Downtown Overlay District, as described by ordinance, is not subject to the residential adjacency standards set forth in this Subchapter.

** STAFF REPORT **

APPLICATION REQUEST

Discussion and possible action to amend the following portions of Title 19 of the Las Vegas Zoning Code:

1. Title 19.04.050(B), "Minimum Requirements;"
2. Title 19.08.060(A), "Applicability"

The proposed amendment will require the application of Residential Adjacency Standards to properties within the Downtown Las Vegas Redevelopment Area, and removes the reference to the Redevelopment Area from the standards for Senior Citizen Apartments.

BACKGROUND INFORMATION

Title 19.08.060 currently exempts properties within the boundaries of the Downtown Las Vegas Redevelopment Area and/or the Downtown Centennial Plan area from the application of Residential Adjacency Standards. The Residential Adjacency requirements apply to all other non-residential and multifamily residential elsewhere in the city. In addition, the standards for Senior Citizen Apartments references the Redevelopment Area as a basis for an exemption from setback requirements.

ANALYSIS

The Residential Adjacency Standards include two essential components that assist in protecting single-family residential properties from commercial encroachment:

1. Proximity Slope; and
2. Minimum Setback.

The minimum proximity slope requires that commercial or multifamily structures over 15 feet in height must fit within a 3:1 slope from any protected property. For example, a 100-foot high building would be required to be a minimum of 300 feet from the property line of a protected property. The minimum setback requirement stipulates that a commercial or multifamily structure must meet the minimum required setback of the protected property. For example, a commercial or multifamily structure adjacent to the rear yard of an R-1 (Single Family Residential) property must have a minimum setback that is equal or greater than the rear yard setback requirement of the R-1 property.

Other Residential Adjacency Standards include requirements addressing lighting impacts, location of trash enclosures, and the use of alleys.

One of the concerns that has been raised relative to the application of Residential Adjacency Standards is the fact that a significant portion of the Redevelopment Area includes single-family residential properties or is adjacent to established single-family residential neighborhoods. As the General Plan establishes the need to protect existing residential neighborhoods from commercial intrusion and the impacts of commercial development, the application of Adjacency Standards assists in meeting the goals and objectives of the General Plan.

Properties within the boundaries of the Downtown Centennial Plan area would still be exempt from the application of the Residential Adjacency Standards, as most of the Centennial Plan area is essentially urban in nature, and does not generally abut single-family residential areas. The exemption also provides an incentive for redevelopment in the Centennial Plan area, in addition to the other exemptions from development standards that are listed in Title 19.06.

Another element of the proposed amendment removes the reference of the Downtown Las Vegas Redevelopment Area from the standards for Senior Citizen Apartments. This is intended to ensure that minimum setbacks are maintained, and removes the reference to the Redevelopment Area from the standards.

FINDINGS

A review of the application of the Residential Adjacency Standards results in the following findings:

1. The proposed amendment will protect and enhance existing single-family neighborhoods within and adjacent to the Downtowns Las Vegas Redevelopment Area;

2. The proposed amendment assists in implementing the goals and objectives of the General Plan relative to established single-family neighborhoods; and

3. The proposed amendment assists in clarifying the distinction between the Redevelopment Plan and the Zoning Code.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

FF

City of Las Vegas

Agenda Item No.: 86

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

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

SUBJECT:
TXT-5763 - TEXT AMENDMENT - PUBLIC HEARING - CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.10.010(C), "Parking-Impaired Development," to clarify re-use/expansion requirements and conformance with parking standards.

THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM

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 forwarded to City Council in Ordinance form

MINUTES:
CHAIRMAN TRUESDELL declared the Public Hearing open.

MARGO WHEELER, Director, Planning and Development Department, explained that this amendment would clean up existing language to insure the proper implementation of the Code so that a project that is currently deficient in parking is still allowed to remodel and improve and re-tenent but they may not however, expand an area resulting in the need for additional parking without requesting a Variance.

COMMISSIONER McSWAIN thought the clarification was needed.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(12:31 – 12:33)

PLANNING COMMISSION MEETING OF JANUARY 13, 2005
Planning and Development Department
Item 86 - TXT-5763

CONDITIONS:

1. Title 19.10.010(C), "Parking-Impaired Development," is hereby amended as follows:

C. Parking-Impaired Development.

A land use or building which is existing on the effective date of this Title and which complied with the applicable parking standards at the time the use or building was established, but which does not comply with the requirements of this subchapter, shall not be considered a nonconforming use or non-conforming building; but rather, it shall be considered a "parking-impaired development." ~~Building permits and certificates of occupancy may be issued for remodeling or structural alterations of parking-impaired developments without requiring compliance with this chapter, provided that such redevelopment does not increase the building area or result in a change of use which requires an increased number of required parking spaces. If, when calculating the parking requirement of the existing or previous use utilizing the standards contained in this chapter, the development or redevelopment of a parking-impaired development does require more parking than the previous or existing use, then only the increased number of parking spaces shall be required.~~

1. **Building Permits.** Building permits and certificates of occupancy may be issued for remodeling or structural alterations of parking-impaired developments without requiring compliance with this chapter, provided that such work does not increase the building area or result in a change of use which requires an increased number of required parking spaces.

2. **Change of Use.** For any change of use which requires more parking than the previous or existing use of a parking-impaired development, only the increased number of parking spaces shall be required.

3. **Expansion of a Parking Impaired Development.** For any expansion or reuse of a parking-impaired development, including the expansion of existing buildings or the construction of new buildings, only the increased number of parking spaces shall be required.

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 13, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TXT-5763 - CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL

1. Title 19.10.010(C), "Parking-Impaired Development," is hereby amended as follows:

C. Parking-Impaired Development.

A land use or building which is existing on the effective date of this Title and which complied with the applicable parking standards at the time the use or building was established, but which does not comply with the requirements of this subchapter, shall not be considered a nonconforming use or non-conforming building; but rather, it shall be considered a "parking-impaired development." ~~Building permits and certificates of occupancy may be issued for remodeling or structural alterations of parking impaired developments without requiring compliance with this chapter, provided that such redevelopment does not increase the building area or result in a change of use which requires an increased number of required parking spaces. If, when calculating the parking requirement of the existing or previous use utilizing the standards contained in this chapter, the development or redevelopment of a parking impaired development does require more parking than the previous or existing use, then only the increased number of parking spaces shall be required.~~

1. **Building Permits.** Building permits and certificates of occupancy may be issued for remodeling or structural alterations of parking-impaired developments without requiring compliance with this chapter, provided that such work does not increase the building area or result in a change of use which requires an increased number of required parking spaces.

2. **Change of Use.** For any change of use which requires more parking than the previous or existing use of a parking-impaired development, only the increased number of parking spaces shall be required.

3. **Expansion of a Parking Impaired Development.** For any expansion or reuse of a parking-impaired development, including the expansion of existing buildings or the construction of new buildings, only the increased number of parking spaces shall be required.

** STAFF REPORT **

APPLICATION REQUEST

Discussion and possible action to amend a portion of Section 19.10.010(C) of the Las Vegas Zoning Code. This amendment would clarify the requirements for the expansion or reuse of Parking-Impaired Developments.

BACKGROUND INFORMATION

Title 19.10.010 defines developments that were once compliant with parking regulations but that do not comply with current parking regulations as "Parking-Impaired Developments," rather than a non-conforming building or use. The

ANALYSIS

The proposed amendment establishes separate paragraphs for conditions relative to changes of use and the expansion of Parking-Impaired Developments. The amendment makes clear that only where the change of use results in an increased parking requirement will additional parking spaces be required. Similarly, any expansion of a Parking-Impaired Development will also require additional parking spaces, equal to the ratio required for the increase in square footage only.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

FF

City of Las Vegas

PLANNING COMMISSION AGENDA

PLANNING COMMISSION MEETING OF: JANUARY 13, 2005

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

MARGO WHEELER, Director, Planning and Development Department, reminded the Commissioners that the Planning Commission Workshop was scheduled for January 20, 2005, at 12:00 p.m. at the Development Services Center 2nd floor conference room. She informed them that the agenda and back up packages had been delivered to their respective offices.

COMMISSIONER McSWAIN thanked CHAIRMAN TRUESDELL for his thoughtful and intelligent service over the past year. VICE CHAIRMAN NIGRO said it was wonderful to serve as Vice-Chairman under RIC TRUESDELL and he thanked him for his service. He also thanked all of the Commissioners and staff and appreciated the opportunity to Chair the Board.

VICE CHAIRMAN NIGRO asked MS. WHEELER if waivers for streetscape requirements in the downtown area would be discussed during the workshop because there seemed to be several requests for that. MS. WHEELER said the largest request in the area is usually a waiver for the stepback requirements at the 4th, 7th and 11th levels. The streetscape itself is the subject of a multi-departmental study at this time regarding the relationship between the City and private developers. The topic could be discussed during the meeting.

COMMISSIONER STEINMAN asked MS. WHEELER if staff could assemble a list of all of the high-rise developments the Board has approved recently. MS. WHEELER invited everyone to view the Planning Department's website to view a map showing all of the approved projects in the downtown area. The size, number of units and amounts of commercial space are included.

MEETING ADJOURNED AT 12:33 P.M.

Respectfully submitted:

Stacey Campbell

STACEY CAMPBELL, DEPUTY CITY CLERK

Arlene Coleman

ARLENE COLEMAN, DEPUTY CITY CLERK